

PLANNING COMMISSION CASE REPORT

Case Number: 2015-089

PC Meeting Date: 07-13-15

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

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|---------------------------|----------------------------------|
| Property Location: | 1701 Broad Street |
| Property Owner: | Gary Fillers/Jeff Fillers |
| Applicant: | John Murphy |

Project Description

- Proposal: Develop 1.5-acre site with 139 apartment units and possibly some retail.
- Proposed Access: East 17th Street and South Broad Street.
- Proposed Development Form: 4 and 5-story buildings wrapped around parking structure.

Site Analysis**Site Description**

- Location: The 1.5-acre site is located on the southwest corner of the West 17th Street and Broad Street intersection.
- Current Access: East 17th Street and Broad Street.
- Current Development form: There is a mixture of one and two story buildings within a 300 foot radius of this downtown urban site. There is a four-story building currently on the site.
- Current Land Uses: The property to the north is a chicken processing plant. The property to the east, across Broad Street is warehousing and office uses. The property to the south is used for warehousing, office, and a restaurant. The property adjacent to the west side of the site is railroad right-of-way.
- Current Density: Not applicable.

Zoning History

- The site is currently zoned M-1 Manufacturing.
- The property to the north is zoned M-1 Manufacturing. The property to the east is zoned M-1 Manufacturing. The property to the south is zoned M-1 Manufacturing. The property to the west is zoned M-1 Manufacturing.
- The nearest C-3 Central Business Zone (same as the request) is on the northeast corner of the same street intersection (East 17th and Broad).
- There has been no recent zoning activity on this site.

Plans/Policies/Regulations

- The Downtown Plan (adopted by City Council in 2004) recommends a diverse mix of uses, including housing, and the adaptive reuse of existing urban buildings. Minimum residential densities of 12 units per acre are recommended; significantly higher densities are preferred. Completion of the 17th Street pedestrian route to connect Finley Stadium and the parks in Cowart Place, Fort Negley, and Jefferson Heights is also recommended.
- The M-1 Manufacturing Zone permits most types of non-residential uses, but does not permit residential uses.
- The C-3 Central Business Zone permits residential and non-residential uses but with a required urban development form.

Key Findings

- The proposal is supported by the recommendations of the adopted Land Use Plan for the area
- The proposed use is compatible with surrounding uses.
- The proposal is consistent with the development form of the area.
- The proposed residential density is compatible with the densities in the general area.
- The proposed structure does not raise concerns regarding location, lighting, or height.

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- The proposal would be an extension of an existing zone.
- The proposal would set a positive precedent for future requests.

Staff Recommendation

Approve C-3 Central Business Zone, 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:
 - (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.
 - (2) For multi-family buildings three (3) stories in height or greater, a greater setback is permitted if entrances to individual units front the street.
- 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.

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 four (4) stories.

4. 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.

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- 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.

- 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:
 - (2) Brick, stucco, or stone walls (concrete block is permitted if faced with said materials); or
 - (3) A decorative metal fence with landscaping a minimum of 3 feet in height at maturity, providing a year-round near opaque screen; or
 - (4) An evergreen hedge, with a minimum height at maturity of 3 feet.
 - (5) Highway-style guardrails or security fencing (e.g. chain link) shall not be permitted.
- B. Ground floor openings (doors and windows) shall constitute a minimum of 50 percent of the ground floor façade area for new non-residential buildings.
- C. Eighty percent (80%) of the ground level building façade, facing primary streets, shall be designed as leasable space and shall not include parking lots.
 - a. The remainder of the ground floor may be designed to incorporate parking, provided the parking is completely screened from public view.
- D. 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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- E. All dumpsters and mechanical equipment shall be placed to the rear of the property and shall be screened from all public rights-of-way.

