

**PLANNING COMMISSION CASE REPORT**

Case Number: 2015-020

PC Meeting Date: 02-09-15

**Applicant Request****Rezone from M-1 Manufacturing Zone to C-3 Central Business Zone**

<b>Property Location:</b>	<b>1472 &amp; 1474 Market Street</b>
<b>Property Owner:</b>	<b>Dan Rose</b>
<b>Applicant:</b>	<b>Thomas Palmer</b>

**Project Description**

- Three- to four-story mixed used building.
- Since the current zone only permits non-residential uses, it is assumed the C-3 Zone is desired to accommodate some residential uses and urban setbacks and parking.

**Site Analysis****Site Description**

- The 7,840 square foot vacant site is located on the east side of Market Street adjacent to the Terminal Brewhouse and approximately 100 feet from the intersection with Main Street.
- Access: Currently vehicular access to the site is via the existing two open rights-of-way on the north and east sides of the site. There is no existing curb cut on Market Street.
- Development form: There is a mixture of one, two, three, and four story buildings within a 500-foot radius of this downtown urban site.
- Land uses: There is a mixture of retail, office, residential, hotel, and other mixed uses within this same 500-foot radius.

**Zoning History**

- The site is currently zoned M-1 Manufacturing.
- All properties surrounding this site are zoned C-3 Central Business.
- There has been no recent zoning activity on this site.

**Plans/Policies**

- The Downtown Plan (adopted by City Council in 2004) recommends urban, mixed use development including residential, music venues, and restaurants.
- The Downtown Plan further recommends that “curb cuts should not be added to major downtown streets. Side streets and alleys should be used for vehicular access.”
- The M-1 Manufacturing Zone only permits non-residential uses.

**Key Findings**

- The proposal is supported by the recommendations of the adopted Land Use Plan for the area.
- The proposed use is consistent with surrounding uses.
- The proposal is consistent with the development form of the area.
- The proposed structure does not raise concerns regarding location, lighting, or height.
- The proposal would be an extension of an existing zone.
- The proposal would not set a precedent for future requests.

**Staff Recommendation**

Approve, with the following conditions:

**1. Review.**

The following review shall be required to promote compliance with the Downtown Plan, to help ensure that new development complements the existing urban fabric, and to promote the preservation of historically or architecturally significant structures.

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- A. For any activity requiring a land disturbing permit, non-residential building permit, or residential building permit for structures with more than 2 units, and excluding all interior renovations:
  - (1) The Applicant is required to schedule a meeting with the Community Design Group during the concept development phase of site design.
  - (2) The Applicant is required to schedule a pre-submittal meeting with the City's Land Development Office.
  - (3) All site layout plans, landscaping plans, and building elevations required by the Land Development Office shall also be reviewed by the Community Design Group prior to approval.
- B. For any activity requiring a residential building permit for new construction:
  - (1) The Applicant shall provide illustrations, such as specifications, photographs, or other images, to the Community Design Group for review of the work to be completed.

### 2. Setbacks.

- A. For new multi-family buildings three (3) stories in height or greater, and for all new non-residential buildings, a zero building setback is required along the street frontage.
  - (1) To accommodate outdoor pedestrian activities including a park, plaza, or outdoor dining, a greater setback is permitted if a street edge delineating the public and private space is provided in accordance with Condition 6.A.
- B. For new single-family detached, duplex, townhome, and multi-family structures less than three (3) stories in height, building setbacks shall be consistent with the existing setbacks on the same side of the street.
- C. For properties fronting the Tennessee River, a public easement a minimum of thirty-five (35) feet in width shall be provided along the river for the continuation of the Riverwalk.

### 3. Height Requirements.

- A. The minimum height of new nonresidential buildings shall be eighteen (18) feet.
- B. The maximum height of all new nonresidential buildings and new multi-family buildings shall be five (5) stories.

### 4. Access to sites and buildings.

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- A. New curb cuts shall not be permitted on the primary, or highest order street, that a property fronts, except when there is no alley or secondary street to provide access. The permitting and location of curb cuts on primary streets shall be approved by the City Traffic Engineer based on vehicular and pedestrian safety concerns.
- B. Alleys, where they exist, shall be used as the principal vehicular access.
- C. In the absence of alleys, the secondary, or lower order street, shall be used as the principal vehicular access.
- D. Shared drives should be used wherever possible.
- E. The primary pedestrian entrance to new buildings shall be provided from the primary street.

### 5. Off-street parking.

- A. New off-street parking shall not be permitted between a building and the primary street frontage.
- B. For new construction of a primary building, or improvements altering more than 25% of the parcel that is covered in pavement (including gravel, impervious surfaces, and pavers), the following is required:
  - (1) Off-street parking fronting a public street shall be screened from the right-of way with a street edge in accordance with Condition 6.A. Front end in or parallel parking along alleys is exempt from this requirement.
  - (2) Surface parking lots shall be landscaped with a minimum of one (1) Class I shade tree for every five parking spaces. Where conflicts with overhead utility lines exist, Class II shade trees may be used.
- C. Garages for new residential dwellings shall be located behind the primary building.
- D. There are no minimum requirements for the quantity of off-street parking spaces. However, site plans shall indicate the quantity and location of off-street parking provided, along with the following information:
  - (1) Proximity to transit stops
  - (2) Provision of bicycle facilities
  - (3) Availability of adjacent on-street parking, proximity to public parking facilities, shared private parking, or leased off-site parking
  - (4) Type of uses and hours of operation
  - (5) Square footage of commercial uses or number of residential units
  - (6) Fire Department access

### 6. Street Frontage.

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- A. Where a street edge is required, it shall be provided as follows:
- (1) The street edge shall have a minimum height of three (3) feet and a maximum height of four (4) feet above grade and shall consist of:
    - a. Brick, stucco, or stone walls (concrete block is permitted if faced with said materials); or
    - b. A decorative metal fence with landscaping a minimum of 3 feet in height at maturity, providing a year-round near opaque screen; or
    - c. An evergreen hedge, with a minimum height at maturity of 3 feet.
    - d. Highway-style guardrails or security fencing (e.g. chain link) shall not be permitted.
  - (2) Ground floor openings (doors and windows) shall constitute a minimum of 50 percent of the ground floor façade area for new non-residential buildings.
  - (3) No security-type roll up metal doors shall be newly installed where they would front streets other than interior block alleys.
  - (4) All dumpsters and mechanical equipment shall be placed to the rear of the property and shall be screened from all public rights-of-way.