



# METROPOLITAN PLANNING COMMISSION MINUTES

**August 25, 2016**  
**4:00 pm Regular Meeting**

**700 Second Avenue South**  
(between Lindsley Avenue and Middleton Street)  
Howard Office Building, Sonny West Conference Center (1st Floor)

## MISSION STATEMENT

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The Planning Commission guides growth and development as Nashville and Davidson County 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.

Commissioners Present:  
Greg Adkins, Chair  
Jessica Farr, Vice Chair  
Jeff Haynes  
Jim McLean  
Brenda Diaz  
Councilmember Burkley Allen

Staff Present:  
Doug Sloan, Executive Director  
Bob Leeman, Assistant Director, Operations  
Carrie Logan, Assistant Director, Special Projects  
Kelly Adams, Administrative Services Officer III  
Kathryn Withers, Planning Manager II  
Brandon Burnette, Planning Manager II  
Jason Swaggart, Planner III  
Lisa Milligan, Planner III  
Greg Claxton, Planner III  
Latisha Birkeland, Planner II  
Stephanie McCullough, Planner II  
Patrick Napier, Planner II  
Alex Deus, Planner I  
Karimeh Sharp, Planner I  
Laura Hardwicke, Planner I  
Craig Owensby, Public Information Officer  
Emily Lamb, Legal

Commissioners Absent: Stewart Clifton, Brian Tibbs, Jennifer Hagan-Dier, Lillian Blackshear

### **J. DOUGLAS SLOAN, III**

Secretary and Executive Director, Metro Planning Commission  
**Metro Planning Department of Nashville and Davidson County**  
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## Notice to Public

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### Please remember to turn off your cell phones.

The Commission is a 10-member body, nine of whom are appointed by the Metro Council and one of whom serves as the mayor's representative. The Commission meets on the 2nd and 4th Thursday of each month at 4:00 p.m., unless otherwise noted. The Planning Commission makes the final decision on final site plan and subdivision applications. On all other applications, the Commission recommends an action to the Metro Council (e.g. zone changes, specific plans, overlay districts, and mandatory referrals). The Metro Council can accept or not accept the recommendation.

Agendas and staff reports can be viewed on-line at [www.nashville.gov/mpc/agendas](http://www.nashville.gov/mpc/agendas) or weekdays from 7:30 a.m. to 4:00 p.m. at the Planning Department office located at 800 2nd Avenue South, downtown Nashville.

Meetings on TV can be viewed live or shown at an alternative time on Channel 3. Visit [www.nashville.gov/calendar](http://www.nashville.gov/calendar) for a broadcast schedule.

### Writing to the Commission

You can mail, hand-deliver, fax, or e-mail comments on any agenda item to the Planning Department. For the Commission to receive your comments, prior to the meeting, you must submit them by **noon the day of the meeting**. Otherwise, you will need to bring 15 copies of your correspondence to the meeting and during your allotted time to speak, distribute your comments.

Mailing Address: Metro Planning Department, 800 2nd Avenue South, P.O. Box 196300, Nashville, TN 37219-6300  
Fax: (615) 862-7130  
E-mail: [planning.commissioners@nashville.gov](mailto:planning.commissioners@nashville.gov)

### Speaking to the Commission

If you want to appear in-person before the Commission, view our tips on presentations on-line at [www.nashville.gov/mpc/pdfs/mpc\\_mtg\\_presentation\\_tips.pdf](http://www.nashville.gov/mpc/pdfs/mpc_mtg_presentation_tips.pdf) and our summary regarding how Planning Commission public hearings are conducted at [www.nashville.gov/mpc/docs/meetings/Rules\\_and\\_procedures.pdf](http://www.nashville.gov/mpc/docs/meetings/Rules_and_procedures.pdf). Briefly, a councilmember may speak at the very beginning of the commission meeting, after the individual item is presented by staff, or after all persons have spoken in favor or in opposition to the request. Applicants speak after staff presents, then, those in favor speak followed by those in opposition. The Commission may grant the applicant additional time for a rebuttal after all persons have spoken. Maximum speaking time for an applicant is 10 minutes, individual speakers is 2 minutes, and a neighborhood group 5 minutes, provided written notice was received prior to the meeting from the neighborhood group.

- Day of meeting, get there at least 15 minutes ahead of the meeting start time to get a seat and to fill-out a "Request to Speak" form (located on table outside the door into this meeting room).
- Give your completed "Request to Speak" form to a staff member.
- For more information, view the Commission's Rules and Procedures, at [www.nashville.gov/mpc/pdfs/main/rules\\_and\\_procedures.pdf](http://www.nashville.gov/mpc/pdfs/main/rules_and_procedures.pdf)

### Legal Notice

**As information for our audience, if you are not satisfied with a decision made by the Planning Commission today, you may appeal the decision by petitioning for a writ of cert with the Davidson County Chancery or Circuit Court. Your appeal must be filed within 60 days of the date of the entry of the Planning Commission's decision. To ensure that your appeal is filed in a timely manner, and that all procedural requirements have been met, please be advised that you should contact independent legal counsel.**



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# MEETING AGENDA

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## **A: CALL TO ORDER**

The meeting was called to order at 4:02 p.m.

## **B: ADOPTION OF AGENDA**

Ms. Diaz moved and Ms. Farr seconded the motion to adopt the agenda. (6-0)

## **C: APPROVAL OF AUGUST 11, 2016, MINUTES**

Mr. McLean moved and Councilmember Allen seconded the motion to approve the August 11, 2016 minutes. (6-0)

## **D: RECOGNITION OF COUNCILMEMBERS**

Councilman Glover spoke in favor of deferring Item 32 and noted that all District 12 are in opposition.

Councilman Pulley spoke in favor of Item 18.

Councilman Hagar spoke in favor of deferral of Item 32 and noted that all District 11 are in opposition.

Councilman Shulman spoke in opposition to Item 32 and in favor of Item 18.

Councilman Scott Davis spoke in favor of Item 20 and 26 and in favor of deferring Item 25 indefinitely.

## **E: ITEMS FOR DEFERRAL / WITHDRAWAL**

- 1a. **2016CP-007-001**  
WEST NASHVILLE COMMUNITY PLAN AMENDMENT
- 1b. **2016SP-004-001**  
SKY NASHVILLE SP
- 2a. **2016CP-013-003**  
ANTIOCH-PRIEST LAKE COMMUNITY PLAN AMENDMENT
- 2b. **2016SP-056-001**  
COLORBURST SP
- 3. **2016Z-011TX-001**
- 4. **2015SP-099-001**  
DEMOSS ROAD SP
- 5. **2016SP-031-001**  
BURKITT ROAD RETAIL SP
- 8. **2016S-136-001**  
2811 WIMBLEDON
- 9. **2016S-152-001**  
INGLEWOOD ESTATES
- 10. **2016S-160-001**  
REDIVISION OF LOT 1 RESUB LOT 12 OF GEORGE BURRUS SUBDIVISION OF LOT 81 MAPLE HOME TRACT
- 11. **195-76P-001**  
BELLE FOREST RETAIL

- 12. **80-72P-001**  
APACHE TRAIL COMMERCIAL
- 13. **2016Z-044PR-001**
- 14. **2016Z-053PR-001**
- 19. **2009SP-010-002**  
ASHLAND CITY FUNERAL HOME
- 23a. **94P-025-002**  
BELLEVUE COMMERCIAL PUD
- 23b. **2016Z-100PR-001**
- 24. **95P-025-001**  
MILLWOOD COMMONS
- 25. **2016Z-072PR-001**
- 32. **2016USD-001-001**  
PROPOSED USD EXPANSION OF SERVICES

Ms. Farr moved and Mr. Haynes seconded the motion to approve the Deferred and Withdrawn Items. (6-0)

## **F: CONSENT AGENDA ITEMS**

NOTICE TO THE PUBLIC: Items on the Consent Agenda will be voted on at a single time. No individual public hearing will be held, nor will the Commission debate these items unless a member of the audience or the Commission requests that the item be removed from the Consent Agenda.

- 6. **2016NL-001-002**  
ESTEPP LLC NEIGHBORHOOD LANDMARK
- 15. **2016Z-083PR-001**
- 16. **2016Z-086PR-001**
- 20. **2014SP-076-002**  
CLEVELAND PARK/MCFERRIN SP
- 21. **2016SP-050-001**  
1700 MCKINNEY AVE RESIDENTIAL SP
- 22. **2016S-168-001**  
SADDLEWOOD SUBDIVISION REPLAT OF LOT 19
- 27. **2016Z-094PR-001**
- 28. **2016Z-095PR-001**
- 29. **2016Z-096PR-001**
- 30. **2016Z-097PR-001**
- 33. **New employee contracts for George Rooker, Lucy Kempf and Elham Daha, and contract renewal for Haryono Prawiranata**
- 37. **Accept the Director's Report and Approve Administrative Items**

Councilmember Allen moved and Mr. Haynes seconded the motion to approve the Consent Agenda. (6-0)

## G: ITEMS TO BE CONSIDERED

### 1a. 2016CP-007-001

#### WEST NASHVILLE COMMUNITY PLAN AMENDMENT

Council District 21 (Ed Kindall)  
Staff Reviewer: Cynthia Wood

A request to amend the West Nashville Community Plan to apply a Special Policy to support 7 stories as viewed from the interstate but limited to a maximum of 4 stories visible from the remainder of the T4 Neighborhood Evolving Policy Area for 25 properties located along 35th Avenue North, Trevor Street, Delaware Avenue, and 33rd Avenue North, zoned R6 (4.83 acres), requested by Dale & Associates, applicant; Hill 33, LLC, and Metro Government, owners. (see also Case No, 2016SP-004-001).

**Staff Recommendation: Defer indefinitely.**

**The Metropolitan Planning Commission deferred indefinitely 2016CP-007-001. (6-0)**

### 1b. 2016SP-004-001

#### SKY NASHVILLE SP

Council District 21 (Ed Kindall)  
Staff Reviewer: Jason Swaggart

A request to rezone from R6 to SP-MR zoning for various properties located along 33rd Avenue North, 35th Avenue North, Trevor Street, and Delaware Avenue, south of Interstate 40 (4.75 acres), to permit a residential development with a maximum of 141 residential units including 27 detached units and 114 stacked flats, requested by Dale & Associates, applicant; Hill 33, LLC, owner. (see also Case No. 2016CP-007-001).

**Staff Recommendation: Defer indefinitely.**

**The Metropolitan Planning Commission deferred indefinitely 2016SP-004-001. (6-0)**

### 2a. 2016CP-013-003

#### ANTIOCH-PRIEST LAKE COMMUNITY PLAN AMENDMENT

Council District 32 (Jacobia Dowell)  
Staff Reviewer: Stephanie McCullough

A request to amend the Antioch Priest Lake Community Plan by changing from T3 Neighborhood Maintenance to District Industrial for property located at 12802 Old Hickory Boulevard, at the corner of Old Hickory Boulevard and Hobson Pike, (5.13 acres), requested by Barge Cauthen & Associates, applicant; Tim & Melinda Smith, owners. (also see Specific Plan case 2016SP-056-001).

**Staff Recommendation: Defer to the September 8, 2016, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2016CP-013-001 to the September 8, 2016, Planning Commission meeting. (6-0)**

### 2b. 2016SP-056-001

#### COLORBURST SP

Council District 32 (Jacobia Dowell)  
Staff Reviewer: Jason Swaggart

A request to rezone from AR2a to SP-IND zoning for property located at 12802 Old Hickory Boulevard, approximately 100 feet southwest of Logistics Way, (5.2 acres), to permit a building contractor supply use, requested by Barge Cauthen & Associates, applicant; Tim and Melinda Smith, owners. (See also Community Plan case # 2016CP-013-002)

**Staff Recommendation: Defer to the September 8, 2016, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2016SP-056-001 to the September 8, 2016, Planning Commission meeting. (6-0)**

**3. 2016Z-011TX-001**

BL2016-265/M. Johnson  
Staff Reviewer: Jason Swaggart

A request to amend Section 17.40.120 of Title 17 of the Metropolitan Code, Zoning Regulations, pertaining to the determination of inactivity of a planned unit development, requested by Councilmember Mina Johnson.  
**Staff Recommendation: Defer to the October 27, 2016, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2016Z-011TX-001 to the October 27, 2016, Planning Commission meeting. (6-0)**

**4. 2015SP-099-001**

**DEMOSS ROAD SP**  
Council District 20 (Mary Carolyn Roberts)  
Staff Reviewer: Jason Swaggart

A request to rezone from R6 to SP-R zoning for properties located at 105 and 107 Demoss Road and Demoss Road (unnumbered), approximately 330 feet south of Maudina Avenue (1.37 acres), to permit up to 14 residential units, requested by Dale & Associates, applicant; Henry S. Hood, owner.  
**Staff Recommendation: Defer indefinitely.**

**The Metropolitan Planning Commission deferred indefinitely 2015SP-099-001. (6-0)**

**5. 2016SP-031-001**

**BURKITT ROAD RETAIL SP**  
Council District 31 (Fabian Bedne)  
Staff Reviewer: Jason Swaggart

A request to rezone from AR2a to SP-C zoning for property located at Nolensville Pike (unnumbered), at the southeast corner of Burkitt Road and Nolensville Pike (1.5 acres), to permit a 10,015 square foot commercial development, requested by Southeast Venture LLC, applicant; Magnolia Properties, owners.  
**Staff Recommendation: Defer indefinitely.**

**The Metropolitan Planning Commission deferred indefinitely 2016SP-031-001. (6-0)**

**6. 2016NL-001-002**  
**ESTEPP LLC NEIGHBORHOOD LANDMARK**

Council District 20 (Mary Carolyn Roberts)  
Staff Reviewer: Alex Deus

A request for final site plan approval for property located at 4909 Indiana Avenue, approximately 190 feet southwest of 49th Avenue North, zoned R6 (0.55 acres), to permit office and retail uses, requested by Jeff Estep, LLC, applicant and owner.  
**Staff Recommendation: Approve with conditions.**

**APPLICANT REQUEST**  
**Permit office and retail uses within the existing structure.**

Neighborhood Landmark Final Site Plan

A request for final site plan approval for property located at 4909 Indiana Avenue, approximately 190 feet southwest of 49th Avenue North, zoned One and Two-Family Residential (R6) (0.55 acres), to permit office and retail uses.

**Existing Zoning**

One and Two-Family Residential Districts (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 3 lots with 3 duplex lots for a total of 6 units.*

Neighborhood Landmark Overlay District (NLOD) is intended to preserve and protect landmark features whose demolition or destruction would constitute an irreplaceable loss to the quality and character of the neighborhood or community.

**CRITICAL PLANNING GOALS**  
N/A

**HISTORY**

In 2016, Metro Council approved BL2016-766, which created a Neighborhood Landmark Overlay District for property located at 409 Indiana Avenue. This designation recognizes the unique characteristics that a structure has contributed to the community and identifies the feature as a critical component of the neighborhood context and structure.

The existing structure was completed in 1955 as the Church of God and served The Nations community for over six decades. In 2016, the property was acquired by a new owner with the intent of preserving the existing structure.

**PLAN DETAILS**

This request proposes to allow for office and retail uses within the existing 7,988 square foot structure. Currently, the structure is surrounded by asphalt with parking and traffic circulation occurring within the right-of way and modest landscaping throughout the site. The applicant has proposed to redevelop the forty feet of right-of-way from back of curb to the property line which currently consists of a five foot sidewalk with no grass strip and asphalt. The redevelopment would bring the sidewalk to local standards including a five foot sidewalk and four foot planting strip and additionally include a 15 foot green space behind the sidewalk. The applicant has also included a direct pedestrian connection to the public sidewalk from the structure.

There are currently various vehicular access points throughout the property, including three curb cuts along Indiana Avenue. The applicant has proposed to limit vehicular access to one curb cut along Indiana Avenue and the remaining points would come off the adjacent alley (#1220). The applicant is meeting the parking standards of the Zoning Code and parking would be generally located to the side and the rear of the structure. One row of parking is being proposed in the front of the building.

The applicant has also provided appropriate landscape buffer on the western property line to screen the adjacent residentially used property. Additional landscaping is provided throughout the site.

**ANALYSIS**

A Neighborhood Landmark Development Plan requires approval by the Planning Commission and must comply with design standards to ensure the compatibility of the NL district with surrounding uses.

There are no exterior alterations to the structure being proposed. The applicant is requesting approval of retail and office uses within the existing structure. This request is proposing a maximum of 7,988 square feet of retail and office uses.

The Zoning Code allows land uses not permitted under the underlying zoning district, which in this instance is R6, provided that the Commission determines that they are compatible and sensitive to abutting properties. Staff finds that office and retail are compatible within this Neighborhood Landmark due to the property’s proximity to a commercially zoned corridor and the urban character of the overall neighborhood.

This plan meets parking standards and new parking spaces are located in a manner that does not disrupt the continuity of the neighborhood context. As mentioned, generally, parking spaces are being proposed to the rear and side of the existing structure and one row in the front of the building with one access point onto Indiana Avenue and onto an existing alley (#1220). Signage standards shall meet the CN zoning requirements and be limited to 24 square feet; no pole or monument signs are permitted.

This proposal continues to identify the feature as a critical component of the neighborhood and allows the structure to contribute to the surrounding community.

**FIRE MARSHAL RECOMMENDATION**

N/A

**STORMWATER RECOMMENDATION**

Approved

- SW Review during building permit application.

**PUBLIC WORKS RECOMMENDATION**

Approved

- The developer’s final construction drawings shall comply with the design regulations established by the Department of Public Works, in effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable. Final design may vary based on field conditions.

**TRAFFIC & PARKING RECOMMENDATION**

Approved

## WATER SERVICES RECOMMENDATION

### Approved

- As the required capacity fees have been paid, MWS recommends approval of the latest Final Site Plan revision (stamped received July 27, 2016).

## STAFF RECOMMENDATION

Staff recommends approval with conditions.

## CONDITIONS

1. Retail/office uses shall be limited up to a maximum of 7,988 square feet.
2. Prior to issuance of a Use and Occupancy (U&O) permit, sidewalk shall be modified to a 5 foot sidewalk and a 4 foot planting strip along Indiana Avenue.
3. Vehicular access along Indiana Avenue shall be limited to the one existing curb cut shown on the site plan.
4. There shall be no pole or monument signs, all other signs shall meet the CN zoning requirements and be limited to 24 square feet.
5. The building permit plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.

Approve with conditions. (6-0), Consent Agenda

### **Resolution No. RS2016-250**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2016NL-001-002 is **Approved with conditions. (6-0)**”

### **CONDITIONS**

1. Retail/office uses shall be limited up to a maximum of 7,988 square feet.
2. Prior to issuance of a Use and Occupancy (U&O) permit, sidewalk shall be modified to a 5 foot sidewalk and a 4 foot planting strip along Indiana Avenue.
3. Vehicular access along Indiana Avenue shall be limited to the one existing curb cut shown on the site plan.
4. There shall be no pole or monument signs, all other signs shall meet the CN zoning requirements and be limited to 24 square feet.
5. The building permit plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.

## 7. 2016S-062-001

### **NOLAN COURT SUBDIVISION**

Council District 27 (Davette Blalock)

Staff Reviewer: Jason Swaggart

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 CS and RS10 (1.35 acres), requested by HFR Design, Inc., applicant; Nolan Capital, LLC, owner.

**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).

#### History

This request was last deferred from the April 14, 2016, Planning Commission meeting at the applicant. The lot layout has not changed, but the applicant has proposed conditions for the plat in an attempt to make the proposed lots harmonious with surrounding lots. These conditions are outlined in the analysis section of this report.

#### **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. 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., (0.026 Acres), and 27 Ft. of frontage.
- Lot 3 (Rich Court): 11,816 Sq. Ft., (0.027 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 subdivision 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.

<b>Lot Frontage Analysis (Raywood Lane)</b>	
Minimum Proposed	76'
<b>70% of Average</b>	<b>90.3'</b>
Smallest Surrounding Parcel	75'

<b>Lot Frontage Analysis (Rich Court)</b>	
Minimum Proposed	27'
<b>70% of Average</b>	<b>41.3'</b>
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.

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

<b>Lot Area Analysis (Rich Court)</b>	
Minimum Proposed	11,324 sq. ft.
<b>70% of Average</b>	<b>10,916</b>
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

All agencies have 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 proposed the following conditions/notes on the plat:

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. Lot 4 is to be oriented to the corner of Raywood Lane and Rich Court.

Staff does not find that the proposed conditions make the lots harmonious with the surrounding lots.

**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**

**Approved**

**TRAFFIC & PARKING RECOMMENDATION**

**No exception taken**

**WATER SERVICES RECOMMENDATION**

**Approved**

**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.

**CONDITIONS (if approved)**

1. Add the following note to the plat: "The final site plan/ building permit site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone."
2. A platted setback of 50' along Raywood Lane shall be shown on the plat.

Mr. Swaggart presented the staff recommendation of disapproval.

Jim Lukens, applicant, spoke in favor of the application. The two-story homes will fit with what is currently in the area. Sidewalks will also be added.

Chairman Adkins closed the Public Hearing.

Councilmember Allen spoke in favor of staff recommendation and noted that two residential lots would meet the comparability standards and would be more in sync with the rest of the area.

Ms. Farr spoke in favor of staff recommendation as it is tough to figure out how comparable it will be without seeing the entire streetscape.

Mr. Lukens agreed to combine lots 2 and 3.

Mr. Sloan suggested a deferral to give staff time to work with the applicant to come up with the lot line shift.

**Councilmember Allen moved and Ms. Farr seconded the motion to defer to the September 8, 2016 Planning Commission Meeting. (6-0) The Public Hearing will be reopened at that time.**

**The Metropolitan Planning Commission deferred 2016S-0362-001 to the September 8, 2016, Planning Commission meeting. (6-0)**

8. **2016S-136-001**  
**2811 WIMBLEDON**  
Council District 25 (Russ Pulley)  
Staff Reviewer: Karimeh Moukaddem

A request for concept plan approval to create two lots on property located at 2811 Wimbledon Road, at the southeast corner of Wimbledon Road and Hilldale Drive, zoned R10 and R20 (1.78 acres), requested by Dale & Associates, applicant; Elliott Jones, owner.

**Staff Recommendation: Defer to the September 8, 2016, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2016S-136-001 to the September 8, 2016, Planning Commission meeting. (6-0)**

9. **2016S-152-001**  
**INGLEWOOD ESTATES**  
Council District 07 (Anthony Davis)  
Staff Reviewer: Latisha Birkeland

A request for final plat approval to create three lots on property located at 1126 Stratford Avenue, at the southwest corner of Stratford Avenue and Katherine Street, zoned RS7.5 (0.51 acres), requested by Michael J. Moore, applicant; Keith T. Cole, owner.

**Staff Recommendation: Defer to the September 22, 2016, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2016S-152-001 to the September 22, 2016, Planning Commission meeting. (6-0)**

10. **2016S-160-001**  
**REDIVISION OF LOT 1 RESUB LOT 12 OF GEORGE BURRUS**  
**SUBDIVISION OF LOT 81 MAPLE HOME TRACT**  
Council District 08 (Nancy VanReece)  
Staff Reviewer: Patrick Napier

A request for final plat approval to create two lots on property located at 1003 Curdwood Boulevard, at the northeast corner of Burrus Street and Curdwood Boulevard, zoned RS7.5 (0.35 acres), requested by Chapdelaine & Associates, applicant; Strive Properties, owner.

**Staff Recommendation: Defer to the September 8, 2016, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2016S-160-001 to the September 8, 2016, Planning Commission meeting. (6-0)**

11. **195-76P-001**  
**BELLE FOREST RETAIL**  
Council District 22 (Sheri Weiner)  
Staff Reviewer: Patrick Napier

A request to revise the preliminary plan for a portion of a Planned Unit Development Overlay District for property located at 7134 Highway 70 S, at the corner of Belle Forest Circle and Highway 70 S (0.59 acres), zoned SCC, to permit a 6,000 square foot retail building, requested by DBS & Associates Engineering, Inc., applicant; P & M Investments Company, LLC, owner.

**Staff Recommendation: Defer indefinitely.**

**The Metropolitan Planning Commission deferred indefinitely 195-76P-001. (6-0)**

12. **80-72P-001**  
**APACHE TRAIL COMMERCIAL**  
Council District 30 (Jason Potts)  
Staff Reviewer: Patrick Napier

A request to revise the preliminary plan for a portion of a Planned Unit Development located at 3901 Apache Trail, at the southwest corner of Apache Trail and Haywood Lane (0.70 acres), zoned R10, to permit a 2,520 square foot addition to an existing structure for additional storage area, requested by Music City Electrical Engineering, LLC, applicant; Hafiz Yafai, owner.

**Staff Recommendation: Defer to the September 8, 2016, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 80-72P-001 to the September 8, 2016, Planning Commission meeting. (6-0)**

**13. 2016Z-044PR-001**

Council District 16 (Mike Freeman)  
Staff Reviewer: Lisa Milligan

A request to rezone from R10 to CS zoning for a portion of property located at 981 Murfreesboro Pike, at the southwest side of the intersection of Millwood Drive and Murfreesboro Pike (4.06 acres), requested by Tune, Entrekin & White, PC, applicant; and Likes Family Trust C/O Robert J. Likes, owner.

**Staff Recommendation: Defer indefinitely.**

**The Metropolitan Planning Commission deferred indefinitely 2016Z-044PR-001. (6-0)**

**14. 2016Z-053PR-001**

Council District 20 (Mary Carolyn Roberts)  
Staff Reviewer: Karimeh Moukaddem

A request to rezone from OR20 and R6 to MUL-A zoning for properties located at 228 Ocoola Avenue, 5623 Lenox Avenue and Lenox Avenue (unnumbered), at the southeast corner of Lenox Avenue and Ocoola Avenue, (0.55 acres), requested by Fulmer Engineering, LLC, applicant; 5623 Lenox Partners and Angela Stephens, owners.

**Staff Recommendation: Defer indefinitely.**

**The Metropolitan Planning Commission deferred indefinitely 2016Z-053PR-001. (6-0)**

**15. 2016Z-083PR-001**

Council District 02 (DeCosta Hastings)  
Staff Reviewer: Latisha Birkeland

A request to rezone from RS5 to R-6 zoning for properties located at 503, 507, 513, 523 Weakley Avenue and Weakley Avenue (unnumbered), approximately 500 feet northeast of Baptist World Center Drive (0.93 acres), requested by Councilmember DeCosta Hastings, applicant; various property owners.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from RS5 to R6.**

Zone Change

A request to rezone from Single-Family Residential (RS5) to One and Two-family Residential (R6) zoning for properties located at 503, 507, 513, 523 Weakley Avenue and Weakley Avenue (unnumbered), approximately 500 feet northeast of Baptist World Center Drive (0.93 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 5 lots.*

**Proposed Zoning**

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 5 lots with 5 duplex lots for a total of 10 units.*

**CRITICAL PLANNING GOALS**

- 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.

**BORDEAUX-WHITES CREEK COMMUNITY PLAN**

T4 Urban Neighborhood Evolving (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 proposed R6 zoning district is consistent with the existing T4 Urban Neighborhood Evolving policy, which encourages a mixture of housing types within the neighborhood. The rezoning would allow a different housing type within an existing urban neighborhood that would provide housing choice at an appropriate scale within an interior neighborhood.

History

This request was originally submitted as a zone change request from RS5 to RM20-A. Staff recommended disapproval. This item was deferred from the July 14, 2016, July 28, 2016, and the August 11, 2016, Planning Commission meetings. No public hearing was held. The applicant has changed the zone change request from RM20-A to R6 zoning.

**ANALYSIS**

The five parcels proposed for a zone change are generally located east of Baptist World Center Drive along Weakly Avenue within a T4 Urban Neighborhood Evolving policy. The T4 Neighborhood Evolving Policy is applied in areas where development and infill produce a different character that includes increased housing diversity and connectivity.

The proposed R6 zoning district would allow for a mixture of housing types that are appropriate on smaller residential lots, interior to a neighborhood. This could include single-family residential, two-family residential, as well as detached accessory dwelling units.

**PUBLIC WORKS RECOMMENDATION**

N/A

**TRAFFIC AND PARKING RECOMMENDATION**

**Conditions if approved**

- A traffic study may be required at the 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)	0.93	8.7 D	8 U	77	6	9

Maximum Uses in Proposed 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 Residential (210)	0.93	7.26 D	10 U	96	8	11

Traffic changes between maximum: **RS5 and R6**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+19	+2	+2

**METRO SCHOOL BOARD REPORT**

**Projected student generation existing RS5: 1 Elementary 1 Middle 1 High**

**Projected student generation proposed R6-A district: 1 Elementary 1 Middle 1 High**

The proposed R6 is expected to generate the same amount of students that would be generated by the existing zoning. Students would attend Lillard Elementary School, Joelton Middle School, and Whites Creek High School. All three schools have been identified as having additional capacity. This information is based upon data from the school board last updated March 2016.

**AFFORDABLE AND WORKFORCE HOUSING REPORT**

Not applicable. This request was made by Councilman DeCosta Hastings and includes properties owned by various property owners, which may develop at different times. Since there is not a developer applicant, it cannot be determined how these are proposed to be developed. No structures have been demolished in the last 12 months.

**STAFF RECOMMENDATION**

Staff recommends approval as the proposed zoning is consistent with land use policy for the area and provides an opportunity for additional housing types.

Approve. (6-0), Consent Agenda

**Resolution No. RS2016-251**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2016Z-083PR-001 is **Approved. (6-0)**”

**16. 2016Z-086PR-001**

Council District 05 (Scott Davis)  
Staff Reviewer: Jason Swaggart

A request to rezone from RS10 to R6A zoning for properties located at 2003, 2005, 2007, 2009, 2011, 2013, and 2015 Overby Road, approximately 230 feet north of E Trinity Lane (1.08 acres), requested by Councilmember Scott Davis, applicant; various property owners.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from RS10 to R6-A.**

Zone Change

A request to rezone from Single-Family Residential (RS10) to One and Two-Family Residential - Alternative (R6-A) zoning for property located at 2003, 2005, 2007, 2009, 2011, 2013, and 2015 Overby Road, approximately 230 feet north of East Trinity lane (1.08 acres).

History

This application was originally submitted to change the zoning of only 2007 Overby to RM40-A. The application was amended to add additional properties and change the request to R6-A. New notices were sent to surrounding property owners as required by Metro Zoning requirements.

**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 seven units. This is based on the current lot configuration.*

**Proposed Zoning**

One and Two-Family Residential - Alternative (R6-A) 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, and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. *Under the existing parcel configuration, R6-A would permit a maximum of seven lots with seven duplex lots for a total of 14 units.*

**CRITICAL PLANNING GOALS**

N/A

**EAST NASHVILLE COMMUNITY PLAN**

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. Enhancements may be made to improve pedestrian, bicycle and vehicular connectivity.

Consistent with Policy?

Yes. The proposed R6-A zoning district provides for a transition from the T4 Residential Corridor policy south of the site adjacent to East Trinity Lane. It also provides standards to foster an urban design consistent with the urban transect. On August 11, 2016, the Planning Commission also recommended that Council approve R6-A district for a large area on the opposite side of Overby Road. It passed second reading at Council on July 5, 2016.

**FIRE MARSHAL RECOMMENDATION**

N/A

**STORMWATER RECOMMENDATION**  
N/A

**WATER SERVICES RECOMMENDATION**  
N/A

**PUBLIC WORKS RECOMMENDATION**  
N/A

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- Traffic study may be required at time of development

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)	1.08	4.3 D	4 U	39	3	5

Maximum Uses in Proposed Zoning District: **R6-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* (210)	1.08	40 U	14 U	134	11	15

Traffic changes between maximum: **RS10** and **R6-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+10 U	+95	+8	+10

**METRO SCHOOL BOARD REPORT**

Projected student generation existing **RS10** district: **0** Elementary **0** Middle **0** High  
 Projected student generation proposed **R6-A** district: **4** Elementary **3** Middle **3** High

The proposed R6-A zoning district would generate ten additional students than what is typically generated under the existing RS10 zoning district. Students would attend Tom Joy Elementary, Jere Baxter Middle School and Maplewood High School. There is capacity for additional students in all three schools. This information is based upon data from the school board last updated March 2016.

**AFFORDABLE AND WORKFORCE HOUSING REPORT**

Not applicable. This request was made by Councilman Scott Davis and includes properties owned by various property owners, which may develop at different times. Since there is not a developer applicant, it cannot be determined how these are proposed to be developed. No structures have been demolished in the last 12 months.

**STAFF RECOMMENDATION**

Staff recommends approval of the proposed R6-A zoning district as it is consistent with policy.

Approve. (6-0), Consent Agenda

**Resolution No. RS2016-252**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2016Z-086PR-001 is **Approved. (6-0)**"



**17. 2016Z-017TX-001**

BL2016-349/Allen  
Staff Reviewer: Jason Swaggart

An Ordinance amending section 17.40.720 of the Metropolitan Code of Laws pertaining to notice by mail for revision of design guidelines in historic overlays, requested by Councilmember Burkley Allen.  
**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Amend Title 17 of the Metropolitan Code, Zoning Regulations pertaining to public notice for revisions of design guidelines in historic overlays.**

**ZONING TEXT AMENDMENT**

An Ordinance amending section 17.40.720 of the Metropolitan Code of Laws pertaining to notice by mail for revision of design guidelines in historic overlays.

**CRITICAL PLANNING GOALS**

N/A

**PROPOSED AMENDMENT**

The proposed amendment pertains to public notification for revisions to previously adopted design guidelines for existing historic overlay districts. Section 17.40.410 – Powers and duties, requires that the historic zoning commission adopt all design guidelines for any proposed historic overlay district or expansion of a historic overlay district. This section also requires that notification be sent to property owners within a proposed historic overlay district or expansion of a historic overlay district where design guidelines will be adopted. Notification must meet the zoning requirements of Article XV. Public Notification, specifically 17.40.720 – Notice by mail. This section requires that notification be sent to all property owners within the boundary of any proposed historic overlay district or proposed expansion of a historic overlay district where design guidelines will be adopted within 21 days of such meeting. It further requires that property owners within 600 feet of any proposed historic overlay district or proposed expansion of a historic overlay district where design guidelines will be adopted be notified.

The amendment would distinguish notification requirements between the adoption of new design guidelines required with a new historic overlay district or expansion of a historic overlay district, and revisions to existing design guidelines. It would specify that property owners within 150 feet of an overlay boundary where revisions to existing guidelines are proposed be notified of the proposed revisions. Currently property owners within 600 feet must be notified.

**ANALYSIS**

Staff has no issues with the proposed amendment. The proposal only impacts revisions to existing guidelines, and not the adoption of new guidelines associated with proposals for new historic overlay districts or the expansion of a historic overlay district. Changes to guidelines primarily impact property owners within a historic overlay district and not property owners outside of the overlay. The amendment would still require that property owners within 150 feet of an overlay where there is a proposal to revise guidelines be notified. Staff finds that this is sufficient since revisions do not pertain to properties outside of the overlay.

**STAFF RECOMMENDATION**

Staff recommends approval.

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**ORDINANCE NO. BL2016-349**

An ordinance amending section 17.40.720 of the Metropolitan Code of Laws pertaining to notice by mail for revision of design guidelines in historic overlays (Proposal Number 2016Z-017TX-001).

WHEREAS, the Metropolitan Zoning Code Section 17.40.720(A) provides that no public hearing shall be conducted unless, at least twenty-one days prior to the public hearing, the owner(s) of the subject property and all other property owners within the distances prescribed have been given written notice by mail of the time, date, and place of the public hearing; and,

WHEREAS, state law requires that design guidelines be based on the Secretary of Interior’s Standards; and,

WHEREAS, the design guidelines have the flexibility to allow the MHZC to make decisions on a property-by-property basis; and,

WHEREAS, the Metropolitan Historic Zoning Commission is currently required to give notice to all property owners within six hundred feet of an historic overlay to revise the existing design guidelines; and,

WHEREAS, the Metropolitan Historic Zoning Commission wishes to amend this section of the Metropolitan Code of Laws so that all property owners within one hundred and fifty feet of an historic overlay are provided written notice by mail of the time, date, and place of the public hearing when there is a revision of the existing design guidelines in historic overlays.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. The Metropolitan Code of Laws § 17.40.720 is hereby amended by adding a new section (B), and renumbering the existing sections in accordance with the new section as follows:

B. For the revision of existing design guidelines for historic overlays, property owners within one hundred and fifty feet shall be provided written notice.

Section 2. This ordinance shall take effect from and after its final passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Sponsored by: Burkley Allen, Brett Withers

Mr. Swaggart presented the staff recommendation of approval.

Councilmember Allen, as applicant, spoke in favor of that application.

Margo Chambers, 3803 Princeton Ave, spoke in opposition to the application.

Councilmember Allen clarified that everyone affected would be notified as well as the people that live immediately next to them.

**Chairman Adkins closed the Public Hearing.**

**Mr. McLean moved and Mr. Haynes seconded the motion to approve. (6-0)**

#### **Resolution No. RS2016-253**

**"BE IT RESOLVED** by The Metropolitan Planning Commission that 2016Z-017TX-001 is **Approved. (6-0)"**

**18. 2007SP-065-001  
SHARONDALE DRIVE SP (AMENDMENT)  
Council District 25 (Russ Pulley)  
Staff Reviewer: Alex Deus**

A request to amend the Sharondale Drive Specific Plan District for various properties located along Sharondale Drive, Sharondale Court, and Sharon Hill Circle between Woodlawn Drive and Hillsboro Pike (29.44 acres) to clarify the measurement of maximum height for new buildings, requested by Councilmember Russ Pulley, applicant; various property owners.

**Staff Recommendation: Approve.**

#### **APPLICANT REQUEST**

**Clarify measurement of height language for new structures.**

#### Amendment to SP

A request to amend the Sharondale Drive Specific Plan District for various properties located along Sharondale Drive, Sharondale Court, and Sharon Hill Circle between Woodlawn Drive and Hillsboro Pike (29.44 acres) to clarify the measurement of maximum height for new buildings.

#### **Existing 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**

N/A

#### **HISTORY**

The Sharondale Drive Specific Plan (BL2007-1485) was originally approved by Metro Council in 2007. Various properties (29.44 acres) were rezoned from One and Two-Family Residential (R10) to SP for the purpose of limiting

the amount of allowable duplexes to 33% for certain properties and providing standards for square footage, height and maximum lot coverage.

**ANALYSIS**

This amendment would clarify the height language included within the original ordinance. The current language is:

*“The maximum height for any building on a lot in the SP is 3 stories and 30 feet. Maximum height shall be measured from either the natural grade or, if present, from the ceiling of an exposed basement not more than seven (7) feet above the natural grade. The natural grade shall be determined based upon the average elevation of the four most exterior corners of the structure, to the eave or to the roof deck of a flat roof. Natural grade is the base ground elevation prior to grading.”*

The clarified language is:

*“The maximum height for any building is 3 stories in 30 feet. Maximum height shall be measured from either the natural grade or, if present, from the ceiling of an exposed basement not more than seven (7) feet above the natural grade to the roofline. The natural grade shall be determined based upon the average elevation of the four most exterior corners of the structure. Natural grade is the base ground elevation prior to grading.”*

This amendment would clarify how the measurements of new structures are to be determined. The current language is written so that the maximum height is measured to the eave or to the roof deck of a flat roof. The eave line is defined in the Zoning Code as the extension of a roof line beyond the vertical wall of a building. Metro Codes currently measures maximum height of a structure to the top of a roofline, whether the structure has a flat roof or pitched roof regardless of eave height.

The proposed language would clarify that the height is measured to the roof line, regardless of the type of roof. The roof line as defined by the Zoning Code means the horizontal line intersecting the highest point or points of a roof.

**STAFF RECOMMENDATION**

Staff recommends approval.

Mr. Deus presented the staff recommendation of approval.

Councilman Pulley spoke in favor of the approval.

Stephanie Arnold, 2724 Sharondale Ct, spoke in favor of the clarification as she was disheartened by the house built that was 12' taller than the SP allows.

Diane Diiani, 2212 Sharondale Dr., spoke in favor of the application.

Councilman Shulman stated that the language was clear all along.

Chairman Adkins closed the Public Hearing.

**Mr. McLean moved and Councilmember Allen seconded the motion to approve. (6-0)**

Ms. Farr stated she wants to make sure there will be ongoing monitoring.

**Resolution No. RS2016-254**

**“BE IT RESOLVED by The Metropolitan Planning Commission that 2007SP-065-001 is Approved. (6-0)”**

**19. 2009SP-010-002**

**ASHLAND CITY FUNERAL HOME**

Council District 01 (Nick Leonardo)

Staff Reviewer: Latisha Birkeland

A request for final site plan approval for property located at Ashland City Highway (unnumbered), at the terminus of Hydesdale Lane (7.14 acres) zoned SP, to permit a funeral home, requested by Land Solutions Company, LLC, applicant; Green Trails, LLC, owner.

**Staff Recommendation: Defer to the September 8, 2016, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2009SP-010-002 to the September 8, 2016, Planning Commission meeting. (6-0)**

**20. 2014SP-076-002**  
**CLEVELAND PARK/MCFERRIN SP**  
Council District 05 (Scott Davis)  
Staff Reviewer: Latisha Birkeland

A request to rezone from RS5 and CL to SP-R zoning for various properties located along Grace Street, Hancock Street, Lischey Avenue, Meridian Street, Stockell Street, and Treutland Avenue, west of Lischey Avenue, (19.7 acres), to allow detached accessory dwelling units with all other standards of the RS5 district being applicable, requested by Councilmember Scott Davis, applicant; various property owners.

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

**APPLICANT REQUEST**

**To permit detached accessory dwelling units.**

Application type

A request to rezone from Single-Family Residential (RS5) and Commercial Limited (CL) to Specific Plan – Residential (SP-R) zoning for various properties located along Grace Street, Hancock Street, Lischey Avenue, Meridian Street, Stockell Street, and Treutland Avenue, west of Lischey Avenue, (19.7 acres), to allow detached accessory dwelling units with all other standards of the RS5 district.

**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.

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

**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**

- Provides a Range of Housing Choices
- Supports a Variety of Transportation Choices
- Supports Infill Development

The proposed SP expands the range of housing choices in the area while maintaining the existing character of the neighborhood. Permitting detached accessory dwelling units in an area where infrastructure is already available supports infill development. In addition, the subject area is served by transit routes that run throughout the neighborhood which will be supported by the additional density proposed by the SP.

**EAST NASHVILLE COMMUNITY PLAN**

T4 Urban Neighborhood Maintenance (T4 NM) policy 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 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.

T4 Urban Neighborhood Center (T4 CC) is intended to preserve, enhance, and create urban neighborhood centers that serve urban neighborhoods that are generally within a 5 minute walk. T4 NC areas are pedestrian friendly areas generally located at intersections of urban streets that contain commercial, mixed use, residential, and institutional land uses. Infrastructure and transportation networks may be enhanced to improve pedestrian, bicycle and vehicular connectivity.

Consistent with Policy?

Yes. The SP proposes to permit detached accessory dwelling units (DADUs) in certain locations while maintaining the standards of RS5 zoning for all primary and accessory structures that are not DADUs. This is consistent with the goals of both policies to preserve the existing single-family character of the neighborhood, while expanding housing options to help create affordable housing alternatives. The bulk and massing standards included in the SP for DADUs will ensure that the single-family context at the street is maintained. In addition, the access standards included in the SP help achieve pedestrian-oriented goals by restricting access to alleys where available and prohibiting additional curb cuts for properties without access to an improved alley.

## HISTORY

In October 2014, the Metro Planning Commission approved an SP zone change to permit detached accessory dwelling units (DADUs) in the Cleveland Park and McFerrin Park neighborhoods. The applicant, Councilman Davis, would like to expand the approved SP zoning to include additional parcels in the neighborhood.

## ANALYSIS

The proposed SP would allow additional parcels in the Cleveland Park and McFerrin Park neighborhoods the option of an additional housing choice by permitting detached accessory dwelling units (DADUs) in certain locations while maintaining the existing RS5 zoning for all primary and accessory structures that are not DADUs. The standards included reflect those that are already in place for DADUs permitted countywide in One and Two-Family Residential Districts (R) districts.

Standards are included to address the DADUs location, placement and vehicular access. The SP proposes to permit DADUs only on lots with an improved alley adjacent to the rear or side property line or on any lots that are at least 15,000 square feet in area. The units may only be located behind the principle structure. For lots with access to an improved alley, any additional access must be from the alley, and for units without alley access, no more than one curb cut from a public street is permitted to access both the primary structure and the DADU.

Bulk and massing standards are also included in the SP to ensure that DADUs are accessory to the primary structure on a given lot. The height of a DADU may not exceed the height of the principle structure on the lot or 27 feet in height at the roof ridge line, whichever is greater.

Staff failed to post signs at least 10 days prior to the public hearing for the proposed zone change as required in the Metro Planning Commission Rules and Procedure. Signs were posted on Wednesday, August 17 instead of Monday, August 15. Public Hearing notices were mailed on time to property owners within 600 feet of the proposed zone change and therefore were notified in a timely fashion. Staff recommends that the Metro Planning Commission suspend the rule for signs to be posted at least 10 days prior to the Metro Planning Commission meeting, so the proposed zone change can receive a recommendation

## STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions of the SP as it is consistent with both policies and meets three critical planning goals.

## CONDITIONS

1. Uses within the SP shall be limited to all uses permitted by RS5 and detached accessory dwelling units.
2. Property within the SP shall be treated as RS5 for the purposes of proposed subdivisions. All Subdivision Regulations shall apply, including Section 3-5.
3. No new Detached Accessory Dwelling Units may be built within public water, sewer, or utility easements.
4. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Council approval, the property shall be subject to the standards, regulations and requirements of the RS5 zoning district as of the date of the applicable request or application.
5. 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.
6. 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.
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.

Approve with conditions and disapprove without all conditions. (6-0), Consent Agenda

### **Resolution No. RS2016-255**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2014SP-076-002 is **Approved with conditions and disapproved without all conditions. (6-0)**"

## CONDITIONS

1. Uses within the SP shall be limited to all uses permitted by RS5 and detached accessory dwelling units.
2. Property within the SP shall be treated as RS5 for the purposes of proposed subdivisions. All Subdivision Regulations shall apply, including Section 3-5.
3. No new Detached Accessory Dwelling Units may be built within public water, sewer, or utility easements.
4. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Council approval, the property shall be subject to the standards, regulations and requirements of the RS5 zoning district as of the date of the applicable request or application.

5. 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.  
6. 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.  
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.

**21. 2016SP-050-001**  
**1700 MCKINNEY AVE RESIDENTIAL SP**  
Council District 02 (DeCosta Hastings)  
Staff Reviewer: Jason Swaggart

A request to rezone from R6 to SP-R zoning for property at 1700 McKinney Avenue, at the northwest corner of McKinney Avenue and 18th Avenue North, (0.24 acres), to permit up to four residential dwelling units, requested by 4Site, Inc., applicant; Dorothy R. Hyde and L.A.N.D. Group, LLC, owners.

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

**APPLICANT REQUEST**

**Zone change to permit up to four residential units.**

Zone Change

A request to rezone from One and Two-Family Residential (R6) to Specific Plan – Residential (SP-R) zoning for property at 1700 McKinney Avenue, at the northwest corner of McKinney Avenue and 18th Avenue North, (0.24 acres), to permit up to four residential dwelling units.

**Existing Zoning**

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 duplex lot for a total of two units.

**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
- Creates Walkable Neighborhoods

The proposed development meets several critical planning goals. The surrounding 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 roads, water and sewer, because it does not burden Metro with the cost of maintaining new infrastructure. The plan will provide a new sidewalk along the property frontage of both McKinney Avenue and 18<sup>th</sup> Avenue North. The homes will be close to the street and all four units have front porches which enhances the public realm and pedestrian experience.

**NORTH NASHVILLE COMMUNITY PLAN**

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. Enhancements may be made to improve pedestrian, bicycle and vehicular connectivity.

Consistent with Policy?

Yes. The proposed SP is consistent with the T4 NM policy. The immediate area surrounding the site consists of a mixture of single-family, two-family and multi-family residential units. The two unit structures maintain the rhythm of spacing along McKinney Avenue. Vehicular access is from the side alley and parking is located at the rear of the units. The plan will also improve the existing sidewalk by providing a four foot planting strip between the curb and sidewalk.

**PLAN DETAILS**

The approximately 0.24 acre site is located at the northwest corner of 18th Avenue North and McKinney Avenue. An alley is located along the western property line. The property slopes down from southwest to northwest.

Site Plan

The plan calls for four units consisting of two sets of two attached units. All units have raised foundations and each unit has its own front porch along McKinney Avenue. The plan limits the maximum height to two stories in 35 feet. Because of the slope buildings may be taller at the rear (north) and the east side of the site. Access is provided from the alley located along the western property line. Parking is at the rear and each unit includes a two car garage.

**ANALYSIS**

Staff finds that the proposed plan is consistent with the T4 Neighborhood Maintenance policy. The immediate area contains a variety of housing types including single-family, two-family, and multi-family residential units. The property across 16th from this site, at the corner of 16th and Cecilia Avenue, is zoned MUN, and contains a multi-family development. There is also a CN zoning district along Cecilia Avenue near the site that contains a commercial use. The property immediately to the north and the two properties immediately to the west are both duplex lots. This plan provides a better urban design than the existing duplex lots as it calls for alley access with rear parking. This design engages the street, and is more appropriate in an urban area. The plan also calls for a separation between the two structures, and setbacks that maintain the primary rhythm along McKinney. While the setbacks are slightly shallower than other setbacks along McKinney, there are some variations to setbacks along McKinney. The lot is also at the corner where shallower setbacks are more appropriate. The property that is zoned MUN is currently multi-family. It could be redeveloped as mixed-use. The additional density proposed with this plan would provide additional mass to support any commercial uses that could develop on the property. The additional density also supports mass transit, which is a critical planning goal. Both McKinney and 16th are bus routes, and a bus stop is located at the southwest corner of McKinney and 16th. Overall the plan provides for an urban design that fits into the existing character of the surrounding area consistent with the T4 NM policy while promoting additional density, supporting infill development, and supporting mass transit.

**FIRE MARSHAL RECOMMENDATION**

**Approved with conditions**

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

**STORMWATER RECOMMENDATION**

**Approved**

**WATER SERVICES RECOMMENDATION**

**Approved with conditions**

- Approved as a Preliminary SP only. 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, in effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable. Final design may vary based on field conditions.
- Indicate a 5 foot ROW dedication on the alley and alley widening per ST-263.

**TRAFFIC & PARKING RECOMMENDATION**

**Approved with conditions**

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 Residential* (230)	0.24	7.26D	2 U	17	2	3

\*Based on two-family lots

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 (230)	0.24	-	4 U	32	3	4

Traffic changes between maximum: **R6** and **SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+2 U	+15	+1	+1

**METRO SCHOOL BOARD REPORT**

Projected student generation existing R6 district: 0 Elementary 0 Middle 0 High  
 Projected student generation proposed SP-R district: 1 Elementary 1 Middle 1 High

The proposed SP- R zoning district would generate three additional students than what is typically generated under the existing R6 zoning district. Students would attend Churchwell Elementary, John Early Middle School and Pearl-Cohn High School. There is capacity for additional students in all three schools. This information is based upon data from the school board last updated March 2016.

**AFFORDABLE AND WORKFORCE HOUSING REPORT (information provided by applicant)**

1. Will this project include any affordable or workforce housing units? No plans for “affordable” per-se, but units would be sub \$300K to be attainable to the area and in line with comps.
2. If so, how many and what is the percentage of the entire development? N/A
3. How will you enforce the affordability requirements? N/A
4. Have any structures been demolished in the last 12 months? No.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all as the proposed SP is consistent with the T4 Neighborhood Maintenance land use policy in this location and meets two critical planning goals.

**CONDITIONS**

1. Uses in the SP shall be limited to four residential units.
2. The unit at the corner of McKinney Avenue and 18<sup>th</sup> Avenue North shall include a wrap around porch.
3. Due to the slope on the site the height at the rear and east side of the buildings may exceed two stories in 35 feet, but shall not exceed 45 feet.
4. On the corrected set, provide a sidewalk connection from the units to the public sidewalk along McKinney Avenue.
5. On the corrected set, add the following note: Building façades fronting McKinney Avenue shall provide a minimum of one principal entrance (doorway) per unit and a minimum of 25% glazing.
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 RM20-A zoning district as of the date of the applicable request or application.
7. The final site plan/ building permit site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
8. 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.
9. 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.
10. 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.



**Resolution No. RS2016-256**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2016SP-050-001 is **Approved with conditions and disapproved without all conditions. (6-0)**”

**CONDITIONS**

1. Uses in the SP shall be limited to four residential units.
2. The unit at the corner of McKinney Avenue and 18<sup>th</sup> Avenue North shall include a wrap around porch.
3. Due to the slope on the site the height at the rear and east side of the buildings may exceed two stories in 35 feet, but shall not exceed 45 feet.
4. On the corrected set, provide a sidewalk connection from the units to the public sidewalk along McKinney Avenue.
5. On the corrected set, add the following note: Building façades fronting McKinney Avenue shall provide a minimum of one principal entrance (doorway) per unit and a minimum of 25% glazing.
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 RM20-A zoning district as of the date of the applicable request or application.
7. The final site plan/ building permit site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
8. 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.
9. 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.
10. 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.

**22. 2016S-168-001**

**SADDLEWOOD SUBDIVISION REPLAT OF LOT 19**

Council District 04 (Robert Swope)  
Staff Reviewer: Karimeh Sharp

A request for final plat approval to remove sanitary sewer disposal easements and to remove a note limiting the lot to only single-family uses on property located at 501 Green Apple Turn at the southwest corner of Green Apple Turn and Green Apple Lane, zoned R40 (0.94 acres), requested by G. Scott Carter, applicant; Ryan Carver, owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Remove sanitary sewer disposal easements and single-family requirement from plat.**

Plat Amendment

A request for final plat approval to remove sanitary sewer disposal easements and to remove a note limiting the lot to only single-family uses on property located at 501 Green Apple Turn at the southwest corner of Green Apple Turn and Green Apple Lane, zoned One and Two-Family Residential (R40) (0.94 acres).

**Existing Zoning**

One and Two-Family Residential (R40) requires a minimum 40,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 1.16 dwelling units per acre including 25 percent duplex lots. *R40 would permit a maximum of 1 lot with 1 duplex lot for a total of 2 units.*

**SOUTHEAST COMMUNITY PLAN**

T3 Suburban Neighborhood Maintenance (T3 NM) is intended to preserve the general character of developed suburban residential 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. T3 NM areas have an established development pattern consisting of low to moderate density residential development and institutional land uses. Enhancements may be made to improve pedestrian, bicycle and vehicular connectivity.

**HISTORY**

Lot 19 was platted in 1979 and approved by the Metropolitan Planning Commission. Sewer service was not available for the subdivision at this time, and lots were platted with approved septic fields. A note on the plat indicates that the subdivision is approved for single family residences, and any other construction must be approved by the Metropolitan Health Department. The Metro Public Health Department and Metro Water Services have confirmed that the property was connected to public sewer services in November 2001.

**PLAN DETAILS**

This request is to abandon sanitary septic disposal easements and the note on the plat limiting building to single-family residences. A single-family home is existing on this corner lot, which has frontage along Green Apple Turn. The site is 41,115 square feet, or 0.944 acres.

**ANALYSIS**

Lot 19 meets the minimum standards of the R40 zoning district and has frontage along a public street. The Saddlewood Subdivision contains 28 lots. Twenty-two (22) of these lots have at least 40,000 square feet. According to Metro Water, 26 of these lots definitively have sewer access and it is likely that the other two do as well. All of the lots within the subdivision may not be appropriate for increased intensity. Lot 19, however, is a corner lot with frontage along both Green Apple Turn and Green Apple Lane. Given that it meets the standards of the R40 zoning district and is connected to sewer, staff finds it appropriate to remove the note limiting development to a single-family home.

**FIRE MARSHAL RECOMMENDATION**

**Approved with conditions**

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

**STORMWATER RECOMMENDATION**

**Approved**

**WATER SERVICES RECOMMENDATION**

**Approved**

**PUBLIC WORKS RECOMMENDATION**

**Approved**

**TRAFFIC AND PARKING RECOMMENDATION**

**Approved**

**STAFF RECOMMENDATION**

Staff recommends approval as the request is consistent with the R40 zoning district and the lot is now connected to sewer.

Approve. (6-0), Consent Agenda

**Resolution No. RS2016-257**

**“BE IT RESOLVED by The Metropolitan Planning Commission that 2016S-168-001 is **Approved. (6-0)**”**

**23a. 94P-025-002**

BL2016-357/Weiner  
**BELLEVUE COMMERCIAL PUD**  
Council District 22 (Sheri Weiner)  
Staff Reviewer: Alex Deus

A request to cancel a portion of the Bellevue Commercial Planned Unit Development Overlay District for properties located at 7477, 7483, 7487, 7501, 7505, and 7513 Highway 70 S, approximately 245 feet east of Sawyer Brown Road, zoned ON and RM20 (6.41 acres), requested by Councilmember Sheri Weiner, applicant; various property owners.

**Staff Recommendation: Defer indefinitely.**

**The Metropolitan Planning Commission deferred indefinitely 94P-025-002. (6-0)**

**23b. 2016Z-100PR-001**

BL2016-358/Weiner  
Council District 22 (Sheri Weiner)  
Staff Reviewer: Alex Deus

A request to rezone from RM20 to RS40 zoning for properties located at 7477, 7483, 7487, and 7501 Highway 70 S, approximately 245 feet east of Sawyer Brown Road (4.47 acres), requested by Councilmember Sheri Weiner, applicant; various property owners.

**Staff Recommendation: Defer indefinitely.**

**The Metropolitan Planning Commission deferred indefinitely 2016Z-100PR-001. (6-0)**

**24. 95P-025-001**

**MILLWOOD COMMONS**

Council District 31 (Fabian Bedne)  
Staff Reviewer: Latisha Birkeland

A request to revise the preliminary plan and for final site plan approval for a portion of a Planned Unit Development Overlay District for property located at Bell Road (unnumbered) and Blue Hole Road (unnumbered), at the southwest corner of Blue Hole Road and Bell Road, zoned RS20 and RS7.5 (25.95 acres), to permit 280 residential units, requested by Middleburg Real Estate Partners, applicant; Kristi L. Warren and Bell Road, LP c/o Equitable Trust Company, owners.

**Staff Recommendation: Defer to the September 8, 2016, Metro Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 95P-025-001 to the September 8, 2016, Planning Commission meeting. (6-0)**

**25. 2016Z-072PR-001**

Council District 05 (Scott Davis)  
Staff Reviewer: Latisha Birkeland

A request to rezone from RS5 to RM15-A zoning for property located at 1702 Meridian Street, approximately 35 feet northwest of Edith Avenue, (0.34 acres), requested by Dharmesh Patel, applicant; Dharmesh and Sunita Patel, owners.

**Staff Recommendation: Defer indefinitely.**

**The Metropolitan Planning Commission deferred indefinitely 2016Z-072PR-001. (6-0)**

**26. 2016Z-093PR-001**

Council District 21 (Ed Kindall)  
Staff Reviewer: Latisha Birkeland

A request to rezone from RS5 to RM9-A zoning for property located at 1625 25th Avenue North, approximately 295 feet southeast of Osage Street, (0.43 acres), requested by Randy Haley, applicant and owner.

**Staff Recommendation: Disapprove.**

**APPLICANT REQUEST**

**Zone change from RS5 to RM9-A**

Zone Change

A request to rezone from Single-Family Residential (RS5) to Multi-Family Residential-Alternative (RM9-A) zoning for property located at 1625 25th Avenue North, approximately 295 feet southeast of Osage Street, (0.43 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 3 lots.*

**Proposed Zoning**

Multi-Family Residential-Alternative (RM9-A) is intended for single-family, duplex, and multi-family dwellings at a density of 9 dwelling units per acre and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. *RM9-A would permit a maximum of 4 units.*

**CRITICAL PLANNING GOALS**

N/A

**NORTH NASHVILLE COMMUNITY PLAN**

Open Space (OS) is intended to preserve and enhance existing open space in the T2 Rural, T3 Suburban, T4 Urban, T5 Center, and T6 Downtown Transect areas. OS policy includes public parks and may also include private land held in conservation easements by land trusts and private groups or individuals.

T4 Urban Neighborhood Maintenance (T4 NM) 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 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?

No. The proposed RM9-A zoning is inconsistent with the T4 Urban Neighborhood Maintenance policy and the Open Space policy. 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 is single-family units and vacant residential lots. There is an existing duplex on the lot that is proposed for a zone change to RM9-A. The surrounding area includes park land. The proposal to change zoning to multi-family residential is inconsistent with the character of the area.

**ANALYSIS**

The proposed RM9-A zoning district is located at the end of 25th Avenue North. This location is not located at a prominent corner, not located along a corridor and there is no alley in the rear of the property. The T4 Neighborhood Maintenance Policy is applied in areas to preserve the general character of the existing urban neighborhood.

The proposed RM9-A zoning district would allow multi-family residential uses of up to 9 units an acre. RM9-A zoning would permit up to 4 units on this parcel. The lots in this area along 25th Avenue North are single-family residential uses. Allowing a multi-family residential land use on this site would not maintain the general character of the neighborhood; therefore would not further the goals of the policy.

**PUBLIC WORKS RECOMMENDATION**

N/A

**TRAFFIC AND PARKING RECOMMENDATION**

**Conditions if approved**

- A traffic study may be required at the 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)	0.43	8.7 D	3 U	29	3	4

\*Based on two two-family lots.

Maximum Uses in Proposed Zoning District: **RM-9**

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)	0.43	9 U	3 U	29	3	4

Traffic changes between maximum: **RS5 and RM-9**

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**

Projected student generation existing RS5: 1 Elementary 0 Middle 0 High

Projected student generation proposed RM9-A district: 1 Elementary 1 Middle 1 High

The proposed RM15-A is expected to generate 2 more students over what would be generated by the existing zoning. Students would attend Churchwell Elementary School, John Early Middle School, and Pearl-Cohn High School. All three schools have been identified as having additional capacity. This information is based upon data from the school board last updated March 2016.

**AFFORDABLE AND WORKFORCE HOUSING REPORT (information provided by applicant)**

1. Will this project include any affordable or workforce housing units? I will be providing affordable housing. I currently have one unit in section 8 housing through MDHA.
2. If so, how many and what is the percentage of the entire development? I plan to enforce the affordable housing requirements by maintaining at a minimal participation of 25%. I intend to have 50% of the new units in section 8 housing and following MDHA rules and regulations.
3. How will you enforce the affordability requirements? I plan to enforce the affordable housing requirements by maintaining at a minimal participation of 25%. I intend to have 50% of the new units in section 8 housing and following MDHA rules and regulations.
4. Have any structures been demolished in the last 12 months? I have not demolished any structures on the property during the last 12 months. There is evidence of another structure that was previously located on the site where I want to build the new unit.

**STAFF RECOMMENDATION**

Staff recommends disapproval of the requested zone change as the proposal is inconsistent with the T4 Neighborhood Maintenance policy and Open Space policy. Multi-family residential zoning in an area mainly consisting of single-family residential uses is inconsistent with the NM policy. Allowing a multi-family residential land use on this site would not maintain the general character of the neighborhood.

Ms. Birkeland presented the staff recommendation of disapproval.

James Fisher, 25<sup>th</sup> Ave N, spoke in opposition to the application.

Chairman Adkins closed the Public Hearing.

Ms. Diaz spoke in favor of staff recommendation as it would be very hard to get four units and a shared driveway on such a narrow lot.

Councilmember Allen spoke in favor of staff recommendation.

Ms. Farr spoke in favor of staff recommendation.

**Mr. Haynes moved and Councilmember Allen seconded the motion to disapprove. (6-0)**

**Resolution No. RS2016-258**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2016Z-093PR-001 is **Disapproved. (6-0)**”

**27. 2016Z-094PR-001**

Council District 17 (Colby Sledge)  
Staff Reviewer: Patrick Napier

A request to rezone from IWD to MUL-A zoning for property located at 1267 2nd Avenue South, at the northwest corner of Hart Street and 2nd Avenue South, (0.14 acres), requested by Best Built Construction, Inc., applicant and owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from IWD to MUL-A.**

Zone Change

A request to rezone from Industrial Warehousing/Distribution (IWD) to Mixed Use Limited-Alternative (MUL-A) zoning for property located at 1267 2nd Avenue South, at the northwest corner of Hart Street and 2nd Avenue South, (0.14 acres).

**Existing Zoning**

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

**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
- Supports a Variety of Transportation Choices
- Supports Walkable Neighborhoods

This request provides the potential for infill development which often does not require large capital expenses for infrastructure improvements. The existing sidewalk fronting this parcel will allow for access to public transportation as well as a safe path of travel for pedestrians. This site fronts 2nd Avenue South which is an existing MTA bus route which provides the potential for an alternative method of transportation for future residents.

**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 Mixed Use Neighborhood (T4 MU) Policy and is appropriate given the site’s location in an urban area. The rezoning would meet the goals of the policy by placing a mixture of uses along a major collector street, 2nd Avenue South.

**ANALYSIS**

This request includes one property at the northwest corner of Hart Street and 2nd Avenue South. The proposed MUL-A zoning would contribute to the mixture of uses along these streets which connect the site to the surrounding neighborhood. This rezoning request provides an opportunity for infill development to occur in a manner that provides for multiple transportation choices by placing a potential residential and mixed use development in proximity to Hart Street and 2nd Avenue South. 2<sup>nd</sup> Avenue South is a major arterial street with an existing bus route. MUL-A design standards would place future development in an orientation which addresses the public realm while screening automobile parking. The current zoning, IWD, would not allow for these planning goals to be achieved.

The rezoning would encourage the mix of uses promoted under this policy. Permitted uses under the MUL-A zoning district are residential, retail, restaurant, and office uses. These uses are consistent with the intent of the policy to promote mixed-use developments that are amenable to pedestrians and create a vibrant public realm.

**FIRE MARSHAL RECOMMENDATION**

N/A

**PUBLIC WORKS RECOMMENDATION**

N/A

**WATER SERVICES RECOMMENDATION**

N/A

**STORMWATER RECOMMENDATION**

N/A

**TRAFFIC AND PARKING RECOMMENDATION**

**Conditions of Approval**

- Traffic study may be required at time of development.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	0.14	0.8 F	4,878 SF	18	2	2

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)	0.14	1 F	6,098 SF	299	13	37

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+281	+11	+35

**METRO SCHOOL BOARD REPORT**

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

**Projected student generation proposed MUL-A district: 1 Elementary, 0 Middle, 0 High**

The proposed zone change would generate one more student than what is typically generated under the existing IWD zoning district. Students would attend Whitsitt Elementary School, Wright Middle School, Glenclyff High School. Each school within the cluster has capacity for additional students. This information is based upon data from the school board last updated March 2016.

**AFFORDABLE AND WORKFORCE HOUSING REPORT (information provided by applicant)**

1. Will this project include any affordable or workforce housing units? Yet to be determined.
2. If so, how many and what is the percentage of the entire development? Yet to be determined.
3. How will you enforce the affordability requirements? Yet to be determined.
4. Have any structures been demolished in the last 12 months? No.

**STAFF RECOMMENDATION**

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

Approve. (6-0), Consent Agenda

**Resolution No. RS2016-259**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2016Z-094PR-001 is **Approved. (6-0)**”

**28. 2016Z-095PR-001**

Council District 17 (Colby Sledge)  
Staff Reviewer: Patrick Napier

A request to rezone from IWD to MUL-A zoning for properties located at 1277 and 1285 2nd Avenue South, at the southwest corner of Hart Street and 2nd Avenue South, (0.34 acres), requested by Best Built Construction, Inc., applicant and owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from IWD to MUL-A.**

Zone Change

A request to rezone from Industrial Warehousing/Distribution (IWD) to Mixed Use Limited-Alternative (MUL-A) zoning for properties located at 1277 and 1285 2nd Avenue South, at the southwest corner of Hart Street and 2nd Avenue South, (0.34 acres).

**Existing Zoning**

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

**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
- Supports a Variety of Transportation Choices
- Supports Walkable Neighborhoods

This request provides the potential for infill development which often does not require large capital expenses for infrastructure improvements. The existing sidewalk fronting this parcel will allow for access to public transportation as well as a safe path of travel for pedestrians. This site fronts 2nd Avenue South which is an existing MTA bus route which provides the potential for an alternative method of transportation for future residents.

**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 Mixed Use Neighborhood (T4 MU) Policy and is appropriate given the site's location in an urban area. The rezone would meet the goals of the policy by placing a mixture of uses along a major collector street, 2nd Avenue South.

**ANALYSIS**

This request includes two adjacent properties at 1277 and 1285 2nd Avenue South. The proposed MUL-A zoning would contribute to the mixture of uses along these streets which connect the site to surrounding neighborhood. This rezoning request provides an opportunity for infill development to occur in a manner that provides for multiple transportation choices by placing a potential residential and mixed use development in proximity to Hart Street and 2nd Avenue South. 2<sup>nd</sup> Avenue South is a major arterial street with an existing bus route. MUL-A design standards would orient future development to the public realm while screening automobile parking uses. The current zoning, IWD, would not allow for these planning goals to be achieved.

The rezoning would encourage the mix of uses promoted under this policy. Permitted uses under the MUL-A zoning district are residential, retail, restaurant, and office uses. These uses are consistent with the intent of the policy to promote mixed-use developments that are amenable to pedestrians and create a vibrant public realm.

**FIRE MARSHAL RECOMMENDATION**

N/A

**PUBLIC WORKS RECOMMENDATION**

N/A

**WATER SERVICES RECOMMENDATION**

N/A

**STORMWATER RECOMMENDATION**

N/A

**TRAFFIC AND PARKING RECOMMENDATION**

**Conditions of Approval**

- Traffic study may be required at time of development.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	0.34	0.8 F	11,848 SF	43	4	4



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: **IWD and MUL-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+629	+16	+54

**METRO SCHOOL BOARD REPORT**

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

Projected student generation proposed MUL-A district: 2 Elementary, 1 Middle, 1 High

The proposed zone change would generate four additional students than what is typically generated under the existing IWD zoning district. Students would attend Whitsitt Elementary School, Wright Middle School, Glencliff High School. Each school within the cluster has capacity for additional students. This information is based upon data from the school board last updated March 2016.

**AFFORDABLE AND WORKFORCE HOUSING REPORT (information provided by applicant)**

1. Will this project include any affordable or workforce housing units? Yet to be determined.
2. If so, how many and what is the percentage of the entire development? Yet to be determined.
3. How will you enforce the affordability requirements? Yet to be determined.
4. Have any structures been demolished in the last 12 months? No.

**STAFF RECOMMENDATION**

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

Approve. (6-0), Consent Agenda

**Resolution No. RS2016-260**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2016Z-095PR-001 is **Approved. (6-0)**”

**29. 2016Z-096PR-001**

Council District 17 (Colby Sledge)  
Staff Reviewer: Karimeh Sharp

A request to rezone from IWD to MUL-A zoning for property located at 1305 2nd Avenue South, approximately 165 feet northwest of Gray Street, (0.1 acres), requested by Jonathan Saad, applicant and owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from IWD to MUL-A.**

Zone Change

A request to rezone from Industrial Warehousing/Distribution (IWD) to Mixed Use Limited-Alternative (MUL-A) zoning for property located at 1305 2nd Avenue South, approximately 165 feet northwest of Gray Street (0.1 acres).

**Existing Zoning**

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

**Proposed Zoning**

Mixed Use Limited-Alternative (MUL-A) is intended for a low 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**

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

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. Sidewalks are present along 2nd Avenue South for this blockface. Were this site to redevelop under MUL-A zoning standards, the pedestrian streetscape would be further enhanced by strong connections between building entrances and sidewalks and through limiting access to the existing alley. The existing transit routes along 2nd Avenue South provide an access framework for residents and visitors to and from new destinations on these properties.

**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 proposed MUL-A zoning district is consistent with the T4 Urban Mixed Use Neighborhood Policy (T4 MU) and is appropriate given the site’s urban location. The rezoning would encourage the mix of uses promoted under this policy. Permitted uses under the MUL-A zoning district are residential, retail, restaurant, and office uses. These uses are consistent with the intent of the policy to promote mixed-use developments that are amenable to pedestrians and create a vibrant public realm. The existing IWD zoning district is not consistent with the policy and does not provide these opportunities.

**ANALYSIS**

The proposed rezoning is consistent with T4 Urban Mixed Use Neighborhood Policy and if the site were to redevelop, this redevelopment would comply with the pedestrian-friendly standards of the MUL-A zoning district. This rezoning request offers potential for infill development to occur in a way that would meet policy goals by enhancing the walkability of the area and placing a potential residential and mixed use development along 2nd Avenue South, a corridor with bus service. The proposed mixed-use zoning would complement the variety of uses present along this block and the immediate area that are encouraged under the T4 Urban Mixed Use Neighborhood Policy. The existing IWD zoning does not offer this potential.

**FIRE MARSHAL RECOMMENDATION**

N/A

**PUBLIC WORKS RECOMMENDATION**

N/A

**TRAFFIC AND PARKING RECOMMENDATION**

**Approved with conditions**

Traffic study may be required at time of development.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	0.1	0.8 F	3,484 SF	13	2	2

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)	0.1	1 F	4,356 SF	225	11	32

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+212	+9	+30

**METRO SCHOOL BOARD REPORT**

Projected student generation existing IWD district: 0 Elementary 0 Middle 0 High  
 Projected student generation proposed MUL-A district: 0 Elementary 0 Middle 0 High

The proposed MUL-A zoning district is not expected to generate additional students. Students would attend Whitsitt Elementary School, Wright Middle School, and Glencliff 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 March 2016.

**AFFORDABLE AND WORKFORCE HOUSING REPORT (information provided by applicant)**

1. Will this project include any affordable or workforce housing units? Yes. I intend to build a modest residence and artist studio for myself.
2. If so, how many and what is the percentage of the entire development? 100%
3. How will you enforce the affordability requirements? I have no choice, it's all I can afford.
4. Have any structures been demolished in the last 12 months? No, the original home was demolished 40 years previously.

**STAFF RECOMMENDATION**

Staff recommends approval as the requested zoning district is consistent with the T4 Urban Mixed Use Neighborhood policy.

Approve. (6-0), Consent Agenda

**Resolution No. RS2016-261**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2016Z-096PR-001 is **Approved. (6-0)**”

**30. 2016Z-097PR-001**

Council District 02 (DeCosta Hastings)  
 Staff Reviewer: Alex Deus

A request to rezone from IWD to MUL-A zoning for properties located at 1104 and 1106 Baptist World Center Drive and 1407 Napoleon Street, at the southeast corner of Baptist World Center Drive and Napoleon Street, (0.84 acres), requested by TriTrust Partners, applicant; Choice City Homes, LLC & JDG Investments, LLC, owners.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Rezoning from IWD to MUL-A.**

Request to Rezone

A request to rezone from Industrial Warehousing/Distribution (IWD) to Mixed Use Limited-Alternative (MUL-A) zoning for properties located at 1104 and 1106 Baptist World Center Drive and 1407 Napoleon Street, at the southeast corner of Baptist World Center Drive and Napoleon Street, (0.84 acres).

**Existing Zoning**

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

**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 Infill Development

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

**BORDEAUX- WHITES CREEK 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 proposed zoning district allows for additional uses to be introduced into a primarily industrial corridor that is envisioned to redevelop into an urban mixed-use neighborhood with a variety of uses including residential, office, and commercial. Furthermore, the design standards in the Alternative districts are consistent with the design principles for this policy.

**ANALYSIS**

This site is located at 1104 and 1106 Baptist World Drive on approximately 0.84 acres. This property is currently zoned Industrial Warehousing/ Distribution (IWD), which permits industrial uses.

In the event these properties were to redevelop, the MUL-A zoning district would allow for additional uses to be introduced including residential, office and commercial. This district has appropriate design standards consistent with the land use policy that would create walkable neighborhoods through the placement of buildings. The MUL-A district requires a build to zone that would orient future development to address the public realm. The standards would also require future development to occupy the corner of the parcel since these properties are located at the intersection of two public streets.

This property is located outside the Urban Zoning Overlay; therefore one module of parking would be permitted between the street and any future structure; sidewalks would be required upon redevelopment.

The rezoning would encourage the mix of uses promoted under this policy. Permitted uses under the MUL-A zoning district are residential, retail, restaurant, and office uses. These uses are consistent with the intent of the policy to promote mixed-use developments that are amenable to pedestrians and create a vibrant public realm. The existing IWD zoning district is not consistent with the policy and does not provide these opportunities.

**FIRE MARSHAL RECOMMENDATION**

N/A

**PUBLIC WORKS RECOMMENDATION**

N/A

**TRAFFIC & PARKING RECOMMENDATION**

**Approved with conditions**

- Traffic study may be required at time of development.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	0.84	0.8 F	29,272 SF	105	9	10

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)	0.84	1 F	36,590 SF	1603	37	110

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+1,498	+28	+100

**METRO SCHOOL BOARD REPORT**

Projected student generation existing **IWD** district **0** Elementary **0** Middle **0** High  
 Projected student generation proposed **MUL-A** district **0** Elementary **3** Middle **3** High

The proposed MUL-A district would generate six additional students than what is typically generated under the existing IWD district. All three schools have been identified as having additional capacity. Students would attend Lillard Elementary, Joelton Middle School and Whites Creek High School.

This information is based upon data from the school last updated March 2016.

**AFFORDABLE AND WORKFORCE HOUSING REPORT**

1. Will this project include any affordable or workforce housing units? There are no building plans, so there are no plans for affordable housing or workforce housing at this time.
2. If so, how many and what is the percentage of the entire development? N/A
3. How will you enforce the affordability requirements? N/A
4. Have any structures been demolished in the last 12 months? No.

**STAFF RECOMMENDATION**

As this request is consistent with policy and supports several critical planning goals, staff recommends approval.

Approve. (6-0), Consent Agenda

**Resolution No. RS2016-262**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2016Z-097PR-001 is **Approved. (6-0)**”

**31. 2016DTC-001-002**

Council District 19 (Freddie O’Connell)  
 Staff Reviewer: Kathryn Withers

A request for revised plans associated with a previously approved overall height modification to permit a mixed use development of up to, and not to exceed, 40 stories, for property located at 151 1st Avenue South, and 150 2nd Avenue South (1.6 acres), zoned DTC and within the SoBro subdistrict, requested by Second Avenue Partners LLC, applicant; Belle Meade Investments LLC and Market Street Apartments LTD, owner.

**Staff Recommendation: Approve with conditions.**

**Mr. Sloan and Ms. Withers presented the following information to the commission:**

**APPLICANT REQUEST**

**Revised plans associated with a previously approved Overall Height Modification in the Downtown Code (DTC) to allow a 40 story building, within the SoBro Subdistrict.**

Revised Plans

A request for revised plans associated with a previously approved Overall Height Modification to permit a mixed use development of up to, and not to exceed, 40 stories, for property located at 151 1st Avenue South and 150 2nd Avenue South (1.6 acres), zoned Downtown Code (DTC) and within the SoBro subdistrict.

The request consists of revised plans associated with the previously approved Overall Height Modification 2016DTC-001-001, approved with conditions by the Planning Commission on May 26<sup>th</sup>, 2016. The applicant has revised their development plans to no longer include the property located at 134 2<sup>nd</sup> Avenue South (.14 acres), which consists of a small existing parking lot adjacent to the Seigenthaler Pedestrian Bridge. Staff has found the revised plans to be substantially consistent with the previously approved plans in terms of the quality of the design, streetscape improvements, the public benefits provided, and consistency with policy.

**BACKGROUND**

This project was previously approved with conditions by the Planning Commission on May 26<sup>th</sup>, 2016, case number 2016DTC-001-001. The approval was for 10 stories of additional height above the by-right bonus height of 30 stories. The DTC allows the Planning Commission to grant additional height for exceptional design, including but not limited

to unique architecture, exceptionally strong streetscape, and improvement of the project's relationship to surrounding properties.

Since that time, the applicant has revised their development plans to no longer include the property located at 134 2<sup>nd</sup> Avenue South (.14 acres), which consists of a small existing parking lot adjacent to the Seigenthaler Pedestrian Bridge along 2<sup>nd</sup> Avenue South. Subsequently, the north tower has now shifted approximately 40 feet to the south to accommodate the small parcel they are no longer able to incorporate into their development.

The Downtown Code does not define a process for revisions to plans for previously approved modifications to overall height. Staff has reviewed the revised plans and found them to be consistent with the previously approved plans in terms of the quality of the design, the public benefits provided, and its consistency with policy. When revisions are necessary for other types of modifications within the Downtown Code, the revisions are evaluated by the MDHA Design Review Committee or the Downtown Code Design Review Committee when the cases have significant revisions and staff review when the modifications are minor. Staff is recommending that the Planning Commission adopt that process of sending all revisions to Overall Height Modifications that are substantially similar to the original approval to the MDHA DRC or the DTC DRC. And, in cases where revisions proposed are no substantially similarly to the approved plans, the revisions come back to the Planning Commission for review.

The proposed revisions will require a final MDHA DRC review and approval prior to building permits. This also includes reviewing the glass punch-out level for the hotel that occurs at the 8<sup>th</sup> story (at 108 feet) along 1<sup>st</sup> Avenue South. The previous design had the punch-out level occurring at the 7<sup>th</sup> level. This revision would be a minor modification to the DTC standards that the MDHA DRC considers, as the step-back is required to occur by the 8<sup>th</sup> story. The proposed step-back *is* consistent with the policy which requires it to occur before 150'.

## **ANALYSIS**

The May 26, 2016 approval was for 10 stories of additional height above the by-right bonus height of 30 stories. The revisions include shifting the north tower 40 feet to the south, adding an additional level to the parking podium (six total), consolidating the number of curb-cuts along 2<sup>nd</sup> Avenue South from four down to only three, and shifting the hotel punch-out level along 1<sup>st</sup> Avenue South up one story to the 8<sup>th</sup> level (in order to accommodate the revised parking volume below. The design quality, aesthetic, streetscape improvements, and the public benefits provided are consistent with the previously approved plan. The plan is still committing to provide workforce housing of 10% of the number of rental units and utilizing the DTC bonuses of LEED Pervious Surface, Public Parking, and Civil Support Space.

The proposed project consists of two towers above a podium base with ground level retail to activate the street. The north tower is 40 stories tall at approximately 455' and is proposed for 265 residential (apartment) units. The south tower is 40 stories tall at approximate 490' and is proposed for 142 residential (condo) units. The condo tower's stories have taller floor-to floor heights, resulting in a taller overall height than the apartment tower. A 250 room hotel connects the two towers atop a 750 car parking structure. The hotel structure is 198' tall (reduced from 227' previously). Above the parking podium, the building steps back from the street frontages. The proposed massing of two tall towers allows for more light and air to filter to the street level, relative to a 30 story block massing as their bonus height entitlements could allow by-right. As a reference, the Pinnacle building is approximately 29 stories at 432' tall to the top of parapet, with an additional four levels of below grade parking at 41' in depth. A large portion of the Pinnacle building's height is the architectural penthouse that screens the mechanical area on top of the building.

The proposed development is not constructing underground parking due to the floodplain and the site's proximity to the river. Because of this, all five parking levels are proposed to be above grade, necessitating increased height to accommodate the above grade parking. As a reference, the Pinnacle building has four levels of below grade parking, which flooded during the May 2010 flood.

If Pinnacle's parking were shifted above grade, the Pinnacle building's height would be approximately 33 stories at 473' tall.

The proposed revisions provide the same sidewalk and streetscape improvements that meet or exceed the Major and Collector Street Plan (MCSP) standards as the original approval. On the 1<sup>st</sup> Avenue South the project proposes an extra 10' for outdoor dining and gathering areas under canopies/arcaded building structure, in addition to the full 18' streetscape (4' tree zone and 14' sidewalk). The applicant provides the full 18' MCSP streetscape on 2<sup>nd</sup> Avenue South and the required 12' (4' tree zone and 8' sidewalk) on Demonbreun Street.

Along the John Seigenthaler Pedestrian Bridge, the building respectfully interacts with the bridge by stepping back 15' after the parking podium at level eight. Furthermore, the north tower now steps-back an additional 40' (for a total of 55' from the bridge), allowing greater amounts of light and air to filter to the pedestrian bridge. The revised plans also maintain the direct pedestrian connection for the public to access the bridge from 1<sup>st</sup> Avenue South via stairs and elevators, creating a direct link to the new Riverfront Park from the pedestrian bridge. At the bridge level, the project proposes a flex event space that can be used for events and public gatherings to activate the building at the bridge level. The revisions shift this flex event space closer to the bridge access, consolidating the activation into a more cohesive focal point, rather than spread out over a larger distance as previously designed. At the ground level on the bridge side, the project proposes the public access point and publicly accessible pop-up space to be used during

events. In addition, the applicant has committed to make improvements to their building wall at this location (and to the right-of-way areas) to accommodate food trucks and/or pop-up kiosks during special events. As well as including a lit feature wall and the finished building materials along the ground level facades that border the parking lot parcel, in order to add architectural interest.

The architecture of the building proposes a variety of materials including glass, and metal to clad the building. The structured parking is fully clad, and combined with punch-outs of glass along the streets, help to add unique design elements to the building facade. Glass at the street level creates a welcoming and friendly environment for pedestrians. The towers include a mix of glass and metal, with balconies and shifts in vertical planes used to add distinguishing elements to the design.

The parking structure is still proposed to be accessed along 2<sup>nd</sup> Avenue South only, in order to maximize the pedestrian nature of the 1<sup>st</sup> Avenue South frontage adjacent to the Riverfront Park.

The revised plan consolidates the curb-cuts from four down to three, with the parking garage and the apartment's drop-off now sharing a single access point. Loading and the hotel valet drop-off also occur along the 2<sup>nd</sup> Avenue South frontage with the hotel drop-off occurring at the corner of Demonbreun Street and 2<sup>nd</sup> Avenue South. The applicant is proposing landscaping and art to help anchor the corner, with glass to allow passersby's to see into the building. With the only access points along 2<sup>nd</sup> Avenue South, coordination with Public Works on routing traffic during special events that close Broadway will be important. Modifying 2<sup>nd</sup> Avenue South, re-routing traffic, and utilizing traffic management teams are all possible solutions that will need to be considered with the MDHA review and final site plan review processes. Alternatively a curb-cut onto 1<sup>st</sup> Avenue South would be a less desirable solution. The final site plan is a staff review requiring approval from all applicable departments, ensuring compliance with any conditions of this approval, the Downtown Code standards, and with a MDHA approved site plan.

**The project still meets the threshold for exceptional design, as required by the DTC:**

**Exceptionally strong streetscape:**

- Streetscape improvements meeting and exceeding the Major and Collector Street Plan. Including 28' streetscape along 1<sup>st</sup> Avenue south (4 tree zone, 14' sidewalk, 10' outdoor dining space).
- New public access point to the pedestrian bridge from 1<sup>st</sup> Avenue South.

**Unique architecture:**

- The proposed design (with the two 40 story towers) results in a more varied and unique architectural massing than simply building out under the DTC bonus height maximum to 30 stories across the site. It also creates better site lines from the Pinnacle building, compared to a 30 story box massing that would fully obstruct eastward views.
- Parking podium design incorporates punch-outs and unique changes in facade planes and materials.
- The building uniquely engages with the pedestrian bridge and street level.
- Architecture incorporates green elements and LEED.

**Improvements of the project's relationship to the surrounding properties:**

- Wide and activated streetscape along 1<sup>st</sup> Avenue that is directly adjacent to the Riverfront Park.
- New public access to the Pedestrian Bridge from 1<sup>st</sup> Avenue South.
- Lit feature wall at the ground level along the parking lot parcel to add interest and lighting at night.

**METRO HISTORICAL COMMISSION STAFF RECOMMENDATION**

**Approve with conditions**

- The project will physically tie into the Shelby Street Bridge which is a Historic Landmark. That connection will need to be reviewed by the MHZC. The Market Street Apartments are mapped as Worthy of Conservation rather than NRE, due to the amount of interior alterations.

**METRO PUBLIC WORKS RECOMMENDATION**

**Approve with conditions**

- MPW takes no exception to the additional height, but requests continued coordination with the development team on the final design of the access (pedestrian and vehicular) and the pedestrian space and vehicular space within the ROW.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions, finding that the revised plans still meets the threshold for exceptional design.

**CONDITIONS**

1. Project must receive MDHA DRC approval prior to final site plan approval and permit sign-off.
2. 10% of the units, in any rental portions of the Project will be affordable to those renters making 100% of the Nashville MHI if a funding source is available from Metro or some other governmental source to reimburse the owner for the difference between the 100% MHI rents and the market rate rents.
3. Applicant shall work with applicable departments to improve the areas under the pedestrian bridge, and to further activate the ground level of their building wall through programming and facade design.


4. Streetscape dimensions proposed shall not be reduced.
5. Bonus Height utilization must be consistent with the bonuses outlined in the Executive Director's determination letter; and must be certified by the Planning Commission before building permits, per the Downtown Code.
6. Metro Historical Commission staff and Public Works conditions shall be addressed with the final site plan.
7. The developer will work with MTA to provide access to the easy-ride program for occupants.



METROPOLITAN GOVERNMENT  
OF NASHVILLE AND DAVIDSON COUNTY  
Planning Department  
Metro Office Building  
800 Second Avenue South  
Nashville, Tennessee 37201

**DATE:** August 24, 2016

**TO:** Metropolitan Nashville-Davidson County Planning Commissioners

**FROM:** J. Douglas Sloan, III 

**Re:** 2016DTC-001-002, Revised plan for a previously approved modification to the overall height standards of the Downtown Code (DTC) to allow a 40 story building, within the SoBro Subdistrict.

The Planning Department has reviewed this submittal and found the revisions to be in compliance with the Planning Commission's previous approval of May 26<sup>th</sup>, 2016 permitting a mixed use development of up to 40 stories.

The applicant has revised their plans to no longer include the property located at 134 2<sup>nd</sup> Avenue South (.14 acres), which consists of a small existing parking lot adjacent to the Scigenthaler Pedestrian Bridge. The revised plan is substantially similar to the approved plan and contains approximately the same design basis for the overall height modifications, as well as an improved streetscape, with one fewer driveway access than previously proposed.

The Downtown Code does not define a process for revisions to previously approved modifications to overall height standards. However, when revisions are necessary for projects with other types of modifications to the Downtown Code, the revisions are evaluated by the MDHA Design Review Committee or the DTC Design Review Committee in cases with significant revisions and staff review when the modifications are minor.

In this instance, and future similar circumstances where the Commission has approved height modifications to the DTC, Planning Staff is requesting that the Commission adopt the process of sending all revisions that are substantially similar to the original application to the MDHA Design Review Committee or the DTC Design Review Committee. And, in cases where the revisions to the originally approved design are not substantially similar to the approved plan, the revisions must come back to the Commission for review.

**Mr. Haynes recused himself but stayed in the room.**

Mr. Sloan pointed out a memo from him regarding this item. This is a revision to the plan and the DTC doesn't have a process laid out for revisions once a modification is granted. If the revision is small, it will go to the DRC; if it is more substantial, it has to go through the notice and community meeting process and then come back before the MPC.

Ms. Withers presented the staff recommendation of approval with conditions.

Rich Kershaw, 224 Rutledge Rd, spoke in favor of the application and accepts all conditions in the staff report.

Jay Levin, 301 Demonbreun St, spoke in opposition to the application due to traffic concerns. He would like to add a condition that there is a 1<sup>st</sup> Avenue entrance and exit to the parking structure.

Erica Garrison, 4509 Nebraska Ave, noted the uses are less impactful than what they otherwise could have been; the traffic impact should be negligible.

**Chairman Adkins closed the Public Hearing.**



Councilmember Allen spoke in favor of the application and would like to make sure the MTA Easy Ride passes are part of the conditions.

Ms. Farr explained that her concerns are the same as last time and she doesn't anticipate changing her vote.

Mr. McLean spoke in favor of the application.

Ms. Diaz spoke in favor of the application.

**Mr. McLean moved and Ms. Diaz seconded the motion to approve with conditions, including a condition that the developer work with MTA to provide access to the Easy Ride program for occupants. (4-1-1) Ms. Farr voted against and Mr. Haynes recused himself.**

**Resolution No. RS2016-263**

**"BE IT RESOLVED by The Metropolitan Planning Commission that 2016DTC-001-002 is Approved with conditions, including a condition that the developer work with MTA to provide access to the easy-ride program for occupants. (4-1-1)"**

**CONDITIONS**

- 1. Project must receive MDHA DRC approval prior to final site plan approval and permit sign-off.**
- 2. 10% of the units, in any rental portions of the Project will be affordable to those renters making 100% of the Nashville MHI if a funding source is available from Metro or some other governmental source to reimburse the owner for the difference between the 100% MHI rents and the market rate rents.**
- 3. Applicant shall work with applicable departments to improve the areas under the pedestrian bridge, and to further activate the ground level of their building wall through programming and facade design.**
- 4. Streetscape dimensions proposed shall not be reduced.**
- 5. Bonus Height utilization must be consistent with the bonuses outlined in the Executive Director's determination letter; and must be certified by the Planning Commission before building permits, per the Downtown Code.**
- 6. Metro Historical Commission staff and Public Works conditions shall be addressed with the final site plan.**
- 7. The developer will work with MTA to provide access to the easy-ride program for occupants.**

**32. 2016USD-001-001  
PROPOSED USD EXPANSION OF SERVICES  
Council District: Various**

A request to expand the boundaries of the Urban Services District by adding areas throughout the County where development has already occurred, is zoned for more development, or is planned for more development as outlined in NashvilleNext, requested by Mayor Megan Barry at the request of several Councilmembers.

**Staff Recommendation: Defer to the October 13, 2016, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2016USD-001-001 to the October 13, 2016, Planning Commission meeting. (6-0)**

**H: OTHER BUSINESS**

**33. New employee contracts for George Rooker, Lucy Kempf and Elham Daha, and contract renewal for Haryono Prawiranata**

Approve. (6-0), Consent Agenda

**Resolution No. RS2016-264**

**"BE IT RESOLVED by The Metropolitan Planning Commission that New employee contracts for George Rooker, Lucy Kempf and Elham Daha, and contract renewal for Haryono Prawiranata are Approved. (6-0)"**

- 34. Historic Zoning Commission Report**
- 35. Board of Parks and Recreation Report**
- 36. Executive Committee Report**

37. Accept the Director's Report and Approve Administrative Items

Approve. (6-0), Consent Agenda

**Resolution No. RS2016-265**

"BE IT RESOLVED by The Metropolitan Planning Commission that the Director's Report and Administrative Items are **Approved. (6-0)**"

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38. Legislative Update

**I: MPC CALENDAR OF UPCOMING EVENTS**

**August 25, 2016**

MPC Meeting

4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center

**September 08, 2016**

MPC Meeting

4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center

**September 22, 2016**

MPC Meeting

4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center

**October 13, 2016**

MPC Meeting

4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center

**J: ADJOURNMENT**

The meeting adjourned at 5:39 p.m.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary



**METROPOLITAN GOVERNMENT  
OF NASHVILLE AND DAVIDSON COUNTY**

Planning Department  
Metro Office Building, 2<sup>nd</sup> Floor  
800 Second Avenue South  
Nashville, Tennessee 37219

Date: August 25, 2016

To: Metropolitan Nashville-Davidson County Planning Commissioners

From: J. Douglas Sloan III

Re: Executive Director's Report

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The following items are provided for your information.

**A. Planning Commission Meeting Projected Attendance (6 members are required for a quorum)**

1. Planning Commission Meeting
  - a. Attending: Diaz; Farr; McLean; Adkins; Haynes; Allen
  - b. Leaving Early:
  - c. Not Attending: Clifton; Tibbs; Blackshear; Hagan-Dier
2. Legal Representation – Emily Lamb will be attending

**B. Executive Office**

1. Laura Hardwicke started as Grants Coordinator. Interviews continue for a Planner 1 for the Capital Improvements Planning team.

**C. Community Plans/Design Studio**

1. Adams Carroll's last day is September 9. We are receiving resumes for his position and the Community Plans Planner 1 interviews will begin next month.

**D. GIS/Mapping**

1. Kathy Beers will start on Monday, August 22 in Mapping.

**Administrative Approved Items and Staff Reviewed Items Recommended for approval by the Metropolitan Planning Commission**

In accordance with the Rules and Procedures of the Metropolitan Planning Commission, the following applications have been reviewed by staff for conformance with applicable codes and regulations. Applications have been approved on behalf of the Planning Commission or are ready to be approved by the Planning Commission through acceptance and approval of this report. Items presented are items reviewed **through 08/15/2016**.

<b>APPROVALS</b>	<b># of Applics</b>	<b># of Applics '16</b>
Specific Plans	0	28
PUDs	0	8
UDOs	0	2
Subdivisions	5	104
Mandatory Referrals	4	99
<b>Grand Total</b>	9	241

<b>SPECIFIC PLANS (finals only): MPC Approval</b>					
<b>Finding: Final site plan conforms to the approved development plan.</b>					
<b>Date Submitted</b>	<b>Staff Determination</b>	<b>Case #</b>	<b>Project Name</b>	<b>Project Caption</b>	<b>Council District # (CM Name)</b>
<b>NONE</b>					

<b>URBAN DESIGN OVERLAYS (finals and variances only) : MPC Approval</b>					
<b>Finding: all design standards of the overlay district and other applicable requirements of the code have been satisfied.</b>					
<b>Date Submitted</b>	<b>Staff Determination</b>	<b>Case #</b>	<b>Project Name</b>	<b>Project Caption</b>	<b>Council District # (CM Name)</b>
<b>NONE</b>					

<b>PLANNED UNIT DEVELOPMENTS (finals and variances only) : MPC Approval</b>					
<b>Date Submitted</b>	<b>Staff Determination</b>	<b>Case #</b>	<b>Project Name</b>	<b>Project Caption</b>	<b>Council District # (CM Name)</b>
<b>NONE</b>					

### MANDATORY REFERRALS: MPC Approval

Date Submitted	Staff Determination		Case #	Project Name	Project Caption	Council District # (CM Name)
7/29/2016 14:14	8/5/2016 0:00	PLRECAPPR	2016M-027EN-001	GOOD TIME BAR AT 421 BROADWAY AERIAL ENCROACHMENT	A request to allow an aerial encroachment comprised of one (1) proposed double-faced, illuminated projecting sign encroaching the public right-of-way for property located at 421 Broadway Avenue, requested by Joslin and Son Signs, applicant; Sedona Sun, LLC, owner.	19 (Freddie O'Connell)
8/1/2016 9:41	8/9/2016 0:00	PLRECAPPR	2016M-020AB-001	ALLEY # 308 RIGHT-OF-WAY ABANDONMENT	A request to abandon the unimproved Alley # 308 right-of-way from Main Street northwestward to its terminus, between North 10th Street and Finn Street (easements and utilities to be maintained), requested by Fresh Capital, applicant; various owners.	05 (Scott Davis)
6/28/2016 14:37	8/11/2016 0:00	PLRECAPPR	2016M-023EN-001	NORTH GULCH MULTIFAMILY AERIAL ENCROACHMENT	A request to allow an encroachment comprised of individual apartment unit balconies and awnings encroaching the public right-of-way for property located at 600 11th Avenue North, requested by Littlejohn Engineering Associates, Inc., applicant; Bellsouth Telecommunications, Inc., owner.	19 (Freddie O'Connell)
6/28/2016 14:37	8/11/2016 0:00	PLRECAPPR	2016M-036ES-001	NORTH GULCH MULTIFAMILY	A request to abandon approximately 453 linear feet of 6" water main and one fire hydrant assembly and to accept approximately 337 linear feet of 8" Public Sewer main and three Manhole assemblies and approximately 453 linear feet of 8" Public Water Main and one hydrant assembly and any associated easements (MWS Projects# 16-WL-008 and 16-SL-0013), requested by Littlejohn Engineering Associates, Inc. and Metro Water Services, applicant; BellSouth Telecommunications, Inc., owner.	19 (Freddie O'Connell)

### INSTITUTIONAL OVERLAYS (finals and variances only) : MPC Approval

**Finding: Final site plan conforms to the approved campus master development plan and all other applicable provisions of the code.**

Date Submitted	Staff Determination		Case #	Project Name	Project Caption	Council District # (CM Name)
NONE						

### SUBDIVISIONS: Administrative Approval

Date Submitted	Date Approved	Action	Case #	Project Name	Project Caption	Council District # (CM Name)
6/30/2016 11:38	8/8/2016 0:00	PLAPADMIN	2016S-163-001	5715 MORROW ROAD LOTS 1 AND 2	A request for final plat approval to create two lots on property located at 5715 Morrow Road, approximately 270 feet southeast of 59th Avenue North, zone R6 (.46 acres), requested by James Terry & Associates, applicant; William Azbill, owner.	20 (Mary Carolyn Roberts)

### SUBDIVISIONS: Administrative Approval (cont.)

6/30/2016 11:51	8/8/2016 0:00	PLAPADMIN	2016S-165-001	414 PATTERSON STREET LOTS 1 AND 2	A request for final plat approval to create two lots on property located at 414 Patterson Street, approximately 370 feet west of Nolensville Pike, zoned RS7.5 (0.19 acres), requested by James Terry & Associates, applicant; White Pines Building Group, owner.	16 (Mike Freeman)
8/19/2015 0:00	8/9/2016 0:00	PLAPADMIN	2015S-132-001	WOODLAND STREET PARTNERS, LLC	A request for final plat approval to create two lots on property located at 2623 Airpark Drive, approximately 300 feet north of Colbert Drive, zoned R10 (1.21 acres), requested by Clint T. Elliott, applicant; Woodland Street Partners, LLC, owner.	06 (Brett Withers)
6/2/2016 11:45	8/9/2016 0:00	PLAPADMIN	2016S-137-001	EDGEFIELD HOSPITAL, INC. REVISION 1 OF LOT 4	A request for final plat approval to dedicate right-of-way and abandon easements on properties located at 700, 704, 706, 708 and 710 Bailey Street, at the northeast corner of Bailey Street and West Eastland Avenue, zoned SP-R (0.80 acres), requested by Ragan-Smith & Associates, applicant; Chris Dawson, owner.	05 (Scott Davis)
6/2/2016 8:51	8/11/2016 0:00	PLAPADMIN	2016S-133-001	PARMLEY COVE PHASE 3	A request for final plat approval to create 23 cluster lots on property located at 3705 Whites Creek Pike, at the southeast termination of Parmley Drive, zoned RS10 (6.62 acres), requested by Dale and Associates, applicant; Tennessee Contractors, Inc. owner.	03 (Brenda Haywood)

### Performance Bonds: Administrative Approvals

Date Approved	Administrative Action	Bond #	Project Name
8/3/16	Approved Extension	2014B-005-003	TULIP GROVE POINTE, SECTION 3
8/9/16	Approved Extension/Reduction	2015B-009-002	THE RESERVE AT STONE HALL, PHASE 1, SECTION 3A
8/3/16	Approved Extension/Reduction	2014B-010-002	HERMITAGE CREEK
8/15/16	Approved Extension	2011B-017-006	CAMBRIDGE PARK AT BARNES ROAD, PHASE 1

#### Schedule

- A. **Thursday, August 25, 2016** - [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- B. **Thursday, September 8, 2016** - [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- C. **Thursday, September 22, 2016** - [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- D. **Thursday, October 13, 2016** - [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- E. **Thursday, October 27, 2016** - [MPC Meeting](#); 4 pm, Metro Nashville Public Schools, Board Room, 2601 Bransford Avenue
- F. **Saturday, November 5, 2016** - [MPC Annual Retreat](#); 9 am, 800 Second Ave. South, Metro Office Building, Development Services Center Conference Room

- G. Thursday, November 10, 2016 - [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center**
- H. Thursday, November 17, 2016 - [MPC Meeting](#); 4 pm, Metro Nashville Public Schools, Board Room, 2601 Bransford Avenue**
- I. Thursday, December 8, 2016- [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center**