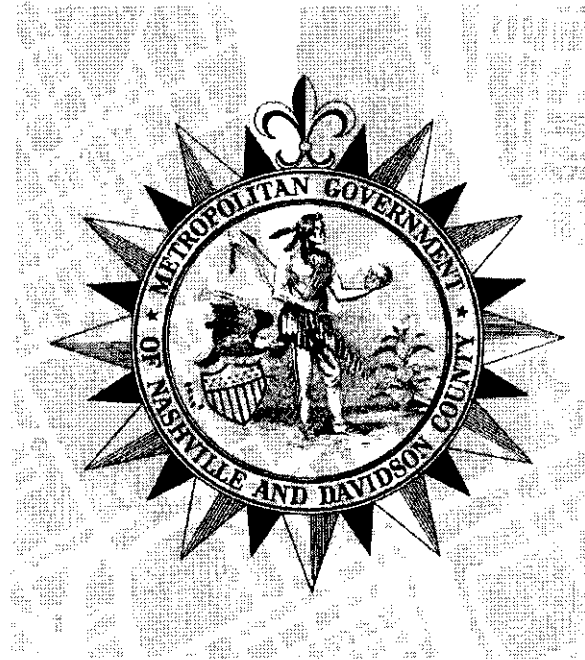


Metropolitan Planning Commission

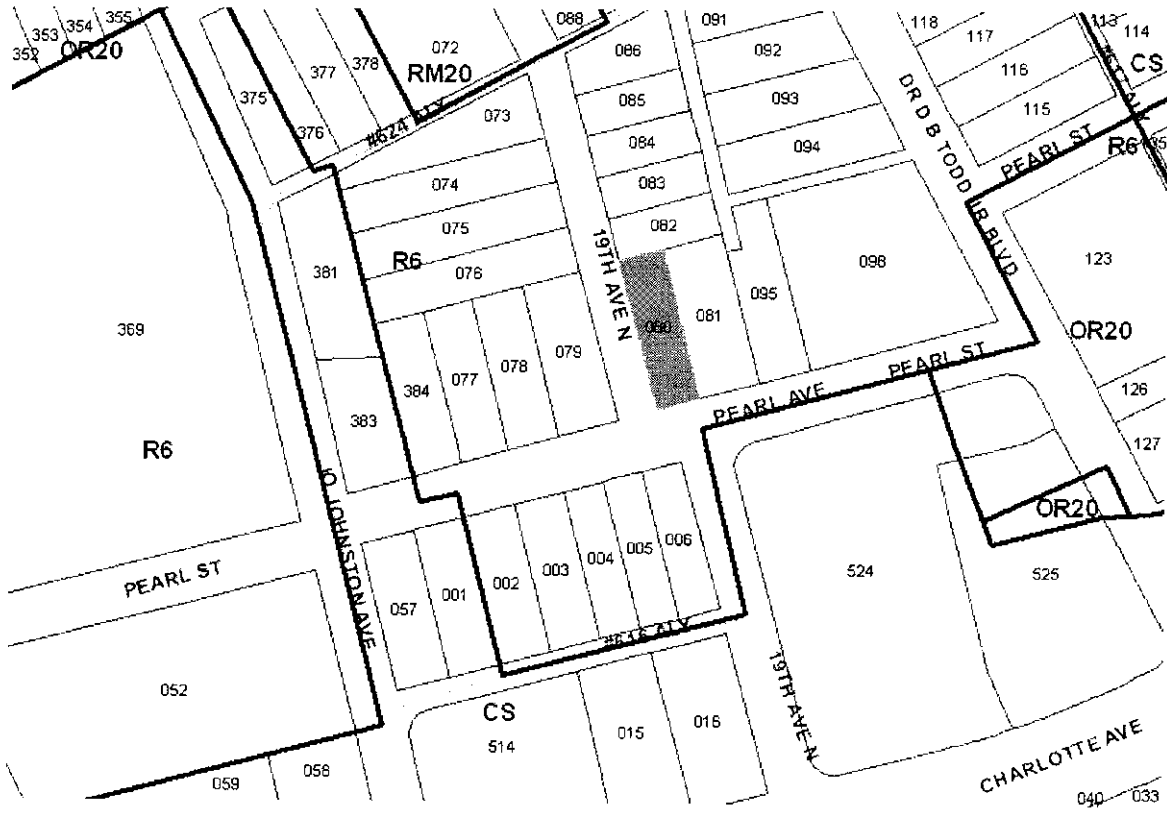


Staff Reports

October 8, 2009

Mission Statement: The Planning Commission is to guide the future growth and development for Nashville and Davidson County to evolve into a more socially, economically and environmentally sustainable community with a commitment to preservation of important assets, efficient use of public infrastructure, distinctive and diverse neighborhood character, free and open civic life, and choices in housing and transportation.

PREVIOUSLY DEFERRED ITEMS



2009SP-016-001
 1812 Pearl Street Office
 Map: 092-08 Parcel: 080
 North Nashville Community Plan
 Council District 19 – Erica Gilmore



Project No.
Project Name
Council Bill
Council District
School District
Requested by

2009SP-016-001
1812 Pearl Street SP
BL2009-554
19 - Gilmore
7 - Kindall
George S. Morgan et ux, owners

Deferral

Deferred from the September 10, 2009, by the Planning Commission in order for a community meeting to be held.

Staff Reviewer
Staff Recommendation

Johnson
Disapprove

APPLICANT REQUEST

Rezone to allow for office and residential uses.

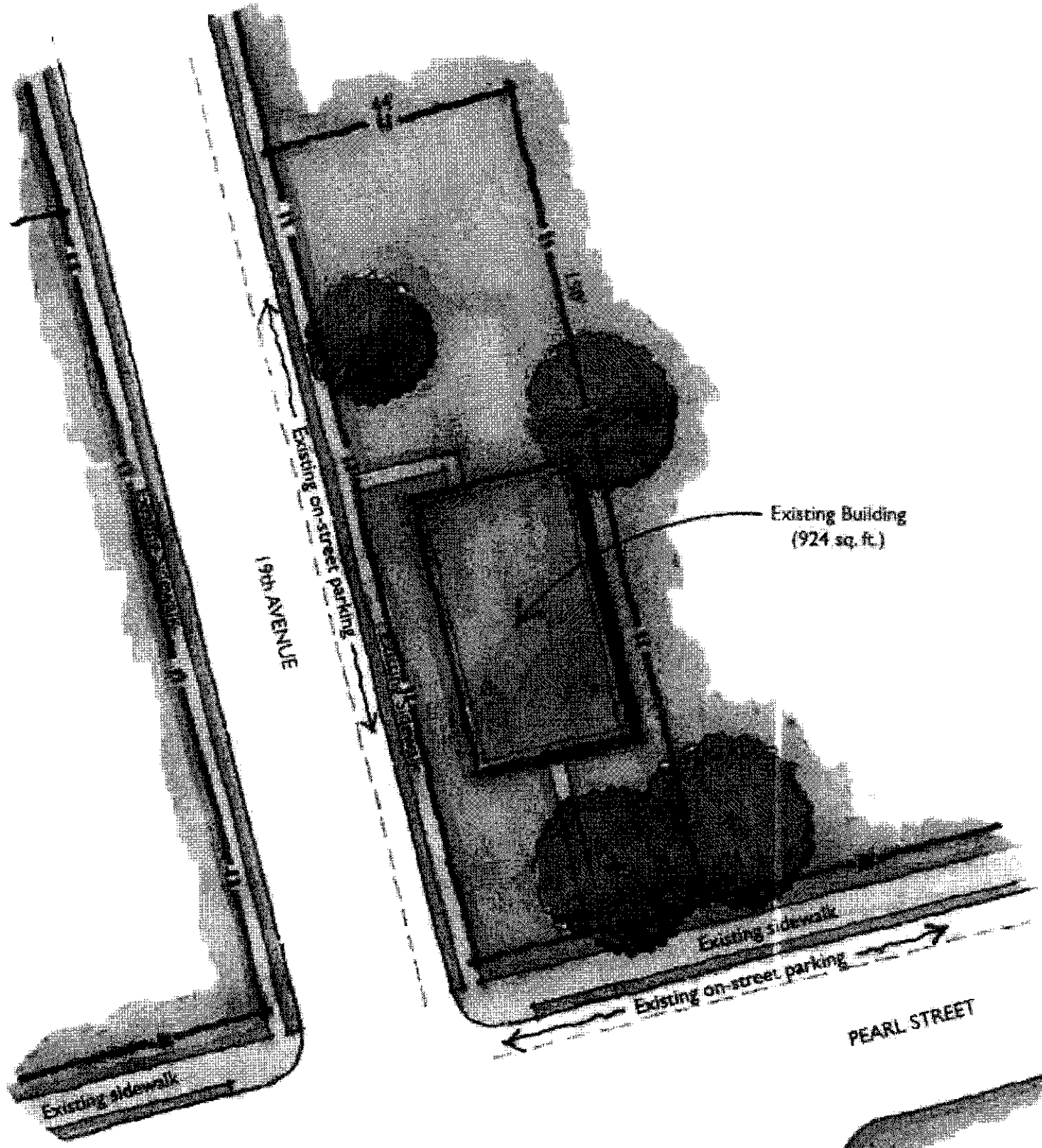
Preliminary SP

A request to rezone from One and Two-Family Residential (R6) to Specific Plan-Mixed Use (SP-MU) zoning property located at 1812 Pearl Street, at the northeast corner of Pearl Street and 19th Avenue North (0.16 acres), to permit an office and one single-family dwelling unit within the existing structure containing 924 square feet.

Update from community meeting of September 28, 2009

At the request of the Planning Commission, staff held a community meeting on September 28, 2009, to discuss the land use policy and this rezoning proposal. Although over twenty property owners were noticed by mail, the only attendees at the meeting were the applicant and the district Councilmember.

The neighborhood in which the applicant's property is located has a detailed land use policy that encourages residential development in a single-family detached home form. This detailed land use policy reflects not only the existing zoning and existing uses in the neighborhood, it also reflects the designation of Worthy of Conservation placed by the Metro Historical Commission to reflect the historic, single-family housing in the neighborhood. This neighborhood and its single-family detached policy are surrounded by properties with a mix of uses and land use policies that encourages mixed-use. Land uses in these areas include two schools, light industrial and commercial development along the Charlotte Pike corridor. The surrounding areas provide options for mixed-use, while the neighborhood in which the zone change proposal is found, is envisioned to remain a neighborhood of single-family detached homes.



Existing Building
(924 sq. ft.)

19th AVENUE

Existing on-street parking

Existing sidewalk

Existing on-street parking

PEARL STREET

Existing sidewalk

19th AVENUE

GRAPHIC SCALE



Metro Planning Commission Meeting of 10/8/2009

This fall, staff will begin the update of the North Nashville Community Plan, with community meetings beginning in January, 2010. Staff recommends that no plan amendment be undertaken at this time. Rather, during the Community Plan update, staff will discuss the community character policy for this area in the larger context of the community and gain additional input as to its future direction.

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 7.71 dwelling units per acre including 25% duplex lots. Under the existing R6 zoning the 0.16 acres would permit a maximum of one single family or one two-family residence.

Proposed Zoning

SP-MU District

Specific Plan-Mixed Use is a zoning District category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes residential and office uses.

CRITICAL PLANNING GOALS

N/A

NORTH NASHVILLE COMMUNITY PLAN

Existing Policy

Single Family Detached
(SFD) in NU

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.

Neighborhood Urban (NU)

NU is intended for fairly intense, expansive areas that are intended to contain a significant amount of residential development, but are planned to be mixed use in character. Predominant uses in these areas include a variety of housing, public benefit uses, commercial activities and mixed-use development. An 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 with the intent of the policy.

Consistent with Policy?

No. The proposed SP is not consistent with the North Nashville Community plan's SFD in NU land use policy. While the SP would not impact the exterior of the existing residence, this policy was adopted in the Watkins Park



Metro Planning Commission Meeting of 10/8/2009

Detailed Neighborhood Design Plan and is intended to maintain the existing single-family residential character of development within the policy boundary from further encroachment of non-residential uses.

PLAN DETAILS

The property, zoned for one and two-family residential and proposed for a Specific Plan – Mixed Use, is approximately 0.16 acres in size and is located at the northeast corner of 19th Avenue North and Pearl Street, one block north of Charlotte Avenue. The property is developed and consists of a single-family dwelling. Single-family dwellings surround the subject property on three sides, several of which are identified by the Metro Historical Commission as “Worthy of Conservation.” A commercial business with frontage on Charlotte Avenue, 19th Avenue, and Pearl Street is located to the southeast of the subject property. Two Metro public schools, Head Middle School to the west and Martin Luther King Jr. High School to the northeast, are located within a quarter-mile of the subject site.

The SP would permit office within the existing residential structure, but it does not propose any additional built square footage beyond the existing 924 square foot dwelling.

Vehicular access is available to the property along 19th Avenue. The Zoning Code requires one parking space for the residential use and does not require a space for the office use because the property is located within the Urban Zoning Overlay.

Analysis

As noted above, while the SP will not impact the exterior of the existing residence, the proposed use is not consistent with land use policy. This policy was proposed through the Watkins Park Detailed Neighborhood Design Plan and is intended to maintain the existing single-family residential character of development within the policy boundary. This policy area is eligible to become a locally-designated historic overlay district because it is identified by the Metro Historical Commission as containing a collection of single-family properties that are labeled as “Worthy of Conservation.” Additionally, this policy area is located between two Metro public schools and would maintain a residential presence surrounding these schools.

If approved, staff is recommending conditions of approval addressing signage and landscape buffers that will allow better integration of this office use among surrounding



Metro Planning Commission Meeting of 10/8/2009

single-family dwellings. These conditions require that no signage be allowed for the office use, and that a "B" buffer will be required along the interior property lines. This buffer type is consistent with the requirements of the Zoning Code for ON zoning where it abuts R6 zoning.

PUBLIC WORKS RECOMMENDATION

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.
2. Submit a dimensioned site plan. Label and dimension right of way along 19th Avenue North and Pearl Street. Dimension pavement widths. Identify existing driveway connections, utilities, etc.
3. Identify parking requirements.

Maximum Uses in Existing Zoning District: R6

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	0.16	7.71 D	1 L	10	1	2

Maximum Uses in Proposed Zoning District: SP-MU

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single Tenant Office Building (715)	0.16	-	924 Sq. Ft.	11	2	2

Maximum Uses in Proposed Zoning District: SP-MU

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	0.16	-	1	10	1	2

Traffic changes between maximum: R6 and proposed SP-MU

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	0.16	-	-	+11	+2	+2



Metro Planning Commission Meeting of 10/8/2009

STAFF RECOMMENDATION

Staff recommends disapproval because the request is not consistent with land use policy. Due to the pending update of the North Nashville Community Plan, staff does not recommend amending the community plan at this time.

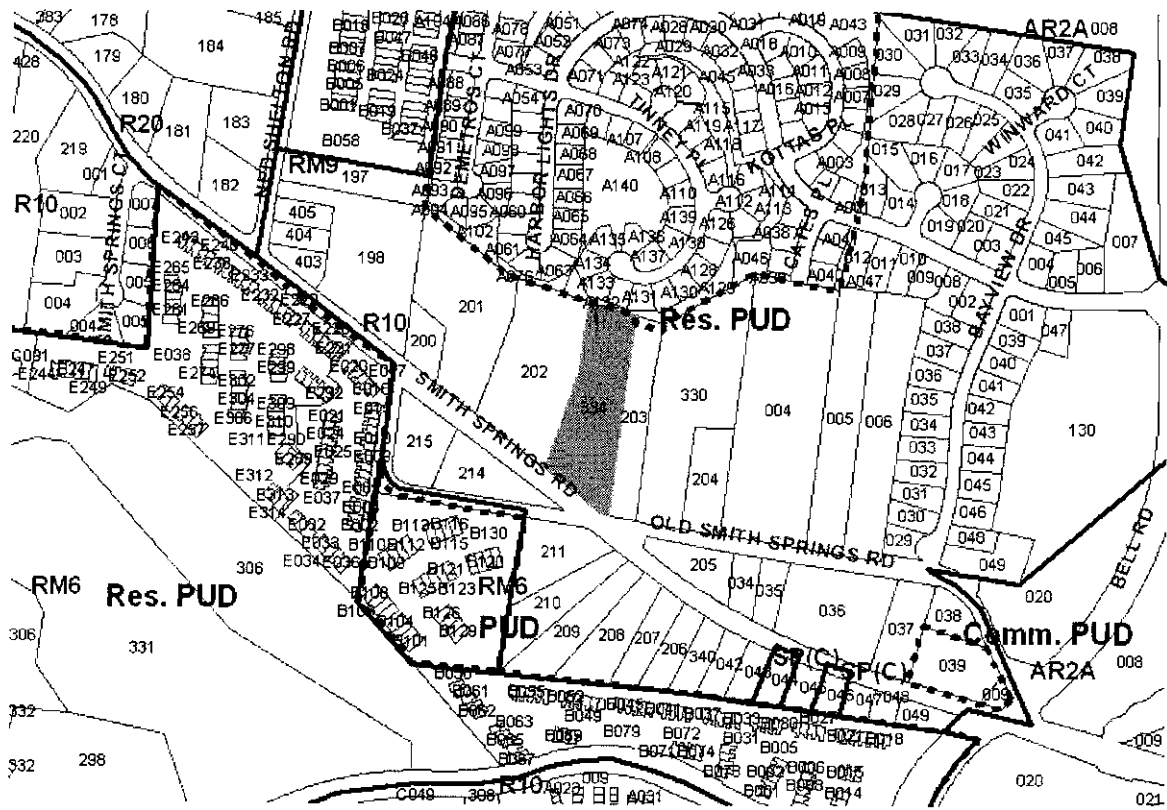
CONDITIONS (if approved)

1. Signage shall not be allowed within this SP.
2. One off-street parking space shall be required for the residential land-use. Provide one off-street parking space within the property and show the location of this parking space on the revised preliminary plan. Parking shall meet the requirements of the Zoning Code for the proposed uses.
3. Provide a B-5 landscape buffer (as illustrated in section 17.24.240 of the Metro Zoning Code) along the east and north property lines. The buffer shall not be required next to the existing building along the east property line. A six foot tall opaque fence shall be provided in this location.
4. Uses permitted within this SP are general office and one single-family dwelling unit. No other uses shall be permitted.
5. 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.
6. Submit a dimensioned site plan. Label and dimension right-of-way along 19th Avenue North and Pearl Street. Dimension pavement widths. Identify existing driveway connections, utilities, etc.
7. Stormwater requirements shall be included on the corrected copy of the preliminary SP plan.
8. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the ON zoning district for all office uses and the R6 zoning district for all residential uses as of the date of the applicable request or application.



Metro Planning Commission Meeting of 10/8/2009

9. A corrected copy of the preliminary SP plan incorporating the conditions of approval by the Planning Commission and Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no later than 120 days after the effective date of the enacting ordinance. The corrected copy provided to the Planning Department shall include printed copy of the preliminary SP plan and a single PDF that contains the plan and all related SP documents. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.
10. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
11. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
12. All development within the boundaries of this plan shall meet the requirements of the Americans with Disabilities Act.



2009SP-013-001
 Universal Robotics
 Map: 135-00 Parcel: 334
 Antioch/Priest Lake Community Plan
 Council District 29 – Vivian Wilhoite



Project No.
Project Name
Council Bill
Council District
School District
Requested by

Zone Change 2009SP-013-001

Universal Robotics

BL2009-566

29 – Wilhoite

6 – Johnson

Looney Ricks Kiss Architects, applicant for Benno Von Hopffgarten owner

Deferrals

This request was deferred from the September 10, 2009, Planning Commission meeting at the request of the applicant to allow time for additional community meetings.

Staff Reviewer
Staff Recommendation

Swaggart

Disapprove

APPLICANT REQUEST

Rezone to permit an office use, single-family residence and other uses.

Preliminary SP

A request to change from One and Two-Family Residential (R10) to Specific Plan-Mixed Use (SP-MU) zoning for property located at 2518 Old Smith Springs Road, approximately 1,090 feet east of Ned Shelton Road (2.29 acres), to permit a single-family residence, guest house, detached garage and a two-story, 7,600 square foot office building.

Existing 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. *Under the existing R10 zoning the 2.29 acres would permit a maximum 10 lots with 2 duplex lots for a total of 12 residential dwelling units.*

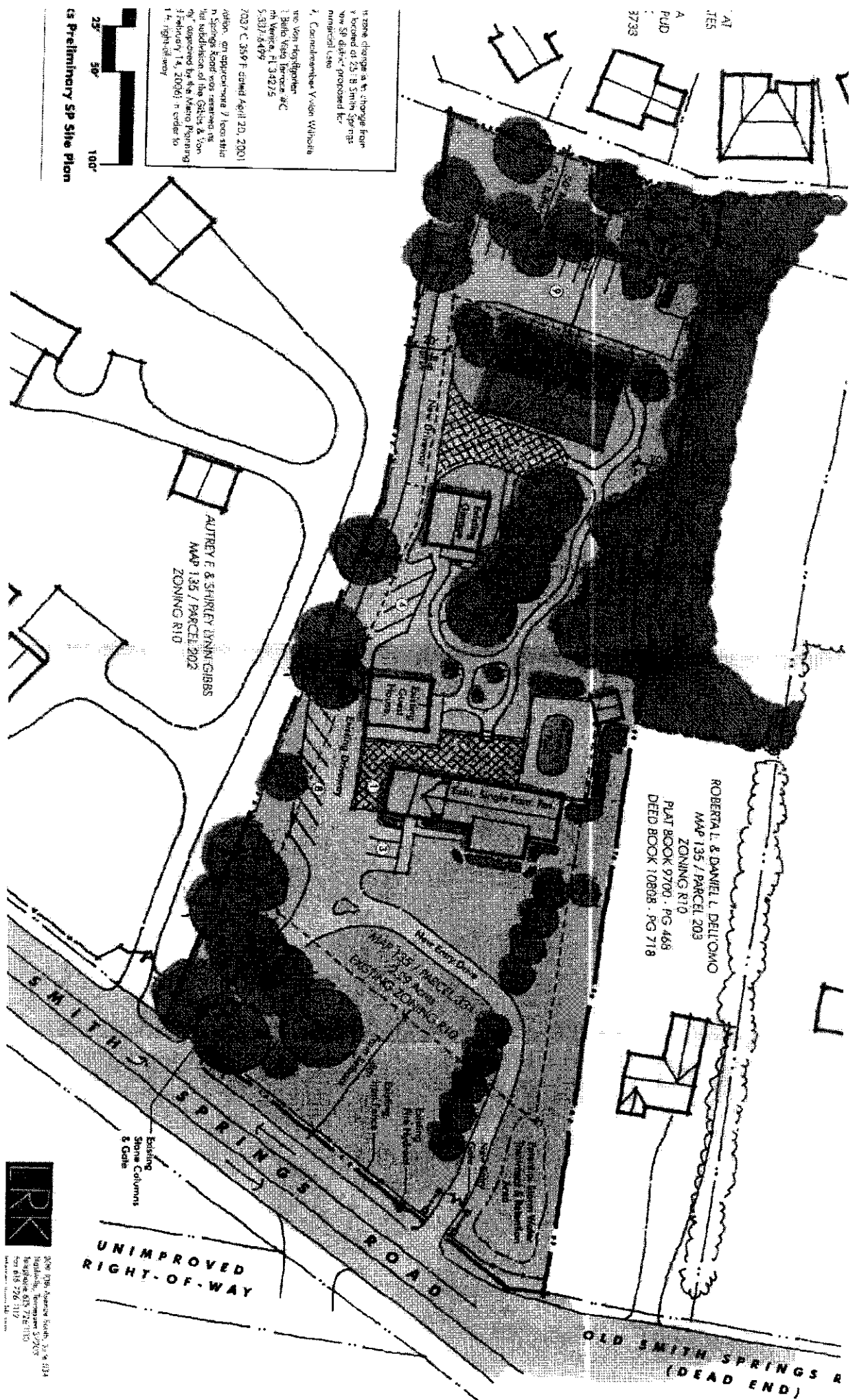
Proposed Zoning
SP-MU

Specific Plan-Mixed Use is a zoning District category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. *This Specific Plan includes residential and office uses.*

CRITICAL PLANNING GOALS

N/A

AT
JES
A
FUD
3733



is zone change is to change from
Y located at 2318 Smith Springs
way St. date proposed for
numerical use

1. Consultant: Vision Unlimited
Inc. 10000
1. Santa Vista, Nevada, NV
7037 C. 3519 F. dated April 23, 2001
action, an appropriate 7 foot 6 1/2
in. spacing. 10000
the addition of the 5000 & 1000
4" supported by 4 in. 200061 in order to
1 in. right-of-way

25' 50' 100'
as Preliminary SP Site Plan

AUTREY E. & SHIRLEY LYNN GIBBS
MAP 135 / PARCEL 202
ZONING R10

ROBERTA L. & DANIEL L. DELL'OMO
MAP 135 / PARCEL 203
ZONING R10
PLAT BOOK 9700 - PG 466
DEED BOOK 10808 - PG 718

UNIMPROVED
RIGHT-OF-WAY

OLD SMITH SPRINGS R
(DEAD END)

RK
3090 17th Avenue South, P.O. Box 3334
Birmingham, AL 35202-1110
Phone: 858-226-1110
Fax: 858-226-1112
www.rk-engineering.com



Metro Planning Commission Meeting of 10/8/2009

ANTIOCH/PRIEST LAKE COMMUNITY PLAN

Existing 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 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 with the intent of the policy.

Consistent with Policy?

No. The Neighborhood General policy may allow office uses to serve as a "transitional" use - to create a transition between residential development and intense mixed-use centers and/or incompatible zoning districts. As a transitional use, the office development would then be created - through site design and building design - to provide a transition, consider the location and orientation of buildings, parking, access, etc. Subsequently areas requiring this type of transition are called out by a Detailed Neighborhood Design Plan (DNDP) or special policy within the Neighborhood General policy. This property is not in a DNDP or a special policy because at present a transition is not needed. There is no intense mixed-use center or incompatible zoning districts present that need to be separated - by transitional office - from the existing residential.

PLAN DETAILS

The property, zoned for one and two-family residential and proposed for Specific Plan – Mixed Use, is approximately 2.29 acres in size. It is located on the north side of Smith Springs Road, west of Bell Road. The property is developed and consists of a single-family house, a guest house, a detached garage and pool. The house is set back approximately 180 feet from Smith Springs Road and the front yard contains a variety of mature trees, and an iron fence that runs the length of the front property line.

The intent of this SP is to allow for the residential property to also be used for office and research activities associated with Universal Robotics. The SP calls for the existing house, guest house, garage and pool to remain, and permits an additional office building. Residential



Metro Planning Commission Meeting of 10/8/2009

would continue to be a permitted use, but office would also be permitted within all structures. The SP would also permit a Bed and Breakfast Inn or Homestay within any of the permitted structures.

The proposed Bed and Breakfast Inn or Homestay is not a listed use in the Metro Zoning Code. Since it is not a listed use, the SP should define the use and provide parameters for the use. The Zoning Code does permit Rural Bed and Breakfast Homestay uses as a Special Exception (SE), which could be similar to the proposed use. While most of the conditions of the SE for a Rural Bed and Breakfast Homestay would not be appropriate with this SP, the requirement that the property be owner occupied should be required as specified in Section 17.16.160.A.2.

The SP would permit office within any structure; however, it limits this use to a maximum of 7,600 square feet total within this SP. In addition to the existing structures, the SP proposes an additional structure at the rear of the property behind the main house to be used for office use.

Access would be provided from the existing drive and an additional drive closer to the eastern property line. Although a sidewalk would typically be required at this location if this type of development were proposed without an SP, there is no sidewalk shown along Smith Springs Road within the SP. The plan proposes that no sidewalk be required. If approved, staff is recommending a condition that a sidewalk be required, or that a contribution to the sidewalk fund be made in lieu of construction of a sidewalk along the property frontage.

Analysis

The proposed SP is not consistent with the Antioch/Priest Lake Community plan's Neighborhood General land use policy. The policy is mostly intended for residential uses calling for a mixture of housing types, but it does also provide for office uses under certain circumstances. Those circumstances include a DNDP or special policy specifically calling for office uses to provide a transition between uses or zoning districts that are not compatible with residential development. This circumstance is not present at this site, and therefore a transitional use is not needed.



Metro Planning Commission Meeting of 10/8/2009

STORMWATER RECOMMENDATION

Preliminary SP approved.

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.

Maximum Uses in Existing Zoning District: R10

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single Family Detached (210)	2.29	4.63 D	10 Lots	96	8	11

Maximum Uses in Proposed Zoning District: SP-MU

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family (210)	2.29	0.43 D	1 Unit	10	1	2

Maximum Uses in Proposed Zoning District: SP-MU

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office ()	2.29	0.076 F	7,600 Sq. Ft.	184	24	24

Traffic changes between maximum: R10 and proposed SP-MU

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
	2.29	n/a	n/a	+98	+17	+15

STAFF RECOMMENDATION

Staff recommends that the request be disapproved. The circumstances for which the Neighborhood General policy would call for a transitional use are not present, and the proposed office use would not be compatible with the surrounding residential uses.

CONDITIONS (if approved)

1. A sidewalk shall be required along the property frontage of Smith Springs Road, or a contribution to the pedestrian network may be made in lieu of construction as specified in Section 17.20.120 of the



Metro Planning Commission Meeting of 10/8/2009

Metro Zoning Code. Any sidewalk shall meet all Public Works' design standards. The sidewalk shall be shown on the final site plan, or the fee must be paid prior to the issuance of any building permits.

2. Plans for solid waste disposal and recycling collection. Solid waste disposal and recycling collection to be approved by the Department of Public Works Solid Waste Division.
3. Construct minimum driveway ramp width not less than fifteen (15') feet.
4. Locate proposed driveway outside of the Smith Springs Road / Old Smith Springs Road curb return street corners, and clear of utility poles, drainage structures, signs, fire hydrants, etc.
5. The Planning Commission shall approve a final site plan for any Bed and Breakfast Inn or Homestay to determine the appropriate number of rooms, traffic impacts, and to determine if any additional conditions are necessary to address neighborhood compatibility. Prior to an final site plan approval for the Bed and Breakfast Inn or Homestay use, the use shall be defined in the SP, and any proposed Bed and Breakfast Inn or Homestay shall be owner occupied as specified in Section 17.16.160.A.2 of the Metro Zoning Code.
6. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the MUN zoning district as of the date of the applicable request or application.
7. A corrected copy of the preliminary SP plan incorporating the conditions of approval by the Planning Commission and Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no later than 120 days after the effective date of the enacting ordinance. The corrected copy provided to the Planning Department shall include printed copy of



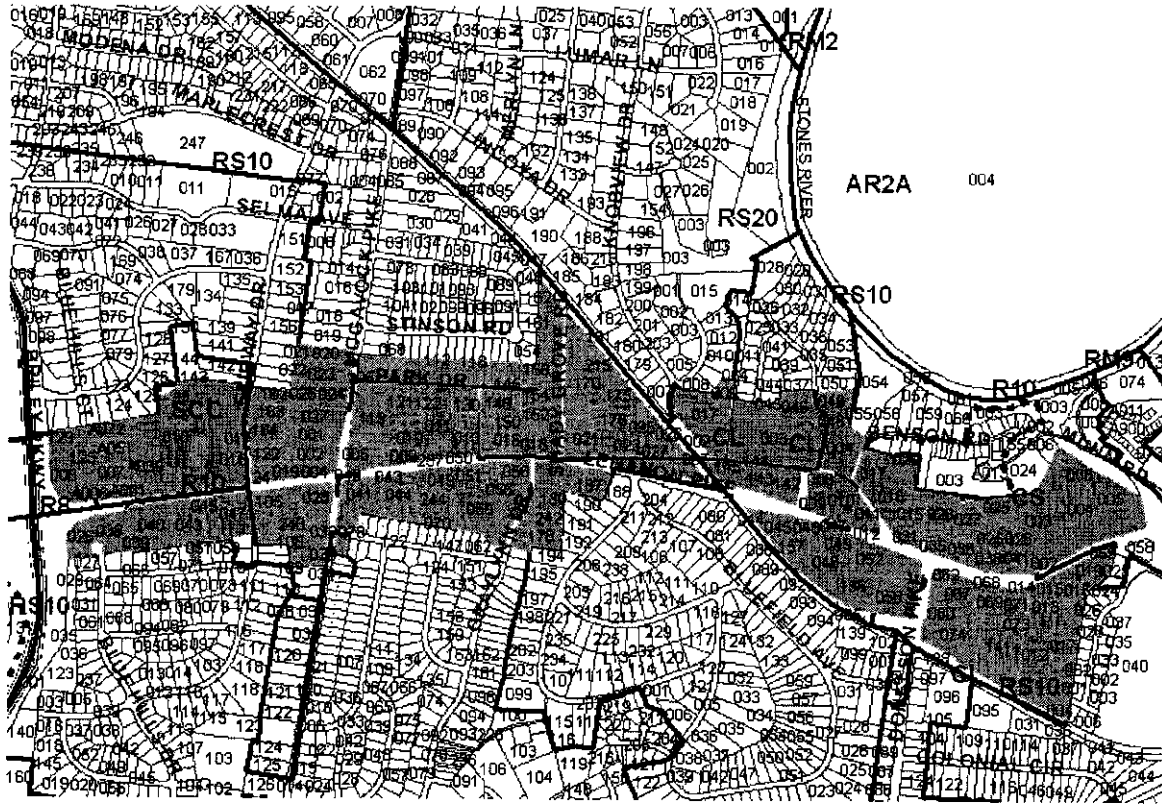
Metro Planning Commission Meeting of 10/8/2009

the preliminary SP plan and a single PDF that contains the plan and all related SP documents. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.

8. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
9. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
10. All development within the boundaries of this plan shall meet the requirements of the Americans with Disabilities Act.

SEE NEXT PAGE

**COMMUNITY PLAN
AMENDMENT**



2009CP-014-001

Downtown Donelson

Map: 084-15, 084-16, 085-13, 095-03, 095-03-A, 095-04, 096-01, 096-02, 900-00

Parcels: Various

Donelson/Hermitage/Old Hickory Community Plan

Council District 14 – James Bruce Stanley

Council District 15 – Phil Claiborne



Project No.	2009CP-014-001
Project Name	Downtown Donelson Plan Amendment
Associated Case	2009UD-001-001 and 2009Z-034TX-001
Council District	15 - Claiborne
School District	4 - Glover
Requested by	Metro Planning Department
Staff Reviewer	T. Adams
Staff Recommendation	<i>Approve</i>

APPLICANT REQUEST

Amend the Downtown Donelson DNDP.

Amend Downtown Donelson DNDP

A request to amend the Downtown Donelson Detailed Neighborhood Design Plan in association with the Donelson Urban Design Overlay.

CRITICAL PLANNING GOALS

- Supports a Variety of Transportation Choices
- Encourages Community Participation
- Supports Infill Development

The Downtown Donelson DNDP and amendments, working in concert with the Downtown Donelson UDO, meets several critical planning goals.

The DNDP and the UDO acknowledge that the Lebanon Pike corridor and Downtown Donelson play a significant role in the regional transportation system. Downtown Donelson hosts a stop on the Music City Star commuter rail line, while Lebanon Pike provides access to Downtown Nashville and Wilson County and is an alternative route choice for Interstate 40. The land use policies and development standards in the DNDP and the UDO reinforce the need for Transit Oriented Development (TOD) near the commuter rail, mixed use development along the corridor, and coordination between vehicular and non-vehicular transportation options. The policies and standards link land use and transportation to ensure that viable transportation options will continue to exist in Donelson.

Lebanon Pike is a suburban corridor, thus a balance had to be found between creating a sustainable development pattern while acknowledging the suburban character of the area and the suburban nature of the market in the area. Community members – those with property frontage on Lebanon Pike and residents living adjacent to the corridor - did provide input that helped to find that delicate balance. Property owner interviews, a design charrette, and community meetings covering



Metro Planning Commission Meeting of 10/8/2009

each phase of the project, provided ample opportunities for input to be heard and included in the DNDP and the UDO. What resulted was a vision for a distinctive, and attractive mixed – use community.

The Downtown Donelson DNDP and UDO balance sustainable urban form with suburban character. They do so by providing opportunities for a diverse mixture of land uses (and housing) at various development intensities. Through the land use policies of the DNDP and the development standards of the UDO, one could build multiple stories or a single story along the corridor. In all cases however, the creation of a stronger pedestrian environment and a unique sense of place are priorities. The result is a development pattern where suburban character is present, but that is more sustainable than typically found in suburban areas.

Infill development is critical to creating a more sustainable development pattern. Placing infill development on Lebanon Pike where infrastructure exists is less burdensome on land and resources. The DNDP and UDO include policies and development standards that discuss the redevelopment of vacant and underutilized properties. Particularly the reuse of “big-box” development and suburban shopping centers, which provide unique infill opportunities in suburban commercial markets.

EXISTING POLICY

Open Space (OS)

OS policy is intended to encompass public, private not-for-profit, and membership-based open space and recreational activities. The OS designation indicates that land has been secured for an open space use.

Parks, Reserves and Other Open Space (PR)

PR policy designates land that is reserved for open space intended for active and passive recreation, as well as buildings that will support such open space.

Civic or Public Benefit (CPB)

CPB policy is intended for various public facilities including schools, libraries, and public service uses.

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



Metro Planning Commission Meeting of 10/8/2009

Mixed Housing (MH)

and other forms of attached housing may be appropriate.

MH is intended for single-family and multi-family housing that varies on the size of the lot and the placement of the building on the lot. Housing units may be attached or detached, but are not encouraged to be randomly placed. Generally, the character should be compatible to the existing character of the majority of the street.

Mixed Use (MxU)

MU is intended for buildings that are mixed horizontally and vertically. The latter is preferable in creating a more pedestrian-oriented streetscape. This category allows residential as well as commercial uses. Vertically mixed-use buildings are encouraged to have shopping activities at street level and/or residential above.

PROPOSED POLICY

Corridor General (CG)

CG policy is intended for areas at the edge of a neighborhood that extend along a segment of a major street and are predominantly residential in character. CG areas are intended to contain a variety of residential development along with larger scale civic and public benefit activities. Examples might include single-family detached, single-family attached or two-family houses however multi-family development might work best on busy corridors.

The western boundary of the DNDP adopted in 2004 included Fairway Drive, south of Lebanon Pike and the Crossing Shopping Center property, north of Lebanon Pike. During the creation of the Downtown Donelson UDO, its western boundary included property extending further west to Briley Parkway. The western boundary of the DNDP now corresponds to the new boundary of the UDO. The policy on those properties now included in the UDO will change from Residential Low Medium (RLM) to Corridor General (CG).

Another small property in this area that was identified as Open Space (OS) policy will also change to Corridor General (CG) policy. These areas are denoted as 1a and 1b on the attached maps.



Metro Planning Commission Meeting of 10/8/2009

Parks, Reserves and Other Open Space (PR)

PR policy designates land that is reserved for open space intended for active and passive recreation, as well as buildings that will support such open space.

The Downtown Donelson UDO encourages the incorporation of open space that acts as public gathering space and focal points with any new or redevelopment within Donelson. The Crossings Shopping Center and the Donelson Plaza were redevelopment priorities in Donelson and policy on portions of these properties will change from Mixed Use (MxU) and Mixed Housing (MH) to Parks, Reserve and Other Open Space (PR). These areas are denoted as 2a and 2b on the attached maps.

An area near Graylynn Drive, south of Lebanon Pike, abuts a small creek. During the creation of the Donelson UDO, property owners in this area wished to protect the creek from further development encroachment. Policy in this area was originally Mixed Housing (MH) and will now change to Parks, Reserves and Other Open Space (PR), in an effort to buffer the creek from more intense development mixed housing development. This area is denoted as 2c on the attached maps.

Mixed Use (MxU)

MU is intended for buildings that are mixed horizontally and vertically. The latter is preferable in creating a more pedestrian-oriented streetscape. This category allows residential as well as commercial uses. Vertically mixed-use buildings are encouraged to have shopping activities at street level and/or residential above.

The DNDP adopted in 2004 identified the intersection of Lebanon Pike and Old Lebanon Pike, and the Music City Star commuter rail station as appropriate for open space. Since 2004, the Music City Star commuter rail station has been built, and a transit oriented development pattern should emerge rather than strictly open space. The open space at the intersection of Lebanon Pike and Old Lebanon Pike as also been reduced to provide opportunity for future development that would support the rail station as well.

Properties that were developed with civic and public benefit land uses (churches and a post office) were



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placed in Civic or Public Benefit land use policy in the 2004 Downtown Donelson DNDP. During the creation of the Downtown Donelson UDO, these land uses were also seen as being appropriate in a mixed use environment.

The policy discussed in these areas will change from Parks, Reserves or Other Open Space (PR) and Civic or Public Benefit (CPB) land use policies to Mixed Use (MxU) land use policy to encourage a land use pattern that supports transit and mixed use development. These areas are denoted as 3a and 3b on the attached maps.

There were also some areas that contained Mixed Housing (MH) land use policies. In the 2004 DNDP, these policies were consistent with the development goals for Downtown Donelson, but they did not directly correspond with the existing Commercial Services (CS) and Commercial Limited (CL) zoning. In creating the Downtown Donelson UDO, it was important to be forthright about the existing zoning and its entitlements. For this reason, the policy in the DNDP should align as well. Policy in these areas will change from Mixed Housing (MH) to Mixed Use (MxU). Mixed Use policy still allows for residential land uses to be a component of new and redevelopment. These areas are denoted as 3c on the attached maps.

Transition or Buffer (TB)

Transition or Buffer policy is intended to provide a transition from intense commercial activity to a more residential character. Uses should be residential in scale, character, and function, but may have a limited commercial or mixed-use component.

The application of Transition or Buffer land use policy occurred under similar circumstances as the application of Mixed Use Policy discussed above. In keeping with the development goals of the 2004 DNDP, Mixed Housing policy was applied to property. The zoning however was inconsistent with what the policy encouraged; these areas were zoned Office / Residential (OR20).

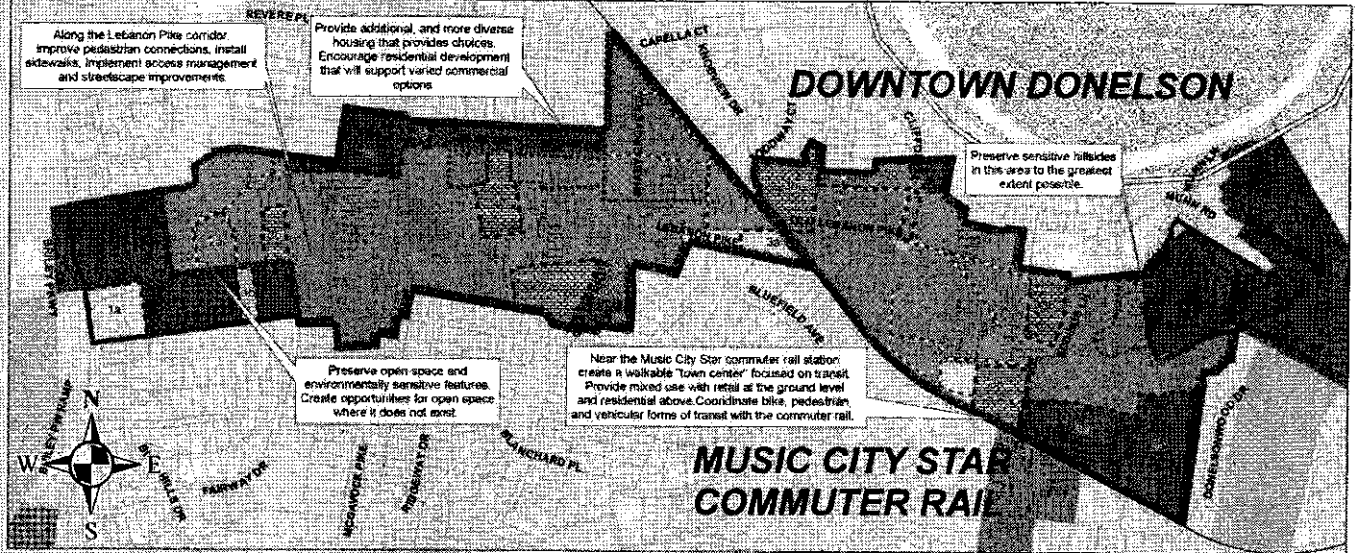
To be forthright about the existing zoning and its entitlements, the policy in these areas will change from Mixed Housing (MH) to Transition or Buffer (TB). Office is the primary land use in OR20 zoning. Office



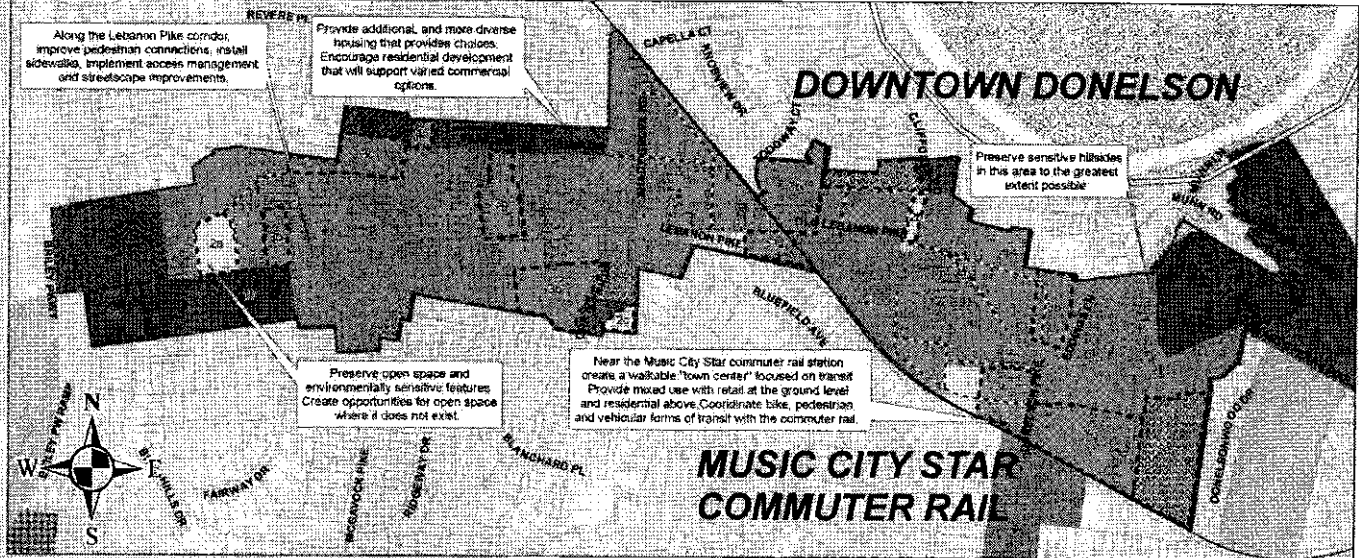
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adjacent to residential offers an appropriate transition in land use. These areas are denoted as 4a, 5a, and 5b on the attached maps.

Downtown Donelson DNDP Adopted 2004



Downtown Donelson DNDP 2009 Update - Proposed Plan Amendments



BACKGROUND

The Downtown Donelson Detailed Neighborhood Design Plan (DNDP) was adopted on October 4, 2004. At that time, community members set forth a vision for the Lebanon Pike corridor that included a "Town Center" near the Music City Star commuter rail station, mixed use activity areas along Lebanon Pike, and



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opportunities for a mixture of housing adjacent to Lebanon Pike.

To implement this vision, the community engaged in the creation of the Downtown Donelson Urban Design Overlay (UDO). In creating the UDO, the Downtown Donelson DNDP adopted in 2004 and the detailed land use policies within it were revisited.

Several changes to the 2004 Downtown Donelson Detailed Neighborhood Design Plan are proposed. The proposed amendments retain the vision that the community created in 2004 DNDP, but accommodate changes that may have occurred in the study area since that time. The proposed amendments also conform to the goals and objectives set forth in the Downtown Donelson UDO.

COMMUNITY PARTICIPATION

Community engagement for the creation of the Downtown Donelson UDO began with four meetings starting in February 2009 and ending in May 2009, where the overall vision and implementation strategy were determined; an Urban Design Overlay for Donelson was chosen to help implement the Downtown Donelson DNDP. Five additional community meetings beginning in June 2009 and ending in August 2009 were held to create the UDO.

Over a seven month period, Planning staff engaged the community by holding a two-day design charrette in the community, met with individual property owners, and held community meetings to discuss each UDO sub district and its development character.

Based on the amount and level of community engagement, the policy changes to the DNDP were considered to be minor; they meet the overall intent of the 2004 Downtown Donelson DNDP and the UDO.

STAFF RECOMMENDATION

Staff recommends approval.

SEE NEXT PAGE

**ZONING TEXT,
URBAN DESIGN OVERLAY,
SPECIFIC PLAN**

NO SKETCH



Project No.	2009Z-034TX-001
Project Name	Adaptive Reuse for Downtown Donelson
Associate Case	2009 CP-014-001 and 2009UD-001-001
Council Bill	BL2009-552
Council District	15 - Claiborne and 14 - Stanley
School District	4 - Glover
Requested by	Metro Planning Department, on behalf of Councilmembers Phil Claiborne and James Bruce Stanley

Staff Reviewer	Withers
Staff Recommendation	<i>Approve</i>

APPLICANT REQUEST

Permit Adaptive Reuse in UDO.

Text Amendment

A request to amend Section 17.16.030 (E) of the Metro Zoning Code to permit adaptive reuse of commercial areas in the proposed Downtown Donelson Urban Zoning Overlay District.

CRITICAL PLANNING GOALS

N/A

PURPOSE

The Downtown Donelson UDO envisions mixed-use, compact, transit-oriented development. However, the existing base zoning prohibits that vision by prohibiting residential development and encouraging auto-oriented development patterns. The Lebanon Pike Corridor is largely zoned Commercial Service (CS) and Commercial Limited (CL): the most auto-oriented zoning districts in Davidson County. The commercial base zoning not only ensures an auto-dominated development pattern, with large buildings at the back of lots abutting single-family homes and prohibiting buildings close to the street, but it also prohibits residential development.

The UDO is a tool that requires specific design standards for development in a designated area. UDOs can modify zoning standards such as setbacks, building height, floor area ratio, and parking. The only standard a UDO can not modify is the land uses allowed by the base zoning district, so the UDO itself cannot be used to allow residential development where the base zoning prohibits residential development.



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To permit residential development along the corridor and realize the vision of the community, an amendment to Section 17.16.030. E. of the Metro Zoning Ordinance, Adaptive Residential Development, is necessary. This section of the Zoning Code adds residential development as a permitted use in the commercial zoning districts, such as CL and CS. This provision was previously allowed only within the Urban Zoning Overlay, but the proposed amendment to the section will add residential as permitted uses to commercially zoned properties within the Donelson UDO.

This amendment will encourage the reuse of underutilized commercial properties along the existing Lebanon Pike corridor for higher intensity residential development as called for by the Downtown Donelson DNDP and UDO.

ANALYSIS

Existing Law

Section 17.04.060 E. of the Zoning Code currently provides for residential uses to be permitted on a lot or in an existing building with frontage of an arterial or collector street in the Urban Zoning Overlay District and classified as a non-residential zoning district. The section requires that a minimum of 40 percent of the building's square footage be devoted to the residential use.

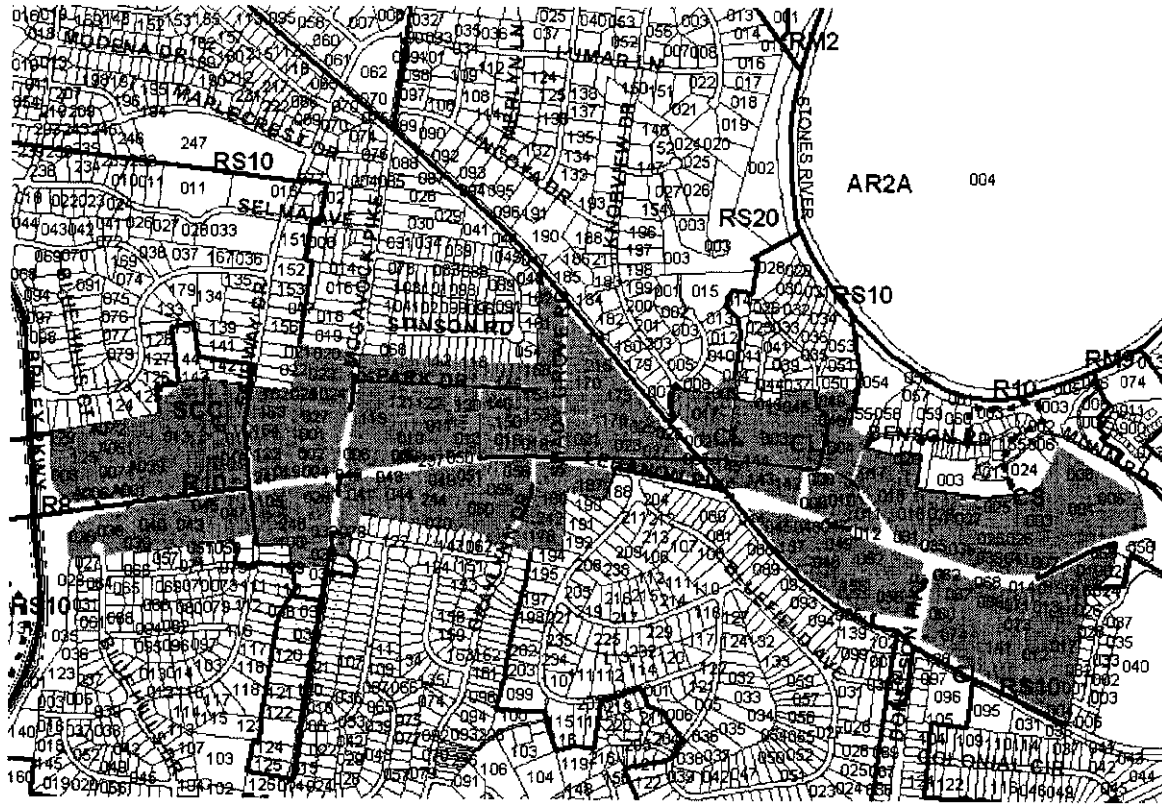
Proposed Bill

The proposed bill would make the adaptive reuse provisions available to all non-residentially zoned properties within the boundary of the Downtown Donelson UDO.

STAFF RECOMMENDATION

Staff recommends approval of the bill as it will support the goal of a mixed-use community in Downtown Donelson.

SEE NEXT PAGE



2009UD-001-001

Downtown Donelson Urban Design Overlay District

Map: 084-15, 084-16, 085-13, 095-03, 095-03-A, 095-04, 096-01, 096-02, 900-00

Parcels: Various

Donelson/Hermitage/Old Hickory Community Plan

Council District 14 – James Bruce Stanley

Council District 15 – Phil Claiborne



Project No.	2009UD-001-001
Project Name	Downtown Donelson Urban Design Overlay
Associated Case	2009CP- 014-001 and 2009Z-034TX-001
Council Bill	BL2009-560
Council District	15 - Claiborne and 14 - Stanley
School District	4 - Glover
Requested by	Councilmembers Phil Claiborne and James Bruce Stanley
Staff Reviewer	Withers
Staff Recommendation	<i>Approve</i>

APPLICANT REQUEST

Adopt the Downtown Donelson Urban Design Overlay.

Apply UDO

A request to apply the Urban Design Overlay (UDO) district to be known as the "Downtown Donelson UDO" to establish sign and development standards for properties located on Lebanon Pike from Briley Parkway to Stewarts Ferry Pike, and on Old Lebanon Pike, J.B. Estille Drive, Donelson Pike, Fairway Drive, McGavock Pike, Crump Drive, Park Drive, Graylynn Drive, Cliffdale Drive, and Benson Road (229.35 acres).

Existing Zoning

The adoption of an Urban Design Overlay does not **change** the underlying, existing zoning.

CS District

Commercial Service is intended for a wide range of commercial service-related uses including low intensity manufacturing and storage facilities

CL District

Commercial Limited is intended for retail, consumer service, financial, restaurant, and office uses

SCC District

Shopping Center Community is intended for moderate intensity retail, office, and consumer service uses for a wide market area

OL District

Office Limited is intended for moderate intensity office uses

OR20 District

Office/Residential is intended for office and/or residential multi-family uses up to 20 dwelling units per acre



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R10 District

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

RS10 District

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

R8 District

R8 requires a minimum 8,000 square foot lot and is intended for single- and two-family dwellings at an overall density of 5.41 dwelling units per acre including 25% duplex lots.

DOWNTOWN DONELSON DETAILED NEIGHBORHOOD DESIGN PLAN

Please see 2009CP- 014-001 for a detailed discussion of the policy amendments to support the Downtown Donelson UDO.

CRITICAL PLANNING GOALS

- Supports a Variety of Transportation Choices
- Encourages Community Participation
- Supports Infill Development

The Downtown Donelson UDO, working in concert with the Downtown Donelson DNDP and amendments, meet several critical planning goals.

The UDO and the DNDP acknowledge that the Lebanon Pike corridor and Downtown Donelson play a significant role in the regional transportation system. Downtown Donelson hosts a stop on the Music City Star commuter rail line, while Lebanon Pike provides access to Downtown Nashville and Wilson County and is a critical transportation option within the Eastern corridor. The land use policies and development standards in the DNDP and the UDO reinforce the need for Transit Oriented Development (TOD) near the commuter rail, mixed use development along the corridor, and coordination between vehicular and non-vehicular transportation options. The policies and development standards link land use and transportation to ensure that viable transportation options will continue to exist in Donelson.

Lebanon Pike developed as a conventional suburban corridor, necessitating a balance between a sustainable development pattern and the suburban character and market in the area. Community members – those with property along Lebanon Pike as well as residents living



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adjacent to the corridor - offered input that helped create that delicate balance within the UDO. Property owner interviews, a design charrette, and community meetings covering each phase of the project, provided ample opportunities for input. What resulted was a plan for a distinctive, and attractive mixed-use community.

The Downtown Donelson DNDP and UDO balance sustainable urban form with suburban character. They do so by providing opportunities for a diverse mixture of land uses (and housing) at various development intensities. Through the land use policies of the DNDP and the development standards of the UDO, one could build multiple stories or a single story along the corridor. In all cases however, the creation of a stronger pedestrian environment and a unique sense of place are priorities. The result is a development pattern where suburban character is present, but that is more sustainable than typically found in suburban areas.

Infill development is critical to creating a more sustainable development pattern. Placing infill development on Lebanon Pike where infrastructure exists is less burdensome on land and resources. The DNDP and UDO include policies and development standards that discuss the redevelopment of vacant and underutilized properties, and particularly the reuse of "big-box" development and suburban shopping centers, which provide unique infill opportunities in suburban commercial markets.

PLAN DETAILS

The Downtown Donelson Urban Design Overlay District, together with the Adaptive Reuse Text Amendment for Downtown Donelson and the Downtown Donelson Detailed Neighborhood Design Plan create policy and implementation tools for a mixed use, transit oriented downtown for the Donelson community. The UDO is a regulatory tool that established development standards that vary from the base zoning districts for the properties within the UDO. The UDO standards have the same force and effect as the standards set forth in the base zoning districts of the Zoning Code. The only standard that the UDO can not vary is use, which is controlled by the underlying base zoning district.



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Regulating Plan

The Regulating Plan of the Downtown Donelson UDO is divided into seven different subdistricts, each with varying development standards designed to enhance the unique character of each area. The districts range from an intense transit oriented development district, to a suburban mixed-use corridor to a transitional residential district. The following is a brief description of each subdistrict.

Subdistrict 1

Transit Oriented Development (TOD)

This is an intense, mixed-use district within a five-minute walk of the Donelson Music City Star Station. Development in the area shall promote additional modes of transportation (bike, pedestrian and vehicular). Buildings may range from one to five stories in height.

Subdistrict 1A

TOD Support

This is a transition area between the intensity of Subdistrict 1 and the more suburban corridor in Subdistrict 2. A moderately intense "main street" with mixed use development, buildings in Subdistrict 1A may range from one to three stories in height.

Subdistrict 2

Mixed-Use Corridor

This is a corridor that balances sustainable, walkable development with suburban character by incentivizing buildings built to the street, but allowing for one row of parking in front. The subdistrict also calls for enhanced pedestrian environment through landscaping, access management and transit, signage, and mixed use development. Buildings may range from one to three stories in height.

Subdistrict 3

Commercial / Industrial Support

This area consists of light industrial and office land uses; however it lacks the infrastructure and access to support such uses. This area is intended to remain a community support area and new development should provide quality vehicular and pedestrian infrastructure. Buildings may range from one to three stories in height.

Subdistrict 4

Residential and Civic Corridor

Subdistrict 4 includes areas on either end of the Lebanon Pike corridor that preserve the existing residential and civic character, while providing



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Subdistrict 5

additional housing choice that accommodates the community's differing lifestyles. Buildings may range from one to three stories in height.

Residential Neighborhood

This subdistrict calls for development in the form of mixed housing that provides additional housing choice and creates transitions between intense commercial land uses, and less intense residential neighborhoods. Buildings may range from one to three stories in height.

Subdistrict 5A

Residential/Office Neighborhood

Subdistrict 5A is envisioned to include office land uses along with mixed housing to create transitions between intense commercial land uses, and less intense residential neighborhoods. Buildings may range from one to three stories in height.

Street Types

Streets within the Downtown Donelson UDO are classified as either "arterial" or "primary" and setbacks are based on these classifications. Recognizing the high volume of traffic and the suburban nature of the Lebanon Pike, Donelson Pike and McGavock Pike Corridors, mixed use development along these corridors may be setback behind a row of parking. Along primary streets, to create a more pedestrian friendly and engaging streetscape, buildings may have only a limited setback from the back of the sidewalk with no parking between the building and the street.

"Trigger" or Compliance Provisions

Properties within the Downtown Donelson UDO boundary may choose to voluntarily utilize the standards and incentives of the UDO at any point after the UDO is adopted. Compliance with the UDO becomes mandatory, however, when one of the following actions take place.

- Property ownership changes after the effective date of the UDO ordinance, and changes to the property are made (see "full compliance" and "partial compliance" below).
- The base zoning is changed by request of the property owner, and changes to the property are made (see "full compliance" and "partial compliance" below). In Subdistricts 4 and 5, a property owner would need a base zone change to



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Full Compliance

realize the full potential of their property under the UDO.

- A property owner uses any of the development incentives provided as part of this UDO.

Following the changes listed above, compliance with the UDO standards shall be required as follows:

Full compliance with the Development Standards shall be required when:

- Property is redeveloped or vacant property is developed
- The total building square footage of any expansion(s) is greater than 25 percent of the total building square footage of all improvements on the lot prior to expansion.
- When a new structure is built on a lot with multiple structures, the new structure shall be in compliance with all the Development Standards.

Partial Compliance

Compliance with the landscaping and screening standards and streetscape enhancements shall be required when:

- The total building square footage of any expansion(s) is between 10 percent and 25 percent of the total building square footage of all improvements on the lot prior to expansion, or
- The value of any one building permit or the value of multiple building permits reaches 25 percent or more of the total value of all improvements on the lot prior to application for the building permit.
- Expansions shall not be constructed on the front or street side, of a structure, unless the proposed expansion would bring the structure more into compliance with the standards of this UDO.

Signage

The Signage Standards of the UDO shall apply when a sign permit is required, including the replacement of a sign panel, according to the following provisions.

- New signs shall comply with all Signage Standards.
- Existing single tenant signs shall be brought into compliance when a change to the sign requires a sign permit.
- Existing multi-tenant signs of a type permitted in the subdistrict (monument, pillar, projecting, wall-



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mounted) may be permitted for individual tenant-sign change without achieving full compliance as to size, location, and illumination.

- Existing multi-tenant signs of a type prohibited in the subdistrict (pole-mounted, etc.) shall be permitted to install new sign panels until 50 percent of the total signage area has been replaced, including multiple changes to the same area of the sign. Once the 50 percent threshold has been reached, no further signage changes will be allowed unless the sign is changed to a type complying with all provisions of the Signage Standards. Panels that have not been changed may remain until such time as the property owner replaces the nonconforming sign with a permitted sign type.
- Notwithstanding the above, a non-conforming sign damaged by any involuntary means may be reconstructed to its pre-damage condition.

Modifications

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

Minor modifications – deviations of 20 percent or less – may be approved by the Planning Commission's designee. Major modifications – deviations of 21 percent or more – shall be approved by the Planning Commission.

Development Incentives

The following development incentives, or bonuses, are available to properties developing within the Downtown Donelson UDO standards:

- Floor Area Ratio (FAR) bonus of 1 in Subdistricts 1, 1A, 2 and 3. (This provides 40 percent more building square footage than is currently allowed under base zoning).
- Square Footage Bonuses for providing plazas, new streets required by UDO, and use of Low Impact Stormwater techniques.
- Adaptive Reuse, which allows residential development in commercial zoning districts without a zone change.
- Parking Structures exempt from FAR calculation.



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- Increased setbacks allowed for outdoor dining.
- Increased square footage or parking reductions for transit stops constructed as part of a development project.
- Urban Zoning Overlay requirements for number of parking spaces , which provides a reduction in required parking.
- Transfer of Development Rights from properties along Mill Creek and the west bank of the Stones River to properties within the Downtown Donelson UDO.

PUBLIC WORKS RECOMMENDATION

No comments

STORMWATER RECOMMENDATION

Permits will be required during development phase

STAFF RECOMMENDATION

Staff recommends approval the Downtown Donelson UDO.

SEE NEXT PAGE

NO SKETCH



Project No.	Zone Change 2009Z-008TX-001
Name	Electronic Signs (Special Exception Use)
Council Bill	BL2009-463
Council District	Countywide
School District	N/A
Requested by	Councilmember Charlie Tygard

Deferral	<i>Deferred from the June 11, 2009, and August 13, 2009, Planning Commission meetings.</i>
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Staff Reviewer	Withers
Staff Recommendation	<i>Disapprove. Approve alternate ordinance for an Electronic Sign Overlay District</i>

APPLICANT REQUEST	Permit electronic display signs in certain zoning districts.
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Text Amendment	A request to amend the Metro Zoning Code to designate electronic display signs as a permitted use or a special exception use in certain zoning districts, and to add standards for electronic display signs.
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CRITICAL PLANNING GOALS	N/A
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ANALYSIS	
Existing Law & Background	Section 17.32.050.G and H of the Zoning Code regulate signs with graphics, messages, and motion. Although this section is entitled "Prohibited signs" this is the only section of the sign ordinance controlling electronic signs. These sections govern electronic billboards, as well as the full motion signs that are permitted only in the CA district, and LED message boards and digital signs.

The LED message boards and digital signs are currently allowed in the most intense commercial and industrial districts of the city – CA, CS, CF, CC, SCR, MUI, ORI, IWD, IR and IG. They are allowed to have changeable copy graphics and/or text that must remain static for eight seconds, and then must change instantaneously without any special effects. The signs are not permitted to be located less than 100 feet from any agriculturally or residentially zone properties. The signs are currently expressly prohibited in the AG, AR2a, R, RS, RM, MUN, MUL, MUG, ON, OL, OG, OR20, OR40, CN, CL, SCC and SCN districts.



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The LED message boards have become sought after by civic uses such as churches, school, community facilities and businesses who wish to advertise events and services. There have been previous attempts to amend the zoning ordinance to allow the LED message boards in residential areas, but these attempts were met with community opposition. Many community members cite the commercial nature of the signs as being an intrusion into residential neighborhoods. Community members also argue that the city has not done an effective job of enforcing the electronic signs that currently exist in the commercial and industrial districts, giving neighborhoods little assurance that the signs in residential areas will operate in compliance. Recently, there have been requests for CS or SP rezonings to secure the right to place an electronic sign at a church or school that has a residential zoning classification. The request for a CS or SP rezoning has occurred because there has been no other venue to submit a request or make application for one of these signs.

To address the issue, Metro Council created a Sign Task Force in August of 2008 to review the Sign Ordinance with a focus on recommendations pertaining to on-premise electronic signs, a technology that was not available when the Sign Ordinance was drafted 16 years ago. The task force was co-chaired by Burkley Allen and Jane Alvis. Other committee members were At-large Council members Megan Barry and Charlie Tygard as well as John Brittle, Stewart Clifton, Terry Cobb, Bob Cooper, Judge Gloria Dumas, Dan Haskell, Debby Dale Mason, Larry McWhirter, Anna Shepherd, Patricia Totty, Chris Whitson and staff members Sonny West, Jon Cooper and Kathryn Withers. The Task Force met monthly to discuss options and this ordinance is their recommendation.

Proposed Text

General. The proposed bill defines the term "electronic display sign," designates electronic display signs as a permitted use or a special exception (SE) use in specific zoning districts in the land use tables, and adds standards for special exception electronic display signs. This bill would clarify where an electronic display sign would be allowed, rather than the current ordinance, which only describes where the signs are not allowed.



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Type of Use. The bill proposes to allow electronic signs as a Special Exception (SE) use for community education facilities, cultural centers, recreation centers, and religious institutions in the AG, AR2a, R, RM and RS districts. The bill proposes to allow electronic signs as a SE use with all non-residential uses in the MUI, I, ON, OL, OG, ORI, OR20, OR40, CN, CL, SCC and SCN districts. The bill proposes that the electronic signs only be allowed to replace an existing back-lit or flood-lit sign. New construction would not be eligible for on of the signs.

Meanwhile, for the zoning districts where the signs are currently allowed (CA, CS, CF, CC, SCR, IWD, IR and IG), the proposed change to zoning code would note that electronic display signs would be a "permitted use" in these zoning districts.

Approval Process for Special Exception Uses. By making the electronic signs a SE use, a public hearing is required by the Board of Zoning Appeals (BZA). The community will receive notice of the upcoming hearing by mail if they live within 600 feet of the proposed electronic sign location. In addition, one or more public hearing signs will be posted on the property, announcing the date and time of the public hearing to the community.

Location and Operational Standards. This bill proposes no changes to the operational criteria for electronic display signs in zoning districts where the signs are currently permitted. In the zoning districts where the electronic display signs would now be permitted as Special Exception (SE) uses, there are several standards that would be reviewed by the BZA when considering the SE.

The standards proposed for the SE signs are:

- Spacing - Electronic display signs shall be spaced a minimum of 500 feet from any other electronic display sign and setback at least 250 feet from an existing residence
- Duration - Copy on an electronic display sign would be required to have a minimum duration of eight seconds and must be a static display, no appearance of a visual dissolve or fading



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- Color - amber color only
- Intensity and contrast - Each electronic display sign shall shut off between the hours of 10:00 p.m. and 6:00 a.m. and use automatic day/night dimming software to reduce the illumination intensity of the sign to 500 nits from dusk until 10:00 p.m. The sign shall not exceed 5,000 nits during daytime.
- Sign size, design and setback:
 - Electronic Display Standards - The maximum surface area of the electronic sign component shall be 32 SF and it shall be integrated into a brick, stone or wood monument-style sign.
 - Overall Sign Standards - The minimum street setback for the sign shall be fifteen feet, the maximum height shall be eight feet. In residential districts, the dimensions of the sign shall conform to the size limitations of the ON zoning district. In all other zoning districts, dimensions shall be based upon the sign standards for the base zoning.

Analysis

In its recommendation, the Sign Task Force attempted to make this new technology available in a limited manner and as a replacement for a currently back-lit or flood-lit sign that use more energy than the new energy efficient electronic display signs would use. There is, however, an equity issue in allowing these electronic display signs to be permitted only to replace pre-existing, back-lit or flood-lit signs, rather than to allow them as an option for newly constructed developments as well.

The spacing requirements of 500 feet from any other electronic display sign and setback at least 250 feet from an existing residence will limit the eligibility for these signs. Staff used geographic analysis to determine which parcels could be eligible in the Agricultural and Residential zoning district under the proposed ordinance. Staff found that 1,296 parcels met the criteria for a community education facilities, cultural center, recreation center, or religions institution. Of those, 720 were churches (one of the primary uses that have sought this type of sign). After the setbacks from existing residences were applied, there remained a total of 467 parcels that could meet the location standards,



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with 198 of the parcels being churches. It was found that approximately 27.5 percent of churches in Residential and Agricultural zoning districts would be eligible for signs under the proposed ordinance, however, the number that would actually request a sign may be less given that the location the GIS analysis found on any given parcel that met the criteria of being 250 feet away from an existing residence may not be an appropriate location of a sign (i.e., the eligible spot on a parcel may be off the street, behind the building, etc.)

STAFF RECOMMENDATION

Staff recommends disapproval of this bill for two primary reasons. From a land use policy perspective, staff would argue that these electronic display signs are not appropriate in all residentially- and agriculturally-zoned areas. While there may be some areas zoned for residential or agricultural use where an electronic display sign could be appropriate, staff finds that the process outlined in this bill does not adequately allow for consideration of the context of the site and the potential impact on surrounding properties. Rather than a one-size-fits-all list of criteria for the BZA to consider, the decision on the appropriateness of an electronic display sign should be based upon analysis of the context of the area.

Meanwhile, from a practical point of view, the bill, as written, will not prevent future requests for Specific Plan or other inappropriate commercial zoning districts to accommodate the signs in residential districts. The process and standards recommended in this bill will limit the community education facilities, cultural centers, recreation centers, and religious institutions that are eligible to apply for, and receive permission to have, an electronic display sign. This is unlikely, however, to reduce the demand for these signs. As a result, these institutions will continue to seek electronic display signs by requesting rezoning to Specific Plan or other commercial zoning districts.

Rather than approve a process that does not adequately allow for consideration of context and pushes some institutions to inappropriate zone changes, staff recommends an alternate proposal – the creation of an Electronic Sign Overlay District as proposed below. This overlay district would include a process for



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requesting the electronic signs that will allow for community input and context sensitive review.

ORDINANCE NO. BL2009-XXX

An ordinance to amend various sections of Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of the Metropolitan Government of Nashville and Davidson County, to establish the Electronic Sign Overlay District and to add standards for electronic display signs within the proposed overlay district, all of which is more particularly described herein (Proposal No. 2009Z-008TX-001).

WHEREAS, much effort has been put forth to study the issue of whether to permit electronic display signs for schools, churches, recreation centers and cultural centers in zoning districts that permit residential development and whether to permit electronic display signs for all uses in other zoning districts;

WHEREAS, a process is needed that will allow for Council and community consideration of requests for electronic display signs in zoning districts that otherwise do not allow electronic display signs; a process that will allow for consideration of the context of the proposed location of the sign and the impact of the proposed sign on the surrounding neighborhood; and

WHEREAS, an Electronic Sign Overlay District will create baseline standards for the development and operation of electronic display signs, and will create a process to allow for flexibility and context sensitive considerations in determining whether an electronic display sign should be permitted in a particular location;

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

Section 1. That Section 17.04.060 of the Metropolitan Code is hereby amended by adding the following definition as a subcategory under the definition of "Sign.":

17. "Electronic display sign" means an on-premises sign, or portion thereof, that displays electronic static images, static graphics or static pictures, with or without textual information. Such a sign has the capability of being changed or altered by electronic means on a fixed display screen composed of a series of lights including light emitting diodes (LED's), fiber optics, lights bulbs, or other illumination devices within the display area where the message is displayed. Each message displayed shall remain static for a minimum of eight seconds, and the change sequence shall be accomplished instantaneously. Electronic display signs include computer programmable, microprocessor controlled, electronic or digital displays. Electronic display signs shall not include animated images or graphics, audio components, scrolling messages, or video moving images similar to television images.

18. "Video display signs" means an on-premises sign with video, continuous scrolling messages, or moving images similar to television images. Video display signs shall only be permitted within the commercial attraction (CA) zoning district.

Section 2. That Chapter 17.32.050 H. 2 of the Metropolitan Code is hereby amended by adding the following after "time/temperature/date signs", "unless located within an Electronic Sign Overlay District."

Section 3. That Chapter 17.36 of the Metropolitan Code is hereby amended by adding the following new Article XIII:

Article XIII. Electronic Sign Overlay District (ESO)

17.36.450 Purpose and Intent

The purpose of the electronic sign overlay district is to provide a means by which land uses situated within areas of the community where zoning does not permit electronic display signs by right, may have a process to obtain an electronic display sign if the sign is found to be compatible with the existing and proposed development pattern as



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outlined in the principles, policies and objectives of the general plan. Any application of an electronic sign overlay district shall include development standards, location standards and operational standards that embody this purpose and intent.

17.36.460 Overlay Designation

Any ordinance creating an electronic sign overlay district shall be created according to the procedures of Chapter 17.40, Article III and shall be depicted as a mapped geographical area on the official zoning map.

17.36.470 Applicability

A. Zoning Districts permitting residential development. For property located within the AG, AR2a, R, RM, RS, MUN, MUL, MUG, OR20, OR40 districts, only the civic land uses designated as community education facilities, cultural centers, recreation centers and religious institutions are eligible to be considered for an electronic sign overlay district.

B. Non-residential Zoning Districts. For property located within the OL, OG, CN, CL, SCC and SCN districts, all non-residential uses permitted in such districts are eligible to be considered for an electronic sign overlay district.

17.36.480 Development Standards

In addition to other applicable provisions of this code, the following development standards shall apply to electronic display signs approved within an electronic overlay sign district.

A. Sign size, design and setback.

1. Electronic display signs shall have a maximum electronic display surface area of twenty-one square feet, which shall be integrated into a brick, stone or wood monument-style sign. For the purposes of this section, a monument-style sign is a low-profile ground sign with a consistent base. If the sign background area does not extend to the ground, the monument sign shall have a base that is at least as wide and as deep as the sign background area. Openings in the base element shall not exceed 40% of the base façade area.

2. The minimum street setback shall be fifteen feet and the electronic display sign shall not encroach upon the required side setbacks of the base zoning district.

3. The maximum height of the sign shall be eight feet.

4. The overall area of the sign in residential districts shall conform to the size limitation applicable to the ON district pursuant to Chapter 17.32. The overall size of the sign structure for all other districts shall be based upon the sign standards for the base zoning district as provided in Chapter 17.32.

B. Duration. All portions of the message shall have a minimum duration of eight seconds and shall be a static display. All changes in the message shall be instantaneous. There shall be no appearance of a visual dissolve or fading, no part of one message, image or display shall appear simultaneously with any part of a second message, image or display. Further, there shall be no appearance of flashing or sudden bursts of light, and no appearance of video motion, animation, movement, or flow of the message, image or display.

C. Color. All portions of the electronic display surface area must use one color only.

D. Intensity and contrast. The intensity and contrast of light levels shall remain constant throughout the sign face. Each electronic display sign shall use automatic day/night dimming software to reduce the illumination intensity of the sign to 500 nits from dusk until dawn. The sign shall not exceed 5,000 nits during daytime hours.

17.36.490 Variation of Development Standards

Variations to the development standards may be incorporated within the specific standards of an overlay district if variations are deemed to be necessary to ensure that the proposed sign is more compatible with the existing and desired context of the specific site and neighborhood characteristics and that the proposed sign is in conformance with the principles and objectives of the general plan.

Section 4. That Section 17.40.105 of the Metropolitan Code is hereby amended by inserting a new sentence at the end of the section, "The Specific Plan district shall not be used for the purpose of approving an electronic display sign. An electronic display sign may, however, be included as part of a comprehensive development application."

Section 5. That Chapter 17.40 Article IV. Overlay District Procedures of the Metropolitan Code is hereby amended by adding the following new section 17.40.161:

17.40.161 Electronic Sign Overlay District



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A. New Applications. An application to establish an Electronic Sign Overlay (ESO) district shall be filed with the planning commission in the form and content established by the planning commission. The application shall, at a minimum, include a site plan indicating the location of the proposed ESO, development plans in compliance with Chapter 17.36 Article XIII specifically including dimensioned sign elevations with materials and sign specifics, and shall include information about adjacent land uses and location of structures within 250' of the proposed sign location.

B. Planning Commission Action. The planning commission shall review an application to apply the Electronic Sign Overlay (ESO) district and the associated development plan. The planning commission shall act to recommend approval, approval with conditions or disapproval of the application. Within ten working days of an action, the commission's resolution shall be transmitted in writing to the applicant, the metro clerk, the zoning administrator and all other appropriate governmental departments.

1. **Approval.** The planning commission's recommendation of approval of a proposed Electronic Sign Overlay (ESO) district and the associated development plan shall be based on findings that the development plan is compatible with the character of the surrounding neighborhood and policies for future development as outlined in the general plan and does not impede or burden existing or future development of adjacent properties.

2. **Conditional Approval.** The planning commission may recommend approval of the Electronic Sign Overlay (ESO) district and the associated development plan subject to conditions. All conditions shall be transmitted in writing to the applicant.

3. **Disapproval.** If the planning commission recommends disapproval of the proposed Electronic Sign Overlay (ESO) district and the associated development plan, the reasons for that recommendation of disapproval shall be stated in writing and transmitted to the applicant.

C. Council Consideration. An Electronic Sign Overlay (ESO) district and associated development plan shall be approved upon adoption of an ordinance by the metropolitan council, following a recommendation from the planning commission, according to the procedures of Metropolitan Zoning Code Chapter 17.40, Article III. Testimony and evidence material to the provisions of Chapter 17.36, Article XIII may be considered by the council in its deliberations.

D. Final Site Plan Approvals. A final site plan application for property lying within an Electronic Sign Overlay (ESO) district shall be reviewed and acted on by the planning commission according to the procedures of Section 17.40.170(B) prior the issuance of any permits. Approval shall be based on a finding that the final site plan conforms with the approved development plan and all other applicable provisions of this title.

E. Written certification from the sign manufacturer that the sign's maximum light intensity has been pre-set to not exceed levels established in 17.36.480 (D) shall be presented to the Planning Commission prior to the issuance of any permits.

F. Changes to an Electronic Sign Overlay (ESO) district. An application to modify an approved Electronic Sign Overlay (ESO) district or its associated development plan shall be filed with the planning commission in the form and content established by the planning commission. The planning commission shall review all proposed changes according to the procedures of subsection B of this section. Changes shall be considered as follows:

1. **Minor Modifications.** The planning director shall have the authority to grant minor modifications to the approved development plan that do not exceed a change of ten percent of any square footage limitation, setback, or dimensional requirement. At the planning director's discretion, any minor modification may be referred to the planning commission for review and action as set forth in Section 17.40.161(B).

2. **Major Modifications.** All other modifications to the approved development plan shall be considered major modifications. Major modifications shall be considered by the metropolitan council in accordance with Metropolitan Zoning Code Chapter 17.40 Article III, following review and recommendation by the planning commission as set forth in Section 17.40.161(B).

Section 6. That this Ordinance shall take effect five (5) days from and after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

SEE NEXT PAGE



Project No.	Zone Change 2009SP-022-001
Project Name	Plowboy Mansion SP
Council Bill	BL2009-561
Council Districts	3 - Hunt
School Districts	3 - North
Requested by	EDGE Planning/Landscape Architecture, applicant, for Fontanel Properties LLC, owner
Staff Reviewer	Bernards
Staff Recommendation	<i>Approve with conditions</i>

APPLICANT REQUEST

Rezone to allow for a mix of uses.

Preliminary SP

A request to rezone from One and Two-Family Residential (R15) and Single-Family Residential (RS20) to Specific Plan-Mixed Use (SP-MU) zoning for properties located at 4105, 4125, and 4225 Whites Creek Pike, approximately 1,000 feet north of Lloyd Road (136.04 acres), to convert the existing residence into a regional tourist attraction known as "Plowboy Mansion" to permit special events, restaurant, tours of the residence, artisan distillery and micro-brewery, visitor center, specialty retail, seasonal performance entertainment venue, shuttle bus transportation around the facility, and memorabilia museum.

**Existing Zoning
R15 District**

R15 requires a minimum 15,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 3.09 dwelling units per acre including 25% duplex lots.

RS20 District

RS20 requires a minimum 20,000 square foot lot and is intended for single-family dwellings at a density of 1.85 dwelling units per acre.

**Proposed Zoning
SP-MU District**

Specific Plan-Mixed Use is a zoning District category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes a mix of uses.



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CRITICAL PLANNING GOALS

- Preserves Sensitive Environmental Features
- Preserves Historic Resources

The majority of this property contains steep slopes and floodplain. Whites Creek crosses the property. Much of the proposed new development will be focused along Whites Creek Pike, minimizing the disturbance to the floodplain. A limited number of storage buildings will be placed in areas of the property with slopes but will avoid slopes of 25 percent or greater. Any building located on slopes between 20 and 25 percent will be required to follow a process similar to the Critical Lot process of the Subdivision Regulations in order to obtain a building permit. While none of the buildings on the property are historic in nature, the Whites Creek Pike frontage is within the Whites Creek Historic District which encourages new development to blend into the rural character of the area. The SP will reuse the existing buildings, two residences and a barn. New development within this SP will be rural in nature meeting the intent of the District to maintain its rural character.

BORDEAUX/WHITES CREEK COMMUNITY PLAN

Existing Policy

Natural Conservation (NCO)

NCO policy is intended for undeveloped areas with the presence of steep terrain, unstable soils, and floodway/floodplain. Low intensity community facility development and very low density residential development (not exceeding one dwelling unit per two acres) may be appropriate land uses.

Rural (R)

R is intended for areas that are physically suitable for urban or suburban development but the community has chosen to remain predominantly rural in character. Agricultural uses, low intensity community facility uses, and low density residential uses (one dwelling unit per two acres or lower) may be appropriate.

Whites Creek Historic District

This property is within Nashville's only National Register-listed rural historic district. Development is encroaching on the Whites Creek Historic District and should be limited to reduce negative impacts on this significant area.



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Consistent with Policy?

Conservation subdivisions, rural conservation overlays and roadway cross-sections appropriate for rural areas should be used to preserve the rural character of the Whites Creek Historic District. The plan discourages typical suburban design and subdivision of the property along Whites Creek Pike into small lots that front the road. New development should blend into the natural landscape and protect the existing views from Whites Creek Pike.

Yes with an explanation. The NCO and R policies are intended to preserve, in a natural and rural state respectively, the areas in Nashville/Davidson County to which they are applied. In the attempt to preserve environmentally sensitive lands and rural lands, the NCO and R policies do not allow commercial uses. As such, the proposed commercial uses of this SP are not, strictly speaking, consistent with the NCO and R policies.

Staff recognizes, however, that the proposed SP will support and implement the intent of the NCO policy because in the proposed SP, the majority of the 136 acres that are in NCO policy will be left undeveloped. Likewise, the form of the development – building types, locations, orientation, etc. – in the R policy, could meet the intent of the R policy by providing an opportunity to create a rural hamlet form, in a way that could enhance the Whites Creek Historic District.

The proposed Plowboy Mansion SP, in this particular circumstance is, therefore, found to be consistent with the intent of the NCO and R policies, providing a manner by which the environmentally sensitive features and the rural area can be preserved.

PLAN DETAILS

The SP proposes to create a regional tourist destination on a 136 acre property on Whites Creek Pike north of Briley Parkway. Whites Creek crosses the property. The western portion of the property is primarily floodplain and floodway and the eastern portion is heavily treed and steeply sloped. The proposed development focuses on Whites Creek Pike in a small portion of the floodplain and on the portion of the property with less than 25 percent slopes. Most the property will remain undeveloped.



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The focal point of the SP is the Fontanel Mansion, which is to be renamed the Plowboy Mansion (hereinafter the mansion). The mansion will serve as a special events center and daily tours will be offered with the approval of this SP. Uses proposed to complement the mansion and complete the tourist destination include a full service restaurant, gift shop, museum, micro brewery, artisan distillery, tour bus display, a seasonal performance venue, trails, and associated parking.

In addition to the mansion there are existing buildings on the property which will be adaptively re-used as part of the overall SP. Proposed new buildings include a brewery/distillery, museum and storage buildings for the alcohol produced on site. A stable has been identified as a potential future use but no details on this have been included in the plan. New development is proposed to be located along Whites Creek Pike and storage buildings are proposed along the driveway to the mansion. The SP includes examples of the proposed building types and materials, all of which are designed to enhance the rural feel of the property. The storage buildings, which will be located in the rear of the property are required to be separated, are proposed for the portion of the property with slopes less than 25 percent.

The SP is proposed to be developed in three phases.

Phase I

The uses proposed for Phase I will be incorporated into the existing structures. These include the two existing houses remaining for residential use, the mansion as a special events center, which will also be available as a Bed and Breakfast to special events patrons, and a helistop.

Special event parking is proposed adjacent to Whites Creek Pike. Parking is to be screened in order to support the Whites Creek Historic District. As the access to the mansion is by a narrow driveway, visitors will be transferred to the mansion via a shuttle bus.

Initially, Phase I parking will be accommodated on the grass. The plan proposes that permanent, pervious parking surface will be constructed with Phase II for the daily visitors and patrons of events at the mansion. No



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Phase II

specific time within Phase II is proposed. Staff is recommending that this surface be constructed no later than one year after the Council approval of the SP or prior to the issuance of permits for any portion of Phase II, whichever comes first.

In Phase II the existing residences will be converted to a restaurant and office/storage spaces. An organic garden is proposed to supply the restaurant with seasonal produce. The garden, no greater than 5 acres in size, will be located in the field north of the existing barn along Whites Creek Pike.

Tours of the mansion will be offered. The existing barn will be used as the visitor center and shuttle bus stop. Visitors will purchase tickets at the visitor center and a small shuttle bus will transport visitors to the mansion for self-guided tours. Displays of tour buses will be located on an existing bus parking pad. New development includes a brewery/distillery. Tours of the brewery/distillery will be added as part of the daily tourist attraction.

Included in this phase is the seasonal performance venue with lawn seating for up to 2,500 people. Permanent improvements will be limited to a platform stage with overhead cover and minimal lighting and an approximately 3,000 square foot pavilion. There will be no permanent seating provided, all seating will be accommodated on the lawn. Temporary tents are proposed for the outdoor venue to accommodate food and beverage vendors. Parking for the outdoor venue will be accommodated on the grass area west of Whites Creek.

The applicant has proposed that events at this outdoor venue be limited to dates between May and October with a maximum of six events per month. This would allow for the outdoor venue to be used for 36 days maximum per year.

Phase III

Phase III will include the addition of a memorabilia museum located near the visitor center and a trail system in the eastern portion of the property. Liquor storage facilities are also included in this phase. These will be up to ten in number at no greater than 5,000 square feet each. They are proposed to be located in



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areas that minimize the removal of any trees greater than six inches DBH and on slopes greater than 25 percent. Any buildings located on slopes between 20 and 25 percent, will need to be reviewed and approved by staff using the process for any buildings proposed for critical lots as defined in the Subdivision Regulations. The long term vision includes a stable for horses in Phase III. The stable location, size or design have not been included in the plan. The stable will need to be reviewed and approved by Planning staff and may require Planning Commission or Council approval.

Building Materials and Design

The SP includes examples of buildings and a listing of permitted and prohibited materials. As the examples are illustrative, the plan notes that all buildings will be reviewed and approved by Planning staff. The building examples provided are rural in nature and will contribute to the Whites Creek Historic District.

Access/Parking

The property is accessed from three driveways along Whites Creek Pike. Two of these driveways are currently in place, the third will be relocated in order to better facilitate the flow of the proposed daily visitor parking lot. All parking will be provided west of Whites Creek and visitors will be shuttled to the mansion. Whites Creek is crossed by a single lane bridge. Phase I parking will be accommodated on the grass. A permanent, pervious parking surface will be constructed with Phase II for daily visitors. This parking will be screened from Whites Creek Pike. Parking for the performance venue will be accommodated on the grass.

Signs

In addition to signs prohibited by Section 17.32.050 of the Metro Zoning Ordinance, prohibited signs will include roof mounted signs, pole mounted signs, billboards, and signs that flash, rotate, scintillate, blink, flicker or vary in intensity or color, including all electronic signs. Permitted signs will include building signs and freestanding ground signs. As noted on the plan, all signs shall be reviewed and approved by Planning staff.

Traffic Impacts

The applicant prepared a Traffic Impact Study (TIS) to determine the impacts of the proposed uses on Whites Creek Pike. The TIS concluded that the traffic generated by the daily activities and the special events



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proposed to be held in the mansion would be minimal. The traffic generated by the outdoor venue events would have more impact, but the TIS concluded that these would be manageable. The TIS anticipated that most traffic leaving the site would turn right (north) to Old Hickory Boulevard and then to I-24. The TIS recommended that the intersection of Whites Creek Pike and Old Hickory Boulevard, as well as the two main site access points, be managed by an off-duty police officer for any events anticipated to have an attendance exceeding 750 people. A special permit is required when an off-duty police officer is needed to manage the traffic. Public Works has reviewed the TIS and have included additional requirements to manage the traffic generated by the proposed SP. These are described below

Community Outreach

On September 29, 2009, the applicant held a meeting to present the proposed project to the community. The meeting was well attended. Generally, the response to the proposal was favorable. The greatest concerns raised involved the impact of the outdoor performance venue, particularly in terms of noise and traffic. There were also concerns regarding the number of events that could occur each season. The applicant indicated a willingness to work with the community on the scheduling of events. Staff is recommending that, prior to final site plan approval of the outdoor venue, the applicant work with the District Councilmember and the community to establish an appropriate frequency of outdoor events.

STORMWATER RECOMMENDATION

Preliminary SP approved.

FIRE MARSHAL RECOMMENDATION

- Actual or projected fire hydrant flow data shall be provided showing compliance with the Fire Code before a building permit will be issued.
- More than one fire department access road shall be provided when it is determined by the AHJ that access by a single road could be impaired by vehicle congestion, condition of terrain, climatic conditions, or other factors that could limit access.
- When a bridge is required to be used as part of a fire



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department access road, it shall be constructed and maintained in accordance with nationally recognized standards.

- The angle of approach and departure for any means of fire department access road shall not exceed 1 ft drop in 20 ft.
- Developer needs to provide more information to the Fire Marshal's Office.
- All applicable fire codes shall be adhered to.
- Actual or projected fire hydrant flow data shall be provided showing compliance with the Fire Code before a building permit will be issued.
- No part of any building shall be more than 500 ft from a fire hydrant via an approved hard surface road. Metro Ordinance 095-1541 Sec: 1568.020 B
- Provide Civil Plans which show water mains, fire hydrants, the proposed flow from the fire hydrant with the highest elevation and most remote in this project, street access and topographic elevations.

NES RECOMMENDATION

- 1) Developer to provide a civil duct and gear (pad/switch) locations for NES review and approval.
- 2) Developer drawing should show any existing utilities easements on property and the utility poles and the existing NES ugrd facilities on the property and/or r-o-w.
- 3) A 20' PUE along Whites Creek Pike is required.
- 4) A 20 foot easement is required to be centered over the existing/future underground conduits and equipment.
- 5) NES can meet with developer/engineer upon request to determine electrical service options. Schedule meeting with ESE and Customer engineering will attend.
- 6) NES needs any drawings that will cover any road improvements to Whites Creek Pike that Metro Public Works will require.
- 7) NES follows the National Fire Protection Association rules; Refer to NFPA 70 article 450-27; and NESC Section 15 - 152.A.2 for complete rules (see NES Construction Guidelines under "Builders and Contractors" tab @ www.nespower.com).



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HISTORICAL COMMISSION RECOMMENDATION

The above proposed SP rezoning is within the boundaries of the National Register-listed Whites Creek Rural Historic District. Although the rural historic district has been somewhat compromised by inappropriate suburban residential development in the area, additional new development and construction, especially that visible from Whites Creek Pike, should not further detract from the rural nature of the historic district. Any new construction should remain rural in design, and proposed parking expansions should be screened from the road as much as possible so as not to further detract from the rural nature of the historic district.

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.
- Submit a structural engineering report evaluating the use of the existing bridge.
- Phase 1:
 - Provide adequate intersection and stopping sight distance at all project access drives onto Whites Creek Pike per AASHTO standards for the posted speed limit.
 - The center access drive onto Whites Creek Pike as shown on the plan shall be constructed with one entering lane and two exiting lanes (LT and RT) with a minimum of 100 feet of storage between the east edge of Whites Creek Pike and the first internal parking space or drive aisle.
 - The southernmost access drive onto Whites Creek Pike as shown on the plan shall be constructed with one entering lane and two exiting lanes (LT and RT) with a minimum of 150 feet of storage between the east edge of Whites Creek Pike and the first internal parking space or drive aisle.



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- The main driveway to the existing “mansion” shall be modified to provide a minimum of three pull-off/pass-by areas with appropriate signage.
- Special Event Traffic Management:
 - Special events for Phase 1 of this development should be limited to a maximum capacity of 750 attendees.
 - Special events for Phase 2 of this development should be limited to a maximum capacity of 2500 attendees.
 - For special events that will exceed 400 attendees, active traffic management shall be provided at the access drives onto Whites Creek Pike before and after the event to ensure safe and efficient movement of traffic.
 - For special events that will exceed 750 attendees, active traffic management shall be provided at the access drives onto Whites Creek Pike before and after the event to ensure safe and efficient movement of traffic. Active traffic management shall also be provided at the signalized intersection of Whites Creek Pike and Old Hickory Boulevard before and after the event to ensure safe and efficient operation of the intersection. Signal modifications may be required to accommodate this.
- Prior to implementing Phase 2 of the proposed development, approval shall be required from Metro Public Works to ensure that existing traffic conditions have not significantly changed from what was identified in the original traffic study.
- The applicant shall be required to submit a traffic letter/report to Metro Public Works for review and approval that describes the operation of the development during large events. This report shall be submitted one year following the approval of both Phase 1 and Phase 2. Based on the findings of the report, additional conditions may be required.
- Parking requirements:
 - For Phase 1 of this development, a minimum of 100 parking spaces shall be provided. Construct this parking area and the access drives



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from Whites Creek to this parking area with asphalt or concrete, or some other hard-surfaced dustless materials.

- For Phase 2 of this development, space shall be provided to accommodate a minimum of 1,000 parked vehicles for the seasonal special events in addition to the 100 spaces provided in Phase 1.

STAFF RECOMMENDATION

Staff recommends approval with conditions of the SP. Staff finds that the form of the proposed development and the magnitude of land that will not be used, but preserved in its existing state, results in a proposal that meets the intent of the NCO and R policies and enhances the Whites Creek Historic District.

CONDITIONS

1. The surface parking area for the daily visitors and patrons of the mansion shall be constructed no later than one year after the Council approval of the SP or prior to the issuance of permits for any portion of Phase II, whichever comes first.
2. Any new buildings to be located on slopes between 20 and 25 percent, shall be reviewed and approved by Planning staff using the process for any buildings proposed for Critical Lots as defined in the Subdivision Regulations.
3. The location, size, and design of the stable building proposed for Phase III shall be reviewed and approved by staff and may require Planning Commission or Council approval.
4. Prior to final site plan approval for the Seasonal Performance Entertainment Venue in Phase II the applicant shall work with the District Councilmember and the community to establish an appropriate frequency of outdoor events in this venue.
5. 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.



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6. Submit a structural engineering report evaluating the use of the existing bridge.
7. Phase I:
 - a. Provide adequate intersection and stopping sight distance at all project access drives onto Whites Creek Pike per AASHTO standards for the posted speed limit.
 - b. The center access drive onto Whites Creek Pike as shown on the plan shall be constructed with one entering lane and two exiting lanes (LT and RT) with a minimum of 100 feet of storage between the east edge of Whites Creek Pike and the first internal parking space or drive aisle.
 - c. The southernmost access drive onto Whites Creek Pike as shown on the plan shall be constructed with one entering lane and two exiting lanes (LT and RT) with a minimum of 150 feet of storage between the east edge of Whites Creek Pike and the first internal parking space or drive aisle.
 - d. The main driveway to the existing mansion shall be modified to provide a minimum of three pull-off/pass-by areas with appropriate signage.
- 8) Special Event Traffic Management:
 - a. Special events for Phase I of this development should be limited to a maximum capacity of 750 attendees.
 - b. Special events for Phase II of this development should be limited to a maximum capacity of 2500 attendees.
 - c. For special events that will exceed 400 attendees, active traffic management shall be provided at the access drives onto Whites Creek Pike before and after the event to ensure safe and efficient movement of traffic.
 - d. For special events that will exceed 750 attendees, active traffic management shall be provided at the access drives onto Whites Creek Pike before and after the event to ensure safe and efficient movement of traffic. Active traffic management shall also be provided at the signalized intersection of Whites Creek Pike and Old Hickory Boulevard before and after the event to ensure safe and efficient operation of



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the intersection. Signal modifications may be required to accommodate this.

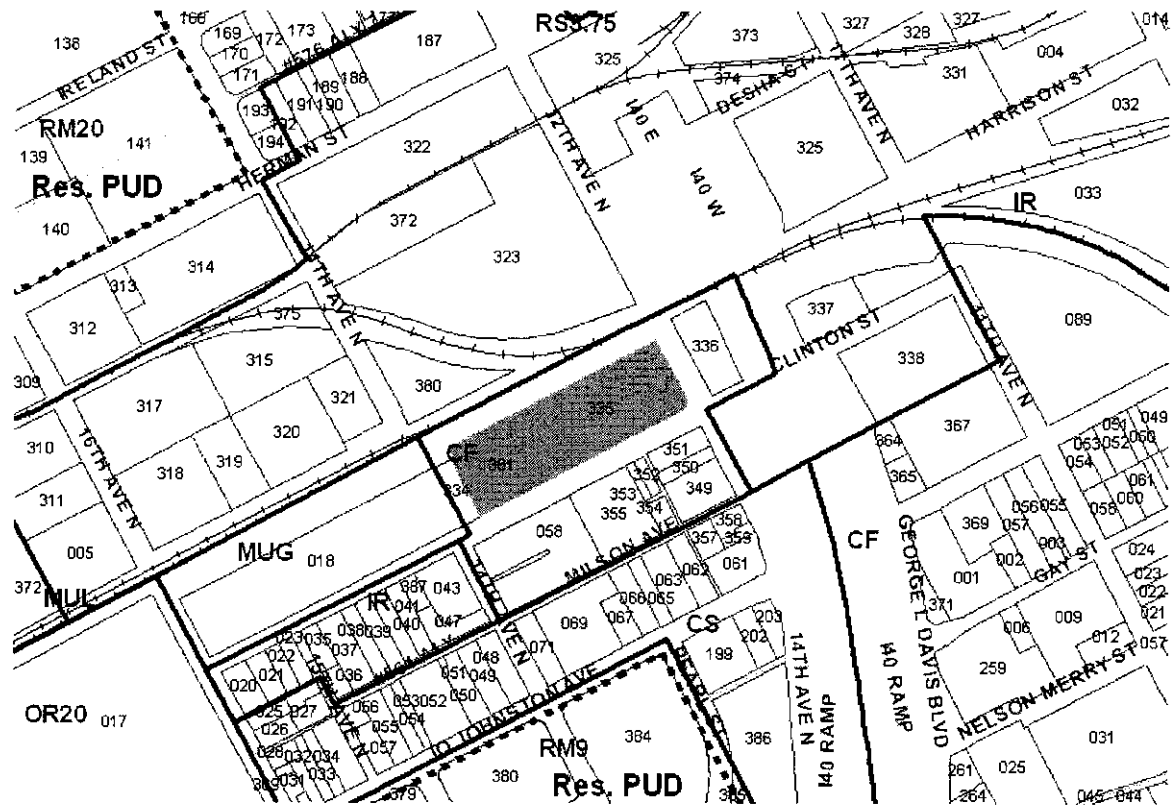
- 9) Prior to implementing Phase II of the proposed development, approval shall be required from Metro Public Works to ensure that existing traffic conditions have not significantly changed from what was identified in the original traffic study.
- 10) The applicant shall be required to submit a traffic letter/report to Metro Public Works for review and approval that describes the operation of the development during large events. This report shall be submitted one year following the approval of both Phase I and Phase II. Based on the findings of the report, additional conditions may be required.
- 11) Parking requirements:
 - a. For Phase I of this development, a minimum of 100 parking spaces shall be provided. Construct this parking area and the access drives from Whites Creek to this parking area with asphalt or concrete, or some other hard-surfaced dustless materials.
 - b. For Phase II of this development, space shall be provided to accommodate a minimum of 1,000 parked vehicles for the seasonal special events in addition to the 100 spaces provided in Phase I.
12. The uses for this SP are limited to those uses as described on the plan.
13. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the CN zoning district as of the date of the applicable request or application.
14. A corrected copy of the preliminary SP plan incorporating the conditions of approval by the Planning Commission and Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no later than 120 days after the



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effective date of the enacting ordinance. The corrected copy provided to the Planning Department shall include printed copy of the preliminary SP plan and a single PDF that contains the plan and all related SP documents. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.

15. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
16. 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.



2009SP-023-001
 Marathon
 Map: 092-04 Parcels: 335, 381
 North Nashville Community Plan
 Council District 19 – Erica Gilmore



Project No.
Project Name
Council District
School District
Requested by

Zone Change 2009SP-023-001
Marathon SP
19 - Gilmore
7 - Kindall
Corsair Artisan LLC, applicant, for Barry Walker, owner

Staff Reviewer
Staff Recommendation

Bernards
Approve with conditions

APPLICANT REQUEST

Add Artisan Distillery to permitted uses on this property.

Preliminary SP

A request to rezone from Core Frame (CF) to Specific Plan-Mixed Use (SP-MU) zoning properties located at 1200 and 1310 Clinton Street, at the northwest corner of Clinton Street and 12th Avenue North (2.2 acres), to permit an existing facility to be utilized for all uses permitted by the CF zoning district as well as the manufacturing and warehousing of alcoholic beverages not to exceed 1,000 barrels per month (a barrel being 55 gallons).

Existing Zoning
CF District

Core Frame is intended for a wide range of parking and commercial service support uses for the Central Business District.

Proposed Zoning
SP-MU District

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

CRITICAL PLANNING GOALS

- Creates Walkable Neighborhoods
- Supports Infill Development
- Preserves Historic Resources

The proposed distillery is a small scale commercial use with retail and tour activities at street level. This new use has a significant reduction in truck traffic compared to the existing use, providing improved pedestrian conditions. In keeping with the North Nashville Community Plan's goal of enhancing this area's role as a gateway to Downtown, the proposed distillery provides a notable tourist draw tied to Tennessee's history and draws both residents and visitors to an



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improving area, helping to enhance the area's profile. The distillery will provide an appropriate and interesting use for a historic Nashville structure, the Marathon Motor Works factory, and the continued lease income will assist in the ongoing restoration of these buildings.

NORTH NASHVILLE COMMUNITY PLAN *Watkins Park DNDP*

Existing Policy Neighborhood Urban (NU)

NU is intended for fairly intense, expansive areas that are intended to contain a significant amount of residential development, but are planned to be mixed use in character. Predominant uses in these areas include a variety of housing, public benefit uses, commercial activities and mixed-use development. An 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 with the intent of the policy.

Mixed Use (MxU)

MxU is intended for buildings that are mixed horizontally and vertically. The latter is preferable in creating a more pedestrian-oriented streetscape. This category allows residential as well as commercial uses. Vertically mixed-use buildings are encouraged to have shopping activities at street level and/or residential above.

Consistent with Policy?

Yes, the proposed SP adds a new use, Artisan Distillery, in addition to the uses permitted in the CF zoning district, for a property already supporting a mix of uses. The uses on the property include light manufacturing, artist studios, radio broadcasting and brewery operations.

PLAN DETAILS

The Marathon SP includes the properties of the Marathon Motor Works factory at 12th Ave N and Clinton Street. These properties are currently zoned CF and the SP would add Artisan Distillery and associated storage as uses.

The Marathon SP is comprised of a set of connected brick buildings, originally an engine then automobile



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factory, with the main structure built in 1881. A provision that the existing buildings be preserved is included in the SP. The existing building is currently being restored. The improved portion of the buildings house various uses including light manufacturing and art studios, gymnasium space, radio broadcasting, and brewery operations. Street parking and a 0.4 acre open lot provide parking for the property.

The existing brewery brews, bottles, warehouses, and beer in a portion of this space. This space is proposed to be converted to a brewery/distillery with no addition or demolition of structures. The brewery currently provides tours and is a local and tourist draw. The brewery operations and tours would continue, with the addition of a distillery and a gift shop. As the proposed use will manufacture alcohol at a lower volume, there is anticipated a significant reduction in water and sewer use, truck deliveries to the property as well as outgoing delivery volume. The proposed use is projected to use one fifth the water and generate one fifth the wastewater of the current use. Truck and delivery traffic is projected to be less than 25 percent of the traffic generated by the current use.

**STORMWATER
RECOMMENDATION**

No Stormwater Permit required.

**WATER SERVICES
RECOMMENDATION**

Preliminary SP approval

**FIRE MARSHAL
RECOMMENDATION**

Conditional Approval
All applicable fire codes shall be adhered to.

**HISTORICAL COMMISSION
RECOMMENDATION**

The Historical Commission has reviewed the plans and have no comments on this proposal

**PUBLIC WORKS
RECOMMENDATION**

A traffic and parking study may be required when the property redevelops.

As the proposed additional use will not generate changes in traffic, no traffic table was prepared.



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STAFF RECOMMENDATION

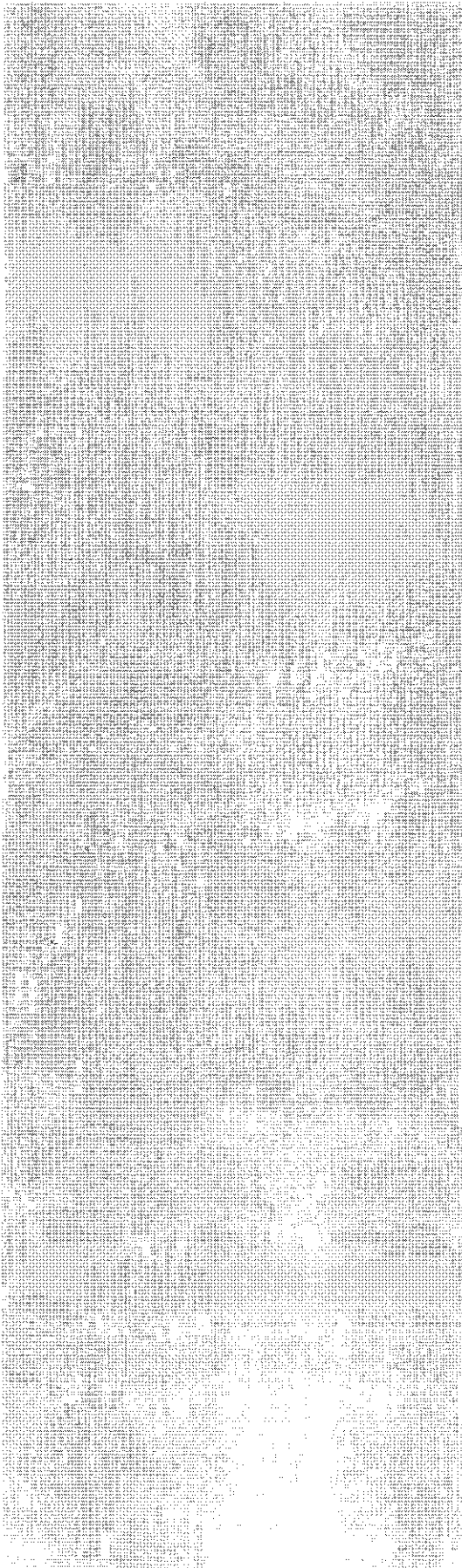
The Marathon SP is consistent with the MxU in NU land use policy of the Watkins Park DNDP and staff recommends approval.

CONDITIONS

1. The uses for this SP are limited to all uses permitted by the CF zoning district as well as the manufacturing and warehousing of alcoholic beverages.
2. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the CF zoning district as of the date of the applicable request or application.
3. A corrected copy of the preliminary SP plan incorporating the conditions of approval by the Planning Commission and Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no later than 120 days after the effective date of the enacting ordinance. The corrected copy provided to the Planning Department shall include printed copy of the preliminary SP plan and a single PDF that contains the plan and all related SP documents. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.
4. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council



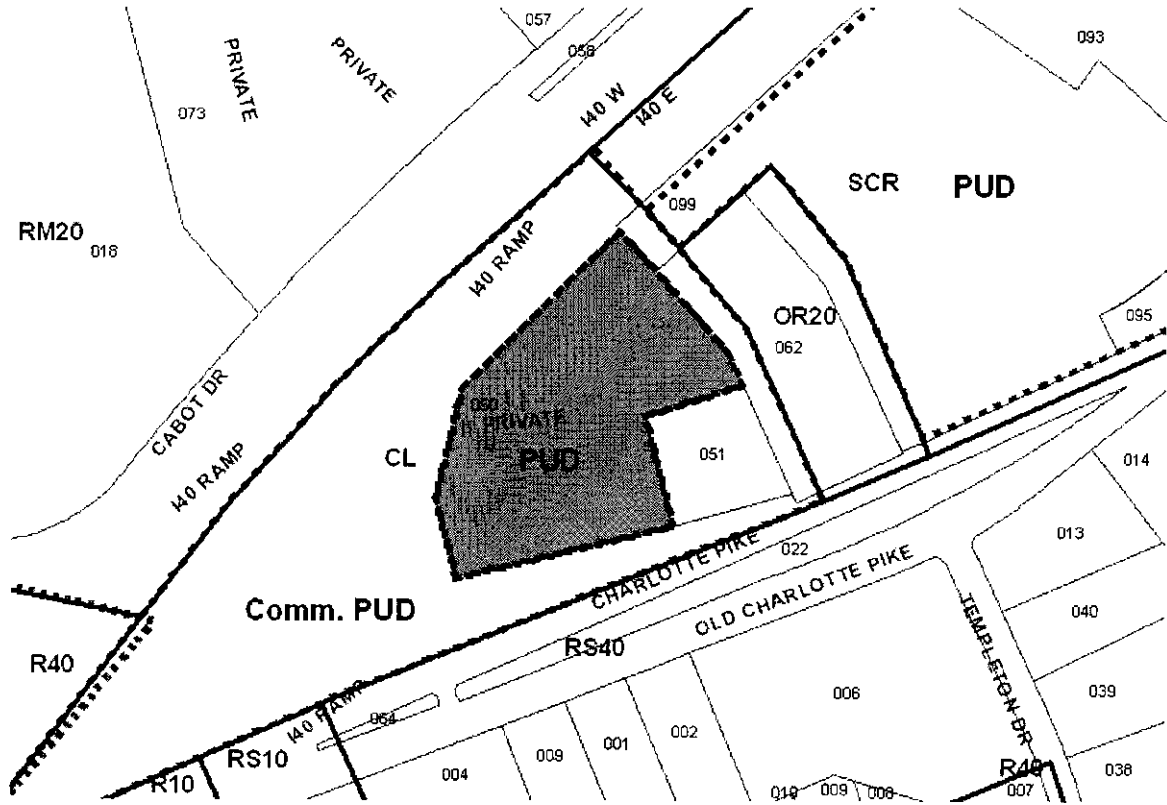
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that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

5. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

**REVISIONS
and FINAL SITE PLANS**



144-66P-001
 Overlook At Nashville West (Cracker Barrel)
 Map: 102-00 Parcel: 050
 West Nashville Community Plan
 Council District 20 – Buddy Baker



Project No.
Project Name

Planned Unit Development 144-66P-001
Overlook at Nashville West (Cracker Barrel
Revision)

Council District
School District
Requested by

20 - Baker
1 - Gentry
Little John Engineering, applicant for Nashville West
Shopping Center, LLC owner

Staff Reviewer
Staff Recommendation

Swaggart
Approve with conditions

APPLICANT REQUEST

Change use, revise layout, final site plan approval for Phase 1, and for mass grading for Phase 1 and Phase 2.

Revise Preliminary PUD and Final Site Plan

A request to revise the preliminary plan and for final approval for a portion of the Overlook at Nashville West Planned Unit Development Overlay located at 6834 Charlotte Pike, approximately 450 feet east of Templeton Drive (6.04 acres), zoned Commercial Limited (CL), to grant final approval for mass grading on the entire site, and revise the preliminary and grant final approval for the construction of a 10,101 square foot restaurant, replacing an approved 5-story hotel within Phase 1.

Existing Zoning
CL District

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

CRITICAL PLANNING GOALS

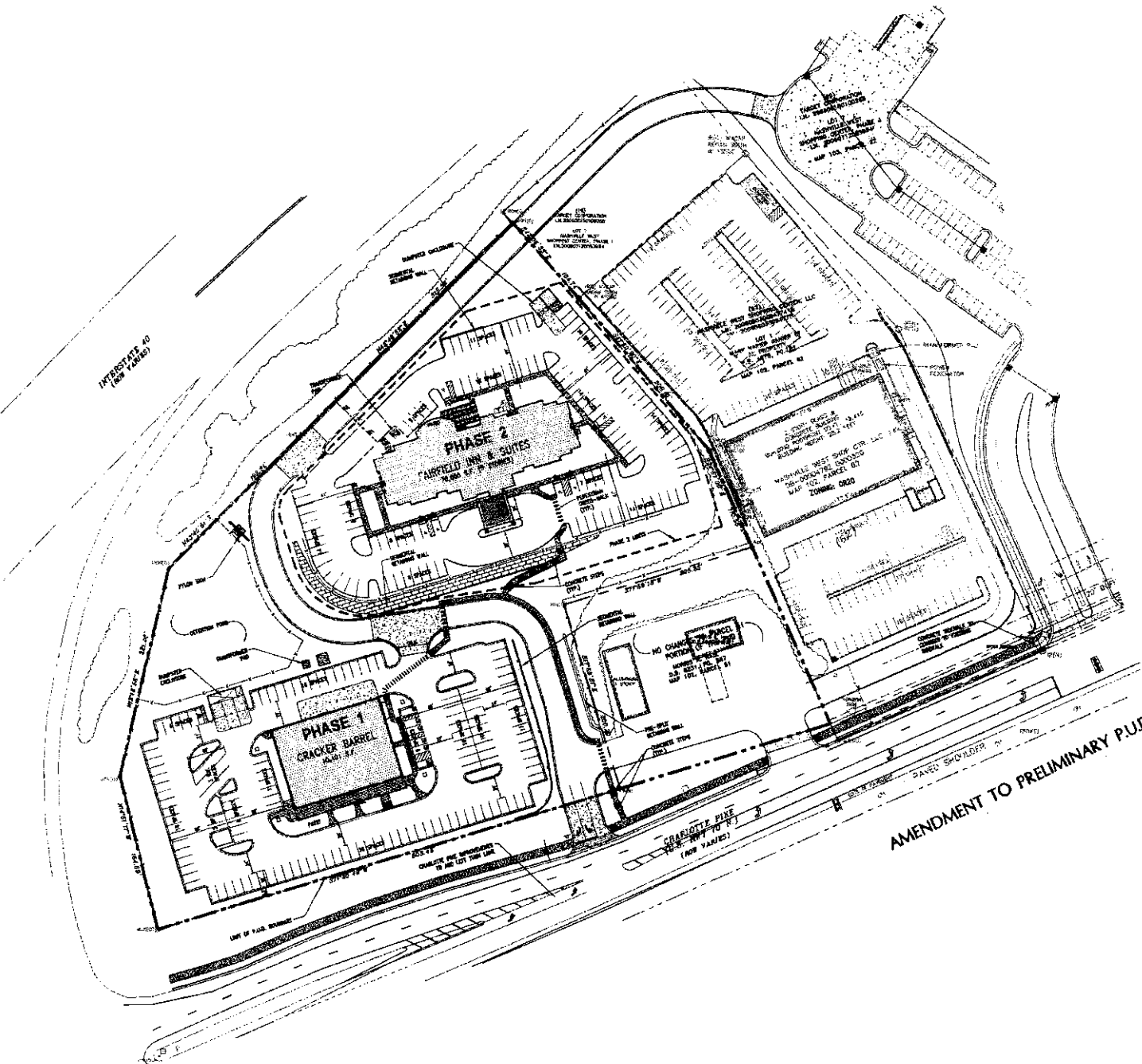
N/A

PLAN DETAILS

This PUD was originally approved in 1966 for various commercial uses. In 2008, the PUD was amended to include the existing auto repair use and two new hotels. Both hotels have received final site plan approval.

This request is for preliminary approval, for final site plan approval for a portion of the PUD, and for final approval for mass grading of the entire site. The request proposes two primary changes from the previously approved plan. First, the plan calls for the previously approved five-story, 70,500 square foot hotel closest to Charlotte Pike to be revised to a 10,101 square foot Cracker Barrel restaurant. Second, it calls for the previously approved five-story 63,000 square

IMPROVED TO
125' W/125'



AMENDMENT TO PRELIMINARY P.U.D.



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foot hotel further from Charlotte Pike to be increased in size to 70,000 square feet. Final site plan approval is for Phase 1 (Cracker Barrel).

Typically, grading permits are only issued on PUDs that have received final site plan approval. The applicant has requested that mass grading be approved for Phase 1 and Phase 2. Final site plan approval is not being requested for Phase 2 but, because of the existing topography and the relationship between phases, comprehensive grading is required.

Analysis

The proposed new restaurant use is consistent with the approved uses in the PUD and is permitted by the underlying base zoning. The change does not increase the total floor area over what was last approved by Metro Council. While grading permits are typically only permitted for PUDs that have received final site plan approval, grading on Phase 2, which is not requested for final site plan approval is required for the development of Phase 1. As long as Metro Stormwater approves the mass grading plan, staff recommends that it be approved with conditions.

PUBLIC WORKS RECOMMENDATION

1. Submit a geotechnical report evaluating the slope stability with the proposed grading along Charlotte Pike.
2. Identify any mitigation, if applicable.
3. 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.
4. Show and dimension right of way along Charlotte Pike at property corners.
5. Along Charlotte Pike, label and identify bike lanes / paved shoulder. Construct sidewalks with a six (6') foot furnishing zone and eight (8') foot sidewalk, consistent with the Strategic Plan for Sidewalks & Bikeways.
6. Locate sidewalks within the public right of way / dedicate right of way, as applicable.
7. Driveway ramps to be constructed to the Department of Public Works standards and specifications.
8. Tennessee Department of Transportation approval



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is required for any modifications and work within the Charlotte Pike right of way.

9. In accordance with the recommendations of the traffic impact study, the following improvements are required: **1.** Construct the site access drive at Charlotte Pike with one entering and two exiting lanes (LT and RT). **2.** Construct an eastbound left turn lane on Charlotte Pike at the proposed site access with 100 ft of storage and transitions per AASHTO/MUTCD standards. **3.** Provide and document as part of the final development plans that adequate sight distance can be provided from the site access.

STORMWATER RECOMMENDATION

Approve with the following conditions:

1. Provide Detention Agreement, Long Term Plan Maintenance Plan, Easements, or the instrument numbers of the recorded documents.
2. Provide NOC.
3. For the storm structure calculations, no information was provided for N-values and spread, etc. If N-12 is being proposed, label pipes as such.
4. Provide a water quality drainage map (separate from storm structures) for the water quality unit being proposed for this site.
5. For the water quality pond, it appears that the pond is short circuiting. Also, show a 2 % bottom slope.
6. For the water quality pond, 2:1 side slopes were observed. Provide a geotechnical report showing 2:1 slopes are stable or reduce to 3:1.
7. 1:1 side slopes were observed between Cracker Barrel and Charlotte Pike. Stability and maintenance issues exist. Revise.
8. Provide downstream structure information (flow, location, sizes, inverts, capacity, etc.).
9. Slopes shall be evaluated, and certified for stability prior to the issuance of any temporary or final Use and Occupancy permit for the site.

STAFF RECOMMENDATION

Staff recommends that the request be approved with conditions. The proposed changes are consistent with the concept of the approved plan, and meet all zoning requirements.



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CONDITIONS

1. Remove "Amendment" from title on preliminary plan and replace with "Revision".
2. Prior to the issuance of any building permits, a final plat shall be recorded including any necessary bonds for public infrastructure.
3. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
4. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metro Department of Public Works for all improvements within public rights of way.
5. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
6. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
7. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metro Planning Commission.
8. The PUD final site plan as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans may require reapproval by the Planning Commission and/or Metro Council.



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9. A corrected copy of the PUD final site plan incorporating the conditions of approval by the Planning Commission shall be provided to the Planning Department prior to the issuance of any permit for this property, and in any event no later than 120 days after the date of conditional approval by the Planning Commission. Failure to submit a corrected copy of the final PUD site plan within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.

SEE NEXT PAGE



Project No.
Project Name

Planned Unit Development 98-73P-002
Hickory Hills PUD (Sudden Service
Revision)

Council District
School District
Requested by

3 - Hunt
2 - Brannon
Civil Resource Consultants, applicant, for C & H
Properties LLC, owner

Staff Reviewer
Staff Recommendation

Sexton
Approve with conditions

APPLICANT REQUEST

Revise layout and increase overall floor area.

Revise Preliminary PUD and Final
Site Plan

A request to revise the preliminary plan and for final approval for a portion of the Hickory Hills Planned Unit Development Overlay located at 529 Hickory Hills Boulevard, at the northeast corner of Hickory Hills Boulevard and Old Hickory Boulevard (0.9 acres), zoned Office/Residential (OR20), to permit a 701 square foot addition to an existing 2,580 automobile convenience facility.

Existing Zoning
OR20 District

Office/Residential is intended for office and/or multi-family residential units at up to 20 dwelling units per acre.

CRITICAL PLANNING GOALS

N/A

PLAN DETAILS

The Hickory Hills PUD is located east of Interstate 24 and north of Old Hickory Boulevard in Parkwood/Union Hill Community. The PUD was originally approved in 1973, for various commercial, office and residential uses. The proposed revision is to permit a 701 square foot addition to an existing convenience store.

Site Plan

The proposed plan calls for two new additions to an exiting 2,580 square foot convenience store. The first addition is located on the west side of the convenience store adding an additional 605 square feet of floor space to the facility. The second addition proposes a 96 square foot restroom facility which is located on the north side of the convenience store in the rear of the building.



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Access/Parking

Primary access to the site is from Old Hickory Boulevard. Secondary access is from Hickory Hills Boulevard to the west and Hickory Hills Court to the north. The plan proposes 28 parking spaces which meets the zoning code requirement for parking.

PUBLIC WORKS RECOMMENDATION

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.

STORMWATER RECOMMENDATION

Approved

STAFF RECOMMENDATION

Staff recommends that the request be approved with conditions. The proposed changes are consistent with the approved plan and meet all zoning requirements.

CONDITIONS

1. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
2. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metro Department of Public Works for all improvements within public rights of way.
3. 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. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metro Planning Commission.
5. The PUD final site plan as approved by the Planning Commission will be used by the

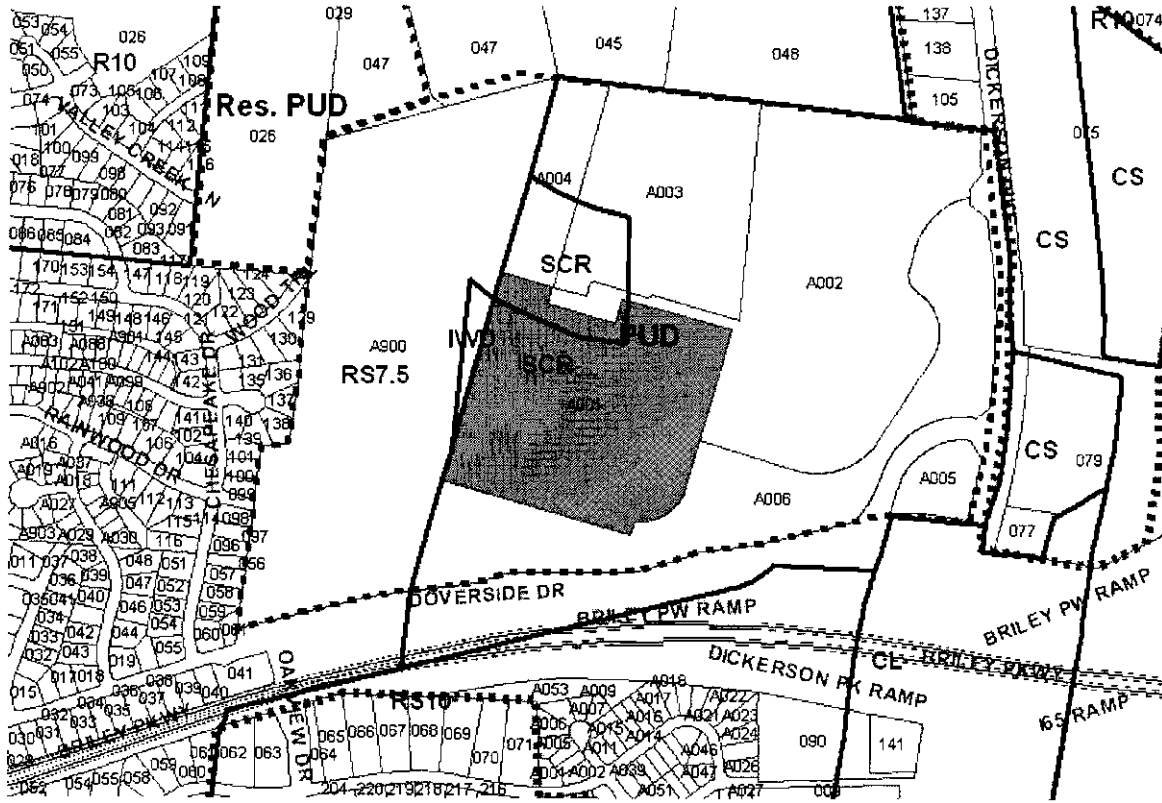


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Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans may require reapproval by the Planning Commission and/or Metro Council.

6. A corrected copy of the PUD final site plan incorporating the conditions of approval by the Planning Commission shall be provided to the Planning Department prior to the issuance of any permit for this property, and in any event no later than 120 days after the date of conditional approval by the Planning Commission. Failure to submit a corrected copy of the final PUD site plan within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.

SEE NEXT PAGE



2005P-010-001
 Nashville Commons at Skyline
 Map: 050-12-A Parcel: 001
 Parkwood/Union Hill Community Plan
 Council District 3 – Walter Hunt



Project No.
Project Name

**Planned Unit Development 2005P-010-001
Nashville Commons at Skyline (Out-parcel
Revision)**

Council District
School District
Requested by

3 - Hunt
3 - North
Gresham, Smith and Partners, applicant for Wal-Mart
Stores East, LP, owner

Staff Reviewer
Staff Recommendation

Swaggart
Approve with conditions

APPLICANT REQUEST

Revise layout and final site plan approval for a 153,859 square foot Wal-Mart store.

Revise Preliminary PUD and Final Site Plan

A request to revise the preliminary plan and for final approval for a portion of the Nashville Commons at Skyline Planned Unit Development Overlay located at 3458 Dickerson Pike, at the northwest corner of Doverside Drive and Dickerson Pike (19.76 acres), zoned Shopping Center Regional (SCR), to permit a 153,859 square foot retail/commercial building and replace a proposed commercial out-parcel approved for 11,000 square feet of retail uses with additional parking.

Existing Zoning
SCR District

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

CRITICAL PLANNING GOALS

N/A

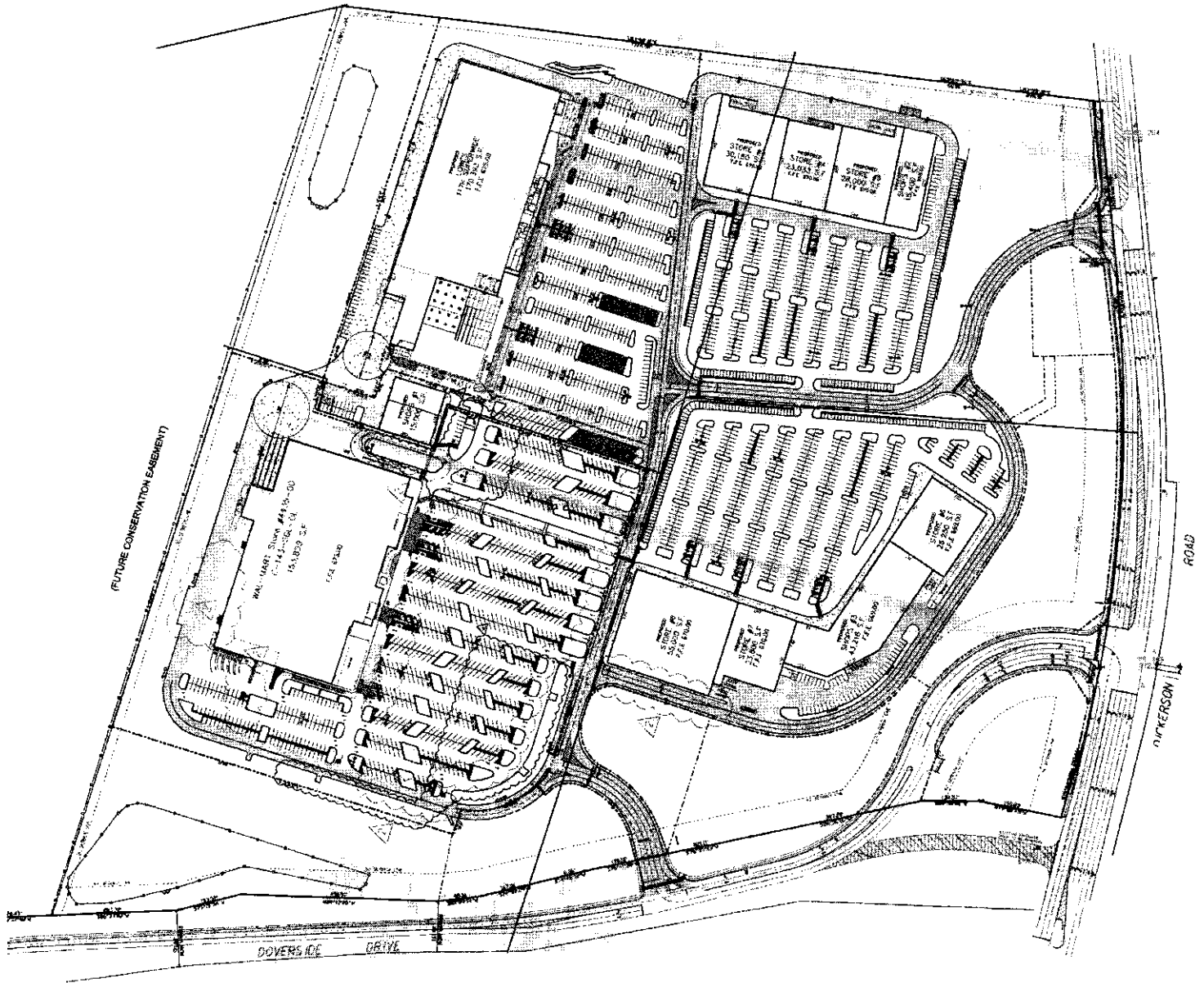
PLAN DETAILS

This PUD was originally approved in 2005 for various commercial uses and has since been revised numerous times. The last revision was approved by the Planning Commission in 2008.

This requested change calls for a 1.43 acre out-parcel and the approved for 11,000 sq. ft. of retail uses for this out-parcel to be removed to provide additional parking for the Wal-Mart Store. The request is also for final site plan approval for the 153,859 square foot Wal-Mart.

Staff Analysis

The last revision approved by the Planning Commission in 2008, included the addition of this out-parcel now proposed to be removed. The request meets all zoning requirements and, does not negatively impact the overall development, but simply creates more parking for the Wal-





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Mart Store. Staff recommends that the request be approved with conditions.

PUBLIC WORKS RECOMMENDATION

-
1. Identify portion of revision on the submitted plan.
-

STORMWATER RECOMMENDATION

Approve with conditions:

1. Provide easement for the water quality features (pervious pavement). Can be done by plat or separate instrument.
-

STAFF RECOMMENDATION

Staff recommends that the request be approved with conditions. The proposed changes are consistent with the concept of the approved plan and meet all zoning requirements.

CONDITIONS

1. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
2. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metro Department of Public Works for all improvements within public rights of way.
3. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
4. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
5. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metro Planning Commission.



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6. The PUD final site plan as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans may require reapproval by the Planning Commission and/or Metro Council.
7. A corrected copy of the PUD final site plan incorporating the conditions of approval by the Planning Commission shall be provided to the Planning Department prior to the issuance of any permit for this property, and in any event no later than 120 days after the date of conditional approval by the Planning Commission. Failure to submit a corrected copy of the final PUD site plan within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.