

## 2015SP-088-001

### 101 FERN AVENUE

Map 071-14, Parcel(s) 386

Council District 02 (DeCosta Hastings)

Staff Reviewer: Jason Swaggart

A request to rezone from RS5 and CS to SP-R zoning for property located at 101 Fern Ave, approximately 350 feet west of Brick Church Pike (0.68 acres), to permit up to nine residential units, requested by Dale & Associates, applicant; Capital Homes, L.P., owner.

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

### APPLICANT REQUEST

**Rezone to permit nine residential units.**

#### Zone Change

A request to rezone from Single-Family Residential (RS5) and Commercial Service (CS) to Specific Plan-Residential (SP-R) zoning for property located at 101 Fern Ave, approximately 350 feet west of Brick Church Pike (0.68 acres), to permit up to nine residential 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 five units.*

Commercial Service (CS) is intended for retail, consumer service, financial, restaurant, office, self-storage, light manufacturing and small warehouse uses.

#### **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
- Creates Walkable Neighborhoods
- Supports a Variety of Transportation Choices

This area is served by adequate infrastructure including roads, water and sewer. Development in areas with adequate infrastructure is more appropriate than development in areas not served with adequate infrastructure because it does not burden Metro with the cost of maintaining new infrastructure. The request provides for an additional housing option in the area with a higher density than what is permitted under the existing single-family zoning district which covers a majority of the site. Additional housing options are important to serve a wide range of people with different housing needs. Higher densities foster walkability and better public transportation. A bus line runs along Brick Church Pike and a bus stop is located at the intersection of Brick Church Pike and Fern Avenue, which is near the proposed development.

### BORDEAUX-WHITES CREEK COMMUNITY PLAN

Urban Neighborhood Evolving (T4 NE) is intended to create and enhance urban residential neighborhoods that provide more housing choices, improved pedestrian, bicycle and vehicular connectivity, and moderate to high density development patterns with shallow setbacks and minimal spacing between buildings. T4 NE areas are served by high levels of connectivity with complete street networks, sidewalks, bikeways and existing or planned mass transit. T4 NE policy may be applied either to undeveloped or substantially under-developed "greenfield" areas or to developed areas where redevelopment and infill produce a different character that includes increased housing diversity and connectivity. Successful infill and redevelopment in existing neighborhoods needs to take into account considerations such as timing and some elements of the existing developed character, such as the street network and block structure and proximity to centers and corridors.

#### Consistent with Policy?

The request is consistent with the T4 NE policy. The policy supports a change in the overall development pattern from commercial and lower density residential to higher density residential that is more urban in form. The SP will allow for additional density and a more urban building form, and is consistent with the policy.

### PLAN DETAILS

The 0.68 acre site is located on the north side of Fern Avenue, approximately 350 feet west of Brick Church Pike. The site is listed as vacant; however, aerial photographs indicate that the site may have been used for nonresidential activities in the past. Commercial and light industrial uses border the property on the north and east. The property to

the west contains a single-family home and the property across the street is residentially zoned but is currently vacant.

Site Plan

The plan calls for nine residential units. Five units address Fern Avenue while the remaining four units front an internal open space. All units are limited to a maximum of three stories in 35 feet. The plan provides some architectural guidelines relating to building orientation, building entry, glazing, finished floor elevations and porches. The plan also prohibits vinyl siding, EFIS and untreated wood finishes.

Access is provided from a private drive located along the western property boundary. While there is an unimproved public alley located adjacent to the proposed private drive, Metro Public Works will not allow for the improvement of the alley due to sight distance issues and the concern that properties to the north may redevelop and use this alley for access to Fern Avenue, resulting in a significant safety hazard. Surface parking is provided for the units fronting Fern Avenue and all spaces are located behind the units and screened from view from the right-of-way. The four units fronting the open space include garages that are accessed from the private drive aisle. The plan provides a five foot wide sidewalk and four foot planting strip along Fern Avenue.

**ANALYSIS**

Staff recommends approval of this request as the proposed plan provides an additional housing option and a design that is consistent with the T4 NE land use policy. The proposal also meets several critical planning goals. While there is an unimproved alley located along the western property line, Public Works will not approve the utilization and construction of this alley due to sight distance issues.

**FIRE MARSHAL RECOMMENDATION**

**Approve with conditions**

- Provide flow data and sq. footages for the units. Inadequate flow would require the living units to be sprinklered and the locations of the hydrants may not be adequate.

**STORMWATER RECOMMENDATION**

**Approve with conditions**

- Offsite improvements may be required (to be determined during Final SP review).

**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.
- Comply with MPW Traffic Engineer

**TRAFFIC AND PARKING RECOMMENDATION**

**Approved with conditions**

Developer shall apply to T&P staff to approve installation of an intersection warning sign with appropriate speed plaque an appropriate distance per MUTCD standards in advance of project driveway.

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)	0.68	8.71 D	5 U	48	4	6

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)	0.68	-	9 U	67	6	7

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
-	-	-	+ 4 U	+19	+2	+1

**WATER SERVICES RECOMMENDATION**

**Approved with conditions**

Approved as a Preliminary SP only. Public construction plans must be submitted and approved prior to Final SP approval.

**METRO SCHOOL BOARD REPORT**

**Projected student generation existing RS5 district: 1 Elementary 1 Middle 1 High**

**Projected student generation proposed SP-R district: 0 Elementary 0 Middle 0 High**

The proposed SP-R zoning district would not generate any additional students than what is typically generated under the existing RS5 zoning district. Students would attend Lillard Elementary, Joelton Middle School, and Whites Creek High School. There is additional capacity for elementary, middle school and high school students. 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 of the proposed SP as it is consistent with the Bordeaux-Whites Creek Community Plan and meets several critical planning goals.

**CONDITIONS**

1. Uses are limited to a maximum of nine residential units.
2. Untreated wood is not permitted as an exterior finish.
3. Porches shall not encroach any further into the front setback than what is shown on the preliminary plan.
4. 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 RM15-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
5. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
6. 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.
7. Add the following note to the plan: The final site plan shall depict a minimum 5 foot clear path of travel for pedestrian ways, including public sidewalks, and the location of all existing and proposed obstructions. Prior to the issuance of use and occupancy permits, existing obstructions within the path of travel shall be relocated to provide a minimum of 5 feet of clear access.

Approve with conditions and disapprove without all conditions. (6-0), Consent Agenda

**Resolution No. RS2015-362**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2015SP-088-001 is **Approved with conditions and disapproved without all conditions. (6-0)**"

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