



# METROPOLITAN PLANNING COMMISSION MINUTES

**January 26, 2017**

**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, Chair  
Jessica Farr, Vice Chair  
Jim McLean  
Stewart Clifton  
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  
Marty Sewell, Planner III  
Latisha Birkeland, Planner II  
Patrick Napier, Planner II  
Jessica Buechler, Planner  
Shawn Shepard, Planner  
Abbie Rickoff, Planner  
Dara Sanders, Planner  
Anna Grider, Planner  
Gene Burse, 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**  
800 2nd Avenue South P.O. Box 196300 Nashville, TN 37219-6300  
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## Notice to Public

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

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

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

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

### Writing to the Commission

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

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

### Speaking to the Commission

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

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

### Legal Notice

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



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# MEETING AGENDA

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## **A: CALL TO ORDER**

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

## **B: ADOPTION OF AGENDA**

Mr. McLean moved and Mr. Tibbs seconded the motion to adopt the agenda. (8-0)

## **C: RECOGNITION OF COUNCILMEMBERS**

Councilmember Mina Johnson spoke in favor of Items 5a and 5b.

Ms. Farr arrived at 4:05 p.m.

Councilmember Swope requested deferral of Item 27 and spoke in favor of Items 13 and 26.

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

- 1a. 2016CP-002-001  
PARKWOOD - UNION HILL
  
- 1b. 2016SP-089-001  
FOXFIRE
  
2. 2016Z-024TX-001
  
4. 2007SP-150-001  
EVANS HILL
  
6. 2016SP-083-001  
50 MUSIC SQUARE WEST
  
- 7a. 2016SP-090-001  
PLATINUM STORAGE BRENTWOOD
  
- 7b. 2004P-021-003  
PUD CANCEL
  
8. 2016SP-095-001  
CLAY STREET PROPERTIES
  
12. 2017S-009-001  
SOUTH PERIMETER PARK SECTION 4A RESERVE PARCELS 262, 263 AND PASCHALL  
PROPERTY
  
13. 2017S-010-001  
DEDMAN PROPERTY SUBDIVISION AMENDMENT
  
14. 2016Z-135PR-001

- 15. **2016CP-005-005**  
**EAST NASHVILLE COMMUNITY PLAN AMENDMENT**
- 18. **2016SP-060-001**  
**2021 12TH AVENUE NORTH - RESIDENTIAL SP**
- 19. **2017SP-004-001**  
**6124 ROBERTSON AVENUE SP**
- 20. **2017SP-007-001**  
**6015 AND 6017 OBRIEN AVENUE**
- 21. **2017SP-011-001**  
**504 AND 506 SOUTHGATE AVENUE**
- 24a. **2017SP-017-001**  
**NANDI HILLS**
- 24b. **66-84P-002**  
**NANDI HILLS PUD CANCEL**
- 27. **2017HL-003-001**
- 28. **2017NHC-001-001**
- 29. **2017S-012-001**  
**BINKLEY PROPERTY SUBDIVISION REPLAT OF LOT 1**  
Councilmember Allen moved and Ms. Farr seconded the motion to approve the Deferred and Withdrawn Items. (9-0)  
  
Chairman Adkins recused himself from Items 6 and 8.  
  
Ms. Blackshear recused herself from Items 6, 12, and 19.

**E: 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.

- 5a. **2016SP-081-001**
- 5b. **95P-009-001**  
**NASHVILLE HIGHLANDS**
- 9. **2016SP-098-001**

- 11. **2016S-255-001**  
**BRYANT HEIGHTS RESUB OF LOT 1**
  
- 16. **2017Z-002TX-001**
  
- 17. **2016SP-047-002**  
**DOUGLAS AND LISCHEY SP**
  
- 25. **2016HL-004-001**
  
- 26. **2017HL-001-001**
  
- 30a. **2017Z-007PR-001**
  
- 30b. **48-83P-002**  
**PUD CANCELLATION**
  
- 32. **2017Z-012PR-001**
  
- 33. **2017Z-013PR-001**
  
- 34. **2017Z-016PR-001**
  
- 35. **2017Z-017PR-001**
  
- 36. **2005P-008-009**  
Ms. Hagan-Dier moved and Mr. Tibbs seconded the motion to approve the Consent Agenda. (9-0)
  
- Mr. McLean recused himself from Item 17.
  
- Mr. Adkins recused himself from Item 36.
  
- Ms. Blackshear recused herself from Item 36.
  
- Ms. Diaz recused herself from Item 42.
  
- 37. **Contract Renewals for: Patrick Napier, Deborah Sullivan and Craig Owensby.**
  
- 39. **Memorandum of Agreement between Smart Growth America and the Metropolitan Government of Nashville and Davidson County (on behalf of the Nashville Area MPO) for the Integration of Public Health into the Transportation Planning Process**
  
- 42. **Accept the Director's Report and Approve Administrative Items**

## F: 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 Indefinitely**

**The Metropolitan Planning Commission deferred 2016CP-002-001 indefinitely. (9-0)**

### 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 Indefinitely**

**The Metropolitan Planning Commission deferred 2016SP-089-001 indefinitely. (9-0)**

### 2. 2016Z-024TX-001

BL2016-496/Henderson

Staff Reviewer: Carrie Logan

A request to amend Chapters 17.04, 17.20 and 17.40 of the Metropolitan Code pertaining to sidewalks (Proposal No. 2016Z-024TX-001), requested by Councilmember Angie Henderson.

**Staff Recommendation: Defer to February 23, 2017 Planning Commission Meeting**

**The Metropolitan Planning Commission deferred 2016Z-024TX-001 to the February 23 2017, Planning Commission meeting. (9-0)**

### 3. 2016Z-025TX-001

BL2016-491/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: Disapprove**

**APPLICANT REQUEST**

**Amend Title 17 of the Metropolitan Code, Zoning Regulations, pertaining to glazing.**

**ZONING TEXT AMENDMENT**

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.

**PROPOSED AMENDMENT**

The proposed amendment would make changes to Section 17.12.020 of the Zoning Code to require design standards with the construction of single and two-family dwelling units within certain zoning districts. The affected districts are: RS3.75, RS3.75-A, RS5, RS5-A, RS7.5, RS7.5-A, R6, R6-A, R8, R8-A, R10, RS10, R15, and RS15.

The amendment adds a note to Table 17.12.020A (Single-Family and Two-Family Dwellings) as follows:

Note 6: In the RS3.75-A, RS3.75, RS5-A, RS5, RS7.5-A, RS7.5 R6-A, R6, R8-A, R8, R10, RS10, R15 and RS15 districts, the following standards shall apply:

- a. Minimum Glazing.
  - 1. Building façades fronting a street shall provide a minimum of one principal entrance (doorway) and a minimum of 25% glazing.

**ANALYSIS**

The Zoning Code does not specifically define glazing. However, glazing is currently required by the Zoning Code for certain projects based on zoning district. Glazing is generally required for multi-story mixed use and multi-family developments. The Zoning Administrator has interpreted glazing to be considered windows and doors.

Planning staff researched the methods that other municipalities utilize in regards to general glazing requirements, outside of overlay or specific plan type districts. Many municipalities regulate residential glazing through building and energy codes. The requirements provide for adequate light and ventilation of residential buildings, as it applies to health, safety, and welfare. Glazing also generally improves design quality. Metro Code requires a minimum total glazed area for every habitable space to be 8% of the floor area of subject room. Of this 8%, at least 45% must be openable. Staff found some examples of required glazing for front facades of detached dwelling units ranging from 15% (Cheyenne, WO) to 20% (Buffalo, NY).

Planning staff, in the review of a Specific Plan zoning application, will often require a specific glazing percentage for future buildings. Staff generally uses 25% glazing as a benchmark; however, the specific requirement can vary depending on context and type of buildings. Specific Plans also require the submission of building elevations and landscaping plans with final site plan allowing for a comprehensive review of the plan. In some cases, the 25% requirement is adjusted and flexibility is provided. Based on research, a countywide 25% glazing requirement may have unintended consequences, such as favoring certain architectural styles that more readily incorporate glazing. Modern homes, for example, may be more likely to achieve higher glazing percentages than some other traditional styles. Without the ability to allow flexibility of design, which is incorporated in the Specific Plan process, 25% glazing is likely too high a bar to set for all single-family and two-family homes within the outlined districts.

The amendment also requires that homes on a corner feature a principal entrance on each street frontage. While it is important to have units address both streets, there may be alternative methods that could achieve urban design goals, such as wraparound porches.

**ZONING ADMINISTRATOR RECOMMENDATION**

No exception taken.

**STAFF RECOMMENDATION**

Staff recommends disapproval.

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**ORDINANCE NO. BL2016-491**

**An ordinance amending 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 (Proposal No. 2016Z-025TX-001).**

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

Section 1. That Chapter 17.12, "District Bulk Regulations", of the Code of The Metropolitan Government of Nashville and Davidson County is amended by adding Note 6 to Table 17.12.020A as follows:

Note 6: In the RS3.75-A, RS3.75, RS5-A, RS5, RS7.5-A, RS7.5 R6-A, R6, R8-A, R8, R10, RS10, R15 and RS15 districts, the following standards shall apply:

a. Minimum Glazing.

1. Building façades fronting a street shall provide a minimum of one principal entrance (doorway) and a minimum of 25% glazing.

Section 2. That this Ordinance shall take effect five (5) days from and after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Sponsored by: Jacobia Dowell

Ms. Milligan presented the staff recommendation of disapproval.

**Chairman Adkins closed the Public Hearing.**

**Ms. Farr moved and Mr. McLean seconded the motion to disapprove. (9-0)**

**Disapproved (9-0).**

**Resolution No. RS2017-017**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2016Z-025TX-001 is **Disapproved (9-0)**.

**4. 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 February 9, 2017 Planning Commission Meeting**

**The Metropolitan Planning Commission deferred 2007P-150-001 to the February 9 2017, Planning Commission meeting. (9-0)**

**5a. 2016SP-081-001**

Council District 23 (Mina Johnson)

Staff Reviewer: Lisa Milligan

A request to rezone from Shopping Center Neighborhood (SCN) to Specific Plan-Residential (SP-R) zoning for property located at Old Hickory Boulevard (unnumbered), within a Planned Unit Development Overlay District (4.91 acres), to permit a multi-family residential development with a maximum of 50 units or an assisted care living facility with a maximum of 150 rooming units, requested by Tune Entrekin & White, applicant; Nashville Highlands, LLC, owner. (See associated case #95P-009-001)

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

**APPLICANT REQUEST**

**Preliminary SP to permit a multi-family development or an assisted care living facility.**

Preliminary SP

A request to rezone from Shopping Center Neighborhood (SCN) to Specific Plan-Residential (SP-R) zoning for property located at Old Hickory Boulevard (unnumbered), within a Planned Unit Development Overlay District (4.91 acres), to permit a multi-family residential development with a maximum of 50 units or an assisted care living facility with a maximum of 150 rooming units.

**Existing Zoning**

Shopping Center Neighborhood (SCN) is intended for a limited range of retail, office, and consumer service uses which provide for the recurring shopping needs of nearby residential areas.



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 Title 17. The PUD district may permit a greater mixing of land uses not easily accomplished by the application of conventional zoning district boundaries, or a framework for coordinating the development of land with the provision of an adequate roadway system or essential utilities and services. In return, the PUD district provisions require a high standard for the protection and preservation of environmentally sensitive lands, well-planned living, working and shopping environments, and an assurance of adequate and timely provision of essential utilities and streets. *The approved PUD allows for convenience sales and gas station and retail uses.*

### **CRITICAL PLANNING GOALS**

**N/A**

### **BELLEVUE COMMUNITY PLAN**

T3 Suburban Neighborhood Maintenance (T3 NM) is intended to preserve the general character of developed suburban residential neighborhoods. T3 NM areas will experience some change over time, primarily when buildings are expanded or replaced. When this occurs, efforts should be made to retain the existing character of the neighborhood. T3 NM areas have an established development pattern consisting of low to moderate density residential development and institutional land uses. Enhancements may be made to improve pedestrian, bicycle and vehicular connectivity.

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 proposal to rezone to Specific Plan is consistent with the goals of the Conservation policy and the Suburban Neighborhood Maintenance policy. The SP limits the amount of land that can be disturbed to allow for conservation of the sensitive environmental areas located on the site. The allowance of multi-family or assisted living uses is consistent with the residential policy and with the surround developed area.

### **PLAN DETAILS**

The property is located at on Old Hickory Boulevard, approximately 1,300 feet southeast of Ridgelake Parkway. The property is currently vacant.

#### Site Plan

The plan is a regulatory Specific Plan. The proposal limits uses on the property to an assisted care living facility with a maximum of 150 rooming units or up to 50 multi-family residential units. There are specific standards outlined in the plan to ensure that the property is developed in a manner that creates a pedestrian friendly environment that is sensitive to the surrounding residential developments and the environmental constraints of the property.

No more than 2.5 acres of the site may be disturbed during development leaving 51% of the property remaining undisturbed. Height is limited to a maximum of three stories. Vehicular access has been limited to one access and no access is allowed along Old Hickory Boulevard. No parking is permitted between the primary structure and Old Hickory Boulevard and the building façade is required to be oriented toward Old Hickory Boulevard. Finalized building elevations will be reviewed and approved by staff with the submittal of the final site plan.

### **ANALYSIS**

The property is currently approved for development of a gas station and retail center. The proposed SP is bringing the property closer to the goals of the policy and limiting disturbance of the sensitive environmental areas. Therefore, staff recommends approval.

### **FIRE DEPARTMENT RECOMMENDATION**

#### **Approved with conditions**

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

### **STORMWATER RECOMMENDATION**

**N/A**

### **PUBLIC WORKS RECOMMENDATION**

**Approved**

**TRAFFIC AND PARKING RECOMMENDATION**

**Approved with conditions**

- A TIS is required prior to final SP approval. Joint access easement from parcel 119 to existing PUD Driveway may be required.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	4.91	0.25	15,000 SF	680	20	58

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

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)	4.91		50 U	427	29	46

Traffic changes between maximum: **SCN** and **SP-MU**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-253	+9	-12

**METRO SCHOOL BOARD REPORT**

**Projected student generation existing PUD district: 0 Elementary 0 Middle 0 High**

**Projected student generation proposed SP district: 3 Elementary 2 Middle 2 High**

The proposed SP zoning district could generate 7 more students than what is typically generated under the existing PUD zoning district. Students would attend Westmeade Elementary School, Bellevue Middle School, and Hillwood High School. Westmeade Elementary School and Bellevue Middle School have been identified as over capacity. There is capacity within the cluster for elementary school students, but there is no capacity within the cluster for additional middle school students. This information is based upon data from the school board last updated November 2016.

**Fiscal Liability**

The fiscal liability of 2 new middle school students is \$52,000 (2 X \$26,000 per student). This is only for information purposes to show the potential impact of this proposal, it is not a staff condition of approval.

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

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

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

## CONDITIONS

1. Uses shall be limited to assisted care living facility with a maximum of 150 rooming units or up to 50 multi-family residential units.
2. No buildings shall be placed on the portion of the lot north of the existing drive.
3. Sidewalks shall be required along Old Hickory Boulevard consistent with the requirements of the Major and Collector Street Plan.
4. 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 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
5. The Preliminary SP plan is the proposed conditions within the regulatory SP including the limits of disturbance.
6. 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.
7. 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.
8. 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.
9. 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 and disapproved without all conditions (9-0), Consent Agenda Resolution No. RS2017-018**

"BE IT RESOLVED by The Metropolitan Planning Commission that **2016SP-081-001 is Approved with conditions and disapproved without all conditions (9-0).**

## CONDITIONS

1. Uses shall be limited to assisted care living facility with a maximum of 150 rooming units or up to 50 multi-family residential units.
2. No buildings shall be placed on the portion of the lot north of the existing drive.
3. Sidewalks shall be required along Old Hickory Boulevard consistent with the requirements of the Major and Collector Street Plan.
4. 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 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
5. The Preliminary SP plan is the proposed conditions within the regulatory SP including the limits of disturbance.
6. 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.
7. 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.
8. 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.
9. 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

## **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: Approve if the associated zone change is approved. Disapprove if the associated zoned change is not approved**

**APPLICANT REQUEST**

**Cancel a PUD.**

PUD Cancellation

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 Shopping Center Neighborhood (SCN), (4.91 acres).

**Existing Zoning**

Shopping Center Neighborhood (SCN) is intended for a limited range of retail, office, and consumer service uses which provide for the recurring shopping needs of nearby residential areas.

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 Title 17. The PUD district may permit a greater mixing of land uses not easily accomplished by the application of conventional zoning district boundaries, or a framework for coordinating the development of land with the provision of an adequate roadway system or essential utilities and services. In return, the PUD district provisions require a high standard for the protection and preservation of environmentally sensitive lands, well-planned living, working and shopping environments, and an assurance of adequate and timely provision of essential utilities and streets. *The approved PUD allows for convenience sales and gas station and retail uses.*

**BELLEVUE COMMUNITY PLAN**

T3 Suburban Neighborhood Maintenance (T3 NM) is intended to preserve the general character of developed suburban residential neighborhoods. T3 NM areas will experience some change over time, primarily when buildings are expanded or replaced. When this occurs, efforts should be made to retain the existing character of the neighborhood. T3 NM areas have an established development pattern consisting of low to moderate density residential development and institutional land uses. Enhancements may be made to improve pedestrian, bicycle and vehicular connectivity.

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 cancellation of the PUD to allow for the development of the associated Specific Plan (2016SP-081-001) moves the property closer to the goals of both the conservation policy and the Suburban Neighborhood Maintenance policy. The currently approved PUD allows the development of commercial uses within a residential only policy and also allows for more disturbance of sensitive environmental features.

**PLAN DETAILS**

The PUD was originally approved in 1995 to permit a 2,800 square foot convenience store and gas station and a 12,200 square foot retail center. No portions of the PUD have been developed at this time.

**ANALYSIS**

The cancellation of the PUD to allow for the development of the associated Specific Plan moves the property closer to meeting the goals of the policy. By removing the allowance of commercial uses, the property can development in a manner that is consistent with the surrounding residential developments.

**FIRE DEPARTMENT RECOMMENDATION**

**N/A**

**STORMWATER RECOMMENDATION**

**N/A**

**WATER SERVICES RECOMMENDATION**

**N/A**

**PUBLIC WORKS RECOMMENDATION**

**N/A**

**TRAFFIC AND PARKING RECOMMENDATION**  
**N/A**

**STAFF RECOMMENDATION**

Staff recommends approval if the associated zone change is approved and disapproval if the associated zone change is disapproved.

**Approved (9-0), Consent Agenda**

**Resolution No. RS2017-019**

"BE IT RESOLVED by The Metropolitan Planning Commission that **95P-009-001 is Approved (9-0)**."

**6. 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 February 9, 2017 Planning Commission Meeting**

**The Metropolitan Planning Commission deferred 2016SP-083-001 to the February 9 2017, Planning Commission meeting. (7-0-2)**

**7a. 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 storage 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 February 9, 2017 Planning Commission Meeting**

**The Metropolitan Planning Commission deferred 2016SP-090-001 to the February 9 2017, Planning Commission meeting. (9-0)**

**7b. 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 February 9, 2017 Planning Commission Meeting.**

**The Metropolitan Planning Commission deferred 2004P-021-003 to the February 9 2017, Planning Commission meeting. (9-0)**

**8. 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-C 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 Indefinitely.**

**The Metropolitan Planning Commission deferred 2016SP-095-001 indefinitely (8-0-1)**

**9. 2016SP-098-001**

BL2016-449/Davis

Council District 05 (Scott Davis)

Staff Reviewer: Latisha Birkeland

A request to rezone from SP to SP zoning on properties located at 910, and 912 North 2nd Street, at the northwest corner of Cleveland Street and North 2nd Street (0.32 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.

**Staff Recommendation: Disapprove 2016Z-119PR-001 (Council Bill 2016-449) and Defer 2016SP-098-001 to February 23, 2017 Planning Commission Meeting.**

**APPLICANT REQUEST**

**Zone change from SP to SP.**

Zone Change

A request to rezone from Specific Plan-Residential (SP-R) to Specific Plan-Residential (SP-R) zoning on properties located at 910 and 912 North 2nd Street, at the northwest corner of Cleveland Street and North 2nd Street (0.32 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.

**Existing Zoning**

Specific Plan-Residential (SP-R) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. *The zoning district allows for all uses permitted by the RS5 zoning district, as well as detached accessory dwelling 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. *The zoning district allows for one single-family or one two-family unit per parcel. Two-family units shall be fully connected and shall appear as one unit with only one primary entrance permitted per unit along North 2<sup>nd</sup> Street frontage.*

**HISTORY**

- In June 2016, the Planning Commission recommended disapproval of case number 2016Z-036PR-001 to rezone a large area in East Nashville from SP-R to R6-A.
- In September 2016, the applicant applied for a zone change (2016Z-119PR-001) to rezone SP-R to R6-A on properties located at 123, 125, and 127 Cleveland Street and 904, 906, 908, 910, and 912 north 2nd Street. These properties were included in the area covered by the 2016Z-036PR-001. The case was deferred and not heard by the Planning Commission. A bill was introduced and is scheduled for Council public hearing on February 7, 2017.
- The applicant converted case number 2016Z-119PR-001 to 2016SP-098-001. The proposed zone change allowed one and two-family residential units on each of the 9 properties. This case was deferred and not heard by the Planning Commission.
- The applicant reduced the zone change area from 9 parcels to 2 parcels. Again, the properties in this current zone change request were included in the area covered by 2016Z-036PR-001 and 2016Z-119-001. The proposed zoning would permit two-family units on each lot.

**Begin Regulatory SP**

**Cleveland St./N. 2<sup>nd</sup> St. Specific Plan (SP)**

Development Summary		Site Data Table	
SP Name	Cleveland St/N. 2 <sup>nd</sup> St. Specific Plan	Site Data	0.32
SP Number	2016SP-098-001	Existing Zoning	SP
Council District	5	Proposed Zoning	SP
Map & Parcel	Map 082-03; Parcels 085-086	Allowable Land Uses	Residential

Specific Plan (SP) Standards

1. Uses within this SP shall be 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 with only one primary entrance permitted per unit along North 2<sup>nd</sup> Street frontage.
2. Access for properties which redevelop shall be limited to alley access only.
3. A raised foundation of 18" - 36" is required for all residential structures.
4. Maximum height shall be limited to two stories in 35'.
5. Building façades fronting a street shall provide a minimum of one principal entrance (doorway) and a minimum of 25% glazing.
6. Windows shall be vertically oriented at a ratio of 2:1 or greater, except for dormers.
7. EIFS, vinyl siding and untreated wood shall be prohibited.
8. Porches shall provide a minimum of six feet of depth.
9. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the R6-A zoning district as of the date of the applicable request or application.
10. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

**End Regulatory SP**

**CRITICAL PLANNING GOALS**

N/A

**EAST 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?

No. The area requested for rezoning is located within the T4 Urban Neighborhood Maintenance policy. The policy supports preserving the general character of the existing neighborhood. The proposed zone change would allow up to two units on each lot. While there are some two-family units in the surrounding area, the neighborhood is predominantly single-family dwelling units. The proposed zone change is midblock and may be more appropriate along a corridor or at a corner within a Neighborhood Maintenance Policy where single family units are predominant.

**ANALYSIS**

The two properties are located mid-block along North 2<sup>nd</sup> Street, north of Cleveland Street. The existing zoning allows single-family residential units as well as detached accessory dwelling units, if the lot meets certain criteria. Both lots are eligible for a detached accessory dwelling unit. The neighborhood consists of primarily single-family units with some two-family residential units dispersed throughout.

The proposed zoning would allow a two-family dwelling unit on both properties which is inappropriate in this area considering the existing neighborhood pattern. The Neighborhood Maintenance policy is intended to preserve the general character of the area. The general character mainly consists of single-family dwelling units. Two-family units may be appropriate along a corridor or at a corner in Neighborhood Maintenance policy. However, the zoning proposal attempts to allow two-family units mid-block within a neighborhood. The existing zoning allows for detached accessory dwelling units which provides for a mixture of residential units in the neighborhood.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

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

No traffic table was prepared as there is no anticipated increase in traffic.

**METRO SCHOOL BOARD REPORT**

**Projected student generation existing SP district: 0 Elementary 0 Middle 0 High**

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

The proposed SP zoning district could generate one more students than what is typically generated under the existing SP zoning district. Students would attend Glenn Elementary School, Jere Baxter Middle School and Maplewood High School. All schools have been identified as having additional capacity. This information is based upon data from the school board last updated November 2016.

**STAFF RECOMMENDATION**

Staff recommends deferral of 2016SP-098-001 and disapproval of 2016Z-119PR-001.

**Deferred 2016SP-098-001 until February 9, 2017 Planning Commission Meeting and Disapproved 2016Z-119PR-001 (9-0), Consent Agenda**

**Resolution No. RS2017-020**

**"BE IT RESOLVED by The Metropolitan Planning Commission that 2016SP-098-001 is Deferred until February 9, 2017 Planning Commission Meeting and 2016Z-119PR-001 is Disapproved. (9-0).**

**10. 2017SP-014-001**

**HARPETH VILLAGE**

Council District 35 (Dave Rosenberg)

Staff Reviewer: Patrick Napier

A request to rezone from RS40 to SP-R zoning on property located at 7725 Old Harding Pike, approximately 315 feet northeast of Temple Road, (5.08 acres), to permit 25 residential units, requested by Batson Engineering and Associates, applicant; Trendmark Construction, LLC, owner.

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

**APPLICANT REQUEST**

**Zone change to permit up to 25 residential units.**

Preliminary SP

A request to rezone from Single-Family Residential (RS40) to Specific Plan-Residential (SP-R) zoning on property located at 7725 Old Harding Pike, approximately 315 feet northeast of Temple Road, (5.08 acres).



## **Existing Zoning**

Single Family Residential (RS40) requires a minimum 40,000 square foot lot and is intended for single-family dwellings at a density of .93 dwelling units per acre. *RS40 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.

## **BELLEVUE COMMUNITY PLAN**

T3 Suburban Neighborhood Maintenance (T3 NM) is intended to preserve the general character of developed suburban residential neighborhoods. T3 NM areas will experience some change over time, primarily when buildings are expanded or replaced. When this occurs, efforts should be made to retain the existing character of the neighborhood. T3 NM areas have an established development pattern consisting of low to moderate density residential development and institutional land uses. Enhancements may be made to improve pedestrian, bicycle and vehicular connectivity.

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, this request is consistent with the T3 NM policy given the proposed height, setback, and type of residential structures shown on the proposed site plan. The T3 NM policy states, "Building height, form, and orientation fit in with the suburban character and development pattern of the specific area to which the T3 Suburban Neighborhood Maintenance policy has been applied." Given the adjacent development pattern of attached multifamily housing of similar scale and massing, the proposed site plan is consistent with the surrounding existing land use pattern and the guidelines for infill development found within the T3 NM policy description.

## **PLAN DETAILS**

This request includes a total of 5.08 acres located at 7725 Old Harding Pike. The plan is proposing 25 attached residential units accessed from a private drive from old Harding Pike. The site is currently vacant. The surrounding land uses are primarily single and multi-family.

### Site Plan

The site is located at 7725 Old Harding Pike approximately 315 feet northeast of Temple Road. The site plan proposes up to 25 residential units located on 5.08 acres. The site contains a single point of access via a private road connected to Old Harding pike. The plan provides a large central open space which is surrounded by pedestrian walk ways. A B level landscape buffer is being provided to buffer the adjacent multi-family units to the south and west as well as to the north where single family housing is located. This access forms a loop within the site to allow for vehicular circulation and access to all units. The site plan indicates a sidewalk along the access driveway will contain a sidewalk that meets the local road standards of the Major and Collector Street Plan, which requires a 4 foot wide grass strip and a 5 foot wide sidewalk. A pedestrian connection is being proposed with the existing neighborhood to the south. This connection will cross the entrance drive for the site and is shown on the site plan provide a direct connection with an existing sidewalk which fronts an existing street in the neighborhood to the south.

All units have pedestrian access connections which will provide a clear path of travel from the site to Old Harding Pike and to the rear of the site where two sitting areas are provided for the residents. Each unit will include a two car garage which satisfies the parking requirement of the Metro Zoning code. Sixteen guest parking spaces are provided in dedicated areas within the site.

The site plan indicates the floodplain will be altered with the inclusion of a bio retention pond located to the rear of the site. This alteration will include a 12 foot berm as a part of the on-site bio retention pond.

## **ANALYSIS**

The proposed plan is consistent with policy and the character of the surrounding neighborhood. The existing structures to the west and south of this site provide a pattern of development which this site will continue by providing similar setbacks, height, and coverage for the proposed structures. This plan achieves the goal of creating a walkable neighborhood by providing pedestrian connection which will allow future residents to access the commercial center located to the south of this site.

## **FIRE DEPARTMENT RECOMMENDATION**

### **Approve with Conditions**

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

**STORMWATER RECOMMENDATION**

**Approve with Conditions**

- Please remove the old Floodway line.
- Label Floodway based on FEMA Map Number 47037C0337H, dated April 5, 2017.
- Cut and Fill in the Floodplain shall be balanced.
- The 100-Year Flood Elevation is 564.6' and the Minimum Finished Floor Elevation (FFE) is 568.6'

**HARPETH VALLEY UTILITY DISTRICT**

**Approve with conditions**

- The developer will be required to participate in the upgrading of the pump station.
- The Developer must submit utility plans for any water and sewer improvements required to serve this development to the District for review and approval.
- The Developer must also submit hydraulic calculations, which indicate that the existing water system infrastructure and any required improvements will support domestic demands, meet fire flow requirements as set by the local building authority and maintain a minimum pressure of 50 psi within the public distribution system including all water service meters. The static hydraulic grade line used for these calculations must be 890 feet or less.

**PUBLIC WORKS RECOMMENDATION**

**Approve**

- 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.
- If sidewalks are required with this project then they are to be shown on the plans per the MCSP and per MPW standards and specifications. Sidewalks are to be located within dedicated ROW.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve**

Maximum Uses in Existing Zoning District: **RS40**

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)	5.08	1.08 D	6 U	58	5	7

\*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (230)	5.08	-	25 U	193	18	20

Traffic changes between maximum: **RS40** and **SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+19 U	+135	+13	+13

**METRO SCHOOL BOARD REPORT**

Projected student generation existing RS40 district: 1 Elementary 0 Middle 0 High  
 Projected student generation proposed SP-R district: 0 Elementary 0 Middle 0 High

The proposed SP-R zoning district would generate no additional students than what is typically generated under the existing RS40 zoning district. Students would attend Harpeth Valley Elementary, McKissack Middle School and Hillwood High School. There is capacity for additional students in Harpeth Elementary and Hillwood High school. Bellevue Middle School is currently overcrowded however there is additional capacity within the Hillsboro Cluster. This information is based upon data from the school board last updated March 2016.

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

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

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

1. Permitted uses shall be limited to 25 dwelling units.
2. All building envelopes shall be located outside of any greenway conservation areas as shown on the preliminary site plan.
3. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM6 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council approved plan
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 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.
6. 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.
7. 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.
8. 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.
9. 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.

Mr. Napier presented the staff recommendation of approval with conditions and disapproval without all conditions.

Gary Batson, applicant, spoke in favor of the application and is in agreement with all conditions.

Shawn Henry, 315 Deaderick St, spoke in favor of the application as it is filling out the edge of the commercial district.

Steve Jacobs, 5235 Flat Creek Rd, spoke in favor of the application.

John Bissinger, 7721 Old Harding Pike, spoke in opposition to the application due to traffic and flooding concerns.

Dan Applegate, 915 Silkwood Cir, spoke in opposition to the application due to flooding concerns, vehicle access, and traffic concerns.

Bill Arth, 6912 Collinswood Dr, spoke in opposition to the application. He is concerned about the impact this addition will have on the neighbors ability to safely turn left out of the neighborhood, particularly at peak times.

Brent Clinkenbeard, 1025 Pine Meadow Ct, spoke in opposition due to flooding concerns and inconsistency with policy.

Monika Shaw, 902 Silkwood Cr, spoke in opposition to the application due to flooding concerns.

Christa Shreffler, 712 Burleigh Ct, spoke in opposition to the application because there are no written guidelines for infill.

Steve Spears, 1005 Pine Meadow Ct, spoke in opposition to the application due to flooding and density concerns.

Kent Skinner, 910 Silkwood Cr, spoke in opposition to the application due to traffic concerns.

Mark Summers, 918 Silkwood Cr, spoke in opposition to the application due to flooding concerns, vehicle access and traffic concerns, and safety concerns.

Cathy Summers, 918 Silkwood Cr, spoke in opposition; this is not the right plan for this area.

William Deniston, 918 Silkwood Cr, spoke in opposition to the application due to concerns with the single point of access and vehicular safety concerns.

Margaret Robertson, 6757 Autumnwood Dr, spoke in opposition to the application due to traffic concerns.

Shawn Henry explained the difference between last year's proposal and what is being considered now centers on the interior design of the property. Previously they were proposing front-loaded garages; now they are alley-loaded and all 25 homes sit on a common lawn. The purpose of the new left turn lane is to allow continuous southbound flow of traffic. Finished floor elevations are above the minimum required under the storm water ordinance.

Councilmember Rosenberg spoke in opposition and asked the commission to disapprove. The differences in last year's proposal and the current proposal do not address the reasons for disapproval last time, which include intense development in the floodplain, intensity of uses not consistent with the suburban neighborhood maintenance policy or conservation policy, inappropriate transition from PUD to RS40, and not meeting the minimum requirement of coordinating vehicle access. There are good uses for this property but this proposal is not it.

**Chairman Adkins closed the Public Hearing.**

Councilmember Allen asked if there are better ways to deal with concerns regarding consolidated traffic access, the single point of access, and the transition to RS as it does not seem these concerns have been addressed.

Ms. Diaz asked to hear from Metro Storm Water regarding the stormwater concerns.

Steve Mishu, Metro Storm Water, explained that this proposal does meet the floodplain requirements. Runoff from here should go into a bioretention area and then make its way to the Harpeth River.

Ms. Blackshear expressed interest in hearing specific reasons why this was disapproved before and why they are no longer applicable in this proposal.

Mr. Napier stated one of the main reasons was the configuration of the units as proposed. Staff had similar traffic and floodplain concerns but this plan has received approval from Metro Public Works as well as Metro Storm Water.

Ms. Blackshear noted the neighbors have more direct knowledge of traffic; even with a left turn lane, it doesn't seem like that necessarily alleviates the safety concerns...will there be a light or just a left turn lane.

Mr. Napier clarified that a light has not been proposed as part of this site plan.

Ms. Blackshear stated it's not a bad plan, but she isn't comfortable enough to support it.

Mr. Clifton stated this proposal doesn't seem to be good land use in this area.

Mr. Sloan explained that staff has to deal with the plans presented and nothing other than this has been presented. Staff had a lot of the same concerns as the neighbors but has met with Storm Water several times to go over this. Mr. Mishu walked staff through it in detail to the point that staff is comfortable with development in this area. As far as access points, this is the only spot that that this property meets the public right-of-way.

Mr. Clifton clarified that the commission is not required to approve something as appropriate because it has received approval from Metro Public Works and Metro Storm Water. This is not the best plan for this area. There are too many questions about traffic and it is a pretty dramatic percent increase in what can be done now.

Ms. Farr noted the concerns raised so far echo her concerns and also inquired why no critical planning goals were listed in the staff report.

Mr. Napier stated staff did not cite any critical planning goals achieved by the plan.

Ms. Farr noted that for a plan that we don't feel has critical planning goals, she is struggling to see why we would want to even take a chance given concerns raised regarding traffic and flooding.

Mr. McLean noted that with regard to stormwater concerns, staff clarified they made every effort to meet with Metro Storm Water and they were satisfied. Also, floor elevations are set by FEMA and they have been raised since the 2010 flood.

Jonathan Honeycutt, Metro Public Works, clarified that a traffic impact study was not required because it was below the threshold.

Mr. Tibbs expressed concerns with one access point. Less density would be better in this situation.

**Mr. Clifton moved and Ms. Farr seconded the motion to disapprove based on vehicular access and density concerns. (9-0)**

**Disapproved (9-0).**

**Resolution No. RS2017-021**

**"BE IT RESOLVED by The Metropolitan Planning Commission that 2017SP-014-001 is Disapproved (9-0).**

**11. 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: Approve with variance request and approve the plat with conditions.**

**APPLICANT REQUEST**

**Create four lots.**

Final Plat

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 Single-Family Residential (RS10) (0.95 acres).

**Existing Zoning**

Single-Family Residential (RS10) requires a minimum 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 4 lots.*

**CRITICAL PLANNING GOALS**

N/A

**SOUTH NASHVILLE COMMUNITY PLAN**

T4 Urban Neighborhood Maintenance (T4 NM) is intended to preserve the general character of existing urban 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.

**PLAN DETAILS**

This request is for final plat approval to create four lots on property located at 2686 Hartford Drive, where one lot currently exists. The existing lot is a double-frontage lot with frontage on Hartford Drive and Whitsett Road. Vehicular access would be limited to Hartford Drive. There are no sidewalks present along Hartford Drive.

The existing lot is 41,032 square feet (0.95 acres) and is proposed to be subdivided into four lots with the following square footage/ acreage:

- Lot 1: 10,001 SF (0.23 acres)
- Lot 2: 10,001 SF (0.23 acres)
- Lot 3: 10,001 SF (0.23 acres)
- Lot 4: 11,029 SF (0.25 acres)

**ANALYSIS**

Section 3-5.2 of the Subdivision Regulations establishes criteria for reviewing infill subdivisions and for determining their compatibility in Neighborhood Maintenance policies.

Zoning Code

The proposed lots meet the minimum standards of the RS10 zoning district.

Street Frontage

Lots would front on Hartford Drive and Whitsett Road which are both public streets. Future units would orient towards Hartford Drive.

Density

The T3 Urban Neighborhood Maintenance policy no longer includes density limitations.

Community Character

1. Lot frontage analysis: the proposed lots must have frontage either equal to or greater than 70% of the average frontage of surrounding parcels or equal to or greater than the surrounding lot with the least amount of frontage, whichever is greater. Calculations for the lot frontage analysis were performed on Hartford Drive.

In this instance, the lots created must be equal to or greater than 64 feet. The proposed lots meet lot frontage requirements.

<b>Lot 1 – 3 Frontage</b>	
Proposed Frontage	64 ft.
Minimum Frontage	64 ft.
70% Average	49 ft.

<b>Lot 4 Frontage</b>	
Proposed Frontage	114 ft.
Minimum Frontage	64 ft.
70% Average	49 ft.

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

In this instance, the proposed lots must equal to or greater than 10,000 SF. The proposed lots meet lot size requirement.

<b>Lot 1-3 Size</b>	
Proposed Size	10,001 SF
Minimum Size	10,000 SF
70% Average	6,943 SF

<b>Lot 4 Size</b>	
Proposed Size	11,029 SF
Minimum Size	10,000 SF
70% Average	6,943 SF

3. Street setbacks; future structures would have to comply with appropriate street setbacks per the Metro Zoning Code.

4. Lot orientation; proposed lots would orient Hartford Drive

Agency Review

All agencies have recommended approval.

Harmony of Development

The proposed subdivisions meet subsections a, b, c, d and e of this section; however, they do not meet Section 3-4.3 of the Subdivision Regulations as this section does not allow double frontage lots. Exceptions may be granted by the Planning Commission where necessary to provide access to residential development from other than arterial or collector streets, or to overcome specific disadvantages of topography or orientation. Staff determined that subdividing these lots would not impact the harmony of development because the newly created lots are larger than the adjacent parcels.

The applicant has agreed to limit the height of future development to two stories in 35 feet, which is consistent with adjacent properties. The applicant has also agreed that no parking would be permitted between the primary structure and Hartford Drive. A shared access easement has been provided for Lot 1 and Lot 2 and a shared access easement has been provided for Lot 3 and Lot 4, reducing access points along Hartford Drive. Access will be limited to Hartford Avenue only. A 20 foot type "B" landscape bufferyard shall be maintained along Whitsett Road to provide a buffer to adjacent properties.

Whitsett Road has an existing 5 foot wide sidewalk and a 2.5 foot wide planting strip which does not meet the local street standards. A 5 foot wide sidewalk and a 4 foot wide grass is required on Whitsett Road and Hartford Drive with this request.

### **SIDEWALK VARIANCE REQUEST**

The applicant has applied for a variance from Section 3-8.2.d. of the Subdivision Regulations to not be required to install the required sidewalks on Hartford Drive. A 5 foot wide sidewalk and 2.5 foot wide grass strip exist along Whitsett Road. To meet the local street standards a 5 foot wide sidewalk and 4 foot wide grass strip is required.

If the Planning Commission finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations, a variance from these regulations may be granted, provided that such variance shall not have the effect of nullifying the intent and purpose of these regulations. The Planning Commission shall make findings based upon the evidence presented to it in each specific case that:

- a. The granting of the variance shall not be detrimental to the public safety, health, or welfare or injurious to other property or improvements in the neighborhood in which the property is located.
- b. The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property.
- c. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations were carried out.
- d. The variance shall not in any manner vary from the provisions of the adopted General Plan, including its constituent elements, the Major Street Plan, or the Zoning Code for Metropolitan Nashville and Davidson County (Zoning Code).

The sidewalk along Whitsett Road was installed within the last 5 years by Metro Public Works. The sidewalk is in good condition and meets the required width for local street standards. However the grass strip is only 2.5 feet in width. The local street standards require a 4 foot wide grass strip. Based on the criteria for granting of variances, staff supports a variance to allow the existing sidewalk and grass strip to remain on Whitsett Road as the sidewalk is newly installed and has an existing width of 5 feet. Sidewalks and grass strip to be constructed along Hartford Drive.

### **FIRE MARSHAL RECOMMENDATION**

N/A

### **STORMWATER RECOMMENDATION**

Approved

### **PUBLIC WORKS RECOMMENDATION**

Approved with conditions

- If sidewalks are required by Planning and the applicant chooses to construct rather than pay the in-lieu fee, then they should be shown and labeled on the plan with curb and gutter, 4 foot grass strip or as determined by Public Works, and a minimum 5 foot wide sidewalk unobstructed, and a minimum of 20 feet pavement on the street width. Wider sidewalk, grass strip, and pavement width is required where on-street parking occurs or on a street classification greater than local.
- Sidewalks must be shown fully within the right of way. Show the location of all existing above and below ground features within the right-of-way. Any existing obstructions within the path of travel shall be relocated to provide a minimum of 5 feet of clear access.

### **TRAFFIC & PARKING RECOMMENDATION**

Approved

### **WATER SERVICES RECOMMENDATION**

Approved

### **STAFF RECOMMENDATION**

Staff recommends approval of the proposed plat with the exception for double frontage lots and the sidewalk variance as the plat meets all other Subdivision Regulations.

### **CONDITIONS**

1. Add the following note: Vehicular access shall be limited to Hartford Drive.
2. A Type "B" landscape bufferyard shall be maintained along Whittset Drive.
3. Shared access easements shall extend from the street a distance of 40 feet along the shared property line or 10 feet beyond the front setback, whichever is greater.
4. Add the following note: No parking is permitted between the primary structure and street. Hard surfaces for vehicular access shall be a shared access easement located between the primary structure and the street for Lot 1 and Lot 2.
5. Add the following note: No parking is permitted between the primary structure and street. Hard surfaces for vehicular access shall be a shared access easement located between the primary structure and the street for Lots 3 and Lot 4.

6. Sidewalks are required along Hartford Drive. Therefore, prior to final plat recordation, one of the options must be chosen related to sidewalks:
  - a. Submit a bond application and post a bond with the Planning Department,
  - b. Construct sidewalk and have it accepted by Public Works.

**Approved with variance request, and approved plat with conditions (9-0), Consent Agenda  
Resolution No. RS2017-020**

**"BE IT RESOLVED** by The Metropolitan Planning Commission **that 2016SP-098-001 is Approved with variance request, and approved plat with conditions. (9-0).**

**CONDITIONS**

1. Add the following note: Vehicular access shall be limited to Hartford Drive.
2. A Type "B" landscape bufferyard shall be maintained along Whittset Drive.
3. Shared access easements shall extend from the street a distance of 40 feet along the shared property line or 10 feet beyond the front setback, whichever is greater.
4. Add the following note: No parking is permitted between the primary structure and street. Hard surfaces for vehicular access shall be a shared access easement located between the primary structure and the street for Lot 1 and Lot 2.
5. Add the following note: No parking is permitted between the primary structure and street. Hard surfaces for vehicular access shall be a shared access easement located between the primary structure and the street for Lots 3 and Lot 4.
6. Sidewalks are required along Hartford Drive. Therefore, prior to final plat recordation, one of the options must be chosen related to sidewalks:
  - a. Submit a bond application and post a bond with the Planning Department,
  - b. Construct sidewalk and have it accepted by Public Works.

**12. 2017S-009-001**

**SOUTH PERIMETER PARK SECTION 4A RESERVE**

**PARCELS 262, 263 AND PASCHALL PROPERTY**

Council District 28 (Tanaka Vercher)

Staff Reviewer: Lisa Milligan

A request for final plat approval to shift lot lines and remove a reserve status on properties located at Perimeter Hill Drive (unnumbered), 1311 Antioch Pike and Antioch Pike (unnumbered), at the northwest corner of Antioch Pike and Perimeter Hill Drive, zoned CS (1.72 acres), requested by Crawford and Cummings, PC, applicant; Sherry and Michiel Paschall and Cameron Sorenson, owners.

**Staff Recommendation: Defer to February 9, 2017 Planning Commission Meeting**

**The Metropolitan Planning Commission deferred 2017S-009-001 to the February 9 2017, Planning Commission meeting. (8-0-1)**

**13. 2017S-010-001**

**DEDMAN PROPERTY SUBDIVISION AMENDMENT**

Council District 04 (Robert Swope)

Staff Reviewer: Patrick Napier

A request for subdivision amendment approval to amend subdivision notes 7 and 8 on property located at 5959 Edmondson Pike, approximately 640 feet northwest of Mt. Pisgah Road, zoned R40 (3.17 acres), requested by Elite Homes, LLC, applicant and owner.

**Staff Recommendation: Defer to February 9, 2017 Planning Commission Meeting**

**The Metropolitan Planning Commission deferred 2017S-010-001 to the February 9 2017, Planning Commission meeting. (9-0)**



**14. 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: Withdraw.**

**The Metropolitan Planning Commission has withdrawn 2016Z-135PR-001. (9-0)**

**15. 2016CP-005-005**

**EAST NASHVILLE COMMUNITY PLAN AMENDMENT**

Council District 05 (Scott Davis); 08 (Nancy VanReece)  
Staff Reviewer: Anita McCaig

A request to amend the East Nashville Community Plan by adding a Special Policy area allowing Trail Oriented Development and by changing the T3 Suburban Neighborhood Evolving policy at key nodes to T3 Suburban Neighborhood Center policy on various properties located along Broadmoor Drive, Ben Allen Road, and Hart Lane, west of Ellington Parkway, zoned One and Two-Family Residential (R10), Single-Family Residential (RS10), Single-Family Residential (RS7.5), and Specific Plan-Mixed Use (SP-MU), and partially within a Planned Unit Development Overlay District (269.76 acres), requested by Dale and Associates, applicant; various property owners.

**Staff Recommendation: Defer to February 9, 2017 Planning Commission Meeting**

**The Metropolitan Planning Commission deferred 2016CP-005-005 to the February 9 2017, Planning Commission meeting. (9-0)**

**16. 2017Z-002TX-001**

BL2017-559/Hastings  
Staff Reviewer: Lisa Milligan

An request to amend Section 17.40.060 of Title 17 of the Metropolitan Code, Zoning Regulations, to allow members of the metropolitan council to initiate applications to amend the official zoning map of property owned by the metropolitan government, requested by Councilmember DeCosta Hastings, applicant.

**Staff Recommendation: Planning Staff recommends Planning Commission makes no recommendation.**

**The Metropolitan Planning Commission makes no recommendation on 2017Z-002TX-001. (9-0)**

**17. 2016SP-047-002**

**DOUGLAS AND LISCHHEY SP**

Council District 05 (Scott Davis)  
Staff Reviewer: Patrick Napier

A request to amend a portion of the Douglas and Lischey Specific Plan District on property located at 1300 Lischey Avenue, approximately 200 feet east of Stainback Avenue, (0.69 acres), to permit up to 16 residential dwelling units and 3,800 square feet of retail and office space, requested by Dale & Associates, Inc., applicant; Jim McLean, owner.

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

**APPLICANT REQUEST**

**A request to amend a portion of the Douglas and Lischey Specific Plan.**

Preliminary SP

A request to amend a portion of the Douglas and Lischey Specific Plan District on property located at 1300 Lischey Avenue, approximately 200 feet east of Stainback Avenue, (0.69 acres), to permit up to 16 residential dwelling units and 3,800 square feet of retail and office space.

### **Existing 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.

### **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.

### **CRITICAL PLANNING GOALS**

- Creates Walkable Neighborhoods
- Supports Infill Development

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

### **EAST NASHVILLE COMMUNITY PLAN**

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

### Consistent with Policy?

Yes, the condition that is proposed to be removed would not alter the design standards necessary to meet policy and continues to include height transitions to historic structures.

### **ANALYSIS**

The site is located at 1300 Lischey Avenue on approximately 0.69 acres. This property is currently zoned SP-MU by the previously approved regulatory SP for this site. The previously approved SP permitted uses under the MUL-A Zoning District except alternative financial services. There is an existing structure located on this site.

The previously approved regulatory SP included standards in the event these properties were to redevelop. Uses within the SP are limited to those permitted under the Mixed-Use Limited-Alternative (MUL-A) district except alternative financial services. MUL-A uses generally consist of residential, commercial and office uses. This SP provides appropriate design standards, a build-to zone that would orient future structures to address the public realm. Future structures are required to occupy the corners of each site as these properties are located at the intersection of two public streets. The proposed amendment is consistent with the approved SP except for in regards to a requirement for a 40 foot setback from the adjacent property to the north.

The previously approved regulatory SP included a condition which established 40 foot setback from the historic church to the north. The SP seeks to remove the condition which required the 40 foot setback established by the previously approved regulatory SP. The church has been identified as worthy of conservation. The setback was intended to limit the impact of the any future development in order to respect the historic features of the church. The church consists of a single structure with two distinct parts. The portion of the church which is located closest to the proposed development was constructed at a much later date with distinctly different architecture than original church structure. The more recently constructed portion of the church has been determined by the Metro Historic Zoning Commission to be a noncontributing portion of the overall church structure. The more recently constructed portion of the church structure sufficiently buffers historic portion of the church from the new residential units proposed in the SP. The more recently constructed portion of the church is located approximately 16 feet from the closest structure proposed by this SP. The contributing historic portion of the church is 68 feet from the residential structures proposed in this SP. The site plan indicates a 10 foot side setback to the north will be provided to further buffer the impact on the structures to the north.

The site plan proposes 16 residential dwelling units and 3,800 sq. ft. of commercial space. The site plan proposes three separate structures. A structure which fronts the alley will contain units 13 through 16, a structure fronting Lischey contains units 7 through 12, a structure fronting Douglas avenue will contain units 1 through 6. Units 1 through 4 and 7 through 16 are self-parked, each unit contains a two car garage. Units 5 and 6 will have access to parking in the interior of the site. The commercial space requires 9 parking spaces which are shown in the interior of the site. In total 42 parking spaces are being provided. The interior of the site will be accessed by an existing alley which connects to Douglas Avenue.

The policy provides guidance on planned height of surrounding buildings and the impact on adjacent historic structures. The standards within this SP amendment would require the limited to a maximum height the height of the 16 residential units to of three stories in 35 feet. The previously approved regulatory SP provided a maximum height of three stories in 45 feet within the build to zone and would then have to step back a minimum of 15 feet to reach four stories in 60 feet. Therefore the site plan as shown is consistent with the maximum height allowed by the previously approved regulatory SP.

Sidewalks would be built to Major and Collector Standards (MCSP) along Lischey Avenue and Douglas Avenue (8 foot sidewalk, 4 foot plating strip), in the event of redevelopment. This would connect the pedestrian network to the adjacent property along Lischey Avenue which is zoned SP (BL2015-1181) and was approved with sidewalks that meet the MSCP standards.

**FIRE DEPARTMENT 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. 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.
- ROW dedication is to be recorded prior to MPW sign off on the building permit. Prior to Final SP,
- Show and label the existing signs, poles, fire hydrants, etc. within the ROW. These items are to be relocated out of the proposed sidewalk.

**TRAFFIC AND PARKING RECOMMENDATION**

**N/A**

**METRO SCHOOL BOARD REPORT**

**Projected student generation proposed SP-MU district 21 Elementary 14 Middle 12 High**

**Projected student generation proposed SP-MU district 21 Elementary 14 Middle 12 High**

The proposed SP-MU district would generate no more additional students than what is typically generated under the existing SP-MU zoning district. Students would attend Shwab Elementary, Jere Baxter Middle School and Maplewood High School. All three schools have been identified as having additional capacity. This information is based upon data from the school last updated November 2016.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

1. Uses within this SP shall be limited to 16 residential dwelling units and 3,800 square feet of retail and office space
2. The maximum allowable Floor Area Ratio (FAR) shall be 1.4.
3. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUL-A zoning district as of the date of the applicable request or application.
4. 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 MUL-A zoning district as of the date of the applicable request or application.
5. 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.
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.

**Approved with conditions and disapprove without all conditions (8-0-1), Consent Agenda**

**Resolution No. RS2017-023**

"BE IT RESOLVED by The Metropolitan Planning Commission **that 2016-047-002 is Approved with conditions and disapproved without all conditions (8-0-1).**

**CONDITIONS**

1. Uses within this SP shall be limited to 16 residential dwelling units and 3,800 square feet of retail and office space
2. The maximum allowable Floor Area Ratio (FAR) shall be 1.4.
3. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUL-A zoning district as of the date of the applicable request or application.
4. 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 MUL-A zoning district as of the date of the applicable request or application.
5. 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.
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.

**18. 2016SP-060-001**

**2021 12TH AVENUE NORTH - RESIDENTIAL SP**

Council District 02 (DeCosta Hastings)

Staff Reviewer: Latisha Birkeland

A request to rezone from R6 to SP-R zoning for property located at 2021 12th Avenue North, at the southwest corner of Cass Street and 12th Avenue North, (0.33 acres), to permit up to four residential units, requested by 4Site, Inc., applicant; L.A.N.D. Group, LLC, owner.

**Staff Recommendation: Defer Indefinitely**

**The Metropolitan Planning Commission deferred 2016SP-060-001 indefinitely. (9-0)**

**19. 2017SP-004-001**

**6124 ROBERTSON AVENUE SP**

Council District 20 (Mary Carolyn Roberts)

Staff Reviewer: Shawn Shepard

A request to rezone from R6 and R8 to SP-R zoning on properties located at 6124 Robertson Avenue and Robertson Avenue (unnumbered), approximately 340 feet east of Waco Drive, (0.78 acres), to permit up to 12 multi-family dwelling units, requested by Richland South, LLC, applicant; Adam and Bridget Anderson, owners.

**Staff Recommendation: Defer Indefinitely**

**The Metropolitan Planning Commission deferred 2017SP-004-001 indefinitely. (8-0-1)**

**20. 2017SP-007-001**

**6015 AND 6017 OBRIEN AVENUE**

Council District 20 (Mary Carolyn Roberts)

Staff Reviewer: Shawn Shepard

A request to rezone from R8 to SP-R zoning on properties located at 6015 and 6017 O'Brien Avenue, approximately 220 feet north of Charlotte Pike, (0.8 acres), to permit up to nine residential units, requested by Dale & Associates, applicant; Lee M. Beckham Jr., Etux, owner.

**Staff Recommendation: Defer to February 9, 2017 Planning Commission Meeting**

**The Metropolitan Planning Commission deferred 2017SP-007-001 to the February 9 2017, Planning Commission meeting. (9-0)**

**21. 2017SP-011-001**  
**504 AND 506 SOUTHGATE AVENUE**  
Council District 17 (Colby Sledge)  
Staff Reviewer: Gene Burse

A request to rezone from R6 to SP-R zoning on properties located at 504 and 506 Southgate Avenue, approximately 350 feet east of Rains Avenue, (0.7 acres), to permit up to nine residential units, requested by Dale & Associates, applicant; Bijan Ferdowsi, owner.

**Staff Recommendation: Defer to March 9, 2017 Planning Commission Meeting**

**The Metropolitan Planning Commission deferred 2017SP-011-001 to the March 9 2017, Planning Commission meeting. (9-0)**

**22. 2017SP-015-001**  
**2407 BRASHER AVENUE SP**  
Council District 05 (Scott Davis)  
Staff Reviewer: Shawn Shepard

A request to rezone from R6 to SP-MU zoning on property located at 2407 Brasher Avenue, approximately 140 feet northeast of Strouse Avenue (0.23 acres), to permit an accessory detached recording studio in addition to all uses permitted by the R6 zoning district, requested by Tune, Entrekin and White, PC, applicant; Elijah Shaw, owner.

**Staff Recommendation: Disapprove**

**APPLICANT REQUEST**  
**Zone change from R6 to SP-MU.**

Zone Change

A request to rezone from One and Two-Family Residential (R6) to Specific Plan-Mixed Use (SP-MU) zoning on property located at 2407 Brasher Avenue, approximately 140 feet northeast of Strouse Avenue (0.23 acres), to permit an accessory detached recording studio in addition to all uses permitted by the R6 zoning district.

**Existing Zoning**

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

**Proposed Zoning**

Specific Plan-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. *The proposed SP-MU District would permit an accessory detached recording studio in addition to all uses permitted by the R6 zoning district.*

**CRITICAL PLANNING GOALS**  
**N/A**

**EAST 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?

The proposed SP would permit an accessory commercial use in addition to the uses permitted by the current R6 zoning. The addition of a commercial use at this location is not supported by the T4 NM land use policy, which is a residential-only policy intended to preserve the general character of existing urban residential neighborhoods, even as those areas experience some change over time.

**Proposed Regulatory SP Start**

## 2407 Brasher Avenue Specific Plan (SP)

Development Summary		Site Data Table	
SP Name	2407 Brasher Avenue Specific Plan	Site Data	0.23 acres
SP Number	2017SP-015-001	Existing Zoning	R6
Council District	05	Proposed Zoning	SP
Map & Parcel	Map 072-13, Parcel 148	Allowable Land Uses	All uses permitted by the R6 zoning district and an accessory detached recording studio

### Specific Plan (SP) Standards

1. Uses within this SP shall be limited to all uses permitted by R6 zoning district and a detached accessory recording studio.
2. There shall be no structural alterations to the property for the use.
3. All parking shall be on site.
4. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the R6 zoning district as of the date of the applicable request or application.
5. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
6. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
7. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

### ***Proposed Regulatory SP End***

### **ANALYSIS**

The request is a regulatory SP and does not include a site plan. The subject property is 0.23 acres in size and contains an existing single-family dwelling and detached accessory structure. The neighborhood surrounding the subject property contains a mix of one and two-family residential and institutional uses. The zoning in the area is primarily R6 and Single-Family Residential (RS5).

The Zoning Code permits Home Occupations as an accessory use to a residence in R6 zoning districts subject to the conditions listed in Section 17.16.250 of the Zoning Ordinance. Those conditions include the requirements that the use be conducted by one or more occupants of the dwelling and that no clients or patrons may be served on the property. The applicant has indicated that approximately five customers per day would be served by the proposed recording studio. As proposed, the studio could not meet the standards for a Home Occupation; therefore, the applicant has requested the SP.

In 2011, Metro Council considered several bills proposing changes to the Home Occupation standards in the Zoning Ordinance. The changes were generally aimed at allowing for clients, customers or patrons to be served on the property, although each bill took a slightly different approach:

- **BL2010-754:** proposed allowing clients only for cosmetology and barber shop home occupations, with no more than two customers on the premises at one time
- **BL2011-858:** proposed allowing visitors, clients, and customers for home occupations subject to limitations on the maximum number per hour and per day
- **BL2011-924:** proposed the addition of a new use, Home Business, which would permit clients and customers to be served on site, subject to limitations on the maximum number per hour and per day.

All three bills received recommendations of approval from the Metro Planning Commission. The first was withdrawn following the public hearing at Council and several deferrals. The second was introduced at Council but withdrawn prior to public hearing. The third bill, which proposed the new home business use, ultimately failed to be approved by Metro Council in July of 2011.

In November 2012, the Metro Planning Commission considered a proposal to amend the text of the Zoning Code pertaining to recording studios. The proposed amendment introduced a new land use, “home recording studio,” included it as a home occupation use, and provided conditions for that use. With conditions limiting the number of clients, requirements for off-street parking and adherence to noise restrictions, Planning staff recommended that the addition of home recording studios as home occupations was appropriate for Metro Nashville as “Music City, USA.” The Planning Commission also recommended approval; however, the bill was unable to find support at Metro Council. After several deferrals, both before and after the public hearing held at second reading, the ordinance was withdrawn in August 2015.

Home-based businesses, particularly those associated with Nashville’s musical heritage, may help to meet some of the goals of the general plan, but the introduction of these uses and the standards under which they should be reviewed is best considered on a county-wide basis. Given that Metro Council failed to find support for allowing this use on a broader scale, a request for an SP to allow this use on a specific site in an inappropriate use of the SP zoning tool.

Additionally, in reviewing a proposed SP, Planning staff must also consider the definition of the SP zoning district. The Metro Zoning Ordinance defines an SP as a district and as an alternative zoning process that may permit any land uses, mixture of land uses, and alternative development standards, of an individual property or larger area, to achieve consistency with the general plan. The Zoning Ordinance requires SP Districts, including regulatory SPs, to be “*designed such that, at a minimum, the location, integration and arrangement of land uses, buildings, and structure, utilities, access, transit, parking and streets collectively avoid monotony, promote variety, and yield a context sensitive development.*” Given the existing residential character of the area and the T4 NM land use policy, which calls for preserving the existing character, staff does not find that the introduction of a commercial use at this location is consistent with the definition of the SP zoning process nor that it yields a context sensitive development. Therefore, staff recommends disapproval.

**FIRE MARSHAL RECOMMENDATION**

**Approve with conditions**

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

**STORMWATER RECOMMENDATION**

**Approve**

**WATER SERVICES RECOMMENDATION**

**Returned for corrections**

- Awaiting submittal of an availability study by the applicant.

**PUBLIC WORKS RECOMMENDATION**

**N/A**

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- Provide adequate parking on site for recording studio activity.

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)	0.23	7.26 D	2 U	20	2	3

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

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)	0.23	-	2 U	20	2	3

\*Based on two-family lots

Traffic changes between maximum: **R15** and **SP-MU**

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

**STAFF RECOMMENDATION**

Staff recommends disapproval, as the proposed SP-MU is inconsistent with the T4 NM land use policy and does not yield a context-sensitive development

Ms. Shepard presented the staff recommendation of disapproval.

Elijah Shaw, 2407 Brasher Ave, spoke in favor of the application as he wants to be able to support his daughter by having his recording studio at home. Parking is sufficient and the noise would not disturb the neighbors at all. Home studios are part of the lifeblood that makes Nashville Music City.

George Dean, 315 Deaderick St, spoke in favor of the application. There will be no physical change to the property. Only a very small number of people per day will visit the property. There will be no signage and no adverse impact on surrounding residential uses.

Kevin Kazlauskas, 902 McClurkan Ave, spoke in favor of the application because it supports local musicians.

Otis Gibbs, 936 Strouse Ave, spoke in favor of the application.

Nigel Hodge, 1511 Lillian St, spoke in opposition to the application. This is a residential area, not a commercial area. This is inconsistent with the neighborhood and land use policy.

Elijah Shaw noted there is a child care facility across the street with constant traffic and he never hears any complaints about that.

**Chairman Adkins closed the Public Hearing.**

Mr. Tibbs expressed concern with the use being passed on to future owners.

Ms. Hagan-Dier spoke in favor of staff recommendation and explained that a home studio is still a commercial use. It seems that Council would be a better venue for this.

Mr. McLean explained that while sympathetic to this, he agrees that Council would be a more appropriate venue.

Ms. Farr spoke in favor of staff recommendation. This is not the right approach from a planning perspective.

Mr. Clifton spoke in favor of staff recommendation as the use isn't limited just to the property owner; it goes with the property.

Ms. Blackshear spoke in favor of staff recommendation as there doesn't seem to be a way to say this is in conformance with policy.

Ms. Diaz spoke in favor of staff recommendation. This does not comply with policy and seems to contradict with the SP is trying to achieve.

Councilmember Allen appreciates the applicant trying to do this the legal way. She would like to keep the discussion going. It's dishonest for Nashville not to acknowledge that this is a huge part of what makes Nashville a terrific city and a lot of great things have come out of it.



Chairman Adkins agreed with the importance of Council's consideration.

**Mr. Clifton moved and Councilmember Allen seconded the motion to defer to the February 9, 2017 Planning Commission meeting allow staff additional time to evaluate the existing regulations in regards to home occupations and policy and reopen the public hearing. (6-3) Ms. Blackshear, Ms. Diaz, and Mr. Tibbs voted against.**

**Resolution No. RS2017-024**

**"BE IT RESOLVED by The Metropolitan Planning Commission that 2017SP-015-001 Defer to February 9, 2017 Planning Commission Meeting to allow staff additional time to evaluate the existing regulations in regards to home occupations and policy and reopen the public hearing (6-3)**

**23. 2017SP-016-001**

**3233 KNOBVIEW DRIVE SP**

Council District 15 (Jeff Syracuse)

Staff Reviewer: Shawn Shepard

A request to rezone from RS20 to SP-MU zoning on property located at 3233 Knobview Drive, at the northwest corner of Capella Court and Knobview Drive (0.57 acres), to permit an accessory hair salon in addition to all uses permitted by the RS20 zoning district, requested by Tune, Entrekin and White, PC, applicant; Harold and Patricia Raynor, owners.

**Staff Recommendation: Disapprove**

**APPLICANT REQUEST**

**Zone change from RS20 to SP-MU.**

Zone Change

A request to rezone from Single-Family Residential (RS20) to Specific Plan-Mixed Use (SP-MU) zoning on property located at 3233 Knobview Drive, at the northwest corner of Capella Court and Knobview Drive (0.57 acres), to permit an accessory hair salon in addition to all uses permitted by the RS20 zoning district.

**Existing Zoning**

Single-Family Residential (RS20) requires a minimum 20,000 square foot lot and is intended for single-family dwellings at a density of 1.85 dwelling units per acre. *RS20 would permit a maximum of one unit.*

**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. *The proposed SP-MU District would permit an accessory hair salon in addition to all uses permitted by the RS20 zoning district.*

**CRITICAL PLANNING GOALS**

**N/A**

**DONELSON – HERMITAGE COMMUNITY PLAN**

T3 Suburban Neighborhood Maintenance (T3 NM) is intended to preserve the general character of developed suburban residential neighborhoods. T3 NM areas will experience some change over time, primarily when buildings are expanded or replaced. When this occurs, efforts should be made to retain the existing character of the neighborhood. T3 NM areas have an established development pattern consisting of low to moderate density residential development and institutional land uses. Enhancements may be made to improve pedestrian, bicycle and vehicular connectivity.

Consistent with Policy?

The proposed SP would permit an accessory commercial use in addition to the uses permitted by the current RS20 zoning. The addition of a commercial use at this location is not supported by the T3 NM land use policy, which is a residential-only policy, intended to preserve the general character of existing suburban residential neighborhoods, even as those areas experience some change over time.

**Proposed Regulatory SP Start**

3233 Knobview Drive Specific Plan (SP)		Site Data Table	
Development Summary			
SP Name	3233 Knobview Drive Specific Plan	Site Data	0.57 acres
SP Number	2017SP-016-001	Existing Zoning	RS20
Council District	15	Proposed Zoning	SP
Map & Parcel	Map 084-16, Parcel 187	Allowable Land Uses	All uses permitted by the RS20 zoning district and an accessory hair salon

Specific Plan (SP) Standards

1. Uses within this SP shall be limited to all uses permitted by RS20 zoning district and one accessory hair salon.
2. No signage except for one directional sign not to exceed 2 square feet in size.
3. There shall be no structural alterations to the home for the use.
4. All parking shall be on site.
5. No more than 20% of the square footage of the home shall be devoted to the home occupation.
6. No more than two cars will be parked on site at any one time.
7. The operator must live in the home and must be licensed by the state Board of Cosmetology.
8. The premises will be inspected and approved by the state Board of Cosmetology.
9. 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 RS20 zoning district as of the date of the applicable request or application.
10. 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.
11. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
12. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

**Proposed Regulatory SP End**

**ANALYSIS**

The request is a regulatory SP and does not include a site plan. The subject property is 0.57 acres in size and contains an existing single-family dwelling. The neighborhood surrounding the subject property contains primarily single-family residential land use, with scattered two-family residential and institutional uses. The zoning in the area is primarily RS20.

The RS20 zoning district permits Home Occupations as an accessory use to a residence subject to the conditions listed in Section 17.16.250 of the Zoning Ordinance. Those conditions include the requirements that the use be

conducted by one or more occupants of the dwelling and that no clients or patrons may be served on the property. The applicant has indicated that approximately six to eight customers per day would be served by the proposed hair salon. As proposed, the salon use could not meet the standards for a Home Occupation; therefore, the applicant has requested the SP.

In 2011, Metro Council considered several bills proposing changes to the Home Occupation standards in the Zoning Ordinance. The changes were generally aimed at allowing for clients, customers or patrons to be served on the property, although each bill took a slightly different approach:

- **BL2010-754:** proposed allowing cosmetology and barber shop home occupations to serve customers on site, while maintaining the prohibition on serving clients or patrons on the property for all other home occupation uses. Specifically, this bill proposed allowing cosmetology and barber shops to have one chair available to service customers, and no more than two customers on the premises at any one time. As proposed, the bill also required that only a resident titleholder of the property be permitted to work on the premises.
- **BL2011-858:** proposed allowing visitors, clients, and customers for home occupations subject to limitations on the maximum number per hour and per day
- **BL2011-924:** proposed the addition of a new use, Home Business, which would permit clients and customers to be served on site, subject to limitations on the maximum number per hour and per day.

All three bills received recommendations of approval from the Metro Planning Commission. The first was introduced at Council and a public hearing was held. Following several deferrals, the proposal was withdrawn. The second was withdrawn prior to public hearing. The third bill, which proposed the new home business use, ultimately failed to be approved by Metro Council in July of 2011.

Home-based businesses may help to meet some of the goals of the general plan, but the introduction of these uses and the standards under which they should be reviewed is best considered on a county-wide basis. Given that Metro Council failed to find support for allowing cosmetology and barber shop home occupations to serve customers on site, and failed to find support for home occupations serving customers on site more generally, the request for an SP to allow this use on a specific site and in a residentially zoned area is an inappropriate use of the SP zoning tool.

Additionally, in reviewing a proposed SP, Planning staff must also consider the definition of the SP zoning district. The Metro Zoning Ordinance defines an SP as a district and as an alternative zoning process that may permit any land uses, mixture of land uses, and alternative development standards, of an individual property or larger area, to achieve consistency with the general plan. The Zoning Ordinance requires SP Districts, including regulatory SPs, to be *“designed such that, at a minimum, the location, integration and arrangement of land uses, buildings, and structure, utilities, access, transit, parking and streets collectively avoid monotony, promote variety, and yield a context sensitive development.”* Given the existing single-family residential character of the area and the T3 NM land use policy, which calls for preserving the existing character, staff does not find that the introduction of a commercial use at this location is consistent with the definition of the SP zoning process nor that it yields a context sensitive development. Therefore, staff recommends disapproval.

#### **FIRE MARSHAL RECOMMENDATION**

**N/A**

#### **STORMWATER RECOMMENDATION**

**Approve**

#### **WATER SERVICES RECOMMENDATION**

**Returned for corrections**

- Awaiting submittal of an availability study by the applicant.

#### **PUBLIC WORKS RECOMMENDATION**

**N/A**

#### **TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- Provide adequate parking on site for hair salon activity.

Maximum Uses in Existing Zoning District: **RS20**

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)	0.57	2.17 D	1 U	10	1	2

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

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)	0.57	-	1 U	10	1	2

Traffic changes between maximum: **RS20** and **SP-MU**

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

**STAFF RECOMMENDATION**

Staff recommends disapproval, as the proposed SP-MU is inconsistent with the T3 NM land use policy and does not yield a context-sensitive development.

Ms. Shepard presented the staff recommendation of disapproval.

George Dean, 315 Deaderick St, spoke in favor of the application. The structure is already there and the use would be limited to a few customers per day.

Pat Raynor, applicant, spoke in favor of the application. She can't retire and needs to be able to work from home. There will be no signage or walk-ins.

Terry (last name unclear), 3212 Knobview, spoke in opposition to the application as he wants to keep the neighborhood residential.

Councilmember Syracuse spoke in opposition to the application and explained that he will not sponsor the bill. SP is not an appropriate use.

Chairman Adkins closed the Public Hearing.

Ms. Blackshear spoke in favor of staff recommendation. The councilmember is not in support and the planning commission does not have the tools to allow this.

Mr. Tibbs suggested a deferral because a procedural precedent was set with deferral of the previous item.

Mr. Clifton noted that with further thought, he is convinced that and SP cannot be used for this item or the previous item. An SP doesn't feel right but some creative thought might get it to where it can be reviewed by Council.

**Councilmember Allen moved and Ms. Farr seconded the motion to defer to the February 9, 2017 Planning Commission meeting to allow staff additional time to evaluate the existing regulations in regards to home occupations and policy and reopen the public hearing. (7-2) Ms. Diaz and Ms. Blackshear voted against.**

**Resolution No. RS2017-024**

**"BE IT RESOLVED by The Metropolitan Planning Commission that 2017SP-016-001 Defer to February 9, 2017 Planning Commission Meeting to allow staff additional time to evaluate the existing regulations in regards to home occupations and policy and reopen the public hearing (7-2)**

**24a. 2017SP-017-001**

**NANDI HILLS**

Council District 22 (Sheri Weiner); 23 (Mina Johnson)  
Staff Reviewer: Latisha Birkeland

A request to rezone from R20 and RM4 to SP-R zoning on property located at Old Hickory Boulevard (unnumbered), approximately 1,045 feet south of Ridgelake Parkway (123.01 acres), to permit residential uses and include environmentally sensitive design standards within the SP, requested by Councilmember Mina Johnson, applicant; Nandi Hills Associates, owner. (See associated case # 66-84P-002)

**Staff Recommendation: Defer to February 9, 2017 Planning Commission Meeting**

**The Metropolitan Planning Commission deferred 2017SP-017-001 to the February 9 2017, Planning Commission meeting. (9-0)**

**24b. 66-84P-002**

**NANDI HILLS PUD CANCEL**

Council District 22 (Sheri Weiner); 23 (Mina Johnson)  
Staff Reviewer: Latisha Birkeland

A request to cancel a portion of a Planned Unit Development Overlay District on property located at Old Hickory Boulevard (unnumbered), approximately 1,045 feet south of Ridgelake Parkway, zoned RM4 and R20 (123.01 acres), requested by Councilmember Mina Johnson, applicant; Nandi Hill Associates, owner. (See associated case # 2017SP-017-001)

**Staff Recommendation: Defer to February 9, 2017 Planning Commission Meeting**

**The Metropolitan Planning Commission deferred 66-84P-002 to the February 9 2017, Planning Commission meeting. (9-0)**

**25. 2016HL-004-001**

Council District 18 (Burkley Allen)  
Staff Reviewer: Shawn Shepard

A request to apply a Historic Bed and Breakfast Homestay Overlay District on property located at 2808 Belmont Boulevard, at the southeast corner of Belmont Boulevard and Kirkwood Avenue, zoned R8 and within the Belmont-Hillsboro Neighborhood Conservation Overlay District (0.2 acres), requested by Kelly Noser, applicant; Kelly Noser and Adam Carter, owners.

**Staff Recommendation: Approve**

**APPLICANT REQUEST**

**Apply Historic Bed and Breakfast Homestay Overlay District.**

Historic Bed and Breakfast Homestay Overlay

A request to apply a Historic Overlay District on property located at 2808 Belmont Boulevard, at the southeast corner of Belmont Boulevard and Kirkwood Avenue, zoned One and Two-Family Residential (R8) and within the Belmont-Hillsboro Neighborhood Conservation Overlay District (0.2 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 one duplex lot for a total of two units.*

Belmont-Hillsboro Neighborhood Conservation Overlay District A Historic Preservation and Neighborhood Conservation District is defined as a geographical area which possesses a significant concentration, linkage or continuity of sites, buildings, structures or objects which are united by past events or aesthetically by plan or physical development, and that meets one or more of the criteria outlined in Section 17.36.120 of the Metro Zoning Ordinance.

### **Proposed Zoning**

Historic Bed and Breakfast Homestay Overlay District A Historic Bed and Breakfast Homestay is defined as a building or structure containing three or fewer furnished guest rooms for pay within a private, owner-occupied historically significant structure. Meals may be provided to overnight guests, and the maximum stay for any guest shall be fourteen consecutive days.

### **CRITICAL PLANNING GOALS**

- Preserves Historic Resources

The proposed Historic Bed and Breakfast Homestay Overlay District is intended to preserve the historic home by allowing for reuse of the home as a bed and breakfast and through the implementation of development guidelines by the Metro Historic Zoning Commission and Staff.

### **GREEN HILLS – MIDTOWN 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 policy is intended to preserve the general character of existing urban neighborhoods and encourages the protection and preservation of historic features.

### **REQUEST DETAILS**

Historic Zoning Commission staff recommended approval with conditions. On January 18, 2017, the Metro Historic Zoning Commission (MHZC) recommended approval of the Historic Bed and Breakfast Homestay overlay. Metro Historic Commission staff provided the following background information:

#### **The Mousson Home**

2808 Belmont Blvd is a single-residence Bungalow style home built in 1928 at the corner of Belmont Blvd and Kirkwood Avenue. 2808 Belmont is one of more than 1000 properties within the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay. The home's architectural character is representative of many homes that contribute to the historical nature and diversity of the neighborhood.

Over 100 years ago, the Belmont Land Company began developing the area of Nashville as a "street car hub," which provided a substantial boost to overall development of the neighborhood. The house at 2808 was built almost 20 years after those streetcar lines were constructed. The streetcar lines ran from Cedar Lane, which is one block south of the house, to Blair Blvd. The neighborhood became a National Register Historic District in 1980.

Soon after the house was built, it was rented by a German immigrant named Carl Otto Katz, his wife Hannah, also of German descent but born in New York, and their 4-year old son, John, who was born in Tennessee. The Katz family rented the house for \$70 per month, based on the 1930 U.S. Census.

By 1930, Henry and Frances Mousson lived in the home and their adult divorced daughter, Minnie Louise lived in the "rear." Henry and T Dewery worked/owned Mousson's Barbecue Stand located at 1716 21<sup>st</sup> Avenue South. The Mousson family lived in the house through 1945; by 1947, Henry had died, but Frances still lived in the house.

Property records show Minnie Boyd bought the house in 1949. Since then, the house has had only 4 owners, including the current ones -- a family from Australia and Alabama, with a teenage daughter born in Nashville -- who bought the house in mid-2016.

The house has architectural styles similar to "kit homes" of the time period. Kit homes are also known as Honor Bilt Homes, Sears Homes, Gordon Van Tine, Aladdin, Lewis Homes, Harris Brothers, or Sterling Homes, depending on the company that provided the kit. Most kit homes were bungalow style houses built from plans and materials sold throughout the early 1900's.

The last owner of the house, Will Daly, completed several projects to enhance the structure of the house and maintain the historic nature. Structurally, Mr. Daly reinforced the foundation along the Kirkwood side of

the house. Additionally, a structure in the backyard, which had once served as a garage, collapsed due to disrepair; Mr. Daly reinforced a concrete parking pad where the garage stood. In the interior of the house, Mr. Daly renovated the kitchen, replacing light fixtures that had been added by previous owners with more period-appropriate lights, obtained from a self-described architectural-archaeology business in Nashville. The light fixtures in the three front rooms of the house, the doorbell, hardwood and tile flooring, beautiful doors, heavy metal heating grates, the massive limestone fireplace, and most hardware are original to the house. The front porch of the house has two pillars that were original to the design of the house and characteristic of many homes in the area.

(Above history provided by the owner.)

Per section 17.36.120 of the Metro Zoning Code, to be considered a Historic Bed and Breakfast Homestay, the building or structure must meet one or more of the following criteria:

1. The historic bed and breakfast homestay is associated with an event that has made a significant contribution to local, state or national history.
2. It is associated with the lives of persons significant in local, state or national history.
3. It embodies the distinctive characteristics of a type, period or method of construction, or that represents the works of a master, or that possesses high artistic value or
4. It is listed or is eligible for listing in the National Register of Historic Places.

#### **METRO HISTORIC ZONING COMMISSION RECOMMENDATION**

Zoning Commission Staff has recommended approval with a condition that the applicant obtain a permit for the new use from the Codes Department. Staff also recommends adoption of the existing Historic Landmark design guidelines for permitting of future alterations. On January 18, 2017, the MHZC approved a recommendation for a Historic Bed and Breakfast Homestay overlay on the subject property.

#### **STAFF RECOMMENDATION**

Staff recommends approval.

Ms. Shepard presented the staff recommendation of approval.

**Chairman Adkins recused himself and stepped out of the room at 7:20 p.m.**

Adam Carter, 2810 Belmont Blvd, spoke in favor of the application.

Peggy Dughman, 2804 Belmont Blvd, spoke in opposition to the application as this is a residential area. She would like to see the area maintained with the historical integrity that it currently has.

Mr. Carter asked for approval and explained there is already parking on site and it meets all criteria.

**Ms. Farr closed the Public Hearing.**

Councilmember Allen spoke in favor of the application as it seems an appropriate use for this area.

**Ms. Diaz moved and Ms. Blackshear seconded the motion to approve. (8-0-1) Chairman Adkins recused himself.**

**Mr. Adkins stepped back in the room.  
Approved (8-0-1).**

#### **Resolution No. RS2017-026**

**"BE IT RESOLVED by The Metropolitan Planning Commission that 2017HL-004-001 is Approved (8-0-1).**

#### **26. 2017HL-001-001**

BL2017-578/Robert Swope  
Council District 04 (Robert Swope)  
Staff Reviewer: Patrick Napier

A request for a Historic Landmark Overlay District on property located at 10604 Concord Road, approximately 600 feet southwest of Nolensville Pike, zoned AR2a (1.6 acres), requested by Councilmember Robert Swope, applicant; Iglesia Cristiana EL Shaddai Christian Church, owner.

**Staff Recommendation: Approve**

**APPLICANT REQUEST**  
**Apply Historic Landmark Overlay District.**

Historic Landmark Overlay

A request for a Historical Landmark Overlay District on property located at 10604 Concord Road, approximately 600 feet southwest of Nolensville Pike, zoned Agricultural/Residential (AR2a) (1.6 acres).

**Existing Zoning**

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

**Proposed Zoning**

Historic Landmark Overlay District (HL) A Historic Landmark is a building, structure, site or object, its appurtenances and the property it is located on, of high historical, cultural, architectural or archaeological importance; whose demolition or destruction would constitute an irreplaceable loss to the quality and character of Nashville and Davidson County.

**CRITICAL PLANNING GOALS**

- Preserves Historic Resources

The proposed Historic Landmark Overlay District is intended to preserve the historic structure on the property through the implementation of development guidelines by the Metro Historic Zoning Commission and staff.

**SOUTHEAST 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.

Consistent with Policy?

Yes. The policy encourages the protection and preservation of historic features.

**REQUEST DETAILS**

The Metro Historic Zoning Commission (MHZC) considered this application at its December 21, 2016 meeting and recommended approval. The following background information was provided by the Metro Historical Commission staff:

**Concord Baptist Church**

Concord Baptist Church (1804) began constructing their church building along Mill Creek in 1844. The Concord Baptist Church was an influential center of life in the Concord community (also called Liberty) and had both white and black members. According to former Brentwood City Historian, Vance Little, "many of the black members belonged to masters who were members of other religious denominations. Non-Baptist slave owners encouraged their slaves to attend the Baptist church because of the discipline enforced by that church." The church enforced a strict code of conduct among its members, which in turn guarded the social life of the community: drinking, dancing, and swearing were strictly prohibited.

The church grounds saw some military action during the Civil War, and Union troops camped on the church grounds and likely used the church as a headquarters.

Concord Baptist Church was the founding place of the Concord Baptist Association, the oldest surviving Baptist association in Tennessee. After Mill Creek Baptist, the Concord Baptist Church was the most influential Baptist church in Middle Tennessee, and the church building was the site of some of the most controversial and influential discussions in Baptist history.

The building continued to be used by the church until 1997, when the Concord Baptist Church merged with Grandview Baptist. The first educational building was added in 1946. The sanctuary was remodeled in 1968, and the new entrance (front) added in 1969. The stained glass windows were installed in 1973.

El Shaddai Christian Church became the owner of the building in 2005 and occupied it until a flood in 2010 resulted in the building being unusable. The El Shaddai Christian Church is restoring the building.



**Analysis and Findings:**

The building is significant for its important association with the Baptist Church and an influential battle during the Civil War. According to the Tennessee Historical Commission, the building is eligible for listing in the National Register of Historic Places and so meets standard 17.36.120.5 of the ordinance.

Staff suggests the Commission recommend to City Council that the Concord Baptist Church be adopted as Historic Landmark and that the existing Historic Landmark Design Guidelines be used to guide future alterations.

To be considered as an historic landmark a building, structure, site or object must meet one or more of the following criteria:

1. The historic landmark is associated with an event that has made a significant contribution to local, state or national history;
2. It is associated with the lives of persons significant in local, state or national history; or
3. Item embodies the distinctive characteristics of a type, period or method of construction, or that represents the work of a master, or that possesses high artistic value; or
4. It has yielded or may be likely to yield archaeological information important in history or prehistory; or
5. It is listed or is eligible for listing in the National Register of Historic Places.

**METRO HISTORIC ZONING COMMISSION RECOMMENDATION**

On December 21, 2016, the Metro Historic Zoning Commission recommended approval of the Historic Landmark Overlay.

**STAFF RECOMMENDATION**

Staff recommends approval of the Historic Landmark Overlay District

**Approved (8-0-1), Consent Agenda**

**Resolution No. RS2017-027**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2016HL-001-001 is Approved (8-0-1).

**27. 2017HL-003-001**

Council District 04 (Robert Swope)  
Staff Reviewer: Shawn Shepard

A request for a Historic Landmark Overlay District on a portion of property located at 621 A Hill Road, approximately 360 feet east of Trousdale Drive, zoned R40 and within a Planned Unit Development Overlay District (10.66 acres), requested by Ragan-Smith and Associates, applicant; Cornelius-Granberry Properties, LP, ET AL Trustees, owner.

**Staff Recommendation: Defer to the February 9, 2017, Planning Commission meeting**

**The Metropolitan Planning Commission deferred 2017HL-003-001 to the February 9 2017, Planning Commission meeting. (9-0)**

**28. 2017NHC-001-001**

BL2017-557/Colby Sledge  
Council District 17 (Colby Sledge)  
Staff Reviewer: Latisha Birkeland

A request to apply a Neighborhood Conservation Overlay District on various properties along Hillview Heights, Cisco Street and Inverness Avenue, northeast of Vaulx Lane and Dewees Avenue, zoned R10 (approximately 13.76 acres), requested by Councilmember Colby Sledge, applicant; various owners.

**Staff Recommendation: Defer to February 23, 2017 Planning Commission Meeting**

**The Metropolitan Planning Commission deferred 2017NHC-001-001 to the February 23 2017, Planning Commission meeting. (9-0)**

**29. 2017S-012-001**  
**BINKLEY PROPERTY SUBDIVISION REPLAT OF LOT 1**  
Council District 03 (Brenda Haywood)  
Staff Reviewer: Latisha Birkeland

A request for final plat approval to create three lots on property located at 1227 Old Hickory Boulevard, approximately 360 feet northwest of Marydale Drive, zoned RS20 (2.65 acres), requested by Clint T. Elliott Surveying, applicant; Connerth Construction, LLC, owner.

**Staff Recommendation: Defer to the February 9, 2017**

**The Metropolitan Planning Commission deferred 2017S-012-001 to the February 9 2017, Planning Commission meeting. (9-0)**

**30a. 2017Z-007PR-001**  
BL2017-551/Jeff Syracuse  
Council District 15 (Jeff Syracuse)  
Staff Reviewer: Patrick Napier

A request to rezone from OR20 to R15 zoning on properties located at 2203, 2205 A and 2207 Pennington Bend Road, at the northwest corner of Pennington Bend Road and McGavock Pike, within a Planned Unit Development Overlay District (2.52 acres), requested by Councilmember Jeff Syracuse, applicant; Pennington Bend Partners One and Tony and Pamela Adams, owners. (See associated case 48-83P-002).

**Staff Recommendation: Approve**

**APPLICANT REQUEST**  
**A request to rezone from OR20 to R15.**

Zone Change Request

A request to rezone from Office/Residential (OR20) to One and Two-Family Residential (R15) zoning on properties located at 2203, 2205 A and 2207 Pennington Bend Road, at the northwest corner of Pennington Bend Road and McGavock Pike, within a Planned Unit Development Overlay District (2.52 acres).

**Existing Zoning**

Office/Residential (OR20) is intended for office and/or multi-family residential units at up to 20 dwelling units per acre. *OR20 would permit a maximum of 30 units.*

**Proposed Zoning**

One and Two-Family Residential (R15) requires a minimum 15,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 3.09 dwelling units per acre including 25 percent duplex lots. *R15 would permit a maximum of 7 lots with 1 duplex lots for a total of 8 units.*

**History**

The Metro Planning Commission voted to find the PUD inactive at the October 27, 2016, Planning Commission meeting. The Planning Commission made the finding that the current PUD is inconsistent with the Conservation policy currently in place for the site and recommended the zoning be changed to R15.

**CRITICAL PLANNING GOALS**

N/A

**DONELSON-HERMITAGE 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.

Consistent with Policy?

Yes, if approved, this rezone request will reduce the potential impact from future development which would reduce the potential impact to the floodplain. The intent of the conservation policy is to keep undisturbed environmentally sensitive land features in a natural state.

**ANALYSIS**

As part of a review of inactivity of the Planned Unit Development, the Planning Commission recommended cancellation of the PUD and rezoning to R15. The proposed district will allow the current property owners to retain some development rights, although different from the OR20 zoning district. The bulk requirements of the R15 zoning district will limit the impact of future development within the floodplain. This rezone request meets the intent of the policy by minimizing the future impacts to environmentally sensitive land within the floodplain.

**FIRE DEPARTMENT RECOMMENDATION**

N/A

**STORMWATER RECOMMENDATION**

N/A

**WATER SERVICES**

N/A

**PUBLIC WORKS RECOMMENDATION**

N/A

**TRAFFIC AND PARKING RECOMMENDATION**

Approved with conditions

- TIS may be required with redevelopment

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	2.52	0.8 F	87,816 SF	1208	170	178

Maximum Uses in Proposed Zoning District: **R15**

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)	2.52	2.9 D	9 U	87	7	10

\*Based on two-family lots

Traffic changes between maximum: **OR20** and **R15**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-1,121	-163	-168

**STAFF RECOMMENDATION**

Staff recommends approval as the proposed rezone moves the property zoning closer to the goals of the policy.

**Approved (9-0), Consent Agenda**

**Resolution No. RS2017-028**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2017Z-007PR-001 is Approved (9-0).

**30b. 48-83P-002**

BL2017-550/Jeff Syracuse

**PUD CANCELLATION**

Council District 15 (Jeff Syracuse)

Staff Reviewer: Patrick Napier

A request for cancellation of a Planned Unit Development Overlay District on properties located at 2203, 2205 A and 2207 Pennington Bend Road, at the northwest corner of Pennington Bend Road and McGavock Pike, zoned OR20 (2.52 acres), requested by Councilmember Jeff Syracuse, applicant; Pennington Bend Partners One and Tony and Pamela Adams, owners. (See associated case 2017Z-007PR-001)

**Staff Recommendation: Approve subject to the approval of the associated zone change. Disapprove if the associated zone change is not approved.**

**APPLICANT REQUEST**

**Cancel a PUD overlay**

PUD Cancellation

A request for cancellation of a Planned Unit Development Overlay District on properties located at 2203, 2205 A and 2207 Pennington Bend Road, at the northwest corner of Pennington Bend Road and McGavock Pike, zoned Office/Residential (OR20) (2.52 acres).

**History**

The Metro Planning Commission voted to find the PUD inactive at the October 27, 2016, Planning Commission meeting. The Planning Commission made the finding that the current PUD is inconsistent with the Conservation policy currently in place for the site and recommended the zoning be changed to R15.

**Existing Zoning**

Office/Residential (OR20) is intended for office and/or multi-family residential units at up to 20 dwelling units per acre. *OR20 would permit a maximum of 30 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

**PUD HISTORY**

Council approved this PUD in 1983. There is no plan on file at the Planning Department for the PUD, and the enacting ordinance (O83-1251) contains no information to the permitted density. The only information in the ordinance is that it was rezoned to "allow the construction of a residential time sharing facility to complement the existing facilities in the area." In cases where there is no plan for a PUD, it is the Planning Department's policy that any proposed development within the PUD boundary is sent to Metro Council for approval.

**REQUEST DETAILS**

This request would cancel the PUD for the all of the lots included with the PUD overlay. This site contains a total of 2.52 acres. The PUD was originally approved to allow the construction of a residential time sharing facility to complement the existing facilities. The reason for this request is to allow for the approval of an associated rezone request.

**ANALYSIS**

The CO policy that covers the land within the PUD boundary recognizes the floodplain and floodway that encumbers the area. The approved PUD and the base zoning are not appropriate given the environmental constraints recognized by the policy.

**FIRE DEPARTMENT RECOMMENDATION**

N/A

**STORMWATER RECOMMENDATION**  
Approved

**WATER SERVICES RECOMMENDATION**  
Approved

**PUBLIC WORKS RECOMMENDATION**  
N/A

**TRAFFIC AND PARKING RECOMMENDATION**  
N/A

**STAFF RECOMMENDATION**

Staff recommends approval subject to the approval of the associated zone change and disapproval if the associated zone change is not approved.

Approved (9-0), Consent Agenda

**Resolution No. RS2017-029**

"BE IT RESOLVED by The Metropolitan Planning Commission that 48-83P-002 is Approved (9-0).

**31. 2017UD-001-001**

**WHITES CREEK AT LLOYD RD UDO**

**\*\*\*FORMERLY WHITES CREEK WATERSHED\*\*\***

Council District 01 (Nick Leonardo)

Staff Reviewer: Jessica Buechler

A request to apply an Urban Design Overlay District on various properties located along Clarksville Pike, Buena Vista Pike, Dry Fork Road and Lloyd Road, at the southeast corner of Lloyd Road and Clarksville Pike, zoned RS10 and RS15 (125.56 acres), requested by Councilmember Nick Leonardo, applicant; various owners.

**Staff Recommendation: Approve**

**APPLICANT REQUEST**

**Establish an Urban Design Overlay District**

Urban Design Overlay

A request to apply an Urban Design Overlay to establish building and site design standards on various properties located along Clarksville Pike, Buena Vista Pike, Dry Fork Road and Lloyd Road, at the southeast corner of Lloyd Road and Clarksville Pike, zoned Single-Family Residential (RS10) and Single-Family Residential (RS15) (125.56 acres).

**Existing Zoning**

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

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

**Proposed Overlay Zoning**

Urban Design Overlay (UDO) is intended to allow for the application and implementation of special design standards with the intent of achieving a sense of place by fostering a scale and form of development that emphasizes sensitivity to the pedestrian environment, minimizes intrusion of the automobile into the built environment, and provides for the sensitive placement of open spaces in relationship to building masses, street furniture and landscaping features in a manner otherwise not insured by the application of the conventional bulk, landscaping and parking standards of the Zoning Code.

**BORDEAUX-WHITES CREEK 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.

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.

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 UDO is consistent with the policy for the area and will ensure that future infill is compatible with the existing character of the neighborhood. The proposed UDO standards are in line with the character of suburban residential neighborhood design. The UDO doesn't propose developing upon sensitive features; the protection of those elements will be taken into account at the time of subdivision approval.

### **PURPOSE OF UDO**

The intent of the Whites Creek at Lloyd Rd UDO is to ensure that future development is consistent with the existing and desired character of the neighborhood.

The Councilmember hosted community meetings with the local neighbors who were seeking to ensure that future development of the subject properties would be generally consistent with the existing development. The standards in the proposed UDO were developed by the local community to ensure the desired form of development.

### **REQUEST DETAILS**

The UDO contains standards to regulate residential building/site design and architectural design.

#### **Design Criteria**

- **Height:** The maximum height for any principal structure is 2 stories in 37 feet. Maximum height shall be measured from the average grade elevation as measured at the build-to line along the front facade to the roof ridge line. Natural grade is the base ground elevation prior to grading. The maximum eave height of any principal structure shall be 22 feet from the top of the raised foundation.
- **Frontage Width:** The front façade of the building shall extend at least forty-five percent of the primary lot frontage or the primary building front façade shall be at least twenty-five feet in width, whichever is greater. For purposes of this section, when a parcel has frontage along more than one street, the primary street is defined as the street frontage with the shorter amount of frontage, as measured in feet. Primary structures shall be oriented toward the primary street frontage.
- **Garages:** Garages shall be detached and located behind the principal structure, or attached and accessed from the side or rear of the principal structure. The eave of the garage shall not exceed the height of the eave line of the primary structure.
- **Accessory Structures:** Accessory structures shall be screened with landscaping so as not to be visible from the public street right-of-way. The total building footprint of an accessory building, including detached garages, shall be less than 50% of the total building footprint of the primary structure. The eave of the accessory structure shall not exceed the height of the eave line of the primary structure.
- **Access and Driveways:** Driveways are limited to one curb cut per public street frontage. For corner lots, one curb cut is permitted in total for all lot frontages. Driveways and all other impervious surfaces in the required street setback shall be a maximum of 12 feet in width within the street setbacks. Driveways shall be setback a minimum of 2 feet from the side property line. Shared access drives shall be allowed to build to the lot line.
- **Building Materials:** EIFS, vinyl and aluminum siding, and untreated wood shall not be permitted. Design for buildings on corner lots shall incorporate continuity of design in architectural details and materials that address both streets and shall avoid long, monotonous, uninterrupted walls or roof planes. The primary exterior material shall be brick or stone masonry. Hardie Board shall be permitted only as a secondary material. Secondary building materials shall be defined only as gables, dormers and bay windows.
- **Raised Foundation:** A raised foundation of 18"-36" on the front facade is required for all residential structures.

- **Glazing:** Glazing (window openings) shall be a minimum of fifteen percent along the street facing facade. Window openings along the street facing façade shall be square or vertically oriented except for transom windows. For purposes of measuring glazing, minimum glazing shall be measured from the top of foundation to the roof line.
- **Principal Entrance:** The main entry to the building shall address the primary street.
- **Porch Depth:** Porches shall have a minimum of six feet of depth.

Compliance

Triggers for compliance are as follows:

- Property is redeveloped or vacant property is developed.
  - The building square footage is expanded; the expansion shall be in compliance.
  - A new structure built on a lot with multiple structures; the new structure shall be in compliance.
- Permits for routine maintenance (ex: to replace a roof or HVAC system) would not trigger compliance with the UDO.

Modifications

Based on site-specific issues, modifications to the standards may be necessary. Any standard within the UDO may be modified, insofar as the intent of the standard is being met; the modification results in better urban design for the neighborhood as a whole; and the modification does not impede or burden existing or future development of adjacent properties.

Minor modifications, deviations of 20 percent or less, may be approved by the Planning Commission's designee (staff). Major modifications, deviations of greater than 20 percent shall be considered by the Planning Commission.

This process is consistent with the standards in other adopted UDOs.

**ANALYSIS**

Currently, the area consists of 34 parcels, with the largest parcel containing approximately 100 acres of the total 125 acres within the UDO boundary. The proposed UDO would not control the lot layout should a parcel be subdivided. The creation of new lots would follow the typical subdivision process.

The proposed standards create a form of development that is compatible with the surrounding neighborhood. The design standards for height, foundation, garages, driveways, and principal entrance are similar to other adopted residential UDOs and encourage more cohesive development that interacts better with the street.

**METRO HISTORICAL COMMISSION STAFF RECOMMENDATION**

The MHC recommends approval of the UDO. The c1850 Graves House (Country Maid Farms) located at 3832 Dry Fork Road (04900005200) is eligible for listing in the National Register of Historic Places. If the property owners would like information about listing the property in the National Register of Historic Places or preserving the historic residence and outbuildings through historic landmark zoning, they may contact Historical Commission staff at 615-862-7970. This is not a condition of approval of the UDO, but is provided for information purposes only.

**WATER SERVICES RECOMMENDATION**

**Approved with conditions**

Approved on the condition these specific Development Standards do not adversely impact public water and sewer infrastructure.

**STORMWATER RECOMMENDATION**

**Approved**

**STAFF RECOMMENDATION**

Staff recommends approval. The UDO is in keeping with the policy and the community's desire to ensure future development is consistent in form and character with the surrounding neighborhood

Ms. Buechler presented the staff recommendation of approval.

Councilmember Leonardo spoke in favor of the application.

Bobby Lewis, 4892 Clarksville Pike, spoke in favor of the application.

Jonathan Lawhorn, 4163 Vester Rd, spoke in favor of the application. There needs to be an overlay in place to keep modern residences from being built and sticking out. He would like to see the rural nature and beauty of Whites Creek kept intact.

Kelvin Winrow, 3948 Lloyd Rd, spoke in favor of the application.

Robert Davis, 3956 Lloyd Rd, spoke in favor of the application.

Stanley Trice, 3952 Lloyd Rd, spoke in favor of the application.

Thomas Shaw, 3960Lloyd Rd, spoke in favor of the application.

Gladys Herron, 605 Cherry Grove Point, spoke in favor of the application.

Don Majors, 3937 Lloyd Rd, spoke in favor of the application.

Tom White, 315 Deaderick St, spoke in opposition to the application and requested either deferral or disapproval to allow additional time to work out what is best for the property.

Linda Jarrett, 4300 Whites Creek Pike, spoke in opposition to the application. She had no idea a UDO was being considered for Whites Creek. She would like additional time to sit down and work things out.

Steve Huff, 501 Cherry Grove Lane, spoke in opposition to the application in its current form. The property owner has never been contacted about this proposed overlay and would like additional time to review it.

David Huff, 1111 Holly St, spoke in opposition to the application. The property owner knew nothing about this and would like additional time for review.

Councilmember Leonardo explained there have been at least two, perhaps three, community meetings that were open to the public and both Ms. Jarrett and Mr. Huff were in attendance. At no time did anyone raise objections. This has been in the works for a long time and will be a wonderful transition.

**Chairman Adkins closed the Public Hearing.**

Mr. McLean spoke in favor of a deferral to allow time for the property owner to be part of the conversation.

Ms. Hagan-Dier explained she is a huge fan of guidelines to help keep the character of the community.

Mr. Tibbs spoke in favor of moving this forward as it is consistent with the plan.

Councilmember Allen explained the potential to work though this with a deferral and asked what potential downfalls could occur if deferred.

Mr. Sloan clarified that there are no plans that could be approved through Metro's process in 30 days.

Ms. Diaz spoke in favor of a deferral to allow the property owner's participation.

Ms. Blackshear spoke in favor of the application.

Mr. Clifton spoke in favor of a deferral.

Ms. Farr spoke in favor of the application and explained that she really likes the plan and the approach as it preserves the character of the area.

**Mr. McLean moved and Mr. Clifton seconded the motion to defer to the February 23, 2017 Planning Commission meeting with the Public Hearing to be reopened. (5-4) Mr. Tibbs, Ms. Hagan-Dier, Ms. Farr, and Ms. Blackshear voted against.**

**The Metropolitan Planning Commission deferred 2017UD-001-001 to the February 23 2017, Planning Commission meeting. (5-4)**

**Resolution No. RS2017-030**

**"BE IT RESOLVED by The Metropolitan Planning Commission that 2017UD-001-001 Defer to February 9, 2017 Planning Commission Meeting to allow staff additional time to evaluate the existing regulations in regards to home occupations and policy and reopen the public hearing (5-4)**



**32. 2017Z-012PR-001**

BL2017-545/Russ Pulley  
Council District 25 (Russ Pulley)  
Staff Reviewer: Latisha Birkeland

A request to apply a Contextual Overlay District on various properties along Graybar Lane, southeast of the intersection of Draughon Avenue and Granny White Pike, zoned R10 (11.31 acres), requested by Councilmember Russ Pulley, applicant; various owners.

**Staff Recommendation: Approve**

**APPLICANT REQUEST**

**Apply a Contextual Overlay District.**

Zone Change

A request to apply a Contextual Overlay District on various properties along Graybar Lane, southeast of the intersection of Draughon Avenue and Granny White Pike, zoned One and Two-Family Residential (R10) (11.31 acres).

**Existing Zoning**

One and Two-Family Residential Districts (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.

**CRITICAL PLANNING GOALS**

N/A

**GREEN HILLS-MIDTOWN COMMUNITY PLAN**

T3 Suburban Neighborhood Maintenance 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.

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 overlay area is within the T3 Suburban Neighborhood Maintenance policy area and the proposed Contextual Overlay is consistent with the policy. There is fairly consistent housing type in regards to bulk and massing existing currently in the area proposed for the contextual overlay. 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.

**CONTEXTUAL OVERLAYS**

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 the 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.

**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 (9-0), Consent Agenda**

**Resolution No. RS2017-031**

“BE IT RESOLVED by The Metropolitan Planning Commission **that 2017Z-012PR-001 is Approved (9-0).**”

**33. 2017Z-013PR-001**

BL2017-546/Russ Pulley  
Council District 25 (Russ Pulley)  
Staff Reviewer: Latisha Birkeland

A request to rezone from R10 to RS10 zoning on various properties along Graybar Lane, southeast of the intersection of Granny White Pike and Draughton Avenue, (11.31 acres), requested by Councilmember Russ Pulley, applicant; various owners.

**Staff Recommendation: Disapprove as submitted. Approve with a substitute ordinance to remove all parcels containing legal duplexes from the zone change.**

**APPLICANT REQUEST**

**Zone change from R10 to RS10**

Zone Change

A request to rezone from One and Two-Family Residential (R10) to Single-Family Residential (RS10) zoning on various properties along Graybar Lane, southeast of the intersection of Granny White Pike and Draughton Avenue, (11.31 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**

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.

### **CRITICAL PLANNING GOALS**

N/A

### **GREEN HILLS-MIDTOWN COMMUNITY PLAN**

T3 Suburban Neighborhood Maintenance (T3 NM) is intended to preserve the general character of developed suburban residential neighborhoods. T3 NM areas will experience some change over time, primarily when buildings are expanded or replaced. When this occurs, efforts should be made to retain the existing character of the neighborhood. T3 NM areas have an established development pattern consisting of low to moderate density residential development and institutional land uses. Enhancements may be made to improve pedestrian, bicycle and vehicular connectivity.

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?

Both the existing R10 zoning district and the proposed RS10 zoning district are consistent with the T3 NM policy depending on locational characteristics. The policy does not support one single-residential type, but can support single-family, two-family as well as multi-family, depending on the context. The intent of the policy is to ensure that established residential areas develop in a manner consistent with the overall development pattern. The policy does recognize that some change will occur over time, but any change should not disrupt the overall established development pattern.

### **ANALYSIS**

The proposed RS10 zoning district would limit development in the area to be rezoned to only single-family uses. The area currently contains a diversity of housing types, including single-family and two-family homes. Rezoning to RS10 would make properties currently developed as legal duplexes become nonconforming. Therefore, staff recommends removing parcels containing legal duplexes from the zone change. The existing duplexes in the area promote a diversity of housing options today, and retaining the R10 zoning on those parcels allows the two-family units to remain legally conforming. If the existing two-family were rezoned to RS10, the two-family units would be able to continue as a two-family use, albeit as legally non-conforming

### **Substitute Ordinance No. BL2017-546**

Staff recommends disapproval as submitted and approval with a substitute to remove the following parcels from the downzoning as these parcels contain two-family dwelling units. Allowing the existing two-family dwelling units to maintain the existing R10 zoning allows for a legally conforming diverse housing type in the area. The existing two-family units make up 25 percent of the area, thus diversity of housing choice has been achieved.

Map 118-09, Parcel(s) 105, 114

Map 117-16, Parcel(s) 143-144

Map 118-13, Parcel 004, 021, 022

Map 118-13-1-C, Parcel(s) 900

### **STAFF RECOMMENDATION**

Staff recommends disapproval as submitted and approval with a substitute ordinance to remove all parcels containing legal duplexes from the zone change. Removing the parcels containing existing duplexes provides for a mixture of housing types to remain.

**Disapproved as submitted. Approved with a substitute (9-0), Consent Agenda**

**Resolution No. RS2017-032**

**“BE IT RESOLVED by The Metropolitan Planning Commission that 2017Z-013PR-001 is Disapproved as submitted. Approved with a substitute (9-0).**

**34. 2017Z-016PR-001**

Council District 21 (Ed Kindall)

Staff Reviewer: Gene Burse

A request to rezone from RS5 to RM20-A zoning on property located at 2800 Delaware Avenue, at the northwest corner of Delaware Avenue and 28th Avenue North (0.22 acres), requested by John Solberg, applicant; John Solberg and Kristin Solberg, owners.

**Staff Recommendation: Approve**

**APPLICANT REQUEST**

**Zone change from RS5 to RM20-A**

Zone Change

A request to rezone from Single-Family Residential (RS5) to Multi-family Residential-Alternative (RM20-A) on property located at 2800 Delaware Avenue (0.22 acres).

**Existing Zoning**

Single-Family Residential (RS5) requires a minimum 5,000 square foot lot and is intended for single-family dwellings at an overall density of one (1) dwelling unit per lot. *RS5 would permit 1 dwelling unit.*

**Proposed Zoning**

Multifamily-Residential Alternative (RM20-A) is designed for moderately high intensity multifamily structures at an overall density up to 20 dwelling units per acre. *RM20-A would permit up to 4 dwelling units.*

**CRITICAL PLANNING GOALS**

- Supports a variety of transportation choices
- Supports infill development

**NORTH NASHVILLE COMMUNITY PLAN**

T4 Urban Neighborhood Evolving (T4 NE) policy is intended to create and enhance urban neighborhoods that are compatible with the general character of existing urban neighborhoods as characterized by their development pattern, building form, land use and associated public realm, with opportunities for housing choice and improved pedestrian, bicycle and vehicular connectivity. The resulting development pattern may have higher densities than existing urban neighborhoods and/or smaller lots 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.

Consistent with Policy?

Yes. The proposed RM20-A zoning district is consistent with T4 Neighborhood Evolving policy as it provides for additional housing near 28<sup>th</sup> Avenue North, which is designated as an arterial-boulevard by the Major and Collector Street Plan. T4 Neighborhood Evolving policy supports residential uses, including multi-family residential in this location.

**ANALYSIS**

This application is consistent with the T4 Urban Neighborhood Evolving policy. It is a corner lot located near 28<sup>th</sup> Avenue North, an arterial-boulevard which contains a MTA bus route (21-University Connector). The additional density allowed by the proposed RM20-A zoning district will provide more residents to support existing and future commercial and institutional uses along 28<sup>th</sup> Avenue North. Multi-family residential development at this site will provide an added mixture of housing types in a strategic location within the North Nashville neighborhood of McKissack Park.

28<sup>th</sup> Avenue North is also considered a Long Term Need Multimodal Corridor (LM). Long Term Need Multimodal Corridors may or may not have existing bus service, in this case the corridor does have existing bus service, but there is a desire to establish service and/or upgrade to higher capacity service over time. In both instances, these corridors are anticipated to experience more housing and employment intensity in the future.

The intent of RM20-A is to encourage more intense residential development to encourage transit and walkable communities, preserve open space and environmental features and provide a mix of housing types. This zoning district is also designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards and as an alternative to a zoning district that requires a site plan.

**FIRE DEPARTMENT RECOMMENDATION**  
N/A

**STORMWATER RECOMMENDATION**  
N/A

**WATER SERVICES**  
N/A

**PUBLIC WORKS RECOMMENDATION**  
N/A

**TRAFFIC AND PARKING RECOMMENDATION**

**Approved with conditions**

- TIS (Traffic Impact Study) may be required with redevelopment
- 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)	0.22	8.7 D	1 U	10	1	2

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	0.22	0.8 F	4 U	27	3	3

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+ 3 U	+17	+2	+1

**METRO SCHOOL BOARD REPORT**

**Projected student generation existing RS5 district: 0 Elementary 0 Middle 0 High**

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

The proposed RM20-A zoning district could generate 2 more students than what is typically generated under the existing RS5 zoning district. Students would attend Park Avenue Elementary School and McKissack Middle School. Each school has been identified as having additional capacity. This information is based upon data from the school board last updated November 2016.

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

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

**STAFF RECOMMENDATION**

Staff recommends approval. The proposed rezoning is consistent with the T4 Urban Neighborhood Evolving policy of the North Nashville Community Plan.

“BE IT RESOLVED by The Metropolitan Planning Commission that 2017Z-016PR-001 is Approved (9-0).

**35. 2017Z-017PR-001**

Council District 03 (Brenda Haywood)

Staff Reviewer: Abbie Rickoff

A request to rezone from CS to MUL-A zoning on properties located at 3962, 3968 and 3976 Dickerson Pike and Dickerson Pike (unnumbered), approximately 1,140 feet southwest of Hunters Lane (7.67 acres), requested by Fulmer Engineering, LLC, applicant; Mary King Family Limited Partnership and Patricia Frensley, owners.

**Staff Recommendation: Approve**

**APPLICANT REQUEST**

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

Zone Change

A request to rezone from Commercial Service (CS) to Mixed-Use Limited-Alternative (MUL-A) zoning on properties located at 3962, 3968 and 3976 Dickerson Pike and Dickerson Pike (unnumbered), approximately 1,140 feet southwest of Hunters Lane (7.67 acres).

**Existing Zoning**

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

**Proposed Zoning**

Mixed Use Limited- Alternative (MUL-A) is 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**

- Supports Infill Development
- Creates Walkable Neighborhoods

The rezoning from CS to MUL-A creates potential for infill development by allowing a mixture of residential and nonresidential uses where infrastructure already exists. Development in areas with adequate infrastructure such as roads, water, and sewer, is more appropriate than development not served with adequate infrastructure because it does not burden Metro with the cost of installing and maintaining new infrastructure. Rezoning to MUL-A also creates opportunity for walkable neighborhoods. Currently there are no sidewalks fronting the subject parcels. Sidewalks, which meet the criteria of the Major and Collector Street Plan, will be required with the redevelopment of these lots. Dickerson Pike contains an existing MTA bus route, which provides an alternative method of transportation for current and potential future residents.

**PARKWOOD-UNION HILL COMMUNITY PLAN**

T3 Suburban Mixed Use Corridor (T3CM) is intended to enhance suburban mixed use corridors by encouraging a greater mix of higher density residential and mixed use development along the corridor, placing commercial uses at intersections with residential uses between intersections; creating buildings that are compatible with the general character of suburban neighborhoods; and a street design that moves vehicular traffic efficiently while accommodating sidewalks, bikeways, and mass transit.

Conservation (CO) is intended to preserve and enhance environmentally sensitive land within all Transect Categories except 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.

Consistent with Policy?

Yes. The rezoning is consistent with the T3 Suburban Mixed Use Corridor. The proposed zoning allows for a mixture of uses, including residential and commercial, and is appropriate based on locational characteristics and surrounding context. A small portion along the western edge of the properties is within the Conservation policy due to a stream buffer that runs parallel with Dickerson Pike.

**ANALYSIS**

The requested rezoning to MUL-A is consistent with the surrounding land uses and land policies of the area. The parcels are located mid-block between Old Hickory Boulevard and Hunters Lane/Nesbitt Drive, and are mostly vacant but do contain scattered commercial and single-family structures. Dickerson Pike is designated in the Major and Collector Street Plan as mixed use arterial-boulevard, and surrounding parcels include a mixture of vacant, commercial, office, and single-family uses. Cedar Hill Park is located directly across the street on approximately 220 acres, which helps to buffer the impacts of more intense uses along Dickerson Pike and also encourages pedestrian activity to surrounding residential and commercial properties. The rezoning allows for redevelopment of parcels that have 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. Prior to development, the applicant may be required to perform a traffic impact study to address the increased vehicle trips which may result from the potential increase in density generated by the future development of this site.

**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  
TIS may be required with redevelopment

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	7.67	0.6 F	200,463 SF	10673	233	1014

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	7.67	1.0 F	334,105 SF	14876	314	1428

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+4,203	+81	+414

**SCHOOL BOARD REPORT**

**Projected student generation existing CS district: 0 Elementary 0 Middle 0 High**

**Projected student generation proposed MUL-A district: 46 Elementary 27 Middle 24 High**

The proposed MUL-A zoning district will generate 97 additional students beyond what would be generated under the existing CS zoning, assuming 40% of the floor area is utilized for non-residential uses. Students would attend Bellshire Elementary School, Madison Middle School, and Hunter Lane High School. None of the schools have been identified as being over capacity by the Metro School Board. This information is based upon data from the school board last updated November 2016.

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

1. Will this project include any affordable or workforce housing units? The project will potentially include housing on the southern five acres. If so, the price point should align with that of workforce housing.
2. If so, how many and what is the percentage of the entire development? 100 percent would align with the pricing, as the development will have consistent price points.
3. How will you enforce the affordability requirements? The project will not be applying for any affordable housing credits, so there will be not enforcement necessary. It is simply expected that the price point will align with the workforce housing income.
4. Have any structures been demolished in the last 12 months? Not to my knowledge.

**STAFF RECOMMENDATION**

Staff recommends approval as the requested zone change is consistent with the T3 Suburban Mixed Use Corridor land use policy.

**Approved (9-0), Consent Agenda**

**Resolution No. RS2017-034**

**"BE IT RESOLVED by The Metropolitan Planning Commission that 2017Z-017PR-001 is Approved (9-0).**

**36. 2005P-008-009**

**Harpeth Village**

Council District 35 (Dave Rosenberg)

Staff Reviewer: Gene Burse

A request to revise the preliminary plan and for final site for a portion of a Planned Unit Development Overlay District located at 7996 Highway 100, at the northeast corner of Temple Road and Highway 100, zoned CL (1.32 acres), to permit a restaurant

**Staff Recommendation: Approve with Conditions**

**APPLICANT REQUEST**

**Revise preliminary plan and approve final site plan for Harpeth Village.**

Revise Preliminary PUD and Final Site Plan

A request to revise the preliminary plan and for final site plan approval for a portion of a Planned Unit Development Overlay District located at 7996 Highway 100, at the northeast corner of Temple Road and Highway 100, zoned Commercial Limited (CL) (1.32 acres), to permit a restaurant.

**Existing Zoning**

Commercial Limited (CL) is designed to provide for a limited range of commercial uses primarily concerned with retail trade and consumer services, general and fast food restaurants, financial institutions, administrative and consulting offices. The uses in this district serve a moderately wide market area, and therefore ease of automobile access is requisite.

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

## **HISTORY**

The site is Outparcel 5 of the Harpeth Village Planned Unit Development. The site is located at 7996 Highway 100 along Highway 100 at the corner of Highway 100 and Temple Road across from the Templegate Subdivision. In 2007, the Harpeth Village Planned Unit Development was amended to allow 101,677 square feet of retail, restaurant and bank land uses. In 2008 the subject site was rezoned from Multi-Family Residential (RM6) to Commercial Limited (CL) per Metro Planning Commission Case 2008Z-015G-06 and Council Ordinance BL2008-138.

## **SITE PLAN**

The request is to revise the preliminary plan and for final site plan approval for a portion of the Harpeth Village Planned Unit Development Overlay District located at 7996 Highway 100, at the northeast corner of Temple Road and Highway 100, zoned CL (1.32 acres), to permit a restaurant on Outparcel 5.

The site is a vacant lot located along Highway 100 at the corner of Highway 100 and Temple Road. The proposed revision and final site plan is to allow a 1,608 square foot building and canopy on the property to serve as a Sonic fast food restaurant. The development is proposing vehicular access exclusively from Temple Road. The plan proposes 28 parking spaces, a single-drive drive-thru and a seating area underneath the canopy. Also, include in the plan are onsite facilities to enhance the pedestrian realm through the use of internal crosswalks providing safe travel for pedestrians throughout the site. Onsite crosswalks will provide a connection to existing sidewalks that will allow greater connectivity to other uses within the Harpeth Village PUD such as multi-family, service, retail, and fast food land uses. Sidewalks along Temple Road are consistent with the Council approved PUD plan and the approved PUD plan did not require sidewalks along Highway 100. The property is located in the General Services District and topography and natural features preclude the extension of the sidewalk along Highway 100 beyond the property boundaries.

## **ANALYSIS**

Section 17.40.12.F permits the Planning Commission to establish the types of changes that require Metro Council concurrence. Staff finds that the request does not meet the threshold for Metro Council concurrence and may be approved by the Planning Commission as a revision to the PUD. Section 17.40.120.F is provided below for review.

### **F. Changes to a Planned Unit Development District.**

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

The revised plan and proposed development is consistent with the concept of the Harpeth Village Planned Unit Development and does not include any unapproved uses or increase in floor area. No changes are being proposed that conflict with the Council approved plan.

The development is consistent with existing development adjacent to the site. Nearby development, west of the site, include commercial uses such as fast food, service, and retail. Directly across from the site to the west is a Zaxby's fast food restaurant. Abutting the site on the north is an Advance Auto Parts retail store. Directly to the east of the site is Trace Creek and existing vegetation both of which serve as significant buffers to the single-family residential land uses further east of the site.

The proposed revision and final site plan keeps with the overall intent of the PUD, planning staff recommends approval of the request.

**FIRE DEPARTMENT RECOMMENDATION**

**Approved with condition**

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

**STORMWATER RECOMMENDATION**

**Approved**

**HARPETH VALLEY UTILITY DISTRICT**

**Approved**

**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.
- Extend sidewalk along Hwy 100 to the eastern property line.
- Prior to building permit approval submit recorded ROW dedication to the back of the proposed sidewalk along Hwy 100.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approved with conditions**

- See road comments

**STAFF RECOMMENDATION**

Staff recommends approval with conditions.

**CONDITIONS**

1. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
2. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metro Department of Public Works for all improvements within public rights of way.
3. Per BL2005-611 as amended, monument signage shall be architecturally coordinated with the proposed buildings and comply with the requirements of the zoning administrator. 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. Pole signs shall not be permitted within this Planned Unit Development; all free standing signs shall be monument type not to exceed five feet in height. Changeable LED, video signs or similar signs allowing automatic changeable messages, except for time/temperature/date signs, shall be prohibited. All other signs shall meet the base zoning requirements, and must be approved by the Metro Department of Codes Administration.
4. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
5. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metro Planning Commission.
6. The PUD final site plan as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans may require re-approval by the Planning Commission and/or Metro Council.
7. A corrected copy of the PUD final site plan incorporating the conditions of approval by the Planning Commission shall be provided to the Planning Department prior to or with the final plat application or, when no final plat application is required, prior to the issuance of any permit for this property.

**Approved with conditions (7-0-2), Consent Agenda**

**Resolution No. RS2017-035**

**"BE IT RESOLVED** by The Metropolitan Planning Commission **that 2005P-008-009 is Approved with conditions (7-0-2).**

**CONDITIONS**

1. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
2. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metro Department of Public Works for all improvements within public rights of way.

3. Per BL2005-611 as amended, monument signage shall be architecturally coordinated with the proposed buildings and comply with the requirements of the zoning administrator. 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. Pole signs shall not be permitted within this Planned Unit Development; all free standing signs shall be monument type not to exceed five feet in height. Changeable LED, video signs or similar signs allowing automatic changeable messages, except for time/temperature/date signs, shall be prohibited. All other signs shall meet the base zoning requirements, and must be approved by the Metro Department of Codes Administration.
4. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
5. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metro Planning Commission.
6. The PUD final site plan as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans may require re-approval by the Planning Commission and/or Metro Council.
7. A corrected copy of the PUD final site plan incorporating the conditions of approval by the Planning Commission shall be provided to the Planning Department prior to or with the final plat application or, when no final plat application is required, prior to the issuance of any permit for this property.

## **G: OTHER BUSINESS**

37. Contract Renewals for: Patrick Napier, Deborah Sullivan and Craig Owensby.

**Approved (9-0), Consent Agenda**

**Resolution No. RS2017-036**

"BE IT RESOLVED by The Metropolitan Planning Commission is Approved (9-0).

38. Historic Zoning Commission Report
39. Memorandum of Agreement between Smart Growth America and the Metropolitan Government of Nashville and Davidson County (on behalf of the Nashville Area MPO) for the Integration of Public Health into the Transportation Planning Process

**Approved (9-0), Consent Agenda**

**Resolution No. RS2017-037**

"BE IT RESOLVED by The Metropolitan Planning Commission is Approved (9-0).

40. Board of Parks and Recreation Report
41. Executive Committee Report
42. Accept the Director's Report and Approve Administrative Items

**Approved (8-0-1), Consent Agenda**

**Resolution No. RS2017-038**

"BE IT RESOLVED by The Metropolitan Planning Commission is Approved (8-0-1).

43. Legislative Update

## H: MPC CALENDAR OF UPCOMING EVENTS

### **February 9, 2017**

#### MPC Meeting

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

### **February 23, 2017**

#### MPC Meeting

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

### **March 09, 2017**

#### MPC Meeting

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

### **March 23, 2017**

#### MPC Meeting

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

## I: ADJOURNMENT

The meeting adjourned at 8:33 p.m.

Chairman \_\_\_\_\_

Secretary \_\_\_\_\_



**METROPOLITAN GOVERNMENT**  
**OF NASHVILLE AND DAVIDSON COUNTY**  
Planning Department  
Metro Office Building, 2<sup>nd</sup> Floor

Date: January 26, 2017  
To: Metropolitan Nashville-Davidson County Planning  
Commissioners  
From: J. Douglas Sloan III  
Re: Executive Director's Report

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The following items are provided for your information.

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

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

**B. Executive Office**

We met with ITS's new social media director to update our social media process. We also reviewed Overton High subdivision design projects and have had several meetings with Metro Schools administrators to guide outreach for the rest of this semester.

**C. GIS/Mapping**

1. Our "CIB Viewer" is now live – an interactive map showing currently approved Capital Budget projects. GIS provided data and guidance for upcoming GIS and mapping projects at Stratford High School.

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**Administrative Approved Items and**

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

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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 1/18/2017**.

<b>APPROVALS</b>	<b># of Applics</b>	<b># of Applics '17</b>
Specific Plans	2	3
PUDs	0	0
UDOs	1	1
Subdivisions	7	7
Mandatory Referrals	4	5
<b>Grand Total</b>	<b>14</b>	<b>16</b>

**SPECIFIC PLANS (finals only): MPC Approval**

**Finding: Final site plan conforms to the approved development plan.**

<b>Date Submitted</b>	<b>Staff Determination</b>		<b>Case #</b>	<b>Project Name</b>	<b>Project Caption</b>	<b>Council District # (CM Name)</b>
10/26/2016 12:56	1/11/2017 0:00	PLRECAPPR	2015SP-080-002	PERFECT SMILE ORTHODONTICS	A request for final site plan approval on property located at 6220 Nolensville Pike, approximately 390 feet southeast of Bienville Drive, zoned SP-O (3.33 acres), to permit an office building, requested by M2 Group, LLC, applicant; Perfect Smile Orthodontics, PLLC, owner.	31 (Fabian Bedne)
10/25/2016 14:28	1/18/2017 0:00	PLRECAPPR	2015SP-014-002	SNYDER COURT SP	A request for final site plan approval on property located at 5800 and 5802 Robertson Avenue, at the northwest corner of Snyder Avenue and Robertson Avenue, zoned SP-R (0.28 acres), to permit four residential units, requested by Dale and Associates, applicant; Nuck & Beal, LLC, owner.	20 (Mary Carolyn Roberts)

**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.**

<b>Date Submitted</b>	<b>Staff Determination</b>	<b>Case #</b>	<b>Project</b>	<b>Project Caption</b>	<b>Council District</b>
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				<b>Name</b>		<b># (CM Name)</b>
12/1/2016 14:06	1/13/2017 0:00	PLAPADMIN	2005UD-006- 025	3131 LONG BLVD	A request for final site plan approval on property located at 3131 Long Boulevard, approximately 60 feet southwest of Oman Street, zoned RM40 and within the 31st Avenue and Long Boulevard Urban Design Overlay District (0.16 acres), to permit eight residential units, requested by Dewey Engineering, applicant; Jam Development Long, LLC, owner.	21 (Ed Kindall)

### PLANNED UNIT DEVELOPMENTS (finals and variances only) : MPC Approval

<b>Date Submitted</b>	<b>Staff Determination</b>	<b>Case #</b>	<b>Project Name</b>	<b>Project Caption</b>	<b>Council District # (CM Name)</b>
NONE					

### MANDATORY REFERRALS: MPC Approval

<b>Date Submitted</b>	<b>Staff Determination</b>	<b>Case #</b>	<b>Project Name</b>	<b>Project Caption</b>	<b>Council District (CM Name)</b>	
1/3/2017 11:15	1/12/2017 0:00	PLRECAPP	2017M-002EN- 001	SUZY WONG'S HOUSE OF YUM AT 1515 CHURCH STREET AERIAL ENCROACHMENT	A request to allow an encroachment comprised of one (1) 36" x 36" double-faced, non-illuminated projecting sign encroaching the public right-of-way on property located at 1515 Church Street, requested by Fast Signs, applicant.	19 (Freddie O'Connell)
1/3/2017 11:47	1/18/2017 0:00	PLRECAPP	2017M-003EN- 001	HAYES STREET GARAGE AT HAYES STREET UNDERGROUND ENCROACHMENT	A request to allow an encroachment of the public right-of-way comprised of a structural concrete closure slab spanning from the Hayes Street curb line south to the face of the new parking garage on the Midtown Medical Plaza campus on property located at 2011 Hayes Street (Map 092-16 Parcels 20, 24) (See sketch for details), requested by Littlejohn Engineering and Associates, applicant; HRT of Tennessee, Inc. and OAT Properties, LLC, owners.	21 (Ed Kindall)
12/20/2016 10:08	1/18/2017 0:00	PLRECAPP	2017M-004PR- 001	CENTURY FARMS, LLC PARTICIPATION AGREEMENT AND	A request for approval of a participation agreement between the Metropolitan Government and Century Farms, LLC, for the construction of public infrastructure improvements, phases PE-N and PE-D,	32 (Jacobia Dowell)

				ORDINANCE	requested by the Metro Department of Law, applicant.	
1/3/2017 10:45	1/18/2017 0:00	PLRECAPP	2017M-011ES-001	HAWKINS STREET TOWNHOMES	A request for the abandonment of approximately 12 linear feet of 8-inch Sewer Main and Sanitary Manholes, and acceptance of approximately 161 linear feet of 8-inch Sewer Main and Sanitary Manholes (Map 093-13 Parcel 359) (Project No. 16-SL-251), requested by Metro Water Services, applicant.	19 (Freddie O'Connell)

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

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

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

### SUBDIVISIONS: Administrative Approval

Date Submitted	Date Approved	Action	Case #	Project Name	Project Caption	Council District (CM Name)
9/19/2016 9:58	1/4/2017 0:00	PLAPADMIN	2016S-225-001	CAROTHERS CROSSING PHASE 2 SECTION 1 RESUB OF LOT 61	A request for final plat approval to create two lots on property located at 2039 Oak Trail Drive, at the southwest corner of Oak Trail Drive and Winding Creek Drive, zoned MUL and within the Carothers Crossing Urban Design Overlay District (0.24 acres), requested by H and H Land Surveying, Inc., applicant; WM Sub CC, LLC, owner.	33 (Sam Coleman)
9/19/2016 10:01	1/4/2017 0:00	PLAPADMIN	2016S-230-001	CAROTHERS CROSSING PHASE 2 SECTION 1 RESUB LOT 45	A request for final plat approval to create four lots on property located at 2001 Oak Trail Drive, at the northwest corner of Oak Trail Drive and Grace Point Lane, zoned MUL and within the Carothers Crossing Urban Design Overlay District (0.27 acres), requested by H and H Land Surveying, Inc., applicant; WM Sub CC, LLC, owner.	33 (Sam Coleman)
11/1/2016 12:37	1/9/2017 0:00	PLAPADMIN	2017S-002-001	TREVECCA NAZARENE UNIVERSITY PROPERTY	A request for final plat approval to shift lot lines on properties located at 72 and 74 Parris Avenue, approximately 830 feet south of Murfreesboro Pike, zoned CS (0.48	17 (Colby Sledge)



				SUBDIVISION	acres), requested by Southern Precision Land Surveying, Inc., applicant; Trevecca Nazarene University and Alley Cassetty Coal Company, owners.	
11/14/2016 13:23	1/10/2017 0:00	PLAPADMIN	2017S-011-001	SOUTHSIDE PARK ESTATES SUBDIVISION AMENDMENT	A request for subdivision amendment approval to remove the front setback on properties located at 1005 and 1007 12th Avenue South, approximately 135 feet northwest of Archer Street, zoned RM20 (0.39 acres), requested by Nashville Partners, GP, applicant and owner.	17 (Colby Sledge)
10/27/2016 11:50	1/16/2017 0:00	PLAPADMIN	2016S-263-001	MCEWENS ADDITION RESUB LOTS 193, 194 AND 195	A request for final plat approval to shift lot lines on property located at 402 N. 17th Street, approximately 75 feet north of Ordway Place, zoned R6 (0.26 acres), requested by Brett Design, applicant; Samuel and Emily Tucker, owners.	06 (Brett Withers)
10/27/2016 11:38	1/18/2017 0:00	PLAPADMIN	2016S-262-001	MORROW ROAD SUBDIVISION	A request for final plat approval to create two lots on property located at 5809 Morrow Road, approximately 465 feet east of Marilyn Road, zoned R6 (0.48 acres), requested by Galyon Northcutt, applicant; Honorio Romo, owner.	20 (Mary Carolyn Roberts)
7/13/2016 10:52	1/18/2017 0:00	PLAPADMIN	2007S-029-001	AMQUI PLACE SUBDIVISION SECTION 1	A request for final plat approval to create 21 lots on property located at Park Avenue (unnumbered), approximately 230 feet east of Pierce Road, zoned RS7.5 (4.6 acres), requested by Stephen E. Artz and Associates, Inc., applicant; Paradise Properties, owner.	09 (Bill Pridemore)

### Performance Bonds: Administrative Approvals

Date Approved	Administrative Action	Bond #	Project Name
1/9/17	Approved New	2016B-020-001	SOLDIER'S REST
1/13/17	Approved Extension/Reduction	2012B-020-005	BARNES BEND ESTATES, PHASE 2, SECTION 2
1/10/17	Approved Extension	2015B-028-002	PARMLEY COVE, PHASE 2

1/12/17	Approved New	2016B-037-001	VILLAGE GREEN PHASE 1
1/9/17	Approved Reduction	2015B-038-002	HARVEST GROVE, SECTION 3
1/12/17	Approved Extension/Reduction	2015B-026-003	ADDITION TO SUGAR VALLEY, PHASE 5
1/10/17	Approved New	2016B-051-001	VISTA
1/10/17	Approved Extension/Reduction	2015B-019-002	VOCE, PHASE 2A
1/9/17	Approved Extension/Reduction	2009B-013-008	CHATEAU VALLEY, PHASES 6 AND 7
1/9/17	Approved Extension/Reduction	2006B-096-010	CHATEAU VALLEY, PHASE 4
1/13/17	Approved New	2016B-060-001	THE GATEWAY OF HERMITAGE LOTS 4 & 5 RESUB OF PARCEL 155
1/4/17	Approved Extension	2012B-030-005	WESTPORT BUSINESS PARK, PHASE 1
1/4/17	Approved Extension	2008B-034-009	GREENWAY GLEN, PHASE 1
1/10/17	Approved Extension/Reduction	2014B-021-003	WATERFORD ASSISTED LIVING
1/13/17	Approved Extension	2014B-026-003	NORTH NASHVILLE REAL ESTATE COMPANYS PLAN OF LOTS, CONSOLIDATION PLAT PART OF LOTS 413-422

## Schedule

- A. **Thursday, January 26, 2017-** [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- B. **Thursday, February 9, 2017-** [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- C. **Thursday, February 23, 2017-** [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- D. **Thursday, March 9, 2017-** [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- E. **Thursday, March 23, 2017-** [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center