



METROPOLITAN PLANNING COMMISSION MINUTES

December 08, 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

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, Chairman
Jessica Farr, Vice Chair
Jim McLean
Stewart Clifton
Jeff Haynes
Lillian Blackshear
Brenda Diaz
Brian Tibbs
Jennifer Hagan-Dier
Councilmember Burkley Allen

Staff Present:
Doug Sloan, Executive Director
Bob Leeman, Assistant Director, Operations
Carrie Logan, Assistant Director, Special Projects
George Rooker, Special Projects Manager
Kelly Adams, Administrative Services Officer III
Kathryn Withers, Planning Manager II
Lucy Kempf, Planning Manager II
Lisa Milligan, Planner III
Greg Claxton, Planner III
Michael Briggs, Planner III
Stephanie McCullough, Planner II
Latisha Birkeland, Planner II
Patrick Napier, Planner II
Abie Rickoff, Planner II
Karimeh Sharp, Planner I
Gene Burse, Planner I
Elham Daha, Planner I
Craig Owensby, Public Information Officer
Macy Amos, Legal

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

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 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 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

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 and our summary regarding how Planning Commission public hearings are conducted at 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

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

A: CALL TO ORDER

The meeting was called to order at 4:05 p.m.

B: ADOPTION OF AGENDA

Mr. Clifton moved and Ms. Farr seconded the motion to adopt the agenda. (10-0)

C: APPROVAL OF NOVEMBER 10, 2016 & NOVEMBER 17, 2016 MINUTES

Ms. Farr moved and Ms. Blackshear seconded the motion to approve the November 10, 2016 and November 17, 2016 minutes. (10-0)

D: RECOGNITION OF COUNCILMEMBERS

Councilman Syracuse spoke in favor of Item 2.

E: ITEMS FOR DEFERRAL / WITHDRAWAL

- 1a. **2016CP-002-001**
PARKWOOD - UNION HILL
- 1b. **2016SP-089-001**
FOXFIRE
- 5a. **2016SP-081-001**
- 5b. **95P-009-001**
NASHVILLE HIGHLANDS
- 8. **2016S-160-001**
REDIVISION OF LOT 1 RESUB LOT 12 OF GEORGE BURRUS SUBDIVISION OF LOT 81 MAPLE HOME TRACT
- 9. **148-81P-001**
HOLIDAY VILLAGE
- 14. **2016Z-024TX-001**
- 15. **2016Z-025TX-001**
- 17. **2016SP-083-001**
50 MUSIC SQUARE WEST
- 19a. **2016SP-090-001**
PLATINUM STORAGE BRENTWOOD
- 19b. **2004P-021-003**
PUD CANCEL
- 21. **2016SP-095-001**
CLAY STREET PROPERTIES
- 22. **2016SP-098-001**
- 23. **2016S-255-001**
BRYANT HEIGHTS RESUB OF LOT 1
- 26. **2016Z-135PR-001**

29. **2007SP-150-001**
EVANS HILL

Mr. Clifton moved and Ms. Diaz seconded the motion to approve the Deferred and Withdrawn Items. (10-0)

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.

3. **2015SP-099-001**
DEMOSS ROAD SP
4. **2016SP-080-001**
WINGROVE AND BYRUM MULTI-FAMILY
6. **2016S-094-001**
MONTE CARLO ESTATES SECTION 1 PHASE 2
7. **2016S-101-001**
MONTE CARLO ESTATES
- 10a. **2004P-032-001**
CHADWELL RETREAT
- 10b. **2016Z-131PR-001**
11. **2016Z-101PR-001**
12. **2016Z-022TX-001**
16. **2016SP-066-001**
CITY HEIGHTS
18. **2016SP-086-001**
7897 OLD CHARLOTTE PIKE SP
20. **2016SP-094-001**
6370 IVY ST SP
- 24a. **2005P-003-002**
DELVIN DOWNS ADDITION
- 24b. **2016Z-133PR-001**
25. **2016Z-134PR-001**
27. **2016Z-137PR-001**
28. **2016Z-138PR-001**
29. **Employee contract renewal for Kyle Lampert**
30. **Request to waive the public notification requirement for the East Nashville Community Plan Amendment.**
34. **Accept the Director's Report and Approve Administrative Items**

Mr. McLean moved and Mr. Haynes seconded the motion to approve the Consent Agenda. (10-0)

Ms. Diaz recused herself from Item 27.

G: ITEMS TO BE CONSIDERED

- 1a. **2016CP-002-001**
PARKWOOD - UNION HILL
Council District 03 (Brenda Haywood)
Staff Reviewer: Marty Sewell

A request to amend the Parkwood - Union Hill Community Plan by changing to T3 Suburban Mixed-Use Corridor (T3 CM) Policy on a portion of properties located at 4045 Dickerson Pike and Dickerson Pike (unnumbered), approximately 1,300 feet northeast of Nesbitt Drive, zoned RS20 (2.50 acres), requested by Back Half, LLC, applicant; Jo H. Evans, owner. See associated case #2016SP-089-001).

Staff Recommendation: Defer to the January 12, 2017, Planning Commission meeting.

The Planning Commission deferred 2016CP-002-001 to the January 12, 2017, Planning Commission meeting. (10-0)

- 1b. **2016SP-089-001**
FOXFIRE
Council District 03 (Brenda Haywood)
Staff Reviewer: Shawn Shepard

A request to rezone from CS and RS20 to SP-MU zoning on properties located at 4045 Dickerson Pike and Dickerson Pike (unnumbered), approximately 1,275 feet northeast of Nesbitt Drive, (11.8 acres), to permit an organized camp, requested by Back Half, LLC, applicant; Jo H. Evans, owner. (See associated case # 2016CP-002-001)

Staff Recommendation: Defer to the January 12, 2017, Planning Commission meeting.

The Planning Commission deferred 2016CP-002-001 to the January 12, 2017, Planning Commission meeting. (10-0)

2. **2016CP-010-003**
**GREEN HILLS-MIDTOWN COMMUNITY PLAN AMENDMENT:
MUSIC ROW DETAILED DESIGN PLAN**
Council District 17 (Colby Sledge); 19 (Freddie O'Connell)
Staff Reviewer: Stephanie McCullough

A request to amend the Green Hills/Midtown Community Plan by applying the special policies described in the Music Row Detailed Plan, for property located within the Music Row Study Area, (approximately 210 acres), requested by Metro Nashville Planning Department, applicant; various property owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

A request to adopt the Music Row Detailed Design Plan.

Major Plan Amendment

A request to amend the Green Hills/Midtown Community Plan by applying the special policies described in the Music Row Detailed Plan, for property located within the Music Row Study Area, (approximately 210 acres).

GREEN HILLS-MIDTOWN COMMUNITY PLAN – AMENDMENT

Current Land Use Policy

D Office Concentration (D OC) is intended to preserve, enhance, and create Districts where office use is predominant and where opportunities for the addition of complementary uses are present. The development and redevelopment of such Districts occurs in a manner that is complementary of the varying character of surrounding communities.

T5 Center Mixed Use Neighborhood (T5 MU) is intended to preserve, enhance, and create high-intensity urban mixed use neighborhoods with a development pattern that contains a diverse mix of residential and non-residential land uses. T5 MU areas are intended to be among the most intense areas in Davidson County. T5 MU areas include some of Nashville's major employment centers such as Midtown that represent several sectors of the economy including health care, finance, retail, the music industry, and lodging. T5 MU areas also include locations that are planned to evolve to a similar form and function.

Special Policy (10-MT-T5-MU-01 in Midtown) applies to properties generally fronting on West End Avenue between 31st Avenue N and 1-40. A maximum height of 20 stories and above is supported by the policy. Specific guidance is given to the development of properties facing Centennial Park. Guidance is provided on land use, parking, and building form.

Special Policy (10-MT-T5-MU-02 in Midtown) applies to properties along Charlotte Avenue between 1-440 and 1-40, along West End Avenue and Murphy Road adjacent to I-440, along Park Circle, along Broadway and Division Streets and 21st Avenue S, properties in the Grand Avenue/18th Avenue S Avenue; and between Charlotte Avenue and Pierce Street east of 21st Avenue N. The policy provides guidance in regards to massing and transition of buildings in relation to adjacent historically significant properties and areas that are typically smaller scale. Building heights of up to 20 stories intended for this area. Guidance is provided on land use, parking, and building form.

Special Policy (10-MT-T5-MU-03 in Midtown) applies to properties surrounding West End Avenue between I-440 and 31st Avenue N, properties in the Elliston Place/State Street area; and properties in the Grand Avenue/18th Avenue S area. Maximum building heights of about 8 stories are generally most appropriate in this area. Guidance is provided on land use, parking, and building form.

Civic (CI) is intended to serve two purposes. The primary intent of CI is to preserve and enhance publicly owned civic properties so that they can continue to serve public purposes over time, even if the specific purpose changes. This recognizes that locating sites for new public facilities will become more difficult as available sites become scarcer and more costly. The secondary intent of CI is to guide rezoning of sites for which it is ultimately determined that conveying the property in question to the private sector is in the best interest of the public.

Proposed Land Use Policy

Planning staff proposes that the special policies adopted as a part of the Midtown Study be retained. Additionally, planning staff proposes the primary policies (T5 Mixed Use Center (T5 MU), District Office Concentration (D OC), Open Space (OS), and Civic (CI)) applied to the area remain in place, except for two portions of the study area:

- A change to Transition Policy is recommended for the properties adjacent to the Edgehill Neighborhood on the east side of 16th Avenue South and the south side of Music Circle South, where; and
- A change from District Office Concentration to Open Space for the property located at 1702 16th Avenue South.

Transition (TR) is intended to preserve, enhance, and create areas that can serve as transitions between higher intensity uses or major thoroughfares and lower density residential neighborhoods while providing opportunities for small scale offices and/or residential development. Housing in TR areas can include a mix of types and is especially appropriate for “missing middle” housing types with small to medium-sized footprints.

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.

Additionally, staff recommends the use of five new special policies to refine the guidance in distinct areas, to meet the goals of the community as described below under Music Row Detailed Design Plan Community Character Policies and Special Policies.

BACKGROUND

In February 2015, the Metropolitan Nashville Planning Commission voted unanimously to defer or disapprove any rezoning requests on Music Row, to provide time for planning staff to study the area and develop a detailed plan in partnership with the community. Like other inner ring neighborhoods in Nashville, the Music Row Neighborhood is facing redevelopment pressures that can dramatically change the appearance and function of the area. Many Nashvillians feel that the character of Music Row as a unique business district has long been an integral part of the history, identity, and branding of Nashville as Music City. The Planning Commission recommended that the planning process begin after the completion of NashvilleNext (June 2015), to be finished within 18 months.

The Music Row area abuts Midtown and the Edgehill neighborhood, and has contributed immeasurably to Nashville and Tennessee's history, culture, heritage, and economy. With the neighborhood's proximity to rapidly redeveloping Midtown, Downtown, and the Gulch, Music Row is experiencing increasing development pressure – primarily from stacked flats residential buildings or mixed use buildings. Music Row serves as a transition from the bustling mixed use density of Midtown to the predominately single family neighborhood scale of Edgehill. Concerns of unchecked growth impact both neighborhoods, challenging the qualities that make each unique.

In the summer of 2014, plans to demolish RCA Studio A prompted a campaign to save the studio, which led to a movement to “Save Music Row.” The National Trust for Historic Preservation designated Music Row a National Treasure in January 2015 and began work on creating long range plans for Music Row in April. In partnership with the Music Industry Coalition and the newly formed Music Row Neighborhood Association, the National Trust began work on property documentation, drafting the historic narrative, and collecting oral histories (35 total) of the people of Music Row. The final Multiple Property Documentation Form (MPDF) was approved by the Tennessee Historical Commission in May 2016 and subsequently by the National Park Service earlier this month (November). The MPDF is the official form used to document property related to one or more historical contexts. The document provided a structure and process for conducting research, provided a historic context for the story of Music Row and its ongoing significance to our culture, and helped to identify significant properties associated with Music Row's history.

Summary of Findings:

- Inventoried properties: 389
- Property types: 9
- National Register Listed Buildings: 3
- Buildings Eligible for the National Register: 66
- Buildings Worthy of Conservation: 180

Four key observations by the National Trust for Historic Preservation about Music Row:

1. Music Row has always been – and still is – a community
2. This Place Matters
3. This area is still Music Row – the area is still home to over 200 music-related businesses
4. Music Row is the only place of its kind in the United States.
5. Period of significance: 1954 – 1989
6. Associated Property Types:
7. Music Recording Studios Houses (converted buildings and purpose built)
8. Radio Broadcast Studios
9. Music Union Halls and Professional Associations
10. Music Performance Venues and Gathering Places
11. Music Industry Housing
12. Music Professional and Media Services
13. Music Publishing Houses (converted buildings and purpose built)
14. Music Multipurpose Facilities Houses (converted buildings and purpose built)
15. Neighborhood Landmarks

Music Row Detailed Design Plan – Community Participation

Following the Planning Commission's recommendation in February 2015, planning staff began working with the community on a plan for Music Row after completing work on NashvilleNext in June 2015.

Metro Planning staff hosted four community meetings with Music Row stakeholders – people who work, live, or visit the Music Row area – in late October 2015 through early January 2016. Notices of the meetings were mailed to over 2,600 residents and property owners in the neighborhood and surrounding area. Planning staff also used social media, email newsletters, and postings on the Metro Planning Department's webpage to promote the meeting schedule, as well as opportunities for participation outside of the meeting schedule in the form of online surveys. All meetings were held at the Midtown Hills Police Precinct. In preparation for the community meetings, staff met with representatives from the National Trust for Historic Preservation, the Metro Nashville Historical Commission, the Music Industry Coalition, and the board of the Music Row Neighborhood Association, to better understand the work completed to date.

Staff continued to work closely with the team led by the National Trust after the first four community meetings, as it became clear that the community needs extended beyond those that could be addressed by land use. The National Trust partnered with economist Randall Gross to complete the report, "A New Vision for Music Row: Recommendations and Strategies to Create a Music Row Cultural Industry District." The report is the result of the research led by Gross, and is "intended to introduce the concept of designating the Music Row Cultural Industry District" and "provide tools for a variety of public-private partnerships to ensure a sustainable future for Music Row." (Introduction, pg. 5)

Once the Music Row Cultural Industry District report was completed, planning staff reviewed and incorporated information related to the physical environment (streetscape, parks, signage, etc.) into the Music Row Detailed Design Plan.

Planning staff hosted a community meeting at the Midtown Hills Police Precinct on June 27, 2016, to present the draft Music Row Detailed Design Plan to the community. In addition to the special policies, staff presented a potential scenario for enforcing the policies established in the Detailed Design Plan, called the Music Row Code. The intent of the proposed Music Row Code is to establish the special policies of the Detailed Design Plan as the zoning for the area and identify a process for reviewing projects that propose demolition of National Register Eligible properties in the area. The Music Row Code also proposed the establishment of a Design Review Committee to oversee development in the area and its impact on the character of Music Row. A number of community members expressed concern about the Music Row Code, stating that it was premature and needed more discussion. Staff put the plan on hold in order to have further conversations with the Music Row Neighborhood Association, and other stakeholders, and participated with the National Trust in a Music Row Summit. As a result, planning staff has removed this portion of the Music Row Detailed Design Plan, and proposes a separate process for determining a long term plan for implementing the special policies through zoning.

A concluding meeting was held with stakeholders on November 29, 2016 to review the final draft. The meeting was attended by 15 community members. Much of the discussion focused on the desires to maximize future potential and

fears of mandated preservation. At the end, everyone agreed that the plan is a transition between the area of higher intensity of Midtown and the residential neighborhood of Edgehill and does allow some room for expansion of the music industry.

Music Row Detailed Design Plan Community Character Policies and Special Policies

The Music Row Detailed Design Plan supplements the Community Character Manual (CCM) and its Community Character Policies, as well as the guidance of the Green Hills-Midtown Community Plan. The CCM provides detailed policy guidance for the built environment. These design principles include access, building form and site design, connectivity, landscaping, lighting, parking, and signage. The Green Hills-Midtown Community Plan and Music Row Detailed Plan provide guidance that is specific to the community referenced.

The study area for the Music Row Detailed Design Plan includes areas within the following polices: T5 Center Mixed Use Neighborhood, District Office Concentration, Civic, Open Space, and Transition. With the approval of the Multiple Property Documentation Form (MPDF), by the National Park Service, 65 buildings within the area are listed as Eligible for the National Register of Historic Places. The proposed policies and special policy areas were created to enhance the quality of the streetscape in the area, which continues to be a blend of commercial and residential scales.

The boundaries of the Special Policy Areas are a reflection of analyzing the clusters of historic properties and the existing development patterns. Each Special Policy Area was established with consideration to the current zoning; the intent is to adjust the envelope of development to strengthen the quality of the streetscape. The northern portion of the study area abuts the dense development pattern of Midtown and has some guidance from the Metropolitan Development and Housing Agency's (MDHA) Arts Center Redevelopment District, established in 1998. The southern portion of the study area is within the South Music Row Neighborhood Conservation Zoning District, established in January 1997, and was determined to meet the goals of the Music Row Detailed Design Plan.

Open Space Community Character Policies

The Open Space Policy is applied to Owen Bradley Park located at One Music Square East, at Division Street. Planning staff recommends that this policy be applied to the property located at 1702 16th Avenue South that is owned by Metro as well, to provide additional open space in the area.

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.

Mixed-Use Community Character Policies

T5 Center Mixed Use Neighborhood (T5 MU) is currently applied to the northern and northwest portions of the study area, some of which overlaps with the Midtown Study area adopted in 2012. Due to the extensive study and community involvement during the Midtown Study, planning staff recommends that the special policies created during that process remain. The area that is not part of the Midtown Study is listed with the number 10-MR-T5-MU-01, and was once known as the home of a number of tourist attractions for country music fans that would also visit Music Row. It is now the link between Midtown and the Gulch, featuring a number of tall residential buildings and hotels.

T5 Center Mixed Use Neighborhood (T5 MU) is intended to preserve, enhance, and create high-intensity urban mixed use neighborhoods with a development pattern that contains a diverse mix of residential and non-residential land uses. T5 MU areas are intended to be among the most intense areas in Davidson County. T5 MU areas include some of Nashville's major employment centers such as Midtown that represent several sectors of the economy including health care, finance, retail, the music industry, and lodging. T5 MU areas also include locations that are planned to evolve to a similar form and function.

10-MR-T5-MU-01: This area is bounded by the interstate to the east and includes properties fronting the south side of Division Street, the west side of 17th Avenue North, the south side of Broadway, the west side of 16th Avenue South, and the south side of McGavock Street.

- Maximum height: 20 stories
- Front build to zone: 0 – 15 ft.
- Rear setback: 5 ft. minimum
- Stepback: Along Broadway, Demonbreun or Division St (from I-40 to the Roundabout): 5 stories at build-to line, 15 ft. stepback; Along McGavock: 5 stories at build-to; 20 ft. stepback.

District Office Concentration Community Character Policy

District Office Concentration Policy (D OC) is currently applied within the study area to properties south of Division Street, from Sigler Street to Wedgewood Avenue, and east of Music Square West, from Music Square West to the alley between Villa Place and 16th Avenue South.

D Office Concentration (D OC) is intended to preserve, enhance, and create Districts where office use is predominant and where opportunities for the addition of complementary uses are present. The development and redevelopment of such Districts occurs in a manner that is complementary of the varying character of surrounding communities.

10-MR-D-OC-01: This area is considered the Gateway to Music Row; it includes the portions of 16th and 17th Avenues South that were renamed Music Square East and Music Square West in the 1970s as part of the Music Square rebranding. There are larger parcels in the area, which was home to the larger record companies for a time. Recent residential development in the area includes Music Square Flats. The area includes properties south of Division Street (except those fronting the south side of Division Street) and properties fronting: the west side of Music Circle East, the north side of Music Circle South, the west side of Music Square east, the north side of Music Square South, and the west side of Music Square West. Within this area, Spence Manor Condominium is historically significant and should be protected.

- Maximum height: Eight stories
- Front Build-to zone: 15 – 20 ft.
- Rear Setback: 5 ft. minimum
- Stepback: Along 16th Avenue South (Music Square East) and 17th Avenue South (Music Square West): 3 stories at build-to zone, 15 ft. stepback.

10-MR-D-OC-02: This area is bounded to the north by Music Square South, to the east by 16th Avenue South, to the south by Edgehill Avenue, and to the west by 18th Ave South; it includes the properties fronting the east side of 18th Avenue South between Edgehill and Horton Avenues.

- Maximum height: five stories
- Front Build-to zone: 15-20 ft.
- Rear setback: 5 ft. minimum
- Stepback: along 16th Avenue South (Music Square East) and 17th Avenue South (Music Square West): 3 stories at build-to zone and 15 ft. stepback.

10-MR-D-OC-03: This area is located between Edgehill Avenue and the South Music Row Neighborhood Conservation Overlay District, including properties fronting the west side of 17th Avenue South between Edgehill and Horton Avenues.

- Three stories maximum height
- Front build-to zone: 30-40 ft.
- Rear setback: 5 ft. minimum.

Transition Community Character Policy

A portion of the District Office Concentration Policy area is recommended to change to Transition Policy.

Transition (TR) policy is intended to preserve, enhance, and create areas that can serve as transitions between higher intensity uses or major thoroughfares and lower density residential neighborhoods while providing opportunities for small scale offices and/or residential development. Housing in TR areas can include a mix of types and is especially appropriate for “missing middle” housing types with small to medium-sized footprints.

T5-MR-T-01: This area is located south of Music Circle South, to Edgehill Avenue and properties with frontage on 16th Avenue North. It serves as a buffer and transition between the commercial uses of Music Row and the residential Edgehill Neighborhood.

- 5 Stories Maximum Height along 16th Avenue South; transitioning to 3 stories along the alley between 16th Avenue South and Villa Place.
- Front Build-to Zone: 15-20 ft.
- Rear Setback: 5 ft.
- Stepback: Along 16th Avenue South (Music Sq. E.): 3 stories at build-to zone, 15 ft. stepback

Street Hierarchy and MCSP

The streets in the Music Row Study Area are classified to instruct how the building should be designed to interact with the street. Streets are identified as Primary, Secondary, Tertiary, or Local. Each street is classified in the Major and Collector Street Plan (MCSP), with the goal of creating context sensitive, complete streets that reflect their context and are accessible by multiple users.

Primary Streets provide more intense, urban development including shallow build-to zones to accommodate high levels of pedestrian, vehicular, and transit activity. Pedestrian comfort on these streets is of the highest importance. Active uses – residential, retail, restaurant, or office – on the ground floor of buildings enhance pedestrian safety and interaction. Primary Streets in mixed use areas also have the highest level of urban activity such as outdoor dining, retail displays, and community activities like markets, parades, and festivals. Vehicular access to parking lots and parking structures, and “back of house” functions are strongly discouraged.

Primary Streets in mixed use areas have a continuous street wall and sidewalks that are generally 16 feet wide. The sidewalk should provide room for features such as street trees, benches, trash and recycling receptacles, and bicycle parking as well as clear travel path for pedestrians. Street trees protect people and infrastructure from the sun and rain, reduce stormwater runoff and air pollution, and provide aesthetic value to the city. On Primary Streets in mixed use areas, the use of tree wells and grates is typically more appropriate than landscape planters.

On Primary Streets in residential areas, the street wall is more intermittent; allowing more space between buildings, and sidewalks may be narrower than in mixed use areas. Buildings may be set back farther from the street than in mixed use areas, allowing for small front yards and transitions into buildings. Tree wells, landscape planters, and grass strips are appropriate on these streets.

Secondary Streets have moderate levels of pedestrian, vehicular, and transit activity. Secondary Streets may be mixed-use, commercial, or residential in character. The build-to zone is generally shallow and building heights are limited. Vehicular access to parking lots and parking structures is allowed. When “back of house” functions are located on Secondary Streets, significant efforts should be made to reduce the impact on adjacent properties and the sidewalk. In mixed-use areas, a continuous street wall should be maintained and sidewalks are generally 14 feet wide. Tree wells and landscape planters are appropriate on mixed use Secondary Streets.

On Secondary Streets in residential areas, the street wall is more intermittent allowing more space between buildings and sidewalks may be narrower than in mixed use areas. Buildings may be set back farther from the street than in mixed use areas, allowing for small front yards and transitions into buildings. Tree wells, landscape planters, and grass strips are appropriate on these streets.

Tertiary Streets are less important than Primary and Secondary Streets. Tertiary Streets are the appropriate location for “back of house” functions. Sidewalks are typically five feet with a four-foot planting area against the curb, or nine feet with street trees in tree wells. Care should be taken to make these streets as pedestrian-friendly as possible while accommodating loading and access needs.

Local Streets are the smallest streets in neighborhoods. They may be residential, commercial, or mixed-use in character. The build-to zone is appropriate for the associated land uses and the scale of the neighborhood. Vehicular access is less formal. Sidewalks are typically five feet with a four-foot planting area against the curb or nine feet with street trees in tree wells. An additional four-foot frontage zone between the sidewalk and the building may also be necessary for items such as ground floor commercial, stoops and stairs, or landscaping.

Alleys are service roads that provide shared access to properties. Alleys are used by vehicles and bicyclists as parallel routes to arterials and collectors. Design speeds should not exceed 15 mph because of access points, loading zones, etc. Where alleys exist and are in working condition, or where new alleys can be created, alleys are the preferred area for “back of house” functions and vehicular access. Public utilities and access to mechanical equipment, trash and recycling should be located on alleys whenever possible. Dilapidated or insufficient alleys are improved to current standards in association with new development. Alleys should be brought up to the latest Metro standards with 18' pavement width and 20' right-of-way. This may require additional right-of-way as properties are redeveloped.

The alley system in Music Row functions as a secondary local street system in some aspects. While alleys are the back of house to many Music Row businesses they also have often been how celebrities arrive to go unnoticed and serve as a gathering place. Alley design should take into consideration ways to make them more functional and pedestrian friendly, such as green infrastructure and living alleys concepts. Living alley concepts include shade trees, native plants and rain gardens, porous pavement, way-finding and shared-use signage, joint compost and recycling stations, appropriate lighting and locating alley housing or in-home businesses on the alley. A living alley serves all the functions of a regular alley, but incorporates these concepts to make it a safe and inviting place for pedestrians.

CHANGES SINCE THE STATIC DRAFT

- Removal of the Music Row Code section from Chapter 3: Implementation.
- The proposal for a comprehensive zone change was presented to the community at the June 27, 2016, meeting and was met with apprehension. Due to this, planning staff recommends that developing a zoning code for Music Row be the focus of additional study in 2017, and implementation of the Detailed Design Plan occur as property owners apply for zone changes.
- Removal of “How to use the Maps in the Music Row Detailed Design Plan” section.
- Addition of images and illustrations
- Corrections of typos and edits for clarity.

CONCLUSION

The Music Row Detailed Design Plan attempts to strike a balance between a number of complex issues that are affecting this and a number of areas in Nashville. The desire to preserve the history of Music Row is complex; this history is not explicitly tied to the architectural character of buildings and save for a few dedicated property owners, there is not a strong desire on the part of stakeholders or property owners to preserve the existing structures. The Music Industry is one that is in constant evolution: there is not one type of building or technology that is the standard and the need for a diverse array of building types in a relatively small area makes the problem even more complex. The desire to allow the Music Industry to remain a key component to the area and to have the opportunity to evolve and grow outweighs desires for historic preservation, though the retention of character is a high priority. Many stakeholders repeatedly stated that there needs to be a balance between large and small businesses, and the

proximity of both is what has made the area attractive over the years. This is represented in the gradation of intensity of the special districts that are most intense at the north near the roundabout, tapering down to the south end above Wedgewood.

With the Music Row Detailed Design Plan and the continued work of partner organizations, planning staff hopes to continue to work with the community to develop tools that will provide guidance for thoughtful demolition and replacement of buildings that contribute to the character of Music Row, and support the larger goals of organizations such as the National Trust for Historic Preservation and the Music Row Neighborhood Association that are working to shore up all aspects of the music industry and preserve character defining landmarks. In the interim, this Detailed Design Plan will allow for thoughtful analysis to be applied to future zone change applications in the area.

STAFF RECOMMENDATION

Staff recommends approval.

Ms. McCullough presented the staff recommendation of approval.

John Dotson, 3505 Central Ave, spoke in favor of the application.

Grant Mullins, 1112 Clifton Lane, spoke in favor of the application. This is a good first step. Please look at the upcoming exception based requests very carefully.

Tom White, 315 Deaderick St, spoke in favor of the application. The combination of the music and the character are the critical aspects; this is not an architectural driven matter.

Tom Baker, 1504 17th Ave S, spoke in opposition to the application because his property is not located in the Music Row detailed design plan. The value of his property has stagnated over the past several years. Please replace the south Music Row neighborhood conservation zoning overlay with the Music Row detailed design plan to allow the owners in the overlay to have the same protection and growth potential as the neighbors on Music Row.

Councilmember Sledge spoke in favor of the application and noted this has been a very engaging process. This is a good first step and will allow guidelines that we haven't had prior as well as increasing entitlements.

Helen Gore, 1614 17th Ave S, explained the primary concerns of the neighbors are: the overlay brings multiple layers of regulations, the overlay has proven to be a costly and time-consuming process, and property values have remained unchanged for the past two decades while the rest of Music Row has continued to appreciate.

Cara Owen, 702 18th Ave S, spoke in opposition to the application as she is concerned with limiting her section of the street to eight stories while all around is 20 stories. The Virgin Hotel will be directly behind her building and it is 13 stories. This drastically decreases property values.

Chairman Adkins closed the Public Hearing.

Ms. Farr expressed concerns with not having enough affordable office space in the area as well as inquiring how demolition will be handled going forward.

Mr. Sloan explained that will be discussed in the next phase of the conversation. Tenants and neighborhood groups will all need to be at the table together weighing these issues.

Mr. Clifton expressed disappointment that 60+ trust eligible properties are going away and stated that it seems to be a little bit of an exercise in commercial gentrification to vote for something that will ultimately see the destruction of some of our unique areas. He is supportive, however, because fundamentally he believes in property rights.

Ms. Blackshear stated that the plan seems to strike an appropriate balance between the various considerations.

Ms. Diaz spoke in favor of this as a first step.

Mr. Tibbs spoke in favor of this as a first step.

Ms. Hagan-Dier spoke in favor of this as a first step.

Mr. McLean moved and Mr. Haynes seconded the motion to approve. (10-0)

Resolution No. RS2016-372

"BE IT RESOLVED by The Metropolitan Planning Commission that 2016S-062-001 is Approved. (10-0)"

3. 2015SP-099-001

DEMOSS ROAD SP

Council District 20 (Mary Carolyn Roberts)

Staff Reviewer: Lisa Milligan

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 13 residential units, requested by Dale & Associates, applicant; Henry S. Hood, owner.

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

APPLICANT REQUEST

Zone change to permit up to 13 residential units.

Zone Change

A request to rezone from One and Two-Family Residential (R6) to Specific Plan – Residential (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 13 residential 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 ten lots with two duplex lots for a total of 12 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 proposed plan calls for adequate public sidewalks as well as internal sidewalks, which foster walkable neighborhoods. The plan also provides an alley connection to a similar project that was previously approved to the east.

WEST NASHVILLE COMMUNITY PLAN

T3 Suburban Neighborhood Evolving (T3 NE) is intended to create suburban neighborhoods that provide more opportunities for housing choice and improved pedestrian, bicycle and vehicular connectivity. The resulting development pattern will have higher densities than many existing suburban neighborhoods and/or smaller lot sizes, with a broader range of housing types providing housing choice. This reflects the scarcity of easily developable land without sensitive environmental features and the cost of developing housing. These are challenges that were not faced when the original suburban neighborhoods were built.

Consistent with Policy?

Yes. The proposed SP is consistent with the T3 NE policy. The plan would add an additional housing type in the area while maintaining the existing character by providing similar setbacks to other homes in the area. The plan also coordinates vehicular circulation with a previously approved SP to the east. The previous plan included an alley with some alley units. This plan calls for the extension of the alley as well as alley homes similar to the previous plan. The plan provides sidewalks along Demoss Road which is consistent with the policy goal of creating walkable neighborhoods.

PLAN DETAILS

The 1.37 acre site is located at the northeast bend of Demoss road. It consists of two vacant parcels and one parcel containing a single-family home.

Site Plan

The plan calls for a total of 13 units. Eleven units are detached and two units are attached. The detached units are located along Demoss road and the alley. The detached unit is also located along the alley. The plan requires that all units have raised foundations.

All units are accessed from a new proposed alley. The alley will extend from Demoss Road, to a proposed alley to the east. Each unit is provided a two car garage and formal on-street parking. Sidewalks are provided along Demoss Road.

ANALYSIS

Staff recommends approval of the proposed SP as it provides a walkable urban design that is consistent with the proposed T4 NE policy and meets several critical planning goals.

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. Final design may vary based on field conditions.
- Submit copy of recorded ROW dedication prior to building permit signoff by MPW.
- Comply with MPW Traffic Engineer conditions

TRAFFIC & PARKING RECOMMENDATION

Approved with conditions

- Provide adequate curve radius on Demoss Rd with additional pavement for smooth transition thru curve.
- Apply to T&P to restrict on street parking along western lot frontage or provide bulbed in parking.
- Provide adequate sight distance at driveways.

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 (210)	1.37	7.26 D	11 U*	106	9	12

*Based on two 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 (210)	1.37	-	16 U	154	12	17

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
-	-	-	+ 5 U	+48	+3	+5

METRO SCHOOL BOARD REPORT

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

The proposed SP-R zoning district would not generate any additional students than what is typically generated under the existing R6 zoning district. Students would attend Charlotte Park Elementary, H.G. Hill Middle School and Hillwood High School. There is capacity for additional elementary and high school students; however, there is no additional capacity for middle school 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? It is not intended at this time, but would be available for discussion.
- 2. 2. If so, how many and what is the percentage of the entire development? N/A
- 3. 3. How will you enforce the affordability requirements? N/A
- 4. 4. Have any structures been demolished in the last 12 months? No.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

- 1. Uses in the SP shall be limited to a maximum of 13 residential units.
- 2. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM15-A zoning district as of the date of the applicable request or application.
- 3. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
- 4. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
- 5. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
- 6. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
- 7. 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.

Approved with Conditions, and disapprove without all conditions. Consent Agenda (10-0)

Resolution No. RS2016-373

"BE IT RESOLVED by The Metropolitan Planning Commission that 2015SP-099-001 is **Approved with conditions and disapprove without conditions. (10-0)**

CONDITIONS

- 1. Uses in the SP shall be limited to a maximum of 13 residential units.
- 2. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM15-A zoning district as of the date of the applicable request or application.
- 3. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
- 4. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
- 5. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
- 6. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

7. 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.

**4. 2016SP-080-001
WINGROVE AND BYRUM MULTI-FAMILY**

Council District 17 (Colby Sledge)
Staff Reviewer: Latisha Birkeland

A request to rezone from R6 to SP-R zoning on properties located at 431 Wingrove Street and 2150 Byrum Avenue, at the southeast corner of Byrum Avenue and Wingrove Street, (2.28 acres), to permit up to 83 residential units, requested by Smith Gee Studio, applicant; FMBC Investments, LLC and Harvest Hands Community Development Corporation, owners.

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

APPLICANT REQUEST

Zone change to permit a residential development.

Preliminary SP

A request to rezone from One and Two-Family Residential (R6) to Specific Plan-Residential (SP-R) zoning on properties located at 431 Wingrove Street and 2150 Byrum Avenue, at the southeast corner of Byrum Avenue and Wingrove Street, (2.28 acres), to permit up to 83 residential 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 16 lots with 4 duplex lots for a total of 20 units.*

Proposed Zoning

Specific Plan-R (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.

History

This request was heard at the November 10, 2016, Planning Commission meeting, and the public hearing was held and closed. The Commission deferred to allow additional time for study in regards to the intensity of the development and traffic impacts.

CRITICAL PLANNING GOALS

N/A

SOUTH NASHVILLE 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.

Conservation (CO) is intended to preserve environmentally sensitive land features through protection and remediation. CO policy applies in all Transect Categories except T1 Natural, T5 Center, and T6 Downtown. CO policy identifies land with sensitive environmental features including, but not limited to, steep slopes, floodway/floodplains, rare or special plant or animal habitats, wetlands and unstable or problem soils. The guidance for preserving or enhancing these features varies with what Transect they are in and whether or not they have already been disturbed.

Consistent with Policy?

The T4 NE policy is a residential policy intended to enhance urban neighborhoods with opportunities for improved pedestrian, bicycle, and vehicular connectivity. The policy supports a range of housing choices. Successful infill and redevelopment in existing neighborhoods needs to take into account the existing community character, street network, block structure, and proximity to centers and corridors. The applicant will provide appropriate transitions to

the existing residential neighborhood by addressing massing on the site and will improve the site with sidewalks that exceed the minimum standards.

PLAN DETAILS

The properties included in this SP are located along Wingrove Street and Byrum Street and are currently zoned R6. The existing zoning district allows for one and two-family residential uses. Byrum Street dead-ends south of this site.

Site Plan

The revised plan includes 83 residential dwelling units fronting Wingrove and Byrum Streets. The previously proposed plan allowed up to 91 residential units. A plaza including a one-story amenity building is located at the corner of Wingrove and Byrum Streets. An open space area containing a deck and dog walk area is located in the southeast corner of the site.

The proposed units are composed of shipping containers. The proposed buildings are limited to a maximum height of 3 stories within 40 feet measured from finished floor to top of roof deck or eave. The maximum height with roof top structures is limited to 45 feet, measured from the finished floor to the top of the roof top structure.

Vehicular access is from Byrum Street. Parking is located behind the proposed units. Sidewalks are proposed along Byrum and Wingrove exceeds the local street standards, 6 foot sidewalk and 6 foot planting strip.

Analysis

The policy supports a range of housing choices. Successful infill and redevelopment in existing neighborhoods needs to take into account the existing community character, street network, block structure, and proximity to centers and corridors. The surrounding neighborhood consists of one, two and three family residential units. The proposed plan shows a three-story structure with massing that is different than the existing residential structures in the neighborhood.

To address massing on the site, the applicant has proposed a condition that would break up the vertical plane of the building fronting Byrum Street that is closest to the intersection of Byrum and Wingrove Streets. The building will be re-designed to break up the overall massing by setting back a portion of the middle of the building a minimum 8 feet from the rest of the building facade or by other means upon Planning Staff approval. By introducing more variety to the building form, particularly spacing within the vertical plane, the building articulation will achieve a reduction in overall massing. With this change, a less imposing building profile will be more sympathetic with the street and surroundings.

The plan proposes one vehicular access point on Byrum Street. No vehicle access will be provided to Wingrove Avenue. The proposed plan will provide a 6 foot sidewalk and 6 foot grass strip along both Byrum and Wingrove Streets, which exceeds the local street requirements. The proposed development will provide a sidewalk in-lieu fee for the amount linear street frontage along Wingrove Street to Nolensville Pike.

FIRE MARSHAL RECOMMENDATION

Approved with conditions

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

STORMWATER RECOMMENDATION

Approve

WATER SERVICES RECOMMENDATION

Approved with conditions

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

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.
- Prior to Final SP, add callouts to the plan indicating that all construction within the ROW is to be per MPW standards and specs, i.e. ST-200, ST-210, STT-324, etc.
- Submit a dimensioned site plan, plan submitted includes no dimensions. Additional comments may follow pending review of the dimensioned site plan.
- Prior to Final SP, clearly label the curb and gutter, grass strip, sidewalk, ADA curb ramp, driveway, etc.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Comply with findings of access study.
- Prior to Final SP, Identify number of units on plan and include parking chart on plans with required parking per metro code and number of spaces provided. Provide parking on site per metro code.

METRO SCHOOL BOARD REPORT

Projected student generation existing R6 district: 2 Elementary 1 Middle 1 High

Projected student generation proposed SP-R district: 17 Elementary 8 Middle 9 High

The proposed SP zoning is expected to generate 30 more students than the existing R6 zoning. Students would attend Fall-Hamilton Elementary School, Wright Middle School and Glen Cliff High School. Fall-Hamilton Elementary has been identified as over capacity. There is capacity within the cluster for elementary students. All schools have 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? This is the intent of this project and many discussions have taking place with Councilman Colby Sledge on the subject. The very nature of the project is to bring diverse housing options to the area and with these smaller units, the market will only bear a certain price. , which indicates as of the time of this correspondence that the project will qualify for both affordable AND workforce housing units.
2. If so, how many and what is the percentage of the entire development? Same answer as above, however, I would say that as of the time of this correspondence half of the units will fall well within the affordable range. It is possible that an additional 25% of the units could still fall within the border of affordable, but they seem more on the borderline of affordable/workforce housing.
3. How will you enforce the affordability requirements? I am still looking for assistance on how the actual bill will be structured and how enforcement will be structured since nobody has actually done this in Nashville yet. Open to any ideas, but again because of the small nature of the footprints, it is doubtful that the market will
4. Have any structures been demolished in the last 12 months? No.

STAFF RECOMMENDATION

The proposed SP is consistent with the T4 Neighborhood Evolving policy, therefore staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Uses shall be limited to a maximum of 83 residential uses.
2. Before Final SP approval, the building fronting Byrum Street that is closest to the intersection of Byrum and Wingrove Streets shall be re-designed to break up the overall massing of the structure. The massing shall be broken up by articulating a portion of the middle of the building back a minimum of 8 feet from the rest of the building facade in order to break up the massing of the overall structure or by other means upon Planning Staff approval.
3. An off-site sidewalk from the site to Nolensville Pike is required. Submit a contribution in-lieu of construction to the Planning Department prior to the issuance of building permits. The rate of \$96.00 per linear foot of total frontage area will require a \$64,320.00 (96.00 x 670 feet) contribution to Pedestrian Benefit Zone 5-A.
4. The optional structure in the amenity area shall not occupy more than 50% of the plaza, as shown in the preliminary plan.
5. The developer voluntarily requests that he and his successors comply with BL2016-133 if associated financial incentives are approved.
6. Short Term Rental Property uses shall be prohibited.
7. 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 RM40-A zoning district as of the date of the applicable request or application.
8. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
9. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
10. The final 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.
11. 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.
12. 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.
13. 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.

Approved with Conditions, disapprove without conditions. Consent Agenda (10-1)

Resolution No. RS2016-374

"BE IT RESOLVED by The Metropolitan Planning Commission that 2016SP-080-001 is **Approved with conditions and disapprove without conditions. (10-0)**"

CONDITIONS

1. Uses shall be limited to a maximum of 83 residential uses.
2. Before Final SP approval, the building fronting Byrum Street that is closest to the intersection of Byrum and Wingrove Streets shall be re-designed to break up the overall massing of the structure. The massing shall be broken up by articulating a portion of the middle of the building back a minimum of 8 feet from the rest of the building facade in order to break up the massing of the overall structure or by other means upon Planning Staff approval.
3. An off-site sidewalk from the site to Nolensville Pike is required. Submit a contribution in-lieu of construction to the Planning Department prior to the issuance of building permits. The rate of \$96.00 per linear foot of total frontage area will require a \$64,320.00 (96.00 x 670 feet) contribution to Pedestrian Benefit Zone 5-A.
4. The optional structure in the amenity area shall not occupy more than 50% of the plaza, as shown in the preliminary plan.
5. The developer voluntarily requests that he and his successors comply with BL2016-133 if associated financial incentives are approved.
6. Short Term Rental Property uses shall be prohibited.
7. 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 RM40-A zoning district as of the date of the applicable request or application.
8. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
9. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
10. The final 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.
11. 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.
12. 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.
13. 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.

5a. 2016SP-081-001

Council District 23 (Mina Johnson)
Staff Reviewer: Lisa Milligan

A request to rezone from SCN to SP-MU zoning for property located at Old Hickory Boulevard (unnumbered), within a Planned Unit Development Overlay District (4.91 acres), to permit a mixed-use development, requested by Tune Entrekin & White, applicant; Nashville Highlands, LLC, owner. (See associated case #95P-009-001)

Staff Recommendation: Defer to the January 12, 2017, Planning Commission meeting.

The Planning Commission deferred 2016CP-002-001 to the January 12, 2017, Planning Commission meeting. (10-0)

5b. 95P-009-001

NASHVILLE HIGHLANDS

Council District 23 (Mina Johnson)
Staff Reviewer: Lisa Milligan

A request for cancellation of a Planned Unit Development Overlay District on property located at Old Hickory Boulevard (unnumbered), approximately 3,100 feet southeast of Ridgelake Parkway, zoned SCN (4.91 acres), requested by Tune Entrekin & White, applicant; Nashville Highlands, LLC, owner. (See associated case # 2016SP-081-001)

Staff Recommendation: Defer to the January 12, 2017, Planning Commission meeting.

The Planning Commission deferred 2016CP-002-001 to the January 12, 2017, Planning Commission meeting. (10-0)

6. 2016S-094-001

MONTE CARLO ESTATES SECTION 1 PHASE 2

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

A request for concept plan approval to create four lots on property located at Monte Carlo Court (unnumbered), at the end of Monte Carlo Court (1.33 acres), zoned RS10, requested by Ahler & Associates, LLC, applicant; Terron Mercer, owner.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Concept plan to create four lots.

Concept Plan

A request for concept plan approval to create four lots on property located at Monte Carlo Court (unnumbered), at the end of Monte Carlo Court (1.33 acres), zoned Single-Family Residential (RS10).

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 5 lots*

CRITICAL PLANNING GOALS

N/A

PLAN DETAILS

The site is located midblock along Monte Carlo Drive, north of Barnes Road. The site is approximately 1.3 acres in size and is identified as a reserve parcel. A reserve parcel is a parcel identified on the plat as not a building site. When identified as a reserve parcel, it may include a reason for the reserve status, such as lack of utility lines to the property. In this case, the plat did not include a reason for the reserve status.

Site Plan

The plan calls for four lots along a new public street. Existing right-of-way identified as Monte Carlo Court would connect the four lots to Monte Carlo Drive. Open space has been provided between Lot 2 and Lot 3. The proposed lot sizes are as follows:

- Lot 1: 10,825 square feet
- Lot 2: 10,970 square feet
- Lot 3: 13,418 square feet
- Lot 4: 13,569 square feet

ANALYSIS

This application is to create four lots and to remove the reserve parcel status. It was evaluated against two provisions within the Subdivision Regulations: (1) Criteria for Compatibility; and (2) Criteria for Removing Reserve status.

Compatibility

The proposal to create four lots is not required to meet the compatibility standards in the Subdivision Regulations. Compatibility standards are defined in Section 3-5 and are applied in certain areas on an existing street. Monte Carlo Court is platted, but not constructed; therefore, it is not considered an existing street for purposes of this evaluation. Although meeting the compatibility standards for Section 3-5 is not required for this application, the Planning Commission's review of the reserve status does require an evaluation of how the proposal fits within the character of

the surrounding neighborhood. This evaluation is below. Staff utilized compatibility standards for lot frontage and size, as noted below.

Reserve Status

The original plat does not include a reason why the reserve status was added to this parcel. Removal of the reserve status requires Planning Commission approval. Section 2.8-1 of the Subdivision Regulations establishes criteria for determining whether to remove the reserve status:

- (1) The parcel fits into the character of the area and is consistent with the general plan.
Staff Comment: Staff analyzed lot frontage and size to evaluate how it fits within the adjacent neighborhood. The existing lots along Monte Carlo Drive range from 11,900 square feet to 14,442 square feet. The proposed lots on Monte Carlo Court range from 10,825 square feet to 13,569 square feet. The existing lots along Monte Carlo Drive range from 70 feet to 100 feet of frontage. The proposed lots along Monte Carlo Court have less frontage because they are on a cul-de-sac. Staff finds the proposed lots are generally consistent in size with the existing lots on Monte Carlo Drive, and the pattern of development and lot sizes are generally consistent with the neighboring residential context.
- (2) That all minimum standards of the Zoning Code are met.
Staff Comment: The proposed lots meet the minimum standards of the RS10 zoning district.
- (3) That the parcel has street frontage or meets the requirements of Section 3-4.2.b or meets the requirements of Sections 3-4.2.b, 3-4.3.c, 4-6.3, or 5-3.1.
Staff comment: The lots will have frontage on Monte Carlo Court.
- (4) The current standards of all reviewing agencies are met.
Staff Comment: All agencies have approved the plat.

Staff finds the proposed concept plan and removal of reserve status is consistent with the community character.

FIRE MARSHAL RECOMMENDATION
N/A

STORMWATER RECOMMENDATION
Approved

WATER SERVICES RECOMMENDATION
Approved with conditions

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

PUBLIC WORKS RECOMMENDATION
Approved with conditions

- This development will require Public Works approval of detailed construction plans prior to grading the site. Plans must comply with the design regulations established by the Department of Public Works in effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable. Final design and improvements may vary based on actual field conditions.
- If sidewalks are required by Planning, then they should be shown and labeled on the plan with curb and gutter, 4 foot grass strip, and a minimum 5 foot wide sidewalk unobstructed. Any existing obstructions within the path of travel shall be relocated to provide a minimum of 5 feet of clear access.
- Any grading onto adjacent properties will require easements.

TRAFFIC & PARKING RECOMMENDATION
No exception taken.

STAFF RECOMMENDATION

Staff recommends approval with conditions as this request meets the Subdivision Regulations.

CONDITIONS

1. This subdivision is restricted to a maximum of two points of access for the four lots. Add the following note: "Lots 1 and 2 are limited to a maximum of one access point through the access easement labeled, shared access easement. Lot 3 and 4 are limited to a maximum of one access point through the access easement labeled, shared access easement." Depict and label shared access easements and access points on the plat.
2. Add the following note: Hard surfaces for vehicular access shall be a maximum of 16 feet wide within a shared access easement located between the primary structure and the street for Lots 1 and 2.
3. Add the following note: Hard surfaces for vehicular access shall be a maximum of 16 feet wide within a shared access easement located between the primary structure and the street for Lots 3 and 4.
4. A 5 foot sidewalk and 4 foot planting strip shall be required along Monte Carlo Court.

5. No parking is permitted between the primary structure and street.
6. A raised foundation of 18"- 36" is required for all residential structures.
7. Height shall be a maximum of two stories in 35 feet.
8. Pursuant to 2-3.5.e of the Metro Subdivision Regulations, because this application has received conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to or with any application for a final site plan or final plat.
9. 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.

Approved with Conditions. Consent Agenda (10-1)

Resolution No. RS2016-375

"BE IT RESOLVED by The Metropolitan Planning Commission that 2016SP-094-001 is **Approved with conditions. (10-0)**"

CONDITIONS

1. This subdivision is restricted to a maximum of two points of access for the four lots. Add the following note: "Lots 1 and 2 are limited to a maximum of one access point through the access easement labeled, shared access easement. Lot 3 and 4 are limited to a maximum of one access point through the access easement labeled, shared access easement." Depict and label shared access easements and access points on the plat.
2. Add the following note: Hard surfaces for vehicular access shall be a maximum of 16 feet wide within a shared access easement located between the primary structure and the street for Lots 1 and 2.
3. Add the following note: Hard surfaces for vehicular access shall be a maximum of 16 feet wide within a shared access easement located between the primary structure and the street for Lots 3 and 4.
4. A 5 foot sidewalk and 4 foot planting strip shall be required along Monte Carlo Court.
5. No parking is permitted between the primary structure and street.
6. A raised foundation of 18"- 36" is required for all residential structures.
7. Height shall be a maximum of two stories in 35 feet.
8. Pursuant to 2-3.5.e of the Metro Subdivision Regulations, because this application has received conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to or with any application for a final site plan or final plat.
9. 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.

**7. 2016S-101-001
MONTE CARLO ESTATES**

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

A request for concept plan approval to create three lots on property located at Carl Miller Drive (unnumbered), approximately 170 feet south of Monte Leone Court (1.69 acres), zoned RS10, requested by Ahler & Associates, LLC, applicant; Terron Mercer, owner.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Concept plan to create three lots.

Concept Plan

A request for concept plan approval to create three lots on property located at Carl Miller Drive (unnumbered), approximately 170 feet south of Monte Leone Court (1.69 acres), zoned Single-Family Residential (RS10).

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 5 lots.*

CRITICAL PLANNING GOALS

N/A

PLAN DETAILS

The site is located midblock along Carl Miller Drive, north of Monte Carlo Drive. The site is approximately 1.69 acres in size and is identified as a reserve parcel. A reserve parcel is a parcel identified on the plat as not a building site. When identified as a reserve parcel, it may include a reason for the reserve status, such as lack of utility lines to the property. In this case, the plat did not include a reason for the reserve status.

Site Plan

The plan calls for three lots along a new public street. Existing right-of-way identified as Carl Miller Court would connect the three lots to Carl Miller Drive. Open space has been provided between Lot 2 and Lot 3. The proposed lot sizes are as follows:

- Lot 1: 15,475 square feet
- Lot 2: 17,602 square feet
- Lot 3: 13,631 square feet

ANALYSIS

This application is to create three lots and to remove the reserve parcel status. It was evaluated against two provisions within the Subdivision Regulations: (1) Criteria for Compatibility; and (2) Criteria for Removing Reserve status.

Compatibility

The proposal to create three lots is not required to meet the compatibility standards in the Subdivision Regulations. Compatibility standards are defined in Section 3-5 and are applied in certain areas on an existing street. Carl Miller Court is platted, but not constructed; therefore, it is not considered an existing street for purposes of this evaluation. Although meeting the compatibility standards for Section 3-5 is not required for this application, the Planning Commission’s review of the reserve status does require an evaluation of how the proposal fits within the character of the surrounding neighborhood. This evaluation is below. Staff utilized compatibility standards for lot frontage and size, as noted below.

Reserve Status

The original plat does not include a reason why the reserve status was added to this parcel. Removal of the reserve status requires Planning Commission approval. Section 2.8-1 of the Subdivision Regulations establishes criteria for determining whether to remove the reserve status:

- (1) The parcel fits into the character of the area and is consistent with the general plan.
Staff Comment: Staff analyzed lot frontage and size to evaluate how it fits within the adjacent neighborhood. The existing lots along Carl Miller Drive range from 10,220 square feet to 20,889 square feet. The proposed lots on Carl Miler Court range from 13,631 square feet to 17,602 square feet. The existing lots along Carl Miller Drive range from 70 feet to 110 feet of frontage. The proposed lots along Carl Miller Court have less frontage because they are on a cul-de-sac. Staff finds the proposed lots are generally consistent in size with the existing lots on Carl Miller Drive, and the pattern of development and lot sizes are generally consistent with the neighboring residential context.
- (2) That all minimum standards of the Zoning Code are met.
Staff Comment: The proposed lots meet the minimum standards of the RS10 zoning district.
- (3) That the parcel has street frontage or meets the requirements of Section 3-4.2.b or meets the requirements of Sections 3-4.2.b, 3-4.3.c, 4-6.3, or 5-3.1.
Staff comment: The lots will have frontage on Carl Miller Court.
- (4) The current standards of all reviewing agencies are met.
Staff Comment: All agencies have approved the plat.

Staff finds the proposed concept plan and removal of reserve status is consistent with the community character.

FIRE MARSHAL RECOMMENDATION

N/A

STORMWATER RECOMMENDATION

Approved

WATER SERVICES RECOMMENDATION

Approved with conditions

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

PUBLIC WORKS RECOMMENDATION

Approved with conditions

- This development will require Public Works approval of detailed construction plans prior to grading the site. Plans must comply with the design regulations established by the Department of Public Works in effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable. Final design and improvements may vary based on actual field conditions.
- If sidewalks are required by Planning, then they should be shown and labeled on the plan with curb and gutter, 4 foot grass strip, and a minimum 5 foot wide sidewalk unobstructed. Any existing obstructions within the path of travel shall be relocated to provide a minimum of 5 feet of clear access.
- Any grading onto adjacent properties will require easements.

TRAFFIC & PARKING RECOMMENDATION

No exception taken

STAFF RECOMMENDATION

Staff recommends approval with conditions, as this request meets the Subdivision Regulations.

CONDITIONS

1. This subdivision is restricted to a maximum of two points of access for the three lots. Add the following note: "Lots 1 and 2 are limited to a maximum of one access point through the access easement labeled, shared access easement. Lot 3 is limited to a maximum of one access point." Depict and label access easement and access points on the plat.
2. Add the following note: Add the following note: Hard surfaces for vehicular access shall be a maximum of 16 feet wide within a shared access easement located between the primary structure and the street for Lots 1 and 2. Hard surface for vehicular access shall be a maximum of a 12 foot wide driveway for Lot 3.
3. A 5 foot sidewalk and 4 foot planting strip shall be required along Carl Miller Ct.
4. No parking is permitted between the primary structure and street.
5. A raised foundation of 18"- 36" is required for all residential structures.
6. Height shall be a maximum of two stories in 35 feet.
7. Pursuant to 2-3.5.e of the Metro Subdivision Regulations, because this application has received conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to or with any application for a final site plan or final plat.
8. Add the following note to the plan/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.

Approved with Conditions, Consent Agenda (10-1)

Resolution No. RS2016-376

"BE IT RESOLVED by The Metropolitan Planning Commission that 2016S-101-001 is **Approved with conditions. (10-0)**"

CONDITIONS

1. This subdivision is restricted to a maximum of two points of access for the three lots. Add the following note: "Lots 1 and 2 are limited to a maximum of one access point through the access easement labeled, shared access easement. Lot 3 is limited to a maximum of one access point." Depict and label access easement and access points on the plat.
2. Add the following note: Add the following note: Hard surfaces for vehicular access shall be a maximum of 16 feet wide within a shared access easement located between the primary structure and the street for Lots 1 and 2. Hard surface for vehicular access shall be a maximum of a 12 foot wide driveway for Lot 3.
3. A 5 foot sidewalk and 4 foot planting strip shall be required along Carl Miller Ct.
4. No parking is permitted between the primary structure and street.
5. A raised foundation of 18"- 36" is required for all residential structures.
6. Height shall be a maximum of two stories in 35 feet.
7. Pursuant to 2-3.5.e of the Metro Subdivision Regulations, because this application has received conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to or with any application for a final site plan or final plat.
8. Add the following note to the plan/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.

8. 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 January 12, 2017, Planning Commission meeting.

The Planning Commission deferred 2016CP-002-001 to the January 12, 2017, Planning Commission meeting. (10-0)

9. 148-81P-001
HOLIDAY VILLAGE
Council District 02 (DeCosta Hastings); 05 (Scott Davis)
Staff Reviewer: Latisha Birkeland

A request to revise the preliminary plan for a Planned Unit Development Overlay District located at 201 Grizzard Avenue, approximately 685 feet northwest of Dickerson Pike, zoned CS (68.15 acres), to reduce the amount of mobile home units from 276 units to 155 mobile home units, requested by Perry Engineering, LLC, applicant; UMH TN Holiday Village MHP, LLC, owner.

Staff Recommendation: Defer to the January 12, 2017, Planning Commission meeting.

The Planning Commission deferred 2016CP-002-001 to the January 12, 2017, Planning Commission meeting. (10-0)

10a. 2004P-032-001
CHADWELL RETREAT
Council District 08 (Nancy VanReece)
Staff Reviewer: Karimeh Sharp

A request to amend a Planned Unit Development Overlay for property located at 1497 Chadwell Drive (9.98 acres), approximately 400 feet southeast of Port Drive, zoned Multi-Family Residential (RM4), to permit the addition of 13 multi-family residential units for a maximum of 49 residential units within the overlay, requested by Dale & Associates, applicant; O.I.C. Chadwell Retreat Townhomes, owners.

Staff Recommendation: Approve with conditions and disapprove without all conditions subject to the approval of the associated zone change, and disapprove if the associated zone change is not approved.

APPLICANT REQUEST
Amend a PUD.

Amend PUD

A request to amend a Planned Unit Development Overlay for property located at 1497 Chadwell Drive (9.98 acres), approximately 400 feet southeast of Port Drive, zoned Multi-Family Residential (RM4), to permit the addition of 13 multi-family residential units for a maximum of 49 units within the overlay.

Existing Zoning

Multi-Family Residential (RM4) is intended for single-family, duplex, and multi-family dwellings at a density of four dwelling units per acre. *RM4 would permit a maximum of 40 units.*

Proposed Zoning

Multi-Family Residential (RM6) is intended for single-family, duplex, and multi-family dwellings at a density of six dwelling units per acre. *RM6 would permit a maximum of 59 units.*

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

CRITICAL PLANNING GOALS

N/A

PARKWOOD-UNION HILL COMMUNITY PLAN

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

Conservation (CO) is intended to preserve environmentally sensitive land features through protection and remediation. CO policy applies in all Transect Categories except T1 Natural, T5 Center, and T6 Downtown. CO policy identifies land with sensitive environmental features including, but not limited to, steep slopes, floodway/floodplains, rare or special plant or animal habitats, wetlands and unstable or problem soils. The guidance for preserving or enhancing these features varies with what Transect they are in and whether or not they have already been disturbed.

Consistent with Policy?

Yes. Depending on the location, the policy supports all types of residential development, including multi-family residential units. The policy supports development that is generally consistent with the surrounding development pattern. The proposed amendment is consistent with the character of the existing multi-family development currently built within the PUD in terms of building form and land use. It is also consistent with the general character of the neighborhood, which has several multi-family developments. The slopes on the site have been previously disturbed.

PLAN DETAILS

The site is located just west of I-65 along the south side of Chadwell Drive. The PUD was previously approved for a maximum of 36 multi-family units; ten of these units have been constructed and are occupied. The plan calls for the addition of 13 multi-family units to be added into the PUD for a total of 49 multi-family units. The additional units would be constructed within the approved footprints; the previously approved building coverage would not be increased. The applicant has indicated that the site's infrastructure is also fully constructed. The site has some slopes that have been disturbed with the prior grading and development of the site.

Site Plan

The 13 units proposed with this amendment are located within the existing development; no new acreage is to be added. Ten of the 36 units previously approved have been constructed, while the remaining previously approved 26 units have not been built. Thirteen of the previously approved units on the southwestern portion of the site that have not yet been constructed would not be affected significantly by this amendment: one row of four townhomes has been broken into two rows of two units, and another row of six townhomes has been broken into two rows of three units.

The significant change to the previously approved PUD plan relates to the 13 previously approved units on the southeastern portion of the site. These units are shaded on the proposed site plan. These units were previously approved as three rows of townhomes; the amendment proposes to break these rows of townhomes into duplex structures and to place two units within each of the previously approved building footprints. This would place the 13 proposed additional units within the building footprint of the previously approved 13 units for an amended total of 26 units, essentially doubling the density for this portion of the site without increasing the previously approved building coverage. The amended plan also provides improved sidewalk connectivity and widens sidewalks within the development from four feet to five feet.

ANALYSIS

Section 17.40.120.G permits the Planning Commission to approve "minor modifications" under certain conditions. However, this request cannot be considered a "minor modification" because it increases the number of units over what was approved by Council. As an amendment, this proposal will require Council approval.

The proposed PUD amendment is consistent with the T3 NM land use policy as it is expressed in this neighborhood; there are two large multi-family developments directly to the south of this PUD. The addition of thirteen units is appropriate because it is consistent with the existing multi-family development pattern within the PUD and does not increase the building coverage on the site or significantly deviate from the previously approved site plan in terms of site layout and design.

FIRE DEPARTMENT RECOMMENDATION

Approved with conditions

STORMWATER RECOMMENDATION

Approved

WATER SERVICES**Approved with conditions**

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

PUBLIC WORKS RECOMMENDATION**Approved****TRAFFIC AND PARKING RECOMMENDATION****Approved**Maximum Uses in Existing Zoning District: **RM4**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential (220)	9.98	-	36 U	342	22	38

Maximum Uses in Proposed Zoning District: **RM6**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	9.98	-	49 U	421	28	45

Traffic changes between maximum: **RM4** and **RM6**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+ 49U	+79	+6	+7

METRO SCHOOL BOARD REPORT**Projected student generation existing PUD district: 5 Elementary 3 Middle 3 High****Projected student generation proposed PUD district: 7 Elementary 4 Middle 5 High**

The proposed addition of 13 multi-family units would generate five additional students. Students would attend Chadwell Elementary School, Gra-Mar Middle School, and Maplewood High School. There is capacity for additional students in all three schools. The information is based upon data from the school board last updated in March 2016.

AFFORDABLE AND WORKFORCE HOUSING REPORT (information provided by applicant)

1. Will this project include any affordable or workforce housing units? Although 26 of the units will be smaller and considered affordable, they will not be classified as such.
2. If so, how many and what is the percentage of the entire development? 0%
3. How will you enforce the affordability requirements? No.
4. Have any structures been demolished in the last 12 months? No.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Uses in the PUD shall be limited to a maximum of 49 residential units.
2. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
3. 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.

4. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.
5. Sidewalk must be provided in front of units 35 and 36 to connect to the provided sidewalk.

Approved with Conditions, disapprove without conditions. Consent Agenda (10-1)

Resolution No. RS2016-377

“BE IT RESOLVED by The Metropolitan Planning Commission that 2004P-032-001 is **Approved with conditions and disapprove without conditions. (10-0)**

CONDITIONS

1. Uses in the PUD shall be limited to a maximum of 49 residential units.
2. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
3. 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.
4. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.
5. Sidewalk must be provided in front of units 35 and 36 to connect to the provided sidewalk.

10b. 2016Z-131PR-001

Council District 08 (Nancy VanReece)
Staff Reviewer: Karimeh Sharp

A request to rezone from RM4 to RM6 zoning for property located at 1497 Chadwell Drive, approximately 400 feet southeast of Port Drive (9.98 acres), requested by Dale & Associates, applicant; O.I.C. Chadwell Retreat Townhomes, owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from RM4 to RM6.

Zone Change

A request to rezone from Multi-Family Residential (RM4) to Multi-Family Residential (RM6) zoning for property located at 1497 Chadwell Drive, approximately 400 feet southeast of Port Drive (9.98 acres).

Existing Zoning

Multi-Family Residential (RM4) is intended for single-family, duplex, and multi-family dwellings at a density of four dwelling units per acre. *RM4 would permit a maximum of 39 units.*

Planned Unit Development Overlay District (PUD) is an alternative zoning process that allows for the development of land in a well-planned and coordinated manner, providing opportunities for more efficient utilization of land than would otherwise be permitted by the conventional zoning provisions of this title. The PUD district may permit a greater mixing of land uses not easily accomplished by the application of conventional zoning district boundaries, or a framework for coordinating the development of land with the provision of an adequate roadway system or essential utilities and services. This PUD plan In return, the PUD district provisions require a high standard for the protection and preservation of environmentally sensitive lands, well-planned living, working and shopping environments, and an assurance of adequate and timely provision of essential utilities and streets. *The PUD overlay permits a maximum of 36 units.*

Proposed Zoning

Multi-Family Residential (RM6) is intended for single-family, duplex, and multi-family dwellings at a density of six dwellings units per acre. *RM6 would permit a maximum of 59 units.*

Planned Unit Development Overlay District (PUD) is an alternative zoning process that allows for the development of land in a well-planned and coordinated manner, providing opportunities for more efficient utilization of land than would otherwise be permitted by the conventional zoning provisions of this title. The PUD district may permit a greater mixing of land uses not easily accomplished by the application of conventional zoning district boundaries, or a framework for coordinating the development of land with the provision of an adequate roadway system or essential utilities and services. This PUD plan In return, the PUD district provisions require a high standard for the protection and preservation of environmentally sensitive lands, well-planned living, working and shopping environments, and an assurance of adequate and timely provision of essential utilities and streets. *If this request and the associated PUD amendment are approved, then the PUD would permit a maximum of 49 units.*

CRITICAL PLANNING GOALS

N/A

MADISON COMMUNITY PLAN

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

Conservation (CO) is intended to preserve environmentally sensitive land features through protection and remediation. CO policy applies in all Transect Categories except T1 Natural, T5 Center, and T6 Downtown. CO policy identifies land with sensitive environmental features including, but not limited to, steep slopes, floodway/floodplains, rare or special plant or animal habitats, wetlands and unstable or problem soils. The guidance for preserving or enhancing these features varies with what Transect they are in and whether or not they have already been disturbed.

Consistent with Policy?

Yes. The proposed RM6 zoning district is consistent with the T3 Suburban Neighborhood Maintenance policy. Depending on the location, the policy supports all types of residential development, including multi-family residential units. The policy supports development that is generally consistent with the surrounding development pattern. The proposed RM6 zoning is consistent with the general character of the neighborhood. The site is directly north of a property zoned RM15 and less than a quarter mile north of property zoned RM9. The associated PUD amendment is also consistent with the policy.

FIRE DEPARTMENT 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: **RM4**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential (220)	9.98	-	36 U	342	22	38

Maximum Uses in Proposed Zoning District: **RM6**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	9.98	-	49 U	421	28	45

Traffic changes between maximum: **RM4** and **RM6**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+ 49U	+79	+6	+7

METRO SCHOOL BOARD REPORT

Projected student generation existing PUD district: 5 Elementary 3 Middle 3 High
Projected student generation proposed PUD district: 7 Elementary 4 Middle 5 High

The proposed addition of 13 multi-family units would generate five additional students. Students would attend Chadwell Elementary School, Gra-Mar Middle School, and Maplewood High School. There is capacity for additional students in all three schools. The information is based upon data from the school board last updated in March 2016.

AFFORDABLE AND WORKFORCE HOUSING REPORT (information provided by applicant)

1. Will this project include any affordable or workforce housing units?
Although 26 of the units will be smaller and considered affordable, they will not be classified as such.
2. If so, how many and what is the percentage of the entire development? 0%
3. How will you enforce the affordability requirements? No.
4. Have any structures been demolished in the last 12 months? No.

STAFF RECOMMENDATION

Staff recommends approval.

Approved. Consent Agenda (10-1)

Resolution No. RS2016-378

"BE IT RESOLVED by The Metropolitan Planning Commission that 2016Z-131PR-001 is **Approved. (10-0)**

11. 2016Z-101PR-001

Council District 03 (Brenda Haywood)
Staff Reviewer: Patrick Napier

A request to rezone from R20 to MHP zoning for a portion of property located at 1343 Dickerson Pike, west of the terminus of Hillcrest Road, (14.12 acres), requested by Tune, Entrekin & White, PC, applicant; UMH TN Trailmont, LLC, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from R20 to MHP.

Zone Change

A request to rezone from One and Two-Family Residential (R20) to Mobile Home Park (MHP) zoning for a portion of property located at 1343 Dickerson Pike, west of the terminus of Hillcrest Road, (14.12 acres).

Existing Zoning

One and Two-Family Residential (R20) requires a minimum 20,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 2.31 dwelling units per acre including 25 percent duplex lots. *R20 would permit a maximum of 30 lots with seven duplex lots for a total of 37 units.*

Proposed Zoning

Mobile Home Park (MHP) requires a minimum two acre lot size and is intended for mobile homes at nine units per acre. *MHP would permit a maximum of 127 units.*

CRITICAL PLANNING GOALS

N/A

PARKWOOD-UNION HILL COMMUNITY PLAN

T3 Suburban Neighborhood Evolving (T3 NE) is intended to create suburban neighborhoods that provide more opportunities for housing choice and improved pedestrian, bicycle and vehicular connectivity. The resulting development pattern will have higher densities than many existing suburban neighborhoods and/or smaller lot sizes, with a broader range of housing types providing housing choice. This reflects the scarcity of easily developable land without sensitive environmental features and the cost of developing housing. These are challenges that were not faced when the original suburban neighborhoods were built.

Consistent with Policy?

Yes. The proposed MHP zoning district is consistent with the T3 NE policy, as it provides for additional housing near Dickerson Pike, which is a major corridor.

ANALYSIS

Staff recommends approval as the proposed MHP zoning district is consistent with the T3 NE policy. It is located near Dickerson Pike, a major corridor which contains an MTA bus route. The additional density supported by the proposed MHP will provide additional people to support existing and future commercial uses along the corridor. The

type of housing is an affordable option. Providing housing for people at all income levels is consistent with Nashville Next. The proposed site also meets the locational criteria for the use as specified by the Zoning Code, which includes “direct access to an abutting improved public street designated or proposed as an arterial or collector street on the Major and Collector Street Plan.” Other standards will be reviewed with any permits. Mobile Home Parks are permitted with conditions in the MHP district. The conditions are as follows:

1. Minimum size of park: Two acres under single ownership.
2. Maximum density: Nine homes per acre.
3. Landscape Buffer Yard. Where the perimeter of a mobile home park development abuts an R/R-A or RS/RS-A zone district, a minimum of landscape buffer yard Standard B-3 (fifteen feet) shall be applied, and where the development abuts a public street the minimum width of the buffer yard shall be C-2 (thirty feet).
4. Open Space. A minimum of ten percent of the total land area within the MHP, excluding roadways, drives, off-street parking areas and required setbacks, shall be designated as open space.
5. Mobile Home Park. Mobile home dwellings shall be permitted in a mobile home park on a two acre minimum tract under single ownership provided:
 - a. Minimum lot area: Four thousand square feet per each individual lot or lease plot.
 - b. Minimum lot width: Minimum of forty feet.
 - c. Setbacks:
 1. Public/private street or private drive: Minimum of twenty feet.
 2. Rear property or lease line: Minimum of ten feet.
 3. Side property or lease line: Minimum of ten feet.
 - d. Maximum height of any structure within the MHP: Thirty feet.
 - e. Maximum floor area ratio (non-residential): .60.
 - f. Maximum impervious surface ratio: .70.
 - g. Street Standard. The mobile home park shall have direct access to an abutting improved public street designated or proposed as an arterial or collector street on the Major Street Plan. At a minimum, access and circulation within the park shall be provided by a paved driveway with a minimum width of twenty-four feet, permanently maintained by the landowner through conveyance of a private easement on a recorded property plat. If the paved driveway has visitor parking along it, the minimum pavement width of the driveway shall be increased to twenty-seven feet.
 - h. Sidewalk. A sidewalk with a minimum width of four feet shall be provided along one side of all private drives within the MHP.
 - i. Tenant Storage. A minimum of ninety cubic feet of enclosed tenant storage space shall be provided. The skirting of the undercarriage shall not be used for purposes of required tenant storage space.
 - j. Skirting of Undercarriage. Each mobile home unit's frame, axles, wheels, crawl space storage area, and utility connection shall be concealed from view through use of durable all-weather materials manufactured specifically for the purpose of covering the undercarriage area of the unit.
6. Board of Health Approval. A mobile home park development shall be reviewed and approved by the director of the metropolitan board of health in accordance with Chapter 10.40 of the Metropolitan Code of Laws and the rules and regulations promulgated by the metropolitan health department.

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: **R20**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential* (210)	14.12	2.1 D	37 U	427	37	45

*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Mobile Homes (240)	14.12	9 U	127 U	725	58	75

Traffic changes between maximum: **R20 and MHP**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+298	+21	+30

METRO SCHOOL BOARD REPORT

Projected student generation existing R20 district: 6 Elementary 3 Middle 4 High

Projected student generation proposed MHP district: 21 Elementary 11 Middle 15 High

The proposed MHP zoning district would generate 34 additional students than what is typically generated under the existing R20 zoning district. Students would attend Old Center Elementary, Goodlettsville Middle School and Hunters Lane 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? Most likely, but we are waiting on census data to run calculations.
2. If so, how many and what is the percentage of the entire development? We expect all homes in the expansion parcel will be affordable/workforce
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.

Approved. Consent Agenda (10-1)

Resolution No. RS2016-379

"BE IT RESOLVED by The Metropolitan Planning Commission that 2016Z-101PR-001 is **Approved. (10-0)**"

12. 2016Z-022TX-001

BL2016-513/Jeremy Elrod, Burkley Allen, and Sheri Weiner
Staff Reviewer: Patrick Napier

A request to amend Title 15 and Title 17 of the Metropolitan Code of Laws pertaining to the Department of Water and Sewerage Services, requested by Metro Water Services.

Staff Recommendation: Approve with an amendment.

APPLICANT REQUEST

Amend Title 17 of the Metropolitan Code of Laws pertaining to the Department of Water and Sewerage Services.

ZONING TEXT AMENDMENT

A request to amend Chapter 17.28.040 and 17.36, Title 17 of the Metropolitan Code of Laws pertaining to the Department of Water and Sewerage Services, requested by the Department of Water and Sewerage.

CRITICAL PLANNING GOALS

N/A

PROPOSED AMENDMENT

The ordinance amends both Titles 15 and 17 of the Metropolitan Code of Laws. The Planning Commission will make a recommendation on the changes to Title 17 only. The proposed text amendment seeks to clarify and redefine terms and provisions of Chapter 17.04, Title 17 of the Metropolitan Code of Laws to better reflect current local, state, and federal requirements and procedures pertaining to Stormwater.

Amendments to Title 17 are described below by section.

Amendments by section:

Section 17.28.040. A.

Staff Comments: Section 17.28.040.A of the Zoning Code exempts previously developed floodplain property from Metro's Water Quality Buffer regulations. However, the Department of Water and Sewerage Services regulations have included buffers on previously developed floodplain properties since the Water Quality buffer was adopted with the 1999 Stormwater Management Manual (SWMM). The Zoning Code created an unintended conflict with the buffer regulations and the Department of Law recommended deleting 17.28.040.A to remove this conflict. The SWMM contains the requirements from 17.28.040.A and will continue to guide undeveloped floodplain property.

Text proposed to be deleted:

"A. Preserved Floodplain. Except as noted below, all development proposed on property that is not developed, as defined herein, encumbered by natural floodplain or floodway, as of the effective date of this ordinance, shall leave a minimum of fifty percent of the natural floodplain area, including all of the floodway area, or all of the floodway area plus fifty feet on each side of the waterway, whichever is greater, undisturbed and in its original, natural state. The preserved floodplain shall be adjacent to the floodway or, as otherwise approved by the zoning administrator or by the metropolitan planning commission if the property is the subject of a subdivision or rezoning application. The clearing of trees and brush within the undisturbed area shall be prohibited. For purposes of this subsection, a portion of a lot shall be deemed to be developed if a grading or building permit has been issued or, if a portion of the lot has been disturbed by grading or, if a portion of the lot is improved with any material that substantially reduces or prevents the infiltration of stormwater by the total horizontal area of the lot including, but not limited to, roofs, streets, sidewalks and parking lots paved with asphalt, concrete, compacted sand, compacted gravel or clay. Evidence that a portion of the property is developed shall include grading or building permits and/or aerial photographs. Absent grading or building permits, a lot shall not be deemed developed under this section if the use of the property was for agricultural activities."

Section 17.28.040. C.

Staff Comments: This text amendment proposes the deletion of Section 17.28.040. C. All parks, golf courses, and wetlands that disturb flood plain or floodway are typically permitted, but require review by the Stormwater Management Committee (SWMC). A special standard operating procedure (SOP) has been developed for reviewing and approving Metro Greenways without SWMC review.

Text proposed to be deleted:

"C. Protected floodway and floodplain areas may be manipulated for the purpose of installing public greenways, public parks, private parks that otherwise meet the definition of "parks" contained in this Code, golf courses, and state certified wetlands."

Section 17.28.040. D.

Staff Comments: Within section D, the following phrase is being deleted, "federal flood insurance program" and replaced with, "National Flood Insurance Program". Additional text clarifies that the Department promulgates technical guidelines related to the provisions of Chapter 15.

Existing Text with Changes:

All development shall be undertaken consistent with the flood insurance standards and requirements of the Federal Emergency Management Agency, as necessary, to maintain the eligibility of the ~~federal flood insurance program~~ **National Flood Insurance Program** within Davidson County.

Notwithstanding any provision herein to the contrary, all development alterations or improvements that would otherwise be subject to Chapter 15.64 of this Code shall comply with the provisions of that chapter and the regulations and technical guidelines promulgated by the Department pursuant to that chapter.

Section 17.28.040. E.

Staff Comments: This text amendment proposes deletion of Section 17.28.040.E for consistency with adopted stormwater regulations.

Text proposed to be deleted:

"E. Properties zoned CF, MUI, MUI-A, MUG, MUG-A, IR, IG and IWD shall not be constrained by this section, but shall otherwise conform to all provisions of Section 15.64, Stormwater Management of the Metropolitan Code of Laws."

Section 17.28.040. F. 1.

Staff Comments: This amendment replaces the Department of Public Works with the Department of Water and Sewerage Services as the review agency for critical lot applications. The text amendment notes that these revisions are located in Subsection F, which should be clarified as Subsection F.1. Staff recommends a substitute to replace reference to Subsection F with Subsection F.1.

Existing Text with Changes:

"F.1. Single or Two-Family Lots. Land area designated as natural floodplain or floodway on the effective date of said section may be included within a residential lot, but if manipulated, shall not be counted towards satisfying the minimum lot size requirements of the base zoning district. Any residential lot, or any portion of a residential lot, containing natural floodplain shall be designated as a "critical lot" and minimum finished floor elevations shall be established on the final plat of subdivision approved by the metropolitan planning commission and the **Department of Water and Sewerage Services** Department of Public Works."

Section 17.36.210

Staff Comments: The amendment to this section clarifies the appropriate title.

Existing Text with Changes:

"Alterations of floodplain land and drainage channels shall be in accordance with applicable provisions of Chapter 15.64, "An Ordinance for Stormwater Management" "**Stormwater Management**."

Section 17.36.220

Staff Comments: The amendment to this section clarifies the appropriate committee title and makes minor grammatical corrections.

Existing Text with Changes:

"Report to Stormwater Management appeals board **Committee**."

A request for a variance to the requirements of "An Ordinance for Stormwater Management" **Chapter 15.64, Stormwater Management**, shall be considered by the **Stormwater Mmanagement appeals board Committee** according to the provisions of Chapter 15.64 of the Metropolitan Code of Laws. Prior to consideration of a variance, the **Stormwater Management appeals board Committee** shall solicit a report from the Zoning Administrator and the Planning Department regarding the applicability of Chapter 17.28, Article I, or any other provision of this title."

ANALYSIS

Staff recommends approval of the proposed amendments. The amendment clarifies conditions for stormwater buffer requirements and terms with Chapter 17.28 Environmental and Operational Performance Standards. Changes proposed in this text amendment will eliminate conflicts between Title 15 and Title 17 of the Metro Code. This text amendment will require the installation of public parks or greenways within floodplain/floodway areas to be review by the Stormwater Management Committee.

WATER SERVICES RECOMMENDATION

Metro Water Services supports the proposed changes to Chapter 17. This revision removes an unintentional conflict between a well-intentioned floodplain preservation policy and Metro's water quality buffer. Approval will allow Metro to continue protecting streams on previously developed floodplain properties as they have since 1999. The floodplain protection provision is still in the Stormwater Management Manual and any additional protection it provides will remain.

ZONING ADMINISTRATOR RECOMMENDATION

STAFF RECOMMENDATION

Staff recommends approval with an amendment to replace the reference to Subsection F with Subsection F.1.

Mr. Napier presented the staff recommendation of approval.

Tom Palko, Metro Stormwater, requested to move this forward with the understanding that continued conversations will continue to happen.

Jim Murphy, 1600 Division St, spoke in opposition on behalf of St Thomas because there hasn't been any opportunity to discuss this.

Chairman Adkins closed the Public Hearing.

Mr. McLean moved and Mr. Clifton seconded the motion to approve. (10-0)

Approved with an amendment. (10-1)

"BE IT RESOLVED by The Metropolitan Planning Commission that 2016Z-022TX-001 is **Approved with an amendment. (10-0)**

13. 2016Z-023TX-001

BL2016-492/Burkley Allen and Bob Mendes
Staff Reviewer: Carrie Logan

A request to amend Titles 6 and 17 of the Metropolitan Code, Zoning Regulations, pertaining to Short Term Rental Properties, requested by Councilmember Burkley Allen and Councilmember Bob Mendes.

Staff Recommendation: Approve the substitute ordinance.

TEXT AMENDMENT

An ordinance to amend Titles 6 and 17 of the Metropolitan Code, Zoning Regulations, pertaining to Short Term Rental Properties.

HISTORY AND PENDING AMENDMENTS TO TITLE 6

In February 2015, Metro Council approved Ordinance No. BL2014-909, which established Short Term Rental Property (STRP) as a use in Title 17, the Zoning Code. At that time, standards for STRPs were also added to Title 6 of the Metropolitan Code by BL2014-951.

Since 2015, the STRP standards continue to be modified to balance the needs of neighborhoods and STRP owner/operators. Most recently, Ordinance No. BL2016-381 has been proposed to further amend the standards in Title 6. The Metro Council Office provided the following summary of changes proposed by Ordinance No. BL2016-381 in the Analysis Report for the December 6, 2016, Metro Council meeting, when Ordinance No. BL2016-381 will be on third reading (note that subsection numbering will differ between Title 6 and the proposed Title 17):

1. Subsection 6.28.030(D) currently lists the information that must be provided as part of an STRP permit application. This would be changed to specify that applications would only be valid for sixty (60) calendar days from the date filed and would expire if not completed within that time. **[Note: BL2016-492 will allow ninety (90) calendar days.]**
2. Subsection D.3. currently requires proof of written notification to any neighboring property owner(s) prior to filing the application. A sentence would be added to specify that this proof of notification shall be a signature from the adjacent property owner, a receipt of U.S. registered mail, or U.S. Postal Service notice of refusal.
3. A new paragraph would be added to Section D. This would add a new requirement for two documents proving owner occupation when applying for an owner-occupied permit. Acceptable documentation would include a Tennessee Driver's license or other valid state identification card, Davidson County voter registration card, or a bank statement, each showing the owner's name and address matching that of the property.
4. Section F currently requires all STRP occupants to abide by all applicable noise restrictions. This would be expanded to require adherence to all regulations regarding the public peace and welfare and waste management provisions of the Code.
5. Section H currently specifies that no recreational vehicles, buses, or trailers shall be visible on the street or property in conjunction with the STRP use. This would be expanded by requiring parking to be provided as required by MCL Section 17.20.030, "Parking Requirements Established". (Current commercial use provisions under §17.16.070.U for vehicular rental/leasing state in part: "No...recreational vehicles...shall be rented or leased from the property.")
6. Section N currently specifies that STRP permits shall expire three hundred sixty-five (365) days after being issued. These can be renewed by paying a fifty dollar (\$50) renewal fee to the Codes Department. This would be changed to specify these permits would expire if not renewed prior to expiration. If no complaints have been documented by Metro Codes, Police, or Public Works, permit renewal is still possible. However, it would be required to submit proof of payment of taxes, and an affidavit of continued compliance by mail, on-line, or in person to the Codes Department. A grace period of thirty (30) calendar days may be allowed for properties that have no complaints by appealing to the Board of Zoning Appeals (BZA) if the applicant can reasonably explain the delay. If complaints have been documented, no grace period would be allowed. **[Note: BL2016-492 does not require an appeal to the BZA, but may allow a 30 calendar day grace period for renewal after the expiration of the STRP permit with approval by the zoning administrator upon a showing by the owner of a reasonable explanation other than neglect or mistake for the delay.]**
By prior amendment, the following text from subsection 17.18.040 N.4 was removed: "After the full resolution of all documented complaints to the reasonable satisfaction of the Metro Codes Department" and "If the permit expires before all documented complaints are fully resolved, the STRP shall cease operation and not resume operating unless the permit is renewed."
7. Section Q currently requires that only one permit shall be issued per lot for single- and two-family homes. This section, as substituted, would establish three (3) types of permits: Type 1 (owner-occupied), Type 2 (Not Owner-Occupied), and Type 3 (Not Owner-Occupied Multifamily). No more than 3% of single- and or two-family

- residential units within each census tract would be permitted as Type 2. Only one permit per lot would be issued for single-family and two-family home, triplexes and quadplexes.
8. Paragraph R.1 currently requires the Codes Department to notify the permit holder in writing upon the filing of three or more complaints within a calendar year regarding an STRP permit. This requirement would be revised to require such notification after a single complaint.
 9. Paragraph R.2 currently states that an STRP permit may be revoked if the Codes Department determines that STRP violations have occurred. This would be revised to specify that STRP permits shall (not may) be revoked if the Zoning Administrator determines, based upon reasonably reliable information, that three STRP violations have occurred within a 12-month period, based on documented evidence. This evidentiary basis ("reasonably reliable information") tracks the Tennessee Rules of Evidence.

PROPOSED TITLE 17 (ZONING CODE) AMENDMENTS

Ordinance No. BL2016-492 proposes to delete the standards from Title 6 and add the standards, as proposed to be amended by Ordinance No. BL2016-381, to Title 17. Additionally, the ordinance amends the definitions of Short Term Rental Property, Bed and Breakfast Inn, and Boarding House and adds definitions for Hotel, Owner-Occupied, and Commercial Establishment to clarify the differences between the various uses.

The intent of this ordinance is to move the standards from Title 6 to Title 17, but not to modify the standards. Mayor Megan Barry has engaged a consultant to study Metro's needs to better enforce STRP regulations. When the recommendations are received, additional amendments to the STRP standards may be necessary.

Staff has recommended a substitute ordinance with minor clarifications to the language of the ordinance. In addition, staff proposes to reinsert language that exists in the current Zoning Code related to STRP uses associated with Artisan Manufacturing uses.

ZONING ADMINISTRATOR RECOMMENDATION

Approve substitute bill.

STAFF RECOMMENDATION

Staff recommends approval of the substitute ordinance.

Mr. Adkins recused himself from this item and left the room at 5:34 p.m.

Ms. Logan presented the staff recommendation of approval of the substitute ordinance.

Jamie Hollin, 511 Rosebank Ave, spoke in favor of the application.

Grace Renshaw, 220 Mockingbird Rd, spoke in opposition to the application and requested limiting to Type 1.

Tom Hardin, 519 Fatherland St, spoke in opposition and explained that Type 2 STR's raise two serious concerns. The first is that by allowing non-owner occupied short term rentals, you risk hollowing out the neighborhood. The second is non-owner occupied short term rentals drive up rent prices which makes the market for affordable housing more difficult. Type 2 should not be allowed in residentially zoned areas.

Logan Key, 1411 Fatherland St, spoke in opposition because unless this bill is amended, it fails to sufficiently distinguish between the commercial and the residential.

Leigh Ann Rodd, 712 Setliff Place, spoke in opposition as it allows a revolving door of vacationing strangers from Thursday through Sunday each week.

Laura Rost, 4604 Villa Green Dr, spoke in opposition; NashvilleNext never discusses short term rentals over the course of 2-3 years.

Julie Caputo, 606B Hume St, spoke in opposition. Nashville's neighborhoods have become overrun with these commercial properties.

Joe Hamilton, 305 Mountainside Dr, spoke in opposition and would like to eliminate Type 2.

Omid Yamini, 1204 N 2nd St, spoke in opposition.

Jannelle Hamilton, 305 Mountainside Dr, spoke in opposition; allowing this industry into our neighborhoods is the worst thing that has ever happened to Nashville neighborhoods.

Tim Weeks, 6101 Hagars Grove Pass, spoke in opposition. Please eliminate Type 2 as mini-hotels aren't wanted in neighborhoods.

Leslie Key, 1411 Fatherland St, spoke in opposition. All non-owner short term rentals should be located out of residential zones.

Margo Chambers, 3803 Princeton Ave, spoke in opposition as the impact of this has not been communicated to Davidson County property owners.

Bill Terry, 4641 Villa Green Dr, spoke in opposition.

John Summers, 5000 Wyoming Ave, spoke in opposition because NashvilleNext does not take this into consideration.

John Stern, PO Box 22057, spoke in opposition.

Vice Chair Farr closed the Public Hearing.

Councilmember Allen stated that she would like the opportunity to implement whatever recommendations the Mayor's consultant comes up with for some period of time. This is not a new bill – it is one change which is to change the definition of short term rentals to address ambiguity. She also stated that she is committed to addressing all concerns mentioned.

Mr. McLean noted this is obviously not working in some areas. A lot of work still needs to be done; quality of life needs to be preserved.

Mr. McLean left at 6:22 p.m.

Ms. Blackshear explained that she is very interested to hear the consultant's results. Not passing this is not getting us where we want to be. Having something in place is better than having nothing.

Mr. Haynes stated that approving this feels like the right thing to do although it also feels like we are being backed into a corner.

Ms. Hagan-Dier stated that elected officials will work through this. Moving this to 17 allows us to be engaged from here on out. We need to clarify the definition and move this forward.

Mr. Tibbs spoke in favor of moving this to 17 so the commission can be part of the discussion moving forward.

Councilmember Allen asked to pass this legislation so something is in place while we continue to work on making it better.

Councilmember Allen moved and Ms. Diaz seconded the motion to approve. (7-1-1) Mr. Haynes voted against and Mr. Adkins abstained.

Mr. Adkins stepped back in the room at 6:51 p.m.

Mr. Haynes left at 6:51 p.m.

Approved with substitute ordinance. (10-1)

Resolution No. RS2016-381

"BE IT RESOLVED by The Metropolitan Planning Commission that 2016Z-022TX-001 is **Approved with a substitute ordinance. (7-1-1)**

14. 2016Z-024TX-001

BL2016-496/Angie Henderson
Staff Reviewer: Carrie Logan

A request to amend Chapters 17.04, 17.20 and 17.40 of the Metropolitan Code pertaining to sidewalks, requested by Councilmember Angie Henderson.

Staff Recommendation: Defer to the January 12, 2017, Planning Commission meeting.

The Planning Commission deferred 2016CP-002-001 to the January 12, 2017, Planning Commission meeting. (10-0)

15. 2016Z-025TX-001

BL2016-491/Jacobia Dowell
Staff Reviewer: Lisa Milligan

A request to amend Section 17.12.020 of Title 17 of the Metropolitan Code, Zoning Regulations, pertaining to minimum glazing requirements in certain single and two-family residential zoning districts, requested by Councilmember Jacobia Dowell.

Staff Recommendation: Defer to the January 26, 2017, Planning Commission meeting.

The Planning Commission deferred 2016CP-002-001 to the January 26, 2017, Planning Commission meeting. (10-0)

**16. 2016SP-066-001
CITY HEIGHTS**

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

A request to rezone from RS5 to SP-R zoning for property located at 2805, 2807, 2809, and 2811 Delaware Avenue, approximately 175 feet north of Felicia Street (0.68 acres) to permit up to 16 residential units, requested by Build Nashville, applicant; Jamie Duncan and Nick Dorroll, owners.

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

APPLICANT REQUEST

Zone change to permit a 16 unit residential development.

Preliminary SP

A request to rezone from Single-Family Residential (RS5) to Specific Plan-Residential (SP-R) zoning for property located at 2805, 2807, 2809, and 2811 Delaware Avenue, approximately 175 feet north of Felicia Street (0.68 acres) to permit up to 16 residential units.

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 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
- Provides a Range of Housing Choices
- Creates Walkable Neighborhoods

This area is served by adequate infrastructure. Development in areas with adequate infrastructure is more appropriate than development not served with adequate infrastructure such as roads, water and sewer, because it does not burden Metro with the cost of extending and maintaining new infrastructure. The request provides an additional housing option in the area. Additional housing options are important to serve a wide range of people with varying housing needs. The plan provides a sufficient sidewalk network connecting all parts of the development, which fosters active living and supports walkable neighborhoods.

NORTH NASHVILLE 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 plan is consistent with the policy. The policy supports a variety of housing types. This site is located approximately 120 feet from 28th Avenue North which is a residential arterial boulevard. The proposed plan provides for attached multi-family residential units close to the corridor, just north of Charlotte Pike.

PLAN DETAILS

The site is located at 2805, 2809 and 2811 Delaware Avenue and is approximately 0.68 acres in size. The properties are located along the south side of Delaware Avenue and are currently zoned for residential uses.

Site Plan

The plan calls for 16 residential units. Nine units are oriented towards Delaware Avenue. Seven units are located behind the units oriented towards Delaware Avenue, separated by a private drive aisle. The site slopes away from Delaware Avenue. The units work with the grade as it steps down away from Delaware Avenue. Height is limited to three stories in 35 feet.

Vehicular access is limited to the alley by a private drive. All units will have an attached two-car garage. The plan also calls for a new five foot wide sidewalk and four foot wide grass strip along Delaware Avenue. There is an existing sidewalk along Delaware Avenue that will provide pedestrian access to an existing sidewalk along 28th Avenue North. A sidewalk has been provided between the unit oriented towards Delaware Avenue and the rear units.

Landscaping is been provided along the eastern and western property lines as well as street trees along Delaware avenue.

ANALYSIS

The SP is consistent with the site's land use policies, and it also meets several critical planning goals. Additional housing choices are appropriate at this site because it is adjacent to 28th Avenue North, a busy corridor, and is north from Charlotte Pike. The proposed plan works with the slight grade of the site to provide a cohesive development. Sidewalks will be improved along the frontage on Delaware Avenue to provide an improved pedestrian environment to the existing sidewalks along Delaware Avenue and 28th Avenue North.

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

Approve 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.
- Add note to the plans that stormwater discharge is to be coordinated with MPW and Metro Stormwater. Point source discharge will not be permitted.
- ROW dedications are to be recorded prior to the building permit approval by MPW.

TRAFFIC AND PARKING RECOMMENDATION

Approved

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)	0.68	8.7 D	5 U	48	4	6

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 (220)	0.68	-	16 U	221	12	27

Traffic changes between maximum: **RS5** and **SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+11 U	+173	+8	+21

METRO SCHOOL BOARD REPORT

Projected student generation existing RS5 district: 1 Elementary 1 Middle 1 High
Projected student generation proposed SP-R district: 3 Elementary 2 Middle 2 High

The proposed SP zoning is expected to generate 4 more students than the existing RS5 zoning. Students would attend Park Avenue Elementary School, McKissack Middle School and Pearl-Cohn High School. None of the schools have been identified as being over capacity by the Metro School Board. This information is based upon data from the school board last updated March 2016.

AFFORDABLE AND WORKFORCE HOUSING REPORT (information provided by applicant)

1. Will this project include any affordable or workforce housing units? Unknown 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? N/A

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Uses shall be limited to a maximum of 16 residential units.
2. Revise case number to 2016SP-066-001.
3. A raised foundation of a minimum of 12" and a maximum of 42" shall be required for all residential uses.
4. Building elevations consistent with the architectural standards and approved preliminary shall be submitted with the submission of the final site plan.
5. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM20-A zoning district as of the date of the applicable request or application.
6. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
7. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
8. The final 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.
9. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
10. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
11. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Approved with Conditions, disapprove without conditions. Consent Agenda (10-1)
Resolution No. RS2016-382

"BE IT RESOLVED by The Metropolitan Planning Commission that 2016S-066-001 is **Approved with conditions and disapprove without conditions. (10-0)**

CONDITIONS

1. Uses shall be limited to a maximum of 16 residential units.
2. Revise case number to 2016SP-066-001.
3. A raised foundation of a minimum of 12" and a maximum of 42" shall be required for all residential uses.
4. Building elevations consistent with the architectural standards and approved preliminary shall be submitted with the submission of the final site plan.
5. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM20-A zoning district as of the date of the applicable request or application.
6. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
7. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
8. The final 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.
9. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
10. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
11. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

- 17. 2016SP-083-001**
50 MUSIC SQUARE WEST
Council District 19 (Freddie O'Connell)
Staff Reviewer: Shawn Shepard

A request to rezone from ORI to SP-C zoning on property located at 50 Music Square West, at the southeast corner of Music Square West and Chet Atkins Place, (0.53 acres), to permit a hotel and restaurant, requested by Barge Cauthen & Associates, applicant; O.I.C. 50 Music Square West Condominiums, owner.

Staff Recommendation: Defer to the January 26, 2017, Planning Commission meeting.

The Planning Commission deferred 2016CP-002-001 to the January 26, 2017, Planning Commission meeting. (10-0)

- 18. 2016SP-086-001**
7897 OLD CHARLOTTE PIKE SP
BL2016-409/Dave Rosenberg
Council District 35 (Dave Rosenberg)
Staff Reviewer: Patrick Napier

A request to rezone from R80 to SP-R zoning on property located at 7897 Old Charlotte Pike, approximately 1,050 feet northeast of Fire Tower Road, (8.2 acres), to permit all uses permitted by R80 and a kennel (only permitted with issuance of a special exception permit by Board of Zoning Appeals in accordance with the development standards of Section 17.16.175.A), requested by Dale & Associates, Inc., applicant; The Mountain view Trust, owner.

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

APPLICANT REQUEST

Rezoning from R80 to SP to permit the use of a Kennel permitted with issuance of a special exception.

Preliminary SP

A request to rezone from R80 to SP-MU zoning on property located at 7897 Old Charlotte Pike, approximately 1,050 feet northeast of Fire Tower Road, (8.2 acres), to permit all uses permitted by R80 and a kennel (only permitted with

issuance of a special exception permit by Board of Zoning Appeals in accordance with the development standards of Section 17.16.175.A).

History

The applicant initially requested a rezone for the property located at 7897 Old Charlotte Pike from R80 to AR2a in order to apply for a special exception to permit the use of the property as a Kennel. This request was disapproved at the September 22nd, 2016, Metro Planning Commission meeting. The applicant has subsequently converted the request to an SP and Metro Council re-referred the item to the Planning Commission.

Existing Zoning

Residential One and Two-Family (R80) requires a minimum 80,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of .58 dwelling units per acre including 25 percent duplex lots. *R80 would permit a maximum of 4 lots with 1 duplex lot for a total of 5 units.*

Proposed Zoning

Specific Plan-Mixed Use (SP-MU) 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 residential uses in addition to office and/or commercial uses. This Specific Plan includes the use of a kennel.

CRITICAL PLANNING GOALS

N/A

BELLVUE COMMUNITY PLAN

T2 Rural Maintenance (T2 RM) is intended to preserve rural character as a permanent choice for living within Davidson County and not as a holding or transitional zone for future urban development. T2 RM areas have established low-density residential, agricultural, and institutional development patterns. Although there may be areas with sewer service or that are zoned or developed for higher densities than is generally appropriate for rural areas, the intent is for sewer services or higher density zoning or development not to be expanded. Instead, new development in T2 RM areas should be through the use of a Conservation Subdivision at a maximum gross density of 1 dwelling unit/2 acres with individual lots no smaller than the existing zoning and a significant amount of permanently preserved open space.

Conservation (CO) is intended to preserve environmentally sensitive land features through protection and remediation. CO policy applies in all Transect Categories except T1 Natural, T5 Center, and T6 Downtown. CO policy identifies land with sensitive environmental features including, but not limited to, steep slopes, floodway/floodplains, rare or special plant or animal habitats, wetlands and unstable or problem soils. The guidance for preserving or enhancing these features varies with what Transect they are in and whether or not they have already been disturbed.

Consistent with Policy?

Yes. The rezoning to SP is consistent with the T2 Rural Maintenance and Conservation Policies and is appropriate given the site's location in a rural area. This request is consistent with the low residential density and rural character the policy aims to preserve.

Analysis

Staff recommends approval of this request as the proposed SP is consistent with the T2 Rural Maintenance policy and Conservation Policies. This site contains 8.2 acres of land, one single family home, and multiple accessory structures. The site contains 463 feet of frontage along Old Charlotte Pike, which is designated as a collector street by the Major and Collector Street Plan.

The natural topography of the site and existing vegetation will provide visual screening for the neighboring properties as well as a barrier to help mitigate noise that may result from the use of the property as a kennel. The impact of additional vehicular traffic should be minimal as this facility will not be open to the general public and therefore should not cause a large increase in traffic beyond the current single family use. The use of the property as a Kennel will require an approved special exception from the Metro Board of Zoning Appeals.

The following paragraph from section 17.04.060 - Definitions of General Terms, of the Metro Zoning Code provides the definition of a kennel.

"*Kennel/stable*" means any lot, building, structure or premises used for the boarding, breeding, training, and/or raising of domestic animal/wildlife (excluding livestock), whether by owners of such animals or by persons providing facilities and care, whether or not for compensation, but shall not apply to the keeping of animals in a municipal animal pound, pet store, a bona fide laboratory for scientific or experimental purposes (e.g. dental, veterinary, pharmaceutical or biological) or in a veterinary establishment for the purpose of observation and/or recovery necessary to veterinary treatment.

FIRE MARSHAL RECOMMENDATION
N/A

PUBLIC WORKS RECOMMENDATION
N/A

WATER SERVICES RECOMMENDATION
N/A

STORMWATER RECOMMENDATION
N/A

TRAFFIC AND PARKING RECOMMENDATION
N/A

STAFF RECOMMENDATION

Staff Recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Uses within this SP shall be limited to uses permitted by R80 zoning district and a kennel, permitted with the issuance of a special exception permit from the Board of Zoning Appeals.
2. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the R80 zoning district as of the date of the applicable request or application.

Approved with Conditions, disapprove without conditions. Consent Agenda (10-1)

Resolution No. RS2016-383

"BE IT RESOLVED by The Metropolitan Planning Commission that 2016SP-086-001 is **Approved. With conditions and disapprove without conditions. (10-0)**

CONDITIONS

1. Uses within this SP shall be limited to uses permitted by R80 zoning district and a kennel, permitted with the issuance of a special exception permit from the Board of Zoning Appeals.
2. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the R80 zoning district as of the date of the applicable request or application.

19a. 2016SP-090-001
PLATINUM STORAGE BRENTWOOD
Council District 04 (Robert Swope)
Staff Reviewer: Lisa Milligan

A request to rezone from MUN and OL to SP-C zoning on properties located at 673, 675, 681 and 683 Old Hickory Boulevard, approximately 300 feet east of Cloverland Drive, partially within a Planned Unit Development Overlay District (2.81 acres), to permit a self-service facility with a maximum height of 4 stories, requested by Littlejohn Engineering & Associates, applicant; Hampton Falls Storage Partners, LLC, OHB Development Group, Inc. and O.I.C. President's Reserve Office Condominiums, owners. (See associated case # 2004P-021-003)

Staff Recommendation: Defer to the January 26, 2017, Planning Commission meeting.

The Planning Commission deferred 2016CP-002-001 to the January 26, 2017, Planning Commission meeting. (10-0)

19b. 2004P-021-003
PUD CANCEL
Council District 04 (Robert Swope)
Staff Reviewer: Lisa Milligan

A request to cancel a portion of a Planned Unit Development Overlay District on property located at 673, 675, 681 and 683 Old Hickory Boulevard, approximately 300 feet east of Cloverland Drive, zoned MUN and OL (2.81 acres), requested by Littlejohn Engineering, applicant; Hampton Falls Storage Partners, LLC, owner. (See associated case # 2016SP-090-001)

Staff Recommendation: Defer to the January 26, 2017, Planning Commission meeting.

20. 2016SP-094-001

6370 IVY ST SP

Council District 20 (Mary Carolyn Roberts)

Staff Reviewer: Patrick Napier

A request to rezone from R8 to SP-R zoning on property located at 6370 Ivy Street, approximately 420 feet southeast of Croley Drive, (0.45 acres), to permit up to four residential units, requested by Dale and Associates, applicant; Lovell Properties, LLC, owner.

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

APPLICANT REQUEST

Rezone to SP to allow four residential units.

Preliminary SP

A request to rezone from One and Two-Family Residential (R8) to Specific Plan-Residential (SP-R) SP-R zoning on property located at 6370 Ivy Street, approximately 420 feet southeast of Croley Drive, (0.45 acres) to permit up to 4 residential units.

Existing Zoning

One and Two-Family Residential (R8) requires a minimum 8,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 5.79 dwelling units per acre including 25 percent duplex lots. *R8 would permit a maximum of 2 lots with 2 duplex lots for a total of 4 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

- Creates Walkable Neighborhoods

This SP will require the construction of a sidewalk along the frontage of this parcel. This sidewalk will act as the beginning of a network for the existing neighborhood.

WEST NASHVILLE COMMUNITY PLAN

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?

Yes. The proposed SP is consistent with the T4 NM policy and is appropriate given the site's location in an urban area. Within the T4 NM policy the form of development is key. T4 NM areas are intended to be moderate- to high-density. The purpose of this SP is to create additional housing options on a property that would otherwise not be duplex eligible. The structures proposed by this SP are generally consistent with the residential character of the existing homes along Ivy Street. The setbacks proposed within this SP will be consistent with the setbacks within the surrounding area meet and meet the requirements of the zoning code. There are currently seven duplexes along Ivy Street which provides an appropriate context for this SP. This site is within a quarter of a mile walking distance to an area which contains T4 Urban Neighborhood Center Policy which will likely redevelop as the surrounding neighborhood redevelops. This SP will limit access to a single driveway for all units within the site. .

PLAN DETAILS

The site consists of one lot located at 6370 Ivy Street. The proposed SP includes four detached residential dwelling units. Two units will front Ivy Street and two units will be located to the rear of the property.

The site will contain a single driveway which will provide access to all four units. All units will contain two car garages, the two units fronting Ivy Street will be rear loaded. The two units located to the rear of the property will be front loaded. No additional parking is being provided on site. The site plan shows sidewalks which meet the standards of a local street, a 4 ft wide grass strip and a 5 ft. wide sidewalk, as required by the Major and Collector Street Plan. All units will have a pedestrian connection to the proposed sidewalk fronting this site.

Conceptual building elevation drawings were not provided within the SP; however, architectural standards have been included on the plan and should be demonstrated through architectural elevations submitted with the final SP plan. The proposed residential units shall have a maximum height of 3 stories and 35 feet.

ANALYSIS

The proposed site plan is consistent with the T4 Neighborhood Maintenance Policy in this location and supports two critical planning goals. This infill development would create additional housing diversity within an area that is currently experiencing a moderate level of redevelopment. There are currently several duplex structures and single-family structures along Ivy Street which creates a diverse residential character for the street. This application would introduce a new housing product which would add to the existing diverse residential character of Ivy Street.

FIRE DEPARTMENT RECOMMENDATION

Approved with conditions

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

STORMWATER RECOMMENDATION

Approved

WATER SERVICES

Approved with conditions

- Approved as a Preliminary SP only. The required capacity fees must be paid prior to Final Site Plan/SP approval.

PUBLIC WORKS RECOMMENDATION

Approved with conditions

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works, 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.
- Add note to the plans that indicates relocation of all vertical obstruction from the proposed sidewalks (if any exist), i.e. poles, utility cabinets, fire hydrants, signs, guy wires, etc.

TRAFFIC AND PARKING RECOMMENDATION

Approved

Maximum Uses in Existing Zoning District: **R8**

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)	0.45	5.45 D	4 U	39	3	5

*Based on two 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 (210)	0.45	-	4 U	39	3	5

Traffic changes between maximum: **R8** and **SP-R**

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 **R8** district: 0 Elementary 0 Middle 0 High

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

The proposed SP-R zoning district would generate 1 additional students than what is typically generated under the existing R8 zoning district. Students would attend Cockrill Elementary, McKissack 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? Not anticipated 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? Not that the applicant is aware of.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Uses in the SP shall be limited to a maximum of 4 detached residential units.
2. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the R8 zoning district as of the date of the applicable request or application.
3. The following design standards shall be added to the plan:
 - a. Building façades fronting a street shall provide a minimum of one principal entrance (doorway) and a minimum of 25% glazing.
 - b. Windows shall be vertically oriented at a ratio of 1.5:1 or greater, except for dormers or egress windows.
 - c. EIFS, vinyl siding and untreated wood shall be prohibited.
 - d. Porches shall provide a minimum of six feet of depth.
 - e. A raised foundation of 18"- 36" is required for all residential structures.
4. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
5. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
6. 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.
7. 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.
8. 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.

Approved with Conditions, disapprove without conditions. Consent Agenda (10-1)

Resolution No. RS2016-384

"BE IT RESOLVED by The Metropolitan Planning Commission that 2016SP-094-001 is **Approved. with conditions and disapprove without conditions. (10-0)**

CONDITIONS

1. Uses in the SP shall be limited to a maximum of 4 detached residential units.
2. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the R8 zoning district as of the date of the applicable request or application.
3. The following design standards shall be added to the plan:
 - a. Building façades fronting a street shall provide a minimum of one principal entrance (doorway) and a minimum of 25% glazing.
 - b. Windows shall be vertically oriented at a ratio of 1.5:1 or greater, except for dormers or egress windows.
 - c. EIFS, vinyl siding and untreated wood shall be prohibited.
 - d. Porches shall provide a minimum of six feet of depth.
 - e. A raised foundation of 18"- 36" is required for all residential structures.
4. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
5. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
6. 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.
7. 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.

8. 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-095-001
CLAY STREET PROPERTIES
Council District 21 (Ed Kindall)
Staff Reviewer: Latisha Birkeland

A request to rezone from OR20 and R6 to SP-MU zoning on properties located at 303, 305, 401 and 405 Clay Street, 405 Dominican Drive, 1919, 1920, 1922 and 1924 4th Avenue North, at the south corner of Dominican Drive and Clay street, (1.65 acres), to permit a hotel, requested by Ragan-Smith and Associates, applicant; B.V. Kumar, owner.

Staff Recommendation: Defer to the January 12, 2017, Planning Commission meeting.

The Planning Commission deferred 2016CP-002-001 to the January 12, 2017, Planning Commission meeting. (10-0)

22. 2016SP-098-001
Council District 05 (Scott Davis)
Staff Reviewer: Latisha Birkeland

A request to rezone from SP to SP zoning on properties located at 123, 125, and 127 Cleveland Street and 904, 906, 908, 908B, 910, and 912 North 2nd Street, at the northwest corner of Cleveland Street and North 2nd Street (1.13 acres), to permit uses limited to one single-family or one two-family unit per parcel. Two-family units shall be fully connected and shall appear as one unit, requested by Councilmember Scott Davis, applicant; various property owners.

Staff Recommendation: Defer to the January 12, 2017, Planning Commission meeting.

The Planning Commission deferred 2016CP-002-001 to the January 12, 2017, Planning Commission meeting. (10-0)

23. 2016S-255-001
BRYANT HEIGHTS RESUB OF LOT 1
Council District 16 (Mike Freeman)
Staff Reviewer: Latisha Birkeland

A request for final plat approval to create four lots on property located at 2686 Hartford Drive, at the northeast corner of Hartford Drive and Whitsett Road, zoned RS10 (0.95 acres), requested by Q. Scott Pulliam, RLS, applicant; Jason Bockman, owner.

Staff Recommendation: Defer to the January 26, 2017, Planning Commission meeting.

The Planning Commission deferred 2016CP-002-001 to the January 26, 2017, Planning Commission meeting. (10-0)

24a. 2005P-003-002
DELVIN DOWNS ADDITION
Council District 31 (Fabian Bedne)
Staff Reviewer: Latisha Birkeland

A request to amend a Planned Unit Development Overlay District on a portion of property located at 1031 Barnes Road and Barnes Road (unnumbered), approximately 130 feet west of Blackpool Drive, zoned AR2a and partially within a Planned Unit Development Overlay District (2.9 acres), to permit the addition of 2.9 acres, requested by Anderson Delk Epps & Associates, Inc., applicant; Linda Whittaker and Blackstone Development, Inc., owners. (See associated case # 2016Z-133PR-001)

Staff Recommendation: Approve with conditions and disapprove without all conditions subject to the approval of the associated zone change, and disapprove if the associated zone change is not approved.

APPLICANT REQUEST

Amend a PUD.

Amend PUD

A request to amend a Planned Unit Development Overlay District on a portion of property located at 1031 Barnes Road and Barnes Road (unnumbered), approximately 130 feet west of Blackpool Drive, zoned

Agricultural/Residential (AR2a) and partially within a Planned Unit Development Overlay District (2.9 acres), to permit the addition of 2.9 acres.

Existing Zoning

Agricultural/Residential (AR2a) requires a minimum lot size of two acres and is intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per two acres. The AR2a District is intended to implement the natural conservation or rural land use policies of the general plan. *AR2a would permit a maximum of 1 lot with 1 duplex lots for a total of 2 units.*

Proposed 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 12 lots.*

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

CRITICAL PLANNING GOALS

N/A

SOUTHEAST COMMUNITY PLAN

T3 Suburban Neighborhood Evolving (T3 NE) is intended to create and enhance suburban residential neighborhoods with more housing choices, improved pedestrian, bicycle and vehicular connectivity, and moderate density development patterns with moderate setbacks and spacing between buildings. T3 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, block structure, and proximity to centers and corridors. T3 NE areas are developed with creative thinking in environmentally sensitive building and site development techniques to balance the increased growth and density with its impact on area streams and rivers.

Conservation (CO) is intended to preserve environmentally sensitive land features through protection and remediation. CO policy applies in all Transect Categories except T1 Natural, T5 Center, and T6 Downtown. CO policy identifies land with sensitive environmental features including, but not limited to, steep slopes, floodway/floodplains, rare or special plant or animal habitats, wetlands and unstable or problem soils. The guidance for preserving or enhancing these features varies with what Transect they are in and whether or not they have already been disturbed.

Consistent with Policy?

Yes. The policy supports single-family residential development. The policy supports development that is generally consistent with the surrounding development pattern. The proposed amendment is consistent with the character of the existing single-family development currently built within the PUD in terms of building form and land use. It is also consistent with the general character of the surrounding neighborhoods, which has several single-family developments. The proposed development will not disturb the steepest slopes on the site.

PLAN DETAILS

The site is located just west of Blackpool Drive, south of Barnes Road. The PUD Amendment is not increasing units more than what was approved in 2006, but is adding land. Metro Council approved the Delvin Downs PUD in 2005 for 154 single-family lots. In 2006, the Planning Commission granted final site plan approval for 145 single-family lots. In 2015, a revision and final site plan reduced 30 single-family homes to 27 single family homes. The current proposal is to add 2.9 acres to the PUD to permit 11 single-family homes. With the amendment to add 11 single-family homes, the PUD will increase back to the original number of approved lots, 154 single-family homes.

Site Plan

The 11 units proposed with this amendment are located west of the existing PUD development. The lots will have frontage on an approved road and will create a cul-de-sac from the approved road. This proposal would use a cluster lot option for the 11 lots. The increase in acreage to the PUD will also increase the total amount of open space from 14 acres to 14.82 acres, while preserving additional steep slopes.

ANALYSIS

Section 17.40.120.G permits the Planning Commission to approve “minor modifications” under certain conditions. However, this request cannot be considered a “minor modification” because it adds acreage over what was approved by Council. As an amendment, this proposal will require Council approval.

The proposed PUD amendment is consistent with the T3 NE land use policy. The addition of eleven units is appropriate since it is consistent with the site layout and design of the existing PUD.

FIRE DEPARTMENT RECOMMENDATION

N/A

STORMWATER RECOMMENDATION

Approved with conditions

- The grading plan must be revised to reflect this amendment, and (re)approved, prior to approval of the Final Site Plan/PUD.

WATER SERVICES

Approved with conditions

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

PUBLIC WORKS RECOMMENDATION

Approved

TRAFFIC AND PARKING RECOMMENDATION

Approved with conditions

- Comply with previous PUD roadway conditions.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions subject to approval of the associated zone change, and disapprove if the associated zone change is not approved.

CONDITIONS

1. 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.
2. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.

Ms. Birkeland presented the staff recommendation of approval with conditions and disapproval without all conditions subject to the approval of the associated zone change, and disapproval if the associated zone change is not approved.

Items 24a and 24b were heard and discussed together.

Joe Epps, 618 Grassland Park spoke in favor of the application.

Larry Hasty, developer, spoke in favor of the application.

Deb Dawson spoke in favor of the application.

Chris Felts, 156 Blackpool Dr, spoke in opposition and noted that more buffer on the back property line would be advisable.

Chairman Adkins closed the Public Hearing.

Ms. Hagan-Dier spoke in favor of staff recommendation.

Councilmember Allen encouraged preservation of mature trees as they proceed with development.

Ms. Diaz stated that she would like to see the buffer line increased from 10'.

Joe Epps explained that a landscaping survey will be done and they will save all the trees they possibly can.

Councilmember Allen moved and Ms. Farr seconded the motion to approve with conditions. (8-0)

Resolution No. RS2016-385

"BE IT RESOLVED by The Metropolitan Planning Commission that 2005P-003-002 is **Approved with conditions and disapprove without conditions. (8-0)**

CONDITIONS

1. 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.
2. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.

24b. 2016Z-133PR-001

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

A request to rezone from AR2a to RS10 zoning on a portion of property located at 1031 Barnes Road, approximately 220 feet west of Blackpool Drive, (2.9 acres), requested by Anderson Delk Epps and Associates, Inc., applicant; Linda Whittaker, owner. (See associated case # 2005P-003-002)

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from AR2a to RS10

Zone Change

A request to rezone from Agricultural/Residential (AR2) a to Single-Family Residential (RS10) zoning on a portion of property located at 1031 Barnes Road, approximately 220 feet west of Blackpool Drive, (2.9 acres).

Existing Zoning

Agricultural/Residential (AR2a) requires a minimum lot size of two acres and is intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per two acres. The AR2a District is intended to implement the natural conservation or rural land use policies of the general plan. *AR2a would permit a maximum of 2 lots with 1 duplex lot for a total of 2 units.*

Proposed 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 12 lots.*

Planned Unit Development Overlay District (PUD) is an alternative zoning process that allows for the development of land in a well-planned and coordinated manner, providing opportunities for more efficient utilization of land than would otherwise be permitted by the conventional zoning provisions of this title. The PUD district may permit a greater mixing of land uses not easily accomplished by the application of conventional zoning district boundaries, or a framework for coordinating the development of land with the provision of an adequate roadway system or essential utilities and services. In return, the PUD district provisions require a high standard for the protection and preservation of environmentally sensitive lands, well-planned living, working and shopping environments, and an assurance of adequate and timely provision of essential utilities and streets. *If this request and the associated PUD amendment are approved, then this portion of the PUD would permit a maximum of 11 lots.*

CRITICAL PLANNING GOALS

N/A

SOUTHEAST COMMUNITY PLAN

T3 Suburban Neighborhood Evolving (T3 NE) is intended to create and enhance suburban residential neighborhoods with more housing choices, improved pedestrian, bicycle and vehicular connectivity, and moderate density development patterns with moderate setbacks and spacing between buildings. T3 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, block structure, and proximity to centers and corridors. T3 NE areas are developed with creative thinking in environmentally sensitive building and site development techniques to balance the increased growth and density with its impact on area streams and rivers.

Conservation (CO) is intended to preserve environmentally sensitive land features through protection and remediation. CO policy applies in all Transect Categories except T1 Natural, T5 Center, and T6 Downtown. CO policy identifies land with sensitive environmental features including, but not limited to, steep slopes, floodway/floodplains, rare or special plant or animal habitats, wetlands and unstable or problem soils. The guidance for preserving or enhancing these features varies with what Transect they are in and whether or not they have already been disturbed.

Consistent with Policy?

Yes. The proposed RS10 zoning district is consistent with the T3 Suburban Neighborhood Evolving policy. The policy supports development that is generally consistent with the surrounding development pattern, and the proposed RS10 zoning is consistent with the general character of the surrounding neighborhoods. The site is directly west of the existing PUD property zoned RS10. RS10 zoning is located in several locations in the greater area. The associated PUD amendment is also consistent with the policy.

FIRE DEPARTMENT 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: **AR2a**

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)	2.9	0.5 D	2 U	20	2	3

Maximum Uses in Proposed 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)	2.9	4.3 D	12 U	115	9	13

Traffic changes between maximum: **AR2a** and **RS10**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+ 10 U	+95	+7	+10

METRO SCHOOL BOARD REPORT

Projected student generation existing AR2a district: 1 Elementary 0 Middle 0 High

Projected student generation proposed RS10 district: 1 Elementary 1 Middle 1 High

The proposed zone change to RS10 zoning would generate two additional students. Students would attend Shayne Elementary School, Oliver Middle School, and Overton High School. Overton High School has been identified as over capacity. There is capacity within the adjacent cluster for high school students. The information is based upon data from the school board last updated in March 2016.

AFFORDABLE AND WORKFORCE HOUSING REPORT (information provided by applicant)

1. Will this project include any affordable or workforce housing units? Not applicable
2. If so, how many and what is the percentage of the entire development? Not applicable
3. How will you enforce the affordability requirements? Not applicable
4. Have any structures been demolished in the last 12 months? No.

STAFF RECOMMENDATION

Staff recommends approval.

Ms. Birkeland presented the staff recommendation of approval.

Items 24a and 24b were heard and discussed together.

Joe Epps, 618 Grassland Park spoke in favor of the application.

Larry Hasty, developer, spoke in favor of the application.

Deb Dawson spoke in favor of the application.

Chris Felts, 156 Blackpool Dr, spoke in opposition and noted that more buffer on the back property line would be advisable.

Chairman Adkins closed the Public Hearing.

Ms. Hagan-Dier spoke in favor of staff recommendation.

Councilmember Allen encouraged preservation of mature trees as they proceed with development.

Ms. Diaz stated that she would like to see the buffer line increased from 10'.

Joe Epps explained that a landscaping survey will be done and they will save all the trees they possibly can.

Councilmember Allen moved and Ms. Hagan-Dier seconded the motion to approve. (8-0)

Resolution No. RS2016-386

"BE IT RESOLVED by The Metropolitan Planning Commission that 2016Z-133PR-001 is **Approved. (8-0)**

25. 2016Z-134PR-001

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

A request to rezone from R8 to RM20-A zoning on properties located at W Trinity Lane (unnumbered), approximately 660 feet west of Old Buena Vista Road (1.02 acres), requested by Kudzu Real Estate, Inc., applicant and owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from R8 to RM20-A.

Zone Change

A request to rezone from One and Two-Family Residential (R8) to Multi-Family Residential-Alternative (RM20-A) zoning on properties located at W Trinity Lane (unnumbered), approximately 660 feet west of Old Buena Vista Road (1.02 acres).

Existing Zoning

One and Two-Family Residential (R8) requires a minimum 8,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 5.79 dwelling units per acre including 25 percent duplex lots. *R8 would permit a maximum of 5 lots with 1 duplex lot for a total of 6 units.*

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

CRITICAL PLANNING GOALS

N/A

BORDEAUX – WHITES CREEK COMMUNITY PLAN

T3 Suburban Neighborhood Evolving (T3 NE) is intended to create and enhance suburban residential neighborhoods with more housing choices, improved pedestrian, bicycle and vehicular connectivity, and moderate density development patterns with moderate setbacks and spacing between buildings. T3 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, block structure, and proximity to centers and corridors. T3 NE areas are developed with creative thinking in environmentally sensitive building and site development techniques to balance the increased growth and density with its impact on area streams and rivers.

Conservation (CO) is intended to preserve environmentally sensitive land features through protection and remediation. CO policy applies in all Transect Categories except T1 Natural, T5 Center, and T6 Downtown. CO policy identifies land with sensitive environmental features including, but not limited to, steep slopes, floodway/floodplains, rare or special plant or animal habitats, wetlands and unstable or problem soils. The guidance for preserving or enhancing these features varies with what Transect they are in and whether or not they have already been disturbed.

Consistent with Policy?

Yes. The proposed RM20-A district permits multi-family residential, which is supported by the Neighborhood Evolving policy and is appropriate given that the site is located on W. Trinity Lane, which is a collector.

ANALYSIS

The proposed RM20–A zoning district is located on the south side of West Trinity Lane, just west of Old Buena Vista Road. The RM20-A zoning district would allow for up to 20 multi-family residential dwelling units. The area is surrounded by R8, MUL, and SP zoning districts. Sidewalks are currently present along West Trinity Lane allowing safe pedestrian travel to Old Buena Vista Road. Allowing multi-family residential uses furthers the goals of the Neighborhood Evolving policy in this area.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Traffic study may be required at time of development.

Maximum Uses in Existing Zoning District: **R8**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two- Family Residential* (210)	1.02	5.4 D	6 U	58	5	7

*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	1.02	20 U	20 U	245	14	29

Traffic changes between maximum: **R8** and **RM20-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+ 14 U	+187	+9	+22

METRO SCHOOL BOARD REPORT

Projected student generation existing R8 district: 1Elementary 1 Middle 1 High

Projected student generation proposed RM20-A district: 0 Elementary 2 Middle 2 High

The proposed zone change would generate one more student than what is typically generated under the existing R8 zoning district. Students would attend Lillard Elementary School, Joelton Middle School, and Whites Creek High School. There is capacity for additional students in all three schools. The information is based upon data from the school board last updated in March 2016.

AFFORDABLE AND WORKFORCE HOUSING REPORT (information provided by applicant)

1. Will this project include any affordable or workforce housing units? Unknown at this time.
2. If so, how many and what is the percentage of the entire development? Not applicable
3. How will you enforce the affordability requirements? Not applicable.
4. Have any structures been demolished in the last 12 months? No.

STAFF RECOMMENDATION

Staff recommends approval since it is consistent with the property’s T3 Neighborhood Evolving land use policy.

Approve. Consent Agenda (10-1)

Resolution No. RS2016-387

“BE IT RESOLVED by The Metropolitan Planning Commission that 2016Z-134PR-001 is **Approved. (10-0)**”

26. 2016Z-135PR-001

Council District 19 (Freddie O’Connell)
Staff Reviewer: Shawn Shepard

A request to rezone from IG to MUL-A on property located at 93 Taylor Street, at the southeast corner of 1st Avenue North and Taylor Street, (1.74 acres), requested by Advani Management Group, LLC, applicant; Melanie Tummons and M.A. Haynes, owners.

Staff Recommendation: Defer to the January 26, 2017, Planning Commission meeting.

27. 2016Z-137PR-001

Council District 17 (Colby Sledge)
Staff Reviewer: Shawn Shepard

A request to rezone from MUL to MUL-A zoning on properties located at 1214, 1216, 1218 and 1220 Martin Street, at the northeast corner of Humphreys Street and Martin Street, (0.41 acres), requested by Dewey Engineering, applicant; Martin Humphreys, LLC, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from MUL to MUL-A.

Zone Change

A request to rezone from Mixed-Use Limited (MUL) to Mixed-Use Limited – Alternative (MUL-A) zoning on properties located at 1214, 1216, 1218 and 1220 Martin Street, at the northeast corner of Humphreys Street and Martin Street, (0.41 acres), requested by Dewey Engineering, applicant; Martin Humphreys, LLC, owner.

Existing Zoning

Mixed-Use Limited (MUL) is intended to implement the moderate intensity mixed-use policies of the general plan. The bulk standards permitted by this district, along with the range of allowable uses, are designed to promote the preservation and adaptive reuse of larger structures that contribute to the historical or architectural character of an area. This district should be applied to areas that have good access to collector or arterial streets and public transportation service.

Proposed Zoning

Mixed-Use Limited - Alternative (MUL-A) is also intended to implement the moderate intensity mixed-use policies of the general plan, and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. MUL-A is an alternative to a zoning district that requires a site plan.

CRITICAL PLANNING GOALS

- Creates Walkable Neighborhoods
- Supports Infill Development

The rezoning from MUL to MUL-A will contribute to a walkable neighborhood by integrating residential and nonresidential uses and meeting the needs of residents on foot. Building placement and bulk standards are designed to enhance the pedestrian experience. The rezoning to MUL-A will also allow for the redevelopment of vacant urban lots where infrastructure exists. Development in areas with adequate infrastructure is more appropriate than development not served with adequate infrastructure such as roads, water, and sewer, because it does not burden Metro with the cost of maintaining new infrastructure.

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 is consistent with the T4 Urban Mixed Use Neighborhood policy. The proposed zoning allows for a mixture of uses, including commercial and residential, with building placement and bulk standards designed to create walkable neighborhoods. The location of the subject parcels, approximately 550 feet south of a collector, makes the application of MUL-A zoning appropriate and consistent with the policy.

ANALYSIS

The requested rezoning to MUL-A is consistent with the policy for the area and is appropriate given the surrounding land uses and land use policy. The subject parcels are currently vacant. The parcels are located at the northeast corner of the intersection of Martin and Humphreys Streets and are approximately 550 feet south of Chestnut Street, which is designated in the Major and Collector Streets Plan as an urban, mixed-use collector-avenue. The rezoning allows for redevelopment of a lot that has existing infrastructure in a way that enhances the street frontages and meets the goals of the policy. The bulk and building placement standards associated with MUL-A zoning ensure mixed-use development that addresses the pedestrian realm and relegates parking to the side or rear of buildings.

FIRE MARSHAL RECOMMENDATION

N/A

PUBLIC WORKS RECOMMENDATION

N/A

WATER SERVICES RECOMMENDATION

N/A

STORMWATER RECOMMENDATION

N/A

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- A traffic study may be required at the time of development

The proposed zone change, from MUL to MUL-A, results only in the addition of building placement and design standards. It does not alter the allowable uses or bulk limitations which are used to generate traffic estimates. Therefore, no traffic table is provided for this request.

SCHOOL BOARD REPORT

Projected student generation existing MUL district: 4 Elementary 2 Middle 2 High

Projected student generation proposed MUL-A district: 4 Elementary 2 Middle 2 High

The proposed MUL-A zoning district will generate no additional students beyond what would be generated under the existing MUL zoning. Students would attend Fall-Hamilton 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.

STAFF RECOMMENDATION

Staff recommends approval as the requested zone change is consistent with the T4 Mixed Use Neighborhood land use policy.

Approved. Consent Agenda (9-1)

Resolution No. RS2016-388

"BE IT RESOLVED by The Metropolitan Planning Commission that 2016Z-137PR-001 is **Approved. (9-1)**"

28. 2016Z-138PR-001

Council District 06 (Brett Withers); 07 (Anthony Davis)

Staff Reviewer: Lisa Milligan

A request to apply a Contextual Overlay District to various properties along Colbert Drive and Shadow Lane, east of Rosebank Avenue, zoned R10 (16.21 acres), Requested by Councilmember Brett Withers, applicant; various property owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Apply a contextual overlay.

Zone Change

A request to apply a Contextual Overlay District to various properties along Colbert Drive and Shadow Lane, east of Rosebank Avenue, zoned One and Two-Family Residential (R10), (16.21 acres).

Existing Zoning

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

Proposed Zoning

Contextual Overlay provides appropriate design standards for residential areas necessary to maintain and reinforce an established form or character of residential development in a particular area.

EAST NASHVILLE COMMUNITY PLAN

Conservation (CO) is intended to preserve environmentally sensitive land features through protection and remediation. CO policy applies in all Transect Categories except T1 Natural, T5 Center, and T6 Downtown. CO policy identifies land with sensitive environmental features including, but not limited to, steep slopes, floodway/floodplains,

rare or special plant or animal habitats, wetlands and unstable or problem soils. The guidance for preserving or enhancing these features varies with what Transect they are in and whether or not they have already been disturbed.

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.

Consistent with Policy?

Yes. The proposed Contextual Overlay is consistent with the policy. The Contextual Overlay would help to preserve the general character of the existing neighborhood with specific standards for new construction that are directly related to the existing residential structures in the area.

ANALYSIS

The Contextual Overlay District provides appropriate design standards for residential areas necessary to maintain and reinforce an established form or character of residential development in a particular area.

The Design Standards established through the Contextual Overlay include specific standards in regards to street setback, building height, building coverage, access, driveways, garages, and parking areas. Street setbacks, building height, and building coverage are directly tied to the lots abutting on either side of a lot proposed for new construction. Access, driveway, garage and parking Design Standards are intended to help control new accesses on the public streets as well as location of garages and parking to lessen the impact of new construction on existing homes. The Design Standards are already established and cannot be modified. The lots that have double frontage along Colbert Drive and Airpark Drive are oriented toward Colbert Drive. Any new development fronting Colbert Drive would be subject to the regulations of the overlay. There is topography along the Airpark Drive frontage making it unlikely that new units would be developed fronting on Airpark Drive. If new units were developed fronting on Airpark Drive would not be subject to the overlay.

CONTEXTUAL OVERLAY STANDARDS

- A. Street setback. The minimum required street setback shall be the average of the street setback of the two developed lots abutting each side of the lot. When one or more of the abutting lots is vacant, the next developed lot on the same block face shall be used. The minimum provided in 17.12.030A and the maximum provided in 17.12.030C.3 shall not apply. Where there is only one abutting lot on the same block face, it shall be used for this calculation. When the subject lot is on a corner, the minimum required street setback shall be calculated and met for each street.
- B. Height.
 - 1. The maximum height, including the foundation, of any primary structure shall not be greater than 35 feet or 125% of the average height of the principal structures on the two lots abutting each side of the lot, whichever is less. When one of the abutting lots is vacant, the next developed lot on the same block face shall be used. Where there is only one abutting lot on the same block face, it shall be used for this calculation. When the subject lot is on a corner, the maximum height shall be calculated for each street and limited to 35 feet or 125% of the average height of the lesser value. When 125% of the average of the abutting structures is less than 27 feet, a maximum height of 1.5 stories in 27 feet shall be permitted.
 - 2. The maximum height, including the foundation, of any accessory structure shall not be greater than 27 feet.
 - 3. For the purposes of this section, height shall be measured from grade or, if present, the top of a foundation which shall not exceed three feet above grade, to the roof line.
- C. Maximum building coverage. The maximum building coverage (excluding detached garages and other accessory buildings) shall be a maximum of 150% of the average of the building coverage (excluding detached garages and other accessory buildings) of the two abutting lots on each side. When the abutting lot is vacant, the next developed lot shall be used. Where there is only one abutting lot on the same block face, it shall be used for this calculation. When the subject lot is on a corner, the maximum building coverage shall be calculated and met for each street.
- D. Access and driveways, garages and parking areas.
 - 1. Access and Driveways.
 - a. Where existing, access shall be from an improved alley. Where no improved alley exists, a driveway within the street setback may be permitted.
 - b. For a corner lot, the driveway shall be located within 30 feet of the rear property line.
 - c. Driveways are limited to one driveway ramp per public street frontage.
 - d. Parking, driveways and all other impervious surfaces in the required street setback shall not exceed twelve feet in width.
 - 2. Garages.
 - a. Detached. The front of any detached garage shall be located behind the rear of the primary structure. The garage door of a detached garage may face the street.
 - b. Attached. The garage door shall face the side or rear property line

STAFF RECOMMENDATION

Staff recommends approval as the establishment of a contextual overlay is consistent with the policy for the area.

Approved. Consent Agenda (10-1)

Resolution No. RS2016-389

"BE IT RESOLVED by The Metropolitan Planning Commission that 2016Z-138PR-001 is **Approved. (10-0)**

29. 2007SP-150-001

EVANS HILL

Council District 12 (Steve Glover)

Staff Reviewer: Patrick Napier

A request to amend a previously approved SP for properties located at 1209 and 1213 Tulip Grove Road, Tulip Grove Road (unnumbered) and Valley Grove Road (unnumbered), approximately 200 feet northeast of Rockwood Drive, (72.01 acres), to permit up to 340 residential units consisting of 180 single-family lots and 160 multi-family units, requested by Wamble & Associates, PLLC, applicant; The Wise Group, Inc., owner.

Staff Recommendation: Defer to the January 12, 2017, Planning Commission meeting.

The Planning Commission deferred 2016CP-002-001 to the January 12, 2017, Planning Commission meeting. (10-0)

H: OTHER BUSINESS

30. Employee contract renewal for Kyle Lampert

Approved. Consent agenda (10-0)

Resolution No. RS2016-390

"BE IT RESOLVED by The Metropolitan Planning Commission that Employee Contract: Kyle Lampert: is **Approved. (10-0)**

31. Request to waive the public notification requirement for the East Nashville Community Plan Amendment.

Approved. Consent agenda (10-0)

Resolution No. RS2016-391

"BE IT RESOLVED by The Metropolitan Planning Commission that the request to waive the public notification requirement for the East Nashville Community Plan is **Approved. (10-0)**

32. Historic Zoning Commission Report

33. Board of Parks and Recreation Report

34. Executive Committee Report

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

Approved. Consent agenda (10-0)

Resolution No. RS2016-389

"BE IT RESOLVED by The Metropolitan Planning Commission has accepted the Director's Report and Approved Administrative items, and is **Approved. (10-0)**

36. Legislative Update

I: MPC CALENDAR OF UPCOMING EVENTS

December 08, 2016

MPC Meeting

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

December 10, 2016

MPC Retreat

8am-1pm, 800 Second Ave. South, Metro Office Building, Development Services Center Conference Room

January 12, 2017

MPC Meeting

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

January 26, 2017

MPC Meeting

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

J: ADJOURNMENT

The meeting adjourned at 7:20 p.m.

Chairman

Secretary



METROPOLITAN GOVERNMENT
OF NASHVILLE AND DAVIDSON COUNTY
Planning Department
Metro Office Building, 2nd Floor

Date: December 8, 2016

To: Metropolitan Nashville-Davidson County Planning Commissioners

From: J. Douglas Sloan III

Re: Executive Director's Report

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: Clifton; Adkins; McLean; Farr; Allen; Hagan-Dier; Tibbs; Haynes; Blackshear; Diaz
 - b. Not Attending:
2. Legal Representation – Macy Amos will be attending.

B. Land Development

1. Abbie Rickoff, Planner II, will start on December 5, 2016.
2. Gene Burse, Planner I, will start on December 5, 2016.

C. Community Plans/Design Studio

1. Anna Grider, Planner I, will start on December 30, 2016.

D. Executive Office

1. An updated Neighborhoods map has been completed & released – updatable as new neighborhoods are defined.

**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 11/29/2016**.

APPROVALS	# of Applics	# of Applics '16
Specific Plans	0	40
PUDs	0	11
UDOs	0	4
Subdivisions	13	152
Mandatory Referrals	6	154
Grand Total	19	361

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

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

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

MANDATORY REFERRALS: MPC Approval					
Date Submitted	Staff Determination	Case #	Project Name	Project Caption	Council District (CM Name)
10/17/2016 8:40	11/15/2016 0:00 PLRECAPPR	2016M-035EN-001	HOTEL INDIGO AT 315 UNION STREET UNDERGROUND AND STRUCTURAL ENCROACHMENT	A request to allow an underground and structural encroachment comprised of entrance lighting encroaching the public right-of-way for property located at 315 Union Street, requested by Metro Public Works and R.C. Mathews Contractor, applicants; TN Union Owner, LLC, owner.	19 (Freddie O'Connell)
11/3/2016 12:03	11/15/2016 0:00 PLRECAPPR	2017M-001OT-001	2016 OFFICIAL MAP AND RECORD ACCEPTANCE	A request to approve a list of Streets and Alleys documented in the Geographic Information Systems Street and Alley Centerline File as being accepted for public Maintenance or designated as "no maintenance", and road names that have been corrected, between October	

					1, 2015 and September 30, 2016, requested by Metro Public Works, applicant.	
11/2/2016 13:08	11/17/2016 0:00	PLRECAPP	2017M-001SR-001	LIFEWAY PLAZA RENAMING	A request to rename Lifeway Plaza to J M Frost Plaza, from 9th Avenue North to 10th Avenue North, requested by Metro Public Works, applicant.	19 (Freddie O'Connell)
11/2/2016 13:37	11/17/2016 0:00	PLRECAPP	2017M-002SR-001	JO JOHNSTON AVENUE RENAMING	A request to rename a portion of Jo Johnston Avenue to Lifeway Plaza, from 12th Avenue North to 10th Circle North, between Harrison Street and Nelson Merry Street, requested by Metro Public Works, applicant.	19 (Freddie O'Connell)
11/3/2016 9:41	11/17/2016 0:00	PLRECAPP	2017M-003SR-001	BOSCOBEL STREET RENAMING	A request to rename a portion of Boscobel Street to South 6th Street, north from Shelby Avenue and adjacent to MDHA Edgefield Manor (See map for Details), requested by Metro Public Works, applicant.	06 (Brett Withers)

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)
1/13/2016 0:00	11/13/2016 0:00	PLAPADMIN	2016S-036-001	SALIMBENE PROPERTY	A request for final plat approval to create two lots on property located at 3512 Earhart Road, approximately 275 feet south of Hessey Road (3.2 acres), zoned RS15, requested by Southern Precision Land Surveying, Inc., applicant; Robert P. Salimbene, owner.	12 (Steve Glover)
4/1/2016 0:00	11/14/2016 0:00	PLRECAPP	2016S-090-001	BURKITT SPRINGS PHASE 3	A request for final plat approval to create 37 lots on properties located at Burkitt Road (unnumbered) and Kidd Road (unnumbered), approximately 440 feet west of the Westcott Lane and Tidmarsh Street intersection (30.77 acres), zoned SP and RS10, requested by Harrah Group, applicant; Regent Homes, LLC and McGowan Investments, INC, owner.	31 (Fabian Bedne)
6/16/2016 9:17	11/14/2016 0:00	PLRECAPP	2016S-149-001	PINE RIDGE ESTATES PHASE 1	A request for final plat approval to create 19 lots on property located at Woodland Way (unnumbered), approximately 110 feet southwest of Eagle Ridge, zoned R15 and R40 (7.54 acres), requested by Ragan-Smith & Associates, applicant; KDS Investments, G.P., owner.	22 (Sheri Weiner)
7/11/2016 12:19	11/15/2016 0:00	PLAPADMIN	2016S-170-001	J.B. HAYNES ORIENTAL SUBDIVISION RESUB OF LOT 35	A request for final plat approval to create two lots on property located at Prince Avenue (unnumbered), approximately 400 feet northwest of	05 (Scott Davis)

8/15/2016 8:59	11/15/2016 0:00	PLAPADMIN	2016S-206-001	CARRINGTON PLACE SECTION 2 PHASE 3	Sultana Avenue, zoned RS5 (0.33 acres), requested by James Terry & Associates, applicant; John S. Blackwell, owner. A request for final plat approval to create 18 residential lots on a portion of property located at 4412 Eatons Creek Road, approximately 610 feet east of Brome Lane, zoned RS15 (5.42 acres), requested by H & H Land Surveying, Inc., applicant; Cory Craig and Randall Smith, owners.	01 (Nick Leonardo)
6/10/2016 11:19	11/15/2016 0:00	PLAPADMIN	2016S-143-001	W.R. WILSON TRACT	A request for final plat approval to consolidate four parcels into one parcel for properties located at 3500, 3502, 3504 and 3508 Charlotte Avenue, at the northeast corner of 36th Avenue North and Charlotte Avenue, zoned CS (0.93 acres), requested by DBS Engineering & Associates, Inc., applicant; George Spiva, owner.	24 (Kathleen Murphy)
9/15/2016 11:01	11/15/2016 0:00	PLAPADMIN	2016S-224-001	KIRKPATRICK PARK SUBDIVISION	A request for final plat approval to create two lots on property located at 804 Sylvan Street, at the southwest corner of Sylvan Street and South 9th Street, zoned RM20 and within the Cayce Redevelopment District (7.88 acres), requested by Civic Engineering, applicant; Metro Government, owner.	06 (Brett Withers)
9/28/2016 15:04	11/18/2016 0:00	PLAPADMIN	2016S-236-001	DELMAS ESTATES	A request for final plat approval to create two lots on property located at 904 Delmas Avenue, approximately 355 feet southeast of Cherokee Avenue, zoned R6 (0.44 acres), requested by Clint T. Elliott Surveying, applicant; Helen K. Creason and Stephen F. Meade, owners.	05 (Scott Davis)
2/11/2016 0:00	11/18/2016 0:00	PLAPADMIN	2016S-066-001	TULIP GROVE	A request for final plat approval to create two lots on property located at 1132 Tulip Grove Road, approximately 480 feet south of Tulip Grove Pointe (8.3 acres), zoned SP, requested by Dale & Associates, applicant; Southeastern Development Enterprise LLC, owner.	12 (Steve Glover)
7/14/2016 11:37	11/18/2016 0:00	PLAPADMIN	2016S-182-001	HAMMER MILL	A request for final plat approval to create two lots and dedicate right-of-way for property located at 1400 Adams Street, at the northeast corner of Adams Street and Taylor Street, zoned SP-MU (3.69 acres), requested by Littlejohn Engineering, applicant; Gateway TBR Hammer Mill, GP, owner.	19 (Freddie O'Connell)
9/30/2016 9:48	11/21/2016 0:00	PLAPADMIN	2016S-244-001	1139 & 1201 MCALPINE AVENUE	A request for final plat approval to create two lots on property located at 1139 and 1201 McAlpine Avenue, approximately 1,175 feet southeast of Gallatin Pike, zoned RS10 (1.86 acres), requested by Marty Cantrell, RLS, applicant; Urban Properties, LLC, owners.	07 (Anthony Davis)
10/7/2016 13:27	11/22/2016 0:00	PLAPADMIN	2016S-252-001	BENNETT SUBDIVISION LOT 2 PLAT AMENDMENT	A request to amend septic areas on property located at 4480 Heath Road, approximately 1,740 feet south of Deer Ridge Lane, zoned AR2a (2.02 acres), requested by HFR Design, applicant; Craig and Dorene	35 (Dave Rosenberg)

					Burkhalter, owners.	
9/13/2016 13:49	11/22/2016 0:00	PLAPADMIN	2016S-216-001	MERIDIAN PROPERTY PHASE 2	A request for final plat approval to create two lots on properties located at 219 Cleveland Street and 900, 902 and 908 Meridian Street, at the northwest corner of Meridian Street and Cleveland Street, zoned SP-MU and including part of the Woodbine Community Organization Historic Landmark District (1.7 acres), requested by Cherry Land Surveying, applicant; RC Meridian Partners, owner.	05 (Scott Davis)

Performance Bonds: Administrative Approvals

Date Approved	Administrative Action	Bond #	Project Name
11/9/16	Approved Extension	2006B-073-013	HIDDEN SPRINGS, PHASE 2
11/9/16	Approved Extension	2008B-021-009	DORSET PARK SUBDIVISION, PHASE 1, SECTION 1 (FORMERLY GRANNY WHITE)
11/15/16	Approved Extension	2008B-034-008	GREENWAY GLEN, PHASE 1
11/21/16	Approved New	2016B-033-001	CONSOLIDATION OF GATEWAY GERMANTOWN
11/21/16	Approved New	2016B-014-002	TULIP GROVE
11/14/16	Approved New	2016B-039-001	PINE RIDGE ESTATES PHASE 1
11/10/16	Approved Extension/Reduction	2015B-042-002	AVONDALE PARK, PHASE 3, SECTION 2
11/9/16	Approved Reduction	2014B-046-003	CARRINGTON PLACE, PHASE 3, SECTION 1
11/28/16	Approved Extension/Reduction	2015B-039-003	FAWN CROSSING, SECTION 4
11/28/16	Approved Extension/Reduction	2015B-040-003	FAWN CROSSING, SECTION 5

Schedule

- A. **Thursday, December 8, 2016-** [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- B. **Saturday, December 10, 2016-** [MPC Retreat](#), 800 Second Ave South, Metro Office Building, Development Services Conference Room
- C. **Thursday, January 12, 2017-** [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- D. **Thursday, January 26, 2017-** [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- E. **Thursday, February 9, 2017-** [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- F. **Thursday, February 23, 2017-** [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- G. **Thursday, March 9, 2017-** [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- H. **Thursday, March 23, 2017-** [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center