



**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**

5/8/2008

*4:00 PM
Metro Southeast at Genesco Park
1417 Murfreesboro Road*

PLANNING COMMISSION:

James McLean, Chairman
Phil Ponder, Vice Chairman
Victor Tyler
Tonya Jones
Stewart Clifton
Councilmember Jim Gotto
Andrée LeQuire, representing Mayor Karl Dean

Staff Present:

Rick Bernhardt, Executive Director
Ann Hammond, Asst. Executive Director
David Kleinfelter, Planning Mgr. II
Ted Morrissey, Legal Counsel
Jason Swaggart, Planner I
Bob Leeman, Planner III
Trish Brooks, Admin. Svcs Officer 3
Carrie Logan, Planner I
Craig Owensby, Communications Officer
Brenda Bernards, Planner III
Nedra Jones, Planner II
Brian Sexton, Planner I
Joni Priest, Planner II
Jonathan Honeycutt, Public Works
Steve Mishu, Metro Water

Commission Members Absent:

Judy Cummings
Derrick Dalton

I. CALL TO ORDER

The meeting was called to order at 4:08 p.m.

II. ADOPTION OF AGENDA

Ms. Hammond announced that Item #11, was revised to read as follows: "Revision to Item 19, February 27, 2003, and Item 18, May 11, 2006, Metropolitan Planning Commission Minutes as related to Swiss Ridge Apartments PUD Phase 2, Case No. 53-84-U-12".

Mr. Ponder moved and Mr. Gotto seconded the motion, which passed unanimously, to adopt the agenda as amended. **(6-0)**

III. APPROVAL OF APRIL 24, 2008 MINUTES

Mr. Ponder moved and Mr. Gotto seconded the motion, which passed unanimously, to approve the April 24, 2008, minutes as presented. **(6-0)**

IV. RECOGNITION OF COUNCILMEMBERS

Councilmember Toler stated he would address the Commission once his item was presented for discussion.

Councilmember McGuire addressed the Commission on Item #5, 2008S-088A-10, Hillmont Subdivision. He briefly explained the issues associated with the proposal in relation to the requested setback by the applicant, and the setback being recommended by staff. He stated that neither setback was consistent with surrounding parcels in this area.

Mr. Clifton arrived at 4:10 p.m.

Mr. McLean announced the new Planning Department Meeting Information Telephone number of 880-1006. He briefly explained the messages that this number would provide area residents in relation to meeting day agendas.

Mr. Gotto expressed issues with the recorded messages that would be shared with the general public in relation to the meeting day agendas. He stated that the information that is placed on this recording should be clear and concise, and not offer additional confusion.

Ms. Hammond offered that staff consistently reminds the public, that any items listed on the Consent Agenda, the Deferred and Withdrawn Item Agenda, or the Meeting Information Line are only recommendations, and until the Commission officially adopts the respective agendas, items may be removed and heard by the Commission.

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

There are no items to be deferred or withdrawn.

VI. PUBLIC HEARING: CONSENT AGENDA PREVIOUSLY DEFERRED ITEMS AND ITEMS ON PUBLIC HEARING

2. 2008P-004U-05 A request to revise the preliminary plan and for final approval for a Planned Unit Development located at 201 North 8th Street and Ramsey Street (unnumbered), at the southwest and northeast corner of Ramsey Street and North 8th Street, zoned RM20, to permit 90 multi-family dwelling units where 104 units previously existed.
- Approve w/conditions, including that the project shall be LEED Certified under the LEED Certification standards in effect as of the date of this approval. Prior to issuance of building permits, security in the amount of \$100,000 shall be provided to ensure compliance with LEED certification requirements.

FINAL PLANS

3. 2008S-078U-05 Sharpe Avenue Divide - A request for final plat approval to create 2 lots on property located at 1011 North 14th Street, at the southeast corner of North 14th Street and Sharpe Avenue (0.58 acres), zoned R6
- Approve w/conditions including a variance to radial lot lines and an exception to lot comparability standards for frontage on Lot 1, and to disapprove the sidewalk variance.
4. 2008S-082A-06 A request for a setback amendment at 228 Camelot Drive, to reduce the front setback from 40 feet to 35 feet, zoned RS 15.
- Approve

OTHER BUSINESS

9. New employee contract for Rebecca Ratz. -Approve
10. Correction to the April 10, 2008, meeting minutes. -Approve

12. Resolution to authorize the expenditure of up to \$50,000 in conjunction with MDHA -Approve to develop a redevelopment plan for the East Bank as the basis for the implementation of the new Downtown Zoning Code.

Mr. Ponder moved and Mr. Gotto seconded the motion, which passed unanimously, to approve the Consent Agenda as presented. (7-0)

VII. PREVIOUSLY DEFERRED ITEMS **URBAN DESIGN OVERLAYS**

1. **2008UD-001U-05**
Dickerson Pike Sign UDO
Map: 071-03, 071-07, 071-11, 071-14, 071-15
Parcels: Various
Subarea 5
Council District 5 – Pam Murray

A request to apply an Urban Design Overlay district to various properties located along Dickerson Pike between 1st Street and Trinity Lane (153.85 acres), zoned CS and CL, to regulate all signs for properties along Dickerson Pike, requested by Councilmember Pam Murray.

Staff Recommendation: Approve

APPLICANT REQUEST - Preliminary UDO

A request to apply an Urban Design Overlay district to various properties located along Dickerson Pike between 1st Street and Trinity Lane (153.85 acres), zoned Commercial Service (CS) and Commercial Limited (CL), to regulate all signs for properties along Dickerson Pike.

BACKGROUND Councilmember Pam Murray has been working with business and property owners along those portions of Dickerson Pike located within her district to attempt to develop strategies and plans that to revitalize that street. As part of that effort, Councilmember Murray asked the Planning Department to develop an overlay that would provide higher standards for signage along Dickerson Pike. The Dickerson Pike Sign UDO is intended to provide those standards.

The purpose of the UDO is to enhance the Dickerson Pike streetscape by, among other things, discouraging clutter from inappropriate signs. The UDO standards encourage signage that is appropriate in scale and design for pedestrians, motorists, cyclists and for the building(s) it identifies. The UDO allows for creative approaches to signage to ensure that signage is designed for the purpose of identifying a destination in a unique and functional manner.

The UDO includes every parcel of land that abuts both sides of Dickerson Pike from Interstate 24 to Trinity Lane, and every parcel on the west side of Dickerson Pike from Trinity Lane to Rock Street.

The property south of Douglas Avenue within the proposed UDO is also located within the MDHA Skyline Redevelopment District, which was approved on third reading by the Metro Council on April 15, 2008.

EAST NASHVILLE COMMUNITY PLAN The proposed Dickerson Pike UDO is located within a wide variety of land use policy areas of the East Nashville Community Plan, including Neighborhood Urban, Neighborhood General, and Community Center. The land uses supported in those areas include mixed housing, mixed use, offices, and commercial retail. A portion of the proposed UDO is located within Special Policy #1, which is intended to guide land use decisions until more detailed planning efforts can be completed. Among other things, Special Policy #1 states that the only requests for rezoning that should be approved are those that achieve a high standard of urban design.

Existing Zoning - All property affected by this Ordinance is currently zoned CS or CL.

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

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

PLAN DETAILS The UDO includes standards to address several issues, including prohibited signs, sign lighting, design and materials, and signs for multi-tenant buildings. A copy of the UDO will be delivered to the Commissioners with this staff report, and it has been posted to the Planning Department website at www.nashville.gov/mpc.

Non-conforming signs must be brought into conformity with these standards if a permit is required to alter, reconstruct, replace or relocate the sign. If a sign is damaged, then the property owner can repair the sign without complying with these standards.

The UDO does not replace, but supplements the standard sign provisions of Chapter 17.32 of the Metro Code. If there is a conflict between the UDO standards and the sign provisions of the Zoning Code, then requested sign permit must comply with the UDO provisions.

STAFF RECOMMENDATION Staff recommends approval of the Dickerson Pike Sign UDO.

Councilmember Murray explained that she deferred this Urban Design Overlay to the Council July Public Hearing, due to the fact that the Planning Commission did not make a recommendation at its meeting of April 24, 2008. She announced that she would be holding a community meeting regarding this UDO on May 29, 2008, at 7:00 p.m. at 914 Meridian Street.

She briefly explained various issues that business owners had regarding the overlay and that continued discussions were needed to further address these concerns. She spoke in favor of the overall intentions of the overlay and the improvements it will have on this area.

Mr. Clifton acknowledged the requested deferral and stated that the meeting that Councilmember Murray will hold on May 29, may offer additional information for the Commission to consider regarding the requested overlay.

Mr. Gotto acknowledged the work Councilmember Murray completed on the Skyline Redevelopment proposal recently passed in Council. He too agreed that the additional community meeting could offer further suggestions on the overlay and that he would assist Councilmember Murray in conveying this information to the Commission.

Ms. LeQuire offered additional study suggestions on the overlay to Councilmember Murray.

Mr. Gotto moved and Mr. Clifton seconded the motion, which passed unanimously, to defer Urban Design Overlay 2008UD-001U-05 to June 12, 2008, in order to allow additional time for continued discussions on the overlay. **(7-0)**

In an attempt to further communicate this overlay to her community members, Councilmember Murray requested that staff re-present this item to the Commission.

Mr. Kleinfelter presented and stated that staff is recommending approval.

Mr. Bernhardt stated that the UDO would not require immediate sign changes for current business owners and that it was developed to set guidelines for any future signage that will be located along this corridor.

Resolution No. RS2008-103

“BE IT RESOLVED by The Metropolitan Planning Commission that 2008UD-001U-05 is DEFERRED TO THE JUNE 12, 2008, Planning Commission Meeting. (7-0)”

VIII. PUBLIC HEARING: PREVIOUSLY DEFERRED ITEMS ON PUBLIC HEARING REVISIONS AND FINAL DEVELOPMENT PLANS

2. **2008P-004U-05**
East River Apartments
Map: 082-12 Parcels: 013, 020
Subarea 5
Council District 6 – Mike Jameson

A request to revise the preliminary plan and for final approval for a Planned Unit Development located at 201 North 8th Street and Ramsey Street (unnumbered), at the southwest and northeast corner of Ramsey Street and North 8th Street (5.63 acres), zoned RM20, to permit 90 multi-family dwelling units where 104 units previously existed, requested by Barge Cauthen & Associates, applicant, for East River Holdings L.P., owner.

Staff Recommendation: Approve with conditions

APPLICANT REQUEST - Revise Preliminary & PUD Final Site Plan

A request to revise the preliminary plan and for final approval for a Planned Unit Development located at 201 North 8th Street and Ramsey Street (unnumbered), at the southwest and northeast corner of Ramsey Street and North 8th Street (5.63 acres), zoned Multi-Family Residential (RM20), to permit 90 multi-family dwelling units where 104 units previously existed.

ZONING

RM20 District - RM20 is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre.

PLAN DETAILS This request is for property within an old Metropolitan Development and Housing Agency (MDHA) Planned Unit Development. There is no PUD plan on file, but it was approved by Metro Council in 1974 (O73-650) and consisted of 104 apartment units. All units are currently vacant. Since there is no existing file for the previous PUD a new PUD number is being assigned to the development.

Site Plan The plan calls for 90 apartments to be located within six individual buildings. All buildings will be three stories in height. Three buildings, with 12 units each, will front on Ramsey Street. The remaining three buildings, with 18 units each, will front on North 8th Street.

Buildings will have primary frontage along public streets with pedestrian access being provided along Ramsey and North 8th. Parking is located behind the units, and is accessed from public streets.

PUBLIC WORKS RECOMMENDATION The developer's construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.

STORMWATER RECOMMENDATION Approve with the following conditions:

1. The Stormwater BMP Operation and Maintenance Agreement is required to be recorded prior to final plan approval. The O & M Agreement is comprised of three elements: (1) The Inspection and Maintenance Agreement signed by the developer or owner, (2) the Long Term Maintenance Plan and, (3) a drawing of easements on a plat or a system location map to help MWS locate the BMPs as needed. Please refer to Appendix C of the Stormwater Management Manual Volume 1 for further instructions.
2. Drainage easements will be required to be recorded, either by plat or by separate instrument, for the two water quality units. If this property will not be platted through the Metropolitan Planning Commission, then you must submit a completed Dedication of Easement Form. The grading plan cannot be approved until the easement is reviewed and approved by Ron Sweeny's office.
3. Upon final review of the O & M Agreement and Dedication of Easement documents, the total cost to record both documents will be determined and you will be notified of the total amount required to be submitted for recording.
4. Please submit the Grading Permit Fee of \$1,025 made payable to Metro Water Services.
5. Please provide the owner's email and/or fax number.
6. Provide a copy of the NOC and sign and date the NOC Note and provide the permit number.

7. The minimum length of a construction exit is 100 feet. Please revise the detail.
8. Change note 3 on sheet C4 to state that stabilization methods will be applied within 14 days of final grading.
9. Please show the size of the pipes that both systems propose to tie into. Indicate if the existing storm system carries storm only or if it is a combination storm and sanitary sewer line. If it is a CSO line, please provide written approval from Metro Water and Sewer.
10. Please provide a drainage area map showing existing conditions and flow patterns and the outfall point(s) being analyzed.
11. Please provide a drainage area map showing proposed conditions and flow patterns and the outfall point(s) being analyzed.
12. Please provide pre- and post-developed peak flow rates for the 2-year, 5-year, 10-year, 25-year, 50-year, and 100-year storm events using the SCS Method. Increases in peak flow rates are not allowed, especially in the CSO.
13. No credit is given towards stormwater quantity for the use of porous concrete. Please re-evaluate the stormwater quantity analysis (see items 10-12).

STAFF RECOMMENDATION Staff recommends approval with conditions.

CONDITIONS

1. There shall be no pole signs allowed, and all free standing signs shall be monument type not to exceed five feet in height. Changeable LED, video signs or similar signs allowing automatic changeable messages shall be prohibited. All other signs shall meet the base zoning requirements, and must be approved by the Metro Department of Codes Administration.
2. A revised plan addressing all Stormwater comments listed above must be submitted to the Stormwater Division for approval.
3. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
4. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.
5. Prior to any additional development applications for this property, and in no event later than 120 days after the date of conditional approval by the Planning Commission, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan. Failure to submit a corrected copy of the preliminary PUD within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.

Approved with conditions, including the project shall be LEED Certified under the LEED Certification standards in effect as of the date of this approval. Prior to issuance of building permits, security in the amount of \$100,000 shall be provided to ensure compliance with LEED certification requirements. **(7-0) Consent Agenda**

Resolution No. RS2008-104

“BE IT RESOLVED by The Metropolitan Planning Commission that 2008P-004U-05 is **APPROVED WITH CONDITIONS, including that the project shall be LEED Certified under the LEED Certification standards in effect as of the date of this approval. Prior to issuance of building permits, security in the amount of \$100,000 shall be provided to ensure compliance with LEED certification requirements. (7-0)**

Conditions of Approval:

1. There shall be no pole signs allowed, and all free standing signs shall be monument type not to exceed five feet in height. Changeable LED, video signs or similar signs allowing automatic changeable messages shall be prohibited. All other signs shall meet the base zoning requirements, and must be approved by the Metro Department of Codes Administration.

2. A revised plan addressing all Stormwater comments listed above must be submitted to the Stormwater Division for approval.
3. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
4. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.
5. Prior to any additional development applications for this property, and in no event later than 120 days after the date of conditional approval by the Planning Commission, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan. Failure to submit a corrected copy of the preliminary PUD within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission."

**IX. PUBLIC HEARING:
FINAL PLANS**

3. **2008S-078U-05**
Sharpe Avenue Divide
Map: 083-01 Parcel: 381
Subarea 5
Council District 6 – Mike Jameson

A request for final plat approval to create 2 lots on property located at 1011 North 14th Street, at the southeast corner of North 14th Street and Sharpe Avenue (0.58 acres), zoned R6, requested by Daniel Fell, owner, Delle Land Surveying, surveyor.

Staff Recommendation: Approve with conditions, including a variance to radial lot lines and an exception to lot comparability standards for frontage on Lot 1. Disapprove the sidewalk variance.

APPLICANT REQUEST - Final Plat

A request for final plat approval to create 2 lots on property located at 1011 North 14th Street, at the southeast corner of North 14th Street and Sharpe Avenue (0.58 acres), zoned One and Two-Family Residential (R6).

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 7.71 dwelling units per acre including 25% duplex lots.

PLAN DETAILS This final plat application seeks to subdivide one parcel to create two lots. Each lot complies with the minimum lot size requirements for R6 zoning. Lot 1 contains 8,693 square feet and Lot 2 consists of 18,162 square feet. An existing single-family dwelling is located on Lot 2 and is planned to remain.

Sidewalk Variance Section 3-8.2b of the Subdivision Regulations states a new sidewalk shall be constructed on street(s) fronting the property wherever a public sidewalk already exists on the same block face. The applicant is requesting a variance to this section of the regulations stating that a substantial amount of grading on the lot, including raising a manhole, and water meter create a hardship. If the Planning Commission finds that extraordinary hardships or practical difficulties may result from strict compliance with the Subdivision Regulations, a variance from the regulations may be granted.

The Subdivision Regulations state that the creation of a new or additional development right requires the construction of a sidewalk where a lot fronts a public street. A sidewalk must be constructed on either Lot 1 or Lot 2. A constructability analysis was performed by the Public Works Department to assess the physical and topographic conditions of the site for sidewalk construction. The analysis found that sidewalks can be constructed to match the

Public Works Department standard drawing number ST-210. As such, no particular hardship would be incurred by the applicant since there are no physical, topographic or unique conditions on the site that preclude compliance with the sidewalk requirement.

Radial Lot Line Variance Section 3-4.2 (a) of the Metro Subdivision Regulations states that residential lot lines shall be at right angles to street lines (or radial to curving street lines) unless a variation from this rule will give a better street or lot plan.

As proposed, the creation of Lot 1 would result in a non-radial lot line on the northwest property line between Lot 1 and Lot 2 to accommodate the configuration of the existing driveway.

Lot Comparability Section 3-5.1 of the Metro 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.)
Sharpe Avenue	5,702	52
N. 14 th Street	7,112	57

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

- Lot 1: 8,693 sq. ft. with 114.84 ft. of frontage on Sharpe Avenue, and 55.00 ft. on North 14th Street.
- Lot 2: 18,162 sq. ft. with 125.06 ft. of frontage

Lot 1 does not meet the minimum requirement for lot frontage on North 14th Street.

Lot Comparability Exception A lot comparability exception can be granted if the lots do 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.

The proposed lots meet **two** of the qualifying criteria of the exception to lot comparability:

- Where the proposed lot sizes are consistent with the adopted land use policy that applies to the property.
- 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 category.

The property has a land use policy designation of Neighborhood General which supports a variety of residential development. The Mixed Use in Community Center land use policy is also located within a one-quarter mile of this site. The policy supports single-family and multi-family residential, office, commercial retail and services, and public benefit uses.

PUBLIC WORKS RECOMMENDATION

Sidewalk Construction Analysis Construct sidewalk to match the Department of Public Works standard drawing number ST-210. With sidewalk construction, begin gutter along the existing edge of pavement, with a minimum twenty (20') feet pavement width. Construct a curb ramp with detectable warnings at the intersection of Sharpe Avenue and North 14th Street. Grade 3:1 maximum slope from the back of the proposed sidewalk.

The grass furnishing area may be reduced (2' minimum) to accommodate sidewalk construction within the public right of way.

With the construction of curb & gutter for sidewalk construction, route storm water to the existing storm system located at proposed lot 2. A drainage structure may be required.

STORMWATER RECOMMENDATION Approved

STAFF RECOMMENDATION Staff recommends approval of the final plat to create two lots, but disapproval of the requested sidewalk variance. Also, staff recommends approval of a variance to allow the requested radial lot line and an exception to lot comparability. The non-radial lot line between Lot 1 and Lot 2 allows the driveway to remain on Lot 2, with minimal changes the configuration of the existing lot. The lots also meet two of the qualifying criteria to grant an exception to lot comparability. The property is within the Neighborhood General policy and within a one-quarter mile radius of an area designated as Mixed Use.

The property is located within the Urban Services District and in an area identified as a priority for sidewalk construction. Although sidewalks do not currently exist on the eastern side of North 14th Street or Sharpe Avenue, sidewalks are prevalent in the area. As this neighborhood redevelops, new sidewalks will aid in filling gaps in the existing network and creating a cohesive pedestrian transportation system.

CONDITIONS

1. Prior to recordation, sidewalks shall be shown on the final plat.
2. Final plat is to be recorded within 180 days from this meeting date, unless deferred.

Approved w/conditions including a variance to radial lot lines and an exception to lot comparability standards for frontage on Lot 1, and to disapprove the sidewalk variance, **(7-0) Consent Agenda**

Resolution No. RS2008-105

“BE IT RESOLVED by The Metropolitan Planning Commission that 2008S-078U-05 is **APPROVED WITH CONDITIONS, including a variance to radial lot lines and an exception to lot comparability standards for frontage on Lot 1. Disapprove the sidewalk variance. (7-0)**”

4. **2008S-082A-06**
Harpeth Park, Lot 77, Setback Amendment
Map: 128-14 Parcel: 062
Subarea 6
Council District 22 – Eric Crafton

A request for a setback amendment at 228 Camelot Drive, to reduce the front setback from 40 feet to 35 feet, zoned RS 15, requested by Danny and Janice Thomas, owners.

Staff Recommendation: Approve

APPLICANT REQUEST - A request for a setback amendment at 228 Camelot Drive, to reduce the front setback from 40 feet to 35 feet, zoned Single-Family Residential (RS15).

ZONING

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

SUBDIVISION DETAILS The property is located within the Harpeth Park subdivision. The applicant has requested that the platted front setback be amended from 40 feet to 35 feet in order to allow for the addition of a porch. This request is consistent with the average front setback along Camelot Drive of 35 feet.

The request is also consistent with section 17.12.030 C.(3) of the Metro Zoning Code. This section provides that the minimum required street setbacks for Single-Family Residential districts be the average of the street setbacks of the lots immediately adjacent on either side of the lot, in this case 35 feet, or the value provided in Table 17.12.030A, in this case 30 feet, or whichever is greater.

PUBLIC WORKS RECOMMENDATION No Exception Taken

STAFF RECOMMENDATION Staff recommends approval of the front setback amendment.

Approved, (7-0) *Consent Agenda*

Resolution No. RS2008-106

“BE IT RESOLVED by The Metropolitan Planning Commission that 2008S-082A-06 is **APPROVED. (7-0)**”

5. **2008S-088A-10**
Hillmont Subdivision, Lot 22 Setback Amendment
Map: 117-15 Parcel: 032
Subarea 10
Council District 25 – Sean McGuire

A request to amend the setback on Glen Echo Road from 40 feet to 32 feet for property located at 1622 Glen Echo Road (0.36 acres), at the northeast corner of Glen Echo Road and Hillmont Drive, zoned R10, requested by Dale & Associates, applicant, on behalf of Glen Echo Development, owner.

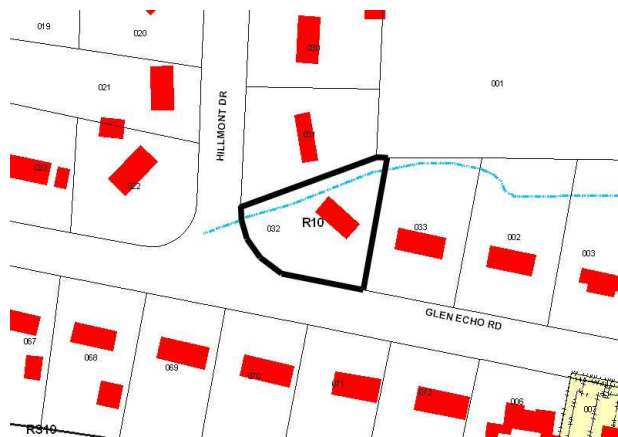
Staff Recommendation: Disapprove

APPLICANT REQUEST - A request to amend the setback on Glen Echo Road from 40 feet to 32 feet for property located at 1622 Glen Echo Road (0.36 acres), at the northeast corner of Glen Echo Road and Hillmont Drive, zoned One and Two-Family Residential (R10).

ZONING

R10 District - 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% duplex lots.

PLAN DETAILS The homes on both Glen Echo Road and Hillmont Drive, within the Hillmont Subdivision, are located at a uniform setback consistent with the setback required by the recorded plat. The houses are set back 40 feet on the north side of Glen Echo Road and Hillmont Drive and set back 50 feet on the south side of Glen Echo Road. Because the setback of the existing homes is consistent, changing the setback on this lot would be inconsistent with the character of the area.



Existing building footprints

GREEN HILLS/MIDTOWN COMMUNITY PLAN

Residential Medium (RM) RM policy is intended to accommodate residential development within a density range of four to nine dwelling units per acre. A variety of housing types are appropriate. The most common types include compact, single-family detached units, town-homes, and walk-up apartments.

Special Policy Area 11

1. Development within this area should be limited to one- and two family structures and townhouse type structures that are on separate lots designed for individual ownership.

2. Any development within this area should create a sustainable and walkable neighborhood. Buildings shall form an appropriate street wall consistent with the width of the street. This is critical for scale and to provide a clear definition to the street. The streetscape elements (sidewalks, street trees, street furnishings, etc.) shall fully support the development form. The massing of buildings shall complement each other in quality of construction and materials, scale, height, massing, and rhythm of buildings solid to open void. Any redevelopment shall achieve sensitive transition to surrounding development.

3. Development at RM intensities should be implemented only through Planned Unit Development (PUD) or Urban Design Overlay (UDO) zoning together with the appropriate based zoning.

Policy Application Special Policy 11 calls for creating a sustainable and walkable neighborhood in this area, which would be created by locating buildings close to the street to create a “street wall.” This request is not consistent with the policy, however, because it proposes to pull the buildings up slightly, but not enough to create the pedestrian friendly conditions called for by the special policy. In addition, the fronts of the proposed duplex units are dominated by garage entrances, which are inconsistent with the pedestrian friendly development supported by the special policy.

PUBLIC WORKS RECOMMENDATION No Exceptions Taken

STORMWATER RECOMMENDATION Approved

STAFF RECOMMENDATION This request would change the setback on Glen Echo Road. The resulting setback would be closer to the street than the existing homes and therefore, inconsistent with the character of the area. The requested setback would not achieve the purposes of Special Policy 11, and would be inconsistent with the redevelopment vision in the adopted Community Plan. Staff recommends disapproval of the request because it is inconsistent with both the character of the area and the Special Policy Area 11.

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

Mr. Kevin Estes, 516 Heatherplace, spoke in favor of the proposed development.

Councilmember McGuire spoke to the issue of a previous development that was proposed for this area that contained a ten foot setback with townhomes. He stated that the residents did not support the proposal.

Mr. Jim Singleton, 1627 Glen Echo Road, spoke in opposition of the proposed development.

Mr. Roy Dale, 1657 Stokely Lane, spoke in favor of the proposed development.

Ms. LeQuire expressed concerns with the footprint of the proposal in that the driveway and garages are located on the front portion of the development. She suggested an alternative layout for the proposal.

Mr. Bernhardt stated that due to stormwater issues, the suggested alternative plan may not be feasible.

Mr. Mishu, Metro Stormwater, addressed the stormwater concerns associated with the proposal, as well as the alternative plan as suggested by Ms. LeQuire.

Mr. Clifton suggested further study on pervious surfaces and their uses for future developments. He then acknowledged the issue of altering the streetscape and setbacks already established for this area and requested that staff provide additional guidance on the best methods that could be used to transition this area into a walkable, and sustainable community.

Mr. Bernhardt briefly explained the various concepts that were utilized while developing the community plan for the

Greens Hills area to further explain the staff's recommendation to the Commission.

Mr. Gotto requested clarification on whether the community plan for this area was supported by residents that actually reside in this location.

Mr. Bernhardt stated that the area does contain rental property which may present various forms of opinions for the redevelopment of this location.

Mr. Clifton recognized the need for increased density for certain areas of the city and the issues associated with implementing density. He briefly spoke of how the Commission should possibly proceed with these types of requests.

Mr. Tyler requested clarification on the existing setbacks on the surrounding parcels located in this area.

Mr. Bernhardt explained this concept to the Commission.

Mr. Gotto acknowledged the issues that were mentioned by the constituents that reside in this area. He too spoke of the established character of this location and that the requested setback by staff would not be compatible. He further stated that the proposed garage and parking locations contained in the development were also out of character for the neighborhood.

Mr. Ponder moved and Mr. Gotto seconded the motion, which passed unanimously, to disapprove 2008S-088A-10. (7-0)

Resolution No. RS2008-107

"BE IT RESOLVED by The Metropolitan Planning Commission that 2008S-088A-10 is **DISAPPROVED. (7-0)**"

**X. PUBLIC HEARING:
MANDATORY REFERRALS**

- 6. 2008M-051G-12**
Grace Point Lane
Map: 188 Parcel: 183
Subarea 12
Council District 31 – Parker Toler

Request for changing the name of a portion of Carothers Road to Grace Point Lane, requested by Wood Ridge Development.

Staff Recommendation: Approve

APPLICANT REQUEST - A request to change the name of a portion of Carothers Road to Grace Point Lane from Battle Road, approximately 375 feet east of the eastern line of parcel 36 on tax map 188.

What are the procedures for a street name change? Street names can only be changed by the Metro Council through the adoption of an ordinance. The Planning Department is required to notify all property owners on the street of the proposed name change, and to give residents the opportunity to provide written comments in support of or in opposition to the proposed name change.

Why is this being requested? This street renaming is being proposed to solve the safety issue of two separated streets with the same name.

DEPARTMENT AND AGENCY COMMENTS

Planning Carothers Road is located with the Carothers Crossing Urban Design Overlay (UDO). The UDO was

approved by the Metro Council in 2007 and is a planned community consisting of 599 acres. The site will be developed with a total of 3,000 residential units and 200,000 square feet of commercial space. The development of Carothers Crossing has divided two sections of Carothers Road. To solve the safety issue of two separated streets with the same name, the applicant proposes that a section of Carothers Road off Battle Road be changed to Grace Point Lane. Grace Point Lane will intersect Oak Trail Drive, which will connect to the remaining section of Carothers Road. A new extension of Carothers Road will be constructed south of its existing location, but still provide an east-west connection through the development.

This matter is before the Planning Commission because the property owners at 7107 Carothers Road did not sign the application to rename the street.

STAFF RECOMMENDATION Staff recommends approval of the request to change the name of a portion of Carothers Road to Grace Point Lane. The request is consistent with the overall development plan that has been approved for the Carothers Crossing UDO.

Ms. Nedra Jones presented and stated that staff is recommending approval.

Ms. Gloria Craig, 7107 Carothers Road, spoke in opposition to the proposed mandatory referral.

Mr. Mike Delvzizis, 7355 Carothers Road, spoke in favor of the proposed mandatory referral.

Councilmember Toler briefly explained that this project had been underway for approximately two years and that he was just made aware of the issue associated with changing the name of Carothers Road.

Mr. Tyler requested clarification on the safety issues associated with the changing of the street name.

Ms. Nedra Jones explained that if the name were to be changed, it would eliminate the possibility of two streets with the same name.

Mr. Bernhardt offered additional clarification on the portions of Carothers Road that were being considered for name change.

Mr. Clifton requested further clarification on the technical reasons that would support this request.

Mr. Bernhardt explained this concept to the Commission.

Mr. Ponder expressed concerns with changing the name of the road due to the impact it would have on the existing property owners. He suggested alternative solutions that possibly the developers could utilize for the development.

Ms. Jones too shared her thoughts which would not support the requested name change for Carothers Road.

Ms. LeQuire offered that the portion that contains the existing homeowners remain Carothers Road and that any changes to the name of the road be implemented on the newer sections of the development.

Ms. Nedra Jones utilized her slides to further explain the requested name changes to the existing roads located in this area.

A discussion ensued regarding the actual routes that were proposed for the development in relation to existing streets, and platted lots that were already under construction.

Mr. Bernhardt explained that the design elements of the proposal, as well as the issue of regulating any future traffic through this development were a part of the requested name change for Carothers Road.

Mr. Kleinfelter offered additional information on the construction of new roads and the requirements of Public Works when it comes to naming new roads if they include 90 degree turns.

Mr. Gotto requested clarification on whether the proposed new road that would be named Carothers Road was under construction.

Mr. Bernhardt stated it was not currently built.

Mr. Gotto spoke in opposition to approving the request due to the impact of changing postal addresses would have on existing property owners.

Mr. Clifton agreed that the existing Carothers Road should remain as Carothers and any new development should be given a new name.

Mr. Gotto moved and Mr. Clifton seconded the motion, which passed unanimously, to disapprove Mandatory Referral 2008M-051G-12. **(7-0)**

Resolution No. RS2008-108

“BE IT RESOLVED by The Metropolitan Planning Commission that 2008M-051G-12 is **DISAPPROVED. (7-0)**”

7. **2008M-060U-10**
Abandon a portion of Alley #699
Map: 104-20 Parcels: 069
Subarea 10
Council District 21 – Edith Taylor Langster

A request to abandon a portion of Alley #699 right-of-way from Acklen Park Drive to the dead end, between Long Blvd. and I-440, requested by James P. Brooks with Wills-Brooks Investments.

Staff Recommendation: Disapprove

APPLICANT REQUEST - Request to abandon a portion of Alley #699 right-of-way from Acklen Park Drive to the dead end, between Long Blvd. and I-440.

DEPARTMENT AND AGENCY COMMENTS

Planning Alley 699 is located within the 31stAvenue/Long Boulevard Urban Design Overlay. The 31st Avenue/Long Boulevard area is located just off the West End Avenue Corridor at Interstate 440 in southwest Davidson County.

A stated objective of this UDO is to improve the service lane network throughout the neighborhood through paving and appropriate lighting. Alley 699 is currently unimproved, but it is vital to the future redevelopment of this UDO as it will promote the continuity of development that may otherwise be implemented in a piecemeal fashion in this area.

Alleys (service lanes) are an important structural element of the transportation network. These facilities as well as streets, bikeways, sidewalks and pedestrian ways directly affect mobility. Alley number 699 is important to the efficient movement of traffic in the area as it will provide alternative access and reduce the need to use Long Boulevard.

The alley is also located in the Green Hills-Midtown Community Plan where Mixed Housing land use policy is envisioned for this area. Mixed Housing policy generally supports “rear-loaded” or “alley-loaded” residential type activities.

STAFF RECOMMENDATION Staff recommends disapproval of the request to abandon a portion of Alley Number 699. If a site plan is submitted with an alternative alignment for the alley that is consistent with the UDO policy and meets the objectives of the UDO, then the request to abandon the alley could be approved.

Ms. Nedra Jones presented and stated that staff is recommending disapproval.

Ms. Priest also presented information and stated that staff is recommending disapproval of the request.

Ms. Tami McInerney, 204 Burns Avenue, spoke in opposition to the requested mandatory referral.

Mr. James Brooks, 218 Kensington Park, spoke in favor of the requested mandatory referral.

Mr. Ponder requested additional information on the existing uses of the alley in question.

Ms. Priest explained the alley and its uses to the Commission.

Mr. McLean offered additional information on the uses of the alley at this location.

Ms. LeQuire requested clarification on the staff's recommendation for disapproving this request.

Ms. Jones acknowledged the request for abandonment, however, stated she was not sure if the request could be granted.

Mr. McLean offered that the alley would be necessary in order assist with further implementation of the urban design overlay designed for this location.

Mr. Bernhardt further explained the recommendation being made by staff in relation to any future developments that may be requested for this area.

Ms. LeQuire acknowledged and offered that the Commission should not recommend abandonment of the alley due to its use to any potential buyers that may have specific plans for the alley.

Mr. Gotto requested clarification on the conditions of the alley as it existed today.

Ms. Nedra Jones explained the conditions of the alley.

Mr. Clifton moved and Mr. Gotto seconded the motion, which passed unanimously, to disapprove Mandatory Referral 2008M-060U-10. **(7-0)**

Resolution No. RS2008-109

“BE IT RESOLVED by The Metropolitan Planning Commission that 2008M-060U-10 is **DISAPPROVED. (7-0)**”

XI. OTHER BUSINESS

- 8.** Motor Vehicle Business Establishment application for property located at 4618 Old Hickory John M. Baker, applicant, for Arthur Anderson et ux, owners. (Proposal No. 2008Z-051G-14)

Mr. Kleinfelter explained that due to the lack of notification on this application, that staff is recommending its deferral to the May 22, 2008 meeting. He then briefly explained the process in which staff will follow on any future applications that are submitted for consideration.

Mr. Gotto moved and Mr. Ponder seconded the motion, which passed unanimously, to defer the Motor Vehicle Business Establishment application for property located at 4618 Old Hickory to May 22, 2008. **(7-0)**

Resolution No. RS2008-110

“BE IT RESOLVED by The Metropolitan Planning Commission that MVBE 2008Z-051G-14 is **DEFERRED TO THE MAY 22, 2008, Planning Commission Meeting. (7-0)**”

9. New employee contract for Rebecca Ratz.

Approved, (7-0) *Consent Agenda*

10. Correction to the April 10, 2008, meeting minutes.

Approved, (7-0) *Consent Agenda*

Resolution No. RS2008-111

“BE IT RESOLVED by The Metropolitan Planning Commission that the correction to the April 10, 2008, meeting minutes is **APPROVED. (7-0)**”

11. Revision to Item 19, February 27, 2003 and Item 18, May 11, 2006 Metropolitan Planning Commission Minutes as related to Swiss Ridge Apartments PUD Phase 2, Case No. 53-84-U-12.

Mr. McLean recused himself and requested that Mr. Ponder preside as Chairman.

Mr. McLean stepped out of the meeting.

Mr. Bernhardt briefly explained the recommended corrections to be made to the February 27, 2003, and May 11, 2006, minutes. He also stated that the developer has been notified that the sidewalks affected by these corrections would need to be completed by November 1, 2008.

Mr. Gotto moved and Mr. Clifton seconded the motion, to approve the corrections to be made to the February 27, 2008 and May 11, 2007 minutes. **(6-0-1) McLean recused.**

Resolution No. RS2008-112

“BE IT RESOLVED by The Metropolitan Planning Commission that the Revision to Item 19, February 27, 2003, and Item 18, May 11, 2006, meeting minutes is **APPROVED. (6-0-1)**”

Mr. McLean returned and chaired the remaining portion of the meeting.

12. Resolution to authorize the expenditure of up to \$50,000 in conjunction with MDHA to develop a redevelopment plan for the East Bank as the basis for the implementation of the new Downtown Zoning Code.

Approved, (7-0) *Consent Agenda*

Resolution No. RS2008-113

“BE IT RESOLVED by The Metropolitan Planning Commission that the Resolution to authorize expenditure of up to \$50,000 in conjunction with MDHA to develop a redevelopment plan for the East Bank is **APPROVED. (7-0)**”

13. Executive Director Reports

14. Legislative Update

XII. ADJOURNMENT

The meeting adjourned at 5:45 p.m.

Chairman

Secretary



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