

PLANNING COMMISSION CASE REPORT**Case Number: 2015-035****PC Meeting Date: 3-9-15****Applicant Request****Rezone from R-4 Special Zone to C-3 Commercial Zone**

Property Location:	941 McCallie Avenue
Property Owner:	Alfred Jayne
Applicant:	Skip Pond

Project Description

- The proposal is to construct two 2-story apartment buildings with a total of 8 to 10 apartment units fronting the northwest corner of McCallie Avenue and Central Avenue.
- The proposed residential density is approximately 24-30 dwelling units per acre.
- The application described the proposal as “townhome/rowhouse” units but no lot lines are shown on the site plan, indicating an apartment use. Townhouse units, if intended to be sold individually, are required to be on individual lots.
- Surface parking is proposed to the rear of the buildings and to be accessed from the existing alley.
- According to the applicant, the “fronts” of both buildings will face the streets, with rear pedestrian access facing the parking lot.

Site Analysis**Site Description**

- The 13,285 square foot vacant site is located on the northwest corner of the McCallie Avenue and Central Avenue intersection at the southern edge of the historic Fortwood Neighborhood.
- Access: Currently, access to the site is from Central Avenue via an alley at the rear.
- Development form: There is a mixture of one and two story buildings within a 500 foot radius of this urban neighborhood site.
- Land Uses: Residential uses are adjacent to the site on the north and directly adjacent to the west. A vacant lot is across McCallie Avenue to the south. There are also several office uses along McCallie Avenue across the street from the site as well as a convenience store/fuel center located diagonally on the opposite corner of the same intersection. To the east of the site across Central Avenue is a church and parking lot (see Zoning History below).
- Density: The residential density of the homes nearest to this site (931 & 935 McCallie Avenue and 918-930 Oak Street) is approximately 5 dwelling units per acre.

Zoning History

- The site is currently zoned R-4 Special Zone.
- Properties to the rear (north) of the site are zoned R-3 Residential and R-4 Special Zone. Properties to the west are zoned R-4 Special Zone, property to the east is zoned C-2 Convenience Commercial and properties to the south (across McCallie Avenue) are zoned C-3 Central Business Zone.
- The church and parking lot across Central Avenue, to the east, is currently in the process of requesting a zoning change to C-3 Central Business Zone for a 4-story 114-unit apartment building which would have a residential density of 66 dwelling units per acre. The Planning Commission recommended approval subject to certain conditions. The City Council approved the zoning change on first reading.
- There has been no recent zoning activity on this specific site.

Plans/Policies/Regulations

- The existing R-4 Special Zone permits the applicant’s proposed use (and office uses) but requires building setbacks which would reduce the potential building size and number of units.
- The requested C-3 Central Business Zone permits the applicant’s proposed use but has building setbacks which would permit a larger building size and more units than the current R-4 Zone.

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- This site is within the Fort Wood Historic District and a review by the Historic Zoning Commission will be required.
- This site is within the 2009 MLK Community Plan. Recommendations for housing include the following:
 - ❖ Build higher density housing, such as condos, townhouses, lofts, quads and small apartment buildings on larger corner lots and on the major streets where parking can be accommodated.
- This site is within the 2004 Downtown Plan area with no specific land use recommendation. However, the Plan does recommend the following policies/principles that apply to this proposal:
 - ❖ Housing: A diversity of downtown residents creates a 24-hour experience, supports downtown businesses, and increases the safety and vitality of downtown. Promote socio-economic, racial, and age diversity downtown by building a variety of housing types (for sale, rental, market rate, low income, single-family, multifamily, large and small. Target 9,837 additional housing units by 2024.
 - ❖ Density: Building densities should be much higher in the downtown than in other parts of the city to make more efficient use of available land and to support transit pedestrian activity, schools and neighborhood commercial businesses. Build new development at a minimum density of 12 units per acre. Significantly higher densities are preferred. In residential areas, higher densities should typically be clustered near commercial centers.
 - ❖ Building Height: Buildings should be similar in height and configuration to neighboring buildings on the same block and side of the street to create continuity, balance and scale. They should also be of sufficient height to frame the street. A ratio of between 1:1 and 1:2 (street width to building height) is ideal in most circumstances to frame the street. Multi-lane streets can typically accommodate taller buildings than narrow streets. The minimum height of all buildings in the downtown should be two stories to provide the density needed to support transit and commercial businesses.

Key Findings

- The proposal is supported by the recommendations of the adopted Land Use Plans as it adds to the diversity of housing types and increases the density along a major corridor.
- The proposed use is consistent with surrounding uses.
- The proposal is consistent with the surrounding development forms as a mix of single-family, multi-family and student housing are found in the general area.
- The proposed residential density is higher than in the immediate area, however higher densities are recommended in the Downtown Plan and the MLK Community Plan.
- 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 set a precedent for future requests.

Staff Recommendation

Approve, subject to 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.

- 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:

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- (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. Height Requirements.**
- A. The minimum height of new buildings shall be eighteen (18) feet.
 - B. The maximum height of all new multi-family buildings shall be two (2) stories.
- 3. Access to sites and buildings.**
- 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.
- 4. Off-street parking.**
- A. New off-street parking shall not be permitted between a building and the primary street frontage.

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- 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

5. Street Frontage.

- 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.

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- (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.

6. Land Use

- A. The use shall be restricted to residential.