

2016SP-039-001

BENTO BOX SP

Map 105-07, Parcel(s) 443-444
Council District 17 (Colby Sledge)
Staff Reviewer: Latisha Birkeland

A request to rezone from IWD to SP-MU zoning for properties located at 1267 and 1271 3rd Avenue South, at the southwest corner of Hart Street and 3rd Avenue South (0.95 acres), to permit a mixed-use development with a maximum of 82 residential units and a maximum 8,700 square feet on non-residential uses, requested by Littlejohn Engineering, applicant, David Mangum, owner.

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

APPLICANT REQUEST

Zone change to permit a mixed use development.

Preliminary SP

A request to rezone from Industrial Warehousing/Distribution(IWD) to Specific Plan-Residential (SP-MU) zoning for properties located at 1267 and 1271 3rd Avenue South, at the southwest corner of Hart Street and 3rd Avenue South (0.95 acres), to permit a mixed-use development with a maximum of 82 residential units and a maximum 8,700 square feet of non-residential uses.

Existing Zoning

Industrial Warehousing/Distribution (IWD) is intended for a wide range of warehousing, wholesaling, and bulk distribution uses.

Proposed Zoning

Specific Plan-Residential (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
- Provides a Range of Housing Choices
- Provides a Variety of Transportation Choices
- Creates Walkable Neighborhoods

The area is served by adequate infrastructure. Development in areas with adequate infrastructure is more appropriate than development in areas 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 provides an additional housing option to the immediate area, which are important to serve a wide range of people with different housing needs. The proximity to Nolensville Pike also supports public transportation and walkable neighborhoods. People living in more dense mixed-use areas are more likely to use public transit because every day services are located more closely and it can be more efficient than driving oneself.

SOUTHEAST NASHVILLE COMMUNITY PLAN

Conservation (CO) is intended to preserve environmentally sensitive land features through protection and remediation. CO policy applies in all Transect Categories except T1 Natural, T5Center, and 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. The guidance for preserving or enhancing these features varies with what Transect they are in and whether or not they have already been disturbed.

T4 Urban Mixed Use Neighborhood (T4 MU) is intended to preserve, enhance, and create urban, mixed use neighborhoods with a development pattern that contains a variety of housing along with mixed, use, commercial, institutional, and even light industrial development. T4 MU areas are served by high levels of connectivity with complete street networks, sidewalks, bikeways and existing or planned mass transit.

Consistent with Policy?

Yes. The proposed development is consistent with the Conservation policy and the T4 Urban Mixed Use Neighborhood policy. The Conservation area consists of a small area of steep slopes along the

northeast side of the site. The small area of steep slope is man-made and created from fill placed on the site over a period of time. The plan proposes a mixture of uses including residential and commercial space. The proposed building will be built to the back edge of the new sidewalk and parking is behind the building, providing an active pedestrian environment.

PLAN DETAILS

The site is located 1267 and 1271 3rd Avenue South, at the southwest corner of Hart Street and 3rd Avenue South. The site is approximately 0.95 acres in size and is currently vacant commercial land.

Site Plan

The plan proposes an 82-unit multi-family residential building with up to 8,700 square feet of ground floor commercial space. The 5-story building has frontage along Hart Street and 3rd Avenue South. The western property line abuts CSX railroad right-of-way. The proposed building includes a two story restaurant space at the corner of Hart Street and 3rd Avenue South, with an open mezzanine. Space has been provided for retail and office uses. An amenity center is located at the corner of Hart Street and 4th Avenue South. Ground floor commercial spaces have provided glazing and pedestrian accessibility that will provide for an active streetscape.

Vehicular access to the site will be from Hart Street and 3rd Avenue South. The building cantilevers over the vehicular access along 3rd Avenue South. Parking has been provided on-site and within a 76- stall automated parking structure along the rear of the site. The automated parking structure can be entered along the front of the structure, the side that faces the drive aisle. A 15 foot retaining wall will be installed along the rear of the site, adjacent to the CSX right-of-way, as grade falls along the eastern side of the site.

The proposed 6 foot side walk and 4 foot grass strip along Hart Street and 3rd Avenue South exceed the sidewalk requirements for local streets. Additionally, internal sidewalks are provided in the parking area. Bike parking has been provided and meets Metro Zoning Code requirements. In addition to street trees, there will be additional landscaping internal to the site. Architectural standards such as prohibited materials have been included on the plan.

ANALYSIS

The proposed building form and uses are consistent with the T4 Mixed Use Neighborhood policy. The redevelopment of this site will encourage pedestrian activity and activate the public realm. The 5-story building is appropriate in this location within the T4 Mixed Use Neighborhood Policy given the site is adjacent to 4th Avenue South which is a major arterial street. Mixed use is appropriate in this location as it provides a mixture of housing types and uses near a major arterial corridor. The proposed building will help frame Dudley Park, just to the north of this site, and provide a transition the existing uses along Hart Street.

FIRE MARSHAL RECOMMENDATION

Approved with conditions

- Fire Code issues will be addressed in the permit phase.

STORMWATER RECOMMENDATION

Approved

WATER SERVICES RECOMMENDATION

Approved with conditions

- Approved as a Preliminary SP only. The required capacity fees must be paid prior to Final Site Plan/SP approval.

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, in effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable. Final design may vary based on field conditions.
- Any proposed street furniture, bike racks, etc. must be approved by Metro Council through a Mandatory Referral.
- If the building or awning overhangs the ROW then a Mandatory Referral for aerial encroachment will be required prior to building permit approval.

- Installation of new crosswalks may require installation of ADA compliant curb ramps, if not existing.

TRAFFIC AND PARKING RECOMMENDATION

Approved with conditions –

In accordance with TIS findings, Developer shall construct the following roadway improvements.

Hart Street

- The double solid yellow centerline along Hart Street should be refurbished between 4th Avenue South and 2nd Avenue South.

Site Access 1 and 3rd Avenue South

- Site Access at 3rd Avenue South should be designed to include sufficient width for one entering lane and one exiting lane.
- The final design of Site Access 1 on 3rd Avenue South and approaches to the site access drive should be completed such that departure sight triangles, as specified by AASHTO will be clear of all potential sight obstructions, including landscaping, existing trees and vegetation, decorative monument signs/walls, fences, building faces, parallel parking, etc.

Site Access 2 and Hart Street

- At a minimum, Site Access 2 at Hart Street should be designed to include sufficient width for one entering lane and one exiting lane.
- The final design of Site Access 2 on Hart Street and approaches to the site access drive should be completed such that departure sight triangles, as specified by AASHTO will be clear of all potential sight obstructions, including landscaping, existing trees and vegetation, decorative monument signs/walls, fences, building faces, parallel parking, etc.

3rd Avenue South and Hart Street

- Install a crosswalk on the north leg of 3rd Avenue South.
- Refurbish the stop line for the northbound approach of 3rd Avenue South.
- Install “STOP” word pavement marking for the northbound approach of 3rd Avenue South.

4th Avenue South and Hart Street

- Install a crosswalk on the east leg of Hart Street at 4th Avenue South.
- Refurbish the stop line on the westbound approach of Hart Street four feet in advance of the crosswalk.
- Install a left turn arrow and “ONLY” word pavement marking on the westbound approach of Hart Street at 4th Avenue South.

Parking

- A minimum of 97 parking spaces should be provided to accommodate the Live Bento Mixed-Use Development.
- Allow use of the automated parking garage by retail and restaurant guests in order to provide a minimum of a total 29 spaces for those land uses.
- On-street parking should not be allowed on the south side of Hart Street within 55 feet of 4th Avenue South, which will reduce the proposed on-street parking along the site frontage by approximately 2 spaces. Revise site plan bulb in parking on Hart St as required.as required
- Apply to T&P staff to restrict on street parking on south side of Hart St within 55ft of 4th Avenue South.
- Provide on -site valet loading area with signage on Hart St access driveway with an appropriate queueing distance to Hart St.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	0.95	.8 F	33, 105 SF	118	10	11

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)	0.95	-	82 U	621	44	63

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)	0.95	-	8,700 SF	410	15	43

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+913	+49	+95

METRO SCHOOL BOARD REPORT

Projected student generation existing IWD district: 0 Elementary 0 Middle 0 High

Projected student generation proposed SP-R district: 10 Elementary 5 Middle 4 High

The proposed SP-MU zoning district could generate 19 more students than what is typically generated under the existing IWD zoning district. Students would attend Whitsitt Elementary, Wright Middle School, and Glencliff High School. All schools have been identified as having additional capacity. This information is based upon data from the school board last updated March 2016.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions as the proposed SP is consistent with the community plan and meets several critical planning goals.

CONDITIONS

1. Permitted land uses shall be limited to up to 82 residential units with a maximum of 8,700 commercial square feet.
2. Height is limited to a maximum of 5 stories within 76 feet along Hart Street.
3. Height is limited to a maximum of 5 stories within 64 feet along 3rd Avenue South.
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 MUN-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. 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.

Approve with conditions and disapprove without all conditions. (7-0), Consent Agenda

Resolution No. RS2016-163

"BE IT RESOLVED by The Metropolitan Planning Commission that 2016SP-039-001 is **Approved with conditions and disapproved without all conditions. (7-0)**"

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