2015SP-092-001

OUTPOST NASHVILLE
Map 105-03, Parcel(s) 331, 349
Council District 17 (Colby Sledge)
Staff Reviewer: Jason Swaggart

A request to rezone from IR to SP-MU zoning for properties located at 1131 and 1137 4th Avenue South, at the northwest corner of Chestnut Street and 4th Avenue South (5.2 acres), to permit a mixed use development, requested by Hastings Architecture Associates, LLC, applicant; William and Sara Bass, owners. (See also Associated Case # 2015CP-011-003).

Staff Recommendation: Approve with conditions and disapprove without all conditions if the associated policy amendment is approved. If the associated policy amendment is not approved, then staff recommends disapproval.

APPLICANT REQUEST
Rezone to permit a mixed-use development.

Zone Change
A request to rezone from Industrial Restrictive (IR) to Specific Plan – Mixed-Use (SP-MU) zoning for properties located at 1131 and 1137 4th Avenue South, at the northwest corner of Chestnut Street and 4th Avenue South (5.2 acres), to permit a mixed-use development.

Existing Zoning
Industrial Restrictive (IR) is intended for a wide range of light manufacturing uses at moderate intensities within enclosed structures.

Proposed Zoning
Specific Plan-Mixed Use (SP-MU) 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 residential uses in addition to office and/or commercial uses.

CRITICAL PLANNING GOALS
- Supports Infill Development
- Fosters Distinctive, Attractive Mixed-Use Communities
- Creates Walkable Neighborhoods
- Provides a Range of Housing Choices
- Provides a Variety of Transportation Choices

The area is served by adequate infrastructure. Development in areas with adequate infrastructure is more appropriate than development not served with adequate infrastructure, such as substandard roads, water and sewer, because it does not burden Metro with the cost of upgrading or building new infrastructure. The plan fosters distinctive, attractive mixed-use communities by providing a unique design that would permit a variety of uses including residential, office, commercial and entertainment. The plan also provides open space areas such as plazas and courtyards which would provide gathering spots for residents of the development and visitors alike. All these amenities and uses are tied together by sidewalks, which creates walkable neighborhoods. The mixture of uses also provides for the ability to live and work within the same neighborhood, further supporting walkability. The proposal also supports walkable neighborhoods by providing new destinations for the area. The request provides an additional housing option in the area, which are important to serve a wide range of people with different housing needs. The additional uses and density support public transportation. People living in more dense mixed-use areas are more likely to use public transit because every day services are located closer by and it can be more efficient than driving oneself.

SOUTH NASHVILLE COMMUNITY PLAN
Existing Policy
Urban Mixed Use (T4 MU) policy is intended to preserve, enhance, and create urban, mixed use neighborhoods characterized by a development pattern that contains a diverse mix of residential and non-residential land uses, and that are envisioned to remain or develop in a mixed use pattern. T4 MU areas are areas intended to be mixed use in nature with the presence of commercial and even light industrial uses, but also a significant amount of moderate to high density residential development.

Proposed Special Policy
11-T4-MU-01
T4 Urban Mixed Use Neighborhood Area 1 referenced as 11-T4-MU-01 would apply to properties bounded by the Nashville City Cemetery to the north, Chestnut Street to the south, 4th Avenue South to the east, and the CSX rail lines to the west. In this area, the following Special Policies apply. Where the Special Policy is silent, the guidance of the T4 Urban Mixed Use Neighborhood policy applies.

Buildings of heights above the five or six stories described in the policy may be permitted with the following guidance:

Building Form and Site Design
• Building heights of up to five stories are generally most appropriate in this area because of its small blocks and narrow streets, but buildings of nine stories may also be appropriate in portions of this area due to its proximity to the Wedgewood Houston Tier One Center, the Downtown Nashville Tier One Center, and location along an Immediate Need segment of a High Capacity Transit corridor, provided that sufficient attention is paid to:
o High quality urban design, including building design, as well as the pedestrian realm. This includes avoiding the effects of taller buildings overshadowing the constrained neighborhood streets (4th Avenue South and Chestnut Street) within the area, or the historic Nashville City Cemetery to the north. Adequate distance from the cemetery and neighborhood streets must be provided.
o Careful attention to the design of details of the taller building, such as setbacks, placement of doors and windows, stoops and porches, and the location of parking garage entrances, in addition to massing of the building.
o Provision of open space and landscaped areas within the development, to allow for places to provide places for pedestrians to congregate, and variety in the build environment.
o Providing safe and comfortable walking and biking facilities, in addition to managing potential impacts such as increased traffic and demand for parking in the adjacent neighborhoods are also important factors in considering whether additional height for buildings in the area would be appropriate.

Connectivity (Pedestrian/Bicycle)
• Pedestrian and bicycle connectivity through the site is important, as well as providing access to the high capacity transit along 4th Avenue South. MTA has recommended this intersection for the location for a transit shelter, the location of which should be considered in new development projects within this area.
• Buildings of additional height within the development must not negatively impact the pedestrian experience; elements such as sidewalks and the streetscape should be in scale with the massing of buildings exceeding five stories (i.e. wider sidewalks for taller buildings).

Proximity to Historic Landmark – Nashville City Cemetery
• The design of buildings in the special policy area should be created in a manner that does not negatively impact the Nashville City Cemetery. No building should cast excessive shadows on, or loom over, the cemetery. New buildings should not create excessive light pollution. Additional setbacks for the location of buildings, or step-backs at higher floors of buildings may be necessary to ensure that this is met.
• The density of landscaping and vegetation along the property line between the Nashville City Cemetery and the special policy area should be maintained or increased.
• The Metro Nashville Historical Commission shall be consulted on design and placement of any buildings in the special policy area that are adjacent to the Nashville City Cemetery.

Consistent with Policy?
The proposed SP is not consistent with the existing policy, but it is consistent with the proposed special policy. While the T4 MU policy supports the type of mixed-use development being proposed, the proposed plan exceeds the height supported by the policy. The T4 MU policy supports a maximum height of five stories with six in limited instances. The maximum height proposed with this SP is nine, which is significantly higher than allowed by the policy. The impact that the development could have on the adjacent Nashville Cemetery, which is a Historic Landmark District, is paramount to staff's consideration.

The proposed SP is consistent with the proposed special policy which would apply to the subject project area. The plan provides a building form that is urban in nature, including shallow setbacks, appropriate heights along 4th Avenue and Chestnut Street and, a strong pedestrian streetscape and pedestrian areas. As designed, the proposed height along the shared property boundary with the Nashville Cemetery is also appropriate. The proposed SP would also provide bicycle parking, and would meet the Major and Collector Street Plan. The Metro Historic Zoning Commission has been heavily involved in the design of the project, and is recommending that the plan be approved with conditions.

PLAN DETAILS
The subject site is approximately five acres in size and consists of two separate properties. The site is located at the northwest corner of 4th Avenue South and Chestnut Street. The Nashville City Cemetery, which is a Historic Landmark District, borders the site to the north. A CSX railroad abuts the western property boundary. The site is developed and the use classification for each property in the proposed SP is light manufacturing which is permitted under the current IR zoning.

Site Plan
The plan consists of a site plan and regulating plan. The site plan identifies building footprints, amenity areas, sidewalks, internal drive layout and access locations. The regulating plan provides more details including use restrictions, bulk standards, design examples, elevations, public street standards and private drive standards.

The SP permits most of the uses that are permitted under the MUL-A zoning district. Permitted uses include but are not limited to residential, office, retail, restaurant and entertainment uses.

The plan would permit up to 70 units per acre and a maximum floor area ratio (FAR) of one for nonresidential uses. Residential units and parking would not count towards the maximum floor area. Given the acreage (5.2 acres), the SP would permit up to 364 residential units and up to 226,512 square feet of nonresidential uses.

The proposed plan specifies build-to zones which define the area in which future buildings must be placed along 4th Avenue, Chestnut Street and internal drives or lanes. The standards include the percentage of the façade along each build-to zone that must meet the requirement. The remaining façade that is not required to be within the build to zone could be setback further and is intended for plazas and other outdoor spaces. The SP would prohibit parking within the build-to zone.

The plan does not require any internal or external rear yard or side yard setbacks. It does require a 40 foot minimum building setback from the property line shared with the Nashville Cemetery.

As proposed, the plan provides specific height requirements and would permit a maximum height of nine stories. Maximum heights are identified by zones. The nonresidential area is limited to three stories, which includes the areas adjacent to 4th and Chestnut. The residential building, which is shown at the northwest corner of the site is permitted up to nine stories; however, the SP does not permit the entire façade facing the Nashville Cemetery to be up to nine stories. The SP requires that a majority of the façade facing the Nashville Cemetery be a maximum of three stories. The SP further restricts the height of the east wing of the residential building to a maximum of eight stories within 45 feet of the front façade.

A majority of the required parking will be located in structured parking; however, the SP would also permit parking along internal drives. The SP requires that any ground floor parking be lined with active uses. The plan also requires that upper floors of parking decks be screened with active uses or screening that is in keeping with the overall architecture of the building design. The required number of parking spaces is as specified by the Zoning Code. The SP also permits all UZO parking exemptions. The plan also requires bike parking consistent with Zoning Code requirements.

The parking plan does not include details regarding signage. Signage is to be consistent with the signage requirements for the MUL-A zoning district as outlined in the Metro Zoning Code.

The SP calls for street improvements along 4th and Chestnut to be consistent with the Major and Collector Street Plan. This includes sidewalks, a planting strip and any other necessary improvements.

ANALYSIS
The SP plan is not consistent with the existing T4 MU policy. The proposed SP meets a majority of the goals of the T4 MU policy; however, the proposed height exceeds the maximum height supported by the policy. The current policy supports a maximum height of five stories with six stories in limited instances.

The proposed SP is consistent with the proposed special policy, which would apply to the subject project area. The plan provides a building form that is urban in nature, including shallow setbacks, appropriate heights along 4th Avenue and Chestnut Street, a strong pedestrian streetscape and pedestrian areas. The SP would also provide bicycle parking, and would meet the Major and Collector Street Plan. Metro Historical Zoning staff has been heavily involved in the design of the project, and is recommending that the plan be approved with conditions.

The proposed SP also meets several critical planning goals. Since the proposed SP is consistent with the proposed policy and meets several critical planning goals, then staff recommends approval of the proposed SP, if the associated policy amendment is approved. Staff does not recommend approval of the proposed SP if the associated policy amendment is disapproved.

METRO HISTORICAL ZONING STAFF
Approve with conditions
1. Building footprint sets back a minimum of 40 feet from the property line with the City Cemetery,
2. Building height is 9 stories with a reduction to 8 stories for at least 45 feet on the northeast leg of the “U” shaped tower,
3. Vehicular entrance from 4th Avenue South at the northeast corner of the property is pushed south 2 feet or more to protect the early 20th century corner limestone wall pier, which was recently damaged due to the tight turning radius,
4. During excavation an archaeologist should be on site to monitor for human remains that date to the Civil War when the site was used as an expansion of the City Cemetery for the burial of Union and Confederate soldiers, and
5. During blasting a seismologist should be on site to monitor potential damage to underground burial vaults at the City Cemetery.

FIRE MARSHAL RECOMMENDATION
Approved with conditions
- Fire Code issues for the structures will be addressed at permit application review.

STORMWATER RECOMMENDATION
Approved

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.
- Dedicate ROW/ easements to the back of the proposed sidewalk, prior to the building permit approval.
- Indicate on the plans the existing utility poles and any other utilities within ROW. These items are to be relocated outside the proposed sidewalk. This may cause a revision to the proposed sidewalk to be relocated.

TRAFFIC AND PARKING RECOMMENDATION
Conditions if approved

In accordance with the TIS findings, the developer shall construct the following roadway improvements:

- A "One Way" (R6-1 or R6-2) sign should be installed on 4th Avenue South facing the Site Access 3 approach.
- A "One Way" (R6-2) sign should be installed on the near right corner of the intersection facing the Site Access 3 approach.

Site Access 2 and Chestnut Street
- Site Access 2 at Chestnut Street should be designed to include sufficient width for one entering lane and one exiting lane. Signage shall be installed to restrict loading and parking along the 24ft wide access road.

Chestnut Street
- In order to provide an eastbound left turn lane on Chestnut Street at Site Access 2 for entering traffic, Chestnut Street is recommended to be restriped between 3rd Avenue South and the CSX Railroad Crossing. The restriping, as shown on the site plan, should provide one westbound lane, two eastbound lanes, and an eastbound left turn lane on Chestnut Street at the proposed Site Access 2. The eastbound left turn lane should include approximately 90 feet of storage and 50 feet of taper. The inside westbound lane on Chestnut Street at 4th Avenue South should be restriped to a dedicated left turn lane. Developer shall submit striping and signage plan with Final SP plan. Additional analysis may be required to determine if a SW left turn lane shall be installed on Chestnut at 4th Ave intersection.

Parking
- Valet parking operations, if provided, should be located on the internal private drives within the site, an appropriate distance from access drives to allow adequate queueing without blocking entering or exiting traffic.
- The mixed-use development should provide sufficient off-street parking to accommodate the proposed land uses per the Metro Zoning Code for MUL-A districts and/or per a shared parking analysis as allowed in the zoning code. The number of required parking spaces should be re-evaluated at Final SP.

Chestnut Street and Martin Street
- The existing crosswalk on Martin Street at Chestnut Street should be refurbished.

Chestnut and 4th Ave.
- Developer shall upgrade pedestrian signals at intersection to LED module countdown ped signals. Developer shall submit signal plan to Metro traffic engineer for approval and install updated ped signals when directed by MPW.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	5.2	0.6	135,907 sq. ft.	484	41	44

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
Multi-Family Residential (220)	5.2	-	364 U	2330	183	218

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 (820)	5.2	-	226,512 sq. ft.	11555	250	1101

Traffic changes between maximum: **IR** and proposed **SP-MU**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-		+13,401	+392	+1,275

WATER SERVICES RECOMMENDATION
Approved with conditions
• Approved as a Preliminary SP only.

METRO SCHOOL BOARD REPORT
Projected student generation existing IR district: 0 Elementary 0 Middle 0 High
Projected student generation proposed SP-MU district: 1 Elementary 1 Middle 2 High

The proposed SP-MU would generate four additional students, based on the Urban Infill Factor. Students would attend Whitsitt Elementary School, Wright Middle School and Glencliff High School. There is capacity for additional students in all three schools. This information is based upon data from the school board last updated November 2015.

STAFF RECOMMENDATION
Staff recommends that the proposed SP be approved with conditions and disapproved without all conditions if the associated policy amendment is approved. If the associated policy amendment is not approved, then staff recommends disapproval.

CONDITIONS
1. The SP shall be limited to uses listed in the SP document.
2. Prior to any final site plan approval, applicant shall work with the Metropolitan Transit Authority (MTA) to determine if a public transit-stop should be located within the project or along the project boundary. If MTA determiners that a transit-stop is necessary within or along the project boundary, then the final site plan shall accommodate the transit-stop.
3. Any final site plan shall provide public pedestrian improvements including sidewalks and planting strips consistent with the Major and Collector Street Plan.
4. Dumpster and recycling container locations shall not be visible from internal drives or public streets.
5. Building footprint sets back a minimum of 40 feet from the property line with the City Cemetery.
6. Building height is 9 stories with a reduction to 8 stories for at least 45 feet on the northeast leg of the “U” shaped tower.
7. Vehicular entrance from 4th Avenue South at the northeast corner of the property is pushed south 2 feet or more to protect the early 20th century corner limestone wall pier, which was recently damaged due to the tight turning radius.
8. During excavation an archaeologist should be on site to monitor for human remains that date to the Civil War when the site was used as an expansion of the City Cemetery for the burial of Union and Confederate soldiers.
9. During blasting a seismologist should be on site to monitor potential damage to underground burial vaults at the City Cemetery.
10. Signage shall meet the MUL-A signage requirements.
11. 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 MUL-A zoning district as of the date of the applicable request or application.
12. 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.
13. 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.
14. 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.
15. 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.
16. 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.

Approve with conditions and disapprove without all conditions. (10-0), Consent Agenda

Resolution No. RS2016-3

"BE IT RESOLVED by The Metropolitan Planning Commission that 2015SP-092-001 is **Approved with conditions and disapproved with all conditions. (10-0)**"

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