Metropolitan Planning Commission

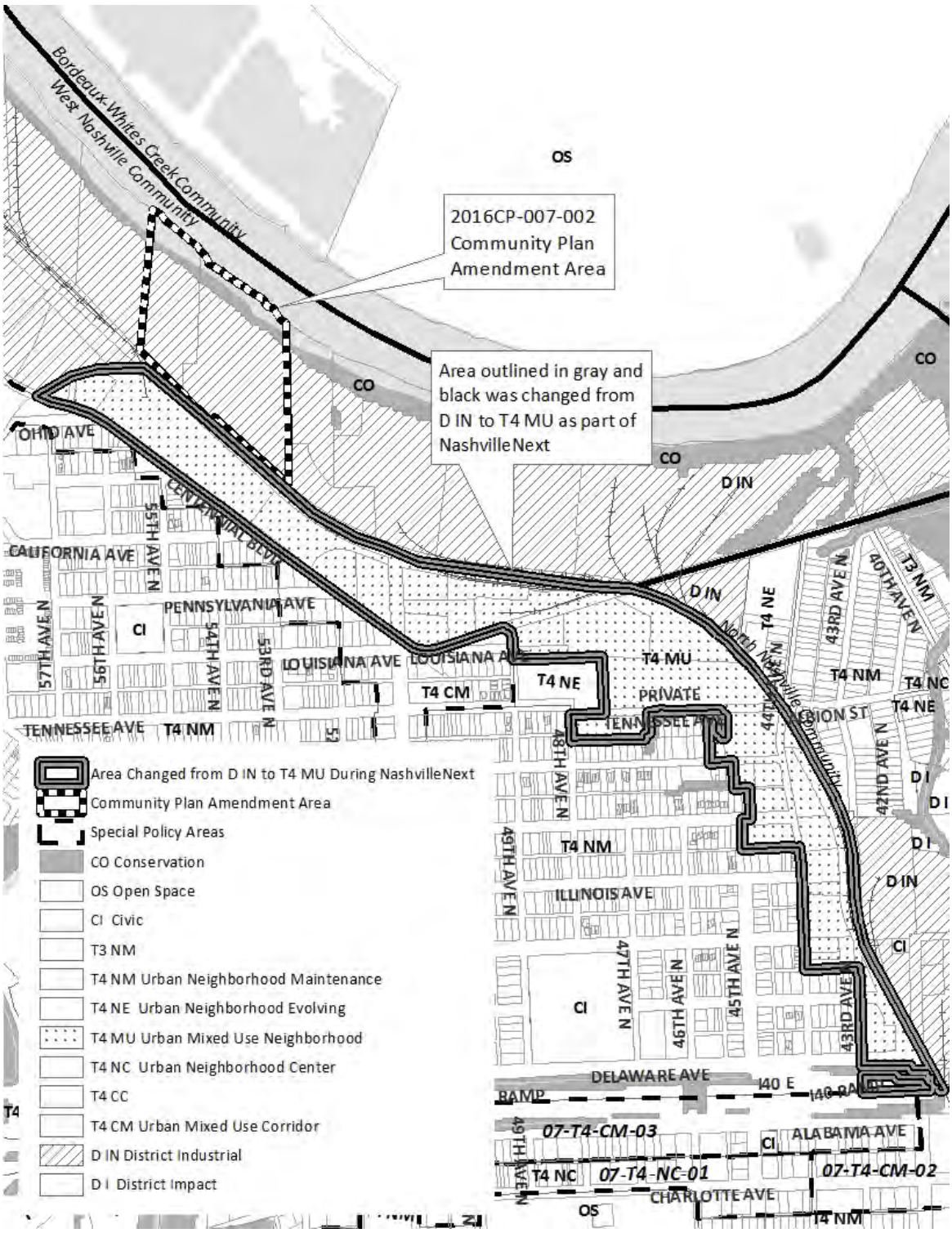
Staff Reports

April 14, 2016

Mission Statement: The Planning Commission is to guide the future growth and development for Nashville and Davidson County to evolve into a more socially, economically and environmentally sustainable community with a commitment to preservation of important assets, efficient use of public infrastructure, distinctive and diverse neighborhood character, free and open civic life, and choices in housing and transportation.

PREVIOUSLY CONSIDERED ITEMS

- **Community Plans**
- **Specific Plans**
- **Zone Changes**
- **Planned Units Developments**
- **Subdivision (Final)**

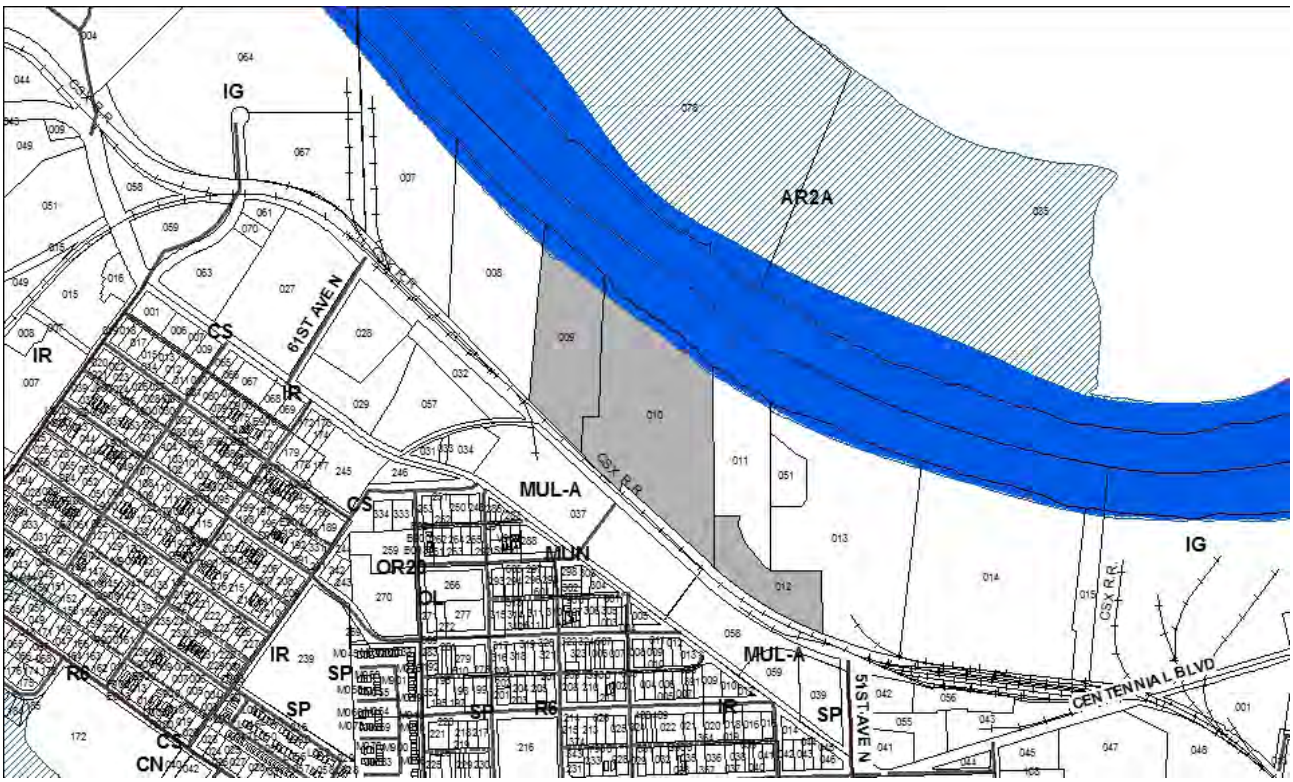


2016CP-007-002
WEST NASHVILLE COMMUNITY PLAN AMENDMENT
Map 91-00, Parcel(s) 009 and 010
West Nashville
20 – Mary Carolyn Roberts

Project No.	**Major Plan Amendment 2016CP-007-002**
Project Name	**West Nashville Community Plan Amendment**
Associated Case	2016SP-019-001
Council District	20 – Roberts
School District	1 – Gentry
Requested by	Southeast Venture, applicant; R. Manuel – Centennial G.P., owner.
Deferrals	This request was deferred from the March 10, 2016, Planning Commission meeting. Public Hearing was not held.
Staff Reviewer	Wood
Staff Recommendation	*Defer to the April 28, 2016, Planning Commission meeting.*

APPLICANT REQUEST
A request to amend the West Nashville Community Plan by changing the Community Character Policy from D District Industrial to T4 Urban Mixed Use Neighborhood.

STAFF RECOMMENDATION
Staff recommends deferral to the April 28, 2016, Planning Commission meeting as requested by the applicant.



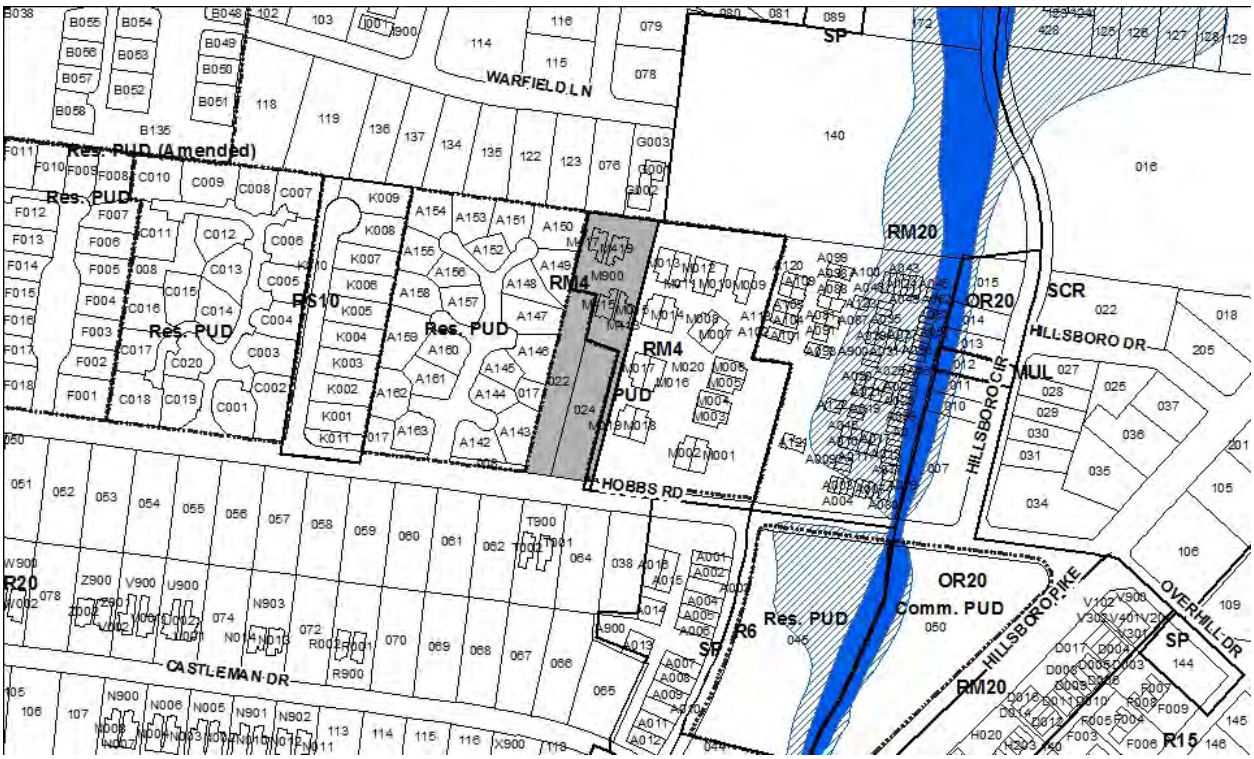
2016SP-019-001
R. MANUEL - CENTENNIAL SP
Map 091, Parcel(s) 009, 010, 012
07, West Nashville
20 (Mary Carolyn Roberts)

Project No.	**Specific Plan 2016SP-019-001**
Project Name	**R. Manuel – Centennial SP**
Associated Case	2016CP-007-002
Council District	20 - Roberts
School District	1 - Gentry
Requested by	Southeast Ventures, LLC, applicant; R. Manuel – Centennial GP, owner.
Deferrals	This item was deferred from the March 10, 2016, Planning Commission meeting. Public Hearing was not held.
Staff Reviewer	Milligan
Staff Recommendation	*Defer to the April 28, 2016, Planning Commission meeting.*

APPLICANT REQUEST
Zone change to permit a mixed-use development with up to 394 multi-family units.

Preliminary SP
A request to rezone from Industrial Restrictive (IR) to Specific Plan-Mixed Residential (SP-MR) zoning for property located at 1407 51st Avenue North, 1640 54th Avenue North and 54th Avenue North (unnumbered), approximately 475 feet north of Centennial Boulevard (27.87 acres), a mixed-use development with up to 394 multi-family units.

STAFF RECOMMENDATION
Staff recommends deferral to the April 28, 2016, Planning Commission meeting as requested by the applicant.



2015SP-110-001
2202 HOBBS
Map 131-01, Parcel(s) 022, 024
Map 131-02-0-M, Parcel(s) 413, 415, 417, 419, 900
10, Green Hills - Midtown
34 (Angie Henderson)

Project No.	**Specific Plan 2015SP-110-001**
Project Name	**2202 Hobbs**
Associate Case	2003P-013-001
Council District	34 - Henderson
School District	08 - Pierce
Requested by	Dale & Associates, applicant; Haury & Smith Contractors, owners.
Deferrals	This request was deferred from the December 10, 2015, and the January 14, 2016, Planning Commission meetings. Public Hearing was not held.
Staff Reviewer	Deus
Staff Recommendation	*Approve with conditions and disapprove without all conditions.*

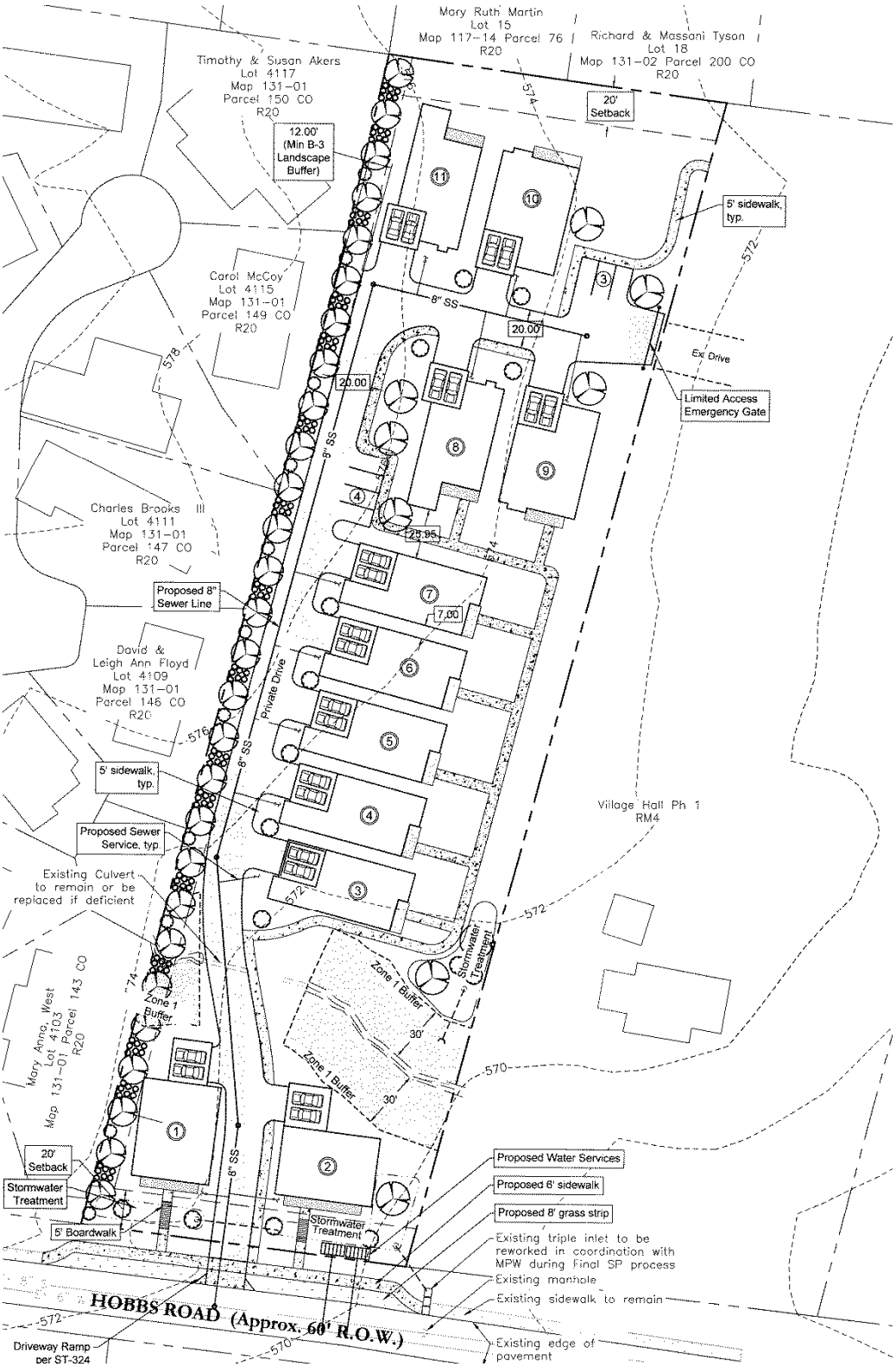
APPLICANT REQUEST
Permit up to 11 detached residential units.

Preliminary SP
A request to rezone from Multi-Family Residential (RM4) and One and Two-Family Residential (R20) to Specific Plan-Residential (SP-R) zoning for properties located at 413, 415, 417, 419, and 419B Village Hall Place and 2204 and 2202B Hobbs Road, approximately 380 feet west of Stammer Place (2.68 acres), to permit up to 11 residential units.

Existing Zoning
One and Two-Family Residential (R20) requires a minimum 20,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 2.31 dwelling units per acre including 25 percent duplex lots. *R20 would permit a maximum of two lots with two duplex lots for a total of four units.*

Multi-Family Residential (RM4) is intended for single-family, duplex, and multi-family dwellings at a density of four dwelling units per acre. *The PUD overlay permits a maximum of 4 units.*

Planned Unit Development Overlay District (PUD) is an alternative zoning process that allows for the development of land in a well-planned and coordinated manner, providing opportunities for more efficient utilization of land than would otherwise be permitted by the conventional zoning provisions of this title. The PUD district may permit a greater mixing of land uses not easily accomplished by the application of conventional zoning district boundaries, or a framework for coordinating the development of land with the provision of an adequate roadway system or essential utilities and services. In return, the PUD district provisions require a high standard for the protection and preservation of environmentally sensitive lands, well-planned living, working and shopping environments, and an assurance of adequate and timely provision of essential utilities and streets. *The PUD overlay permits a maximum of 4 units.*



Proposed Site Plan

Proposed Zoning
Specific Plan-Residential (SP-R) 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 only one residential building type.

CRITICAL PLANNING GOALS
- Creates Walkable Neighborhoods
- Supports Infill Development

This request directs development to areas where infrastructure is already existing (i.e. sewer lines, roads) as opposed to where there are not adequate public facilities. This reduces the service constraints placed on Metro's resources. The proposed request would also enhance walkability through the placement of an interior sidewalk network and the enhancement of an existing one.

GREEN HILLS -MIDOWN COMMUNITY PLAN
T3 Suburban Neighborhood Maintenance (T3 NM) is intended to preserve the general character of developed suburban neighborhoods. T3 NM areas will experience some change over time, primarily when buildings are expanded or replaced. When this occurs, efforts should be made to retain the existing character of the neighborhood. Enhancements may be made to improve pedestrian, bicycle and vehicular connectivity.

Consistent with Policy?
Yes. This request is consistent with policy as it continues the predominant development pattern in the neighborhoods north of Hobbs Road. T3 Neighborhood Maintenance allows for future arrangement of mixed building types in strategic locations that place higher-intensity buildings nearer to centers and corridors and uses these more intense building types as land use transitions. This site is within proximity of a T5 Regional Center policy and there is a transition from multi-family building types to single-family building types. In this instance, detached single-family units are an appropriate building type transition given the development pattern.

Generally, new developments that create their own internal drive systems need to provide accessible and functional open spaces as an integral part of the development, which this proposal includes. There is a courtyard within the interior of the site that is accessible to all units through an internal pedestrian network.

PLAN DETAILS
This proposal would permit up to 11 detached residential units. Two of those units would be oriented towards Hobbs Road and would have a direct pedestrian connection to the public sidewalk. The remaining nine units would be located within the interior of the site. There are currently two units towards the rear of the site that are under construction; they were approved under the existing PUD, which is proposed to be cancelled. Those units comply with the design standards of this proposed SP.

There is an interior pedestrian network within this proposed development and sidewalks would be built to Major and Collector Street Plan standards along Hobbs Road, including an eight foot grass strip and six foot sidewalk. To the east of the interior units there will be an open space courtyard; units three through nine would have a principal entrance along the courtyard. A landscape buffer

yard B is required and is being depicted along the western property line. A stream is located along the southeast portion of the site and is appropriately buffered.

Access to this site is from Hobbs Road. The interior driveway connecting the units would provide limited connectivity to the adjacent development for emergency access only. The driveway will be private and will be maintained by the future Homeowners Association. Parking for these units would be provided through a combination of garages and surface parking.

Design standards are included within this proposal and these standards are conditions for this application's approval. All units fronting a street or courtyard would provide a minimum of one principal entrance and have a minimum of 25% glazing on the front facade. EIFS, vinyl siding and untreated wood are prohibited. Raised foundations and porches are required on all residential structures. The height of the structures would be limited to three stories in 35 feet measured from final grade to the eave.

ANALYSIS
The proposed SP is consistent with the Neighborhood Maintenance policy in this location and supports two critical planning goals. Staff recommends approval with conditions and disapproval without all conditions.

FIRE MARSHAL RECOMMENDATION
Approved with conditions

- Fire Code issues for the structures will be addressed at permit application review.

STORMWATER RECOMMENDATION
Approved

WATER SERVICES RECOMMENDATION
Approved with Conditions

- Approved as a Preliminary SP only. Public water and sewer construction plans must be submitted and approved prior to Final SP approval. These approved construction plans must match the Final Site Plan/SP plans. The required capacity fees must also be paid prior to Final Site Plan/SP approval.

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.
- Indicate on the plans the individual roll off cans that are referenced in the standard SP notes are to be picked up by a private hauler.
- Prior to final SP submittal, coordinate with MPW and Metro Stormwater to reconfigure existing triple inlet on Hobbs.
- Prior to submittal of the Final SP, coordinate with MPW on the final design of the sidewalk connection to the existing sidewalks on the east and west sides of this project.

TRAFFIC & PARKING RECOMMENDATION
No Exception Taken

Maximum Uses in Existing Zoning District**: R20**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential (210)	1.18	2.17 D	4 U*	39	3	5

*Based on two two-family lots.

Maximum Uses in Existing Zoning District**: RM4**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (230)	1.5	4 U	4 U	32	3	4

Maximum Uses in Proposed Zoning District**: SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (210)	2.68	-	11 U	106	9	12

Traffic changes between maximum: **R20, RM4** and **SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+ 3 U	+35	+3	+3

METRO SCHOOL BOARD REPORT
Projected student generation existing RM4 district: 0 Elementary 0 Middle 0 High
Projected student generation existing R20 district: 0 Elementary 0 Middle 0 High
Projected student generation proposed SP-R district: 0 Elementary 0 Middle 0 High

The proposed SP- R zoning district would generate no additional student than what is typically generated under the RM4 and R20 district. Students would attend Julia Green Elementary, J.T. Moore Middle School and Hillsboro High School. This information is based upon data from the school board last updated November 2015.

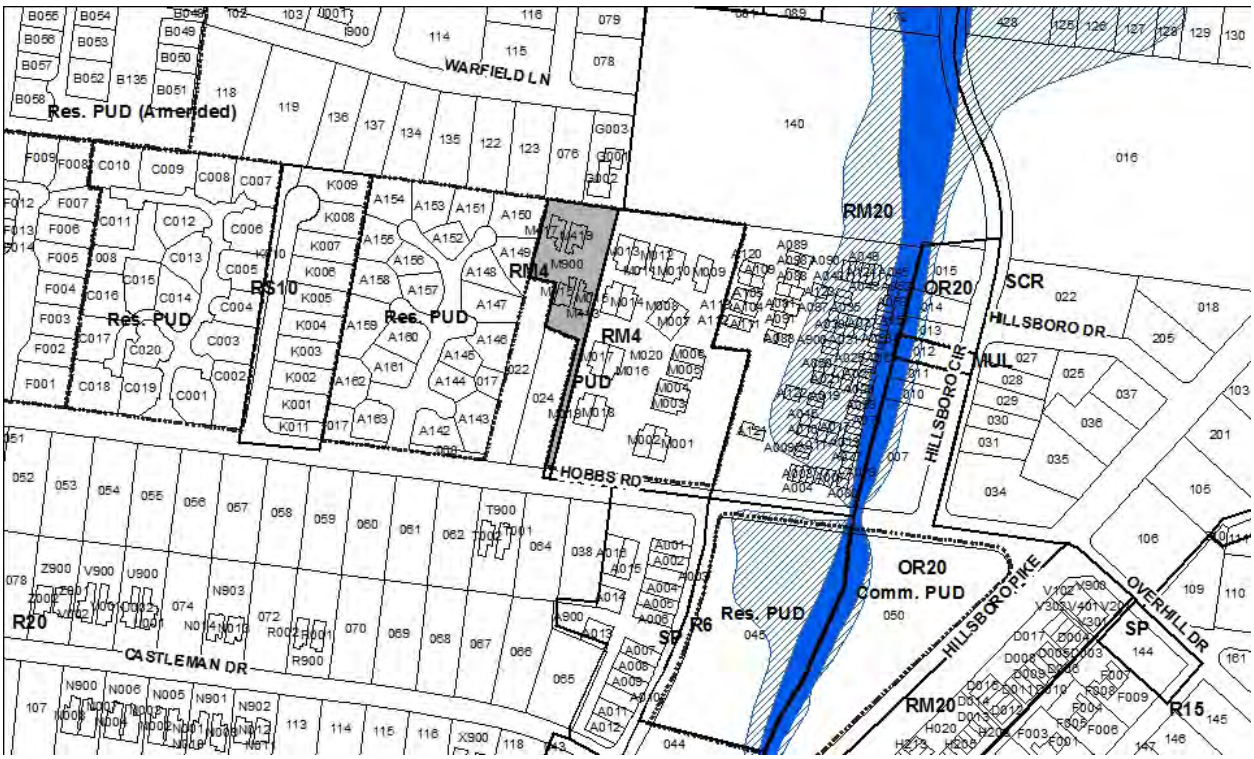
STAFF RECOMMENDATION
Staff recommends approval with conditions and disapproval without all conditions**.**

CONDITIONS
1. Permitted land uses shall be limited to up to 11 detached residential units.
2. 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 RM6-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council Ordinance.

3. The following standards shall be met:
   a. Building façades fronting a street shall provide a minimum of one principal entrance (doorway) and a minimum of 25% glazing**.**
   b. Windows shall be vertically oriented at a ratio of 1.5:1 or greater, except for dormers or egress windows.
   c. EIFS, vinyl siding and untreated wood shall be prohibited.
   d. Porches shall provide a minimum of six feet of depth.
   e. A raised foundation of 18”- 36” is required for all residential structures.
4. The final site plan shall label all internal driveways as “Private Driveways”. A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner’s Association.
5. A standard class B landscape buffer yard is required along the entire western property line.
6. On the corrected set, relocate interior sidewalk fronting units 3-9 to be closer to the front façade in order to provide a usable common open space. Final location to be approved by Planning staff.
7. On the corrected set, provide an “A” landscape buffer along the eastern property line.
8. On the corrected set, open space fronting units 4-9 shall be labeled as “active open space (not for Stormwater Retention or Detention)”.
9. 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.
10. 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.
11. 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.
12. 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.

SEE NEXT PAGE



2003P-013-001
VILLAGE HALL PHASE II
Map 131-02-0-M, Parcel(s) 413, 415, 417, 419, 900
10, Green Hills - Midtown
34 (Angie Henderson)

Project No.	**Planned Unit Development 2003P-013-001**
Project Name	**Village Hall PUD (Cancellation)**
Associated Case No.	Specific Plan 2015SP-110-001
Council District	34 - Henderson
School District	8 - Pierce
Requested by	Dale & Associates, applicant; Haury & Smith Contractors, owner.
Deferrals	This request was deferred from the December 10, 2015, and the January 14, 2016, Planning Commission meetings. Public Hearing was not held.
Staff Reviewer	Deus
Staff Recommendation	*Approve subject to the approval of the associated SP. Disapprove if the associated SP is not approved.*

APPLICANT REQUEST
Cancel a portion of a PUD.

Cancel PUD
A request to cancel a portion of the Village Hall Planned Unit Development Overlay District for properties located at 413, 415, 417, 419, and 419B Village Hall Place, approximately 380 feet east of Stammer Place (1.5 acres**).**

Existing Zoning
Multi- Family Residential (RM4) is intended for single-family, duplex, and multi-family dwellings at a density of four dwelling units per acre.

Planned Unit Development Overlay District (PUD) is an alternative zoning process that allows for the development of land in a well-planned and coordinated manner, providing opportunities for more efficient utilization of land than would otherwise be permitted by the conventional zoning provisions of this title. The PUD district may permit a greater mixing of land uses not easily accomplished by the application of conventional zoning district boundaries, or a framework for coordinating the development of land with the provision of an adequate roadway system or essential utilities and services. In return, the PUD district provisions require a high standard for the protection and preservation of environmentally sensitive lands, well-planned living, working and shopping environments, and an assurance of adequate and timely provision of essential utilities and streets. *This portion of the PUD overlay permits a maximum of 4 units.*

CRITICAL PLANNING GOALS
N/A

HISTORY
The Village Hall PUD was originally approved by Metro Council in 2003 to permit the development of 20 multi-family units in ten buildings (BL2003-53). In 2004, a revision to the preliminary and final site plan was granted by the Planning Commission. The revision slightly altered the lay-out of driveways, parking spaces and open space.

In 2007, Metro Council approved with conditions BL2007-1490, which was an amendment to the PUD to permit the development of four dwelling units in two structures. This request brought an additional 1.5 acres of property into the PUD and is the portion of property under consideration to be cancelled and rezoned to SP. That same year, the Planning Commission granted final site plan approval for this portion of the PUD for two detached duplex structures for a total of four units.

REQUEST DETAILS
This request would cancel 1.5 acres of the approximately 5.03 acre PUD, which is approved for four units. There are currently two structures under construction. The reason for this request is to allow for the approval of an associated SP.

ANALYSIS
If the associated SP is approved, then staff recommends approval of the PUD cancellation. The two units under construction will be in compliance with the design standards of the proposed SP. Furthermore, an SP has a higher degree of design standards than the existing PUD, which will allow for a more context sensitive development.

FIRE MARSHAL RECOMMENDATION
N/A

PUBLIC WORKS RECOMMENDATION
Approve with conditions

- Comply with 2015SP-110-001.

TRAFFIC & PARKING RECOMMENDATION
No Exceptions Taken

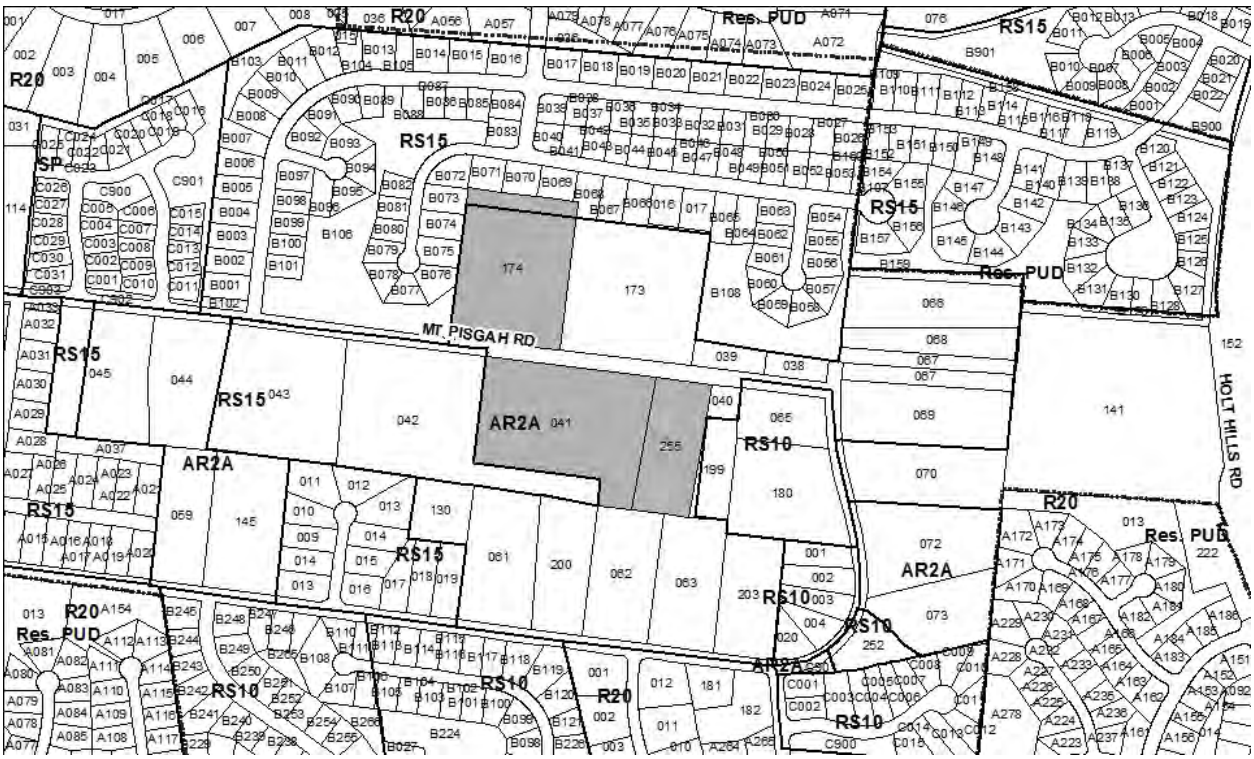
STORMWATER RECOMMENDATION
Conditionally Approved

- Cancellation approved conditional on that the Stormwater construction drawings already approved are active until new Final SP / Construction Drawings are subsequently approved.

WATER SERVICES RECOMMENDATION
Approved

STAFF RECOMMENDATION
Staff recommends approval subject to the approval of the associated SP. If the associated SP is not approved, then staff recommends disapproval.

SEE NEXT PAGE



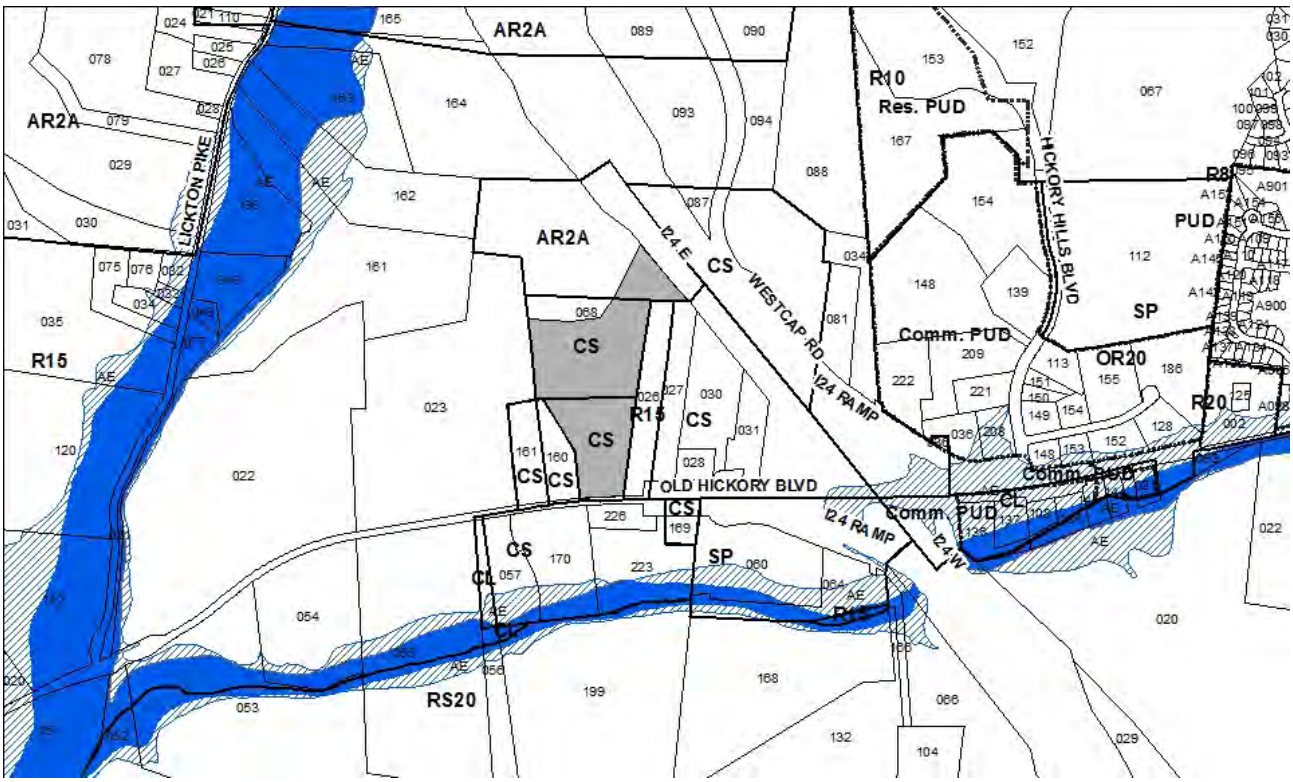
2016SP-011-001
MT. PISGAH SP
Map 172, Parcel(s) 041, 174, 255
12, Southeast
04 (Robert Swope)

Project No.	**Specific Plan 2016SP-011-001**
Project Name	**Mt. Pisgah SP**
Council District	4 - Swope
School District	2 - Brannon
Requested by	Batson & Associates, applicant; Charles White, owner.
Deferrals	This request was deferred from the February 25, 2016, and the March 10, 2016, and March 24, 2016, Planning Commission meetings. Public Hearing was not held.
Staff Reviewer	Milligan
Staff Recommendation	*Defer to the April 28, 2016, Planning Commission meeting.*

APPLICANT REQUEST
Zone change to permit a residential development with up to 31 units.

Preliminary SP
A request to rezone from Agricultural/Residential (AR2a) to Specific Plan-Residential (SP-R) zoning for properties located at Mt. Pisgah Road (unnumbered) and 6000 and 6021 Mt. Pisgah Road, approximately 750 feet west of Christiansted Lane (12.12 acres), to permit 31 single-family lots.

STAFF RECOMMENDATION
Staff recommends deferral to the April 28, 2016, Planning Commission meeting at the request of the applicant.



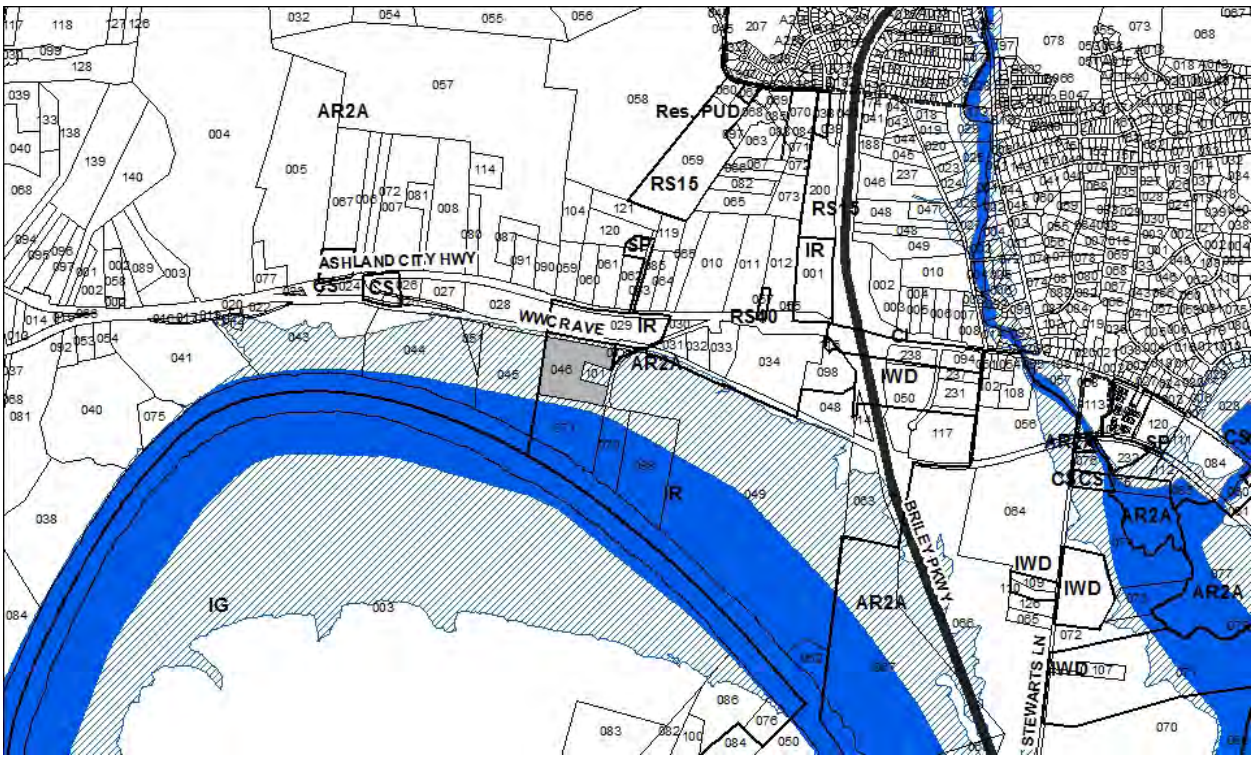
2016SP-014-001
7435 OLD HICKORY BOULEVARD SP
Map 031, Part of Parcel 068
03, Bordeaux - Whites Creek
03 (Brenda Haywood)

Project No.	**Specific Plan 2016SP-014-001**
Project Name	**7435 Old Hickory Boulevard SP**
Council District	3 – Haywood
School District	1 – Gentry
Requested by	Dale & Associates, applicant; Anchor Property Holdings, LLC, owner.
Deferrals	This request was deferred from the February 11, 2016, the February 25, 2016, and the March 10, 2016, Planning Commission meetings. Public Hearing was not held.
Staff Reviewer	Swaggart
Staff Recommendation	*Defer to the May 12, 2016, Planning Commission meeting.*

APPLICANT REQUEST
Zone change to permit commercial uses and an industrial use.

Zone Change
A request to rezone from Agricultural/Residential (AR2a) and Commercial Services (CS) to Specific Plan – Commercial (SP-C) zoning, to permit heavy equipment sales (heavy truck repair), and all uses permitted by the CS zoning district except alternative financial services uses, non-residential drug treatment facilities, a bar or nightclub, and pawnshops and clubs (24.3 acres), and Commercial Services (CS) to Agricultural/Residential (AR2a) zoning (15.4 acres) for portions of property located at 7435 Old Hickory Boulevard, approximately 635 feet west of Blevins Road (total 39.7 acres).

STAFF RECOMMENDATION
Staff recommends deferral to the May 12, 2016, Planning Commission meeting as requested by the applicant.



2016SP-015-001
HAYLEY HARBOR SP
Map 068, Parcel(s) 046
03, Bordeaux - Whites Creek
01 (Sharon Hurt)

Project No.	**Specific Plan 2016SP-015-001**
Project Name	**Haley Harbor SP**
Council District	01 - Hurt
School District	01 - Gentry
Requested by	Dale & Associates, applicant; Smyrna Ready Mix, LLC, owner.
Deferrals	This request was deferred from the February 11, 2016, and the March 10, 2016, Planning Commission meetings.
Staff Reviewer	Birkeland
Staff Recommendation	*Approve with conditions and disapprove without all conditions.*

APPLICANT REQUEST
Rezone from IR to SP-IND.

Zone Change
A request to rezone from Industrial Restrictive (IR) to Specific Plan-Industrial (SP-IND) zoning for property located at Amy Lynn Drive (unnumbered), approximately 1,100 feet west of Jennie Brown Lane (14.3 acres), to permit all uses under IR zoning except: automotive convenience, liquor sales, pawnshop, sex club, after hours establishment, and adult entertainment; and to permit a concrete plant; manufacturing of concrete, tile, and brick; associated outdoor storage of river transported materials and goods.

History
The Haley Harbor SP was initially submitted in December 2015. The SP was scheduled to be considered by the Planning Commission on February 10, 2016. The applicant requested to defer this application to the March 10, 2016, Planning Commission meeting. A public hearing was held and the proposed SP was considered by the Metro Planning Commission on March 10, 2016. The Planning Commission deferred the item at its March 10, 2016, meeting to allow for additional time for the applicant to work with the community.

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-Industrial (SP-IND) 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 industrial uses.

CRITICAL PLANNING GOALS
N/A

Haley Harbor Specific Plan (SP)

Development Summary	
SP Name	Specific Plan
SP Number	2016SP-015-001
Council District	01
Map & Parcel	Map 68, Parcel 46

Site Date Table	
Site Data	14.61
Existing Zoning	IR
Proposed Zoning	SP-IND
Allowable Land Uses: All uses in IR except Prohibited Land Uses	Concrete batch plant; manufacturing of concrete, tile, and brick; associated outdoor storage of river transported materials and goods.
Prohibited Land Uses	Automotive convenience, liquor sales, pawnshop, sex club, after hours establishment, and adult entertainment

Specific Plan (SP) Standards

1. Uses within this SP shall permit all uses under IR zoning except: automotive convenience, liquor sales, pawnshop, sex club, after hours establishment, and adult entertainment; and to permit concrete plant; manufacturing of concrete, tile, and brick; associated outdoor storage of river transported materials and goods.
2. A 50 foot wide type "D" landscape buffer yard shall be installed and/or maintained along the entire western property line.
3. Prior to final SP approval, a TIS shall be submitted to identify all required roadway improvements to mitigate traffic impact of this project on the area public roads.
4. A Dedicated Conservation Greenway Public Access Trail Easement Area shall be depicted and labeled along the northern property line with the final site plan.
5. 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.
6. 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 IR zoning district as of the date of the applicable request or application.
7. 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.

General Plan Consistency Note

The proposed Specific Plan is located within the Bordeaux – Whites Creek Community Plan (Subarea 03).
The proposed SP is located in the following policy area:

- Conservation (CO)

Industrial uses are consistent to with the Conservation Policy in this location, along the Cumberland River

Proposed Site Standards

BORDEAUX – WHITES CREEK COMMUNITY PLAN
Conservation (CO) policy is intended to preserve and enhance environmentally sensitive land in all Transect Categories except T1 Natural, T5 Center, 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 area in and whether or not they have already been disturbed.

Consistent with Policy?
Yes. Industrial development associated with conservation districts may be appropriate in the floodplain along the Cumberland River, given the unique role that is plays in Nashville and Davidson County's economy as a working river with flood control measures.

Occasionally, industrial buildings may be found in floodplain sites along the Cumberland River, which has a higher measure of flood control than other rivers in Davidson County and has a history of industrial businesses that need to be along the river. This site is already zoned for industrial uses and the proposed SP permits one additional use and removes several uses that are currently allowed.

ANALYSIS
The property is located at Amy Lynn Drive (unnumbered) on approximately 14.61 acres. The site is one of several parcels currently zoned IR which permits light industrial uses, and is currently being used as open storage.

The proposed SP would allow uses such as a concrete plant; manufacturing of concrete, tile, and brick; associated outdoor storage of river transported materials and goods. These are uses not currently permitted by the IR zoning district. A concrete plant would permit the production of concrete that uses a manufacturing process involving the mixing of a number of aggregates, sand, water, cement, and/or other components. This use also includes the stockpiling of bulk materials required for the process and the storage of the required equipment used in the operation.

The SP proposes limiting uses that are permitted with conditions in the IR zoning district. Automotive convenience, liquor sales, pawnshop, sex club, after hours establishment, and adult entertainment uses would be prohibited on this site. All bulk regulations such as maximum allowable height, FAR, and ISR would be the same under the proposed regulatory SP as it is under the current IR zoning.

A 50 foot wide landscape buffer yard shall be located along the western property line. The buffer yard will be an undisturbed area where all existing vegetation shall be maintained to meet the standards of the "D-1" type landscape buffer yard. A greenway conservation easement will be dedicated along the northern property line, adjacent to the railroad.

FIRE MARSHAL RECOMMENDATION
N/A

WATER SERVICES RECOMMENDATION
N/A

STORMWATER RECOMMENDATION
Ignore

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. Final design may vary based on field conditions.
- Comply with MPW Traffic Engineer

TRAFFIC & PARKING RECOMMENDATION
Conditions if approved

- Revise # 3. standard as follows:
  Prior to FINAL SP approval, a TIS shall be submitted to identify all required roadway improvements to mitigate traffic impact of this project on the area public roads.

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)	14.61	0.6 F	381, 846 SF	1360	115	123

Maximum Uses in Proposed Zoning District**: SP-I**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	14.61	0.6 F	381, 846 SF	1360	115	123

Traffic changes between maximum: **IR** and **SP-I**

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

METRO SCHOOL BOARD REPORT
The Metro School Board report was not generated because the proposed zone change would not generate students.

STAFF RECOMMENDATION
In this location, industrial uses are consistent with the T2 Conservation Policy along the Cumberland River; therefore staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Uses within this SP shall permit all uses under IR zoning except: automotive convenience, liquor sales, pawnshop, sex club, after hours establishment, and adult entertainment; and to permit concrete batch plant; manufacturing of concrete, tile, and brick; associated outdoor storage of river transported materials and goods.
2. A 50 foot wide type "D" landscape buffer yard shall be installed and/or maintained along the entire western property line.
3. Prior to final SP approval, a TIS shall be submitted to identify all required roadway improvements to mitigate traffic impact of this project on the area public roads.
4. A Dedicated Conservation Greenway Public Access Trail Easement Area shall be depicted and labeled along the northern property line with the final site plan and dedicated prior to permit approval.
5. 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 IR zoning district as of the date of the applicable request or application.
6. 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.

2016SP-018-001
KEYSTONE & VERITAS
Map 133-05, Parcel(s) 017
11, South Nashville
16 (Mike Freeman)

Project No.	**Specific Plan 2016SP-018-001**
Project Name	**Keystone & Veritas**
Council District	16 – Freeman
School District	07 – Pinkston
Requested by	Dale & Associates, Inc., applicant; Lex & Co., LLC, owner
Deferral	This request was deferred from the March 24, 2016, Planning Commission meeting. Public Hearing was not held.
Staff Reviewer	Milligan
Staff Recommendation	*Approve with conditions and disapprove without all conditions.*

APPLICANT REQUEST
Permit a residential development with up to two dwelling units.

Preliminary SP
A request to rezone from Single-Family Residential (RS7.5) to Specific Plan- Residential (SP-R) for property located at 500 Veritas Street, at the northwest corner of Keystone Avenue and Veritas Street (0.26 acres), to permit two residential units.

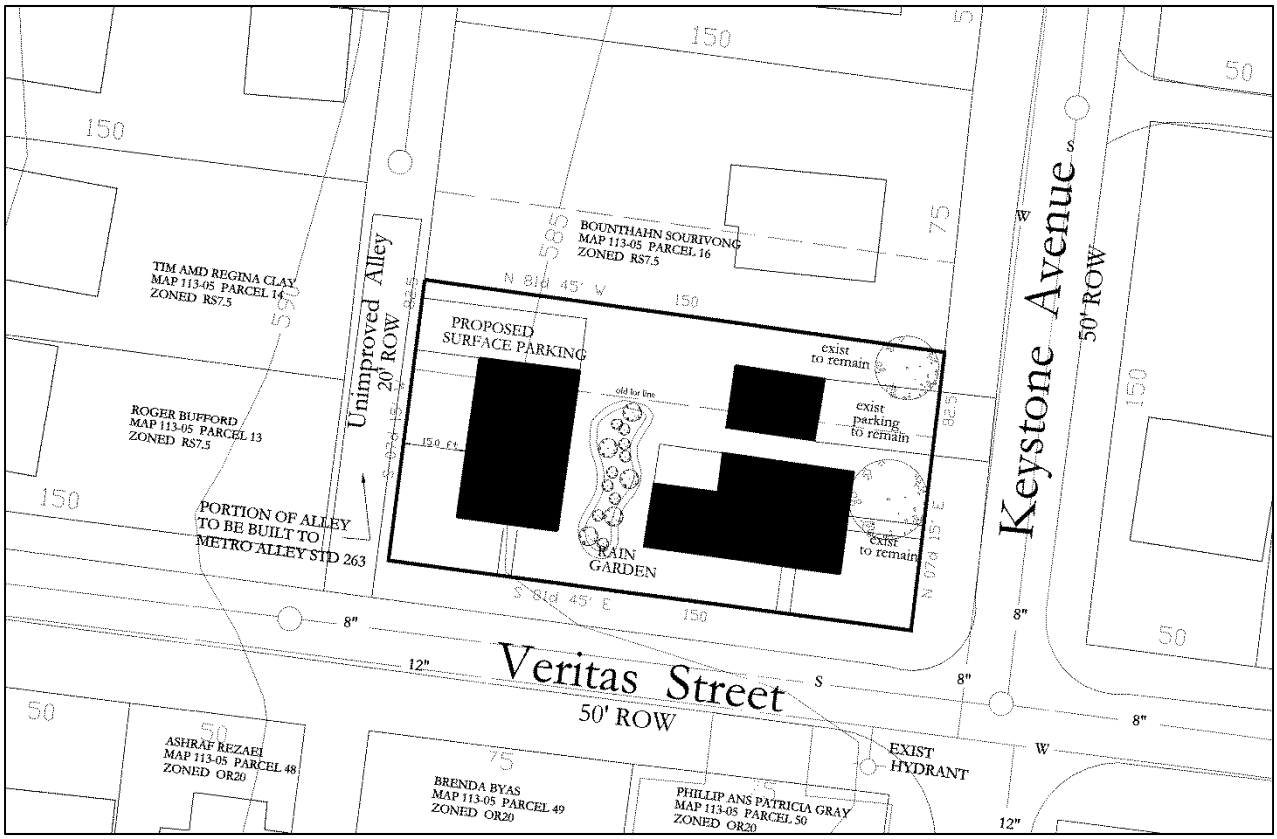
Existing Zoning
Single-Family Residential (RS7.5) requires a minimum 7,500 square foot lot and is intended for single-family dwellings at a density of 4.94 dwelling units per acre. *RS7.5 would permit a maximum of one unit.*

Proposed Zoning
Specific Plan-Residential (SP-R) 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 only one residential building type.

CRITICAL PLANNING GOALS
- Supports Infill Development
- Provides a Range of Housing Options

This request creates an opportunity for infill urban development, filling in gaps in areas served by existing infrastructure. Locating development in areas served by existing infrastructure does not burden Metro with the cost of upgrading or building new infrastructure. The proposed SP would contribute to the diversity of housing options present in the area and provide for more housing options than permitted under the existing RS7.5 zoning district.

SOUTH NASHVILLE COMMUNITY PLAN
T4 Urban Neighborhood Maintenance Policy (T4NM) is intended to preserve the general character of existing urban residential neighborhoods. T4 NM areas will experience some change over time, primarily when buildings are expanded or replaced. When this occurs, efforts should be made to



Proposed Site Plan

retain the existing character of the neighborhood. T4 NM areas are served by high levels of connectivity with complete street networks, sidewalks, bikeways and existing or planned mass transit. Enhancements may be made to improve pedestrian, bicycle and vehicular connectivity.

Consistent with Policy?
Yes. The property in question is a corner lot and is located on the edge of a T4 Urban Neighborhood Maintenance policy area. T4 NM policy areas contain a wide variety of housing types with each individual neighborhood having unique characteristics and development patterns. The land use pattern in this particular neighborhood features a mixture of single-family and two-family dwelling units, particularly within this block. The surrounding area also includes duplex lots providing a mixture of housing types. Therefore, this proposal is not inconsistent with the character of the area. Corner lots are generally appropriate for two-family dwelling units and this proposal includes the construction of an unbuilt alley to provide rear access for the additional unit. Additionally, the south side of Veritas Street, across from the proposed SP, is in a Transition (TR) policy. The Transition policy allows for a transition in scale, intensity, and use at locations between high-intensity uses and low-intensity uses, which would allow for institutional, office, and residential uses. The addition of a duplex lot next to this transition policy is appropriate.

PLAN DETAILS
The site is located at 500 Veritas Street, on the northwest corner of Veritas Street and Keystone Avenue. The site is approximately 0.26 acres and currently contains a single family home with a detached garage.

Site Plan
The plan proposes two detached dwelling units with the existing garage and curb cut along Keystone Avenue to remain. The existing dwelling unit fronts Keystone Avenue. The proposed dwelling unit will be located in the rear of the property fronting on Veritas Street. The plan proposes to construct the alley to the property line and provide vehicular access and parking for the second unit from the alley. There are currently no sidewalks along Veritas Street and Keystone Avenue and the applicant proposes an in lieu payment instead of the construction of sidewalks along both frontages.

ANALYSIS
The property is located within an area that includes a mixture of both single-family and two-family dwelling units. The proposed SP is providing for an additional dwelling unit fronting on Veritas Street, which is a consistent development pattern for the majority of Veritas Street. The proposed SP includes construction of a portion of an unbuilt alley to provide access for the one additional unit. Providing alley access insures that there will be an appropriate street frontage for the new unit. The SP also includes maintaining the existing home that fronts Keystone Avenue. Since this is a corner lot where the two units will address both streets, staff finds that this is an appropriate request for this location. The plan also includes design standards, including maximum height, minimum glazing, window orientation, prohibited materials, raised foundations, and minimum porch depth.

FIRE MARSHAL RECOMMENDATION
Approved with conditions

- Fire Code issues for the structures will be addressed at permit application review.

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
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.
- The Final SP shall comply with all Metro Codes and MPW standards at the date of approval with the Metro Planning Commission, these regulations are, but not limited to, the Metro Zoning Code, the Metro Subdivision Regulations, MPW Street Design Guide, MCSP, the Strategic Plan for Sidewalks and Bikeways, AASHTO, etc.
- With the Final SP submittal, a dimensioned site plan on a field run survey will be required. With the Final SP submittal revisions to the preliminary SP may be required.
- If sidewalks are required, then they are to be shown on the plans per the MCSP. Sidewalk installation will necessitate the installation of MPW standard ST-200 curb and gutter, 4' furnishing zone, ST-210 sidewalk with width per the MCSP, and roadway widening if the existing pavement width does not meet the MPW standard. If sidewalks are required then indicate an ADA compliant ramp at the intersection of Keystone and Veritas.
- Prior to Final SP submittal, label and dimension the existing alley ROW width. Extend alley north to allow for adequate backing out of the parking pad.
- Prior to Final SP submittal, label the existing trees that are along the proposed alley. Every effort should be taken to protect the tree line and provide the MPW standard alley, this may require a revision to the plans.
- Prior to Final SP submittal, show and label all utilities within the ROW, power poles, water meters, etc. to ensure that 5’ minimum path of travel on proposed sidewalks is maintained, if sidewalks are required.

TRAFFIC AND PARKING RECOMMENDATION
No exception taken

Maximum Uses in Existing Zoning District**: RS7.5**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single- Family Residential (210)	0.26	5.8D	1U	10	1	2

Maximum Uses in Proposed Zoning District**: SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.26	-	2U	20	2	3

Traffic changes between maximum: **RS7.5** and **SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+1U	+10	+1	+1

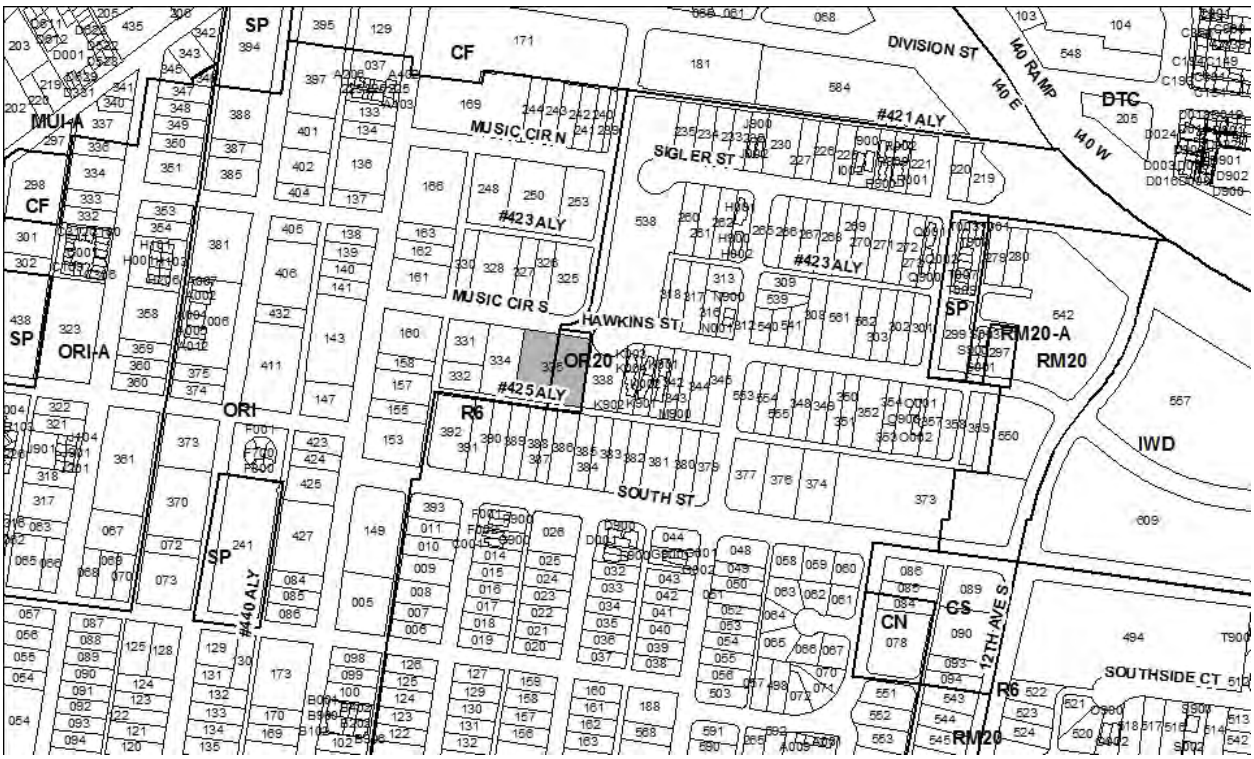
METRO SCHOOL BOARD REPORT
Projected student generation existing RS7.5 district: 0 Elementary 0 Middle 0 High
Project student generation proposed SP-R district: 0 Elementary 0 Middle 0 High
The proposed SP-R zoning district would not generate additional students from what is typically generated under the existing RS7.5 zoning district. This information is based upon data from the school board last updated November 2015.

STAFF RECOMMENDATION
Staff recommends approval with conditions and disapproval without all conditions as the proposed SP is consistent with the policy.

CONDITIONS
1. Uses within the SP shall be limited to up to two detached residential units.
2. Sidewalks are required along Veritas Street and Keystone Avenue; therefore, prior to final site plan approval one of the below options must be chosen related to sidewalks:
   a. Submit contribution in-lieu of construction to the Planning Department. The rate of $96 per linear foot of total frontage area will require a $22,320.00 contribution to Pedestrian Benefit Zone 5B.
   b. Construct an equal length of sidewalk within the same Pedestrian Benefit Zone, in a location to be determined in consultation with the Public Works Department.
3. 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 R6 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
4. 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.
5. 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.

6. 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.
7. 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.

SEE NEXT PAGE



2016SP-020-001
ONE MUSIC CIRCLE SOUTH OFFICE
Map 093-13, Parcel(s) 335
10, Green Hills - Midtown
19 (Freddie O'Connell)

Project No.	**Specific Plan 2016SP-020-001**
Project Name	**One Music Circle South Office**
Council District	19 – O'Connell
School District	5 – Kim
Requested by	Barge Cauthen & Associates, applicant; Country Music Association, Inc., owner.
Deferrals	This request was deferred from the March 10, 2016, and the March 24, 2106, Planning Commission meetings. Public Hearing was not held.
Staff Reviewer	Swaggart
Staff Recommendation	*Defer to the April 28, 2016, Planning Commission meeting.*

APPLICANT REQUEST
Zone change to permit an office building.

Zone Change
A request to rezone from Office/Residential Intensive (ORI) and Office/Residential (OR20) to Specific Plan – Office (SP-O) zoning for property located at 1 Music Circle S., approximately 450 feet east of Music Square E (0.90 acres), to permit an office building.

STAFF RECOMMENDATION
Staff recommends deferral to the April 28, 2016, Planning Commission meeting as requested by the applicant.

2015Z-057PR-001
2913 SIMMONS AVENUE
Map 119-14, Parcel(s) 003
11, South Nashville
16 (Mike Freeman)

Project No.	**Zone Change 2015Z-057PR-001**
Council District	16- Freeman
School District	7 - Pinkston
Requested by	Land Development Solutions - Nashville, applicant; Terry Woodall, owner.
Deferrals	This request was deferred from the June 25, 2015, and the July 23, 2015, Planning Commission meetings**.** Public Hearing was not held.
Staff Reviewer	Birkeland
Staff Recommendation	*Approve.*

APPLICANT REQUEST
Zone change from RS10 to R10.

Zone Change
A request to rezone from Single-Family Residential (RS10) to One and Two-Family Residential (R10) zoning for property located at 2913 Simmons Avenue, at the northwest corner of Simmons Avenue and Tanksley Avenue (0.35 acres).

Existing Zoning
Single-Family Residential (RS10) requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre. *RS10 would permit a maximum of 1 unit.*

Proposed Zoning
One and Two-Family Residential (R10) requires a minimum 10,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25 percent duplex lots. *R10 would permit a maximum of 1 lot with 1 duplex lot for a total of 2 units.*

CRITICAL PLANNING GOALS
N/A

SOUTH NASHVILLE COMMUNITY PLAN
T4 Urban Neighborhood Maintenance (T4 NM) is intended to preserve the general character of existing urban neighborhoods. T4 NM areas will experience some change over time, primarily when buildings are expanded or replaced. When this occurs, efforts should be made to retain the existing character of the neighborhood. Enhancements may be made to improve pedestrian, bicycle and vehicular connectivity.

Consistent with Policy?
Yes. The proposed R10 district allows uses that are consistent with the T4 Urban Neighborhood Maintenance land use policy. The R10 zoning district allows one and two-family homes. This area is an established neighborhood that includes two-family structures. Changing the zoning on the subject property to R10 is appropriate given the policy and the existing two family structures in

around the area. The property is located at the corner of Simmons Avenue and Tanksley Avenue. Allowing key parcels located at intersections the possibility of a duplex will provide a mixture of housing types appropriate within the T4 Neighborhood Maintenance policy.

FIRE MARSHAL RECOMMENDATION
N/A

PUBLIC WORKS RECOMMENDATION
N/A

TRAFFIC AND PARKING RECOMMENDATION
N/A

WATER SERVICES RECOMMENDATION
N/A

STORMWATER RECOMMENDATION
N/A

Maximum Uses in Existing Zoning District**: RS10**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.35	4.35 D	1 U	10	1	2

Maximum Uses in Proposed Zoning District**: R10**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential (210)	0.35	4.35 D	2 U*	20	2	3

*Based on one two-family lot.

Traffic changes between maximum: **RS10** and **R10**

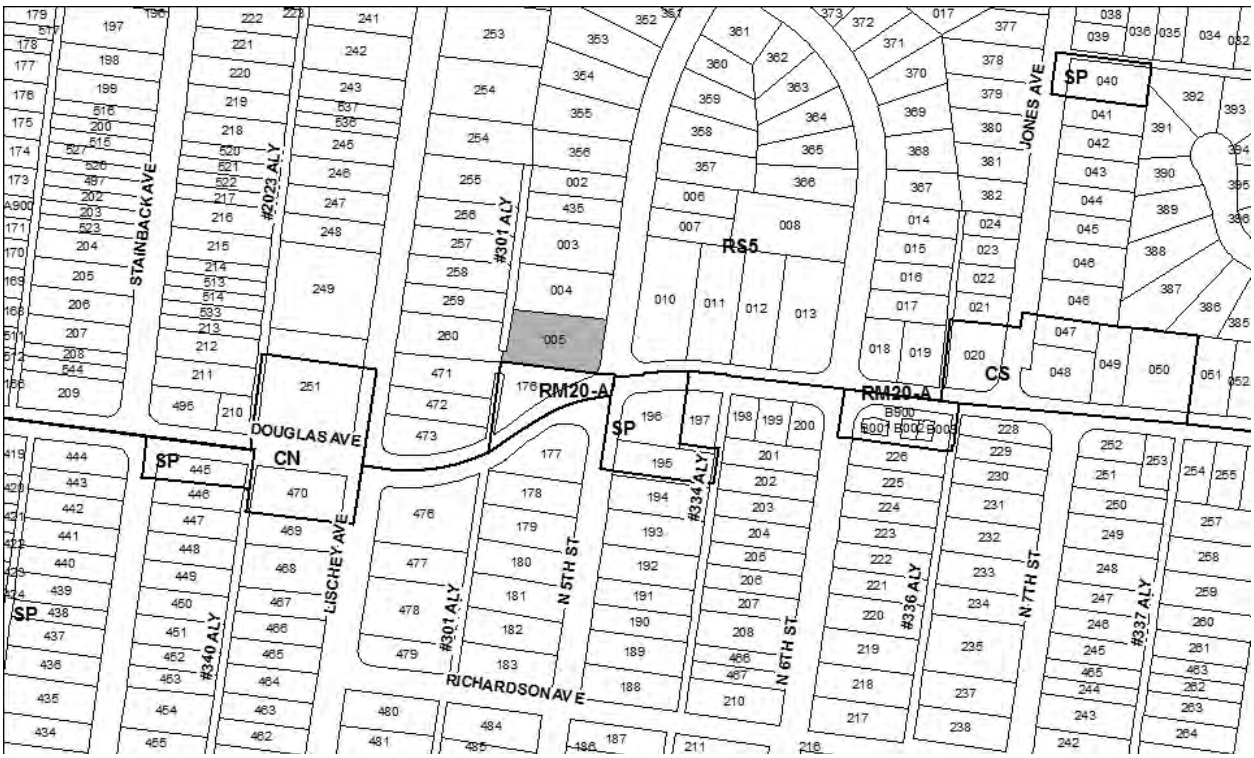
Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+ 1 U	+10	+1	+1

METRO SCHOOL BOARD REPORT
Projected student generation existing RS10 district: 0 Elementary 0 Middle 0 High
Projected student generation proposed R10 district: 0 Elementary 0 Middle 0 High

The proposed zone change would generate no more students than what is typically generated under the existing RS10 zoning district. Students would attend Glencliff Elementary School, Wright Middle School, and Glencliff High School. This information is based upon data from the school board last updated November 2015.

STAFF RECOMMENDATION

Staff recommends approval. The R10 zoning district will allow for a two-family or single-family structure at a corner location where the neighborhood has an established pattern of both one and two-family dwelling units. Parcels to the north and east of the subject property are existing two-family structures. A two-family unit at a corner location along Simmons Avenue and Tanksley Avenue is an appropriate place to allow for change. This proposal is consistent with the T4 Urban Neighborhood Maintenance Policy and consistent with the established neighborhood pattern for the larger area.



2016Z-025PR-001
Map 071-16, Parcel(s) 005
05, East Nashville
05 (Scott Davis)

Project No.	**Zone Change 2016Z-025PR-001**
Council District	05 – S. Davis
School District	05 - Kim
Requested by	Allison Patton, applicant and owner.
Deferrals	This request was deferred from the March 24, 2016, Planning Commission meeting. Public Hearing was not held.
Staff Reviewer	Moukaddem
Staff Recommendation	*Approve.*

APPLICANT REQUEST
Zone change from RS5 to RM20-A.

Zone Change
A request to rezone from Single-Family Residential (RS5) to Multi-Family Residential - Alternative (RM20-A) for property located at 1300 North 5th Street, at the northwest corner of North 5th Street and Douglas Avenue (0.34 acres).

Existing Zoning
Single-Family Residential (RS5) requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 7.41 dwelling units per acre. *RS5 would permit a maximum of two lots.*

Proposed Zoning
Multi-Family Residential - Alternative (RM20-A) is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. *RM20-A would permit a maximum of six units.*

CRITICAL PLANNING GOALS
- Creates Walkable Neighborhoods
- Supports a Variety of Transportation Choices
- Provides a Range of Housing Choices
- Supports Infill Development

This request creates an opportunity for infill urban development, filling in gaps in areas served by existing infrastructure. Locating development in areas served by existing, adequate infrastructure does not burden Metro with the cost of upgrading or building new infrastructure. The proposed multi-family zoning district would contribute to the diversity of housing options present in the area and provide for more housing options than permitted under the existing RS5 zoning district. Additional housing options are important to serve a wide range of people with different housing needs. Redevelopment of this property under RM20-A design guidelines would enhance the walkability of this neighborhood; because the property is in the Urban Services District and has a Sidewalk Priority Index score greater than twenty, redevelopment of this property would require the

installation of new sidewalk along the property, extending the existing sidewalk present just south of this site. RM20-A design guidelines would require that buildings entrances be oriented towards and connected to this sidewalk. This sidewalk network would connect the site to existing transit routes along Lischey Avenue, fostering walkability and access to transit. Transit is also present nearby on Douglas Avenue.

EAST NASHVILLE COMMUNITY PLAN
T4 Urban Neighborhood Evolving Policy (T4 NE) is intended to create and enhance urban residential neighborhoods that provide more housing choices, improved pedestrian, bicycle and vehicular connectivity, and moderate to high density development patterns with shallow setbacks and minimal spacing between buildings. T4 NE areas are served by high levels of connectivity with complete street networks, sidewalks, bikeways and existing or planned mass transit. T4 NE policy may be applied either to undeveloped or substantially under-developed "greenfield" areas or to developed areas where redevelopment and infill produce a different character that includes increased housing diversity and connectivity. Successful infill and redevelopment in existing neighborhoods needs to take into account considerations such as timing and some elements of the existing developed character, such as the street network and block structure and proximity to centers and corridors.

Consistent with Policy?
Yes. The rezoning to RM20-A is consistent with the T4 Urban Neighborhood Evolving (T4 NE) Policy and is appropriate given the site's urban location. This rezoning would increase housing choice in an area that has limited multi-family housing. T4 Urban Neighborhood Evolving Policy encourages redevelopment and infill development that creates housing diversity within the neighborhood.

ANALYSIS
Staff recommends approval of this request as the proposed rezoning is consistent with the T4 Urban Neighborhood Evolving (T4 NE) Policy and the redevelopment of this site would comply with the pedestrian-friendly bulk standards of the RM20-A district. These bulk standards are consistent with the design principles of the T4 Urban Neighborhood Evolving Policy and include shallow street setbacks that enhance the pedestrian realm. This request offers potential for infill development to occur in a way that would enhance the pedestrian streetscape and provide additional housing options for the area. Douglas Avenue is a collector street. NashvilleNext encourages the revitalization of corridors such as Douglas Avenue to create vibrant mixed-use environments that foster active mobility and connectivity and give residents the opportunity to access more activities of daily life within walking distance of their homes. This rezoning would encourage additional housing along the Douglas Avenue corridor, enhancing its potential as a mixed-use environment.

FIRE MARSHAL RECOMMENDATION
N/A

PUBLIC WORKS RECOMMENDATION
N/A

TRAFFIC AND PARKING RECOMMENDATION

- Traffic study may be required at time of development.

Maximum Uses in Existing Zoning District**: RS5**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single- Family Residential (210)	0.34	8.7 D	2 U	20	2	3

Maximum Uses in Proposed Zoning District**: RM20-A**

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)	0.34	20 U	6 U	40	4	4

Traffic changes between maximum: **RS5 and RM20-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+4 U	+20	+2	+1

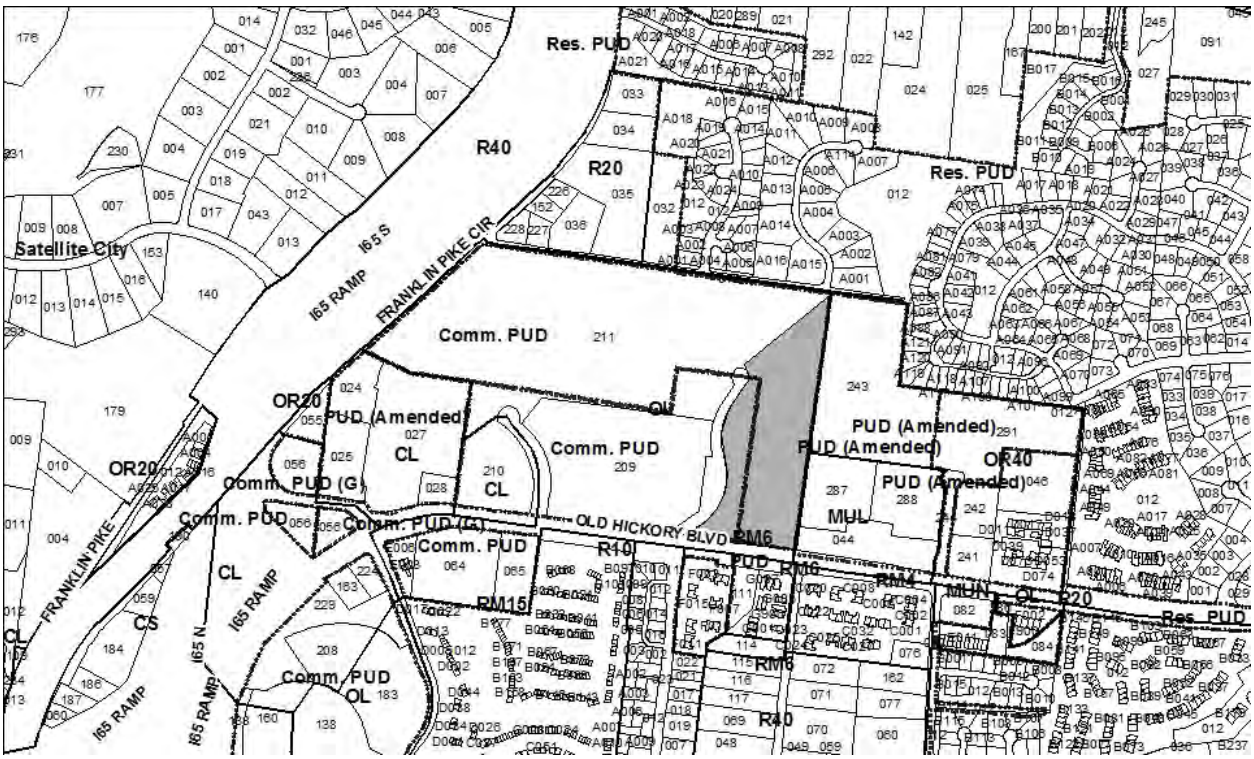
METRO SCHOOL BOARD REPORT

Projected student generation existing RS5 district: 1 Elementary 0 Middle 0 High
Projected student generation proposed RM20-A district: 1 Elementary 1 Middle 1 High

The proposed RM20-A zoning district could be expected to generate three additional students. Students would attend Shwab Elementary School, Jere Baxter Middle School, and Maplewood High School. None of the schools have been identified as being over capacity by the Metro School Board. This information is based upon data from the school board last updated November 2015.

STAFF RECOMMENDATION

Staff recommends approval as the request is consistent with policy and supports several critical planning goals.



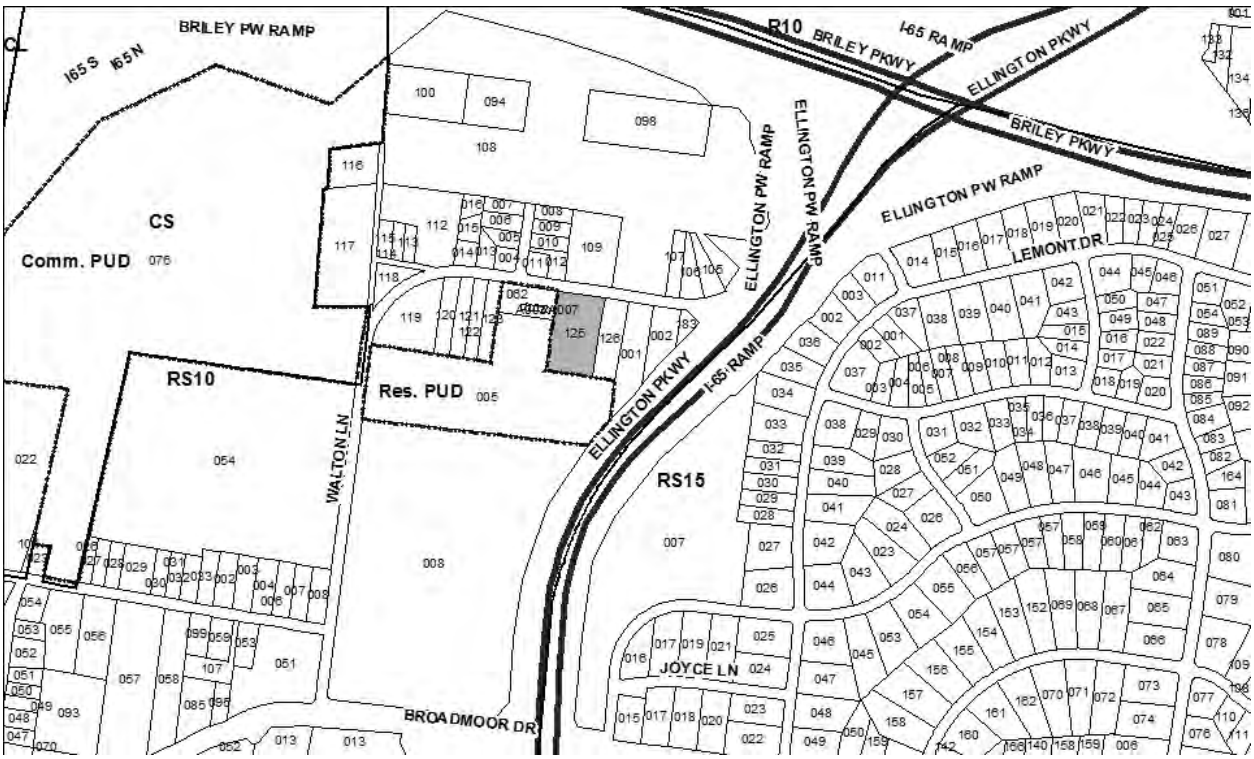
85-85P-003
BRENTWOOD COMMONS (HCA)
Map 160, Part of Parcel(s) 211
12, Southeast
04 (Robert Swope)

Project No.	**Planned Unit Development 85-85P-003**
Project Name	**Brentwood Commons (HCA)**
Council District	4 - Swope
School District	8 - Pierce
Requested by	Ragan Smith & Associates, applicant; Southpoint, LLC, owner.
Deferrals	This request was deferred from the February 11, 2016, the February 25, 2016, the March 10, 2016, and the March 24, 2016, Planning Commission meetings. Public Hearing was not held.
Staff Reviewer	Swaggart
Staff Recommendation	*Defer to the April 28, 2016, Planning Commission meeting.*

APPLICANT REQUEST
Revise a portion of a Planned Unit Development to permit an office development.

Revise PUD
A request to revise the preliminary plan for a portion of the Brentwood Commons Planned Unit Development Overlay District on property located at 2000 American General Way, at the northeast corner of American General Way and Old Hickory Boulevard, zoned Office Limited (OL) (13.59 acres), to permit an office.

STAFF RECOMMENDATION
Staff recommends deferral to the April 28, 2016, Planning Commission meeting as requested by the applicant.



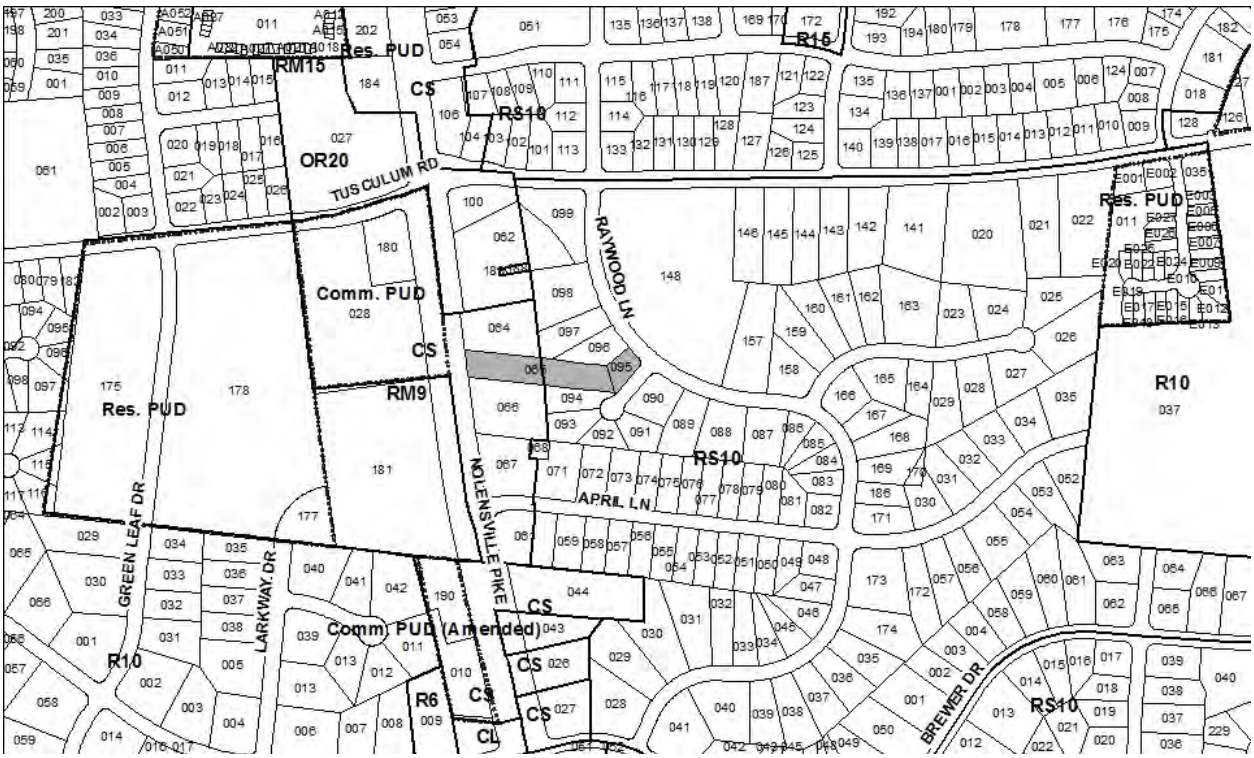
2014S-050-001
3335 WALTON LANE
Map 051, Parcel(s) 125
05, East Nashville
08 (Nancy VanReece)

Project No.	**2014S-050-001**
Project Name	**3335 Walton Lane**
Council District	8 – VanReece
School District	3 – Speering
Requested by	Campbell, McRae & Associates, Inc., applicant; Southernmost Homes, Inc., owner.
Deferrals	This request was deferred from the March 10, 2016, and the March 24, 2016, Planning Commission meetings. Public Hearing was not held.
Staff Reviewer	Swaggart
Staff Recommendation	*Defer to the April 28, 2016, Planning Commission meeting.*

APPLICANT REQUEST
Create four single-family lots.

Final Plat
A request for final plat approval to create four lots on property located at 3335 Walton Lane, approximately 600 feet west of Ellington Parkway, zoned Single-Family Residential (RS10) (1.58 acres).

STAFF RECOMMENDATION
Staff recommends deferral to the April 28, 2016, Planning Commission meeting as requested by the applicant.



2016S-062-001
NOLAN COURT SUBDIVISION
Map 161-04, Parcel(s) 065, 095
12, Southeast
27 (Davette Blalock)

Project No.	**2016S-062-001**
Project Name	**Nolan Court Subdivision**
Council District	27 – Blalock
School District	2 – Brannon
Requested by	HFR Design, Inc., applicant; Nolan Capital, LLC, owner.
Deferrals	This request was deferred from the March 24, 2016, Planning Commission meeting. Public Hearing was not held.
Staff Reviewer	Swaggart
Staff Recommendation	*Disapprove.*

APPLICANT REQUEST
Create four lots.

Final Plat
A request for final plat approval to create four lots on properties located at 5114 Nolensville Pike and Raywood Lane (unnumbered), approximately 440 feet north of April Lane, zoned Commercial Service (CS) and Single-Family Residential (RS10) (1.35 acres).

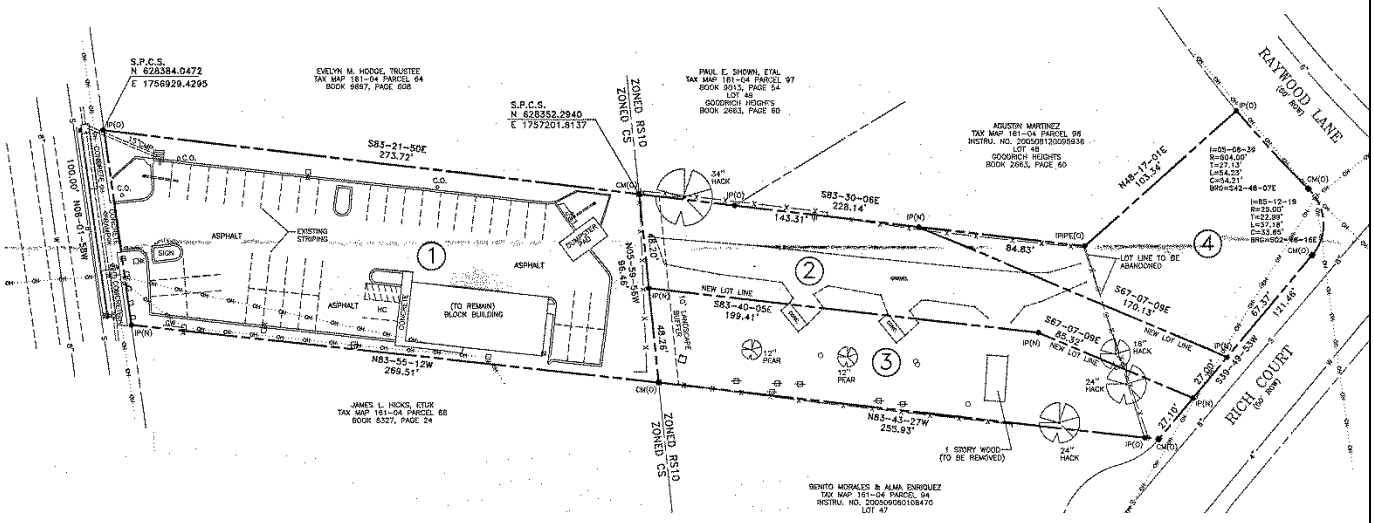
Existing Zoning
Single-Family Residential (RS10) requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre.

Commercial Service (CS) is intended for retail, consumer service, financial, restaurant, office, self-storage, light manufacturing and small warehouse uses.

CRITICAL PLANNING GOALS
N/A

PLAN DETAILS
The request is for final plat approval to create four lots from two existing parcels totaling approximately 1.14 acres. One of the existing parcels fronts Nolensville Pike, and the second parcel, which is a reserve parcel, is located at the southwest corner of Raywood Lane and Rich Court. The parcel that fronts Nolensville Pike is split-zoned with the front portion zoned CS and the back portion zoned RS10. As proposed, Lot 1 fronts onto Nolensville Pike and is zoned CS. The other three lots front onto Raywood Lane or Rich Court and are zoned RS10.

Section 3-5.2 of the Subdivision Regulations requires that newly created lots in residential areas that are previously subdivided and predominately developed must be comparable to surrounding lots in regards to area and frontage. The proposed lot that fronts onto Nolensville Pike and is zoned CS does not have to meet this requirement. The three lots within the RS10 district along Raywood Lane and Rich Court do not meet the compatibility requirement. The applicant requests approval under Section 3-5.2(f) of the Subdivision Regulations, under which the Planning Commission may grant approval of a subdivision that does not meet the compatibility criteria, if the subdivision can provide for harmonious development within the community.



Proposed Site Plan

As proposed, the lots will have the following area and frontages:

- Lot 1 (Nolensville Pk.): 25,951 Sq. Ft., (0.59 Acres), and 100 Ft. of frontage;
- Lot 2 (Rich Court): 11,324 Sq. Ft., (0.0.26 Acres), and 27 Ft. of frontage.
- Lot 3 (Rich Court): 11,816 Sq. Ft., (0.0.27 Acres), and 27 Ft. of frontage.
- Lot 4 (Corner of Raywood Lane and Rich Court): 10,011 Sq. Ft., (0.23 Acres), and 76 Ft. of frontage on Raywood Lane and 90 Ft. on Rich Court

Sidewalks are required along Raywood Lane and Rich Court and the plat identifies the required five foot sidewalk on the plat. The plat also contains a note that indicates that no building permits can be issued until the required sidewalk is constructed or a payment in-lieu of construction of the sidewalk has been made. Since Lot 1 is zoned CS, sidewalks are not required with this subdivsion plat, but would be required at the time of development per Metro Zoning Code requirements.

ANALYSIS

Lot Compatibility

Section 3-5.2 of the Subdivision Regulations outlines the criteria for reviewing infill subdivisions located within the Neighborhood Maintenance policy area. Lot 1 is zoned CS and is within a T3 CM policy is not required to meet the lot comparability requirements. Staff reviewed the final plat for the three residential lots within the T3 NM policy against the following criteria as required by the Subdivision Regulations:

Zoning Code

All three lots meet the minimum standards of the RS10 zoning district.

Street Frontage

All three lots have frontage on a public street.

Density

The T3 NM policy does not specify density limitations.

Community Character

1. Lot frontage: The proposed lots must have frontage either equal to or greater than 70% of the average frontage of surrounding parcels or equal to or greater than the surrounding lot with the least amount of frontage, whichever is greater.

   The minimum lot frontage for any new lot along Raywood Lane is 90.3 feet, and 41. 3 feet along Rich Court which are 70% of the average of the parcel frontage of the surrounding parcels. Lot 4 has 76 feet of frontage along Raywood Lane and 90 feet of frontage along Rich Court. Lot 1 has sufficient frontage along Rich Court, but it does not meet the community character for lot frontage along Raywood Lane.

   The minimum lot frontage for any new lot along Rich Court is 41.3 feet which is 70% of the average of the parcel frontage of the surrounding parcels. Lot 2 and Lot 3 have approximately 27 feet of frontage along Rich Court, and therefore, they do not meet the community character for lot frontage.

Lot Frontage Analysis (Raywood Lane)	
Minimum Proposed	76’
70% of Average	**90.3’**
Smallest Surrounding Parcel	75’

Lot Frontage Analysis (Rich Court)	
Minimum Proposed	27’
70% of Average	**41.3’**
Smallest Surrounding Parcel	27’

2. Lot size: The proposed lots must have a lot area that is either equal to or greater than 70% of the lot size of the average size of surrounding parcels or equal to or larger than smallest surrounding lot, whichever is greater.

   The minimum lot area for any new lot along Raywood Lane is 17,685 square feet, which is 70% of the average of the parcel area of the surrounding parcels. Lot 4 is 10,011 square feet in size, and does not meet the community character for lot area along Raywood Lane.

   The minimum lot area for any new lot along Rich Court is 10,916 square feet, which is 70% of the average of the parcel area of the surrounding parcels. The minimum lot area for Lot 2 and Lot 3 is 11,816 square feet; therefore, the lots meet the community character for lot area on Rich Court.

   Lot 4 is 10,011 square feet in size, and therefore, it does not meet the community character for lot area along Rich Court.

Lot Area Analysis (Raywood Lane)	
Minimum Proposed	10,011 sq. ft.
70% of Average	**17,685 sq. ft.**
Smallest Surrounding Parcel	16,988 sq. ft.

Lot Area Analysis (Rich Court)	
Minimum Proposed	11,324 sq. ft.
70% of Average	**10,916**
Smallest Surrounding Parcel	10,890

3. Street setback: Per the Zoning Code, the street setback shall be a contextual setback that considers the minimum setbacks of houses on surrounding lots on the same block face.

   Lots along Raywood Lane include platted front setbacks. The existing lot adjacent to Lot 4 has a 50 foot platted setback. As proposed Lot 4, which is located along Raywood Lane does not include a 50 foot setback, and is not consistent with the setback requirement.

Due to the narrowness and configuration of Lots 2 and 3 along Rich Court it is likely that any home on these lots would have to be setback further than the existing homes on Rich Court and would not be consistent with the development pattern.

4. Lot orientation: Lots shall be consistent with the surrounding parcels.

The lot configuration for Lot 2 and Lot 3, which are located along Rich Court, would permit homes to be oriented to Rich Court. Lot 4, which is located at the corner of Raywood Lane and Rich Court, could have a home oriented to Raywood Lane, consistent with the neighboring home to the north. The home on the opposite corner of Raywood Lane and Rich Court is oriented to the corner. A home on Lot 4 facing the corner would be more consistent with the existing development pattern. If Lot 4 were to meet the platted setback of the adjacent home to the north, then the setbacks would likely not permit a home to be oriented to the corner consistent with the orientation of the home on the opposite corner.

Agency Review
Metro Stormwater and Water Services have not recommended approval.

Harmony of Development
The proposed subdivision for lots two, three and four do not meet the Community Character criteria. However, the Planning Commission may grant approval if it determines that the subdivision provides for the harmonious development of the community. The applicant has not proposed any conditions to provide for the harmonious development of the community.

FIRE MARSHAL RECOMMENDATION
N/A

PUBLIC WORKS RECOMMENDATION
Conditions if approved

- If sidewalks are required by Planning and the applicant chooses to construct rather than pay the in-lieu fee, then they should be shown and labeled on the plan with curb and gutter, 4 foot grass strip or as determined by Public Works, and a minimum 5 foot wide sidewalk unobstructed, and a minimum of 20 feet pavement on the street width. Wider sidewalk, grass strip, and pavement width is required where on-street parking occurs or on a street classification greater than local.
- Sidewalks must be shown fully within the right of way. Show the location of all existing above and below ground features within the right-of-way. Any existing obstructions within the path of travel shall be relocated to provide a minimum of 5 feet of clear access.
- Construction plans must also be submitted that address any related drainage improvements, grading, utility relocation(s), and tree removal. A permit is required from The Department of Public Works prior to commencing any work within the right-of-way.

STORMWATER RECOMMENDATION
Returned for corrections

- Cite maintenance agreement number from approved grading plan. The correct instrument number is 20140116-000444.

TRAFFIC & PARKING RECOMMENDATION
No exception taken

WATER SERVICES RECOMMENDATION
Returned for corrections

- Adjust Note #9

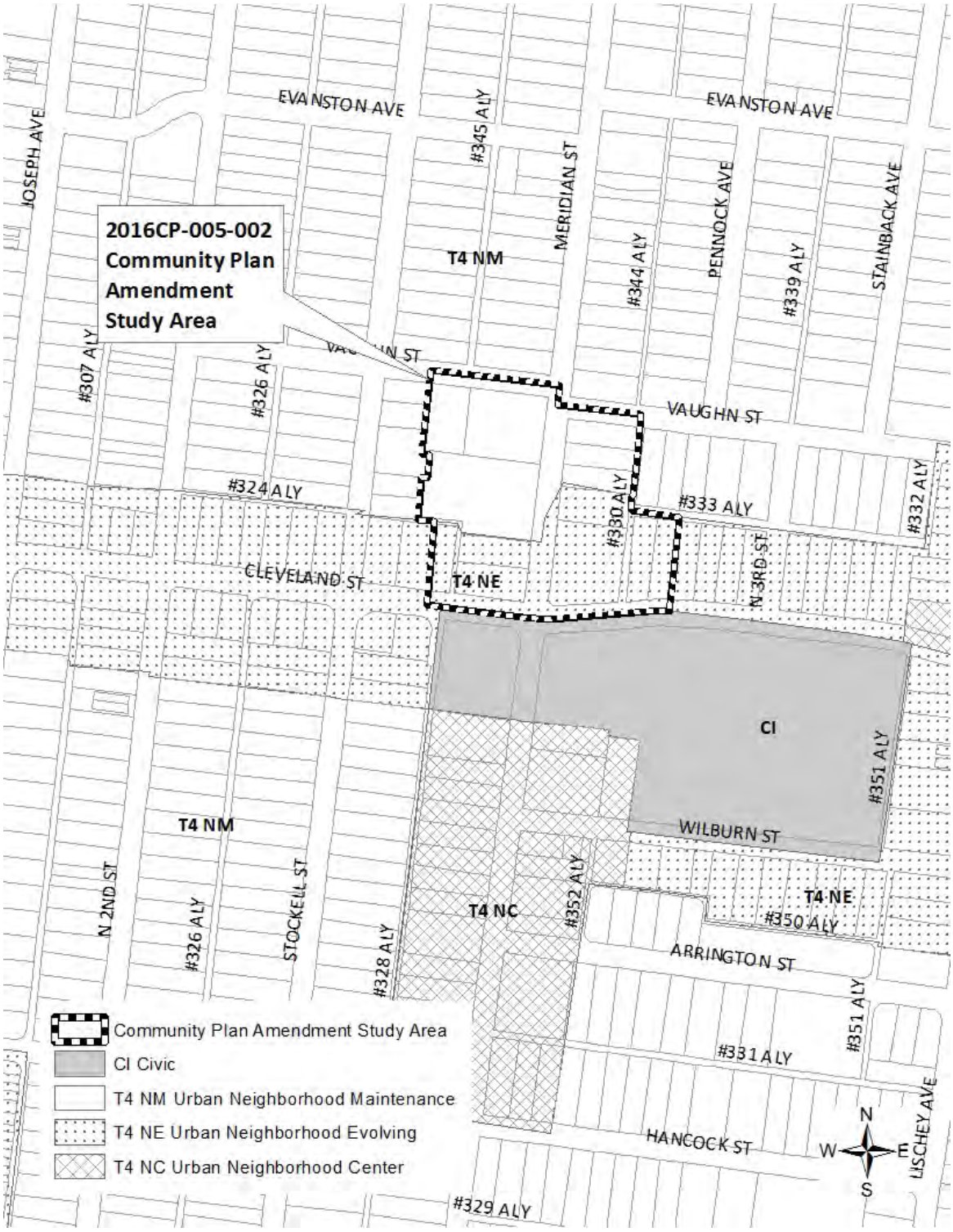
STAFF RECOMMENDATION
Staff recommends disapproval as the request does not meet the infill subdivision requirements as outlined in Section 3-5 of the Subdivision Regulations. The plat has also not been approved by Metro Stormwater or Water Services.

CONDITIONS (if approved)

1. No parking is permitted between the primary structure and street. Hard surfaces for vehicular access shall be limited to between the primary structure and the street.
2. Shared access shall be provided for lots two and three by a single driveway not to exceed 14 feet in width. A second drive onto Rich Court shall not be permitted.
3. A raised foundation of 18”- 36” is required for all residential structures.
4. Height is limited to two stories in 35 feet.
5. Sidewalks are required along Raywood Lane and Rich Court frontages of the proposed subdivision. Prior to final plat recordation, one of the options must be chosen related to the required sidewalks:
   a. Submit a bond application and post a bond with the Planning Department,
   b. Construct sidewalk and have it accepted by Public Works,
   c. Submit contribution in-lieu of construction to the Planning Department, three additional lots will require a $21,120 contribution to Pedestrian Benefit Zone 5-B.
   d. Construct an equal length of sidewalk within the same Pedestrian Benefit Zone, in a location to be determined in consultation with the Planning Department and the Public Works Department.
6. Add the following note to the plat: "No building permit is to be issued on any of the proposed lots until the required sidewalk is constructed per the Department of Public Works specifications." Sidewalk shall be shown and labeled on the plan per Public Works Standards with the required curb and gutter (four foot grass strip and five foot planting strip).
7. A platted setback of 50’ along Raywood Lane shall be shown on the plat.

COMMUNITY PLAN POLICY CHANGES and ASSOCIATED CASES

- **Plan Amendments**
- **Specific Plans**



2016CP-005-001
EAST NASHVILLE COMMUNITY PLAN AMENDMENT
Map 82-03, Parcels 218; 227-231; 412-417; and 551
05, East Nashville
05 – Scott Davis

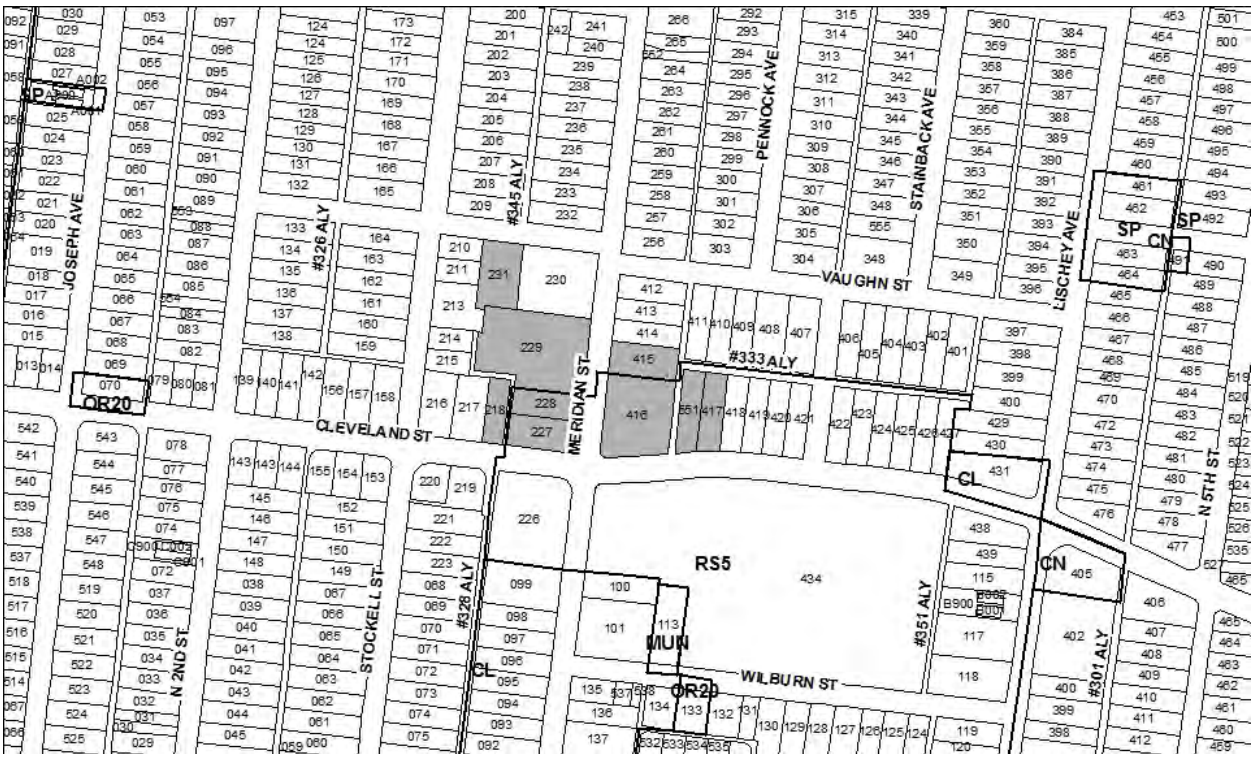
Project No.	**Major Plan Amendment 2016CP-005-001**
Project Name	**East Nashville Community Plan Amendment**
Associated Case	2016SP-024-001
Council District	5 – S. Davis
School District	5 – Kim
Requested by	Hastings Architecture, applicant; various property owners.
Staff Reviewer	Wood
Staff Recommendation	*Defer to the April 28, 2016, Planning Commission meeting.*

APPLICANT REQUEST

A request to amend the East Nashville Community Plan by amending the Community Character Policies from T4 Urban Neighborhood Evolving and T4 Urban Neighborhood Maintenance to T4 Neighborhood Center Policy or a special policy to be determined by Planning Staff for 900, 901, 902, 903, 905, 907, 908, 909, and 914 Meridian Street; 219, 307, and 309 Cleveland Street; and 206 Vaughn Street (4.38 acres).

STAFF RECOMMENDATION

Staff recommends deferral to the April 28, 2016, Planning Commission meeting as requested by the applicant.



2016SP-024-001
MCGAVOCK HOUSE SP
Map 082-03, Parcel(s) 218, 227-229, 231, 415-417, 551
05, East Nashville
05 (Scott Davis)

Project No.	**Specific Plan 2016SP-024-001**
Project Name	**McGavock House SP**
Associated Case	2016CP-005-001
Council District	5 – S. Davis
School District	5 - Kim
Requested by	Hastings Architecture Associates, applicant; Trinii Enterprises, Betty Jo Saxon, and Ray of Hope Church, owners.
Staff Reviewer	Milligan
Staff Recommendation	*Defer to the April 28, 2016, Planning Commission Meeting.*

APPLICANT REQUEST
Zone change to permit a mixed use development.

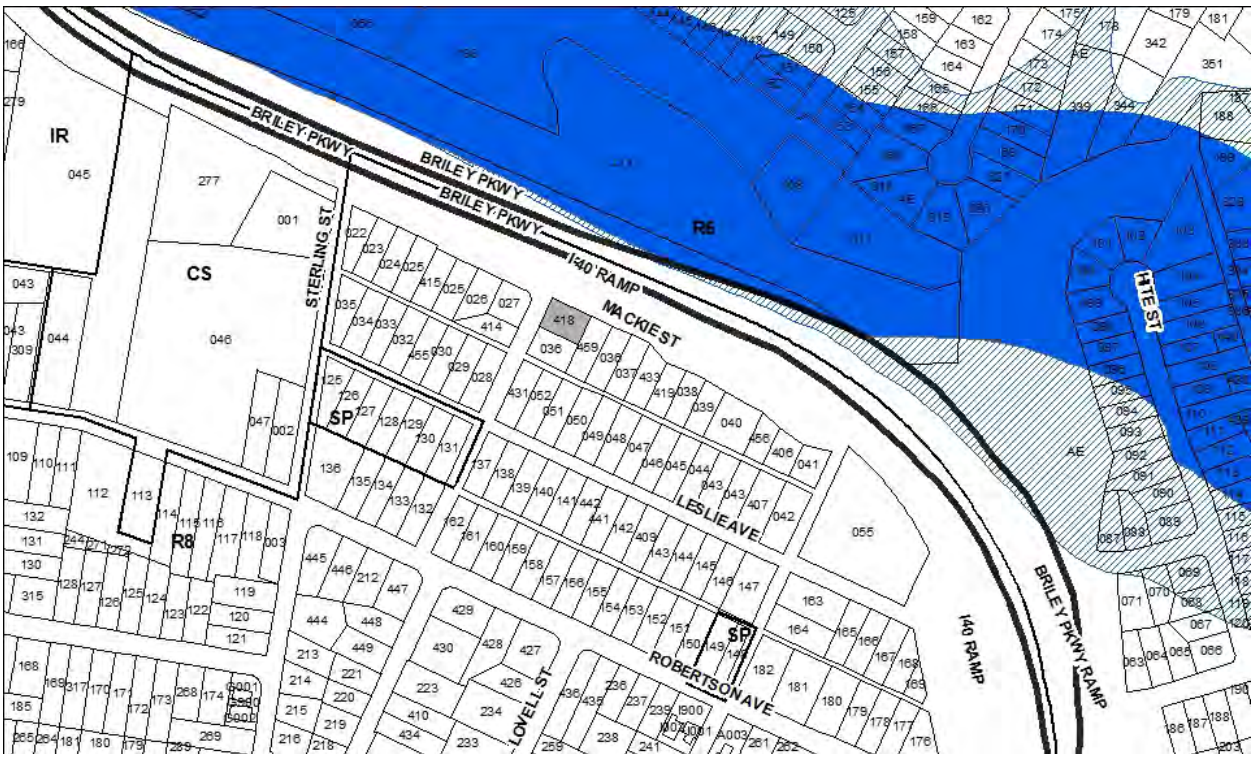
Preliminary SP
A request to rezone from Single-Family Residential (RS5) and Specific Plan (SP) to Specific Plan-Mixed Use (SP-MU) zoning for properties located at 206 Vaughn Street and 900, 901, 902, 903, and 908 Meridian Street and 219, 307, and 309 Cleveland Street, north of Cleveland Street (3.23 acres), to permit a mixed use development.

STAFF RECOMMENDATION
Staff recommends deferral to the April 28, 2016, Planning Commission meeting as requested by the applicant.

SEE NEXT PAGE

RECOMMENDATIONS TO METRO COUNCIL

- **Specific Plans**
- **Zone Changes**
- **Planned Unit Developments**



2016SP-025-001
ETHEL STREET SP
Map 091-10, Parcel(s) 418
07, West Nashville
20 (Mary Carolyn Roberts)

Project No.	**Specific Plan 2016SP-025-001**
Project Name	**Ethel Street SP**
Council District	20 – Roberts
School District	9 – Frogge
Requested by	B&B Construction, applicant; Farris & Brenday Young, owner.
Staff Reviewer	Swaggart
Staff Recommendation	*Approve with conditions and disapprove without all conditions.*

APPLICANT REQUEST
Zone change to permit two residential units.

Zone Change
A request to rezone from One and Two-Family Residential (R8) to Specific Plan-Residential (SP-R) for property located 5804 Ethel Street, to permit two detached residential units, located at the southeast corner of Ethel Street and Mackie Street (0.16 acres).

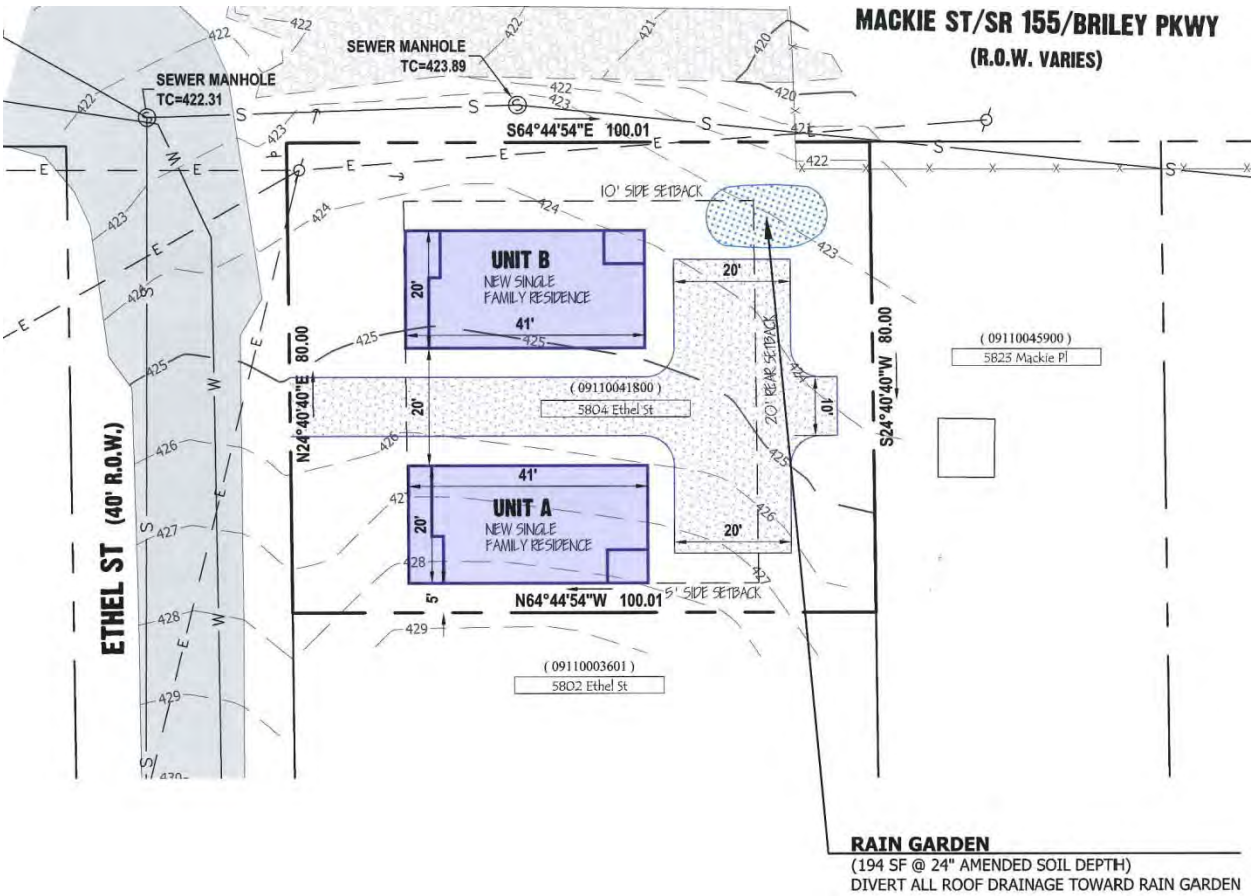
Existing Zoning
One and Two-Family Residential (R8) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25 percent duplex lots. *R6 would permit a maximum of one single-family lot.*

Proposed Zoning
Specific Plan-Residential (SP-R) 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 only one residential building type.

CRITICAL PLANNING GOALS
- Supports infill development

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.

WEST NASHVILLE COMMUNITY PLAN
Urban Neighborhood Evolving (T4 NE) is intended to create and enhance urban neighborhoods that fit in with the general character of existing urban neighborhoods, with opportunities for housing choice and improved pedestrian, bicycle and vehicular connectivity. The resulting development pattern may have higher densities than existing urban neighborhoods and/or smaller lot sizes, with a broader range of housing types providing housing choice. This reflects the scarcity of easily developable land without sensitive environmental features and the cost of developing housing.



Proposed Site Plan

Consistent with Policy?
Yes. The plan provides for additional housing diversity.

PLAN DETAILS
The subject property is approximately 0.16 acres in size. It is located on the east side of Ethel Street that dead-ends into Briley Parkway at the subject site. The property is vacant.

Site Plan
The plan calls for two units on one lot. Both homes shown on the proposed SP are two stories to a maximum height of approximately 27 feet. Access for both units is proposed from a single drive from Ethel Street. Parking pads are located at the rear of each home.

ANALYSIS
The plan is consistent with the West Nashville Community plan and meets one critical planning goal. The plan does not call for a sidewalk along the Ethel Street frontage. Since this block of Ethel is short and dead-ends into Briley Parkway north of the subject property, a sidewalk is not necessary as it would not provide for any connectivity. A condition of approval is that a contribution to the sidewalk fund be made for pedestrian benefit zone 1-A, or that 80 feet of sidewalk be constructed within the same pedestrian benefit zone. This would permit sidewalks to be constructed within an area where sidewalks already exist, expanding an existing network.

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

STORMWATER RECOMMENDATION
Approved with conditions
- Infill plans must be approved prior to issuance of any building permits.

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.
- Driveway connections to Ethel St are to be per MPW standard drawing ST-324.
- If sidewalks are required, then the plan is to be revised to include curb and gutter, grass furnishing zone and sidewalk, all per MPW standards and specifications.

TRAFFIC & PARKING RECOMMENDATION
No Exceptions Taken

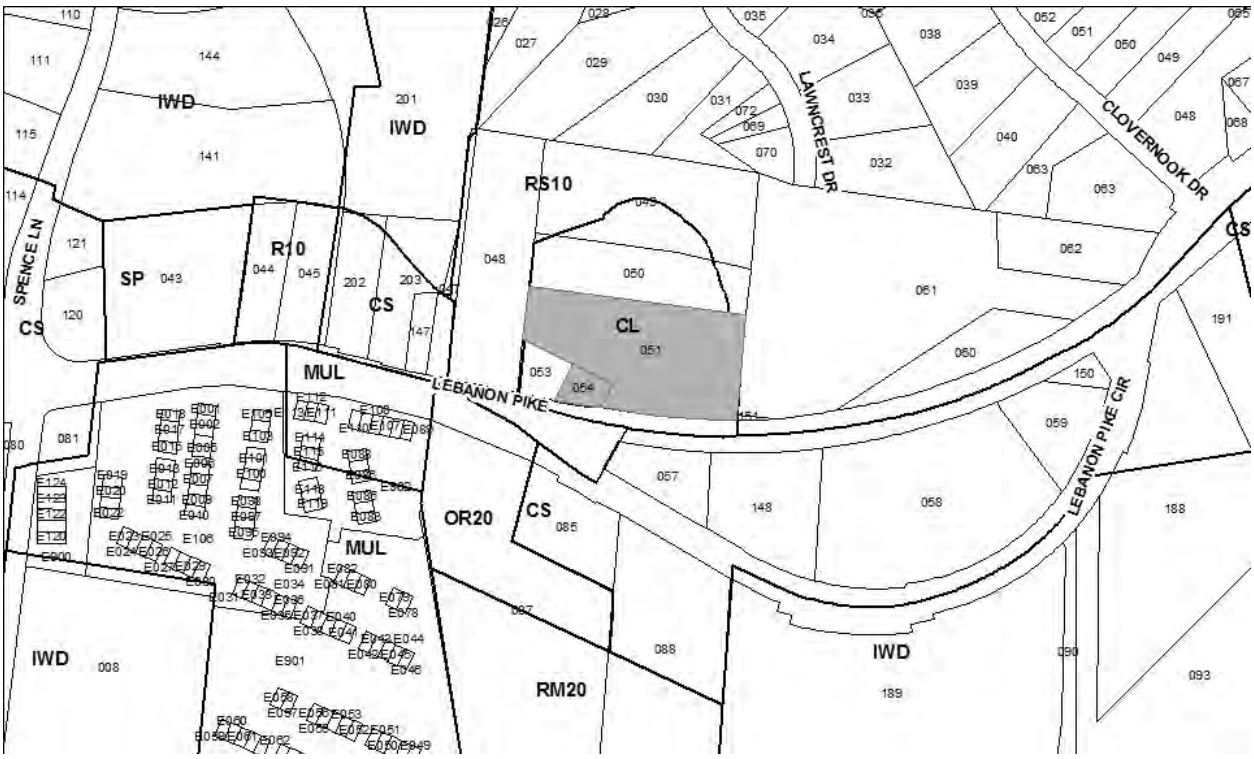
WATER SERVICES RECOMMENDATION
Approved with conditions
- Approved as a Preliminary SP only. Public sewer construction plans must be submitted and approved prior to Final SP approval. These approved construction plans must match the Final Site Plan/SP plans. The required capacity fees must also be paid prior to Final Site Plan/SP approval.

SCHOOL REPORTS
*A school report was not prepared as one additional unit will not generate any additional students.

STAFF RECOMMENDATION
Staff recommends that the proposed SP be approved with conditions as it is consistent with the West Nashville Community plan's T4 NE policy, and meets one critical planning goal.

CONDITIONS
1. This SP is limited to a maximum of two residential units.
2. 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 R6 zoning district as of the date of the applicable request or application.
3. Sidewalks are required along Ethel Street; therefore, prior to final site plan approval one of the below options must be chosen related to sidewalks:
   a. Submit contribution in-lieu of construction to the Planning Department. The rate of $96 per linear foot of total frontage area will require a $7,680 contribution to Pedestrian Benefit Zone 1-A.
   b. Construct an equal length of sidewalk within the same Pedestrian Benefit Zone, in a location to be determined in consultation with the Public Works Department.
4. Building façades fronting a street shall provide a minimum of one principal entrance (doorway) and a minimum of 25% glazing.
5. Windows shall be vertically oriented at a ratio of 1.5:1 or greater, except for dormers or egress windows.
6. EIFS, vinyl siding and untreated wood shall be prohibited.
7. Porches shall provide a minimum of six feet of depth.
8. A raised foundation of 18"- 36" is required for all residential structures.
9. 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.
10. 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.
11. 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.

SEE NEXT PAGE



2016Z-027PR-001
Map 094, Parcel(s) 051, 054
05, East Nashville
15 (Jeff Syracuse)

Project No.	**Zone Change 2016Z-027PR-001**
Council District	16- Syracuse
School District	4 - Shepard
Requested by	Steltemeier & Westbrook PLLC, applicant; Rose Mary and Michael Green, owners.
Staff Reviewer	Birkeland
Staff Recommendation	*Approve.*

APPLICANT REQUEST
Zone change from CL to CS-A.

Zone Change
A request to rezone from Commercial Limited (CL) to Commercial Service-Alternative (CS-A) zoning for properties located at 1620 and 1634 Lebanon Pike, at the intersection of Lebanon Pike and Lebanon Pike Circle (2.59 acres).

Existing Zoning
Commercial Limited (CL) is intended for retail, consumer service, financial, restaurant, and office uses.

Proposed Zoning
Commercial Service (CS-A) is intended to provide opportunities for a diverse range of commercial uses that include retail trade and consumer services, automobile sales and repair, small scale custom assembly, restaurants, entertainment and amusement establishments, financial, consulting and administrative services.

CRITICAL PLANNING GOALS
- Creates Walkable Neighborhoods
- Supports Infill Development

This proposal meets two critical planning goals. Development in areas with adequate infrastructure is more appropriate than development in areas not served with adequate infrastructure such as roads, water and sewer, because it does not burden Metro with the cost of maintaining new infrastructure. The proposed request would also enhance walkability along a corridor through the orientation of buildings.

DONELSON-HERMITAGE COMMUNITY PLAN
T3 Suburban Mixed Use Corridor (T3 MU) policy is intended to enhance suburban mixed use corridors by encouraging a greater mix of higher density residential and mixed use development along the corridor, placing commercial uses at intersections with residential uses between intersections; creating buildings that are compatible with the general character of suburban neighborhoods; and a street design that moves vehicular traffic efficiently while accommodating sidewalks, bikeways, and mass transit.

Consistent with Policy?
Yes. The proposed CS-A zoning district allows uses that are consistent with the T3 Suburban Mixed Use Corridor land use policy. The CS-A zoning district allows for commercial uses along an active corridor. Changing the current commercial zoning on the subject properties to CS-A is appropriate given the policy and the location of the properties.

ANALYSIS
The properties located at 1620 and 1634 Lebanon Pike total approximately 2.59 acres. 1634 Lebanon Pike currently has an office building located on it; 1620 is vacant property. This request would allow for a wider variety of uses than what is currently allowed.

The proposed zoning district has design standards that would be implemented if this property were to redevelop. The CS-A district will create walkable neighborhoods through the use of appropriate building placement and sidewalks. The CS-A district allows for only one module of parking and the developer would be required to construct sidewalks to the standards of the Major and Collector Street Plan if the site were to be redeveloped. These standards would be consistent with the design principals of the policy.

FIRE MARSHAL RECOMMENDATION
N/A

PUBLIC WORKS RECOMMENDATION
N/A

TRAFFIC AND PARKING RECOMMENDATION
N/A

WATER SERVICES RECOMMENDATION
N/A

STORMWATER RECOMMENDATION
N/A

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	2.59	0.6 F	67, 692 SF	5270	123	490

Maximum Uses in Proposed Zoning District**: CS-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	2.59	0.6 F	67, 692 SF	5270	123	490

Traffic changes between maximum: **CL** and **CS-A**

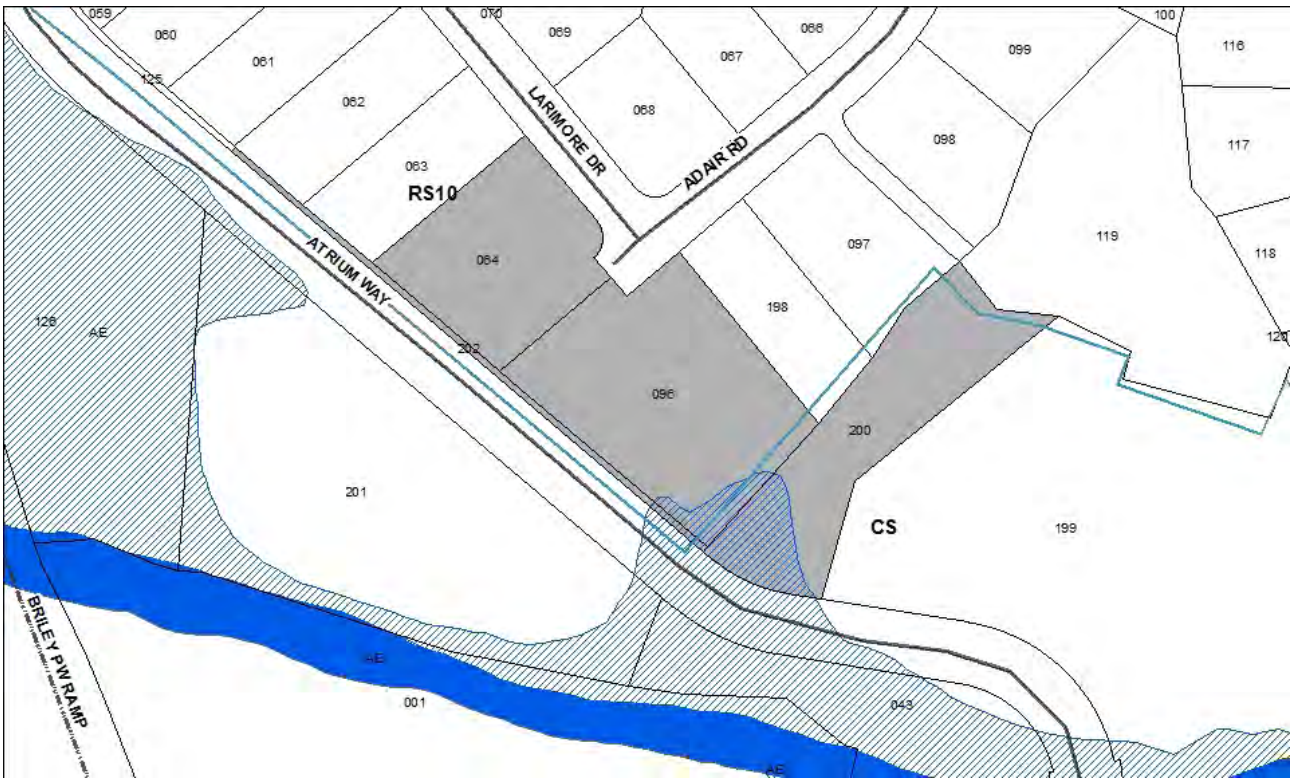
Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-	-	-

METRO SCHOOL BOARD REPORT

The Metro School Board report was not generated because the proposed zone change would not generate students.

STAFF RECOMMENDATION

Staff recommends approval as this request is consistent with policy.



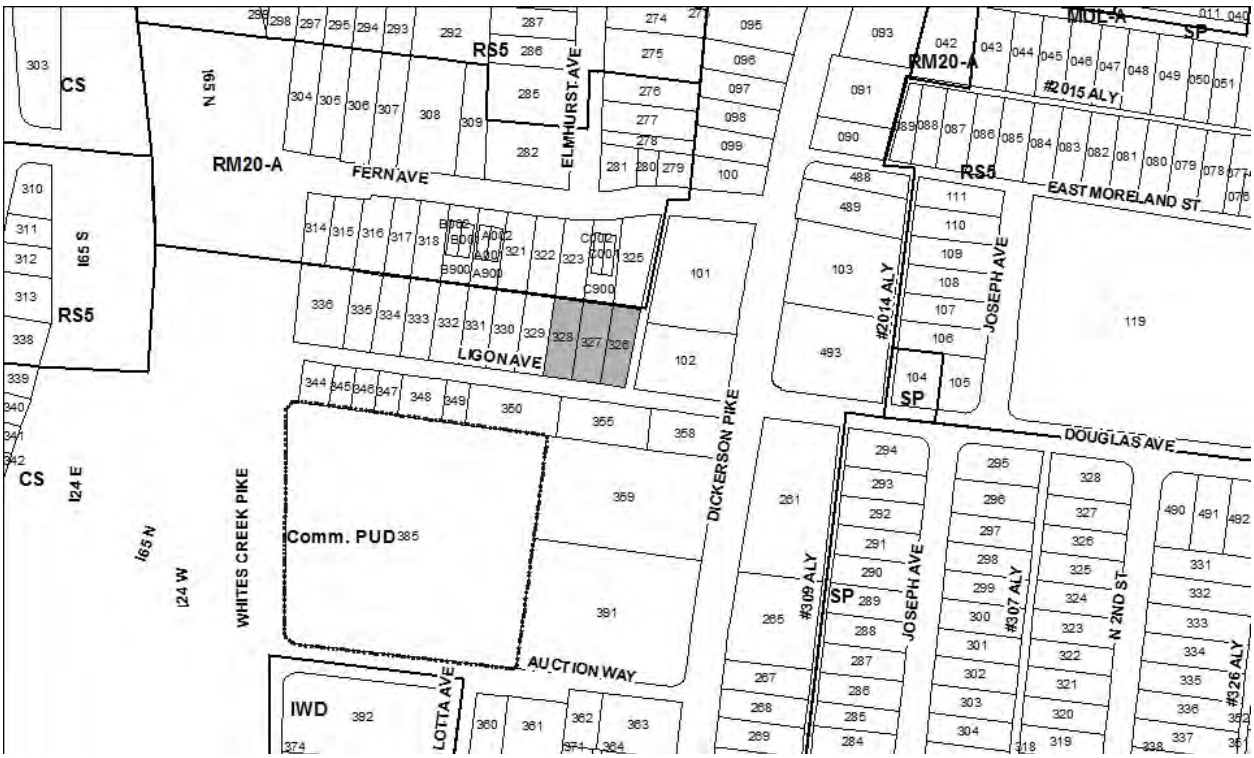
2016Z-028PR-001
Map 095-11, Parcel(s) 064, 096, 200, 202
14, Donelson - Hermitage
15 (Jeff Syracuse)

Project No.	**Zone Change 2016Z-028PR-001**
Council District	15 - Syracuse
School District	4 - Shepherd
Requested by	SDIA holdings, LLC and Associates Capital, LLC, applicants and owners.
Staff Reviewer	Milligan
Staff Recommendation	*Defer to the July 28, 2016, Planning Commission Meeting.*

APPLICANT REQUEST
Rezone from CS and RS10 to MUG.

Preliminary SP
A request to rezone from Commercial Services (CS) and Single-Family Residential (RS10) to Mixed Use General (MUG) zoning for properties located at 2318 and (unnumbered) Atrium Way, 2221 Larimore Drive and 441 Adair Road approximately 500 feet northwest of the intersection of Elm Hill Pike and Atrium Way (2.55 acres).

STAFF RECOMMENDATION
Staff recommends deferral to the July 28, 2016, Planning Commission meeting as requested by the applicant.



2016Z-030PR-001
Map 071-14, Parcel(s) 326-328
05, East Nashville
05 (Scott Davis)

Project No.	**Zone Change 2016Z-030PR-001**
Council District	05 – S. Davis
School District	05 - Kim
Requested by	Jeff Kendig, applicant and owner.
Staff Reviewer	Moukaddem
Staff Recommendation	*Approve.*

APPLICANT REQUEST
Zone change from CS to MUG-A

Zone Change
A request to rezone from Commercial Service (CS) to Mixed-Use General-Alternative (MUG-A) zoning for properties located at 2, 4, and 6 Ligon Avenue, approximately 200 feet west of Dickerson Pike (0.46 acres).

Existing Zoning
Commercial Service (CS) is intended for retail, consumer service, financial, restaurant, office, self-storage, light manufacturing and small warehouse uses.

Proposed Zoning
Mixed-Use General-Alternative (MUG-A) is intended for a moderately high intensity mixture of residential, retail, and office uses and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards.

CRITICAL PLANNING GOALS
- Creates Walkable Neighborhoods
- Supports a Variety of Transportation Choices
- Supports Infill Development

This request creates an opportunity for infill urban development, filling in gaps in areas served by existing infrastructure. Locating development in areas served by existing, adequate infrastructure does not burden Metro with the cost of upgrading or building new infrastructure. This request also supports walkability. MUG-A zoning on this site would complement the mixed-use zoning and mix of land uses present along Ligon Avenue and foster an environment that allows someone to drive to one location on this street, but once there park and meet needs on foot. The site is in close proximity to existing transit routes along Dickerson Pike and Whites Creek Pike, providing an access framework for residents and visitors to new destinations on these properties. MUG-A bulk standards are designed to promote this pedestrian streetscape through building orientation and requiring that parking be at the rear or side of buildings.

EAST NASHVILLE COMMUNITY PLAN
T4 Urban Community Center (T4 CC) is intended to enhance and create urban community centers that contain commercial, mixed use, and institutional land uses, with residential land uses in mixed use buildings or serving as a transition to adjoining Community Character Policies. T4 Urban Community Centers serve urban communities generally within a 5 minute drive or a 5 to 10 minute walk. T4 CC areas are pedestrian friendly areas, generally located at intersections of prominent

urban streets. Infrastructure and transportation networks may be enhanced to improve pedestrian, bicycle and vehicular connectivity.

Consistent with Policy?
Yes. The rezoning to MUG-A is consistent with the T4 Urban Community Center policy and is appropriate given the site's urban location. The existing CS zoning does not permit the mixture of uses envisioned by the T4 Urban Community Center policy. A rezoning to MUG-A would encourage the mix of uses promoted under this policy and provide design standards amenable to a pedestrian-oriented streetscape. Permitted uses under MUG-A zoning include office, residential, and retail uses. The proposed mixed-use zoning would complement the variety of uses present and encouraged under the T4 Urban Community Center policy.

ANALYSIS
This request to rezone includes several adjacent properties along Ligon Avenue. These properties are currently vacant and total 0.46 acres. Four other properties on Ligon Avenue were rezoned to MUG-A zoning on March 25th, 2016 via Council Bill 2016-145. The proposed MUG-A zoning would contribute to the mix of uses along Ligon Avenue accessible to residents and the wider neighborhood.

This rezoning request offers potential for infill development to occur in a way that would place potential residential and mixed-use developments in close proximity to Whites Creek Pike and Dickerson Pike, which are corridors with bus service. The vacant sites along Ligon Avenue included in this zoning request may redevelop in compliance with the MUG-A design guidelines. MUG-A standards would orient future development to address the public realm while visually minimizing automobile parking. This would contribute to an urban, pedestrian-friendly streetscape conducive to the policy goals. The existing CS zoning does not offer this potential.

FIRE MARSHAL RECOMMENDATION
N/A

PUBLIC WORKS RECOMMENDATION
N/A

TRAFFIC AND PARKING RECOMMENDATION
Conditions if approved

- Traffic study may be required at time of development.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	0.46	0.6 F	12, 022 SF	552	17	51

Maximum Uses in Proposed Zoning District**: MUG-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.46	3 F	60, 112 SF	4879	115	453

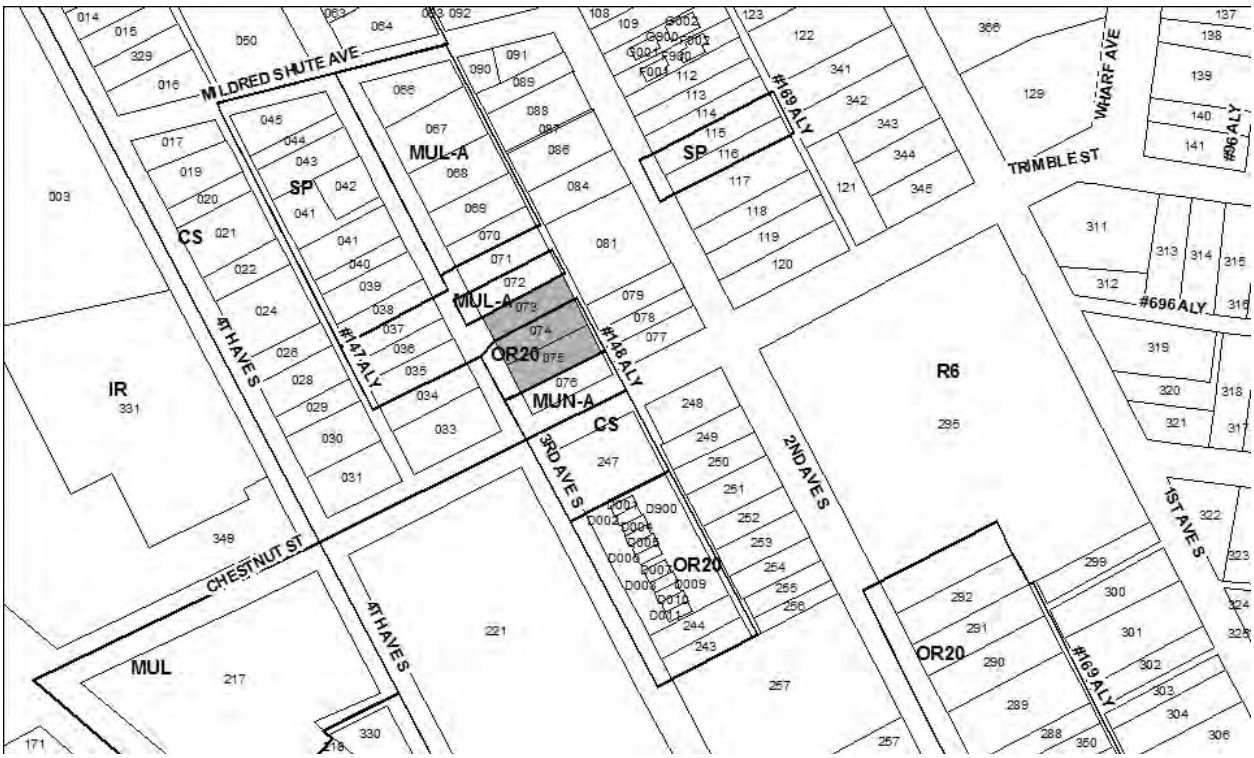
Traffic changes between maximum: **CS** and **MUG-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+48,090 SF	+4,327	+98	+402

METRO SCHOOL BOARD REPORT
Projected student generation existing CS district: 0 Elementary 0 Middle 0 High
Projected student generation proposed MUG-A district: 12 Elementary 8 Middle 7 High

The proposed MUG-A zoning district could be expected to generate three additional students. Students would attend Shwab Elementary School, Jere Baxter Middle School, and Maplewood High School. None of the schools have been identified as being over capacity by the Metro School Board. This information is based upon data from the school board last updated November 2015.

STAFF RECOMMENDATION
Staff recommends approval as the request is consistent with policy and supports several critical planning goals.



2016Z-031PR-001
Map 105-03, Parcel(s) 073-075
11, South Nashville
17 (Colby Sledge)

Project No.	**Zone Change 2016Z-031PR-001**
Council District	17 - Sledge
School District	5 - Kim
Requested by	Village Real Estate Services, applicant; Shilo Missionary Baptist Church, owner.
Staff Reviewer	Napier
Staff Recommendation	*Approve.*

APPLICANT REQUEST
Zone change from OR20 and R6 to MUL-A.

Zone Change
A request to rezone from Office and Residential (OR20) and One and Two-Family Residential (R6) to Mixed Use Limited-Alternative (MUL-A) zoning for properties located at 1122, 1124, & 1126 3rd Avenue South, approximately 36 feet north of Chestnut Street (0.34 acres).

Existing Zoning
Office/Residential (OR20) is intended for office and/or multi-family residential units at up to 20 dwelling units per acre. *OR20 would permit a maximum of 6 units*

One and Two-Family Residential (R6) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25 percent duplex lots. *R6 would permit a maximum of one lot with one duplex lot for a total of two units.*

Proposed Zoning
Mixed Use Limited-Alternative (MUL-A) is intended for a moderate intensity mixture of residential, retail, restaurant, and office uses and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards.

CRITICAL PLANNING GOALS
- Supports Infill Development
- Creates Walkable Neighborhoods
- Supports a Variety of Transportation Choices

This request provides the potential for infill development which often does not require large capital expenses for infrastructure improvements. The existing sidewalk network surrounding these parcels will allow for access to public transportation. The MUL-A zoning district provides an opportunity for various retail services which would serve the nearby single and multi-family neighborhoods.

SOUTH NASHVILLE COMMUNITY PLAN
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 rezoning to MUL-A is consistent with the T4 Urban Mixed Use Neighborhood (T4 MU) Policy and is appropriate given the site's location in an urban area. The rezoning would encourage the mix of uses promoted under this policy, and apply design standards appropriate for a pedestrian-oriented streetscape. Permitted uses under MUL-A zoning include residential, retail, restaurant, and office uses. The proposed mixed-use zoning would complement the variety of uses present and encouraged under the T4 Urban Mixed Use Neighborhood Policy.

FIRE MARSHAL RECOMMENDATION
N/A

PUBLIC WORKS RECOMMENDATION
N/A

WATER SERVICES RECOMMENDATION
No agency review required

STORMWATER RECOMMENDATION
No agency review required

TRAFFIC AND PARKING RECOMMENDATION
Conditions of Approval

- Traffic study may be required at time of development.

Maximum Uses in Existing Zoning District**: R6**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family* (210)	0.11	7.26 D	0 U	-	-	-

*Based on two-family lots.

Maximum Uses in Existing Zoning District**: OR20**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	0.23	0.8 F	8,015 SF	192	25	25

Maximum Uses in Proposed Zoning District**: MUL-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	0.34	1 F	14,810 SF	672	20	58

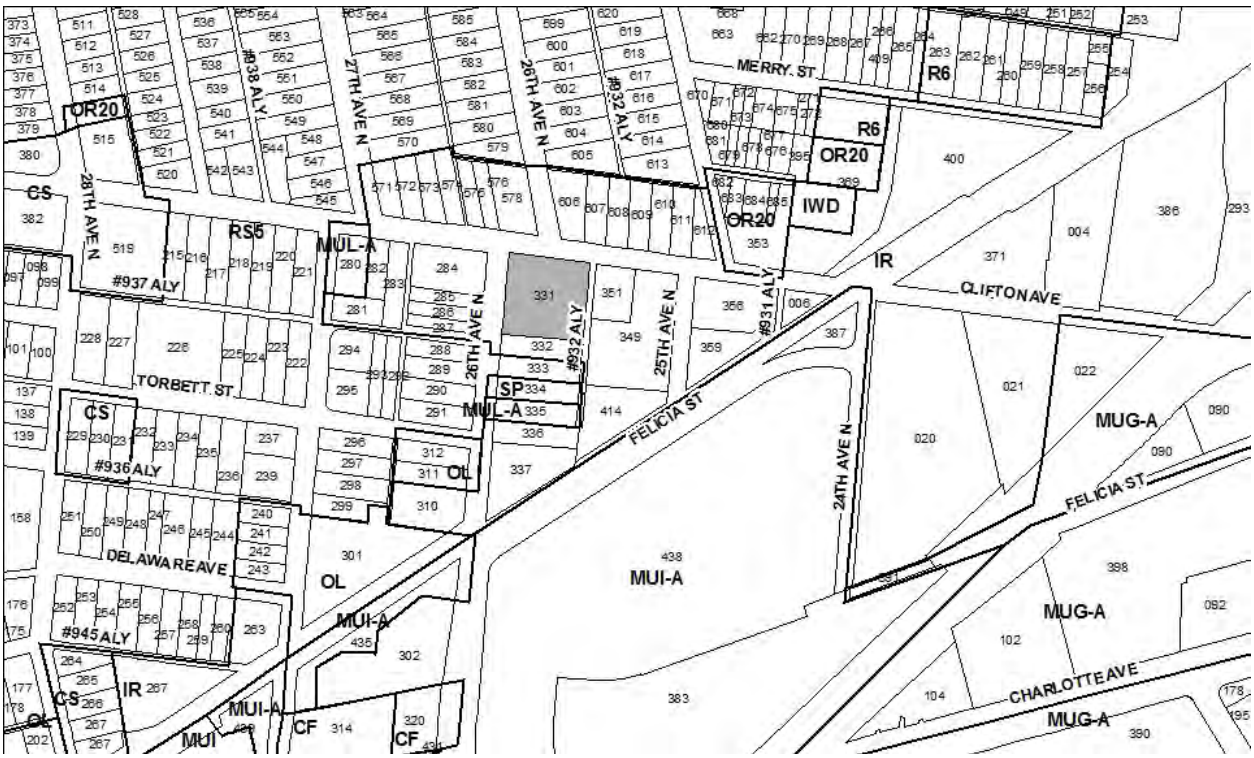
Traffic changes between maximum: **R6 & OR20** and **MUL-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+480	-5	+33

METRO SCHOOL BOARD REPORT
Projected student generation existing R6 & OR20 districts: 1 Elementary 0 Middle 0 High
Projected student generation proposed MUL-A district: 2 Elementary 1 Middle 1 High

The proposed zone change would generate three more students than what is typically generated under the existing OR20 and R6 zoning district. Students would attend Whitsitt Elementary School, Wright Middle School, Glen Cliff High School. Each school within the cluster has capacity for additional students.

STAFF RECOMMENDATION
Staff recommends approval as the proposed rezoning is consistent with policy and supports several critical planning goals.



2016Z-032PR-001
Map 092-10, Parcel(s) 331
08, North Nashville
21 (Ed Kindall)

Project No.	**2016Z-032PR-001**
Council District	21 - Kindall
School District	05 - Kim
Requested by	Fulmer Engineering, applicant; H. Calister Turner III, owner.
Staff Reviewer	Moukaddem
Staff Recommendation	*Approve.*

APPLICANT REQUEST
Zone change from IR to MUL-A

Zone Change
A request to rezone from Industrial Restrictive (IR) to Mixed Use Limited-Alternative (MUL-A) zoning for property located at 615 26th Avenue North, at the southeast corner of Clifton Avenue and 26th Avenue North (0.75 acres).

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

Proposed Zoning
Mixed Use Limited-Alternative (MUL-A) is intended for a moderate intensity mixture of residential, retail, restaurant, and office uses and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards.

CRITICAL PLANNING GOALS
- Creates Walkable Neighborhoods
- Supports a Variety of Transportation Choices
- Supports Infill Development

This request creates an opportunity for urban development that reuses brown and gray fields, filling in gaps in areas served by existing infrastructure. Locating development in areas served by existing, adequate infrastructure does not burden Metro with the cost of upgrading or building new infrastructure. This request also supports walkability. MUL-A zoning on this site would complement the mix of land uses present along Clifton Avenue and 26th Avenue North and foster an environment that allows someone to drive to one location on this street, but once there park and meet needs on foot. The site is in proximity to existing transit routes along Felicia Street and Clifton Avenue and served by existing sidewalks, providing an access framework for residents and visitors to a new destination on this site. MUL-A bulk standards are designed to promote this pedestrian streetscape through building orientation, requiring that parking be at the rear or side of buildings, and by enhancing the sidewalk network.

NORTH NASHVILLE COMMUNITY PLAN
T4 Urban Mixed Use Corridor (T4 CM) is intended to enhance urban mixed use corridors by encouraging a greater mix of higher density residential and mixed use development along the corridor, placing commercial uses at intersections with residential uses between intersections;

creating buildings that are compatible with the general character of urban neighborhoods; and a street design that moves vehicular traffic efficiently while accommodating sidewalks, bikeways, and mass transit.

Consistent with Policy?
Yes. The rezoning to MUL-A is consistent with the T4 Urban Mixed Use Corridor policy and is appropriate given the site's urban location. The existing IR zoning does not permit the mixture of uses envisioned by the policy. A rezoning to MUL-A would encourage the mix of uses promoted under this policy and provide for redevelopment utilizing design standards amenable to a pedestrian-oriented streetscape. Permitted uses under MUL-A zoning include office, residential, restaurant, and retail. The proposed mixed-use zoning would complement the variety of uses present and encouraged under the T4 Urban Mixed Use Corridor policy.

ANALYSIS
The proposed MUL-A zoning would contribute to the mix of uses along 26th Avenue North accessible to residents and the wider neighborhood. This rezoning requests offers potential for infill development to occur in a way that would enhance neighborhood walkability and place a potential residential and mixed use development in proximity to Felicia Street and Clifton Avenue, corridors with bus service. The site, currently a small warehouse and parking lot, would redevelop in compliance with the MUL-A design standards. MUL-A standards would orient future development to address the public realm while visually minimizing automobile parking. This would contribute to an urban, pedestrian-friendly streetscape conducive to goals of the policy. The existing CS zoning does not offer this potential.

FIRE MARSHAL RECOMMENDATION
N/A

PUBLIC WORKS RECOMMENDATION
N/A

TRAFFIC AND PARKING RECOMMENDATION
Conditions if approved

- Traffic study may be required at time of development.

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
Warehouse (150)	0.75	0.6 F	19,602 SF	70	6	7

Maximum Uses in Proposed Zoning District**: MUL-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	0.75	1 F	32,670 SF	1436	33	100

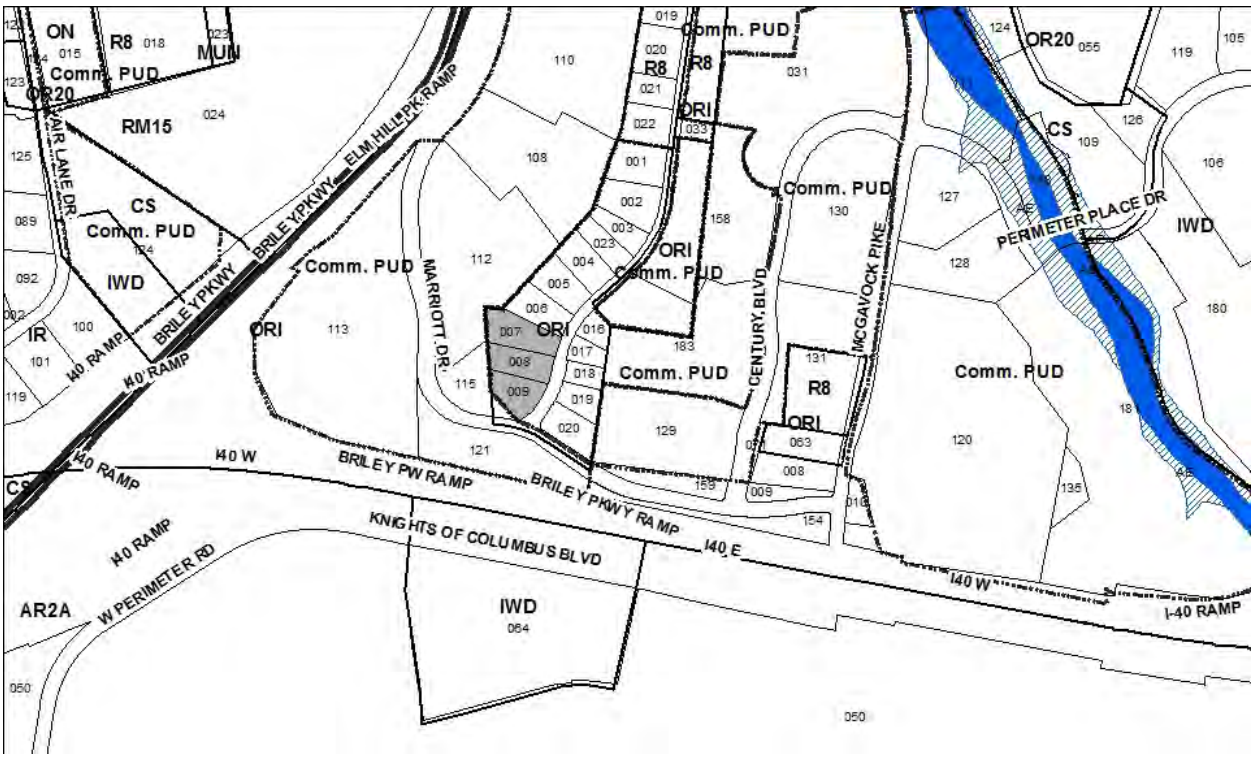
Traffic changes between maximum: **IR** and **MUL-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+1,366	+27	+93

METRO SCHOOL BOARD REPORT
Projected student generation existing IR district: 0 Elementary 0 Middle 0 High
Projected student generation proposed MUL-A district: 6 Elementary 4 Middle 3 High

The proposed MUL-A zoning district could be expected to generate thirteen additional students. Students would attend Park Avenue Elementary School, McKissack Middle School, and Pearl-Cohn High School. None of the schools have been identified as being over capacity by the Metro School Board. This information is based upon data from the school board last updated November 2015.

STAFF RECOMMENDATION
Staff recommends approval as the request is consistent with policy and supports several critical planning goals.



177-74P-002
CENTURY CITY WEST (CANDLEWOOD SUITES)
Map 107-03, Parcel(s) 007-009
14, Donelson - Hermitage
15 (Jeff Syracuse)

Project No.	**Planned Unit Development 177-74P-002**
Project Name	**Century City West (Candlewood Suites)**
Council District	15 - Syracuse
School District	04 – Shepherd
Requested by	Arnold Consulting, applicant; Mark Conger and Michael Green, owners.
Staff Reviewer	Burnette
Staff Recommendation	*Defer to the April 28, 2016, Planning Commission meeting.*

APPLICANT REQUEST
Revise a portion of the Planned Unit Development to permit a hotel.

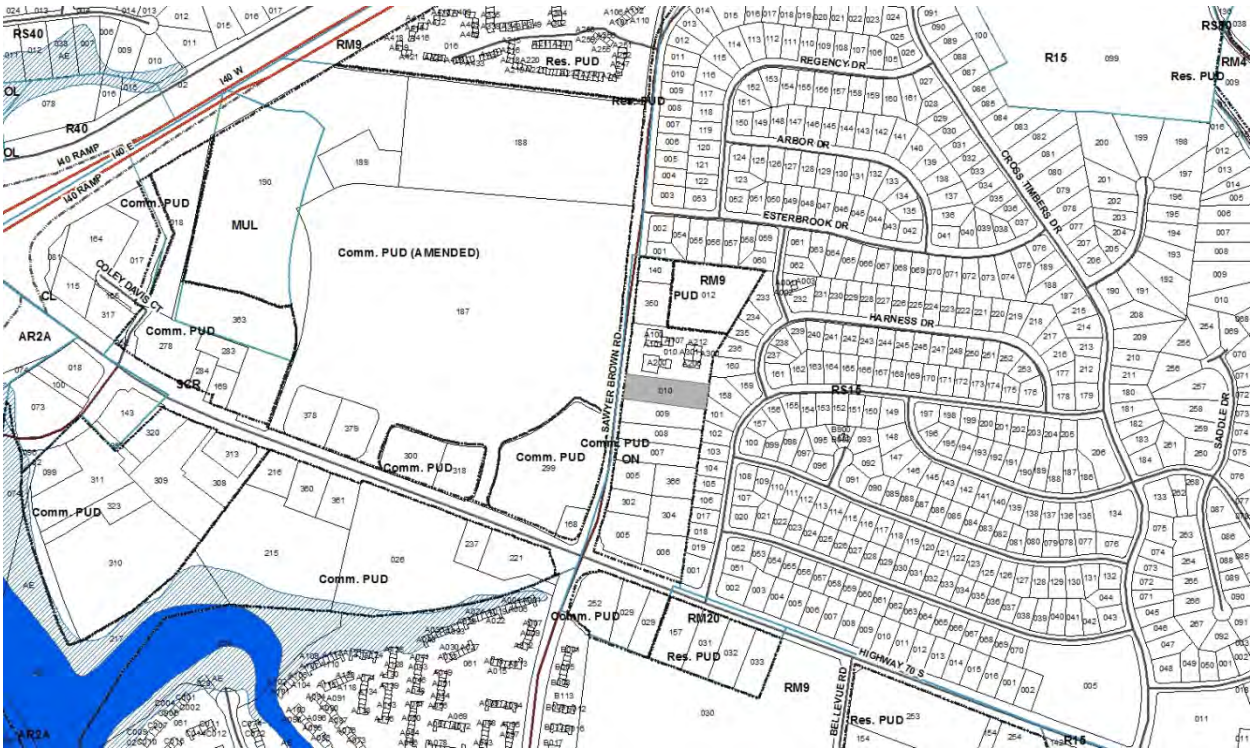
Revise PUD
A request to revise the preliminary plan for a portion of the Century City West Commercial Planned Unit Development located at 720, 724, and 728 Ermac Drive, at the corner of Marriott Drive and Ermac Drive, zoned Office/Residential Intensive (ORI) (2.54 acres), to permit a hotel.

STAFF RECOMMENDATION
Staff recommends deferral to the April 28, 2016, Planning Commission meeting at the request of the applicant.

SEE NEXT PAGE

PLANNING COMMISSION ACTIONS

- **Planned Unit Development**
- **Subdivision (Concept)**
- **Subdivision (Final)**



88P-034-002
BELLEVUE PROFESSIONAL PARK
Map 142, Parcel(s) 010
06, Bellevue
22 (Sheri Weiner)

Project No.	**88P-034-002**
Project Name	**Bellevue Professional Park**
Council District	22- Weiner
School District	03- Frogge
Requested by	James and Associates, Inc., applicant; Lifetime Dentistry, owner.
Staff Reviewer	Deus
Staff Recommendation	*Defer to the April 28, 2016, Planning Commission meeting if a recommendation of approval is not received from Stormwater. If a recommendation of approval is received, staff recommends approval with conditions.*

APPLICANT REQUEST
To permit a 5, 209 square foot general/medical office building.

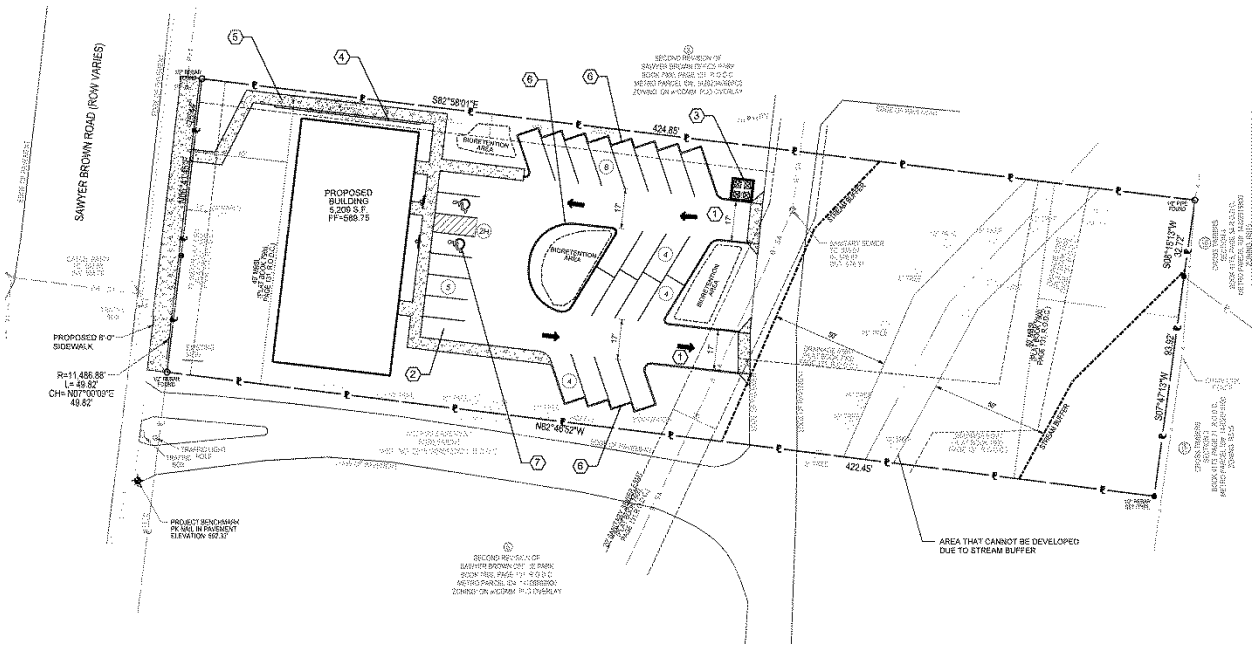
Revise PUD and Final Site Plan
A request to revise the preliminary plan and for final site plan approval for a portion of the Bellevue Professional Park Commercial Planned Unit Development Overlay District for property located at 8134 Sawyer Brown Road, approximately 925 feet north of Highway 70 South, zoned Office Neighborhood (ON), (1.21 acres), to permit the development of a 5,209 square foot general/medical office building.

Existing Zoning
Office Neighborhood (ON) is intended for low intensity office uses.

Planned Unit Development Overlay District (PUD) is an alternative zoning process that allows for the development of land in a well-planned and coordinated manner, providing opportunities for more efficient utilization of land than would otherwise be permitted by the conventional zoning provisions of this title. The PUD district may permit a greater mixing of land uses not easily accomplished by the application of conventional zoning district boundaries, or a framework for coordinating the development of land with the provision of an adequate roadway system or essential utilities and services. In return, the PUD district provisions require a high standard for the protection and preservation of environmentally sensitive lands, well-planned living, working and shopping environments, and an assurance of adequate and timely provision of essential utilities and streets. *This PUD is approved for office uses.*

CRITICAL PLANNING GOALS
N/A

PLAN DETAILS
This plan would allow for the development of a 5,209 square foot general/ medical office structure. Vehicular access for this development would come from an access easement that was previously recorded from an adjacent lot. There would be no curb cuts from Sawyer Brown Road. Sidewalks would be constructed to Major and Collector Street standards inc`luding an eight foot sidewalk and a four foot grass strip.



Proposed Site Plan

The structure would be set back 40 feet from the right-of-way; consistent with the platted 40 foot MBSL that has been recorded with this property's subdivision plat. The allowable maximum height would be 20 feet. There would be a pedestrian connection from the public sidewalk to the entrance of the structure. A surface parking lot would be located behind the structure; this plan meets parking requirements under the Zoning Code.

ANALYSIS

This PUD was originally approved by Metro Council in 1988 for a variety of office uses. It has subsequently been revised a number of times. The property under consideration was approved for 11,900 square feet in two structures; one structure for 9,500 SF located at the front of the property and a second structure at the rear, approved for 2,400 square feet. A final site plan has never been approved.

This request would reduce the number of structures to one and reduce the square footage to 5,209 square feet. The Council approved plan also limited the building height in this PUD to no more than 35 feet; the maximum height proposed for this revision would be 20 feet. The total floor area of this request does not increase more than ten percent beyond the total floor area last approved by Council. These revisions do not deviate significantly from the Council approved plan and the proposed site plan is consistent with the overall concept of the PUD. Staff finds the revisions to be a minor modification.

Section 17.40.120.G permits the Planning Commission to approve "minor modifications" under certain conditions. Staff finds that the request is consistent with all the requirements of Section 17.40.120.G, and is provided below for review.

G. Status of Earlier Planned Unit Developments (PUDs). The following provisions shall apply to a planned unit development (PUD) approved under the authority of a previous zoning code and remaining a part of the official zoning map upon the enactment of this title.

1. The planned unit development (PUD) shall be recognized by this title according to the master development plan and its associated conditions specified in the PUD ordinance last approved by the metropolitan council prior to the effective date of the ordinance codified in this title.
2. The planning commission may consider and approve minor modifications to a previously approved planned unit development subject to the following limitations. All other modifications shall be considered by the planning commission as an amendment to the previously approved planned unit development and shall be referred back to the council for approval according to the procedures of Section 17.40.120(A)(5). That portion of a planned unit development master plan being amended by the council shall adhere to all provisions of this code:
   a. In the judgment of the commission, the change does not alter the basic development concept of the PUD;
   b. The boundary of the planned unit development overlay district is not expanded;
   c. There is no change in general PUD classification (e.g. residential to any classification of commercial or industrial PUD; any change in general classification of a commercial PUD; or any change in general classification of an industrial PUD);
   d. There is no deviation from special performance criteria, design standards, or other specific requirements made part of the enacting ordinance by the council;

e. There is no introduction of a new vehicular access point to an existing street, road or thoroughfare not previously designated for access;
f. There is no increase in the total number of residential dwelling units originally authorized by the enacting ordinance;
g. There is no change from a PUD approved exclusively for single-family units to another residential structure type;
h. The total floor area of a commercial or industrial classification of PUD shall not be increased more than ten percent beyond the total floor area last approved by the council;
i. If originally limited to office activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
j. If originally limited to office, retail and other general commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to include industrial activities, permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
k. If originally limited to commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
l. In the determination of the commission, the nature of the change will have no greater adverse impact on those environmentally sensitive features identified in Chapter 17.28 of this code than would have occurred had the development proceeded in conformance with the previous approval.
m. In the judgment of the commission, the planned unit development or portion thereof to be modified does not meet the criteria for inactivity of Section 17.40.120.H.4.a.

FIRE MARSHAL RECOMMENDATION
Approve with conditions

- Fire Code issues for the structures will be addressed at permit application review.

STORMWATER RECOMMENDATION
Returned

- Plans have been received and are waiting for technical plan review.

PUBLIC WORKS RECOMMENDATION
No Exception Taken

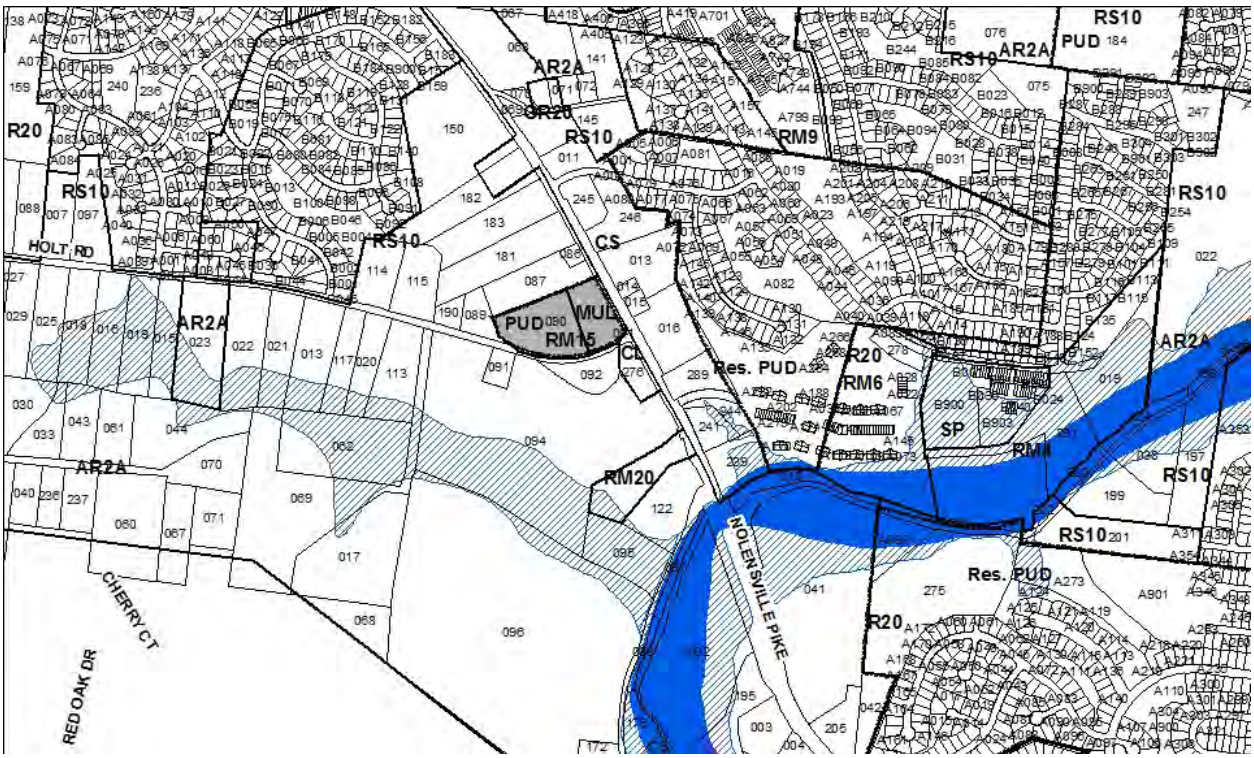
- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.

TRAFFIC & PARKING RECOMMENDATION
No Exception Taken

HARPETH VALLEY UTILITY DISTRICT RECOMMENDATION
Approve

STAFF RECOMMENDATION
Staff recommends deferral to the April 28, 2016, Planning Commission meeting if a recommendation of approval is not received from Stormwater. If a recommendation of approval is received, staff recommends approval with conditions.

CONDITIONS
1. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Section of the Metro Department of Public Works for all improvements within public rights of way.
2. Prior to the issuance of building permit, provide building elevations for façade fronting Sawyer Brown Road. Elevations shall include architectural elements that address Sawyer Brown Road.
3. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
4. 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.
5. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metro Planning Commission.
6. The PUD final site plan as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans may require reapproval by the Planning Commission and/or Metro Council.
7. A corrected copy of the PUD final site plan incorporating the conditions of approval by the Planning Commission shall be provided to the Planning Department prior to or with the final plat application or, when no final plat application is required, prior to the issuance of any permit for this property.



2007P-004-001
GOVERNORS CHASE II
Map 181, Parcel(s) 090
12, Southeast
04 (Robert Swope)

Project No.	**Planned Unit Development 2007P-004-001**
Project Name	**Governors Chase II**
Council District	4 - Swope
School District	2 - Brannon
Requested by	SEC, Inc., applicant; First Freedom Bank, owner.
Staff Reviewer	Swaggart
Staff Recommendation	*Approve with conditions.*

APPLICANT REQUEST
Revise a portion of a Planned Unit Development to permit a day care facility, financial institution and multi-family residential.

Revise PUD
A request for a revision to the preliminary plan for the Governors Chase Planned Unit Development Overlay District on property located at 6365 Nolensville Pike, at the northwest corner of Nolensville Pike and Holt Road (9.5 acres), zoned Mixed Use Limited (MUL) and Multi-Family Residential (RM15), to permit a day care center (over 75), financial institution, and multi-family residential.

Existing Zoning
Multi-Family Residential (RM15) is intended for single-family, duplex, and multi-family dwellings at a density of 15 dwelling units per acre. *In this event the maximum number of units is dictated by the PUD Overlay which limits the density to 72 residential units.*

Mixed Use Limited (MUL) is intended for a moderate intensity mixture of residential, retail, restaurant, and office uses.

Planned Unit Development Overlay District (PUD) is an alternative zoning process that allows for the development of land in a well-planned and coordinated manner, providing opportunities for more efficient utilization of land than would otherwise be permitted by the conventional zoning provisions of this title. The PUD district may permit a greater mixing of land uses not easily accomplished by the application of conventional zoning district boundaries, or a framework for coordinating the development of land with the provision of an adequate roadway system or essential utilities and services. In return, the PUD district provisions require a high standard for the protection and preservation of environmentally sensitive lands, well-planned living, working and shopping environments, and an assurance of adequate and timely provision of essential utilities and streets.

CRITICAL PLANNING GOALS
N/A

PLAN DETAILS
The approximately nine acre site is located at the northwest corner of Nolensville Pike and Holt Road. The site is not developed. A majority of the site is covered with dense vegetation, and the area along Nolensville Pike is open. The site slopes upward from Nolensville Pike. There are some steep slopes on the site, including along the property boundary with Holt Road which includes a

Proposed Site Plan

bluff along Holt Road. The PUD was approved in 2008 (BL2008-148) for 72 multi-family residential units, 17,926 square feet of office space, and 16,022 square feet of retail space.

Site Plan

The proposed site plan calls for 72 multi-family residential units, a 10,782 square foot daycare facility (75 persons and over), and a 4,030 square foot financial services use. The daycare and financial institution are proposed along Nolensville Pike. The financial institution is shown at the northwest corner of Nolensville Pike and Holt Road. The 72 multi-family residential units are located at the rear of the property.

Access is shown from one point along Nolensville Pike and one point along Holt Road. The commercial section is connected to the residential section by a private drive. The plan calls for a 60 foot right-of-way reservation to accommodate the future widening of Nolensville Pike. The plan also calls for an eight foot sidewalk and six foot planting strip along Nolensville Pike and Holt Road. The plan provides internal sidewalk connections form the commercial portion to the residential portion, and also includes connections to the public sidewalks.

ANALYSIS

Section 17.40.120.F outlines changes to a Planned Unit Development that would require Council approval, which are as follows:

Changes to a Planned Unit Development District.

1. Modification of Master Development Plan. Applications to modify a master development plan in whole or in part shall be filed with and considered by the planning commission according to the provisions of subsection A of this section. If approved by the commission, the following types of changes shall require concurrence by the metropolitan council in the manner described:
   a. Land area being added or removed from the planned unit development district shall be approved by the council according to the provisions of Article III of this chapter (Amendments);
   b. Modification of special performance criteria, design standards, or other requirements specified by the enacting ordinance shall be authorized by council ordinance;
   c. A change in land use or development type beyond that permitted by the specific underlying zoning district shall be authorized only by council ordinance; or
   d. An increase in the total number of residential dwelling units above the number last authorized by council ordinance or, for a PUD district enacted by council ordinance after September 1, 2006, an increase in the total number of residential dwelling units above the number last authorized by council ordinance or above the number last authorized by the most recent modification or revision by the planning commission; or
   e. When a change in the underlying zoning district is associated with a change in the master development plan, council shall concur with the modified master development plan by ordinance.
   f. Any modification to a master development plan for a planned unit development or portion thereof that meets the criteria for inactivity of Section 17.40.120.H.4.a.

Staff finds that the proposed plan is consistent with the last Council approved plan and recommends approval with conditions. As proposed, the plan does not add or remove land area, modify any special requirement, or increase the number of dwelling units above what was approved by Council.

There is also no associated zone change for property within the PUD, or a request for a periodic review of the PUD.

FIRE MARSHAL RECOMMENDATION
Approve with conditions

- Fire Code issues for the structures will be addressed at permit application review.

PUBLIC WORKS RECOMMENDATION
Approved with conditions

1. 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.
2. Indicate the installation of sidewalks and furnishing zone per the MCSP.
3. Sidewalks are to be located within ROW. Dedicate ROW to the back of the proposed sidewalks prior to MPW signoff on the building permit.

TRAFFIC & PARKING RECOMMENDATION
Approve with conditions

1. Identify phase 1 Daycare (138 students) boundary on PUD site plan.
2. Along Nolensville Pike, label and show reserve strip for future right of way, to accommodate the TDOT road widening plans for Nolensville Pk.
3. Along Holt Road, label and dedicate right of way 30 feet from centerline to property boundary, consistent with the approved major street / collector plan. Identify additional reserved ROW on Holt Rd to accommodate a future EB thru lane on Holt Rd with 300 ft of storage.
4. Developer of Governor's Chase II PUD (with the future bank and townhomes) shall widen Nolensville Road to provide a continuous three lane cross section along the property frontage from Holt Road to the proposed Nolensville Road driveway with transitions per AASHTO/MUTCD standards, unless previously constructed by TDOT.
5. Developer of Governor's Chase II PUD shall widen Holt Road to provide at a minimum a continuous three lane cross section along the property frontage from the existing turn lanes at Nolensville Road to the proposed Holt Road driveway.
6. Developer of Governor's Chase II PUD shall widen Holt Road to provide a EB left turn lane with 100 feet of left turn storage at the proposed access driveway with transitions per AASHTO/MUTCD standards.
7. Developer of Governor's Chase II PUD shall provide and document with the submittal of construction plans that adequate sight distance can be provided from the proposed driveway at Holt Road.
8. Developer of Governor's Chase II PUD shall Record cross access easements between the residential and commercial areas of development.
9. Developer of Governor's Chase II PUD shall design signal modification plans if directed by MPW traffic engineer for ped signals and associated infrastructure and install signal modifications when approved by metro traffic engineer.

If phase 1 Daycare develops prior to the remaining Governor's Chase II PUD:

10. Developer of phase 1 Daycare shall construct PUD access drive on Nolensville Rd with 1 entering lane and 2 existing lanes striped as separate left and right turn lanes. Access drive shall have a minimum of 150 ft of turn lane storage.
11. Developer of phase 1 Daycare shall provide and document with the submittal of construction plans that adequate sight distance can be provided from the proposed driveway at Nolensville Rd. access drive. No walls, signage or vegetation shall restrict sight distance.
12. Developer of phase 1 Daycare shall construct a northbound left turn lane on Nolensville Rd at PUD access drive with a minimum of 150 ft of storage and transition per AASHTO/MUTCD standards.
13. Developer of Phase1 Daycare shall construct a Southbound Right turn lane on Nolensville Rd at access driveway with a minimum of 100 ft of storage and transition per AASHTO/MUTCD standards. Both turn lanes should be coordinated with the Tennessee Department of Transportation's (TDOT's) plans to widen Nolensville Road to a five-lane cross-section through the study area.
14. Cross access driveway to northern parcel along Nolensville rd shall be located aligned with PUD drive aisle.
15. Consideration should be given to eliminating the drop-off area at the front of the school in order to provide additional parking spaces on the east and west sides of the drive aisle. Also, consideration should be given to signing the parking spaces closest to the project driveway for staff parking. Specifically, the parking spaces closest to the project access should have the lowest turnover rates so as to have a minimal effect on the vehicle queues at the project access.
16. If the daycare center will host holiday parties throughout the year, and parents will attend the parties, temporary overflow parking should be provided on the undeveloped bank property immediately south of the daycare site. Once that parcel to the south is developed, a shared parking agreement should be pursued in order to accommodate the additional vehicles generated by the holiday parties.

STORMWATER RECOMMENDATION
Approved

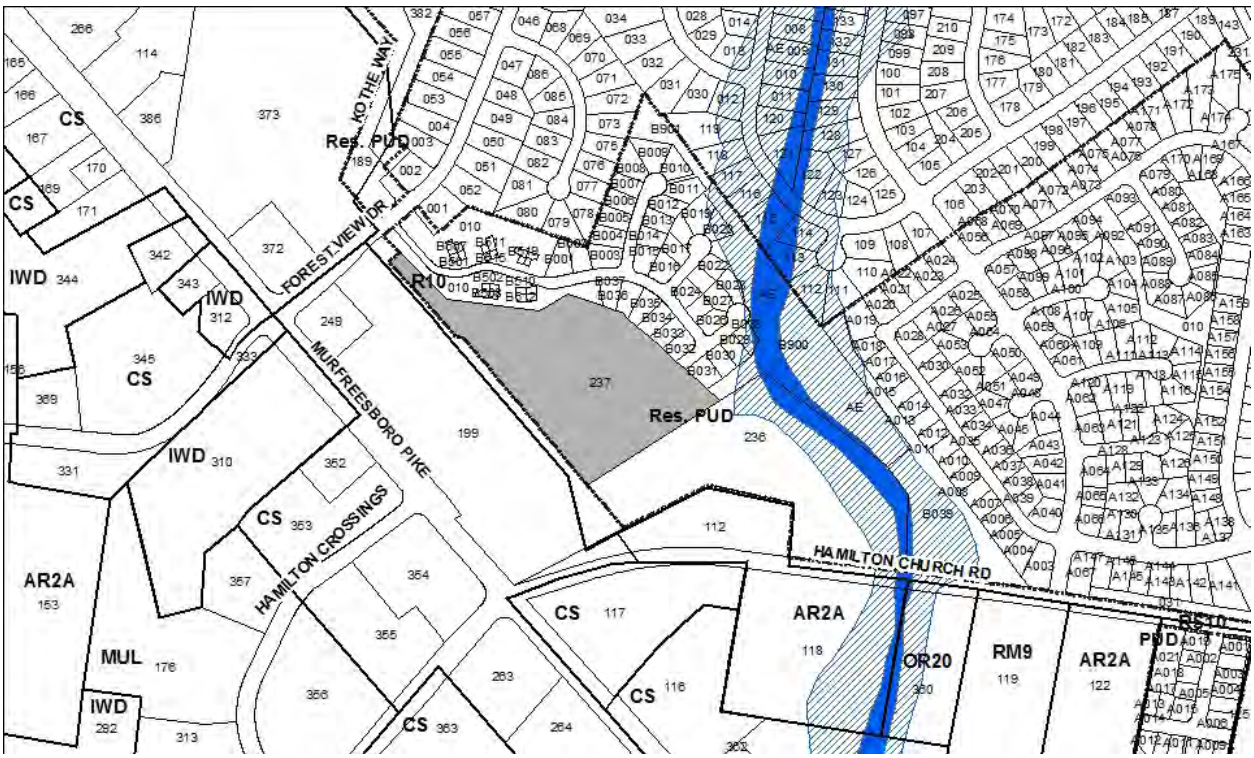
WATER SERVICES RECOMMENDATION
Approved with conditions
Approved as a Preliminary PUD only. The required capacity fees must be paid prior to Final PUD/Site Plan approval. Before Final Site Plan stage, please combine the 2007 and 2015 availability studies into one revised study, including both the daycare, multi-family residential, and financial institution.

STAFF RECOMMENDATION
Staff recommends approval with conditions as the proposal is consistent with the Council approved plan, and is consistent with Metro Zoning Code requirements.

CONDITIONS
1. A public sidewalk shall be provided along the entire frontage of Holt Road. The sidewalk shall be eight feet in width with a six foot planting strip per the Major and Collector Street Plan.

2. An eight foot wide sidewalk and six foot planting strip shall be provided along Nolensville Pike per the Major and Collector Street Plan.
3. ROW shall be dedicated along Holt Road consistent with the Major and Collector Street Plan.
4. Final location for public sidewalks along Nolensville Pike and Holt Road shall be determined with the final site plan. If TDOT has approved roadway improvements for Nolensville Pike, then the sidewalks shall be located in accordance with the TDOT plan and the Major and Collector Street Plan.
5. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
6. 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.
7. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.
8. Prior to or with any additional development applications for this property, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan.

SEE NEXT PAGE



23-85P-002
FOREST VIEW PARK PUD (PERIODIC REVIEW)
Map 150, Parcel(s) 237
13, Antioch - Priest Lake
29 (Karen Y. Johnson)

Project No.	**Planned Unit Development 23-85P-002**
Project Name	**Forest View Park (Periodic Review)**
Council District	29 – K. Johnson
School District	6 – Hunter
Requested by	Councilmember Karen Johnson.
Staff Reviewer	Swaggart
Staff Recommendation	*Find PUD Active.*

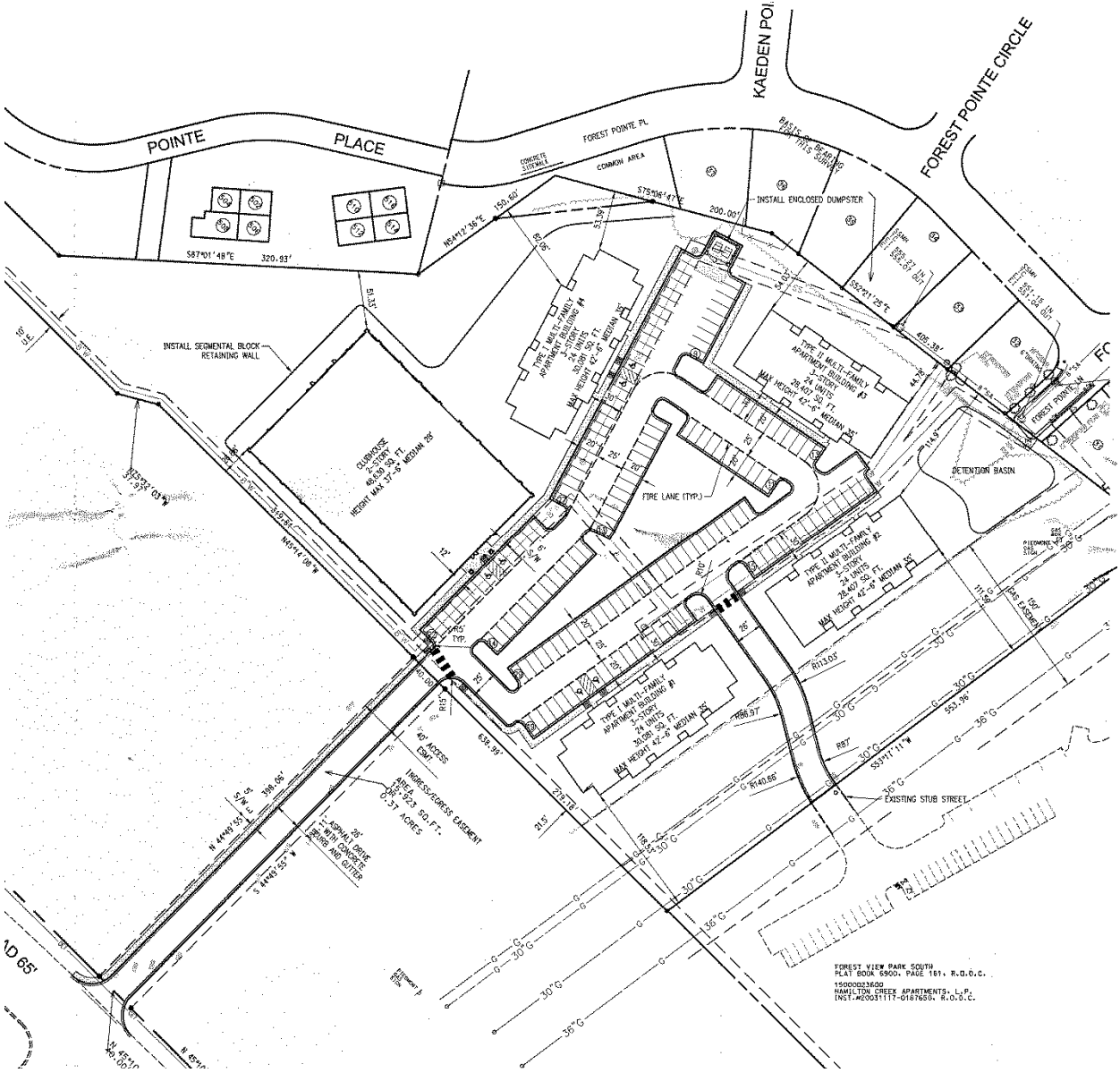
APPLICANT REQUEST
Periodic review of a Planned Unit Development.

Periodic PUD Review
A request for a periodic review for a portion of the Forest View Park Residential Planned Unit Development Overlay District located at Forest View Drive (unnumbered), approximately 430 feet east of Murfreesboro Pike, zoned One and Two-Family Residential (R10) (7.84 acres), approved for 96 units.

Existing Zoning
One and Two-Family Residential (R10) requires a minimum 10,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25 percent duplex lots. *R10 would permit a maximum of 34 lots with eight duplex lots for a total of 42 units. In this case, the density is controlled by the PUD overlay, which currently permits a maximum of 96 multi-family units.*

Planned Unit Development Overlay District (PUD) is an alternative zoning process that allows for the development of land in a well-planned and coordinated manner, providing opportunities for more efficient utilization of land than would otherwise be permitted by the conventional zoning provisions of this title. The PUD district may permit a greater mixing of land uses not easily accomplished by the application of conventional zoning district boundaries, or a framework for coordinating the development of land with the provision of an adequate roadway system or essential utilities and services. In return, the PUD district provisions require a high standard for the protection and preservation of environmentally sensitive lands, well-planned living, working and shopping environments, and an assurance of adequate and timely provision of essential utilities and streets.

PUD DETAILS
The Forest View PUD was approved in 1985. The original PUD included a total of 779 residential units, which included 572 multi-family units (112 townhomes, 460 flats). 231 single-family lots and 140 multi-family units have been constructed. This portion of the PUD was last approved for 96 multi-family units, and it is the last remaining portion of the PUD to be developed. In 2007, this portion of the PUD was requested to be to be canceled. The request was disapproved. Staff recommended disapproval of the cancelation because the PUD provides an appropriate mixture of residential types and transitions from the commercial area along Murfreesboro Pike. On March 24, 2016, the Planning Commission approved a revision to this portion of the PUD to decrease the total number of units on this portion of the PUD from 212 to 96 units.



Approved Site Plan

PERIODIC PUD REVIEW

Section 17.40.120 H of the Metro Zoning Ordinance authorizes the Planning Commission, a councilmember or the property owner of the area to be reviewed to request the Metropolitan Planning Commission to review, any Planned Unit Development (PUD) overlay district, or portion thereof, to determine whether the PUD is "inactive," and if so, to recommend to the Council what action should be taken with respect to the PUD. The Commission determines whether the PUD is "inactive" by examining whether development activity has occurred within six years from the date of the initial enactment, subsequent amendment, or re-approval by the Metro Council. If the Planning Commission determines the PUD to be inactive, the Commission is required to recommend legislation to the Council to re-approve, amend, or cancel the PUD.

Timeline for Planning Commission Action

The Zoning Code requires that, within 90 days from the initiation of its review, the Planning Commission must hold a public hearing to make a determination of activity, and if necessary, make a recommendation to the Council. A request for the periodic review for the subject portion of the PUD was received on February 18, 2016, from Councilmember Karen Johnson. The 90 day period extends to May 18, 2016. If the Planning Commission does not make a determination within 90 days from the initiation of a review, it is considered to be a recommendation to re-approve by ordinance the existing PUD overlay district without alteration.

Classification of the PUD (Active or Inactive)

Under 17.40.120 H., the Commission is first required to determine whether the portion of the Forest View Park PUD requested for periodic review is active or inactive by examining whether development activity has occurred within six years from the date of the initial enactment, subsequent amendment, or re-approval by the Metro Council.

Section 17.40.120 H.3.a. of the Metro Code requires the Planning Commission to make three findings in order to determine whether a PUD has been active or inactive:

i. Six or more years have elapsed since the latter of
(1) The effective date of the initial enacting ordinance of the PUD,
(2) The effective date of any ordinance approving an amendment to the PUD,
(3) The effective date of any ordinance re-approving or amending a PUD after it has been reviewed and decided in accordance with subsection 5.a. or b. of this section, or
(4) The deadline for action by the metropolitan council in accordance with subsection 5.d. of this section, and

The initial enacting ordinance for the PUD became effective in 1985. No amendments have been approved for the PUD including the subject portion of the PUD that required Metro Council approval since the initial enactment date.

ii. Construction has not begun on the portion of the PUD under review; construction shall mean physical improvements such as, but not limited to, water and sewer lines, footings, and/or foundations developed on the portion of the PUD under review; clearing, grading, the storage of building materials, or the placement of temporary structures shall not constitute beginning construction, and

The owner/developer has not indicated that any construction has been completed.

iii. Neither right-of-way acquisition from a third party nor construction has begun on off-site improvement(s) required to be constructed by the metropolitan council as a condition of the PUD approval.

The owner/developer has not indicated that any construction has been completed.

Section 17.40.120 H.3.a. states that the Commission *"may also take into consideration the aggregate of actions, if any, taken by the owner of the PUD within the prior 12 months to develop the portion of the PUD under review."*

A representative for the owner has provided information to show that this portion of the PUD should be considered active due to the "aggregate of actions" taken by the owner to develop the property.

The owner has been actively working to develop the property utilizing Low Income Housing Tax Credits (LIHTC), which are issued by the U.S. Department of the Treasury, and allocated in Tennessee through the Tennessee Housing Development Agency (THDA). The process is extensive and involves obtaining information verifying development rights, multiple engineering and financial studies, submission of an application, and payment of funds to consultants and others.

A complete list of actions submitted by the owner's representative is included at the end of this report (Exhibit A). This information details actions that have taken place in excess of the past 12 months. The information also indicates that, within the last 12 months, a total of $884,069.85 has been spent to develop the PUD, including money spent on engineering and design and a LIHTC award fee.

4/2/15	Reno & Cavanaugh	2015 LIHTC Application		$ 20.00
4/30/15	Reno & Cavanaugh	Organization Docs SOS filing fees		$ 1,164.25
6/30/15	Tennessee Housing Development Agency	LIHTC award fee		$ 68,750.00
9/10/15	Tennessee Secretary of State	Certificate of Authority		$ 150.00
10/1/15	RichSmith Development, LLC	Development fee earned per Development Agreement as of 10/1/15 (1/2 of total)		$ 222,817.00
10/2/15	Tennessee Secretary of State	Tennessee Filing Fee		$ 150.00
9/2/15	Impact Environmental	Phase I Environmental Report		$ 1,800.00
11/5/15	Crafton Tull	Site Plan Design and Construction Documents		$ 1,075.00
12/2/15	Terracon	Phase II Environmental and Soil Mngt. Plan		$ 19,025.00
2/3/16	Crafton Tull	Site Plan Design and Construction Documents		$ 12,157.00
2/16/16	Antonio Darsinos and Kathy Katsaitis	Closing On Land (includes seller costs)		$ 500,000.00
2/16/16	Sawyer Land Surveying, LLC	Survey		$ 14,040.00

2/16/16	Davidson County Register of Deeds	Transfer taxes and recording fees		$ 962.50
2/16/16	Old Republic National Title Insurance Company	Closing Protection Letter		$ 50.00
2/26/16	Crafton Tull	Site Plan Design and Construction Documents - Including PUD Revision Application		$ 21,909.10
3/11/16	Reno & Cavanaugh, PLLC	Attorney fees, including for LIHTC process		$ 20,000.00
			Total	**$ 884,069.85**

Planning Commission Recommendation to Metro Council
If the Planning Commission determines the PUD to be active, then no further action is required. If the Commission determines the PUD to be inactive, then the Commission is required to recommend legislation to the Council to re-approve, amend, or cancel the PUD.

With respect to the legislation to be recommended to the Metro Council, the Planning Commission is directed by the Code to take two distinct steps.

First, the Commission is to determine whether the *"existing PUD is consistent with the goals, policies, and objectives of the General Plan and any applicable specific redevelopment, historic, neighborhood, or community plans."*

Second, the Commission is to recommend the legislation, and include, as required:

(a) The appropriate base zoning district(s), if different from current base zoning, to retain and implement the PUD overlay district as it exists.

(b) Any amendment(s) to the inactive PUD's master development plan and base zoning district(s) to reflect existing conditions and circumstances, including the land use policies of the general plan and the zoning of properties in the area.

(c) Base zoning district(s) consistent with the adopted general plan, should the PUD overlay district be recommended for cancellation.

ANTIOCH-PRIEST LAKE COMMUNITY PLAN

Suburban Neighborhood Maintenance (T3 NM) is intended to preserve the general character of suburban neighborhoods as characterized by their development pattern, building form, land use and associated public realm. T3 NM areas will experience some change over time, primarily when buildings are expanded or replaced. When this occurs, efforts should be made to retain the existing character of the neighborhood, in terms of its development pattern, building form, land use, and the public realm. Where not present, enhancements may be made to improve pedestrian, bicycle and vehicular connectivity.

Consistent with Policy?
Yes. T3 NM supports various types of residential building depending on the context, including multi-family, which is permitted under the PUD. The T3 NM policy calls for appropriate transitions between different types of land uses. The plan provides an appropriate transition from the

neighboring single-family zoning that is also within the same PUD, to the commercial district along Murfreesboro Pike and is adjacent to an existing multi-family development.

STAFF RECOMMENDATION

In accordance with the requirements of 17.40.120 H, staff recommends that the Planning Commission find the PUD to be active. While there has been no physical development on the site, ROW acquisitions, or offsite improvements, the owner has given information detailing the steps that have been taken to develop the property. Staff finds that the owner has adequately demonstrated that the PUD is active through the aggregate of actions taken by the owner in the prior 12 months, including $884,069.85, spent in furtherance of developing the property.

If the Commission determines that the subject portion of the PUD is inactive, then staff recommends that the Commission recommend that Council maintain the PUD and base zoning district as it is consistent with the T3 NM land use policy.

RENO & CAVANAUGH PLLC

David L. Kleinfelter
(615) 866-2320
(615) 866-2321 fax
dkleinfelter@renocavanaugh.com

April 5, 2016

VIA HAND DELIVERY
Doug Sloan, Executive Director
Brandon Burnette, Manager, Land Development
Jason Swaggart, Planner 3
Metropolitan Nashville/Davidson County Planning Department
800 Second Avenue South
Nashville, TN 37219

RE: Periodic Review for Forest View Park Planned Unit Development
Map 150, Parcel 237
PUD #23-85-P

Dear Doug, Brandon, and Jason:

My firm represents The Ridge at Antioch, Limited Partnership (the "Owner"), which purchased Map 150, Parcel 237 (the "Property") on February 16, 2016. This letter and attached documents are submitted in response to the periodic Planned Unit Development review initiated by Councilmember Karen Johnson pursuant to Section 17.40.120 H of the Metro Zoning Code. This letter and the documents demonstrate there is substantial evidence that the aggregate of actions taken by the Owner to develop the Property are so extensive and of such a nature that this portion of the PUD should be classified as "active." If staff or the Commission disagrees and determines that the PUD should be classified as "inactive," the revised PUD proposed for the property is consistent with the adopted Community Character Policy in the Antioch – Priest Lake Community Plan, and therefore the zoning of the property should remain as it is.

Determination of Activity

Although the Owner closed on the Property last month, they have been working to develop the property since 2013. The Owner proposed to build homes on the Property utilizing Low Income Housing Tax Credits ("LIHTC") issued by the U.S. Department of the Treasury, and allocated in Tennessee through the Tennessee Housing Development Agency ("THDA"). In order to receive funds under the LIHTC program, a developer must go through an extensive process that involves obtaining multiple engineering and financial studies, submission of a complicated application, and payment of significant funds to consultants and others.

A list of all expenses incurred by the Owner associated with its actions to develop the property is attached to this letter as Exhibit A and will be discussed in more detail below. Exhibit B to this letter is a list of 38 documents submitted to demonstrate the aggregate of actions taken

by the Owner in order to develop the Property. The Owner first applied to THDA for an award of tax credits in 2013, but their grant application was not awarded funding. See Exhibit B – Item 1. In January 2015 the Owner again submitted an LIHTC application to THDA and on June 26, 2015, they received a preliminary award of an amount not to exceed $1,100,000 over 10 years, for a total award of $11,000,000. See Exhibit B – Item 2.

Not surprisingly, in order to receive such a substantial award of funding, the Owner was required to remit a large sum of money to THDA (approximately $69,000) and to submit a large number of documents and "jump through hoops" for THDA. The documents listed in Exhibit A, and submitted with this letter, largely reflect the totality of the Owner's actions that were taken to receive the LIHTC award, including the additional work performed since June 26, 2015. The Owner has also been working since late 2015 to prepare a plan to revise the existing approved preliminary PUD site plan, and on February 11, 2016, a revised PUD application was submitted that proposed reducing the density on the Property from 212 units to 96 units. See Exhibit B – Item 38. That PUD revision application is scheduled to be heard by the Commission on March 24.

In connection with the financing award and the PUD revision application, the Owner has undertaken numerous actions towards development of the Property. I will not repeat every item listed on Exhibit B, but a few items are worth highlighting:

- Phase I and Phase II environmental studies (Items 23 and 24) – The Phase I study indicated the possibility that dumping of household goods and equipment had occurred on the Property in the past. As a result, the Owner was required to order, and has now received, a Phase II study. The Phase II study confirmed that soil with moderate contamination is present on the site and recommended that it be removed during construction in compliance with a site management plan. The Site Management Plan is attached as Exhibit B – Item 25.
- Zoning Letter from Metro Planning (Item 7) – In order to be competitive for an award from THDA, an applicant must demonstrate that the property identified in their application meets the zoning requirements for the proposed housing. The Owner and THDA have operated throughout the THDA application process with the understanding that the existing zoning would not be changed after THDA awarded financing to the Owner.
- Amended and Restated Limited Partnership Agreement (DRAFT) (Item 21) – This document contains the complex negotiated terms under which the investor agrees to provide funds to construct this type project in return for the right to receive annual tax credits for ten years. LIHTC projects typically involve an investor entity who serves as the limited partner for the ownership entity. The lengthy document must address numerous issues per Section 42 of the Internal Revenue Code, THDA regulations, and the business needs of the parties.

- Survey (Item 29), Geotechnical Engineering Report (Item 28), and Site Plan (Item 30) – Along with the documents related to the environmental studies, these documents reflect the extensive construction planning that has taken for the Property. Most of the previous PUD review cases reviewed by the Planning Commission have not included recent surveys, geotechnical reports, and/or detailed site plans that reflect the current status of the property and proposed development. In addition to the detailed requirements of the LIHTC program, the Owner did significant work to prepare and submit its application to revise the PUD, which was submitted prior to the periodic PUD review request.

I have reviewed three projects where the Commission has determined that a sufficient showing of "aggregate of actions" was provided in order to find that the project was active. The actions undertaken by the Owner for this PUD far exceed the items relied upon for a finding of "activity" in those three projects. The aggregate of actions provision in the Code appears to have been included for exactly this type of project. The Owner has been working to develop the property for at least the past year. Because of the detailed and time-consuming aspects of the LIHTC program, it was not possible for the Owner to begin physical development work on the site, but the Owner clearly has been diligently pursuing development during the prior year as called for under the Code.

The three prior aggregate of actions decisions I was able to identify are:

- Park Preserve – 2002P-003U-03 – December 11, 2008 – This item was one of the first – if not the first – considered by the Commission under 17.40.120 H. Staff recommended a finding of "inactivity" and re-approval of the existing zoning with no amendments or changes. After extensive discussion by the Commission, a motion initially was made to find the PUD inactive. That motion failed, however, and ultimately the Commission found the PUD active "due to the specific and unique aggregate of actions taken by the current non-profit owners."

- Gaylord Entertainment – 2007SP-014U-14 – April 28, 2011 – This item and the next are Specific Plan districts that were considered under Section 17.40.160 of the Code. That section includes language with respect to the aggregate of actions that is identical to 17.40.120 H. The Commission found that the expenditures required for acquisition of the property, the removal of two houses four years before the hearing, and $200,000 in fees for engineering and other studies were sufficient for a finding that the SP was active. The item was approved on the Commission's consent agenda.

- Eurotech Automobile Repair – 2007SP-026U-11 – April 28, 2011 – For this matter, a house on the property was demolished two years prior to the Commission hearing and the owner stated he had been actively seeking financing to develop the property. The SP was

found by the Commission to be active based on "an aggregate of actions that indicates activity."

Planning staff also provided me with a list of several other periodic PUD review cases that have been considered by the Commission since 2010.

- Multiple Nashboro Village requests – May 24.2012 MPC agenda
- Hutton Residential – 2001P-003-001 – February 12, 2015 agenda
- Nashville Highlands – 73-85P – July 23, 2015 agenda
- Dinwiddie Square – 286-84P-001 – March 25, 2010 agenda
- Carrolton Station – 2004P-004-003 – January 14, 2016 agenda

For all of these projects except Carrolton Station, the owner/applicant provided little evidence of an "aggregate of activities." Accordingly, staff recommended a finding that the PUD had been inactive, which ultimately was the determination made by the Commission. For Carrolton Station, staff and the Commission determined that certain work on infrastructure had occurred on the property. Staff also based its recommendation for finding the PUD active on the aggregate of actions. The aggregate of actions presented for this matter far exceed those that were presented and at least partially relied upon for finding the Carrolton Station PUD to be active.

For the current Property, Exhibit B provides a list of all expenses incurred by the Owner associated with its actions to develop the property. Based at least in part on the zoning letter received from the Planning Department, the Owner paid $500,000 to acquire the property. In connection with the award of LIHTC funds received from THDA, the Owner was also required to pay the THDA an award reservation fee in the amount of $68,750. Both of these expenditures are non-refundable and were made in reliance on the <u>existing</u> development rights that when the Owner applied to THDA for the funding and acquired the property. In total, not including $12,300 that was paid by the Owner in connection with its unsuccessful 2013 LIHTC application, the Owner has incurred almost $890,000 to acquire the property, engage professionals including engineers and attorneys, and in other expenses to develop the Property.

As noted above, the "aggregate of actions" provision in 17.40.120 H appears intended to apply specifically to situations such as this matter. The Owner has not been dragging its feet and failing to act diligently towards development of the PUD. For almost three years the Owner has sought funding through THDA to develop the property, and as of June 2015, that funding was finally awarded. The actions undertaken by the Owner to obtain the funding <u>and</u> to submit an application to revise the PUD clearly meet the requirements to show that the PUD is, in fact, active in light of the "aggregate of actions . . . taken by the owner of the PUD within the past 12 months to develop the portion of the PUD under review."

Recommendation to Metro Council

If the Commission determines that the portion of the PUD is inactive, the Owner requests that Commission find that the revised PUD plan is consistent with the existing community plan and that the zoning should not be changed.

The Property is located at the southern tip of a large area designated as T3NM Suburban Neighborhood Maintenance (the "Policy") in the Antioch – Priest Lake Community Plan. In addition, the Property is adjacent to a T3 NM Suburban Community Center policy area – a node of current and planned future development at the intersection of the Murfreesboro Pike transit corridor and Hamilton Church Road. The private drive for the proposed revised PUD will serve as a de facto extension of Hamilton Crossings and run through a ten acre parcel that is zoned Commercial Service.

Per the CCM, the Policy is applied to areas that are zoned residential and the primary land use is envisioned to remain primarily residential. The areas "may contain a mixture of building types" and "higher-intensity buildings" should be placed "nearer to . . . centers and corridors." Nashville Next, page III-CCM-171. "Allowing for higher-intensity residential building types in such locations will add value to neighborhoods through the increased ability to support consumer services and existing or planned transit. . . . [T]aller buildings of up to four stories may be found abutting or adjacent to centers and corridors, depending on their surrounding context." Id.

None of the buildings in the proposed revised PUD exceed three stories in height - within the limits normally found within the interior of T3 NM Suburban Neighborhood policy areas and below the heights that are permitted in transition areas within the Policy. The proposed revised PUD is adjacent Community Center policy and will implement the intent of the Policy by providing housing adjacent to consumer services and to bus service on Murfreesboro Pike and any future additional transit provided along that corridor. Three stories is also equal to the height of the homes at Hamilton Creek Apartments – the existing multifamily property adjacent to the southeastern boundary of the Property.

Within the Antioch – Priest Lake Community Plan the Property is also designated on the Growth & Preservation Concept Map as "Transition" area. "These areas provide housing in proximity to transit and commercial services, increasing the likelihood that residents can walk or bike to meet some of their daily needs. These areas also provide a diversity of housing types that are attractive to Nashvillians." Nashville Next (Antioch – Priest Lake Community Plan), page III-APL-27.

In addition to being consistent with the Policy, the existing PUD is also consistent with other elements included in the recently adopted Nashville Next plan. The Property is designated as a "Transition" area targeted for transition and infill. See Nashville Next, page I-158, Figure I-

68. "Higher density housing that is appropriate along and around corridors and centers to provide a harmonious connection to surrounding neighborhoods." Nashville Next, page I-155.

Under the heading "Abundant Housing," the Nashville Next plan also notes with respect to designated Transition areas:

> Areas between neighborhoods and centers or corridors should provide a transition in density and intensity. The transition is accomplished by regulating height and bulk to produce buildings with small to mid-sized footprints. Doing so gives Nashville the opportunity to locate more people close to key amenities, like transit lines and shopping and to add more diverse housing types. These housing types can be built at a lower price than taller buildings with structured parking. Nashville Next, page I-143 (Figure I-65)

Finally, Nashville Next Land Use, Transportation & Infrastructure Goal 6 states: "Nashville uses housing infill along mobility corridors to provide more housing choices that support walking and transit use and to transition gracefully between residential neighborhoods and more intense mixed use and commercial centers and corridors." Nashville Next, page I-166.

All of these factors demonstrate that the existing PUD is consistent with the adopted Community Plan policy and the existing zoning should not be disturbed. In addition, the proposed revised PUD significantly – from 212 homes to 96 homes. This reduces the units per acre from the currently allowed 27 units per acre to 12.25 units per acre. The current 27 units per acre is well within the density levels called for in appropriate locations within the Policy, and reducing the density by more than half should alleviate all possible remaining concerns about the density of the proposed development.

In addition to being completely consistent with the adopted Policy, the proposed homes will provide affordable housing. The homes will be built without the requiring Metro government to provide any incentive payments. No developer is being required to build the affordable homes and no rezoning was sought to increase density. The Owner has been working since 2013 to utilize existing financing programs in order to build a community of homes for the Nashville workforce on property that is zoned for the use.

For the reasons stated above, the Owner respectfully requests that the Commission:

1. Find that the aggregate of actions taken by the Owner in the past year to develop the portion of the PUD under review demonstrate that the PUD has not been inactive, and accordingly that the limitations of Section 17.40.120 H (5) of the Metro Code should be terminated; or

2. If the Commission finds that the PUD is inactive, then the Owner requests that the Commission find that the revised PUD plan is consistent with the goals, policies, and objectives of the General Plan and direct staff to prepare a report to the Council to continue the implementation of the revised PUD as approved by the Commission and that no rezoning is recommended on the Property.

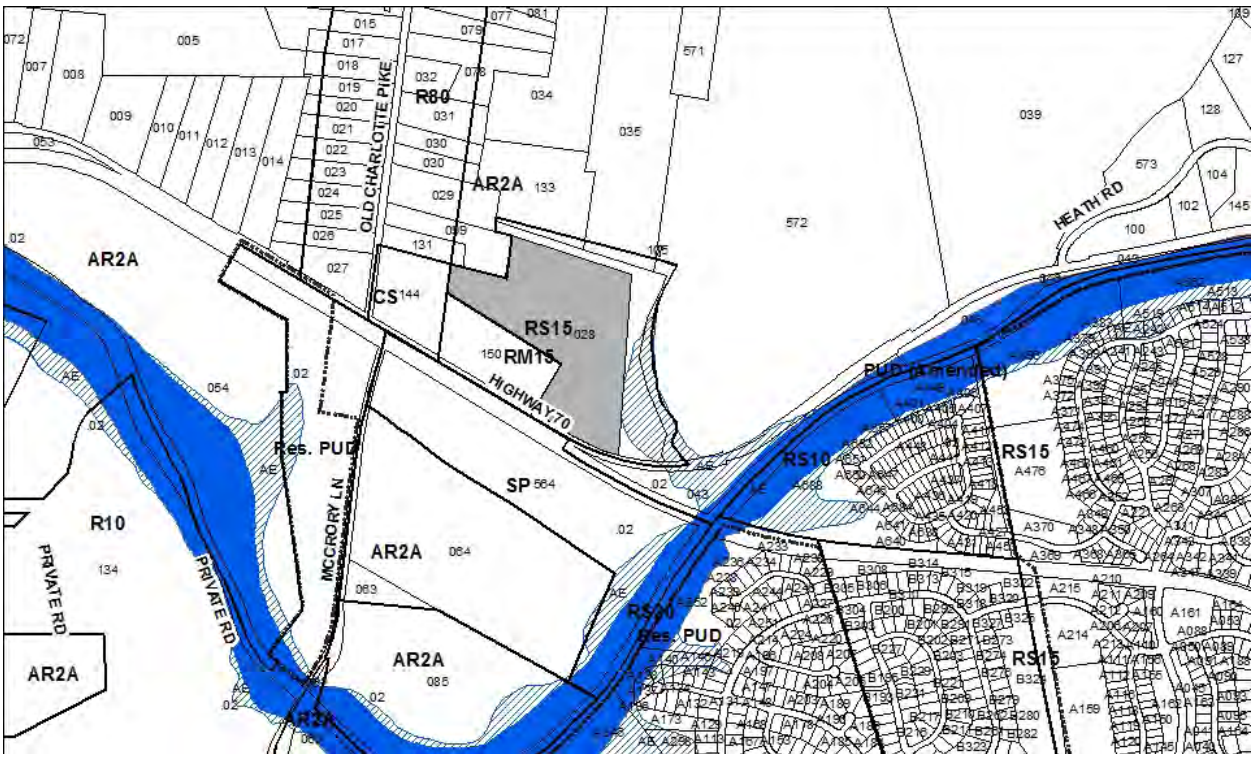
Thank you very much for your attention to this important matter.

Sincerely,

David L. Kleinfelter
Reno & Cavanaugh, PLLC

Attachments

Copy: Danielle Litakaer-Nall, Esq., Ridge at Antioch, Limited Partnership
(via email & without attachments)



2016S-061-001
WESTBROOK POINTE
Map 126, Part of Parcel(s) 028
06, Bellevue
35 (Dave Rosenberg)

Project No.	**2016S-061-001**
Project Name	**Westbrooke Pointe**
Council District	02 - Hastings
School District	01 - Gentry
Requested by	Batson & Associates, applicant; Steven Eatherly, Trustee, owner.
Staff Reviewer	Birkeland
Staff Recommendation	*Approve with conditions.*

APPLICANT REQUEST
Create 75 clustered single-family lots.

Concept Plan
A request for concept plan approval to create 75 lots on property located at 8840 Highway 70, approximately 1,200 feet east of McCrory Lane, zoned Single-Family Residential (RS15) (31.70 acres).

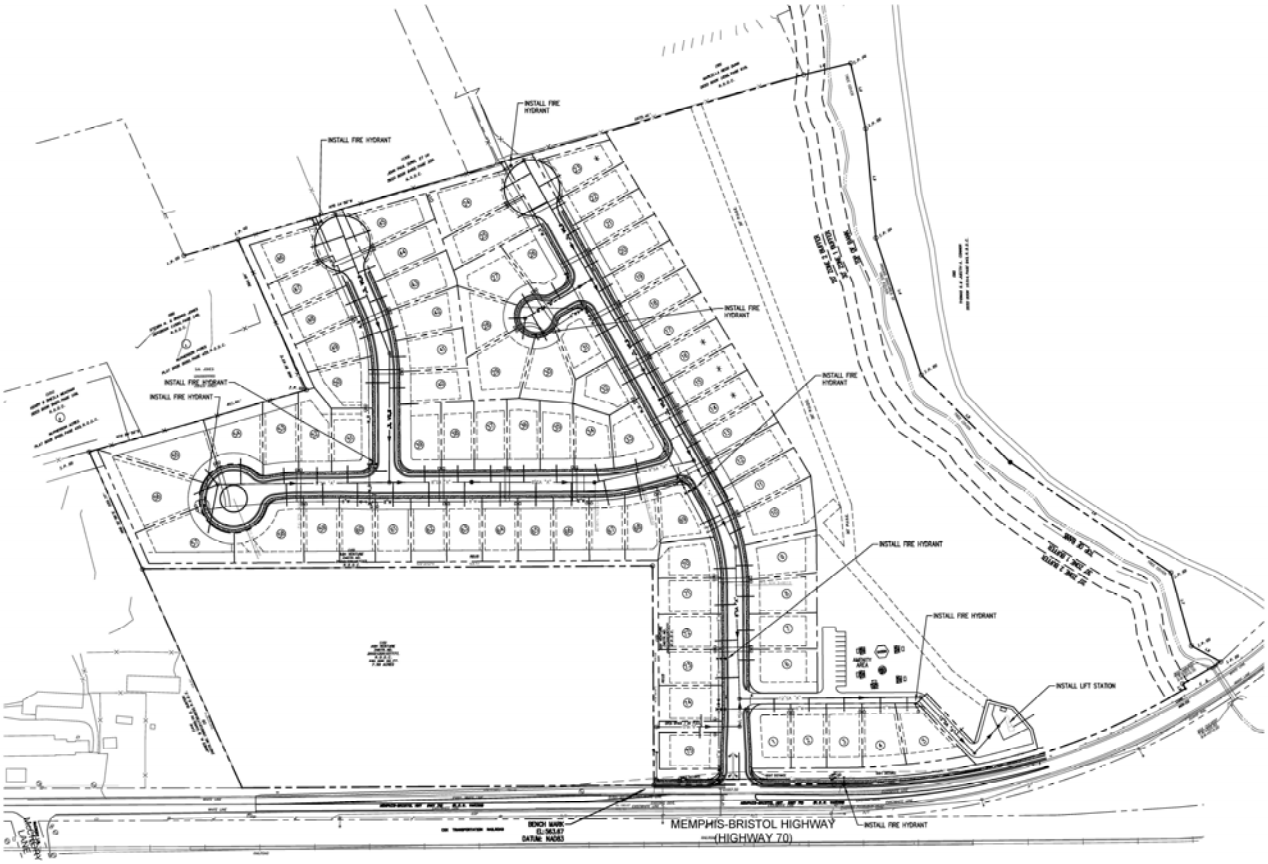
History
This site originally received concept plan approval for 78 cluster lots on August 24, 2003, which expired on August 24, 2005. Another concept plan for 78 cluster lots was approved on August 24, 2006, which expired on August 24, 2008. This most recent concept plan expired during the recession after some construction had already occurred on the site. The current concept plan proposes 75 cluster lots, which is less lots than previously approved concept plans.

Existing Zoning
Single-Family Residential (RS15) requires a minimum 15,000 square foot lot and is intended for single-family dwellings at a density of 2.47 dwelling units per acre. *RS15 would permit a maximum of 92 lots.*

CRITICAL PLANNING GOALS
- Preserves Sensitive Environmental Features
- Creates Open Space
- Creates Walkable Neighborhoods

The cluster lot option allows for the creation of open space and the preservation of natural resources. There is a stream located to the west of the site and steep slopes that are preserved and open spaces are created; steep slopes are minimally disturbed. The cluster lot option also requires active open space which this plan provides. Sidewalks are proposed along all streets, creating a walkable neighborhood.

BELLEVUE COMMUNITY PLAN
T3 Suburban Neighborhood Evolving (T3 NE) is intended to create suburban neighborhoods that provide more opportunities for housing choice and improved pedestrian, bicycle and vehicular connectivity. The resulting development pattern will have higher densities than many existing suburban neighborhoods and/or smaller lot sizes, with a broader range of housing types providing



Proposed Site Plan

housing choice. This reflects the scarcity of easily developable land without sensitive environmental features and the cost of developing housing. These are challenges that were not faced when the original suburban neighborhoods were built.

Conservation (CO) – Intended to preserve and enhance environmentally sensitive land in all Transect Categories except T1 Natural, T5 Center, 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 area in and whether or not they have already been disturbed.

PLAN DETAILS
The site plan proposes 75 single-family residential lots. The primary entrance to the subdivision would come from Highway 70. The proposed streets provide cul-de-sacs or temporary turn-arounds for future connectivity north of the property. All proposed streets have sidewalks that will be built to local street standards.

Buffer yards are provided along the northern, southern and western property lines. The buffer yards provided are consistent with the cluster lot section of the Code in chapter 17.12.090.

ANALYSIS
The cluster lot option in the Zoning Code allows for flexibility of design, the creation of open space and the preservation of natural features in single-family (RS) and one and two-family (R) zoning districts. In exchange, lots are allowed to contain less land area than what is normally required by the base zoning district. The minimum lot area within a cluster subdivision can be reduced by two smaller base zone districts. The parcel is zoned RS15. With this plan, the applicant is proposing to cluster the parcels to RS7.5 zoning; the smallest lots in this concept plan are 7,500 square feet.

In cluster lot subdivisions, a minimum of 15 percent of each phase of the development shall be open space. This concept plan meets and exceeds the open space requirement for the one phase of this development. Cluster lot options are also required to install recreational facilities within a portion of the open space. The applicant has proposed an amenity area including a gazebo, picnic tables and grills in open space in the southern portion of the site.

The Subdivision Regulations also requires that sidewalks be provided along new subdivision streets. The concept plan provides five foot sidewalks on both sides of proposed streets. An eight foot sidewalk and a four foot planting strip shall be installed along Highway 70, consistent with the Major and Collector Street Plan.

The Subdivision Regulations require the use of an interconnected street system to disperse traffic and provide maximum alternatives for access. This application achieves this requirement as it provides for future connectivity to the properties to the north, if those properties redevelop in the future.

FIRE MARSHAL RECOMMENDATION
Approve with conditions

- Developers to fully sprinkler the homes or provide a divided entry way.

STORMWATER RECOMMENDATION
Approve with comments

- The location, type and size of Green Infrastructure Practice (GIP) shown on the plan is conceptual. More GIPs may be required during technical review of the final development plan.

PUBLIC WORKS RECOMMENDATION
Conditions if approved

- This development will require Public Works approval of detailed construction plans prior to grading the site. Plans must comply with the design regulations established by the Department of Public Works. Final design and improvements may vary based on actual field conditions.
- With final plans, add curb, gutter, and sidewalks around cul-de-sacs, and realign handicap ramps opposite each other.

TRAFFIC & PARKING RECOMMENDATION
Conditions if approved

- A traffic study is required prior to final site plan approval in order to determine if proposed access road has adequate sight distance and to determine other roadway improvements.

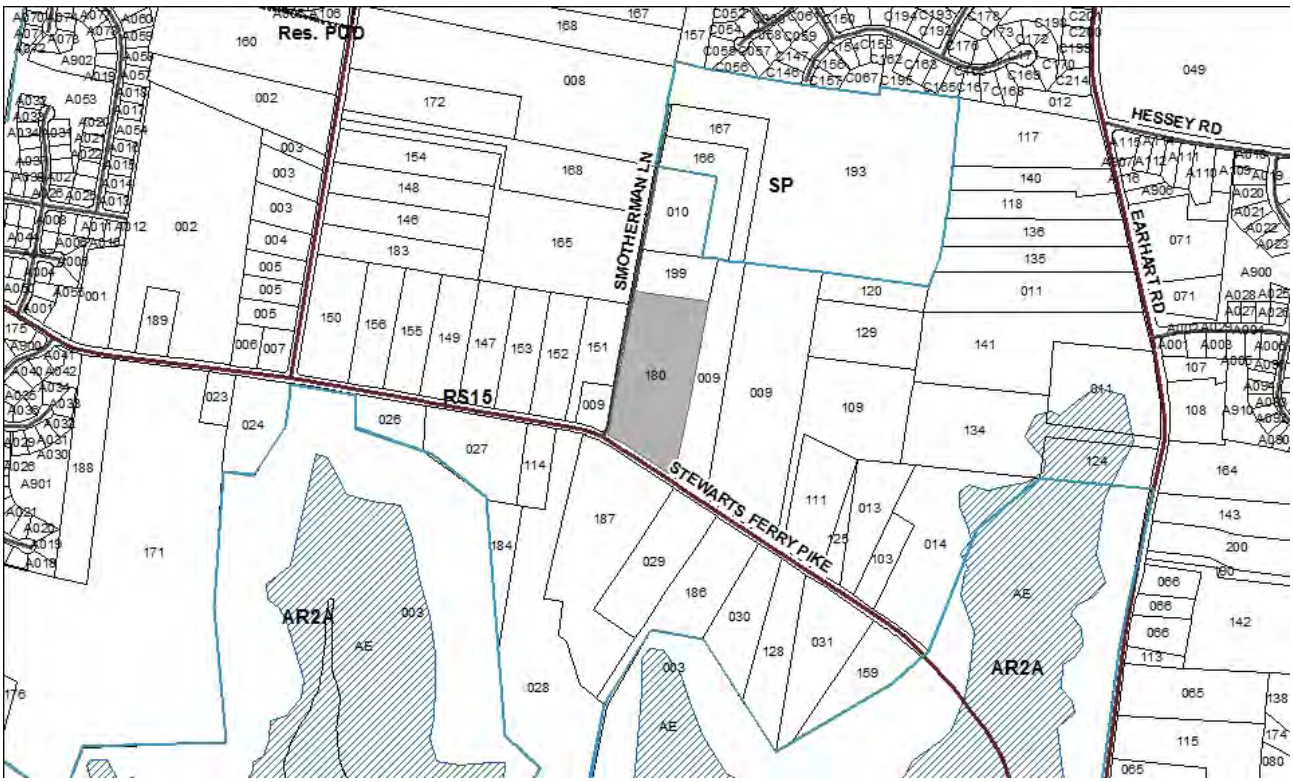
WATER SERVICES RECOMMENDATION
N/A

HARPETH VALLEY UTILITIES DISTRICT
Approved

STAFF RECOMMENDATION
The proposed concept plan is consistent with the Subdivision Regulations, therefore staff recommends approval with conditions.

CONDITIONS
1. Provide minimum 8 foot sidewalk and 4 foot planting strip along Highway 70.
2. Install a standard type D landscape buffer yard along the perimeter of the double-frontage lots.
3. Add the following note to the plan: The final site plan/building permit 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.
4. No parking is permitted between the primary structure and street. Hard surfaces for vehicular access shall be limited to a 16’ driveway between the primary structure and the street.
5. Lots 1 to 5 shall face Highway 70.

SEE NEXT PAGE



2016S-054-001
THE ORVILLE EARHEART SUBDIVISION, RESUB LOT 1
Map 110, Parcel(s) 180
14, Donelson - Hermitage
12 (Steve Glover)

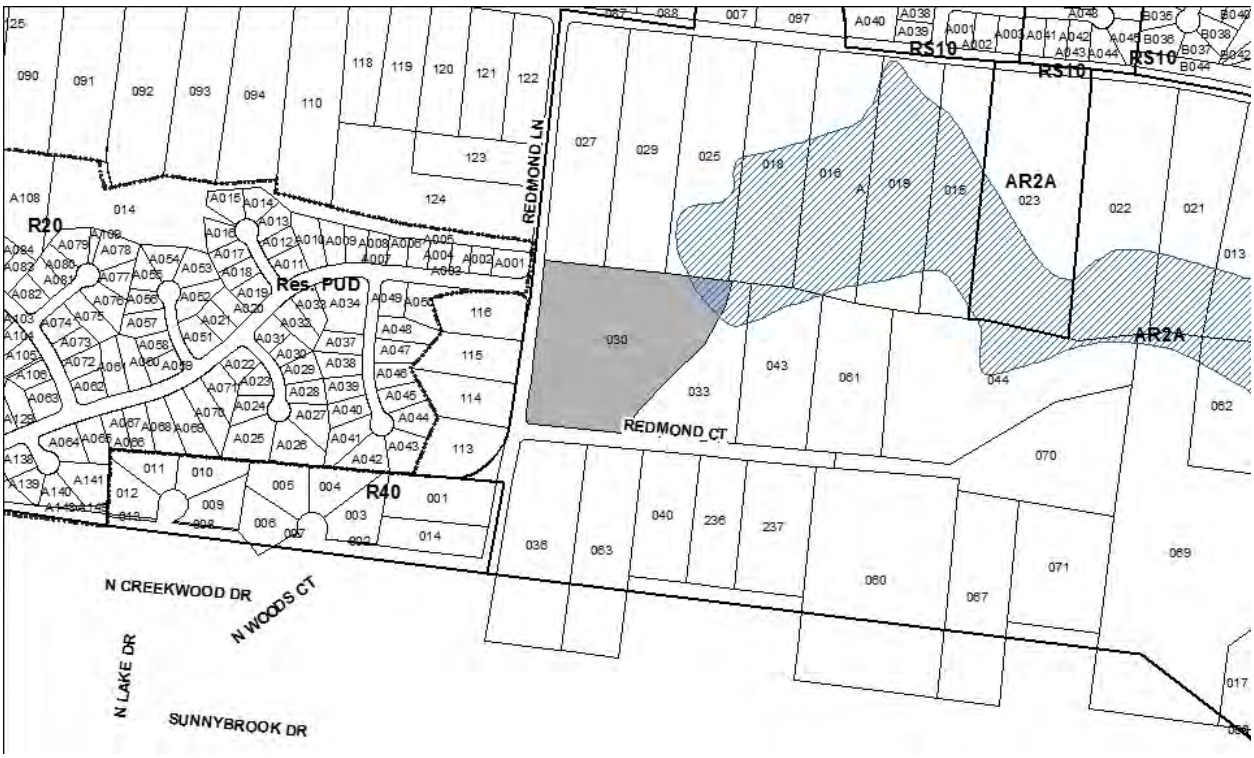
Project No.	**2016S-054-001**
Project Name	**The Orville Earheart Subdivsion, Resub Lot 1**
Council District	12 – Glover
School District	4 – Shepard
Requested by	K & A Land Surveying, applicant; Robert E. Lee, owner.
Staff Reviewer	Birkeland
Staff Recommendation	*Defer to the April 28, 2016, Planning Commission meeting.*

APPLICANT REQUEST
Create 3 lots.

Final Plat
A request for final plat approval to create three lots on property located at 4141 Smotherman Lane and Smotherman Lane (unnumbered), approximately 545 feet north of Stewarts Ferry Pike, zoned Single-Family Residential District (RS15) (9.46 acres).

Existing Zoning
Single-Family Residential District (RS15) requires a minimum 15,000 square foot lot and is intended for single-family dwellings at a density of 2.47 dwelling units per acre. *RS15 would permit a maximum of 27 lots.*

STAFF RECOMMENDATION
Staff recommends deferral to the April 28, 2016, Planning Commission meeting as requested by the applicant.



2016S-067-001
ASHBURN-PHILLIPS SUBDIVISION FIRST REVISION
Map 180, Parcel(s) 030
12, Southeast
04 (Robert Swope)

Project No.	**2016S-067-001**
Project Name	**Ashburn-Phillips Subdivision, First Revision**
Council District	4 – Swope
School District	2 – Brannon
Requested by	Daniels & Associates Inc., applicant; Sheree and Alton Kelley, owner.
Staff Reviewer	Birkeland
Staff Recommendation	*Defer to the April 28, 2016, Metro Planning Commission meeting unless a recommendation of approval is received by Metro Water Services and Metro Stormwater. If a recommendation of approval is received, the staff recommends approval with conditions.*

APPLICANT REQUEST
Create 3 lots.

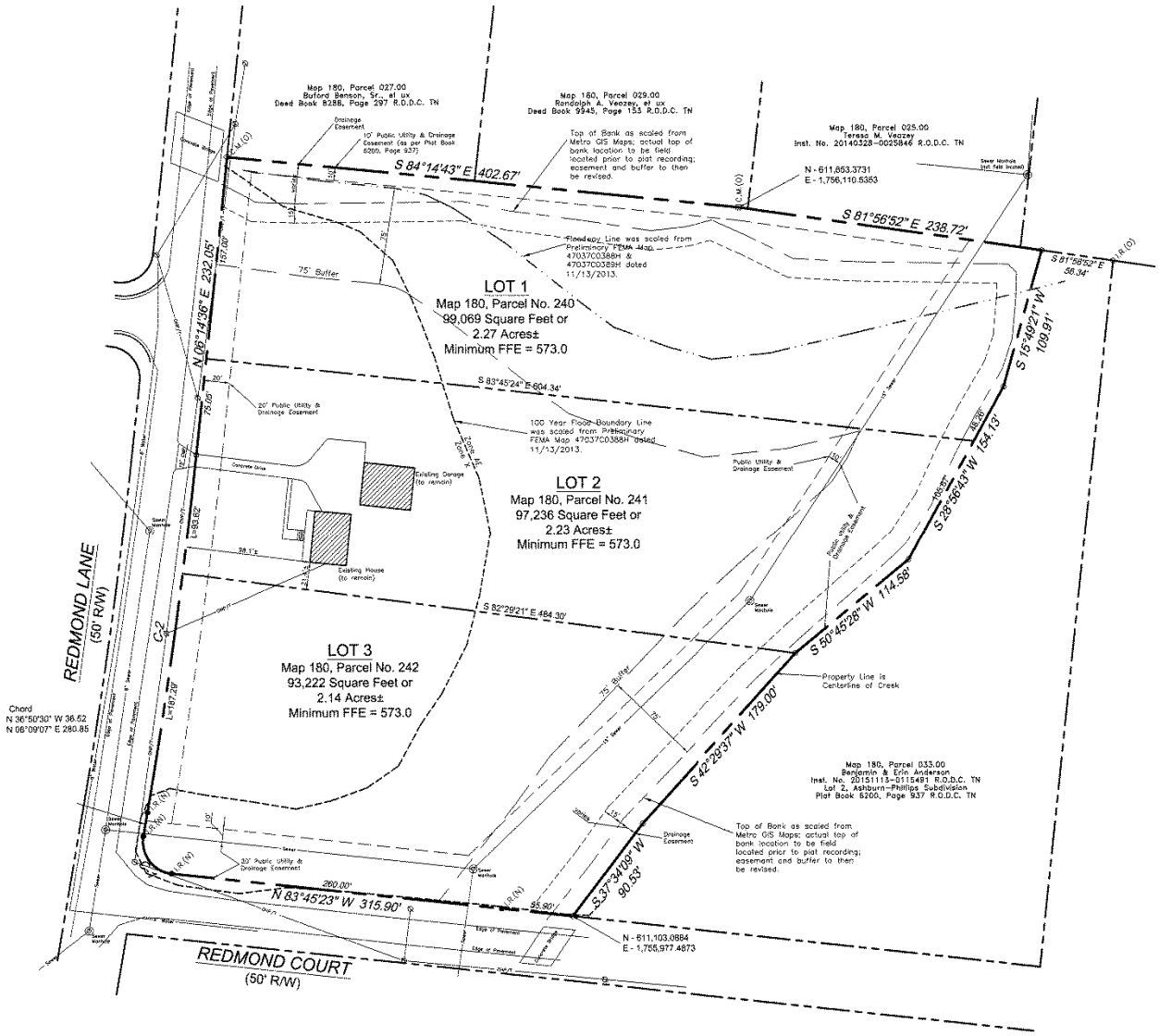
Final Plat
A request for final plat approval to create three lots on property located at 6541 Redmond Lane, at the intersection of Redmond Lane and Stone Run Drive (6.65 acres), zoned Agricultural/Residential (AR2a).

Existing Zoning
Agricultural/Residential (AR2a) requires a minimum lot size of two acres and intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per two acres. The AR2a District is intended to implement the natural conservation or rural land use policies of the general plan. *AR2a would permit a maximum of 3 lots with 3 duplex lots for a total of 9 units.*

CRITICAL PLANNING GOALS
N/A

The proposed subdivision creates infill housing opportunity in an area that is served by existing infrastructure.

PLAN DETAILS /STAFF ANALYSIS
The plan proposes to create three lots from one existing parcel located at the northeast corner Redmond court and Redmond Lane. The land use policy for the subject property is T3 Suburban Neighborhood Maintenance (T3 NM). However, the AR2A zoning district is not subject to the compatibility criteria in Section 3-5.2 of the Subdivision Regulations. Sidewalks are not required along Redmond Lane or Redmond Court because the proposed subdivision is located in the General Services District where the Sidewalk Priority Index (SPI) score is less than 20, as established in the Strategic Plan for Sidewalks and Bikeways.



Proposed Site Plan

Proposed Subdivision
The subject property is proposed to be subdivided into three lots with the following areas and street frontages:

- Lot 1: 99,069 Sq. Ft., (2.27 Acres), and 157 Ft. of frontage;
- Lot 2: 97,236 Sq. Ft., (2.23 Acres), and 75 Ft. of frontage;
- Lot 3: 93,222 Sq. Ft., (2.14 Acres), and 187.29 Ft. of frontage;

FIRE MARSHAL RECOMMENDATION
N/A

STORMWATER RECOMMENDATION
Returned

- Revise Note #7 on the plat to use the preliminary map data and number. We have new and more accurate data for the watercourses on this property. Based on the new data the floodway, floodplain and buffers are significantly different. I have attached a screen shot of our mapping system to show the preliminary data. The maps that should be used for this plat are the FEMA maps 47037CO388H and 47037CO389H. These maps can be downloaded from FEMA's website using this link: https://hazards.fema.gov/femaportal/prelimdownload/
- Add the required buffers. The watercourse on the northern side of the property will have a 75' buffer from the floodway including a Zone 1 (floodway plus 50') and Zone 2 (25'). The floodway is shown on the attached map as the purple shaded area, but the FEMA map should be used for exact location. The watercourse that follows the eastern property line will have a 75' buffer from the top of bank since no floodway has been mapped. This will include Zone 1 (50') and Zone 2 (25').
- Include the following buffer note: The buffer along waterways will be an area where the surface is left in a natural state and is not disturbed by construction activity. This is in accordance with the Stormwater Management Manual Volume 1 Regulations.
- Include the Access Note.
- Identify the top of bank of the watercourse. Add a drainage easement on each watercourse to meet the requirements of table 6-1 in Stormwater Management Manual Volume 1 – Regulations based on the width of the channel.
- Cite the minimum FFE for residential buildings (4 feet above the BFE based on the preliminary map data).

WATER SERVICES RECOMMENDATION
Returned

- For the latest re-plat (stamped received March 24, 2016), our original comments still apply: Awaiting submittal and approval of public sewer construction plans, before the plat can be accurately reviewed. These plans consist of both a public sewer force main plan set, and grinder pump maintenance agreements/fees/plan sets. The required capacity fees must be paid prior to final plat approval.

TRAFFIC AND PARKING RECOMMENDATION
No exception taken

PUBLIC WORKS RECOMMENDATION
Approved

STAFF RECOMMENDATION
Staff recommends deferral until the April 28, 2016, Metro Planning Commission meeting unless a recommendation of approval is received by Metro Water Services and Metro Stormwater. If a recommendation of approval is received, then staff recommends approval with conditions.

CONDITIONS
1. No parking is permitted between the primary structure and street. Hard surfaces for vehicular access shall be limited to a 16’ driveway between the primary structure and the street.
2. A raised foundation of 18”- 36” is required for all residential structures.
3. Height is limited to two stories in 35 feet.