



METROPOLITAN PLANNING COMMISSION MINUTES

September 28, 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:
Jessica Farr, Vice Chair
Lillian Blackshear
Jeff Haynes
Brian Tibbs
Dr. Pearl Sims
Jennifer Hagan-Dier

Staff Present:
Doug Sloan, Executive Director
Bob Leeman, Deputy Director
Carrie Logan, Assistant Director, Special Projects
Kelly Adams, Admin Services Officer III
Lucy Kempf, Planning Manager II
Lee Jones, Planning Manager II
Lisa Milligan, Planner III
Greg Claxton, Planner III
Marty Sewell, Planner III
Latisha Birkeland, Planner II
Dara Sanders, Planner II
Shawn Shepard, Planner II
Abbie Rickoff, Planner II
Levi Hill, Planner II
Patrick Napier, Planner I
Anna Grider, Planner I
Gene Burse, Planner I
Laura Hardwicke, Planner I
Craig Owensby, Public Information Officer
Emily Lamb, Legal

Commissioners Absent: Greg Adkins, Ron Gobbell, Councilmember Burkley Allen

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

Please remember to turn off your cell phones.

Nine of the Planning Commission's ten members are appointed by the Metropolitan Council; the tenth member is the Mayor's representative. The Commission meets on the second and fourth Thursday of each month at 4:00 pm, in the Sonny West Conference Center on the ground floor of the Howard Office Building at 700 Second Avenue South. Only one meeting may be held in December. Special meetings, cancellations, and location changes are advertised on the [Planning Department's main webpage](#).

The Planning Commission makes the final decision on final site plan and subdivision applications. On all other applications, including zone changes, specific plans, overlay districts, and mandatory referrals, the Commission recommends an action to the Council, which has final authority.

Agendas and staff reports are [posted online](#) and emailed to our mailing list on the Friday afternoon before each meeting. They can also be viewed in person from 7:30 am – 4 pm at the Planning Department office in the Metro Office Building at 800 2nd Avenue South. [Subscribe to the agenda mailing list](#)

Planning Commission meetings are shown live on the Metro Nashville Network, Comcast channel 3, [streamed online live](#), and [posted on YouTube](#), usually on the day after the meeting.

Writing to the Commission

Comments on any agenda item can be mailed, hand-delivered, faxed, or emailed to the Planning Department by noon on meeting day. Written comments can also be brought to the Planning Commission meeting and distributed during the public hearing. Please provide 15 copies of any correspondence brought to the meeting.

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

Speaking to the Commission

Anyone can speak before the Commission during a public hearing. A Planning Department staff member presents each case, followed by the applicant, community members opposed to the application, and community members in favor.

Community members may speak for two minutes each. Representatives of neighborhood groups or other organizations may speak for five minutes if written notice is received before the meeting. Applicants may speak for ten minutes, with the option of reserving two minutes for rebuttal after public comments are complete. Councilmembers may speak at the beginning of the meeting, after an item is presented by staff, or during the public hearing on that item, with no time limit.

If you intend to speak during a meeting, you will be asked to fill out a short "Request to Speak" form.

Items set for consent or deferral will be listed at the start of the meeting.

Meetings are conducted in accordance with the Commission's [Rules and Procedures](#).

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.



The Planning Department does not discriminate on the basis of race, color, national origin, gender, gender identity, sexual orientation, age, religion, creed or disability in admission to, access to, or operations of its programs, services, or activities. Discrimination against any person in recruitment, examination, appointment, training, promotion, retention, discipline or any other employment practices because of non-merit factors shall be prohibited. For ADA inquiries, contact Josie Bass, ADA Compliance Coordinator, at (615) 862-7150 or e-mail her at josie.bass@nashville.gov. For Title VI inquiries, contact Human Relations at (615) 880-3370. For all employment-related inquiries, contact Human Resources at (615) 862-6640.

MEETING AGENDA

A: CALL TO ORDER

The meeting was called to order at 4:06 p.m.

B: ADOPTION OF AGENDA

Ms. Hagan-Dier moved and Ms. Blackshear seconded the motion to adopt the agenda. (6-0)

C: APPROVAL OF SEPTEMBER 14, 2017 MINUTES

Mr. Tibbs moved and Dr. Sims seconded the motion to approve the September 14, 2017 minutes. (6-0)

Approved. (6-0)

Resolution No. RS2017-308

"BE IT RESOLVED by The Metropolitan Planning Commission has **Approved the September 14, 2017 Minutes.** (6-0)

D: RECOGNITION OF COUNCILMEMBERS

Councilmember Davis spoke in favor of Item 4 and Item 25.

E: ITEMS FOR DEFERRAL / WITHDRAWAL

3. **2017SP-065-001**
THE PRESERVE HOLIDAY INN SP
7. **2017S-199-001**
MOUNTAIN SPRINGS
9. **2017Z-087PR-001**
15. **2017SP-080-001**
SOUTHPOINT SP
17. **2017SP-087-001**
HILL PROPERTY SP
19. **2017S-182-001**
FALLS SUBDIVISION
21. **2017S-225-001**
ELDER PLACE SUBDIVISION RESUB OF LOT 1

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

F: CONSENT AGENDA ITEMS

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

1. **2016SP-060-001**
2021 12TH AVENUE NORTH - RESIDENTIAL SP
4. **2017SP-074-001**
MARSHALL CROSSING SP
3. **2017SP-065-001**
THE PRESERVE HOLIDAY INN SP
5. **2017SP-077-001**
6006 O'BRIEN AVENUE SP
8. **2017Z-085PR-001**
10. **2017Z-091PR-001**
11. **2017Z-019TX-001**
ELECTRIC FENCES
12. **2017Z-020TX-001**
ELDERLY HOUSING
13. **2017Z-021TX-001**
COMMERCIAL AMUSEMENT
14. **2017SP-073-001**
4717 HUMBER DRIVE SP
18. **2017NHC-005-001**
BELMONT-HILLSBORO NCO
23. **43-87P-002**
OAKWOOD COMMONS
24. **2017Z-092PR-001**
25. **2017Z-099PR-001**
26. **Employment Contract for Jennifer Johnson**
27. **Renewal Contract for Michelle Hollingsworth.**
28. **Grant Contract between TDOT and MPC, on behalf of the MPO for FTA 5303 Program for transportation planning.**
32. **Accept the Director's Report and Approve Administrative Items**

Ms. Blackshear moved and Mr. Tibbs seconded the motion to approve the Consent Agenda. (6-0)

Ms. Hagan-Dier moved and Mr. Haynes seconded the motion to **defer Item 4 to the October 12 Planning Commission Meeting.** (6-0)

G: ITEMS TO BE CONSIDERED

1. 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 two, two-family residential units, requested by 4Site, Inc., applicant; L.A.N.D. Group, LLC, owner.

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

APPLICANT REQUEST

Zone change to permit up to two, two-family residential units.

Preliminary SP

A request to rezone from One and Two-Family Residential (R6) to Specific Plan- Residential (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 two, two-family residential units.

Existing Zoning

One and Two-Family Residential (R6) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25 percent duplex lots. R6 would permit a maximum of 2 lots with 0 duplex lots for a total of 2 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.

NORTH NASHVILLE COMMUNITY PLAN

T4 Urban Neighborhood Maintenance (T4 NM) is intended to maintain 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 T4 Neighborhood Maintenance policy is intended to preserve the general character of the existing urban neighborhood. The proposed zone change would allow two, two-family residential units on this lot that will present as single-family homes along 12th Avenue North. The neighborhood primarily consists of single-family homes with some two-family homes. The proposed "manor home" type units provide an additional housing type in the neighborhood. The proposed plan is context sensitive to the neighborhood while providing an additional housing type in the area.

PLAN DETAILS

The site is located at 2021 12th Avenue North, at the southwest corner Cass Street and 12th Avenue North. The site is approximately 0.33 acres in size. A single-family home exists on this lot.

Site Plan

The plan proposes two, two-family buildings that will present as single-family homes. These manor homes are oriented toward 12th Avenue North. The buildings are proposed to have a height of 2 stories within 30 feet, as measured to the roofline. The proposed front setback from the porch to the right-of-way line is approximately 24 feet. Existing structures along 12th Avenue North typically have a front setback ranging from 25 feet to 35 feet.

Vehicular access is limited to the alley. Parking is located behind the units along the alley.

A 5 foot sidewalk 4 foot grass strip is proposed along 12th Avenue North and Cass Street meeting the local street standards. A type "A" landscape buffer shall be installed along the northern and southern side of the parking area.

ANALYSIS

The current zoning allows for one and two-family residential uses. However, two-family residential units are permitted only if conditions established within the Metro Zoning Code are met. In this instance, the Zoning Administrator has determined that this lot, even if subdivided, would not permit two-family units.

The proposed plan would permit a total of two, two-family residential units on a large lot. The area is comprised of single and two-family housing units. The two-family structures will appear as single-family homes by using a “manor home” type structure. One entrance is provided for each structure.

The proposed zone change is consistent with T4 Neighborhood Maintenance Policy. Specific Plan zoning districts are used to provide flexibility in design and implement context sensitive development. The proposed setbacks are similar to the existing homes in the neighborhood. This site is approximately 1,975 feet from Dr. D. B. Todd Boulevard, an active corridor. Bus service runs along 14th Avenue North and a bus stop is located on Clay Street, approximately 715 feet from the site. This site is located on a corner and is situated along a built alley. The proposed plan is context sensitive to the neighborhood while providing and additional housing type in the area.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

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

STORMWATER RECOMMENDATION

Approve

WATER SERVICES RECOMMENDATION

Approve with conditions

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

PUBLIC WORKS RECOMMENDATION

Approve with conditions

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works, in effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable. Final design may vary based on field conditions.
- ROW dedication(s) are to be recorded prior to MPW signoff on the building permit.
- Prior to the Final SP, coordinate with MPW on alley pavement

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Apply to T&P to restrict parking along Cass St frontage.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two- Family Residential (230)	0.33	7.26 D	2 U	17	2	3

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (230)	0.33	-	4 U	32	3	4

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

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

METRO SCHOOL BOARD REPORT

Projected student generation existing R6 district: 0 Elementary 0 Middle 0 High

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

The proposed SP-R zoning district would generate no more students than what is typically generated under the existing RS10 zoning district. Students would attend Buena Vista Elementary, John Early Middle School, and Pearl-Cohn 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.

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? Not Applicable.
3. How will you enforce the affordability requirements? Not Applicable.
4. Have any structures been demolished in the last 12 months? No.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions as the plan is consistent with the T4 Neighborhood Maintenance policy.

CONDITIONS

1. Permitted land uses shall be limited to up to two, two-family residential units.
2. Height for the residential units is limited to maximum of 2 stories in 30 feet, to the roofline.
3. The following design standards shall be added to the plan:
 - a. Building façades fronting a street shall provide a minimum of one principal entrance (doorway) and a minimum of 25% glazing.
 - b. Windows shall be vertically oriented at a ratio of 2:1 or greater, except for dormers.
 - c. EIFS, vinyl siding and untreated wood shall be prohibited.
 - d. Porches shall provide a minimum of six feet of depth.
 - e. A raised foundation of 18" - 36" is required for all residential structures.
4. A type "A" landscape buffer shall be installed along the northern and southern sides of the parking area.
5. Prior to building permit approval, the property shall be subdivided so that each structure is on a single lot.
6. 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.
7. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the R6-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
8. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
9. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
10. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
11. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Approved with conditions and disapproved without all conditions. (6-0) Consent Agenda

Resolution No. RS2017-309

"BE IT RESOLVED by The Metropolitan Planning Commission that 2016SP-060-001 is Approved with conditions and disapproved without all conditions. (6-0)

1. Permitted land uses shall be limited to up to two, two-family residential units.
2. Height for the residential units is limited to maximum of 2 stories in 30 feet, to the roofline.
3. The following design standards shall be added to the plan:
 - a. Building façades fronting a street shall provide a minimum of one principal entrance (doorway) and a minimum of 25% glazing.
 - b. Windows shall be vertically oriented at a ratio of 2:1 or greater, except for dormers.

- c. EIFS, vinyl siding and untreated wood shall be prohibited.
 - d. Porches shall provide a minimum of six feet of depth.
 - e. A raised foundation of 18" - 36" is required for all residential structures.
4. A type "A" landscape buffer shall be installed along the northern and southern sides of the parking area.
 5. Prior to building permit approval, the property shall be subdivided so that each structure is on a single lot.
 6. 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.
 7. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the R6-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
 8. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
 9. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
 10. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
 11. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

2. 2016SP-095-001

CLAY STREET SP

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 301, 303, and 305 Clay Street, 401 and 405 Dominican Drive, 1918, 1920, 1922 and 1924 4th Avenue North, at the south corner of Dominican Drive and Clay street, (1.58 acres), to permit a hotel, requested by Ragan-Smith and Associates, applicant; B.V. Kumar, owner.

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

APPLICANT REQUEST

Preliminary SP to permit a 6-story hotel development.

Preliminary SP

A request to rezone from Office/Residential (OR20) and One and Two-Family Residential (R6) to Specific Plan-Commercial (SP-C) zoning on properties located at 301, 303, 305, Clay Street, 401 and 405 Dominican Drive, 1918, 1920, and 1924 4th Avenue North, at the south corner of Dominican Drive and Clay street, (1.58 acres), to permit a hotel.

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 4 units, based on 0.19 acres.*

One and Two-Family Residential District (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 8 lots with 2 duplex lots for a total of 10 units, based on 1.39 acres.*

Proposed Zoning

Specific Plan-Commercial (SP-C) 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 commercial uses.

NORTH NASHVILLE COMMUNITY PLAN

D Employment Center (D EC) is intended to enhance and create concentrations of employment that are often in a campus-like setting. A mixture of office and commercial uses are present, but are not necessarily vertically mixed. Light industrial uses may also be present in appropriate locations with careful attention paid to building form, site design, and operational performance standards to ensure compatibility with other uses in and adjacent to the D EC area. Secondary and supportive uses such as convenience retail, restaurants, and services for the employees and medium- to high-density residential are also present.

Consistent with Policy?

Yes, the plan is consistent with the District Employment Center Policy. The policy supports commercial uses, including hotels, as they contribute to an active employment center. The proposed plan provides pedestrian connectivity within the site and external to the site.

PLAN DETAILS

The proposed site is comprised of nine parcels for a total of 1.58 acres. The site is located along Clay Street and 3rd Avenue North, northwest of I-65. The proposal includes multiple properties that are zoned office/residential and one and two-family residential.

Site Plan

The plan proposes a 6-story hotel, with a maximum of 110 rooms. The proposed hotel building will orient towards 3rd Avenue North. The building height is limited to a maximum of 75 feet in 6 stories, measured to the roofline. The plan proposes 100 surface parking spaces, located behind the building, meeting the Metro Zoning Code parking requirements.

Existing right-of-way for 4th Avenue North and right-of-way for an alley runs through the site. Right-of-way for 4th Avenue North is required to be abandoned by mandatory referral at the Metro Council.

Access to the proposed hotel will be provided at two points along Clay Street. The plan proposes a six foot wide sidewalk and four foot planting strip along Clay Street and 3rd Avenue North meeting the requirements of the Major and Collector Street Plan.

ANALYSIS

The plan proposes a hotel option within the area, which is supported by the D Employment Center Policy. The proposed sidewalks will create a walkable site and provide a pedestrian-orientated environment supported by the D Employment Center. The proposed height of 6 stories is supported by the D Employment Center policy.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

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

STORMWATER RECOMMENDATION

Approve with conditions

- Approval applies to the revised Preliminary SP, stamped received 12/20/16. FYI - A grading plan must be approved, prior to Final SP approval.

WATER SERVICES RECOMMENDATION

Approve 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

Returned for corrections

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works, in effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable. Final design may vary based on field conditions.
- Indicate sidewalk construction to comply with the MCSP. Sidewalks are to be located within dedicated ROW. The MCSP calls for a 4 foot grass strip and an 8 foot sidewalk along 3rd. The latest set of plans show a 4 foot grass strip and a 6 foot sidewalk.
- Submit recorded ROW dedication prior to the building permit approval by MPW.
- Prior to the Final SP approval, the closure of the alley must be approved via the mandatory referral process.
- Comply with traffic and parking.

TRAFFIC AND PARKING RECOMMENDATION

Returned for corrections

- Under review

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	0.19	0.8 F	6,621 SF	165	22	22

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential* (210)	1.39	7.2 D	12 U	115	9	13

*Based on two-family lots

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
Hotel (310)	1.58	-	110 Rooms	982	56	60

Traffic changes between maximum: **OR20, R6 and SP-MU**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+702	+25	+25

METRO SCHOOL BOARD REPORT

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

STAFF RECOMMENDATION

Staff recommends deferral to the October 12, 2017, Planning Commission meeting unless recommendations of approval are received from all reviewing agencies. If recommendations of approval are received from all reviewing agencies, staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted land uses shall be limited to a hotel.
2. The height of the building is limited to a maximum of 6 stories in 75 feet, measured to the roofline.
3. A type "A-3" landscape bufferyard shall be installed along the southwestern property line.
4. Pedestrian connections shall be included from the driveway extending to the parking lot and building.
5. Remove Note No. 3 under Development Standards.
6. Right-of-way for 4th Avenue North shall be abandoned by mandatory referral by Metro Council prior to issuance of building permit.
7. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the ORI-A zoning district as of the date of the applicable request or application.
8. There shall be no pole or billboard signs, changeable LED, video signs or similar signs allowing automatic changeable messages. All other signs shall meet the ORI zoning requirements.
9. 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.
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.
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. 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.
 13. Add the following note to the plan: The final site plan shall depict a minimum 5 foot clear path of travel for pedestrian ways, including public sidewalks, and the location of all existing and proposed obstructions. Prior to the issuance of use and occupancy permits, existing obstructions within the path of travel shall be relocated to provide a minimum of 5 feet of clear access

Approved with conditions and disapproved without all conditions. (6-0) Consent Agenda

Resolution No. RS2017-310

"BE IT RESOLVED by The Metropolitan Planning Commission that 2016SP-095-001 is Approved with conditions and disapproved without all conditions. (6-0)

1. Permitted land uses shall be limited to a hotel.
2. The height of the building is limited to a maximum of 6 stories in 75 feet, measured to the roofline.
3. A type "A-3" landscape bufferyard shall be installed along the southwestern property line.
4. Pedestrian connections shall be included from the driveway extending to the parking lot and building.
5. Remove Note No. 3 under Development Standards.
6. Right-of-way for 4th Avenue North shall be abandoned by mandatory referral by Metro Council prior to issuance of building permit.
7. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the ORI-A zoning district as of the date of the applicable request or application.
8. There shall be no pole or billboard signs, changeable LED, video signs or similar signs allowing automatic changeable messages. All other signs shall meet the ORI zoning requirements.
9. 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.
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.
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. 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.
13. Add the following note to the plan: The final site plan shall depict a minimum 5 foot clear path of travel for pedestrian ways, including public sidewalks, and the location of all existing and proposed obstructions. Prior to the issuance of use and occupancy permits, existing obstructions within the path of travel shall be relocated to provide a minimum of 5 feet of clear access

3. 2017SP-065-001

THE PRESERVE HOLIDAY INN SP

Council District 15 (Jeff Syracuse)

Staff Reviewer: Latisha Birkeland

A request to rezone from IWD to SP-C zoning on a portion of property located at Perimeter Court (unnumbered), approximately 420 feet south of Perimeter Place Drive, (3.61 acres), to permit a hotel, requested by Minal Patel, applicant; Corporate Investors Partnership V, LLC, owner.

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

The Metropolitan Planning Commission deferred 2017SP-065-001 to the October 26, 2017, Planning Commission Meeting. (6-0)

4. 2017SP-074-001

MARSHALL CROSSING SP

Council District 05 (Scott Davis)

Staff Reviewer: Patrick Napier

A request to rezone from RS5 to SP-R zoning on properties located at 1699, 1701, 1703 and 1705 Lischey Avenue, at the northeast corner of Lischey Avenue and Marshall Street (0.87 acres), to permit up to 15 multi-family residential units, requested by Smith Gee Studio, applicant; Heather Anderson, owner.

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

The Metropolitan Planning Commission deferred 2017SP-074-001 to the October 12, 2017, Planning Commission Meeting. (6-0)

5. 2017SP-077-001

6006 O'BRIEN AVENUE SP

Council District 20 (Mary Carolyn Roberts)

Staff Reviewer: Gene Burse

A request to rezone from R8 to SP-R zoning on property located at 6006 O'Brien Avenue, approximately 160 feet west of Lelleyet Street (0.25 acres), to permit up to four multi-family residential units, requested by Land Development Solutions, applicant; Barbara Hickerson, owner.

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

APPLICANT REQUEST

Zone change to permit four multi-family residential units.

Preliminary SP

A request to rezone from One and Two-Family Residential (R8) to Specific Plan-Residential (SP-R) zoning on property located at 6006 O'Brien Avenue, approximately 160 feet west of Lelleyet Street (0.25 acres), to permit up to four multi-family residential units.

Existing Zoning

One and Two-Family Residential (R8) requires a minimum 8,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 5.79 dwelling units per acre including 25 percent duplex lots. *R8 would permit a maximum of 1 duplex lot for a total of 2 units based on acreage only.*

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.

WEST NASHVILLE COMMUNITY PLAN

T4 Urban Mixed Use Neighborhood (T4 MU) is intended to maintain, enhance, and create urban, mixed use neighborhoods with a development pattern that contains a variety of housing along with mixed, use, commercial, institutional, and even light industrial development. T4 MU areas are served by high levels of connectivity with complete street networks, sidewalks, bikeways, and existing or planned mass transit.

Supplemental Policy Area T4-07-MU-01 is the area along both sides of Charlotte Pike west of the T4 Urban Community Center at White Bridge Road/Charlotte Pike. It extends as far east as Marcia Avenue and includes a mixture of commercial and residential uses. In this area, the following special policies apply. Where the special policy is silent, the guidance of the T4 Urban Mixed Use Neighborhood policy applies. Uses along O'Brien Avenue and Eastboro Drive should remain some type of residential. As redevelopment and intensification occurs, an expanded network of streets is needed. That network should be designed to connect multiple developments and create safe, comfortable multi-modal transportation options including facilities for pedestrians, cyclists and transit.

Consistent with Policy?

Yes. The policy at this site supports the proposed residential uses of this SP. T4 Urban Mixed Use Neighborhood policy encourages development that consists of a diverse mix of moderate to high density residential, commercial, office, and light industrial land uses. T4 Mixed Use Neighborhoods will have high levels of connectivity and complete street networks with sidewalks, bikeways, and existing or planned transit. The proposal provides moderate density housing that includes additional multi-family residential housing options within the immediate area. The site is located

less than 600 feet from Charlotte Pike, a major corridor according to the Major and Collector Street Plan. The site is also located less than a quarter of a mile from the nearest transit stop. Each structure within this proposal has the principal entrance oriented to a public street or open space. The two units located in the southern portion of the site front Obrien Avenue. The two units located in the northern portion of the site front centralized open space. The rear unit in the northwestern portion of the site faces east toward the centralized open space while the other rear unit faces west toward the centralized open space. Supplemental policy for this site encourages residential uses.

PLAN DETAILS

This is a request to permit four multi-family residential units. Existing conditions include a single-family residential structure on the site. This site is adjacent to Interstate 40. A sound barrier currently exists to mitigate noise from the interstate. The existing sound barrier also blocks view of the interstate from within the neighborhood including the site.

The plan has two structures with principal entrances oriented to Obrien Avenue and two structures located in the interior of the site with principal entrances oriented to centralized open space. The rear unit in the northwestern portion of the site faces east toward the centralized open space while the other rear unit faces west toward the centralized open space. The centralized open space in the rear of the site is approximately 16 feet wide and 37 feet deep.

The site consists of internal sidewalks that connect to proposed public sidewalks along Obrien Avenue that are consistent with standards of the Major and Collector Street Plan (sidewalks 5 feet in width and a planting strip 4 feet in width along site frontage on Obrien Avenue). The plan provides for onsite stormwater mitigation through a bio-retention area located at the northern portion of the site and the use of permeable pavers for surface parking. The plan proposes a cross access easement which will allow the existing single-family residential property that abuts the site to the west to develop without the need of a new private drive along Obrien. The abutting site will still have access to Obrien by way of the access easement on the site when future development occurs. A gravel drive connected directly to Obrien Avenue exists on the abutting parcel today. The easement will remove the need for one fewer private drive accessed directly from Obrien Avenue. This will help minimize the amount of private drives along Obrien Avenue which will improve the pedestrian realm by minimizing disruptions on public sidewalks on the northern side of Obrien Avenue.

ANALYSIS

Architectural standards included in this SP will ensure the four proposed residential units provide a contextually appropriate development along Obrien Avenue. This proposal will serve as a transitional area for the higher intense multi-family residential use immediately east of the site and the single-family residential use west of the site. Sidewalk improvements along Obrien Avenue will enhance the pedestrian realm by contributing to the existing sidewalk network within the area.

FIRE DEPARTMENT RECOMMENDATION

Approve with conditions

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

STORMWATER RECOMMENDATION

Approve

WATER SERVICES RECOMMENDATION

Approve 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

Approve with conditions

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works, in effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable. Final design may vary based on field conditions.
- Indicate MPW standard ST-322 driveway ramp.

TRAFFIC AND PARKING RECOMMENDATION

Approve

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential* (210)	0.25	5.44 D	2 U	20	2	3

*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (210)	0.25		4 U	39	3	5

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+2 U	+19	+1	+2

METRO SCHOOL BOARD REPORT

Projected student generation existing R8 district: 0 Elementary 0 Middle 0 High
 Projected student generation proposed SP-R district: 0 Elementary 0 Middle 0 High

The proposed SP zoning district is not expected to generate students than what is typically generated under the existing R8 zoning district. Students would attend Charlotte Park Elementary School, H.G. Middle School, and Whites Creek High School. Each school has been identified as having additional capacity except H.G. Middle School. This information is based upon data from the school board last updated November 2016.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapprove without all conditions.

CONDITIONS

1. Permitted uses shall be limited to a maximum of 4 multi-family residential units.
2. All internal sidewalks shall be a minimum of 5 feet in width.
3. The following design standards shall be added to the plan:
 - Building façades fronting a street shall provide a minimum of one principal entrance (doorway) and a minimum of 25% glazing.
 - Windows shall be vertically oriented at a ratio of 1.5:1 or greater, except for dormers or egress windows.
 - EIFS, vinyl siding and untreated wood shall be prohibited.
 - A raised foundation of 18"- 36" is required for all residential structures.
4. The cross access easement shall be dedicated prior to building permit issuance.
5. Requesting this rezoning may affect the provision of affordable or workforce housing units in rental projects involving five or more rental units on site, as set forth in Ordinance Nos. BL 2016-133, and BL2016-342, which authorizes Metro grants to offset the provision of affordable or workforce housing units.
6. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
7. If a development standard is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM20-A zoning district as of the date of the applicable request or application.
8. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
9. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
10. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be

consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

11. The final site plan/ building permit site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.

Approved with conditions and disapproved without all conditions. (6-0) Consent Agenda

Resolution No. RS2017-311

"BE IT RESOLVED by The Metropolitan Planning Commission that 2017SP-077-001 is Approved with conditions and disapproved without all conditions. (6-0)

1. Permitted uses shall be limited to a maximum of 4 multi-family residential units.
2. All internal sidewalks shall be a minimum of 5 feet in width.
3. The following design standards shall be added to the plan:
 - Building façades fronting a street shall provide a minimum of one principal entrance (doorway) and a minimum of 25% glazing.
 - Windows shall be vertically oriented at a ratio of 1.5:1 or greater, except for dormers or egress windows.
 - EIFS, vinyl siding and untreated wood shall be prohibited.
 - A raised foundation of 18" - 36" is required for all residential structures.
4. The cross access easement shall be dedicated prior to building permit issuance.
5. Requesting this rezoning may affect the provision of affordable or workforce housing units in rental projects involving five or more rental units on site, as set forth in Ordinance Nos. BL 2016-133, and BL2016-342, which authorizes Metro grants to offset the provision of affordable or workforce housing units.
6. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
7. If a development standard is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM20-A zoning district as of the date of the applicable request or application.
8. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
9. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
10. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
11. The final site plan/ building permit site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.

6. 2017S-184-001

3335 WALTON LANE SUBDIVISION

Council District 08 (Nancy VanReece)

Staff Reviewer: Latisha Birkeland

A request for final plat approval to create four lots on property located at 3335 Walton Lane, approximately 195 feet east of Slate Drive, zoned RS10 (1.56 acres), requested by Dale & Associates, applicant; Riverstone Homes, LLC, owner.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Create four lots.

Final Plat

A request for final plat approval to create four lots on property located at 3335 Walton Lane, approximately 195 feet east of Slate Drive, zoned Single-Family Residential (RS10) (1.56 acres).

Existing Zoning

Single-Family Residential (RS10) requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre. *RS10 would permit a maximum of 6 lots, based on acreage only.*

EAST NASHVILLE COMMUNITY PLAN

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

PLAN DETAILS

This request is for final plat approval to create four lots on property located at 3335 Walton Lane, where one lot currently exists. Vehicular access would be limited to a shared access easement on Lot 4.

The land use policy for the subject property is T4 Urban Neighborhood Evolving (T4 NE), and the proposed subdivision is not subject to the compatibility criteria in Section 3-5.2 of the Subdivision Regulations.

The existing lot is 73,616 square feet (1.156 acres) and is proposed to be subdivided into four lots with the following square footage/ acreage:

- Lot 1: 17,021 SF (0.39 acres)
- Lot 2: 16,944 SF (0.39 acres)
- Lot 3: 17,027 SF (0.39 acres)
- Lot 4: 17,019 SF (0.39 acres)

ANALYSIS

The proposal must meet the following requirements:

Zoning Code

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

Street Frontage

Lots would front on Walton Lane, which is a public street.

Agency Review

Water Services and Public Works have not recommended approval.

FIRE MARSHAL RECOMMENDATION

N/A

STORMWATER RECOMMENDATION

Approve

PUBLIC WORKS RECOMMENDATION

Returned for corrections

- Provide proof of sight distance prior to the final recording of the plat. There is large embankment, retaining wall, and utilities along the south side of Walton Lane, making adequate sight distance a concern. Because of this, the location of the access easement may need to be relocated in the best possible location to maximize the sight distance; however, we cannot verify this until proof of sight distance is provided.

TRAFFIC & PARKING RECOMMENDATION

Approve

WATER SERVICES RECOMMENDATION

Returned for corrections

- Adjust public sewer easements and labeling, as marked.
- Show minimum F.F.E.'s on the plat for all lots, as marked.
- Approval will be contingent on construction and completion of MWS Project #'s 15-SL-252. A bond amount of \$25,000 is assigned to 15-SL-252.

STAFF RECOMMENDATION

Staff recommends deferral to the October 12, 2017, Planning Commission meeting unless recommendations of approval are received from all reviewing agencies. If recommendations of approval are received from all reviewing agencies, staff recommends approval with conditions.

CONDITIONS

1. Add "See Notes 17-18" on Lots 1-4.

Approved with conditions. (6-0) Consent Agenda

Resolution No. RS2017-312

"BE IT RESOLVED by The Metropolitan Planning Commission that **2017S-184-001 is Approved with conditions and disapproved without all conditions. (6-0)**

1. Add "See Notes 17-18" on Lots 1-4.

7. 2017S-199-001

MOUNTAIN SPRINGS

Council District 32 (Jacobia Dowell)

Staff Reviewer: Patrick Napier

A request for concept plan approval to create 43 lots on a portion of property located at 5000 Mountain Springs Road, approximately 1,100 feet northwest of Hobson Pike, zoned RM15 and within the Murfreesboro Pike Urban Design Overlay District (12.22 acres), requested by Kimley-Horn, applicant; Belz-McDowell Properties, owner.

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

The Metropolitan Planning Commission deferred 2017S-199-001 to the October 12, 2017, Planning Commission Meeting. (6-0)

8. 2017Z-085PR-001

Council District 31 (Fabian Bedne)

Staff Reviewer: Levi Hill

A request to rezone from AR2a to CL zoning on property located at 6804 Nolensville Pike, northeast of the terminus of Concord Road (1.87 acres), requested by Greg Edney, applicant; H & J Realty, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from AR2a to CL

Zone Change

A request to rezone from Agricultural/Residential (AR2a) to Commercial Limited (CL) zoning on property located at 6804 Nolensville Pike, northeast of the terminus of Concord Road (1.87 acres).

Existing Zoning

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

Proposed Zoning

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

SOUTHEAST NASHVILLE COMMUNITY PLAN

T3 Suburban Community Center (T3 CC) is intended to enhance and create suburban community centers that serve suburban communities generally within a 10 to 20 minute drive. They are pedestrian friendly areas, generally located at prominent intersections that contain mixed use, commercial and institutional land uses, with transitional residential land uses in mixed use buildings or serving as a transition to adjoining Community Character Policies. T3 CC areas are served by highly connected street networks, sidewalks and existing or planned mass transit leading to surrounding neighborhoods and open space. Infrastructure and transportation networks may be enhanced 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 rezoning to CL is consistent with the Suburban Community Center policy at this location. The rezoning meets the goals of the policy by placing limited commercial uses adjacent to Nolensville Pike which is identified as major arterial in the MCSP. Additionally, the rezoning would provide opportunities for development consistent with the surrounding land uses and established development pattern for the area.

A portion of the property requested for rezoning is located within Conservation policy area which is intended to preserve environmentally sensitive land features, in this instance an existing stream corridor that borders the northeast property line of the site. This proposal will be required to meet stormwater buffer requirements.

ANALYSIS

The property consists of 1.87 acres located at 6804 Nolensville Pike, northeast of the terminus of Concord Road. The site is currently vacant while surrounding properties to the northwest along Nolensville Pike transition into more intense commercial uses. Surrounding properties to the east are developed with a church followed by low density residential uses. A mixed-use PUD is located to the west of the property containing a shopping center adjacent to the site and residential uses further northwest. The existing zoning allows single-family residential uses at a density of one unit per two acres.

The proposed zoning would allow a range of retail, consumer service, financial, restaurant, and office uses. The Suburban Community Center policy is intended create and enhance suburban community centers encouraging their development or redevelopment as intense mixed use areas that are compatible with the general character of suburban neighborhoods. T3 CC policy areas are generally located at prominent intersections that contain mixed use, commercial and institutional land uses. The CL zoning district is appropriate within the T3 CC policy area. Stormwater regulations would ensure minimal disturbance to the site’s environmentally sensitive land features as the property develops.

FIRE DEPARTMENT RECOMMENDATION

N/A

PUBLIC WORKS RECOMMENDATION

N/A

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Traffic study may be required at time of development

Maximum Uses in Existing Zoning District: **AR2a**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	1.87	0.5 D	1 U	10	1	2

Maximum Uses in Proposed Zoning District: CL

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	1.87	0.6	48,874 SF	2129	46	139

Traffic changes between maximum: AR2a and CL

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-		+2,119	+45	+137

STAFF RECOMMENDATION

Staff recommends approval.

Approved. (6-0) Consent Agenda

Resolution No. RS2017-313

"BE IT RESOLVED by The Metropolitan Planning Commission that **2017Z-085PR-001 is Approved. (6-0)**

9. 2017Z-087PR-001

BL2017-897/Scott Davis
Council District 05 (Scott Davis)
Staff Reviewer: Levi Hill

A request to rezone from RS5 to R6-A zoning on property located at 1001 West Mckennie Avenue, at the northeast corner of Laurent Street and West Mckennie Avenue (0.34 acres), requested by Councilmember Scott Davis, applicant; Charlotte Grant and Katrina Frierson, owners.

Staff Recommendation: Defer Indefinitely.

The Metropolitan Planning Commission has indefinitely deferred 2017Z-087PR-001. (6-0)

10. 2017Z-091PR-001

BL2017-852/Mary Carolyn Roberts
Council District 20 (Mary Carolyn Roberts)
Staff Reviewer: Shawn Shepard

A request to expand the Urban Zoning Overlay District to various properties located between Cabot Drive and Briley Parkway, from Knob Road north to Annex Avenue, (1,591.06 acres), requested by Councilmember Mary Carolyn Roberts, applicant; various owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change to apply the Urban Zoning Overlay.

Zone Change

A request to expand the Urban Zoning Overlay District to various properties located between Cabot Drive and Briley Parkway, from Knob Road north to Annex Avenue, (1,591.06 acres).

Proposed Zoning

Urban Zoning Overlay (UZO) The intent of the UZO district is to preserve and protect existing development patterns that predate the mid-1950s in portions of Metro Nashville that were originally developed before that time and to ensure the compatibility of new development in those older portions of the city. In addition, the UZO district is intended to promote reinvestment in areas of metro Nashville originally developed before the mid-1950s by modifying development standards that could add unnecessary expense without improving the safety or compatibility of resulting

development. The UZO is also intended to implement provisions of adopted plans that call for particular areas to evolve to a development pattern characterized predominantly by lot sizes, street patterns, and alley systems commonly used before the mid-1950s.

BELLEVUE COMMUNITY PLAN WEST NASHVILLE COMMUNITY PLAN

Existing Policies

The area proposed for application of the UZO includes properties located within numerous land use policies. The majority of the area is within the T3 Suburban or T4 Urban transect. Policies in those transects present in the UZO application area include: T3 and T4 Neighborhood Maintenance, T3 and T4 Neighborhood Evolving, T4 Mixed Use Neighborhood, T4 Neighborhood Center, T3 and T4 Community Center, T3 Residential Corridor, and T3 Mixed Use Corridor. There are also properties within the UZO application area located within Civic, District Impact, and Open Space policies. Conservation policy, which recognizes the presence of streams, floodplains, slopes and other sensitive environmental features, is present throughout the UZO application area.

Consistent with Policy?

The standards of the UZO vary depending on the use and existing zoning, and therefore, the UZO is consistent with a broad range of policy goals in each of the various applicable policies. The intent of the UZO is consistent with the goals of Neighborhood Maintenance areas to preserve and protect existing, established development patterns. The UZO also results in a limitation on height of one- and two-family dwellings that helps keep new development more consistent with existing houses.

One of the effects of UZO application is that under the new sidewalk ordinance, the UZO is a trigger for sidewalk construction for new single-family or one- and two-family residential construction. This is consistent with the goals of the Neighborhood Maintenance, Neighborhood Evolving, and Mixed Use Neighborhood policies to enhance pedestrian connectivity and create a more complete multi-modal transportation network.

In multi-family, office, commercial and mixed use districts, the UZO allows for alternative street setbacks which may allow buildings to be built closer to the street. This is consistent with goals in several policies to have buildings address the street in order to activate the pedestrian realm and create more walkable neighborhoods. Reduced parking requirements and parking adjustments are available for many uses, particularly when the site is close to a bus route or in a mixed use area with a connected sidewalk network that encourages walkability. The reduced parking requirements may support transit service and could reduce impervious surface on sites, especially areas in Conservation policy with sensitive environmental features.

ANALYSIS

The UZO district was originally adopted in 2000 and was created to improve the way development in older urban areas of Nashville is regulated. The zoning code in place at the time was primarily designed for development with a newer, more suburban development pattern. In many cases, application of the standards to older, existing urban areas of the county resulted in nonconformities or in new development that was inconsistent with the existing urban pattern. The UZO is intended to preserve and enhance urban developed areas, encourage reinvestment, and also to achieve community goals for creating more walkable neighborhoods with good connectivity for vehicles, pedestrians and transit. All of these goals are currently formally established in NashvilleNext and the individual community plans.

The UZO was originally applied to a large portion of Nashville's urban core, based loosely on the 1956 boundary of the City of Nashville. Since that time, the UZO has been expanded in some areas, most recently in 2007, when the UZO was applied to a series of neighborhood centers along Riverside Drive in East Nashville. The UZO is an overlay; its application does not change the base zoning or existing entitlements on any property. The standards of the UZO vary by zoning district and, in the case of parking requirements, by use, but generally address the placement and size of buildings, amount and location of parking, and landscaping.

The current request proposes application of the UZO to approximately 4,200 contiguous parcels in west Nashville and the eastern portion of the Bellevue area. The properties included in the proposal span a range of zoning districts, from low density single-family or one and two-family residential to higher intensity commercial and industrial zoning districts. The implications of application of the UZO will vary from parcel to parcel, depending on the existing zoning and the development proposed. Some of the properties in the area are currently zoned Specific Plan or are within a Planned Unit Development overlay. The effects of the UZO on those properties are limited, as the Specific Plan or PUD will continue to govern the development of those properties.

In single-family or one and two-family residential districts, the primary effect of the UZO is a limitation on height. The UZO limits height to three stories in 45 feet, where the single-family and one and two-family zoning districts limit height to three stories without a specific limitation in feet. Additionally, pursuant to the standards of BL2016-493, the sidewalk ordinance that took effect in July 2017, the UZO serves as a trigger for sidewalks with single-family or one and two-family residential new construction.

For multi-family, office, and commercial uses, the effects of the UZO are more varied and depend on context. Generally, the UZO allows for alternative street setbacks and building height, subject to certain conditions, as well as for reduced parking requirements or adjustments to parking based on proximity to transit and complete sidewalk networks. The UZO also includes specific standards for landscape buffer yards and the landscaping of parking lots that vary from those of the base zoning districts.

The area proposed for application of the UZO is a contiguous area adjacent to the existing boundary of the UZO to the east. Although portions of the area proposed for application of the UZO were platted or developed after the mid-1950s, the majority of the area has an established development pattern of small to moderately sized lots with connected streets. As redevelopment or infill development occurs, the standards of the UZO will support a development form that is coherent and connected with what exists today. The varied standards of the UZO, which are specific to certain zoning districts and uses, make the UZO an adaptable zoning tool to ensure that development and redevelopment to occur in a context-sensitive manner without impact existing entitlements or base zoning. Application of the UZO will help to achieve a wide range of goals identified in NashvilleNext and in the community plans for this area, including enhanced pedestrian connectivity, activation of the streetscape in centers and along corridors, and support for existing and future transit service in the area.

STAFF RECOMMENDATION

Staff recommends approval.

Ms. Shepard presented the staff recommendation of approval.

Michael Garrigan, 516 Heather Place, spoke in favor of the application as it will bring positive growth to the area.

Kyle Tortorelli, 614 Galaxy Dr, spoke in favor of the application and has 15 pages of signatures from neighbors in support.

Sarah Boyd, 849 Russleo Dr, spoke in opposition to the application due to decreased parking and requested to be allowed to opt out.

Councilmember Roberts spoke in favor and agreed to do opt-outs as requested.

Ms. Farr closed the Public Hearing.

Mr. Haynes spoke in favor of staff recommendation.

Mr. Tibbs spoke in favor of staff recommendation.

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

Dr. Sims spoke in favor of staff recommendation.

Mr. Haynes moved and Mr. Tibbs seconded the motion to approve with conditions and disapprove without all conditions. (6-0)

Approved. (6-0) Consent Agenda

Resolution No. RS2017-314

"BE IT RESOLVED by The Metropolitan Planning Commission that 2017Z-091PR-001 is Approved. (6-0)

11. 2017Z-019TX-001

BL2017-898/Robert Swope

ELECTRIC FENCES

Staff Reviewer: Lisa Milligan

A request to amend Section 17.12.040.E.26 of the Metropolitan Code of Laws pertaining to electric fences. Councilmember Robert Swope, applicant.

Staff Recommendation: Approve.

APPLICANT REQUEST

Amend the Zoning Code pertaining to electric fences.

PROPOSED AMENDMENTS TO TITLE 17

The proposed bill would amend Section 17.12.040.E.26 of the Zoning Code as follows:

Screening Walls or Fences. The maximum permitted height measured from finish grade level on the side of the wall or fence with the greatest vertical exposure shall be:

- a. Two and one-half feet in height within ten feet of a street right-of-way. Open fences, such as chain link or those of a similar nature are permitted to be six feet in height. Electric fences are permitted only within the IWD, IR and IG districts and shall be no more than ten feet in height, subject to the provisions of Section 16.04.200.
- b. Six feet in height within the remainder of the required front setback. Electric fences are permitted only within the IWD, IR and IG districts and shall be no more than ten feet in height, subject to the provisions of Section 16.04.200.
- c. Eight feet in height within the required side or rear setback or within any platted common open space. Electric fences are permitted only within the IWD, IR and IG districts and shall be no more than ten feet in height, subject to the provisions of Section 16.04.200.

ANALYSIS

The proposed amendment would allow for the construction of electric fences within industrial zoning districts (IWD, IR, IG) up to a height of 10 feet. Electric fences would be required to be in compliance with the provisions of Metro Code Section 16.04.200, which is also being amended. The proposed amendments to Title 16 would provide safety and technical standards for the construction of electric fences, including a requirement that a non-electric fence be constructed in front of any electric fence. Staff is only evaluating amendments for Title 17.

The proposed industrial zone districts are appropriate for electric fences because industrial districts have uses that are more intense and the inclusion of electric fencing will have limited impact on pedestrians or the streetscape.

ZONING ADMINISTRATOR RECOMMENDATION

Approve

STAFF RECOMMENDATION

Staff recommends approval.

ORDINANCE BL2017-898

An ordinance amending Section 17.12.040.E.26 of the Metropolitan Code of Laws pertaining to electric fences (Proposal No. 2017Z-019TX-001).

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

Section 1. That Section 17.12.040.E.26 of the Metropolitan Code is hereby amended by deleting the provisions of subsection a in their entirety, and substituting in lieu thereof the following new subsection a:

- a. Two and one-half feet in height within ten feet of a street right-of-way. Open fences, such as chain link or those of a similar nature are permitted to be six feet in height. Electric fences are permitted only within the IWD, IR and IG districts and shall be no more than ten feet in height, subject to the provisions of Section 16.04.200,

Section 2. That Section 17.12.040.E.26 of the Metropolitan Code is hereby further amended by deleting the provisions of subsection b in their entirety, and substituting in lieu thereof the following new subsection b:

- b. Six feet in height within the remainder of the required front setback. Electric fences are permitted only within the IWD, IR and IG districts and shall be no more than ten feet in height, subject to the provisions of Section 16.04.200,

Section 3. That Section 17.12.040.E.26 of the Metropolitan Code is hereby further amended by deleting the provisions of subsection c in their entirety, and substituting in lieu thereof the following new subsection c:

- c. Eight feet in height within the required side or rear setback or within any platted common open space. Electric fences are permitted only within the IWD, IR and IG districts and shall be no more than ten feet in height, subject to the provisions of Section 16.04.200,

Section 4. This Ordinance shall take effect from and after its enactment, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Sponsored by: Robert Swope

Approved. (6-0) Consent Agenda

Resolution No. RS2017-315

"BE IT RESOLVED by The Metropolitan Planning Commission that 2017Z-019TX-001 is Approved. (6-0)

12. 2017Z-020TX-001

BL2017-899/Burkley Allen

ELDERLY HOUSING

Staff Reviewer: Lisa Milligan

A request for an amendment to Title 17 of the Metropolitan Code of Laws, Zoning Code, pertaining to parking reduction for elderly housing, requested by Metro Council.

Staff Recommendation: Disapprove as submitted. Approve with an amendment.

APPLICANT REQUEST

Amend the Zoning Code pertaining to elderly housing and required parking for elderly housing.

PROPOSED AMENDMENTS TO TITLE 17

The proposed bill would amend Section 17.04.060.B of the Zoning Code by adding the following definition:

“Elderly Housing” means Multi-family housing that is restricted to occupation by an “Elderly Person” as defined by 24 CFR 891.205, or “Elderly Family” as defined by 24 CFR 891.505. Elderly Housing shall be subject to the same requirements under this Zoning Code as Multi-family housing, except where a specific standard or requirement is otherwise provided. Elderly Housing shall include one or more of the following:

1. A recorded Declaration of Land Use Restrictive Covenants for Low-Income Housing Tax Credits for the benefit of the Tennessee Housing Development Agency that restricts the housing to occupancy only by an Elderly Person or Elderly Family;
2. A recorded Declaration of Land Use Restrictive Covenants for the benefit of the Metropolitan Development and Housing Agency that restricts the housing to occupancy only by an Elderly Person or Elderly Family;
3. A recorded Use Agreement between the owner of the property and the U.S. Department of Housing and Urban Development pursuant to Section 202 of the Housing Act of 1949 (12 U.S.C. 1701q), as amended; or
4. Documentary proof that the property has received an exemption from property taxes pursuant to Tenn. Code Ann. § 67-5-207.

The proposed bill would amend Table 17.020.030 of the Zoning Code by adding the following use under “Residential Land Uses”:

Land Use	Minimum Parking Spaces
Elderly Housing	0.5 spaces per unit

ANALYSIS

The Zoning Code does not categorize different types of multi-family housing, however, the parking demand between elderly housing and apartments, for example, may vary widely. This proposal would decrease the minimum parking space requirement from other multi-family housing to a requirement more consistent with market demands.

The proposed definition of elderly housing references the definition of elderly person and elderly family in the Code of Federal Regulations, as follows:

Elderly person means a household composed of one or more persons at least one of whom is 62 years or more at the time of initial occupancy

Elderly family means:

1. Families of two or more persons the head of which (or his or her spouse) is 62 years of age or older.
2. The surviving member or members of any family described in paragraph (1) of this definition living in a unit assisted under subpart E of this part with the deceased member of the family at the time of his or her death;
3. A single-person who is 62 years of age or older; or
4. Two or more elderly persons living together, or one or more such persons living with another person who is determined by HUD, based upon a licensed physician’s certificate provided by the family, to be essential to their care or well being.

Further, the definition states that elderly housing shall include at least 1 of the 4 restrictions outlined in the definition. These restrictions include a covenant with THDA, a covenant with MDHA, use agreement with HUD, or proof of meeting exemption status through TCA §67-5-207.

Staff recommends that the proposal be amended to add elderly housing as a use in the land use table of Section 17.080.030 of the Zoning Code, as opposed to as a subset of multi-family housing. This will add clarity to the permitting process and ensure that the multi-family standards are applied if housing is no longer restricted to elderly

persons or elderly families. Staff recommends amending Table 17.08.030 by inserting the following row under Residential: Multi-Family:

	AG	Residential					SP
Zoning	AG & AR2a	RS80 through RS 3.75-A	R80 through R6-A	RM2 through RM20-A	RM40 through RM100-A	MHP	SP**
Residential							
Elderly housing				P	P		

Mixed Use				Office				
MUN and MUN-A	MUL and MUL-A	MUG and MUG-A	MUI and MUI-A	ON	OL	OG	OR20 through OR40-A	ORI and ORI-A
P	P	P	P			PC	P	P

Commercial					DTC			
CN and CN-A	CL and CL-A	CS and CS-A	CA	CF	North	South	West	Central
PC	PC	PC	PC	P	P	P	P	P

ZONING ADMINISTRATOR RECOMMENDATION

Approve

STAFF RECOMMENDATION

Staff recommends disapproval as submitted and approval with an amendment to add elderly housing to the land use table.

ORDINANCE BL2017-899

An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of The Metropolitan Government of Nashville and Davidson County, pertaining to parking requirements for certain types of uses and elderly housing (Proposal No. 2017Z-020TX-001).

WHEREAS, the Metropolitan Government, through Chapter 17.20 of the Zoning Code, establishes standards for vehicle parking, loading, and access to provide for reasonable utilization of land without creating adverse impacts on abutting properties or the community as a whole; and

WHEREAS, Table 17.20.030 of the Zoning Code establishes the number of parking spaces required for each land use classification contained in the Zoning Code; and

WHEREAS, research by transportation industry professionals has demonstrated that housing for the elderly generates a parking demand that is significantly lower than conventional multifamily housing; and

WHEREAS, reducing parking requirements for the development of housing for Nashville’s elderly citizens will allow for more affordable senior housing options.

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

Section 1. That Section 17.04.060 B. of the Zoning Code is hereby amended by adding a definition for "Elderly Housing", as follows:

"Elderly Housing" means Multi-family housing that is restricted to occupation by an "Elderly Person" as defined by 24 CFR 891.205, or "Elderly Family" as defined by 24 CFR 891.505. Elderly Housing shall be subject to the same requirements under this Zoning Code as Multi-family housing, except where a specific standard or requirement is otherwise provided. Elderly Housing shall include one or more of the following:

1. A recorded Declaration of Land Use Restrictive Covenants for Low-Income Housing Tax Credits for the benefit of the Tennessee Housing Development Agency that restricts the housing to occupancy only by an Elderly Person or Elderly Family;
2. A recorded Declaration of Land Use Restrictive Covenants for the benefit of the Metropolitan Development and Housing Agency that restricts the housing to occupancy only by an Elderly Person or Elderly Family;
3. A recorded Use Agreement between the owner of the property and the U.S. Department of Housing and Urban Development pursuant to Section 202 of the Housing Act of 1949 (12 U.S.C. 1701q), as amended; or
4. Documentary proof that the property has received an exemption from property taxes pursuant to Tenn. Code Ann. § 67-5-207.

Section 2. That Table 17.20.030 of the Zoning Code is hereby amended by adding a new row under "Residential Land Uses" following the Land Use and Minimum Parking Spaces for Multifamily, as follows:

Land Use	Minimum Parking Spaces
Elderly Housing	.5 spaces per unit

Section 3. Be it further enacted, that this ordinance take effect immediately 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: Burkley Allen

Disapproved as submitted. Approve with an amendment. (6-0) Consent Agenda

Resolution No. RS2017-316

"BE IT RESOLVED by The Metropolitan Planning Commission that 2017Z-020TX-001 is Disapproved as submitted. Approved with an amendment. (6-0)

13. 2017Z-021TX-001

BL2017-900/Colby Sledge

COMMERCIAL AMUSEMENT

Staff Reviewer: Lisa Milligan

A request to amend Section 17.04.060 of the Metro Zoning Code related to commercial amusement, inside and outside. Councilmember Colby Sledge, applicant.

Staff Recommendation: Approve.

APPLICANT REQUEST

Amend the Zoning Code pertaining to commercial amusement, inside and outside.

PROPOSED AMENDMENTS TO TITLE 17

The proposed bill would amend Section 17.04.060 of the Zoning Code as follows:

"Commercial amusement, inside" or "inside commercial amusement" means the provision of entertainment, performances or games of skill to the general public for a fee, or a permanent event space, and that is wholly enclosed in a building, including but not limited to a bowling alley or billiard parlor. This use does not include an arena.

"Commercial amusement, outside" or "outside commercial amusement" means the provision of entertainment or games of skill to the general public for a fee, or a permanent event space, where any portion of the activity takes place outside of a building, including but not limited to a golf driving range, archery range or miniature golf course. This use does not include a stadium.

ANALYSIS

The proposed amendment is a clarifying amendment only. The Zoning Administrator has consistently classified permanent event spaces as commercial amusement, inside and commercial amusement, outside for many years. This amendment specifically calls out permanent event space within the definition of each.

ZONING ADMINISTRATOR RECOMMENDATION

Approve

STAFF RECOMMENDATION

Staff recommends approval.

ORDINANCE BL2017-900

An ordinance to amend Section 17.04.060 of the Metropolitan Code of Laws related to commercial amusement, inside and outside (Proposal No. 2017Z-021TX-001).

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

I. Section 17.04.060 (Definitions of general terms) of the Metropolitan Code of Laws is hereby amended by deleting the definition of "Commercial amusement, inside" and inserting the following definition:

"Commercial amusement, inside" or "inside commercial amusement" means the provision of entertainment, performances or games of skill to the general public for a fee, or a permanent event space, and that is wholly enclosed in a building, including but not limited to a bowling alley or billiard parlor. This use does not include an arena.

II. Section 17.04.060 (Definitions of general terms) of the Metropolitan Code of Laws is hereby amended by deleting the definition of "Commercial amusement, outside" and inserting the following definition:

"Commercial amusement, outside" or "outside commercial amusement" means the provision of entertainment or games of skill to the general public for a fee, or a permanent event space, where any portion of the activity takes place outside of a building, including but not limited to a golf driving range, archery range or miniature golf course. This use does not include a stadium.

III. Be it further enacted that this Ordinance shall take effect from and after its adoption, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Sponsored by: Colby Sledge

Approved. (6-0) Consent Agenda

Resolution No. RS2017-317

"BE IT RESOLVED by The Metropolitan Planning Commission that 2017Z-021TX-001 is Approved. (6-0)

14. 2017SP-073-001

4717 HUMBER DRIVE SP

Council District 30 (Jason Potts)

Staff Reviewer: Levi Hill

A request to rezone from R6 to SP-R zoning on property located at 4717 Humber Drive, at the northwest corner of Humber Drive and Wallace Road (0.44 acres), to permit up to seven multi-family residential units, requested by West Nashville Law Group, PLLC, applicant; SC2 Properties, LLC, owner.

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

APPLICANT REQUEST

Rezone to SP to permit a multi-family development.

Preliminary SP

A request to rezone from One and Two-Family Residential (R6) to Specific Plan-Residential (SP-R) zoning on property located at 4717 Humber Drive, at the northwest corner of Humber Drive and Wallace Drive (0.44 acres), to permit up to seven multi-family residential units.

Existing Zoning

One and Two-Family Residential (R6) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25 percent duplex lots. *R6 would permit a maximum of 3 duplex lots for a total of 6 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.

SOUTHEAST NASHVILLE COMMUNITY PLAN

T3 Suburban Neighborhood Evolving (T3 NE) is intended to create and enhance suburban residential neighborhoods with more housing choices, improved pedestrian, bicycle and vehicular connectivity, and moderate density development patterns with moderate setbacks and spacing between buildings. T3 NE policy may be applied either to undeveloped or substantially under-developed "greenfield" areas or to developed areas where redevelopment and infill produce a different character that includes increased housing diversity and connectivity. Successful infill and redevelopment in existing neighborhoods needs to take into account considerations such as timing and some elements of the existing developed character, such as the street network, block structure, and proximity to centers and corridors. T3 NE areas are developed with creative thinking in environmentally sensitive building and site development techniques to balance the increased growth and density with its impact on area streams and rivers.

Consistent with Policy?

Yes. The property requested to be rezoned is located within a T3 Neighborhood Evolving policy area with existing multi-family uses in the surrounding neighborhood. The proposed design supports infill development and increased pedestrian connectivity, consistent with the goals of the policy. The T3 NE policy supports thoughtful transitions to increased density with a variety of housing types. The proposed plan locates a medium-density development between an existing institutional use and an existing high-density multi-family development providing an appropriate transition. The plan includes seven attached multi-family units with individual garages fronting on Humber Drive. The proposed development will foster a more pedestrian friendly environment and provide more diversity in housing type for the overall area.

PLAN DETAILS

The site is located at 4717 Humber Drive at the northwest corner of the intersection of Humber Drive and Wallace Road. The site is approximately 0.44 acres and is currently developed with a single family residence.

Site Plan

The plan proposes seven attached multi-family units with individual garages. The units are proposed to front on Humber Drive, creating an active pedestrian streetscape. A single point of access is proposed off of Humber Drive where a private driveway will access individual garages. The internal driveway will function as a backup aisle for the rear loaded garages. The plan proposes a five foot wide sidewalk and four foot wide grass strip along Humber Drive. The sidewalk and grass strip along Wallace Road would be upgraded to MCSP standards as part of the proposed development. Building height would be limited to three stories in 35 feet and perimeter landscaping is proposed.

ANALYSIS

The property is located in an area with existing institutional and residential uses. Surrounding properties to the east are developed with multi-family uses while properties the north and east are developed with an existing church. Surrounding properties to the south are currently undeveloped. The plan will allow for an increase in housing variety while providing an appropriate transition along Wallace Road. The units fronting on Humber Drive will enhance the pedestrian environment while the proposed sidewalk will expand the existing pedestrian network. The SP includes architectural standards for entrances, minimum glazing, and prohibited materials. Staff also recommends a condition of approval requiring a wrapped porch or other architectural element on the side of the unit at the intersection of Humber Drive and Wallace Road, to ensure that the corners address both streets.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

- Provide flow data and hydrant locations for subdivision pre-approval. Fire Code issues will be addressed in the permit phase.

STORMWATER RECOMMENDATION**Approve with Conditions**

- Provide PUDE's adjacent to ROW.

WATER SERVICES RECOMMENDATION**Approve with conditions**

- Some of these units will require the construction of grinder pumps to provide them with sanitary sewer service. These require the approval of construction plans, completion of an operation/maintenance agreement, and payment of a perpetual maintenance fee before Final SP approval.
- The required capacity fees must also be paid prior to Final Site Plan/SP approval.

PUBLIC WORKS RECOMMENDATION**Approve with Conditions**

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- All construction within the ROW is to be per MPW standards and specs, reference MPW standards on final plan.
- All ROW dedications are to be recorded prior to MPW sign off on the building permit.

TRAFFIC AND PARKING RECOMMENDATION**Approve**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)	0.44	7.26 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 (210)	0.44		7 U	67	6	8

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+1 U	+9	+1	+1

METRO SCHOOL BOARD REPORT**Projected student generation existing R6 district: 1 Elementary 1 Middle 1 High****Projected student generation proposed SP-R district: 1 Elementary 1 Middle 1 High**

The proposed SP-R zoning district could generate no more students than what is typically generated under the existing R6 zoning district. Students would attend Haywood Elementary, McMurray Middle School, and Overton High School. There is capacity for additional students in McMurray Middle School. Haywood Elementary School and Overton High school are identified as being full. There is capacity for additional Elementary School students within the cluster and capacity for additional High School students in the adjacent cluster. This information is based upon data from the school board last updated November 2016.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to a maximum of seven multi-family residential units.
2. With the corrected copy, revise the setbacks listed in the development summary to reflect the following: Front Yard: 10 feet, North Side Yard: 35 feet, South Side Yard: 30 feet, Rear Yard: 10 feet.

3. The requirements for parking established in Section 17.20.030 of the Metro Zoning Ordinance shall be met for all uses with the Final SP.
4. The corner unit shall address both Humber Drive and Wallace Road by including a wrapped porch or other architectural element that addresses the Wallace Road frontage, or a minimum of 25 percent glazing on the side of the unit.
5. Comply with all conditions of Metro Public Works.
6. Requesting this rezoning may affect the provision of affordable or workforce housing units in rental projects involving five or more rental units on site, as set forth in Ordinance Nos. BL 2016-133, and BL2016-342, which authorizes Metro grants to offset the provision of affordable or workforce housing units.
7. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM15-A zoning district.
8. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
9. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
10. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
11. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Approved with conditions and disapproved without all conditions. (6-0) Consent Agenda

Resolution No. RS2017-318

"BE IT RESOLVED by The Metropolitan Planning Commission that 2017SP-073-001 is Approved with conditions and disapproved without all conditions. (6-0)

1. Permitted uses shall be limited to a maximum of seven multi-family residential units.
2. With the corrected copy, revise the setbacks listed in the development summary to reflect the following: Front Yard: 10 feet, North Side Yard: 35 feet, South Side Yard: 30 feet, Rear Yard: 10 feet.
3. The requirements for parking established in Section 17.20.030 of the Metro Zoning Ordinance shall be met for all uses with the Final SP.
4. The corner unit shall address both Humber Drive and Wallace Road by including a wrapped porch or other architectural element that addresses the Wallace Road frontage, or a minimum of 25 percent glazing on the side of the unit.
5. Comply with all conditions of Metro Public Works.
6. Requesting this rezoning may affect the provision of affordable or workforce housing units in rental projects involving five or more rental units on site, as set forth in Ordinance Nos. BL 2016-133, and BL2016-342, which authorizes Metro grants to offset the provision of affordable or workforce housing units.
7. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM15-A zoning district.
8. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
9. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
10. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
11. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

15. 2017SP-080-001

SOUTHPOINT SP

Council District 31 (Fabian Bedne)

Staff Reviewer: Shawn Shepard

A request to rezone from AR2a to SP-MR zoning on property located at 6424 and 6434 Pettus Road and a portion of property located at 6380 Pettus Road, approximately 600 feet northeast of Nolensville Pike (23.44 acres), to permit a maximum of 49 single-family residential units and 140 multi-family residential units, requested by Civil Site Design Group, PLLC, applicant; Alvin Beerman, Michael and Mary Anne Morris and Barbara Wardlaw, owners.

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

The Metropolitan Planning Commission deferred 2017SP-080-001 to the October 12, 2017, Planning Commission Meeting. (6-0)

16. 2017SP-081-001

2044 STRAIGHTWAY AVE SP

Council District 06 (Brett Withers)

Staff Reviewer: Latisha Birkeland

A request to rezone from R6 to SP-R zoning for properties located at 2044, 2046, and 2046B Straightway Avenue, approximately 230 feet west of Porter Road, (0.14 acres), to permit a two-family residential unit, requested by Dale & Associates, applicant; Invent Communities, Inc., owner.

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

APPLICANT REQUEST

Zone change to permit a two-family residential unit.

Preliminary SP

A request to rezone from One and Two-Family Residential (R6) to Specific Plan-Residential (SP-R) zoning for properties located at 2044, 2046, and 2046B Straightway Avenue, approximately 230 feet west of Porter Road, (0.14 acres), to permit up a two-family residential unit.

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. *The Zoning Administrator has determined that this property is not duplex eligible.*

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.

EAST NASHVILLE COMMUNITY PLAN

T4 Urban Neighborhood Maintenance (T4 NM) is intended to maintain 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 T4 Neighborhood Maintenance policy is intended to preserve the general character of the existing urban neighborhood. The proposed zone change would allow a two-family residential unit on this lot. The neighborhood is a mixture of single-family homes and two-family homes. The plan proposes one two-family building that will present as a single-family structure along Straightway Avenue. The proposed "manor home" type units provide an additional housing type in the neighborhood. The proposed plan is context sensitive to the neighborhood while providing and additional housing type in the area.

PLAN DETAILS

The site is located at 2044 Straightway Avenue west of Porter Road. The site is approximately 0.14 acres in size. The lot is currently vacant.

Site Plan

The plan proposes a two-family structure that will present as a single-family home. The manor home will orient to Straightway Avenue. The proposed building will be limited of 3 stories within 35 feet.

Vehicular access is limited to a 12 foot wide driveway access. Parking is located behind the units in the rear of the site. A 5 foot sidewalk 4 foot grass strip is proposed along Straightway Avenue.

ANALYSIS

The current zoning allows for one and two-family residential uses. However, two-family residential units are permitted only if conditions established within the Metro Code are met. In this instance, the Zoning Administrator has determined that this lot is not duplex eligible.

The proposed plan would permit one, two-family residential unit. The area is comprised of single and two-family housing units. The two family structure will present as a single-family homes by using a “manor home” type structure. One entrance is provided for each structure containing two units. The proposed plan is context sensitive to the neighborhood that consists of one and two-family residential units.

The proposed zone change is consistent with T4 Neighborhood Maintenance Policy. Specific Plan zoning districts are used to provide flexibility in design and implement context sensitive development. The proposed plan is context sensitive to the neighborhood while providing and additional housing type in the area.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

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

STORMWATER RECOMMENDATION

Approve

WATER SERVICES RECOMMENDATION

Approve 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

Returned for corrections

- 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.
- Relocate driveway to 4' from the property line per code.
- Indicate MPW standard ST-322 driveway ramp.
- If sidewalks are required with this development they should be shown on the plans per the MCSP and MPW standards and specifications.
- Driveway width is to be a minimum of 12' per Metro Code.

TRAFFIC AND PARKING RECOMMENDATION

Approve

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)	0.14	7.26 D	1 U	10	1	2

*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
Two-Family Residential* (210)	0.14		2 U	20	2	3

*Based on Two-Family lots

Traffic changes between maximum: R6 and SP-R

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

METRO SCHOOL BOARD REPORT

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

The proposed SP-R zoning district could generate no more students than what is typically generated under the existing R6 zoning district. Students would attend Inglewood Elementary, Issac Litton Middle School, and Stratford 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 to the October 12, 2017, Planning Commission meeting unless recommendations of approval are received from all reviewing agencies. If recommendations of approval are received from all reviewing agencies, staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted land uses shall be limited to up a two-family residential unit.
2. On the corrected set, the sidewalk shall be extended to connect to the public sidewalk along Straightway Avenue.
3. Height for the residential units is limited maximum to 3 stories in 35 feet, to the roofline.
4. The following design standards shall be added to the plan:
 - Building façades fronting a street shall provide a minimum of one principal entrance (doorway) and a minimum of 25% glazing.
 - Windows shall be vertically oriented at a ratio of 2:1 or greater, except for dormers.
 - EIFS, vinyl siding and untreated wood shall be prohibited.
 - Porches shall provide a minimum of six feet of depth.
A raised foundation of 18" - 36" is required.
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. 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. Uses are limited as described in the Council ordinance.
7. Requesting this rezoning may affect the provision of affordable or workforce housing units in rental projects involving five or more rental units on site, as set forth in Ordinance Nos. BL 2016-133, and BL2016-342, which authorizes Metro grants to offset the provision of affordable or workforce housing units.
8. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
9. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
10. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
11. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Approved with conditions and disapproved without all conditions. (6-0) Consent Agenda

Resolution No. RS2017-319

"BE IT RESOLVED by The Metropolitan Planning Commission that 2017SP-081-001 is Approved with conditions and disapproved without all conditions. (6-0)

1. Permitted land uses shall be limited to up a two-family residential unit.
2. On the corrected set, the sidewalk shall be extended to connect to the public sidewalk along Straightway Avenue.
3. Height for the residential units is limited maximum to 3 stories in 35 feet, to the roofline.
4. The following design standards shall be added to the plan:
 - Building façades fronting a street shall provide a minimum of one principal entrance (doorway) and a minimum of 25% glazing.
 - Windows shall be vertically oriented at a ratio of 2:1 or greater, except for dormers.
 - EIFS, vinyl siding and untreated wood shall be prohibited.
 - Porches shall provide a minimum of six feet of depth.
A raised foundation of 18"- 36" is required.
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. 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. Uses are limited as described in the Council ordinance.
7. Requesting this rezoning may affect the provision of affordable or workforce housing units in rental projects involving five or more rental units on site, as set forth in Ordinance Nos. BL 2016-133, and BL2016-342, which authorizes Metro grants to offset the provision of affordable or workforce housing units.
8. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
9. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
10. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
11. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

17. 2017SP-087-001

HILL PROPERTY SP

Council District 31 (Fabian Bedne)

Staff Reviewer: Levi Hill

A request to rezone from AR2a to SP-R zoning for properties located at 6397 Pettus Road and Pettus Road (unnumbered), approximately 1,130 feet east of Nolensville Pike to permit 160 single family lots (49 acres), requested by Dale & Associates, applicant; Benjamin Hill, Suzanne Nichols, and Shelley Cook, owners.

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

The Metropolitan Planning Commission deferred 2017SP-087-001 to the October 26, 2017, Planning Commission Meeting. (6-0)

18. 2017NHC-005-001

BL2017-901/Colby Sledge
BELMONT-HILLSBORO NCO
Council District 17 (Colby Sledge)
Staff Reviewer: Patrick Napier

A request to expand the Belmont-Hillsboro Neighborhood Conservation Overlay District to various properties along Clayton Avenue and Gale Lane, at the northwest corner of Gale Lane and Lealand Lane, zoned R8 (6.07 acres), requested by Councilmember Colby Sledge, applicant; various owners.

Staff Recommendation: Approve.

APPLICANT REQUEST
Apply Neighborhood Conservation Zoning Overlay.

Neighborhood Conservation Zoning Overlay

A request to expand the Belmont-Hillsboro Neighborhood Conservation Overlay District to various properties along Clayton Avenue and Gale Lane, at the northwest corner of Gale Lane and Lealand Lane, zoned One and Two-Family Residential (R8) (6.07 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.

Proposed Overlay

Neighborhood Conservation Zoning Overlay Districts (NCZO) are geographical areas which possess 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.

CRITICAL PLANNING GOALS

- Preserves Historic Resources
- The Neighborhood Conservation Zoning Overlay District is intended to preserve historic structures within the Belmont-Hillsboro Neighborhood through the implementation of development and design 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. All policies encourage the preservation and protection of historic features. The proposed Belmont-Hillsboro Neighborhood Conservation Overlay District will aid implementation of the design principles provided for in the land use policy.

REQUEST DETAILS

The request is an extension of the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay to include portions of Gale Lane and Clayton Avenue. These properties are generally located west of Leland Lane, north of Gale Lane, south of Clayton Avenue, and east of 12th Avenue South. The area consists primarily of single-family residential with some two-family residential uses. This area also includes a few multi-family, civic, and institutional uses.

The following background information from the Metro Historical Commission staff was available in the staff report to the MHZC. This information refers to the application for the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay.

Metro Historic Zoning Commission staff recommendation

Applicable Ordinance:

Article III. Historic Overlay Districts
17.36.120.A. Historic Districts Defined. Historic Preservation and Neighborhood Conservation Districts. These districts are defined as geographical areas which possess 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 meet one or more of the following criteria:

1. The district is associated with an event that has made a significant contribution to local, state or national history; or
2. It includes structures associated with the lives of persons significant in local, state or national history; or
3. It contains structures or groups of structures that embody 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 that represent a significant and distinguishable entity whose components may lack individual distinction; 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.

Background:

The properties considered for the Neighborhood Conservation Zoning Overlay are zoned R8.

The MHZC first met with four interested property owners on January 12, 2017, to discuss procedure and possibilities. The neighborhood hosted two informational meetings on January 20, 2017, at the Sevier Park Community Center and April 26, 2017 at MHZC's office. The neighborhood informed property owners of the meetings via emails/texts and notes in doorways.

Analysis and Findings:

The area includes homes constructed in the same era and styles as those found in the Belmont-Hillsboro National Register of Historic Places and the neighborhood conservation zoning overlay. The Belmont-Hillsboro neighborhood was listed based on the significance of the neighborhood's architectural character. The period of significance is generally from the 1890s to the late 1940s. The portions of Gale and Clayton that are proposed to be included match the historic context found in the National Register district.

Contributing buildings on these two streets date from 1928 to 1945 and include styles and forms typical of the existing overlay such as English Tudor and Colonial Revival styles and bungalow and minimal traditional forms. Most of the homes fit into the three of the *Extension of the Belmont Hillsboro Neighborhood Conservation Zoning Overlay, Metro Historic Zoning Commission* 4 "seven distinctive categories" of architecture noted in the National Register nomination for Belmont-Hillsboro. One category is for twentieth century buildings that are one and one-half stories tall with neoclassical decorative treatment and are typically brick or lap sided. Another category is a bungalow, which "helps to impart the middle-middle class ambiance the district has." The third relative category is the "modestly scaled English Tudor revival house." These are typically one and one-half story houses which vary widely in their adherence to historic architectural precedents."

The two streets retain a high degree of historic integrity with 68% contributing properties. Because the context is the same as the Belmont Hillsboro neighborhood that is already listed in the National Register of Historic Places, staff finds the two streets are eligible for listing in the National Register of Historic Places and therefore meets criterion 5 of section 17.36.120.A.3 of the ordinance.

Since the context is similar to that governed by the Belmont-Hillsboro NCZO design guidelines, the existing design guidelines are appropriate to guide change for the historic context found in the proposed extension.

Staff suggests the Commission recommend to Metro Council that the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay be expanded and recommends that the Commission adopt the current design guidelines for the additional properties; finding the properties to meet the criteria of section 17.36.120.A.3 of the ordinance.

Recommendation:

Staff suggests that the Commission recommend approval of the overlay for these eligible properties to the Council and adopt the design guidelines proposed for the new district.

Metro Historic Zoning Commission Recommendation

On June 21, 2017, the Metro Historic Zoning Commission recommended approval and adoption of the design guidelines for the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay.

STAFF RECOMMENDATION

Staff recommends approval of the proposed Neighborhood Conservation Overlay.

19. 2017S-182-001

FALLS SUBDIVISION

Council District 01 (Nick Leonardo)

Staff Reviewer: Abbie Rickoff

A request for concept plan approval to create up to 71 lots on a portion of property located at 7305 Whites Creek Pike, approximately 2,700 feet south of Morgan Road, zoned RS15 and CL (34.5 acres), requested by Land Solutions Company, LLC, applicant; Clayton HC, Inc., owner.

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

The Metropolitan Planning Commission deferred 2017S-182-001 to the October 12, 2017, Planning Commission Meeting. (6-0)

20. 2017S-218-001

SADDLEBRED PARK

Council District 11 (Larry Hagar)

Staff Reviewer: Patrick Napier

A request for concept plan approval to create nine lots on property located at 4080 Saundersville Road, approximately 150 feet south of Wyntergrace Farm Road, zoned R10 (2.6 acres), requested by Dewey Engineering, applicant; Cook Land Development, LLC, owner.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Concept plan approval to create 9 lots.

Concept Plan

A request for concept plan approval to create 9 lots on property located at 4080 Saundersville Road, approximately 150 feet south of Wyntergrace Farm Road, zoned One and Two-Family Residential (R10) (2.6 acres).

Existing Zoning

One and Two Family (R10) requires a minimum 10,000 square foot lot and is intended for single -family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25 percent duplex lots. *R10 would permit a maximum of 9 lots with 2 duplex lots for a total of 11 units based on acreage only.*

DONELSON – HERMITAGE-OLD HICKORY COMMUNITY PLAN

T3 Suburban Neighborhood Maintenance (T3 NM) is intended to maintain 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.

PLAN DETAILS

The property contains approximately 2.61 acres and is located off of Saundersville Road south of Wyntergrace Farm Road. The site contains one single-family home. The land use policy for this site is primarily T3 Neighborhood Maintenance. A portion of the site contains Conservation policy that identifies a portion of a stream along Saundersville Road which has been previously covered and piped.

Site Plan

The concept plan proposes a cluster lot subdivision consisting of 9 lots (7 single-family lots and 2 duplex lots) with an overall density of 3.4 dwelling units per acre. Lot sizes range from 6,040 square feet to 9,041 square feet. All of the proposed lots will front onto new public streets, which will provide access to all of the proposed lots. This site fronts Saundersville Road which is designated as Arterial Street in the Major and Collector Street Plan. The width of the lot frontages will vary from 50 feet to 65 feet. The surrounding neighborhoods all contain single family homes with a range of lot sizes.

The concept plan indicates the proposed public streets will contain 46' of Right of Way. A sidewalk that meets the standards for a local street, a 4 foot wide planting strip and a 5 foot wide sidewalk, will be provided with the construction of the public streets. The open space for this subdivision is located on the opposite corner to the north which will also contain sidewalks that meet the requirements of the Major and Collector Street Plan for the portion of the Lot which fronts Saundersville Road.

Of the total 2.61 acres, 0.71 acres will be placed in open space to meet the open space requirement for a Cluster Lot Subdivision.

ANALYSIS

The proposed concept plan meets the requirements for open space, minimum lot size, and landscape buffering. Saundersville Road is identified in the Major and Collector Street Plan and will have sidewalks consistent with the Major and Collector Plan constructed along the Saundersville Road frontage. The proposed the concept plan is located within a Suburban Neighborhood Maintenance policy and includes new public streets. The Concept Plan is consistent with the T3 policy and meets all of the requirements for a Cluster Lot Subdivision and therefore staff recommends approval with conditions.

FIRE DEPARTMENT RECOMMENDATION

Approve with conditions

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

STORMWATER RECOMMENDATION

Returned for corrections

- Cite Access Note: Metro Water Services shall be provided sufficient and unencumbered ingress and egress at all times in order to maintain, repair, replace, and inspect any Storm water facilities within the property.
- Update Preliminary Note to plans: Drawing is for illustration purposes to indicate the basic premise of the development, as it pertains to Storm Water approval / comments only. The final lot count and details of the plan shall be governed by the appropriate Storm Water regulations at the time of final application.

PUBLIC WORKS RECOMMENDATION

Approve with conditions

- Provide ROW or centerline measurement along Saundersville Road.
- Coordinate with Planning on sidewalks requirement.
- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works, in effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable. Final design may vary based on field conditions.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Ensure proper sight distance is provided at sight access

WATER SERVICES

Approve with conditions

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

STAFF RECOMMENDATION

Staff recommends deferral to the October 12, 2017 Planning Commission agenda unless a recommendation of approval is received from all reviewing agencies. If a recommendation of approval is received from all agencies, staff recommends approval with conditions.

CONDITIONS

1. Add the following note to the concept plan and add a reference to this note to Lot 1: The structure on Lot 1 and shall have a façade which addresses both streets, Saundersville Road and the proposed public street.
2. The required bike lane, planting strip, and sidewalk consistent with the requirements of the Major and Collector Street Plan for Saundersville Road will be required with the submittal of the final plat.
3. Pursuant to 2-3.5.e of the Metro Subdivision Regulations, because this application has received conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to or with any application for a final site plan or final plat.

Approved with conditions. (6-0) Consent Agenda

Resolution No. RS2017-321

"BE IT RESOLVED by The Metropolitan Planning Commission that 2017S-225-001 is Approved with conditions and disapproved without all conditions. (6-0)

1. Add the following note to the concept plan and add a reference to this note to Lot 1: The structure on Lot 1 and shall have a façade which addresses both streets, Saundersville Road and the proposed public street.
2. The required bike lane, planting strip, and sidewalk consistent with the requirements of the Major and Collector Street Plan for Saundersville Road will be required with the submittal of the final plat.
3. Pursuant to 2-3.5.e of the Metro Subdivision Regulations, because this application has received conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to or with any application for a final site plan or final plat.

21. 2017S-225-001

ELDER PLACE SUBDIVISION RESUB OF LOT 1

Council District 25 (Russ Pulley)

Staff Reviewer: Gene Burse

A request for final plat approval to revise a note to permit a duplex on property located at 3800 Estes Road, at the southeast corner of Elder Place and Estes Road, zoned R20 (0.92 acres), requested by Dale and Associates, applicant; John Loudenslager and Michelle Cunningham, owners.

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

The Metropolitan Planning Commission deferred 2017S-225-001 to the October 12, 2017, Planning Commission Meeting. (6-0)

22. 2017S-226-001

BRICK CHURCH LANE

Council District 03 (Brenda Haywood)

Staff Reviewer: Gene Burse

A request for concept plan approval to create 193 lots on property located at Brick Church Lane (unnumbered), approximately 2,500 feet east of Knight Drive, zoned R10 (65.37 acres), requested by Dale & Associates, applicant; Parkwood Estates, owner.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Concept plan approval to create up to 193 lots.

Concept Plan

A request for concept plan approval to create 193 lots on property located at Brick Church Lane (unnumbered), approximately 2,500 feet east of Knight Drive, zoned One and Two-Family (R10) (65.37 acres).

Existing Zoning

One and Two-Family Residential (R10) requires a minimum of 10,000 square foot lot and is intended for One and Two-Family dwellings at a density of 4.35 dwelling units per acre. *R10 would permit a maximum of 284 lots or 242 lots under the cluster lot provisions.*

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.

T3 Suburban Neighborhood Evolving (T3 NE) is intended to create and enhance suburban residential neighborhoods with more housing choices, improved pedestrian, bicycle and vehicular connectivity, and moderate density development patterns with moderate setbacks and spacing between buildings. T3 NE policy may be applied either to undeveloped or substantially under-developed "greenfield" areas or to developed areas where redevelopment and infill produce a different character that includes increased housing diversity and connectivity. Successful infill and redevelopment in existing neighborhoods needs to take into account considerations such as timing and some elements of the existing developed character, such as the street network, block structure, and proximity to centers and corridors. T3 NE areas are developed with creative thinking in environmentally sensitive building and site development techniques to balance the increased growth and density with its impact on area streams and rivers.

PLAN DETAILS

This site is located on Brick Church Lane, approximately 2,500 feet east of Knight Drive and consists of 65.37 acres of vacant land. The proposal is a concept plan to permit up to 193 single-family residential lots using the cluster lot option, proposed open space and right-of-way dedications.

Proposed lots have a minimum area of 6,000 square feet. Perimeter lots have a minimum area of 9,000 square feet as required by the Zoning Code. The plan provides for five internal roads and one future road connection, Road F, with a stub street located in the eastern portion of the site.

The plan provides 22.6 acres, or 34% of the site area, for open space that consists of amenity areas, stormwater treatment areas, and landscape buffer areas. This exceeds the 15 percent required by the Subdivision Regulations. Breakdown of open space is as follows:

- active open space- 1.9 acres (approximately 8 percent of open space);
- passive open space- 14.6 acres (approximately 64 percent of open space);
- landscape buffer- 3.4 acres (approximately 15 percent of open space); and
- stormwater areas- 8.8 acres (approximately 13 percent of open space)

Open space amenities include a looped natural walking trail in the northwest portion of the site and a natural walking trail with an associated fire pit with benches located at the northwest corner of the intersection of Road A and Road C. The plan provides a C Landscape Buffer along the southwestern, southern, and eastern project boundaries. Existing vegetation between the eastern boundary of the site and Interstate 24 will provide additional screening of the site in addition to the proposed C Landscape Buffer.

ANALYSIS

The plan meets the requirements of the subdivision regulations, and includes open space amenities and connectivity throughout the site. It also provides for a future connection to an area of evolving policy to the west.

This site is challenging due to existing conservation areas in the form of steep slopes. The northwestern portion of the site has the steepest slopes of 25 percent and above. The plan orients development off of sloped areas. The plan proposes to use the most heavily sloped areas as open space with a natural walking trail. A centrally located area with limited slopes exceeding 20% is being utilized as a sitting area with fire pit.

FIRE DEPARTMENT RECOMMENDATION

Approve with conditions

- Flow provided of 1122 gpm at 20 psi. Houses up to 3600 sq. ft. approved for water flow.

WATER SERVICES RECOMMENDATION

Approve with conditions

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

STORMWATER RECOMMENDATION

Approve

PUBLIC WORKS RECOMMENDATION

Returned for corrections

- Indicate the installation of a turnaround at the western terminus of Road A. Show the pavement, sidewalk and curb and gutter along the turnaround. Due to temporary turnarounds routinely becoming permanent turnarounds, we require they be designed and constructed as such.
- The developer's final construction drawing shall comply with the design regulations established by the Department of Public Works, in effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable. Final design may vary based on field conditions.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

In accordance with TIS findings, developer shall construct the following roadway improvements.

- Each of the project accesses on Brick Church Lane shall be constructed to include a minimum of one entering lane and one exiting lane. If feasible, additional ROW on access roads shall be dedicated to install an additional exiting lane in the future.
- For a speed of 40 mph, the minimum stopping sight distance is 305 feet on Brick Church lane at intersection with project access drives.. This is the distance that a motorist on Brick Church Lane will need to come to a stop if a vehicle turning from the project site creates a conflict. Also, based on AASHTO's The Green Book, the minimum intersection sight distance is 445 feet. Developer shall provide adequate sight distance at access drives. Signage, landscaping or walls shall not restrict sight distance.
- Developer shall install limited sight distance signage with speed advisory plaque on Brick Church Pk at Brick Church Lane if warranted to provide adequate stopping and intersection sight distance at intersection.
- Along the frontage of the project site, adequate right-of-way shall be reserved to facilitate a future widening of Brick Church Lane to the ultimate cross-section identified by the Metro Planning and Public Works Departments or to construct a future WB left turn lane by others if warranted due to future adjacent development accessed by stub streets.
- As planned, the project should include connectivity to future development west of the proposed project.
- The site's internal traffic should be controlled by stop signs as shown in Figure 9 in the TIS.
- The analyses conducted for the purposes of this study indicate that eastbound motorists at the intersection of Brick Church Pike and Brick Church Lane will experience significant vehicle delays and vehicle queues, based on the total projected traffic volumes with the completion of the proposed project. Developer shall construct separate left and right turn lanes on Brick Church Lane at the intersection with Brick Church Pk. Each of the eastbound turn lanes should include at least 150 feet of storage with adequate transition.
- Developer shall construct a separate northbound left turn lane on Brick Church Pike. The northbound left turn lane should include at least 100 feet of storage with adequate transition.
- The Developer shall conduct a signal warrant analysis at the Briley ramp intersections with Brick Church Pk prior to final site plan approval if required by MPW.
- Developer shall work with the Public Works Department to determine appropriate mitigation for Wheeler property traffic impacts at the intersection of Briley Parkway and Brick Church Pike. Prior to the submission of the first phase final project site plan, an agreement shall be reached with Public Works to determine developer's per rata share for roadway improvements at the Briley Parkway intersections with Brick Church Pk.

STAFF RECOMMENDATION

Staff recommends deferral to the October 12, 2017, Planning Commission meeting unless a recommendation of approval is received from all reviewing agencies. If a recommendation of approval is received from all agencies, staff recommends approval with conditions.

CONDITIONS (if approved)

1. Designate any lots with a natural slope of 20% or greater as a critical lot. Denote with a *.
2. Add the following note: Prior to the application for a building permit on a lot designated as critical, a plan shall be submitted to the Executive Director for approval.

Mr. Burse presented the staff recommendation of approval with conditions.

Adam Sager, 516 Heather Place, spoke in favor of the application.

Elise Hudson, 4601 Whites Creek Pike, spoke in opposition to the application and asked for a deferral; she never received notice regarding this and would like time for more information.

Jason Grafton, 703 Brick Church Lane, spoke in opposition to the application. It does not fit with the area, the density is too high, and traffic and safety are concerns.

Lisa Johnson, 4001 Ridgemont Dr, spoke in opposition to the application. There are slave graves in the area that need to be preserved.

Stephanie McGee, 627 Brick Church Lane, spoke in opposition to the application due to flooding, traffic, and safety concerns.

Taylor Hudson, 4588 Whites Creek Pike, spoke in opposition to the application and requested a deferral.

Cheryl Hudson, 536 Brick Church Lane, spoke in opposition to the application and requested a deferral.

Marcella Hudson, 527 Brick Church Lane, spoke in opposition to the application and requested a deferral due to traffic and safety concerns as well as lack of community notice.

Tim Watson, 657 Brick Church Lane, spoke in opposition to the application as it doesn't fit with the character of the area.

Mr. Sager clarified that the community notice process was handled through the council office. He also noted that this area is not in the floodplain and site distance has to be met for safety reasons.

Ms. Farr closed the Public Hearing.

Mr. Tibbs expressed agreement with staff recommendation but concern for the neighbors due to the lack of notice for such a huge impact on the area. He stated that he'd prefer a deferral to allow more time for the community to get more information.

Ms. Blackshear spoke in favor of a deferral.

Ms. Hagan-Dier spoke in favor of a deferral or disapproval.

Dr. Sims spoke in favor of a deferral due to the lack of community notice.

Ms. Blackshear moved and Ms. Hagan-Dier seconded the motion to defer to the November 9, 2017 Planning Commission Meeting. (6-0)

The Metropolitan Planning Commission deferred 2017S-226-001 to the October 12, 2017, Planning Commission Meeting. (6-0)

23. 43-87P-002

OAKWOOD COMMONS

Council District 11 (Larry Hagar)

Staff Reviewer: Gene Burse

A request to revise the preliminary plan for a Planned Unit Development Overlay District located at 4670 Lebanon Road, approximately 900 feet southwest of Big Horn Drive, zoned R10 (0.62 acres), to permit a restaurant, requested by Rhodes Engineering, LLC, applicant; Brixmor Oakwood Commons, LLC, owner.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Revise preliminary plan and approve final site plan for Oakwood Commons PUD.

Revise Preliminary PUD and Final Site Plan

A request to revise the preliminary plan for a Planned Unit Development Overlay District located at 4670 Lebanon Road, approximately 900 feet southwest of Big Horn Drive, zoned One and Two-Family (R10) (0.62 acres), to permit a restaurant.

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.

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.

HISTORY

Metro Council approved the Oakwood Commons PUD in 1987, which is located near the intersection of Lebanon Pike and Andrew Jackson Parkway. This specific site has been used as surface parking since the PUD was established. The proposal is to develop the site as a restaurant. The PUD was approved for approximately 313,000 square feet of floor area of which 297,800 has been constructed.

SITE PLAN

The site is located at 4670 Lebanon Pike near the intersection of Lebanon Pike and Andrew Jackson Parkway near the Wilson County line adjacent to an existing McDonald's restaurant. Site conditions consist of parking for an existing shopping center located in the Oakwood Commons Planned Unit Development. This request is to revise the preliminary PUD plan and for final site plan approval to permit an 835 square-foot restaurant with a drive-thru and associated parking. Access to the site will be from a shared access drive connected to Lebanon Pike. The plan also proposes a sidewalk 5 feet in width located at the southwest portion of the site that will connect to an existing public sidewalk along Lebanon Pike.

ANALYSIS

This request is being considered as a revision (minor modification) and does not require Council approval. Section 17.40.120.G permits the Planning Commission to approve minor modifications under certain conditions. Staff finds that the request is consistent with the requirements of Section 17.40.120.G, provided below for review.

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

1. The planned unit development (PUD) shall be recognized by this title according to the master development plan and its associated conditions specified in the PUD ordinance last approved by the metropolitan council prior to the effective date of the ordinance codified in this title.
2. The planning commission may consider and approve minor modifications to a previously approved planned unit development subject to the following limitations. All other modifications shall be considered by the planning commission as an amendment to the previously approved planned unit development and shall be referred back to the council for approval according to the procedures of Section 17.40.120(A)(5). That portion of a planned unit development master plan being amended by the council shall adhere to all provisions of this code:
 - a. In the judgment of the commission, the change does not alter the basic development concept of the PUD;
 - b. The boundary of the planned unit development overlay district is not expanded;
 - c. There is no change in general PUD classification (e.g. residential to any classification of commercial or industrial PUD; any change in general classification of a commercial PUD; or any change in general classification of an industrial PUD);
 - d. There is no deviation from special performance criteria, design standards, or other specific requirements made part of the enacting ordinance by the council;
 - e. There is no introduction of a new vehicular access point to an existing street, road or thoroughfare not previously designated for access;
 - f. There is no increase in the total number of residential dwelling units originally authorized by the enacting ordinance;
 - g. There is no change from a PUD approved exclusively for single-family units to another residential structure type;
 - h. The total floor area of a commercial or industrial classification of PUD shall not be increased more than ten percent beyond the total floor area last approved by the council;
 - i. If originally limited to office activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
 - j. If originally limited to office, retail and other general commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to include industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
 - k. If originally limited to commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.

- l. In the determination of the commission, the nature of the change will have no greater adverse impact on those environmentally sensitive features identified in Chapter 17.28 of this code than would have occurred had the development proceeded in conformance with the previous approval.
- m. In the judgment of the commission, the planned unit development or portion thereof to be modified does not meet the criteria for inactivity of Section 17.40.120.H.4.a.

The proposed use and site layout are consistent with the PUD approved by Metro Council and within the square footage approved by council. The proposal does not alter the basic development concept established by the approved PUD plan, therefore staff recommends approval.

FIRE DEPARTMENT RECOMMENDATION

N/A

STORMWATER RECOMMENDATION

Approve

WATER SERVICES

Approve with conditions

- Approval does not apply to private water and sewer line design. Plans for these must be submitted and approved through a separate review process with Metro Water Permits, before their construction may begin.

PUBLIC WORKS RECOMMENDATION

Approve with conditions.

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works, in effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable. Final design may vary based on field conditions.
- All utilities / vertical obstructions are to be relocated, if necessary, outside of the sidewalk. This includes, but is not limited to, utility poles, fire hydrants, and trees.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- At a minimum provide parking per metro code.

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

1. 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.
2. 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.
3. 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.

Approved with conditions. (6-0) Consent Agenda

Resolution No. RS2017-323

"BE IT RESOLVED by The Metropolitan Planning Commission that **43-87P-002 is Approved with conditions. (6-0)**

1. 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.
2. 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.
3. 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.

24. 2017Z-092PR-001

Council District 02 (DeCosta Hastings)

Staff Reviewer: Levi Hill

A request to rezone from RS5 to R6 zoning on property located at 525 Weakley Avenue, southwest of the terminus of Fern Avenue (0.18 acres), requested by Rosemary Partners, LLC, applicant and owner.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Rezone from RS5 to R6.

Zone Change

A request to rezone from Single Family Residential (RS5) to One and Two-Family Residential (R6) zoning on property located at 525 Weakley Avenue, southwest of the terminus of Fern Avenue (0.18 acres).

Existing Zoning

Single-Family Residential (RS5) requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 7.41 dwelling units per acre. *RS5 would permit a maximum of 1 unit.*

Proposed Zoning

One and Two-Family Residential (R6) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25 percent duplex lots. *R6 would permit a maximum of 1 lot with 1 duplex lot for a total of 2 units. The Codes Department has verified duplex eligibility.*

BORDEAUX – WHITES CREEK NAME COMMUNITY PLAN

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

Consistent with Policy?

The rezoning to R6 is consistent with the Urban Neighborhood Evolving policy, at this location. The rezoning meets the goals of the policy by placing a moderate level of density in proximity to Baptist World Center Drive, a collector street. Additionally, the rezoning would provide opportunities for a more diverse housing stock, consistent with the goals of the policy.

ANALYSIS

This request is consistent with the policy for the area and is appropriate given the surrounding land use pattern. The proposed rezoning provides the potential for increased housing supply and increased housing choice. The parcel contained in this rezoning is located within 275 feet of Baptist World Center Drive, a collector street, which is an existing MTA bus route. An existing MTA bus stop is located approximately 300 feet to the southwest of this site. This will provide a transportation choice for future residents of this site.

This property is located within a Neighborhood Evolving policy area that has included a number of rezoning proposals within the last several years. As noted above, evolving policy supports a diversity of housing, and it may support more intense uses, depending on locational characteristics, such as proximity to transit. To determine whether this proposal meets an appropriate balance for housing diversity, staff analyzed this proposal with the existing duplexes and single-family homes within the policy area. Staff finds that this proposal does not result in an overconcentration of duplexes for this evolving area. Future proposals will also be evaluated to ensure that an appropriate balance of housing diversity is promoted within this community.

FIRE DEPARTMENT RECOMMENDATION

N/A

STORMWATER RECOMMENDATION

N/A

WATER SERVICES
N/A

PUBLIC WORKS RECOMMENDATION
N/A

TRAFFIC AND PARKING RECOMMENDATION
Approve with conditions

- Traffic study may be required at time of development.

Maximum Uses in Existing Zoning District: **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)	0.18	8.71 D	1 U	10	1	2

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential* (210)	0.18		2 U	20	2	3

*Based on Two-Family lots

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

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

METRO SCHOOL BOARD REPORT

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

Projected student generation proposed **R6** district: 0 Elementary 0 Middle 0 High

The proposed zone change would generate no more students than what is typically generated under the existing RS5 zoning district. Students would attend Lillard Elementary School, Joelton Middle School, and Whites Creek High School. This information is based upon data from the school board last updated November 2016.

STAFF RECOMMENDATION

Staff recommends approval with conditions as this request is consistent with policy at this location.

CONDITIONS

1. Requesting this rezoning may affect the provision of affordable or workforce housing units in rental projects involving five or more rental units on site, as set forth in Ordinance Nos. BL 2016-133, and BL2016-342, which authorizes Metro grants to offset the provision of affordable or workforce housing units.

Approved with conditions. (6-0) Consent Agenda

Resolution No. RS2017-324

“BE IT RESOLVED by The Metropolitan Planning Commission that **2017Z-092PR-001 is Approved with conditions. (6-0)**”

1. Requesting this rezoning may affect the provision of affordable or workforce housing units in rental projects involving five or more rental units on site, as set forth in Ordinance Nos. BL 2016-133, and BL2016-342, which authorizes Metro grants to offset the provision of affordable or workforce housing units.

25. 2017Z-099PR-001

Council District 05 (Scott Davis)
Staff Reviewer: Shawn Shepard

A request to rezone from RS5 to RM20-A zoning on property located at 1308 Montgomery Avenue, approximately 295 feet north of Douglas Avenue (0.68 acres), requested by Veda M. Spann Rainey, applicant; Mattie Pearl Harris-Spann, owner.

Staff Recommendation: Disapprove RM20-A. Approve RM9-A with conditions.

APPLICANT REQUEST

Zone change from RS5 to RM20-A.

Zone Change

A request to rezone from Single-Family Residential (RS5) to Multifamily Residential – Alternative (RM20-A) zoning on property located at 1308 Montgomery Avenue, approximately 295 feet north of Douglas Avenue (0.68 acres).

Existing Zoning

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

Proposed Zoning

Multifamily Residential – Alternative (RM20-A) is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. *RM20-A would permit a maximum of 14 units. Staff recommends substituting RM9-A, which would permit a maximum of six units.*

BACKGROUND

On April 13, 2017, the Planning Commission considered a less intense zone change application for the property at 1308 Montgomery Avenue. The request at that time was to change the zoning on the property from RS5 to RM15-A, which would permit a maximum of 10 units. The Planning Commission recommended disapproval of the requested RM15-A and approval of RM9-A, which would permit a maximum of six units. This zone change request was deferred indefinitely prior to second reading at Metro Council.

Since the time of the prior zone change application, the property owner has acquired a joint access easement permitting ingress and egress through the property immediately to the south, located at 719 Douglas Avenue. The access easement runs east-west along the shared property boundary. 719 Douglas is zoned Specific Plan – Mixed Use. The site plan for the development at 719 Douglas includes two access points, one along the northern property boundary shared with 1308 Montgomery, which provides access to Montgomery Avenue, and a second access point along the western property boundary which provides access directly to Douglas. The joint access easement could potentially permit development at 1308 Montgomery to access either Montgomery Avenue or Douglas Avenue through existing private drives in the townhouse development at 719 Douglas Avenue, eliminating the need for a separate access drive at 1308 Montgomery.

EAST NASHVILLE COMMUNITY PLAN

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

Consistent with Policy?

The proposed RM20-A zoning is inconsistent with T4 Urban Neighborhood Evolving policy at this location. While T4 NE policy supports a variety of housing types and development patterns, in infill or redevelopment areas the policy calls for consideration of some elements of the existing developed character. In particular, development should transition from more intensity along centers and corridors to less intensity within the neighborhood. This transition helps ensure that higher intensity development has adequate access to major transportation corridors and transit and minimizes impacts on existing lower intensity one and two-family residential as the neighborhood evolves. Developments at the edges or on the seam between policy areas should form transitions in intensity, scale and massing, with thoughtful attention given to the placement and orientation of buildings within these edges as they

relate to their surroundings. Buildings in these areas are often separated from lower density areas by rear alleys or service lanes and include step downs in height and articulated facades to respond to the massing and scale of adjacent lower intensity development.

The property is located on the edge of a T4 NE policy area, adjacent to T4 Mixed Use Neighborhood (T4 MU) policy. The adjacent property in the T4 MU policy is located on Douglas Avenue, which is identified as a collector avenue, and is developed with residential and office at an approximate density of 14 units per acre. The interior of the neighborhood north of the Douglas Avenue corridor contains a mix of lower intensity one and two-family dwellings. The subject property is not separated from the adjacent lower-intensity neighborhood by an alley, and the requested zoning would permit building heights similar to or taller than the existing lower-intensity residential development to the north, without requirements for step-backs in height along the side property lines. The requested zoning, RM20-A, is more intense than the development located within the T4 Mixed Use Neighborhood policy and directly on the corridor, and it does not result in a transition in intensity to the rest of the neighborhood.

ANALYSIS

The request is to rezone 0.68 acres located at 1308 Montgomery Avenue, approximately 300 feet north of the intersection of Montgomery Avenue and Douglas Avenue. The property is at the southern edge of a large area of T4 NE policy. Properties to the south and east are within an area of T4 MU policy. Because of the potential for T4 MU areas to contain commercial and light industrial ancillary to residential, this policy does not intrude into defined boundaries of non-mixed-use policy areas such as T4 NE. Both policies acknowledge that allowing for higher intensity residential uses can add value to neighborhoods by growing the market and demand for consumer services and transit, however, the policies call for placement of higher density residential near Centers and Corridors. The subject property is in an area designated as a Neighborhood on the NashvilleNext Growth and Preservation Concept Plan map, and is approximately 0.5 miles from the nearest Tier 3 Center. Douglas Avenue is identified as a collector avenue on the Major and Collector Street Plan (MCSP). Montgomery Avenue is a local road. The property is not located on a corner or along a corridor, nor is it adjacent to a Center or Corridor identified in NashvilleNext. There is no alley to facilitate access from the rear of the property, although the shared access easement described above could permit access to Montgomery or Douglas Avenues through the adjacent development.

RM20-A would permit multifamily residential uses of up to 20 units per acre. RM20-A would permit up to 14 units on this parcel. The SP for the adjacent property at the corner of Montgomery and Douglas Avenues permits up to 29 residential units and office use at an approximate density of 14 units per acre. The requested RM20-A zoning would result in development equal in intensity to what is permitted along the collector and within T4 MU policy, which is intended for a mix of residential, commercial, mixed use and even light industrial uses. Although the property is located on the edge of a T4 NE policy area, the requested zoning does not provide a transition between higher intensity development along the collector and lower intensity development in the neighborhood interior. Therefore, the request is inconsistent with T4 NE policy.

Additionally, the requested RM20-A zoning, is more intense than the previously requested RM15-A zoning. The Planning Commission recommended disapproval of RM15-A zoning for this property in April of 2017 and instead recommended approval of RM9-A. RM9-A zoning would permit multifamily residential uses of up to nine units per acre, which would allow for up to six units on this parcel. Like the requested RM20-A, and the previously requested RM15-A zoning, RM9-A would permit single-family, two-family or multifamily residential, allowing for a variety of housing types unavailable under the existing single-family zoning. This variety is consistent with the goals of T4 NE policy, which calls for increased housing diversity. However, RM9-A would allow for residential development at an intensity that provides a better transition between higher density development along the collector and the lower intensity one- and two-family residential interior to the neighborhood than would be achieved by RM20-A. Therefore, staff finds that RM9-A is more consistent with the T4 NE policy in this location.

FIRE MARSHAL RECOMMENDATION

N/A

PUBLIC WORKS RECOMMENDATION

N/A

WATER SERVICES RECOMMENDATION

N/A

STORMWATER RECOMMENDATION

N/A

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

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

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.68	8.71 D	5 U	48	4	6

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)	0.68		13 U	87	7	9

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
-	-	-	+8 U	+39	+3	+3

METRO SCHOOL BOARD REPORT

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

Projected student generation proposed RM20-A district: 2 Elementary 2 Middle 1 High

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

The proposed RM20-A zoning is expected to generate five students, or two additional students beyond the existing zoning. RM9-A zoning is not expected to generate any students beyond the existing zoning. Students would attend Shwab Elementary School, 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 board last updated November 2016.

STAFF RECOMMENDATION

Staff recommends disapproval of RM20-A zoning, as the request is inconsistent with the T4 Neighborhood Evolving policy in this location. Staff recommends approval of RM9-A with conditions, as RM9-A is consistent with the T4 Neighborhood Evolving policy in this location.

CONDITIONS

1. Requesting this rezoning may affect the provision of affordable or workforce housing units in rental projects involving five or more rental units on site, as set forth in Ordinance Nos. BL 2016-133, and BL2016-342, which authorizes Metro grants to offset the provision of affordable or workforce housing units.

Ms. Shepard presented the staff recommendation of disapproval of RM20-A but approval of RM9-A with conditions.

Duane Cuthbertson, 1010 Acklen Ave, spoke in favor of the application.

Veda Spann Rainey, 1320 Montgomery Ave, spoke in favor of the application.

Derwin Spann, 1308 Montgomery Ave, spoke in favor of the application.

Cedric McKinsey, 605 Douglas Ave, spoke in favor of the application.

William Smallman, 1512 Paris Ave, spoke in favor of the application.

Ben Jordan, 1101 N 5th St, spoke in favor of the application.

Seth Jennings, 2221 Graylin Dr, spoke in favor of the application.

Ashonti Davis, Edwin St, spoke in opposition to the application.

Councilmember Davis spoke in favor of the application.

Ms. Farr closed the Public Hearing.

Ms. Blackshear spoke in opposition of RM20-A as it is not consistent with policy.

Ms. Hagan-Dier spoke in opposition of RM20-A as it is not consistent with policy.

Dr. Sims spoke in opposition of RM20-A as it is not consistent with policy.

Mr. Tibbs spoke in opposition of RM20-A as it is not consistent with policy.

Ms. Hagan-Dier moved and Ms. Blackshear seconded the motion to disapprove RM20-A and approve RM-9 with conditions. (6-0)

Disapproved RM20-A. Approved RM9-A with conditions. (6-0) Consent Agenda

Resolution No. RS2017-325

"BE IT RESOLVED by The Metropolitan Planning Commission that 2017Z-099PR-001 is Disapproved RM20-A. Approved RM9-A with conditions (6-0)

1. Requesting this rezoning may affect the provision of affordable or workforce housing units in rental projects involving five or more rental units on site, as set forth in Ordinance Nos. BL 2016-133, and BL2016-342, which authorizes Metro grants to offset the provision of affordable or workforce housing units.

H: OTHER BUSINESS

26. Employment Contract for Jennifer Johnson

Approved. (6-0) Consent Agenda

Resolution No. RS2017-326

"BE IT RESOLVED by The Metropolitan Planning Commission has Approved the employment contract for Jennifer Johnson. (6-0)

27. Renewal Contract for Michelle Hollingsworth.

Approved. (6-0) Consent Agenda

Resolution No. RS2017-327

"BE IT RESOLVED by The Metropolitan Planning Commission has Approved the renewal contract for Michelle Hollingsworth. (6-0)

28. Grant Contract between TDOT and MPC, on behalf of the MPO for FTA 5303 Program for transportation planning.

Approved. (6-0) Consent Agenda

Resolution No. RS2017-328

"BE IT RESOLVED by The Metropolitan Planning Commission has Approved the Grant Contract between TDOT and MPC, on behalf of the MPO for FTA 5303 Program for transportation planning. (6-0)

29. Historic Zoning Commission Report

30. Board of Parks and Recreation Report

31. Executive Committee Report

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

Approved. (6-0) Consent Agenda

Resolution No. RS2017-329

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

33. Legislative Update

I: MPC CALENDAR OF UPCOMING EVENTS

October 12, 2017

MPC Meeting

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

October 26, 2017

MPC Meeting

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

November 09, 2017

MPC Meeting

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

J: ADJOURNMENT

The meeting adjourned at 5:58 p.m.

Chairman

Secretary



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

Date: September 28, 2017
To: Metropolitan Nashville-Davidson County Planning
Commissioners
From: Doug Sloan, Executive Director
Re: Executive Director's Report

The following items are provided for your information.

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

1. Planning Commission Meeting
 - a. Attending: Blackshear; Tibbs; Hagan-Dier; Sims; Gobbell; Farr
 - b. Leaving Early: Haynes (6:50p)
 - c. Not Attending: Adkins; Allen
2. Legal Representation – Emily Lamb will be attending.

B. Executive Office

1. Quarter 3 Planning Department Grants Update is attached below..
2. School outreach has included classroom presentations and career days at Stratford, Glenclyff, and Overton high schools. We'll also be participating in the Neighborhoods Resource Center's annual "Neighborhoods Celebration" on Sept. 30.

C. Community Plans/Design Studio

1. The MPC adopted the NashvilleNext Update 2017 on August 24, 2017. Planners have completed formatting the document, and the Update is now posted on the NashvilleNext and Planning Department webpages. Recall that the most significant changes in the Update are streamlining the Community Character Manual and the 14 Community Plans. At an upcoming MPC meeting, staff will provide you with copies of the Update 2017 so that you can have them on hand for reference.

Administrative Approved Items and

Staff Reviewed Items Recommended for approval by the Metropolitan Planning Commission

In accordance with the Rules and Procedures of the Metropolitan Planning Commission, the following applications have been reviewed by staff for conformance with applicable codes and regulations. Applications have been approved on behalf of the Planning Commission or are ready to be approved by the Planning Commission through acceptance and approval of this report. Items presented are items reviewed **through 9/20/2017**.

APPROVALS	# of Applics	# of Applics '17
Specific Plans	2	34
PUDs	0	12
UDOs	0	9
Subdivisions	9	141
Mandatory Referrals	16	165
Grand Total	27	361

SPECIFIC PLANS (finals only): MPC Approval

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

Date Submitted	Staff Determination		Case #	Project Name	Project Caption	Council District # (CM Name)
2/8/2016 0:00	9/7/2017 0:00	PLRECAPP	2014SP-084-002	519 & 521 WEAKLEY AVENUE (FINAL)	A request for final site plan approval for properties located at 519 A & B and 521 A & B Weakley Avenue, opposite Fern Avenue, (0.34 acres), to permit up to four residential dwelling units, requested by Ben Jordan, applicant; Margarita Jackson, owner.	02 (DeCosta Hastings)
2/27/2017 14:17	9/11/2017 0:00	PLRECAPP	2016SP-082-002	4305 AND 4307 ALABAMA AVENUE	A request for final site plan approval on properties located at 4305 and 4307 Alabama Avenue, at the southeast corner of Alabama Avenue and 44th Avenue North, zoned SP-MU (0.7 acres), to permit an office, retail and self-storage, requested by Dale and Associates, applicant; Option Rentals, Inc. and Dorris B. Calvin, owners.	24 (Kathleen Murphy)

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URBAN DESIGN OVERLAYS (finals and variances only) : MPC Approval

Finding: all design standards of the overlay district and other applicable requirements of the code have been satisfied.

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

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

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

MANDATORY REFERRALS: MPC Approval

Date Submitted	Staff Determination	Case #	Project Name	Project Caption	Council District (CM Name)
2/6/2017 11:52	9/7/2017 0:00 PLRECAPP	2017M-009EN-001	CITY TAP HOUSE AT 205 DEMONBREUN STREET UNDERGROUND ENCROACHMENT	A request for an ADA-compliant ramp encroaching the public right-of-way approximately 12 inches on property located at 205 Demonbreun Street (Map 093-06-4 Parcel 107), requested by MJM Architects, applicant; Demonbreun Realty Holding Company, LLC, owner.	19 (Freddie O'Connell)
8/9/2017 8:41	9/7/2017 0:00 PLRECAPP	2017M-036EN-001	WARNER PARTNERS AT 308 CHESTNUT STREET AERIAL ENCROACHMENT	A request for an aerial encroachment comprised of a steel awning encroaching the public right-of-way on 308 Chestnut Street (Map 105-03 Parcel 033), requested by Warner Partners, LP, applicant and owner.	17 (Colby Sledge)
8/9/2017 9:58	9/7/2017 0:00 PLRECAPP	2017M-037EN-001	SPARK AERIAL ENCROACHMENT	A request for an aerial encroachment comprised of one (1) 4' x 12' double-faced, illuminated projecting sign encroaching the public right-of-way on 147 4th Avenue North (Map 093-06-1 Parcel 096), requested by Jarvis Sign Company, applicant; 4th and Commerce, LLC, owner.	19 (Freddie O'Connell)

8/9/2017 10:04	9/7/2017 0:00	PLRECAPPR	2017M-023AB-001	LESTER AVENUE ROW ABANDONMENT	A request to abandon a portion of Lester Avenue, from Factory Street/Woodycrest Avenue northward to terminus at Trevecca (see map for details), easements are to be retained, requested by Trevecca Nazarene University, applicant.	17 (Colby Sledge)
8/9/2017 10:33	9/7/2017 0:00	PLRECAPPR	2017M-059ES-001	MAPLEWOOD TRACE SIDEWALK PROJECT	A request for right-of-way easements, permanent drainage easements and temporary construction easements for the Maplewood Trace Sidewalk Project, between Dickerson Pike and Walton Lane (Project No. 2017-R-09), requested by Metro Public Works, applicant.	08 (Nancy VanReece)
8/10/2017 12:54	9/7/2017 0:00	PLRECAPPR	2017M-022PR-003	STORMWATER REPETITIVE FLOOD DAMAGE HOME BUYOUT 3	A request to authorize the Director of Public Property, or his designee, to negotiate and acquire, by fee simple purchase, 5168 and 5170 Hunters Point Lane for the Stormwater Repetitive Flood Damage Home Buyout Project (Map 098-05 Parcels 129, 180) (Project No. 17WS0001), requested by Metro Water Services, applicant.	12 (Steve Glover)
8/10/2017 13:15	9/7/2017 0:00	PLRECAPPR	2017M-060ES-001	KIRKPATRICK PARK (SYLVAN STREET/SOUTH 9TH STREET)	A request for the abandonment of approximately 222 linear feet of 8-inch sanitary sewer main and two sanitary sewer manholes, the installation and acceptance of approximately 421 linear feet of 8-inch sanitary sewer main (PVC), 79 linear feet of 8-inch sanitary sewer main (DIP), and four new manholes, replacement of an existing manhole, the abandonment of approximately 380 linear feet of 12-inch water main, 705 linear feet of 6-inch water main, and two fire hydrant assemblies, the installation and acceptance of approximately 528 linear feet of 12-inch water main (DIP), 1,083 linear feet of 8-inch water main (DIP), and five fire hydrant assemblies (Map 093-04 Parcels 67, 134) (Project No. 17-WL-42 and 17-SL-54), requested by Metro Water Services, applicant.	06 (Brett Withers)
8/23/2017 8:35	9/12/2017 0:00	PLRECAPPR	2017M-041PR-001	CITY OF GOODLETTSVILLE LAND ACCEPTANCE	A request for a resolution approving and authorizing the Director of Public Property Administration, or his designee, to accept a donation of real property along Old Springfield Highway, from the City of Goodlettsville (Map 018 Parcel 125; Map 018-04 Parcel 007; Map 018-08 Parcel 003) for use as part of the parks system, requested by the Metro Department of Finance, applicant.	10 (Doug Pardue)
8/25/2017 9:10	9/12/2017 0:00	PLRECAPPR	2017M-038ES-002	CENTRAL PIKE IMPROVEMENTS	A request for the authorization of the acquisition of certain right-of-way easements, drainage easements,	12 (Steve Glover)

					temporary construction easements, and property rights by negotiation, donations or condemnation for use in public projects of the Metropolitan Government, initially for purposes of Public Works Department Project Number 2017-R-010, Central Pike Improvements (Proposal No. 2017M-038ES-001) and upon acquisition, the conveyances of said easements to the State of Tennessee, requested by Metro Public Works, applicant.	
8/28/2017 8:36	9/12/2017 0:00	PLRECAPP	2017M-061ES-001	WILSON AVENUE REHABILITATION	A request for the abandonment of easement rights for a former 18-inch Water Main (Project No. 98-WG-004H) (see sketch for details), requested by Metro Water Services, applicant.	24 (Kathleen Murphy)
8/28/2017 9:00	9/12/2017 0:00	PLRECAPP	2017M-016AG-001	CHURCH STREET TRAFFIC SIGNAL IMPROVEMENTS	A resolution approving an intergovernmental agreement by and between the State of Tennessee, Department of Transportation and The Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Department of Public Works, for the acceptance of Traffic Signal Improvements in connection with construction near the intersection at Church (RSAR) Route: State Route 6, Federal Project No. PHSIP-6(101), State Project Nos. 19022-3219-94, 19022-0219-94, 19022-1219-94, 19022-2219-94, requested by Metro Public Works, applicant.	19 (Freddie O'Connell)
8/28/2017 9:15	9/12/2017 0:00	PLRECAPP	2017M-017AG-001	OLD HICKORY BOULEVARD/STAT E ROUTE 265 TRAFFIC SIGNAL IMPROVEMENTS	A request for a resolution approving an intergovernmental agreement by and between the State of Tennessee, Department of Transportation and The Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Department of Public Works, for the acceptance of traffic signal improvements in connection with construction at the intersection at Old Hickory Boulevard and State Route 265 (Central Pike), Federal Project No. HSIP-45(28), State Project Nos. 19042-0274-94, 19042-1272-94, 19042-2272-94, 1902-3272-94 and 19040-2274-94, requested by Metro Public Works, applicant.	12 (Steve Glover)
8/28/2017 9:28	9/12/2017 0:00	PLRECAPP	2017M-038EN-001	CMT AT 330 COMMERCE STREET AERIAL ENCROACHMENT	A request for an aerial encroachment comprised of one (1) double-faced, illuminated projecting sign encroaching the public right-of-way on 330 Commerce Street (Map 093-06-2 Parcel 013) (see drawings for details), requested by Sideshow Sign Company,	19 (Freddie O'Connell)

					applicant; Commerce Street Venture, owner.	
8/28/2017 10:43	9/12/2017 0:00	PLRECAPP	2017M-018AG-001	HILLSBORO ROAD EXIT 3 WESTBOUND RAMP TRAFFIC SIGNAL IMPROVEMENTS	A request for a resolution approving an intergovernmental agreement by and between the State of Tennessee, Department of Transportation and the Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Department of Public Works, for the acceptance of traffic signal improvements in connection with construction of an interchange at Hillsboro Road (21st Avenue) Exit 3, Westbound Ramp (Ramp Queue Project) at I-440, Fed. No. HSIP-I-440-4(81); State Nos. 19014-3162-94, 19014-1162-94 and 19014-0162-94, requested by Metro Public Works, applicant.	18 (Burkley Allen)
8/9/2017 11:09	9/12/2017 0:00	PLRECAPP	2017M-024AB-001	4TH AVENUE NORTH ROW ABANDONMENT	A request for the abandonment of a portion of 4th Avenue North, from Clay Street south to its terminus at I-65 (see map for details), easements are to be retained, requested by Ragan-Smith and Associates, applicant.	21 (Ed Kindall)
8/23/2017 8:53	9/13/2017 0:00	PLRECAPP	2017M-042PR-001	7134 HIGHWAY 100 PROPERTY ACQUISITION	A request for a resolution authorizing the Director of Public Property Administration, or his designee, to exercise an option to purchase a certain parcel of property (known as Map 143 Parcel 013), requested by the Metro Department of Finance, applicant.	34 (Angie Henderson)

SUBDIVISIONS: Administrative Approval

Date Submitted	Date Approved	Action	Case #	Project Name	Project Caption	Council District (CM Name)
7/12/2017 13:22	9/12/2017 0:00	PLPADADMIN	2017S-192-001	GLEN ECHO SUBDIVISION LOT NO. 15	A request for final plat approval to create two lots on property located at 1760 Hillmont Drive, approximately 450 feet north of Glen Echo Road, zoned R10 (1.09 acres), requested by DBS and Associates Engineering, applicant; Elizabeth Eldridge Revocable Trust, owner.	25 (Russ Pulley)
10/6/2016 9:09	9/12/2017 0:00	PLPADADMIN	2016S-247-001	RICHLAND HALL SUBDIVISION LOTS 13 AND 14	A request for final plat approval to create two lots on property located at 151 Craighead Street, at the southwest corner of Craighead Street and Richland Avenue, zoned RS7.5 and within the Richland-West End	24 (Kathleen Murphy)

					Neighborhood Conservation Overlay District (0.46 acres), requested by Ragan-Smith & Associates, applicant; Mike Ford Custom Builders, LLC, owner.	
5/31/2017 13:57	9/12/2017 0:00	PLAPADMIN	2017S-157-001	SKYLINE MEDICAL CENTER	A request for final plat approval to create one lot on a portion of property located at 3441 Dickerson Pike, east of the terminus of Doverside Drive, zoned CS (3.30 acres), requested by Barge Waggoner Sumner and Cannon, Inc., applicant; HTI Memorial Hospital Corporation, owner.	08 (Nancy VanReece)
9/23/2016 7:36	9/14/2017 0:00	PLAPADMIN	2016S-233-001	OVERTON HILLS SUBDIVISION	A request for final plat approval to shift lot lines on properties located at 2031 A and 2031 B Castleman Drive, approximately 135 feet east of Farrar Avenue, zoned R15 (0.89 acres), requested by Logan McCraw, applicant; YMZ Partners, LLC, owner.	25 (Russ Pulley)
7/13/2017 10:56	9/15/2017 0:00	PLAPADMIN	2017S-196-001	ASHTON SUBDIVISION RESUB OF LOT 47	A request for final plat approval to create two lots on property located at 1901 Manchester Avenue, approximately 510 feet southwest of John Mallette Drive, zoned RS10 (0.46 acres), requested by Arrowhead Survey, applicant; Jesse and Carla Perry, owners.	02 (DeCosta Hastings)
8/3/2017 11:17	9/15/2017 0:00	PLAPADMIN	2017S-213-001	EDMONDSON CROSSING SHOPPING CENTER	A request for final plat approval to abandon and dedicate easements and to revise the right-of-way on property located at 5701 Edmondson Pike, at the southwest corner of Old Hickory Boulevard and Edmondson Pike, zoned SCC (1.24 acres), requested by Cherry Land Surveying, applicant; Kimbro Equities I, owner.	04 (Robert Swope)
4/18/2017 10:56	9/18/2017 0:00	PLAPADMIN	2017S-130-001	GLENCLIFF ESTATES SECTION 4, RESUB LOT 20	A request for a subdivision amendment to plat the front setbacks on property located at 309A, B, and C Wimpole Drive, approximately 500 feet northwest of East Thompson Lane, zoned R15 (0.57 acres), requested by Southern Precision Land Surveying, applicant; Commodore Holdings, LLC, owners.	16 (Mike Freeman)
6/14/2017 8:32	9/20/2017 0:00	PLAPADMIN	2017S-168-001	SUNSET VIEW SUBDIVISION SECTION 8 RESUB OF LOT 611	A request for final plat approval to create two lots on property located at 2256 A Cabin Hill Road, approximately 175 feet northwest of Ridgeland Drive, zoned RS15 (1.9 acres), requested by 4Site, Inc., applicant; IRA Innovations, LLC, owner.	15 (Jeff Syracuse)

8/8/2017 9:50	9/20/2017 0:00	PLAPADMIN	2017S-214-001	GEORGIA INDUSTRIAL REALTY COMPANY'S NORTH NASHVILLE PROPERTY RE- PLAT OF THE NORTHERLY 100 FEET OF LOT 14	A request for final plat approval to create two lots on property located at 1628 24th Avenue North, approximately 200 feet south of Osage Street, zoned RS5 (0.48 acres), requested by Clint T. Elliott Surveying, applicant; William and Yan Fen Key, owners.	21 (Ed Kindall)
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Performance Bonds: Administrative Approvals

Date Approved	Administrative Action	Bond #	Project Name
9/18/17	Approved Extension/Increase	2012B-004-006	PATINA, PHASE 2
9/8/17	Approved Extension	2014B-006-004	PARK PRESERVE, PHASE 1C
9/19/17	Approved Extension	2015B-038-003	HARVEST GROVE, SECTION 3
9/18/17	Approved Extension	2013B-036-004	VILLAGES OF RIVERWOOD, SECTION 1, PHASE 4D
9/7/17	Approved New	2017B-022-001	HERITAGE HILLS, PHASE 3
9/12/17	Approved Extension	2015B-037-003	GERMANTOWN PDG MULTI FAMILY
9/13/17	Approved Extension	2014B-013-005	WOODBURY, PHASE 2
9/18/17	Approved Extension	2016B-033-002	CONSOLIDATION OF GATEWAY GERMANTOWN

Schedule

- A. Thursday, September 28, 2017- [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center**
- B. Thursday, October 12, 2017- [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center**
- C. Thursday, October 26, 2017- [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center**
- D. Thursday, November 9, 2017- [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center**
- E. Thursday, November 16, 2017- [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center**
- F. Thursday, December 14, 2017- [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center**

Planning Department Grants – Quarterly Update

Grants Awarded				
Grant	Description/Notes	Award	Anticipated Completion	
NEA - Our Town	Wedgewood Houston Maker District	\$50,000	June 30, 2018	
TDOT - Congestion Mitigation and Air Quality (CMAQ)	Transportation Demand Management	\$1,184,684	June 30, 2020	
TDOT - Safe Routes to School (SRTS)	Non-infrastructure safety education programs for schools K-8	\$29,725	December 31, 2017	
Grants Denied				
Grant	Description/Notes	Request		
USDOT - Eastern Federal Lands Access Program (FLAP)	Trace Connector multi-use path and Highway 100 road widening to include turn lanes	\$483,696		
Grants Submitted But Not Awarded June 1-August 31, 2017				
Grant	Description/Notes	Submitted	Notification	Request
NFWF - Resilient Communities	Brown's Creek Greenway Preproposal.	03/30/17	June 2017	\$500,000
Enterprise Climate and Cultural Resilience	Urban Housing Solutions was Applicant; Artists' affordable housing in Madison	03/31/17	June 2017	\$100,000
Grants Evaluated But Not Submitted At This Time June 1-August 31, 2017				
Grant	Description/Notes	Due		
FHWA - Advanced Transportation and Congestion Management Technologies Deployment Initiative	MTA Next Generation Fare System with open API to incorporate private transit providers such as ride and bike share. MTA made decision not to apply at this time.	06/12/17		

Next Quarter Future Grant Opportunities

Grant	Description/Notes	Due
FHWA- Accelerated Innovation Deployment Demonstration (pass through TDOT)	Software to detect near misses for bike/ped safety. This innovation will be used as a decision support system to inform placement of multimodal crossings, real time signalization, potential transit hubs and bust stop improvements and bike share access, and areas where alternative and low cost sidewalks may be useful.	Rolling
MPO- Active Transportation Program	Bicycle and Pedestrian infrastructure with an emphasis on safety through design. Abstracts submitted April 2017. Full Application expected Summer 2017.	Summer 2017
TDOT – Transportation Alternatives Program	Working with Parks to leverage MPO ATP funding with this opportunity to close gaps in the downtown greenway network	10/03/17
EPA – Building Blocks for Sustainable Communities	Various technical assistance opportunities	Fall 2017
Partners for Places	Fosters long-term relationships between local government sustainability offices and place-based foundations that make our urban areas more prosperous, livable, and vibrant.	January 2018
EPA – Brownfields Area Wide Planning Grant	Conduct activities that will enable the recipient to develop a specific area-wide plan for assessing, cleaning up and reusing catalyst/high priority brownfields sites.	February 2018
FTA - Transit Oriented Development Planning Pilot Program	Comprehensive planning to examine ways to improve economic development and ridership, foster multimodal connectivity and accessibility, improve transit access for pedestrian and bicycle traffic, engage the private sector, identify infrastructure needs, and enable mixed-use development near transit stations.	Unknown
FTA - Mobility on Demand	Supports transit agencies and communities as they integrate new mobility tools like smart phone apps, bike- and car-sharing, and demand-responsive bus and van services.	Unknown