



**METROPOLITAN GOVERNMENT
OF NASHVILLE AND DAVIDSON COUNTY**

Planning Department
Metro Office Building
800 Second Avenue South
Nashville, Tennessee 37201

**Minutes
Of the
Metropolitan Planning Commission**

October 26, 2006

4:00 PM

Howard School Auditorium, 700 Second Ave., South

PLANNING COMMISSION:

James Lawson, Chairman
Phil Ponder, Vice Chairman
Stewart Clifton
Judy Cummings
Tonya Jones
Ann Nielson
Victor Tyler
James McLean
Councilman J.B. Loring

Staff Present:

Ann Hammond, Assistant Executive Director
Ted Morrissey, Legal Counsel
David Kleinfelter, Planning Mgr. II
Bob Leeman, Planner III
Kathryn Withers, Planner III
Trish Brooks, Admin. Svcs. Officer 3
Jason Swaggart, Planner I
Carrie Logan, Planner I
Dennis Corrieri, Planning Tech I
Jennifer Carlat, Communications Officer
Cynthia Wood, Planner III

I. CALL TO ORDER

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

II. ADOPTION OF AGENDA

Mr. McLean moved and Mr. Ponder seconded the motion, which passed unanimously to adopt the agenda as presented. (7-0)

III. APPROVAL OF OCTOBER 12, 2006 MINUTES

Mr. Ponder moved and Mr. Loring seconded the motion, which passed unanimously to approve the October 12, 2006 meeting minutes as presented. (7-0)

Mr. Lawson announced that Mr. Bill Manier, a former Commissioner member who served many years on the Commission, had recently passed away. He asked for a moment of silence in his honor.

IV. RECOGNITION OF COUNCILMEMBERS

Councilman Whitmore spoke in favor of Item #5, 2006Z-169U-08 and requested its approval. He spoke of the enhancements it would provide to his district.

Councilman Hodge spoke in opposition to Item #10, 2006S-324U-12. He explained that the neighbors affected by the proposal were opposed and briefly spoke on the issues related to the proposal. He did state that if the owner or applicant were present at the meeting, he would discuss this matter further with that person.

V. PUBLIC HEARING: ITEMS REQUESTED TO BE DEFERRED OR WITHDRAWN

- VII. REQUEST TO AMEND THE *DONELSON-HERMITAGE-OLD HICKORY COMMUNITY PLAN: 2003 UPDATE* TO GO FROM CORRIDOR GENERAL TO OFFICE TRANSITION, RESIDENTIAL LOW-MEDIUM DENSITY, AND RESIDENTIAL MEDIUM DENSITY POLICIES FOR APPROXIMATELY 45 ACRES FOR PROPERTY LOCATED ALONG BOTH SIDES OF DONELSON PIKE IN THE VICINITY OF LAKELAND DRIVE.
- | | | | |
|----|---------------|--|---|
| 1. | 2006Z-130G-06 | Request to change from AR2a to RM15 zoning property located at 8921 Collings Road, approximately 275 feet west of Collinswood Drive (2.5) acres | – deferred indefinitely at the request of the applicant |
| 4. | 2006Z-030U-13 | Request to change from AR2a to CS district property located at Una Antioch Pike (unnumbered), northeast corner of Una Antioch Pike and Goodwin Drive (.23 acres) | – deferred to November 14, 2006 at the request of the applicant |

Mr. McLean moved and Ms. Nielson seconded the motion, which passed unanimously to approve the Deferred and Withdrawn items as presented. (7-0)

VI. PUBLIC HEARING: CONSENT AGENDA

PREVIOUSLY DEFERRED ITEMS AND ITEMS ON PUBLIC HEARING

- | | | | |
|----|---------------|---|------------------------|
| 2. | 2006S-310G-12 | Schott Subdivision - Request for final plat approval to create 2 lots on property located at 1026 Redmond Court | - Approve w/conditions |
|----|---------------|---|------------------------|

ZONING MAP AMENDMENTS

- | | | | |
|----|---------------|--|-----------|
| 5. | 2006Z-169U-08 | Request to change from R6 to RS5 zoning, and from R6 to RS7.5 zoning, various properties located north of Clifton Avenue on 39th Avenue North, Branch Street, 31st Avenue North, Alameda Street, 32nd Avenue North, Batavia Street, 34th Avenue North, Clifton Avenue, T.S. Jackson Avenue, and 38th Avenue North. | - Approve |
| 7. | 2006Z-171U-11 | Request to change from IWD to CS zoning property located at 506 and 520 Fesslers Lane | - Approve |

FINAL PLATS

- | | | | |
|-----|---------------|---|------------------------|
| 11. | 2006S-333U-12 | Big K Nolensville Road - Request for final plat approval to create 4 lots on property located on 4095 Nolensville Road and Harding Place (unnumbered) | - Approve w/conditions |
| 12. | 2006S-334U-09 | Rolling Mill Hill - Request for final plat approval to create 7 lots on property located at 33 Peabody Street, 72 and 84 Hermitage Avenue and Hermitage Avenue (unnumbered) | - Approve w/conditions |

PLANNED UNIT DEVELOPMENTS AND SPECIFIC PLANS

- | | | | |
|-----|---------------|---|------------------------|
| 13. | 2003P-010U-07 | Jardin De Belle - Request to revise the approved preliminary plan for a portion of a residential Planned Unit Development, and for final approval, to revise the building envelope on one lot located 656 Belle Park Circle | - Approve w/conditions |
|-----|---------------|---|------------------------|

- 14. 2005P-033U-14 Whitland Crossing Townhomes - Request for final approval for a portion of a Planned Unit Development district located along the west side of Donelson Pike, to permit 54 townhomes - Approve w/conditions
- 15. 91-71-G-14 Jackson Square - Request to revise the approved preliminary plan and for final approval for a commercial Planned Unit Development, located at 4715 Andrew Jackson Parkway, to permit the development of a 2,706 square foot bank - Approve w/conditions

Mr. Clifton arrived at 4:14 p.m.

Ms. Nielson moved and Mr. McLean seconded the motion, which passed unanimously to adopt the Consent Agenda as presented. (8-0)

VII. A REQUEST TO AMEND THE DONELSON-HERMITAGE-OLD HICKORY COMMUNITY PLAN: 2003 UPDATE TO GO FROM CORRIDOR GENERAL TO OFFICE TRANSITION, RESIDENTIAL LOW-MEDIUM DENSITY, AND RESIDENTIAL MEDIUM DENSITY POLICIES FOR APPROXIMATELY 45 ACRES FOR PROPERTY LOCATED ALONG BOTH SIDES OF DONELSON PIKE IN THE VICINITY OF LAKELAND DRIVE.

The Metropolitan Planning Commission DEFERRED the Request to amend the Donelson-Hermitage-Old Hickory Community Plan: 2003 Update to November 14, 2006, at the request of the applicant. (7-0)

VIII. PUBLIC HEARING: PREVIOUSLY DEFERRED ITEMS AND ITEMS ON PUBLIC HEARING
ZONING MAP AMENDMENTS

- 1. **2006Z-130G-06**
 Map 155-00, Parcel 267
 Subarea 6 (2003)
 Council District 35 - Charlie Tygard

A request to change from AR2a to RM15 zoning property located at 8921 Collins Road, approximately 275 feet west of Collinswood Drive (2.5 acres), requested by A.W. Chaffin, applicant, for A.W. Chaffin, Edna L. Chaffin, R.S. Chaffin, Melissa L. Chaffin, Don Einwag, and Sherrill D. Einwag, owners.

STAFF RECOMMENDATION: Disapprove

The Metropolitan Planning Commission DEFERRED Zone Change 2006Z-130G-06 to indefinitely at the request of the applicant. (7-0)

FINAL PLATS

- 2. **2006S-310G-12**
 Schott Subdivision
 Map 180-00, Parcel 038
 Subarea 12 (2004)
 Council District 31 - Parker Toler

A request for final plat approval to create 2 lots on property located at 1026 Redmond Court, approximately 680 feet east of Redmond Lane (4.4 acres), zoned AR2a, requested by Linda Gayle Schott, owner, James

Terry & Associates, surveyor.

STAFF RECOMMENDATION: Approve with conditions

APPLICANT REQUEST - Final Plat

Request for final plat approval to create 2 lots on property located at 1026 Redmond Court.

Zoning

AR2a District - Agricultural/residential requires a minimum lot size of 2 acres and intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per 2 acres. The AR2a district is intended to implement the natural conservation or interim nonurban land use policies of the general plan.

SUBDIVISION DETAILS

History - The Planning Commission disapproved a proposed three-lot subdivision on this property in February 2004. At that time, planning staff’s recommendation for three lots was to disapprove. Staff did feel that two lots could be appropriate, and recommended that the applicant remove one of the lots prior to the Planning Commission meeting. The applicant did not remove a lot at that time, however, and the request was disapproved.

Site Plan- As proposed, the current request will take one existing parcel and create two new lots. The proposed lots will have the following areas and frontages:

- 87,120 sq. ft. (2 ac), 123 ft.;
- 196,817 sq. ft. (4.5 ac), 277 ft.

Because this request is in an AR2a district, lot comparability is not required.

Lot Width Variance Section 3-4(2)f. - Section 3-4(2)f. stipulates that the lot width at the front property line shall be at least 25 percent of the average lot depth. This would require the approximate lot width for each lot along Redmond Court to be at least 176 feet. As proposed, lot 1 falls short of the required 176 feet with only 123 feet. This property is located in both Davidson County and Williamson County. The length of lot 1 that is located in Davidson County is 446 feet, with 25 percent being 111 feet. Accordingly, lot 1 meets the lot width requirement for the portion of land that is in Davidson County and a variance is not needed.

PUBLIC WORKS RECOMMENDATION - No Exceptions Taken

CONDITIONS

1. Prior to recordation in Davidson County, the plat must be approved and signed by a Brentwood City official.
2. Both lots shall share access on to Richmond Court at its current location.

Approved with conditions, (8-0) *Consent Agenda*

Resolution No. RS2006-348

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006S-310G-12 is **APPROVED WITH CONDITIONS. (8-0)**”

Conditions of Approval:

1. Prior to recordation in Davidson County, the plat must be approved and signed by a Brentwood City official.
2. Both lots shall share access on to Richmond Court at its current location.”

IX. PUBLIC HEARING: ZONING MAP AMENDMENTS

3. **2006SP-159U-03**
Fern Avenue Lofts
Map 071-14, Parcels 029, 059
Subarea 3 (2003)
Council District 2 - Jamie D. Isabel, Sr.

A request to change from CS to SP zoning properties located at 1206 Brick Church Pike and 40 Evergreen Avenue, at the northwest corner of Brick Church Pike and Fern Avenue (1.07 acres), to permit the development of 45 multi-family units, requested by Dale & Associates, applicant, for Hozell Anderson, owner.

STAFF RECOMMENDATION: Approve with conditions

APPLICANT REQUEST -Preliminary SP

A request to change 1.07 acres from Commercial Services (CS) to Specific Plan (SP) zoning to permit the development of 45 multi-family units, located at 1206 Brick Church Pike and 40 Evergreen Avenue, at the northwest corner of Brick Church Pike and Fern Avenue.

Existing Zoning

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

Proposed Zoning

SP District - Specific Plan is a zoning district category that provides for additional flexibility of design, including the relationship of buildings to streets, to provide the ability to implement the specific details of the General Plan.

- The SP District is a base-zoning district, not an overlay. It will be labeled on zoning maps as “SP.”
- The SP District is not subject to the traditional zoning districts’ development standards. Instead, urban design elements are determined **for the specific development** and are written into the zone change ordinance, which becomes law.
- Use of SP **does not** relieve the applicant of responsibility for the regulations/guidelines in historic or redevelopment districts. The more stringent regulations or guidelines control.
- Use of SP **does not** relieve the applicant of responsibility for subdivision regulation and/or stormwater regulations.

BORDEAUX/WHITES CREEK COMMUNITY PLAN POLICY

Community Center (CC) -CC is intended for dense, predominantly commercial areas at the edge of a neighborhood, which either sits at the intersection of two major thoroughfares or extends along a major thoroughfare. This area tends to mirror the commercial edge of another neighborhood forming and serving as a “town center” of activity for a group of neighborhoods. Appropriate uses within CC areas include single- and multi-family residential, offices, commercial retail and services, and public benefit uses. An accompanying Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms to the intent of the policy.

Consistent with Policy? - Yes. This property sits at the intersection of Fern Avenue and Brick Church Pike, in close proximity to Interstate 65. The location is in the middle of an area zoned commercial and at the edge of a residential neighborhood. The multi-family development will serve as a transition and a buffer between these two uses.

RECENT REZONINGS - None.

PLAN DETAILS - The plan proposes 45 multi-family units in a 4-story building. The development crosses an unbuilt alley right-of-way that will need to be abandoned before the final development plan for

the project can be approved. Additionally, the property fronts on an unbuilt street, Evergreen Avenue, which will be constructed with this development.

The building wraps around the Brick Church Pike, Fern Avenue and Evergreen Avenue street edges of the property, while parking is located interior to the site. The buildings create a strong street edge and sidewalks are proposed on all three street edges. The combination of the strong street edge and the sidewalks will help create a pedestrian friendly environment at this location. A small green is located inside the site for the enjoyment of the residents.

Sixty-eight parking spaces would be required by the Zoning Code if this were not an SP, while 80 parking spaces are provided. The majority of the parking spaces are located in tandem garages in the first floor of the building. The garage level of the building will be under grade for half of the elevation, the other half is designed not to look like a parking garage. Each two-car deep garage will be for one individual unit. The access to the parking is proposed to be gated, but pedestrians will be able to access the units from the fronting streets.

Elevations were only submitted for the Fern Avenue frontage. All elevations must be submitted for review with the final development plan. No building material information was indicated on the plan, however, the applicant has indicated the materials will be split face block, cast stone and synthetic stucco. The stairwells between the blocks of units appear to be open. Staff recommends enclosing these to emphasize that this is a residential building.

PUBLIC WORKS RECOMMENDATION -Following are review comments for the submitted Fern Avenue Lofts specific plan (2006SP-159U-03), received October 6, 2006. Public Works' comments are as follows:

1. All Public Works' design standards shall be met prior to any final approvals and permit issuance. Any approval is subject to Public Works' approval of the construction plans. Final design and improvements may vary based on field conditions.
2. Application required with the abandonment of alley right of way.
3. Show and label 25' minimum right of way radius of corner returns at street intersections.
4. Relocate gate to provide a vehicle queue space outside right of way. Provide egress route for vehicles that are denied access at proposed gate.
5. Garbage collection to be provided by private hauler.
6. Plan proposes double stacked parking. Confirm parking requirements with the zoning administrator to determine if proposed parking is adequate.

STORMWATER RECOMMENDATION - Approved Except as Noted

1. Discharge from headwall should not flow over sidewalk. The runoff should be piped into the Combined Sewer System at a Sewer Department approved location.

CONDITIONS

1. All Public Works conditions shall be bonded and/or completed as required by the Department of Public Works, as listed above.
2. All Stormwater comments shall be addressed prior to Final Site Plan approval.
3. Correct the plans to show on Fern Avenue a dedication of right-of-way 30-feet from the centerline and a reservation of right-of-way for 12-feet beyond the dedication.
4. This development shall comply with the landscaping requirements of the Metro Zoning Ordinance for the RM60 district. A landscape plan shall be submitted with the final site plan.

5. Elevations for all street frontages, including building materials, shall be further developed and submitted for review and approval by the Planning Commission with the final development plan application. Changes, including enclosing the stairwells may be a requirement at final site plan approval.
6. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
7. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Section of the Metropolitan Department of Public Works for all improvements within public rights of way.
8. The requirements of the Metropolitan 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. These plans 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 will require reapproval by the Planning Commission.
10. This final approval includes conditions, which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission. The revised plans must be received within 60 days of Metro Council's final approval

Ms. Withers presented and stated that staff is recommending approval with conditions.

Mr. John Dabbs, 1202 Brick Church Pike, spoke in opposition to the zone change request.

Ms. Cummings arrived at 4:19 p.m.

Mr. Lawson suggested Mr. Dabbs speak with Councilman Isabel regarding his opposition to the proposal and to gather additional information regarding SP zoning as it relates to his property.

Mr. Ponder moved and Mr. McLean seconded the motion, which passed unanimously to approve with conditions Zone Change 2006SP-159U-03. **(9-0)**

Mr. Kleinfelter offered that although this zone change request was within Councilman Isabel's district, the zone change request is being sponsored by someone other than Councilman Isabel.

Resolution No. RS2006-349

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006SP-159U-03 is **APPROVED WITH CONDITIONS. (9-0)**

Conditions of Approval:

1. All Public Works conditions shall be bonded and/or completed as required by the Department of Public Works, as listed above.
2. All Stormwater comments shall be addressed prior to Final Site Plan approval.
3. Correct the plans to show on Fern Avenue a dedication of right-of-way 30-feet from the centerline and a reservation of right-of-way for 12-feet beyond the dedication.
4. This development shall comply with the landscaping requirements of the Metro Zoning Ordinance

for the RM60 district. A landscape plan shall be submitted with the final site plan.

5. Elevations for all street frontages, including building materials, shall be further developed and submitted for review and approval by the Planning Commission with the final development plan application. Changes, including enclosing the stairwells may be a requirement at final site plan approval.
6. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
7. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Section of the Metropolitan Department of Public Works for all improvements within public rights of way.
8. The requirements of the Metropolitan 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. These plans 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 will require reapproval by the Planning Commission.
10. This final approval includes conditions, which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission. The revised plans must be received within 60 days of Metro Council's final approval.

The proposed SP district is consistent with the Bordeaux/Whites Creek Community Plan's Community Center policy, which is intended for dense, predominantly commercial areas at the edge of a neighborhood, which either sits at the intersection of two major thoroughfares or extends along a major thoroughfare."

-
4. **2006Z-030U-13**
Map 162-00, Parcel 025
Subarea 13 (2003)
Council District 28 - Jason Alexander

A request to change from AR2a to CS district property located at Una Antioch Pike (unnumbered), northeast corner of Una Antioch Pike and Goodwin Drive (.23 acres), requested by James A. Rust and Mitchell Whitson et ux, owners.

STAFF RECOMMENDATION: Disapprove

The Metropolitan Planning Commission DEFERRED Zone Change 2006Z-030U-13 to November 14, 2006, at the request of the applicant. (7-0)

-
5. **2006Z-169U-08**
Map 091-00, Various Parcels
Map 092-00, Various Parcels
Subarea 8 (2002)
Council District 21 - Edward Whitmore

A request to change from R6 to RS5 zoning (8.28 acres) and from R6 to RS7.5 zoning (17.61) various properties located north of Clifton Avenue on 39th Avenue North, Branch Street, 31st Avenue North, Alameda Street, 32nd Avenue North, Batavia Street, 34th Avenue North, Clifton Avenue, T.S. Jackson Avenue, and 38th Avenue North, requested by Councilmember Edward Whitmore for various property owners.

STAFF RECOMMENDATION: Approve

APPLICANT REQUEST - A request to change 25.89 acres on various properties located north of Clifton Avenue on 39th Avenue North, Branch Street, 31st Avenue North, Alameda Street, 32nd Avenue North, Batavia Street, 34th Avenue North, Clifton Avenue, T.S. Jackson Avenue, and 38th Avenue North from One and Two-Family Residential (R6) to Single-Family Residential, (RS5) and (RS7.5).

Existing Zoning

R6 District - R6 requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.72 dwelling units per acre including 25% duplex lots.

Proposed Zoning

RS5 District - 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.

RS7.5 District - RS7.5 requires a minimum 7,500 square foot lot and is intended for single-family dwellings at a density of 4.94 dwelling units per acre.

NORTH NASHVILLE COMMUNITY PLAN POLICY

Structure Policy

Neighborhood General (NG) - NG is intended to meet a spectrum of housing needs with a variety of housing that is carefully arranged, not randomly located. An accompanying Urban Design or Planned Unit Development overlay district or site plan generally should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

Major Institutional (MI) - MI is intended to apply to existing areas with major institutional activities that are to be conserved, and to plan major institutional areas, including expansions of existing areas and new locations. Examples of appropriate uses include colleges and universities, major health care facilities and other large-scale community services that do not pose a safety threat to the surrounding neighborhood. On sites for which there is no endorsed campus or master plan, an Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in this policy area.

Detailed Policy

Single-Family Detached (SFD) - SFD is intended for single-family housing that varies based on the size of the lot. Detached houses are single units on a single lot.

Institutional (INS) - INS is intended for major institutions such as colleges, universities, and hospital complexes.

Detailed Neighborhood Design Plan - Properties in this request are located within three areas designated with a Detailed Neighborhood Design Plan (DNDDP), which include Tomorrow's Hope, Hadley Park, and College Heights-Clifton.

Application Fee - There are 108 properties in this request, and the total fee for a single zoning application would be \$1,409. If each property owner were to file a Zone Change application individually, the total fee would be \$129,600.

Consistent with Policy? - Yes. The request is for various properties within the North Nashville Community Planning area. While the properties are located within different policies that include detailed design plans, the request is not inconsistent with these policies and detailed plans.

PUBLIC WORKS RECOMMENDATION -No Exceptions Taken

METRO SCHOOL BOARD REPORT - As this request to change to single-family district represents a down zoning, the number of expected students would be equal to or less than what the current zoning allows.

Approved, (8-0) *Consent Agenda*

Resolution No. RS2006-350

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006Z-169U-08 is **APPROVED. (8-0)**

The proposed RS5 and RS7.5 districts are consistent with the North Nashville Community Plan’s various policies for this area.”

6. 2006Z-170T
Historic Home Event

An ordinance to amend Section 17.16.160 of Title 17 of the Metropolitan Code, Zoning Regulations, by replacing the special exception standards for Historic Home Events with new standards. Introduced by Councilmember John Summers.

STAFF RECOMMENDATION: Approve

APPLICANT REQUEST - A request to amend Section 17.16.160 the Zoning Code to modify the special exception standards for Historic Home Events.

ANALYSIS

Existing Law -“Historic home event” is defined in Zoning Code as “the hosting of events such as, but not limited to, weddings or parties for pay in a private home which has been judged to be historically significant by the historical commission.”

Historic home events are a special exception land use, which means the applicant for the use must request a special exception permit from the Metro Codes Department and the Board of Zoning Appeals (BZA) hears the application and either grants or denies the permit.

The BZA is guided in its decision by general standards, outlined in 17.16.150 “General provisions” and by standards specific to historic home events, outlined in 17.16.160.B. “Historic Home Events.”

The bill before Commission would repeal the special exception standards that are specific to historic home events and replace them with new standards. A comparison of the current and proposed standards follows.

Current and Proposed Standards

Issue	Current Standard	Proposed Standard
Eligibility	Structure must be “historically significant” as determined by the Metro Historical Commission.	No change.
Lot Size	Minimum lot size required by the zoning district.	No minimum lot size.
Location of Events – Indoors v. Outdoors	“The events shall be within a historically significant structure...” This has been interpreted by the BZA to allow outdoor events.	If the lot is under five acres, all aspects of the event (prep and event) must be held <i>inside</i> the historic structure. For lots over five acres, events may be held <i>outside</i> the historic structure, at the discretion of the BZA and subject to conditions to avoid disturbance to adjacent properties.

Parking	If minimum parking standards require additional parking, the parking shall meet the perimeter parking lot landscaping requirements. In urban settings the BZA may consider on-street parking.	Current standards are retained with one standard added: if minimum parking standards require additional parking to be constructed on-site, the parking shall be located so as not to adversely impact the continuity of the existing neighborhood context.
Signs	Signs for advertising shall not be permitted.	Only those signs in compliance with Section 17.32.040.P. (signs allowed in residential districts) are allowed.
Meals	Meal service is restricted to patrons of the special event only, and not to the general public.	Changed to “Meals and Beverages” noting that meal <i>and</i> beverage services shall be restricted to patrons of the special event only.
Owner Occupied	“The owner of the property must reside permanently in the historic home. Where there is more than one owner of the home, or where an estate, corporation, limited partnership or similar entity is the owner, a person with controlling interest, or possessing the largest number of outstanding shares owned by any single individual or corporation, shall reside permanently in the historic home. If two or more persons own equal shares that represent the largest ownership, at least one of the persons shall reside permanently in the historic home.”	Current standards are retained with one addition standard: “The applicant shall submit a site plan the clearly establishes the personal living space of the owner of the property, event preparation areas (including, but not limited to, food preparation) and event location areas.”
Operational Standards	This is labeled “Frequency of Events” in the current ordinance. It states that the BZA may limit the number and frequency of events to minimize disturbance to surrounding properties.	Current standards are retained with the addition that BZA may also limit the number of attendees per event and establish other operation standards necessary to minimize disturbance to surrounding properties.

(Continued on next page)

Issue	Current Standard	Proposed Standard
Exterior Work	No current standard.	When exterior work is proposed for the structure, it will be subject to design review guidelines adopted by the Metro Historic Zoning Commission for determining the architectural compatibility and historical significance of the work. The neighborhood conservation district design review guidelines shall apply. The Historic Zoning Commissions approval of work shall be granted in writing as a condition for issuance of a zoning permit.
Spacing	No current standard.	Where a block face is 1000 feet or less in length, only one historic home event special exception is allowed on the same or opposing block face. Where a block face is over 1000 feet, no historic home event can locate within 1000 feet of another historic home event.
Exterior Lighting	No current standard.	Exterior lighting shall be designed, located and sized to comply with the lighting standards in Chapter 17.28.100. This section calls for the shielding of light from adjacent properties.

Background - In the summer of 2006, Metro Codes, the Historic Commission, and the Planning Department were approached by neighborhood leaders requesting amendments to the Historic Home Event standards. The neighborhood leaders and the Departments met to discuss how to strengthen current standards and add new standards to allow this special exception commercial venture in neighborhoods while ensuring that the historic home events would not adversely impact the neighborhood.

The bill before Commission is the compromise achieved by the neighborhood leaders and the Metro Departments. It is supported by the Departments as a workable compromise to encourage the renovation of historic structure with the understanding that the cost of restoration can be defrayed by allowing home events while protecting the residential nature of the neighborhoods in which these structures reside.

Staff Recommendation - Approve.

Ms. Carlat presented and stated that staff is recommending approval.

Ms. Ann Coleman, 9000 Church Street, spoke in opposition to the text amendment.

Mr. Terry Martin, 9000 Church Street, spoke in opposition to the text amendment.

Mr. Chris Catanzaro, 750 Roycroft Place, spoke in favor of the text amendment.

A resident of 751 Benton Avenue spoke in favor of the text amendment.

A resident of 205 S. 12th Street, spoke in favor of the text amendment.

Mr. Gordon Gilbreath, 2601 Barton Avenue, spoke in opposition to the text amendment. He submitted photos for review by the Commission but did not leave the photos for the record.

Mr. Russ Willis, 1030 Caldwell Lane, spoke in opposition to the text amendment.

Ms. Emily Cotheran, 122 S. 12th Street, spoke in opposition to the text amendment.

Mr. Clifton requested further clarification on how this text amendment would affect existing homes with this zoning.

Ms. Carlat explained this concept to the Commission.

Mr. Clifton acknowledged the intent of the amendment and the requested action of the Commission. He mentioned further amendments that could be addressed, possibly at the Council level.

Ms. Cummings spoke of the proposed amendment in that it is an improvement over current standards. She expressed concerns with issues relating to parking.

Mr. Tyler requested further clarification regarding parking and the maximum attendance number mentioned in the amendment.

Ms. Carlat explained this concept to the Commission.

Mr. Tyler requested further clarification regarding the “shielding of light” as mentioned in the amendment.

Ms. Carlat explained this concept to the Commission.

Mr. Ponder requested additional information and clarification on “catered events” in relation to the amendment.

Ms. Carlat explained this concept to the Commission.

Mr. Loring expressed issues with traffic and parking that is associated with Historic Home events.

Mr. Clifton stated that the language regarding “catering” should be clarified. He stated that as it is written, it may inadvertently state that catering is prohibited.

Mr. Lawson offered that the Commission could include language in their recommendation to Council that would address the clarification on catered events.

Mr. Clifton also suggested that the bill be re-referred to the Commission if additional changes were made at the Council level.

Mr. Clifton moved and Ms. Cummings seconded the motion, which passed unanimously, to approve Text Amendment 2006Z-170T, with the added conditions that the ordinance does not prohibit the use of a caterer to provide refreshments for historic home events as well as with the condition that if any amendment is added to the ordinance that would change the amendment’s effect, that Council re-refer the ordinance back to the Planning Commission. **(9-0)**

Resolution No. RS2006-351

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006Z-170T is APPROVED WITH TWO CONDITIONS: 1) It must be clarified that the ordinance does not prohibit the use of a caterer to provide refreshments for historic home events, and 2) If any amendment is added to the ordinance that substantially changes its effect, then the ordinance should be re-referred to the Planning Commission. (9-0)”

7. **2006Z-171U-11**
Map 106-00, Parcel 153, part of 003
Subarea 11 (1999)
Council District 17 - Ronnie E. Greer

A request to change from IWD to CS zoning property located at 506 and 520 Fesslers Lane, at the northeast corner of Elm Hill Pike and Fesslers Lane (1.72 acres), requested by Barge Waggoner Sumner & Cannon,

applicant, for TriStar Energy LLC, owner.

STAFF RECOMMENDATION: Approve

APPLICANT REQUEST - A request to change 1.72 acres from Industrial Warehousing/Distribution (IWD) to Commercial Service (CS) zoning on property located 506 and 520 Fesslers Lane, on the northeast corner of Elm Hill Pike and Fesslers Lane.

Existing Zoning

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

Proposed Zoning

CS District - Commercial Service is intended for retail, consumer service, financial, restaurant, office, auto-repair, auto sales, self-storage, light manufacturing and small warehouse uses.

SOUTH NASHVILLE COMMUNITY PLAN POLICY

Industrial and Distribution (IND) - IND policy is intended for existing and future areas of industrial and distribution development. Most types of industrial and distribution uses are found in this policy category including: storage, business centers, wholesale centers, and manufacturing. Certain support uses such as sales, service, and office facilities will also be present in IND areas.

Consistent with Policy? - Yes. While the IND Policy is generally intended for industrial uses, the South Nashville Community Plan states that IND policy areas also permit supporting commercial uses. The applicant has indicated that they intend to build a 121-room hotel on this site. While hotels are not usually consistent with IND policy, this site is located near the I-40 interchange where commercial uses will serve as support to the existing industrial uses and policy area. This interchange already includes other commercial uses, such as convenience stores and fast food restaurants. Therefore, CS zoning on these two parcels is consistent with the existing uses in the area and consistent with the IND policy, which allows some commercial uses to support the overall industrial land uses in the area.

PUBLIC WORKS RECOMMENDATION - Traffic impact study may be required at the time of development.

Typical Uses in Existing Zoning District: IWD

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	2.63	0.337	38,607	493	43	31

Typical Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	2.63	0.263	30,130	530	72	113

Change in Traffic Between Typical Uses in Existing and Proposed Zoning District

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	2.63		8,477	37	29	82

Maximum Uses in Existing Zoning District: IWD

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	2.63	0.8	91,650	688	79	61

Maximum Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Convenience Market(852)	2.63	0.07*	8,019	2,500	249	278

*Adjusted as per use

Change in Traffic Between Maximum Uses in Existing and Proposed Zoning District

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	2.63			1,812	170	217

Approved, (8-0) *Consent Agenda*

Resolution No. RS2006-352

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006Z-171U-11 is **APPROVED. (8-0)**

The proposed CS district is consistent with the South Nashville Community Plan’s Industrial and Distribution policy, which while generally intended for industrial uses, the policy also calls for supporting commercial uses.”

- 8. 2006Z-172U-14**
 Map 095-04, Parcels 034, 035
 Subarea 14 (2004)
 Council District 15 - J. B. Loring

A request to change from R20 to OL zoning property located at 222 and 224 McGavock Pike, approximately 260 feet south of Crossfield Drive (1.52 acres), requested by Alexander D. Smith and Thomas and Kellie Thorburn, owners.

STAFF RECOMMENDATION: Disapprove

APPLICANT REQUEST - A request to change approximately 1.52 acres from One and Two-Family Residential (R20) to Office Limited (OL) zoning, located at 222 and 224 McGavock Pike.

Existing Zoning

R20 District - R20 requires a minimum 20,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 2.31 dwelling units per acre including 25% duplex lots.

Proposed Zoning

OL District - Office Limited is intended for moderate intensity office uses.

DONELSON-HERMITAGE COMMUNITY PLAN POLICY

Residential Low Medium (RLM)-RLM policy is intended to accommodate residential development within a density range of two to four dwelling units per acre. The predominant development type is single-family homes, although some townhomes and other forms of attached housing may be appropriate.

Consistent With Policy? -No. The requested Office Limited district is not consistent with the Donelson-Hermitage Community’s Residential Low Medium policy, which calls for residential development. Approval of OL zoning on these parcels would allow non-residential uses to encroach into a stable residential neighborhood.

RECENT REZONINGS - None

PUBLIC WORKS ECOMMENDATION -Traffic Study may be required at the time of development.

Typical Uses in Existing Zoning District: R20

Land Use (ITE Code)	Acres	FAR	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached(210)	1.52	1.85	3	29	3	4

Typical Uses in Existing Zoning District: OL

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office(710)	1.52	0.056	3,708	106	14	83

Maximum Uses in Proposed Zoning District: R20

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached(210)	1.52	1.85	3	29	3	4

Maximum Uses in Proposed Zoning District: OL

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	1.52	0.75	49,658	779	108	135

Change in Traffic Between Typical Uses in Existing and Proposed Zoning District

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				77	11	79

Mr. Swaggart presented and stated that staff is recommending disapproval.

Mr. McLean moved and Ms. Cummings seconded the motion, which passed unanimously to disapprove Zone Change 2006Z-172U-14. (9-0)

Resolution No. RS2006-353

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006Z-172U-14 is **DISAPPROVED**. (9-0)

The proposed OL district is not consistent with the Donelson-Hermitage Community Plan’s Residential Low Medium policy, which calls for residential developments with a density between 2 and 4 dwelling units per acre.”

X. FINAL PLATS

9. **2006S-316U-07**
Boyce Subdivision
Map 103-03, Parcel 200
Subarea 7 (2000)

Council District 24 - John Summers

A request for final plat approval to create 2 lots on property located at 146 51st Avenue North, approximately 200 feet south of Wyoming Avenue (0.23 acres), zoned RS7.5, requested by May B. Smith Boyce et vir, owners, H & H Land Surveying, surveyor.

STAFF RECOMMENDATION: Disapprove

APPLICANT REQUEST -Final Plat

A request for final plat approval to create 2 lots on property located at 146 51st Avenue North, approximately 200 feet south of Wyoming Avenue.

ZONING

RS7.5 District -RS7.5 requires a minimum 7,500 square foot lot and is intended for single-family dwellings at a density of 4.94 dwelling units per acre.

PROPERTY HISTORY - This request involves two tracts of land created in 1959. The current owner has held the property since 1965. The two tracts of land have been used as one lot, with one house and a detached garage. The land is held in one parcel, instead of two as the deed specifies. The Mapping Division staff pulled the old microfilm from when the parcel was first entered on the mainframe system and found it was added as one parcel. Staff also looked at the oldest mapping log from 1965 and found that the land shows up as one parcel. Staff has no way of knowing why the land was mapped as one parcel, only that it was and has been used as one “lot” since it was created.

Nonconforming Lot Area

Zoning Ordinance Chapter 17.40.670 -Within the R, RS, RM, AR2a and AG districts, a single-family structure may be constructed on a legally created lot that contains less than the minimum lot area required by Tables 17.12.020A, 17.12.020B or 17.12.020C, provided the lot contains a minimum area of three thousand seven hundred fifty square feet and existed prior to the effective date of the ordinance codified in this title.

The Zoning Administrator has indicated that because these two tracts of land existed prior to the adoption of zoning in Nashville, the two tracts of land have development rights and can be reconfigured without a variance from the Board of Zoning Appeals. Staff has found that both the Zoning Ordinance and the Subdivision Regulations are silent on the subject of reconfiguring non-conforming lots.

Lot Comparability - Section 3-5 of the Subdivision Regulations states that new lots in areas that are predominantly developed are to be generally in keeping with the lot frontage and lot size of the existing surrounding lots.

Lot comparability analysis was performed and yielded the following information:

Lot Comparability Analysis		
Street:	Requirements:	
	Minimum lot size (sq.ft):	Minimum lot frontage (linear ft.):
	6,643	48.0

As proposed, the two new lots have the following areas and street frontages:

- Lot 1: 5,577 Sq. Ft., (0.128 Acres), with 50.86 ft. of frontage.
- Lot 2: 5,506 Sq. Ft., (0.126 Acres), with 50.86 ft. of frontage.

Both of the proposed lots are comparable in frontage but are **not** comparable in area.

Lot Comparability Exception - A lot comparability exception can be granted if the lot does not meet the minimum requirements of the lot comparability analysis (is smaller in lot frontage and/or size) if the new lots would be consistent with the General Plan. The Planning Commission has discretion whether or not to

grant a lot comparability exception.

One or more of the criteria listed below may be used by the Commission to determine whether the proposed smaller lot size is consistent with the General Plan:

- If the proposed subdivision is within a one-half mile radius of any area designated as a "Regional Activity Center" land use policy category.
- If the proposed subdivision is within a one-quarter mile radius of any area designated as a "Mixed Use", "Office", "Commercial", or "Retail" land use policy categories.
- If the proposed subdivision is within an area planned for a town center or neighborhood center.
- Where the proposed lot sizes are consistent with the adopted land use policy that applies to the property.

Recommendation - Staff recommends disapproval this subdivision request for several reasons. First, although there are two tracts of land described in the deed, the land has always been used as one lot. Second, the proposed lots are not comparable to the minimum lot size specified in the Lot Comparability Analysis, nor do they meet any of the criteria to qualify for an exception to the standards.

PUBLIC WORKS RECOMMENDATION -Show professional seal.

STORMWATER RECOMMENDATION-Approved.

FIRE MARSHAL RECOMMENDATION - No comments.

CONDITION (if approved) -Comply with Public Works comments listed above prior to the recording of the final plat.

Ms. Withers presented and stated that staff is recommending disapproval.

Mr. William Boyce, 116 Highland Villa Drive, spoke in favor of the proposal. He submitted information to the Commission for the record.

Mr. Lawson requested legal clarification on the definition of the lots included in the proposal.

Mr. Morrissey stated that he could not provide a legal opinion due to the fact he has not reviewed the plans, nor does he have the background information associated with the lots.

Mr. Lawson offered that he would request that legal review the proposal prior to the Commission taking action on the project.

Ms. Withers stated that the Commission has 30 days in which they are required to take action on the proposal.

Mr. Ponder moved and Ms. Nielson seconded the motion to defer Final Plat 2006S-316U-07 one meeting, to allow additional time to review of the proposal.

Mr. Clifton requested clarification on the actions by the Zoning Administration on this proposal.

Ms. Withers explained the recommendations made by the Zoning Administrator.

Mr. Kleinfelter offered that staff is recommending disapproval based on lot sizes and comparability, not on the issue of whether the lots can be subdivided.

Ms. Jones requested additional clarification on the layout of the subdivision.

Ms. Withers explained the layout of the subdivision to the Commission.

Mr. McLean requested clarification on surrounding lots and their ingress/egress options.

Ms. Jones expressed issues with the lots sizes as well as the boundary lines surrounding the proposal.

Mr. Clifton summarized by stating that the subdivision is legal but staff is advising against due to comparability issues.

A brief discussion ensued regarding the Commission's actions for this proposal.

Mr. Morrissey offered that the Zoning Administrator agreed that the two lots exist and it is legal to subdivide the property.

Mr. Kleinfelter offered that the Zoning Administrator addressed the issue on whether the lots meet zoning requirements, not whether the lots were buildable.

There were additional comments made by the Commissioners regarding this proposal.

Mr. Ponder withdrew his motion to defer this proposal.

Mr. McLean moved, and Ms. Cummings seconded the motion, to approve Final Plat 2006S-316U-07. **(8-1) No Vote – Nielson**

Resolution No. RS2006-354

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006S-316U-07 is **APPROVED. (8-1)**”

- 10. 2006S-324U-12**
Locustwood Subdivision Sect. 1, Revision Lot 134
Map 148-10, Parcel 066
Subarea 12 (2004)
Council District 30 - Jim Hodge

A request for final plat approval to create 2 lots on property located at 3900 East Ridge Drive, at the southeast corner of Haywood Lane and East Ridge Drive (0.84 acres), zoned R10, requested by David Mingle, owner, Tony Reasons, surveyor.

STAFF RECOMMENDATION: Approve with conditions

Mr. Kleinfelter announced that Councilman Hodge has met with the applicant, as well as Mr. Swaggart, and it has been agreed to defer this item to December 14, 2006 at the request of the applicant.

Mr. Loring moved and Mr. McLean seconded the motion, which passed unanimously to defer Item #10, 2006S-324U-12 Locustwood Subdivision to December 14, 2006.

Resolution No. RS2006-355

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006S-324U-12 is **DEFERRED TO THE DECEMBER 14, 2006, PLANNING COMMISSION MEETING. (9-0)**

- 11. 2006S-333U-12**
Big K Nolensville Road
Map 147-00, Parcels 003, 004
Subarea 12 (2004)
Council District 26 - Greg Adkins

A request for final plat approval to create 4 lots on property located on 4095 Nolensville Road and Harding Place (unnumbered), at the northwest corner of Nolensville Road and Harding Place (15 acres), zoned SCR, requested by Davidson Partners, owner, Stantec Consulting Services, surveyor.

STAFF RECOMMENDATION: Approve with conditions

APPLICANT REQUEST -Final Plat

Request for final plat approval to create 4 lots on property located on the northwest corner of Nolensville Road, and Harding Place (4095 Nolensville Road).

Zoning

SCR District -Shopping Center Regional is intended for high intensity retail, office, and consumer service uses for a regional market area.

SUBDIVISION DETAILS

Site Plan - The request will take two existing parcels totaling 657,087 square feet (15 acres), and create four new lots. The site is currently developed with four individual buildings, and the request will place each building on an individual lot. Lots will have the following area(s):

1. 570,843 sq. ft., (13.1 ac.);
2. 32,514 sq. ft., (.75 ac.);
3. 25,230 sq. ft., (.58 ac.);
4. 28,500 sq. ft., (.65 ac.).

Access and Parking - To ensure that adequate access is provided for each lot, a cross access easement will be provided across the entire site. Also to ensure that all lots meet all Metro parking requirements, a shared parking agreement will be recorded with this final plat.

Staff Recommendation - Staff recommends that the request be approved with conditions.

PUBLIC WORKS RECOMMENDATION

1. Cross access shall be provided and identified on the plat between all proposed lots of record.
2. Cross access to adjacent lots not made a part of this plat shall be shown.

STORMWATER RECOMMENDATION -Approve with the following condition:

Metro GIS indicates the presence of a ditch, and several stormwater pipes running along the eastern portions of lots 1-3. Said ditch and pipes carry public water. Show and label a public drainage where indicated.

CONDITIONS

1. Prior to final plat recordation, the parcel numbers need to be added to the plat.
2. Revise land area calculation table for lot one from 575,718 sq. ft., 13.22 ac. to 570,843 sq. ft., 13.1 ac.
3. Print name under the signature line.
4. All Public Works' conditions above shall be shown on the plat and approved by Public Works Staff prior to recordation.
5. All Stormwater conditions shall be shown and approved by Stormwater Staff prior to recordation.

Approved with conditions, (8-0) *Consent Agenda*

Resolution No. RS2006-356

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006S-333U-12 is **APPROVED WITH CONDITIONS. (8-0)**

Conditions of Approval:

1. Prior to final plat recordation, the parcel numbers need to be added to the plat.
2. Revise land area calculation table for lot one from 575,718 sq. ft., 13.22 ac. to 570,843 sq. ft., 13.1 ac.
3. Print name under the signature line.

4. All Public Works' conditions above shall be shown on the plat and approved by Public Works Staff prior to recordation.
5. All Stormwater conditions shall be shown and approved by Stormwater Staff prior to recordation.

12. 2006S-334U-09
Rolling Mill Hill
Map 093-11, Parcels 085, 105, 106, 107, 108, 242
Subarea 9 (1997)
Council District 6 - Mike Jameson

A request for final plat approval to create 7 lots on property located at 33 Peabody Street, 72 and 84 Hermitage Avenue and Hermitage Avenue (unnumbered), at the northeast corner of Peabody Street and Hermitage Avenue (28.69 acres), zoned CF and within the Rutledge Hill Redevelopment District, requested by MDHA, owner, Gresham Smith & Partners, surveyor.

STAFF RECOMMENDATION: Approve with conditions

APPLICANT REQUEST -Final Plat

A request for final plat approval to create 7 lots on 28.69 acres located at 33 Peabody Street, 72 and 84 Hermitage Avenue and Hermitage Avenue (unnumbered), at the northeast corner of Peabody Street and Hermitage Avenue.

ZONING

CF District -Core Frame is intended for a wide range of parking and commercial service support uses for the central business district.

PLAN DETAILS -Rolling Mill Hill is being developed under the guidance of the Metropolitan Development and Housing Agency. It is located in the Rutledge Hill Redevelopment District and was once home to Nashville's General Hospital. The goal of the project is to create "Smart Growth" infill that mixes employment, shopping, and housing.

The planning framework is a grid of interconnected streets that create a simple rectilinear lot plan that allows flexibility. This development format creates a connected, pedestrian friendly environment. This plat creates seven lots and will allow ownership of individual lots to be transferred and building construction to commence.

PUBLIC WORKS RECOMMENDATION -No Exceptions Taken.

STORMWATER RECOMMENDATION -Grading plans for the platted properties have not been submitted. Public Drainage Easements must be secured when grading plans are submitted. Thus, upon approval of the noted construction document, either dedicate the public drainage easements via separate instrument or submit an additional plat that voids, vacates, and supersedes lots 1-7 of this plat.

WATER SERVICES RECOMMENDATION -Along Hermitage Avenue, show the location of the proposed sewer line and provide a 20' sanitary sewer easement along the right-of-way.

CONDITIONS - Prior to the recording of the final plat:

1. Along Hermitage Avenue, show the location of the proposed sewer line and provide a 20' sanitary sewer easement along the right-of-way.
2. Either dedicate the appropriate drainage easements with this plat, or prior to construction submit a new plat dedicating the appropriate drainage easements.
3. Add the subdivision number: 2006S-334U-09.

4. Add the lot sizes for each proposed lot.
5. Add the new parcel number for each proposed lot.

Approved with conditions, (8-0) *Consent Agenda*

Resolution No. RS2006-357

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006S-334U-09 is **APPROVED WITH CONDITIONS. (8-0)**

Conditions of Approval:

1. Along Hermitage Avenue, show the location of the proposed sewer line and provide a 20’ sanitary sewer easement along the right-of-way.
2. Either dedicate the appropriate drainage easements with this plat, or prior to construction submit a new plat dedicating the appropriate drainage easements.
3. Add the subdivision number: 2006S-334U-09.
4. Add the lot sizes for each proposed lot.
5. Add the new parcel number for each proposed lot.

XI. PLANNED UNIT DEVELOPMENTS (revisions)

13. 2003P-010U-07

Jardin De Belle
 Map 130-130a , Parcel 015
 Subarea 7 (2000)
 Council District 34 - Lynn Williams

A request to revise the approved preliminary plan for a portion of a residential Planned Unit Development, and for final approval, classified R8 district (.21 acres), to revise the building envelope on one lot located 656 Belle Park Circle, requested by Durden Architecture, applicant for Susan Micheal, property owner.

STAFF RECOMMENDATION: Approve with conditions

APPLICANT REQUEST - Revision to Preliminary and Final PUD

A request to revise the approved preliminary plan for a portion of a Residential Planned Unit Development, and for final site plan approval, (0.21 acres), to revise the building envelope on one lot located 656 Belle Park Circle.

PLAN DETAILS

History -The approved PUD includes 34 single-family lots consisting of Charleston-style houses. Every lot is proposed to have either rear access or side access leading to a rear-located garage / carriage house. The plan includes a single, one-way street for ingress and egress off Forrest Park Drive.

The approved PUD was very specific about establishing footprints for building envelopes, detached garages and carriage houses. This development contains large houses on smaller lots. The established building footprints help maintain a rhythm of solid to void in order to maintain an openness between buildings.

This specific lot was shown with a detached structure that is 15-feet deep and not large enough to park a car. The applicant is proposing to shift the footprint of the structure and add it to the rear of the house in order to provide a usable garage space.

Staff recommends approval of the change because it will not increase the building footprint and will allow for better screening of the garage door from the streets. The revised plan also will maintain the solid to

void rhythm of the streetscape. The Architecture Review Committee for the development is supportive of this change.

Two trees that were previously marked to remain will be removed by this request. It is questionable whether both of the trees could have survived during construction based on the previously approved building envelope. The applicant is proposing to plant three, new, 5-inch caliper canopy trees on the site in exchange for being allowed to take down the existing trees.

STORMWATER RECOMMENDATION - Approve

PUBLIC WORKS RECOMMENDATION -No exceptions taken.

FIRE MARSHAL RECOMMENDATION -Approve

CONDITIONS

1. Prior to the issuance of the use and occupancy permit, the three 5-inch caliper canopy trees shall be planted.
2. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
3. These plans 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 will require reapproval by the Planning Commission.

Approved with conditions, (8-0) *Consent Agenda*

Resolution No. RS2006-358

“BE IT RESOLVED by The Metropolitan Planning Commission that 2003P-010U-07 is **APPROVED WITH CONDITIONS. (8-0)**

Conditions of Approval:

1. Prior to the issuance of the use and occupancy permit, the three 5-inch caliper canopy trees shall be planted.
2. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
3. These plans 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 will require reapproval by the Planning Commission.

- 14. 2005P-033U-14**
Whitland Crossing Townhomes
Map 096-09, Parcel 227
Subarea 14 (2004)
Council District 15 - J. B. Loring

A request for final approval for a portion of a Planned Unit Development district located along the west side of Donelson Pike, south of Lakeland Drive, zoned RM9, (5.99 acres), to permit 54 townhomes, requested by Civil Site Design Group, applicant, for Harold Feener, owner.

STAFF RECOMMENDATION: Approve with conditions

APPLICANT REQUEST -Final PUD

A request for final site plan approval for a Planned Unit Development, to permit 54 multi-family units, located along the west side of Donelson Pike.

PLAN DETAILS

Site Design -This plan includes 54 townhomes and is consistent with the Council approved plan for this portion of the PUD. The front portion of the PUD, along Donelson Pike, includes two commercial out-parcels. The entire development is accessed from one driveway off Donelson Pike and does not connect to the surrounding neighborhood, as approved by the Metro Council.

Staff recommendation -Staff recommends approval with conditions since this plan is consistent with the approved preliminary plan.

STORMWATER RECOMMENDATION -Approved with the following condition and questions being addressed prior to grading permit issuance:

1. Provide a copy of the detention maintenance agreement.
2. Provide easement documentation for the offsite flow being piped through your project site.
3. Is the appeal documentation provided still valid? Has plan changed from what was submitted to Stormwater Committee? See Item 4 of July 25, 2006 letter from Committee.
4. Include NOI/NOC note on the plan set.
5. Provide a copy of the NOC letter.
6. Provide easement documentation for the detention pond.
7. Provide the as-built note for the underground detention.
8. Provide civil details for the inlets and manholes.
9. Will sheets POND and DRN3 be a part of the plan set? If not, a detail of the detention outlet structure will need to be provided on the Civil Details sheet.
10. Provide a detail of the underground detention structure.
11. Provide HGL's for each pipe segment.
12. Provide an existing conditions drainage map.
13. The disturbed area listed in note 1 on sheet C2.00 is 0.51 acres, but the disturbed area appears to be closer to 5.1 acres.
14. If the area disturbed is over 5 acres, provide sediment pond calculations and temporary outlet structure for the pond?
15. Provide more detail of ditch that site is discharging into. No ditch is evident on drawing at the proposed discharge location.
16. Sheet DRN3 lists the pond area as 4.1 acres and the calculations provided use 6.1 acres.
17. The capture percentage for the water quality outlet needs to be 90% if you are going to use a drawdown time of 24 hours.
18. Include a note on the plan set stating whether or not your site is in a floodplain and what FEMA FIRM map and panel number it is included on.

PUBLIC WORKS RECOMMENDATION -All Public Works' design standards shall be met prior to any final approvals and permit issuance. Any approval is subject to Public Works' approval of the construction plans.

Show ST-200 Curb & Gutter along private street. Update details to match site layout plan.

Confirm parking requirements with the zoning administrator to determine if proposed parking is adequate.

FIRE MARSHAL - Approved

CONDITIONS

1. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services, including confirmation that all of the conditions and comments outlined in this report have been satisfied.
2. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Section of the Metropolitan Department of Public Works.
3. Subsequent to enactment of this planned unit development overlay district by the Metropolitan Council, and prior to any consideration by the Metropolitan Planning Commission for final site development plan approval, a paper and electronic copy of the final boundary plat for all property within the overlay district must be submitted, complete with owners' signatures, to the Planning Commission staff for review.
4. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
5. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and fire flow water supply during construction must be met prior to approval of any final plat or the issuance of any building permits.

Approved with conditions, (8-0) *Consent Agenda*

Resolution No. RS2006-359

"BE IT RESOLVED by The Metropolitan Planning Commission that 2005P-033U-14 is **APPROVED WITH CONDITIONS. (8-0)**

Conditions of Approval:

1. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services, including confirmation that all of the conditions and comments outlined in this report have been satisfied.
2. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Section of the Metropolitan Department of Public Works.
3. Subsequent to enactment of this planned unit development overlay district by the Metropolitan Council, and prior to any consideration by the Metropolitan Planning Commission for final site development plan approval, a paper and electronic copy of the final boundary plat for all property within the overlay district must be submitted, complete with owners' signatures, to the Planning Commission staff for review.

4. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
5. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and fire flow water supply during construction must be met prior to approval of any final plat or the issuance of any building permits."

15. **91-71-G-14**
 Jackson Square
 Map 064-160, Parcel 009
 Subarea 14 (2004)
 Council District 11 - Myers E. "Feller" Brown

A request to revise the approved preliminary plan and for final approval for a commercial Planned Unit Development, located at 4715 Andrew Jackson Parkway classified SCR (.51 acres), to permit the development of a 2,706 square foot bank, requested by Civil Site Design, applicant for Oakwood Real Estate Investments, LLC, owner.

STAFF RECOMMENDATION: Approve with conditions

APPLICANT REQUEST -Final PUD

A request to revise the preliminary plan and for final site plan approval for a portion of a Commercial Planned Unit Development located at 4715 Andrew Jackson Parkway, zoned Shopping Center Regional (SCR) (.51 acres), to permit the development of a 2,706 sq. ft. bank.

PLAN DETAILS

Site Plan - The plan calls for a 2,706 square foot bank with two drive-thru lanes, and one drive-thru ATM. Currently there is a restaurant on the site, which will be demolished.

Access - Access will be provided from the existing location onto Andrew Jackson Parkway.

Preliminary Plan - The original preliminary plan was approved in 1971 and subsequently has been revised and amended several times. It is unclear to what was originally approved for this site, but the proposed bank is compatible with other uses in this PUD district, and adjacent developments, as well as it is allowed within the SCR base district.

Staff Recommendation -Staff recommends that the request be approved with conditions.

PUBLIC WORKS RECOMMENDATION -All Public Works' design standards shall be met prior to any final approvals and permits issuance. Any approval is subject to Public Works' approval of the construction plans. Final design and improvements may vary based on field conditions.

STORMWATER RECOMMENDATION -Approve with the following conditions:

1. Show contours outside of the property. Does any off-site flow enter the site?
2. Plan set doesn't call out pipe size or type, inlet, or location of water quality unit. Provide inverts, pipe material, pipe length and size, type of inlet, etc.
3. Add some spot elevations to ensure that runoff does not get trapped on the north side of the building.
4. Runoff from the west side of the building appears to flow off site without receiving any type of water quality treatment. Provide treatment for this area.
5. Label inlet protection for all proposed inlets, or add the symbol to a legend, or add "typical" to the inlet protection that is called out.

6. Add the NOI note to the plan set stating that since the site is less than 1 acre a NOC is not required.
7. Add a signed and dated EPSC note to the plan set.
8. Provide a drainage easement for the water quality unit.
9. Provide a detail for the manhole.
10. I think the drainage basin boundary line on the west side of the property dividing the 0.4 acre basin with the 0.06 acre basin is incorrect. The contours don't show any of the water on the west side of the building making it into the on-site inlet.
11. Where does the runoff that leaves the site in the southwest corner via overland flow end up? All at Inlet #1?
12. Provide calculations that pre- vs. post development conditions flows are the same and that detention is not necessary.
13. Where does runoff from the site go under existing conditions? Same place?
14. Acreages and flows don't match between the drainage calculations and the water quality calculations.
15. Provide an as-built note on the plan set for the water quality unit.
16. Provide downstream structure information including actual flow and capacity of the structures.
17. Provide signed detention maintenance agreement.
18. Place note on Erosion Control Plan requiring contractor to provide an area for concrete washdown and equipment fueling in accordance with Metro CP-10 and CP-13, respectively. Contractor to coordinate exact location with NPDES department during pre-construction meeting.

CONDITIONS

1. Prior to the issuance of any permits, confirmation of final approval of this proposal, including compliance with the Stormwater conditions listed above, shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
2. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
3. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
4. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
5. These plans 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 will require reapproval by the Planning Commission.
6. If this final approval includes conditions which require correction/revision of the plans,

authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission for filing and recordation with the Davidson County Register of Deeds.

Approved with conditions, (8-0) *Consent Agenda*

Resolution No. RS2006-360

“BE IT RESOLVED by The Metropolitan Planning Commission that 91-71-G-14 is **APPROVED WITH CONDITIONS. (8-0)**

Conditions of Approval:

1. Prior to the issuance of any permits, confirmation of final approval of this proposal, including compliance with the Stormwater conditions listed above, shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
2. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
3. The requirements of the Metropolitan Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
4. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
5. These plans 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 will require reapproval by the Planning Commission.
6. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission for filing and recordation with the Davidson County Register of Deeds.”

XII. OTHER BUSINESS

16. Executive Director Reports

17. Legislative Update

Mr. Lawson announced that Ms. Eileen Beehan has been appointed by the Mayor to begin serving on the Commission as his representative.

XIII. ADJOURNMENT

The meeting adjourned at 5:20 p.m.

Chairman

Secretary



The Planning Department does not discriminate on the basis of age, race, sex, color, national origin, religion or disability in access to, or operation of its programs, services, activities or in its hiring or employment practices. **ADA inquiries should be forwarded to:** Josie L. Bass, Planning Department ADA Compliance Coordinator, 800 Second Avenue South, 2nd. Floor, Nashville, TN 37201, (615)862-7150. **Title VI inquiries should be forwarded to:** Michelle Lane, Metro Title VI Coordinator, 222 Third Avenue North, Suite 200, Nashville, TN 37201, (615)862-6170. **Contact Department of Human Resources for all employment related inquiries at (615)862-6640.**