

Metropolitan Planning Commission

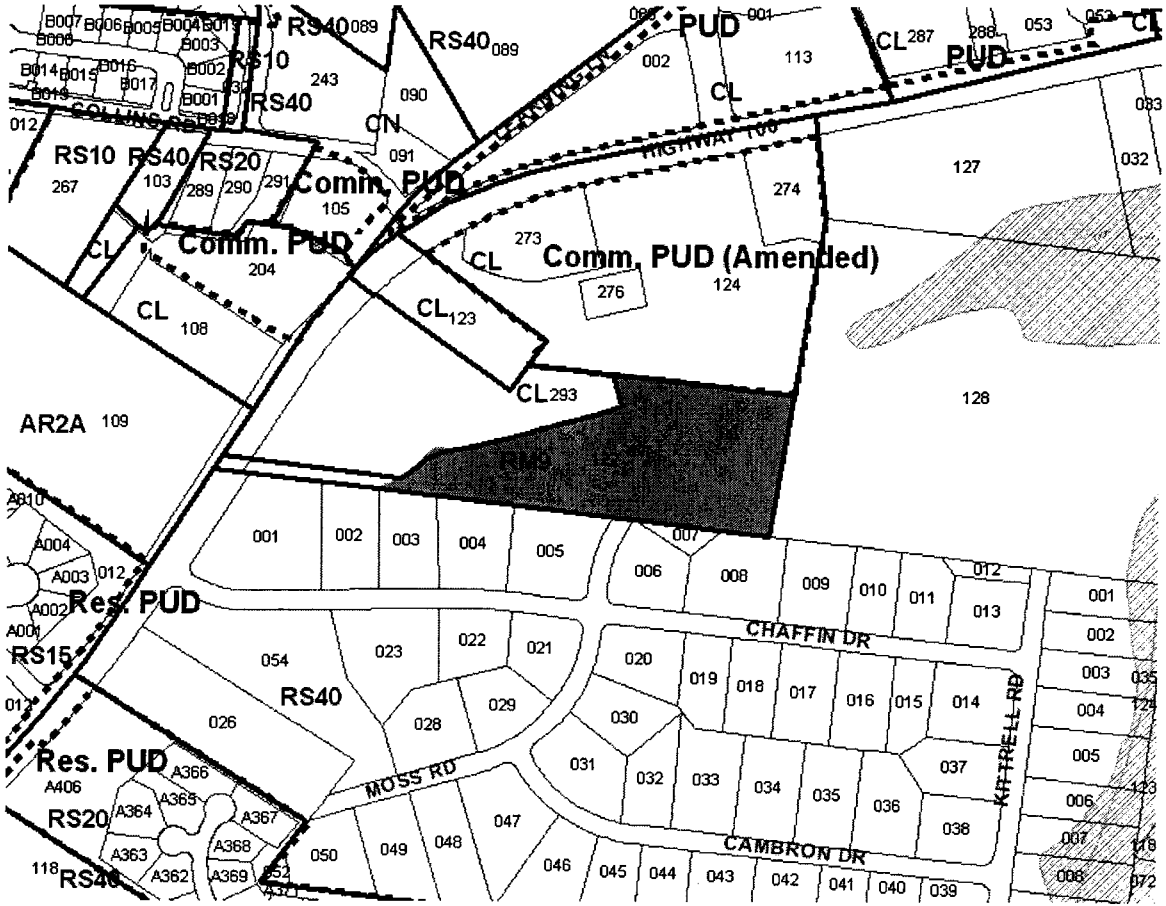


Staff Reports

December 10, 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



2009Z-015PR-001
 Map: 155-00 Parcel: 122
 Bellevue Community Plan
 Council District 35 – Bo Mitchell



Project No.
Council Bill
Council District
School District
Requested by

Zone Change 2009Z-015PR-001

BL2009-411
35 - Mitchell
9 - Simmons

Councilmember Bo Mitchell, applicant, Betty French and Mary and James Johnson, owners

Deferred from the August 27, 2009, Planning Commission Meeting at the request of the applicant.

Deferrals

Staff Reviewer
Staff Recommendation

Swaggart

Defer to the April 22, 2009, Planning Commission meeting

APPLICANT REQUEST

Modify conditions restricting access to Moss Road.

Amend Council Bill

A request to amend a previously approved Council Bill (BL2005-543) to modify a condition restricting access to Moss Road for property located at 5109 Moss Road, zoned Multi-Family Residential (RM9), approximately 775 feet south of Collins Road (6.03 acres).

Zoning District
RM9 District

RM9 is intended for single-family, duplex, and multi-family dwellings at a density of 9 dwelling units per acre.

CRITICAL PLANNING GOALS

N/A

REQUEST

This is a request to amend a previously approved Council Bill (BL2005-543) to modify a condition pertaining to the restriction of access to Moss Road. The bill, adopted in 2005, authorized the rezoning of two properties from Commercial Limited (CL) and Office Limited (OL) to single-family, two-family and multi-family residential (RM9), and included conditions. The conditions required that prior to the issuance of any building permits an updated Traffic Impact Study (TIS) be submitted, or that certain traffic conditions from a 2003 TIS would be required. The conditions are as follows:

1. Extend the existing left turn lane (12 ft wide) on Hwy 100 from the Collins Rd intersection to the westernmost site access joint access driveway. Install required transition per AASHTO. Lane shall be marked as 2-way left turn.
2. Dedicate 1/2 of ROW along HWY 100 frontage as required for street classification of U4 (84' ROW) per TDOT's APR plans. Adjacent western property shall also dedicate such ROW along its Hwy 100 property frontage.



Metro Planning Commission Meeting of 12/10/09

3. Two site driveways shall be installed with 1 entering lane and 2 exiting lanes. Driveway widths shall not exceed 35 ft. One drive shall be installed opposite the barn theater drive and the other drive shall be a joint access drive with adjacent western property. Adequate sight distance shall be provided.
4. The driveway opposite the Map 155, Parcel 204 shall be signalized if warrants are justified at completion of property development. Developer shall conduct traffic counts and submit warrant analysis to Metro Traffic Engineer for approval. Signal shall be bonded. Signal design shall provide video detection equipment for site traffic movements. Pedestrian facilities shall also be installed.
5. No access to Moss road shall be allowed.
6. Since Hwy 100 is a state facility, Hwy 100 improvements shall be submitted to TDOT for their approval.

Analysis

The intention of this bill is to restrict parcel 122, which is zoned for multi-family residential uses, from having any access to Moss Road. While the intent is to restrict access to Moss Road, the bill is worded such that both a new TIS is required *and* the conditions of the 2003 TIS must be satisfied. Since the 2003 TIS was conducted there have been numerous changes in the area and many of the conditions are no longer relevant to the site. The bill should be amended to require an updated TIS that would *supersede* the 2003 TIS. In addition, in order to ensure that the intent of this bill is met, it should explicitly restrict access to Moss Road.

While neither this bill nor the bill being amended specifically addresses secondary access, a secondary access from the property to Moss Road may be appropriate. Moss Road is in a single-family residential district, and it is appropriate to restrict commercial property from accessing Moss Road. Now that the property is zoned for residential uses (RM9), a secondary access *may* be feasible to Moss Road. Primary access to the property must continue to be from Highway 100. If an updated TIS warrants access to Moss Road, then it should be limited to secondary access only with primary access being from HWY 100.



Metro Planning Commission Meeting of 12/10/09

PUBLIC WORKS RECOMMENDATION

A TIS will be required at development to address any changes in access that have been previously conditioned.

STAFF RECOMMENDATION

This item was deferred to the second Council meeting in February, 2010. As this will not have a public hearing at Council prior to May 4, 2010, staff recommends that this item be deferred to the April 22, 2009, Planning Commission meeting.

CONDITIONS (if approved)

1. The bill shall be amended to clarify that a new TIS shall be required, and that the TIS conditions listed in BL2005-543 shall not be required.
2. The following condition shall be added: "Any future development under the RM9 zoning shall have its primary access from Highway 100, and based on the findings of the TIS, a secondary access may be permitted from Moss Road."



2006SP-105-001

H & M Motors (Amendment #1)

Map: 105-07 Parcel: 407

South Nashville Community Plan

Council District 17 – Sandra Moore



Project No.
Project Name
Council Bill
Council District
School Board District
Requested By

SP Amendment 2006SP-105-001
H & M Motors (Amendment # 1)
BL2009-595
17 - Moore
7 - Kindall
Tony and Maryam Sarmadi, owners.

Deferral

This item was deferred from the November 12, 2009, Planning Commission meeting at the request of the applicant and the Councilmember.

Staff Reviewer
Staff Recommendation

Sexton
Approve with conditions

APPLICANT REQUEST

Add all uses permitted in the CS zoning district.

Amend SP Ordinance

A request to amend the existing Specific Plan district (adopted with Council Bill BL2006-1229) for the previously approved H & M Motors Specific Plan District located at 1525 4th Avenue South, at the northwest corner of 4th Avenue South and Mallory Street (0.44 acres), to add all other uses permitted by Commercial Service (CS) zoning as permitted uses in the Specific Plan - Auto (SP-A) District.

Existing Zoning
SP-A District

Specific Plan-Auto 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 auto uses.*

CRITICAL PLANNING GOALS

N/A

**SOUTH NASHVILLE
COMMUNITY PLAN 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 accompanying Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.



Metro Planning Commission Meeting of 12/10/09

Consistent with Policy?

Yes. The amendment adds all other uses permitted in the CS zoning district as additional uses within the SP district, which are uses that are compatible with the Neighborhood Urban policy.

PLAN DETAILS

The H & M Motors Specific Plan District was approved by Metro Council in 2006. The approved plan consists of a one-story 1,781 square foot building. While the SP was approved for automobile sales (used) and automobile services, an administrative error occurred that left out the approval of all uses permitted within the CS zoning district which was originally requested by the applicant and included in the recommendation of approval by the Planning Commission. This amendment will correct the council ordinance and permit uses in the CS zoning district in addition to the auto-related uses already approved by Council. This amendment does not relieve the applicant of the requirement to meet the conditions of approval in Council Bill BL2006-1229, including the condition to remove all chain link fencing within 25 feet of all public right of ways.

Signs

While the applicant has removed three pre-existing pole signs from the property, approximately two feet of the three pole signs still remain in the ground. The applicant must remove the remaining lower portion of the pole signs from the property prior to the issuance of any new Use and Occupancy permits. In addition to signs prohibited by Section 17.32.050 of the Metro Zoning Ordinance, prohibited signs 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 include wall mounted signs with a maximum sign area of 48 square feet. Monument signs shall have a maximum sign area of 48 square feet and shall not exceed six feet in height or three feet in height if any portion of the sign is located within 15 feet of the driveway. Signs shall not be back-lit but may be spotlighted, or externally-lit. All light and glare shall be directed on-site to ensure surrounding properties are not adversely affected by increases in direct or indirect ambient light.

Landscaping/Screening

On February 22, 2007, a landscape plan was reviewed and approved by staff that proposed the planting of canopy trees and shrubs along 4th Avenue South and Mallory Street. The existing canopy trees and shrubs on this site have died and



Metro Planning Commission Meeting of 12/10/09

Sidewalks

need to be replaced. There is also an opaque fence in the rear of the property that is lacking adequate screening for an existing residential property. Screening in the rear of the property and landscaping along 4th Avenue South and Mallory Street shall be provided on site, and must be approved by planning staff prior to the issuance of any Use and Occupancy permits.

The council approved plan required that sidewalks be constructed or repaired along 4th Avenue South and Mallory Street so that they are up to code in terms of construction. While the applicant has repaired the sidewalk along 4th Avenue South, a sidewalk has not been constructed on Mallory Street. The applicant will need to construct a sidewalk on Mallory Street prior to the issuance of any Use and Occupancy permits.

STAFF RECOMMENDATION

Staff recommends that the request be approved with a condition that the applicant remove the remaining lower portions of three pole signs from the property, and bring the site into compliance with the approved sidewalk on Mallory Street, screening, and landscape plan.

CONDITIONS

1. The remaining portion of the three pole signs on the property shall be removed prior to the issuance of any permits. Pole-mounted signs are not permitted. In addition to signs prohibited by Section 17.32.050 of the Metro Zoning Ordinance, prohibited signs 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 include wall mounted signs with a maximum sign area of 48 square feet. Monument signs shall have a maximum sign area of 48 square feet and shall not exceed six feet in height or three feet in height if any portion of the sign is located within 15 feet of the driveway. Signs shall not be back-lit but may be spotlighted, or externally-lit. All light and glare shall be directed on-site to ensure surrounding properties are not adversely affected by increases in direct or indirect ambient light.
2. Screening in the rear of the property and landscaping along 4th Avenue South and Mallory Street shall be provided on site, and must be approved by Planning staff prior to the issuance of any use and occupancy permits.

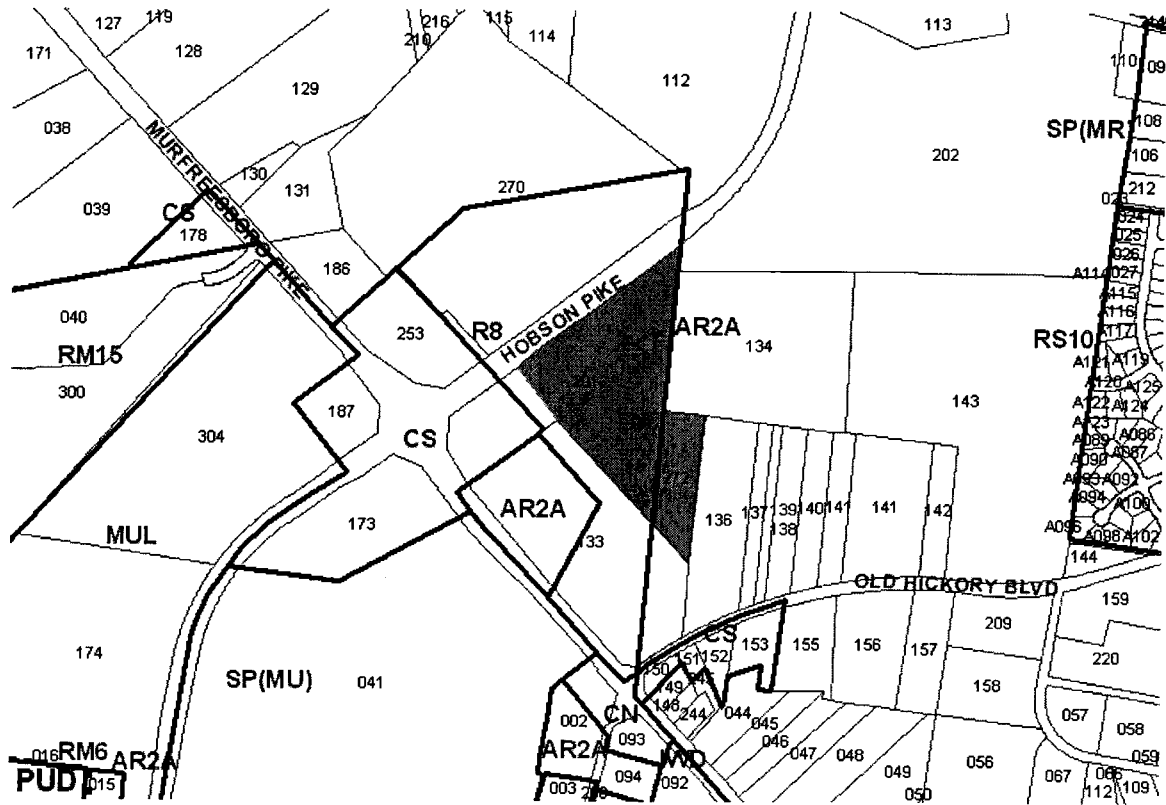


Metro Planning Commission Meeting of 12/10/09



3. The property shall be in compliance with all conditions of approval of Council Bill BL2006-1229 prior to the issuance of any permits, including the condition to remove all chain link fencing within 25 feet of all public right of ways and construction of a sidewalk on Mallory Street.

SEE NEXT PAGE



2009SP-024-001
 Belz-Hobson Pike Townhomes
 Map: 164-00 Parcel: part of 201
 Map: 164-00 Parcel: 272
 Antioch/Priest Lake Community Plan
 Council District 32 – Sam Coleman



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

2009SP-024-001
SP: Belz-Hobson Pike Townhomes
BL2009-597
32 - Coleman
6 - Johnson
Civil Site Design Group, PLLC, applicant, for Belz-McDowell Properties, owner
Deferred from the November 12, 2009, Planning Commission meeting at the request of the applicant.

Deferral

Johnson
Approve with conditions

Staff Reviewer
Staff Recommendation

APPLICANT REQUEST

Construct 112 townhouses and 20,000 square feet of commercial space for retail/office/restaurant uses.

Preliminary SP

A request to change from One and Two-Family (R8) zoning and Agricultural/Residential (AR2a) zoning to Specific Plan-Mixed Use (SP-MU) for property located at Old Hickory Boulevard (unnumbered) and a portion of property located at Murfreesboro Pike (unnumbered), at the southeast corner of Murfreesboro Pike and Hobson Pike (12.91 acres), to permit the development of 112 residential dwelling units and 20,000 square feet of retail or office uses in two structures.

Existing Zoning
R8 District

R8 requires a minimum 8,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 5.79 dwelling units per acre including 25% duplex lots. This zoning would permit 85 lots on the R8 portion of the site.

AR2a District

Agricultural/Residential requires a minimum lot size of 2 acres and intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per 2 acres. The AR2a District is intended to implement the natural conservation or rural land use policies of the general plan. This zoning would allow 1 lot on the AR2a portion of the site.

Proposed Zoning
SP-MU District

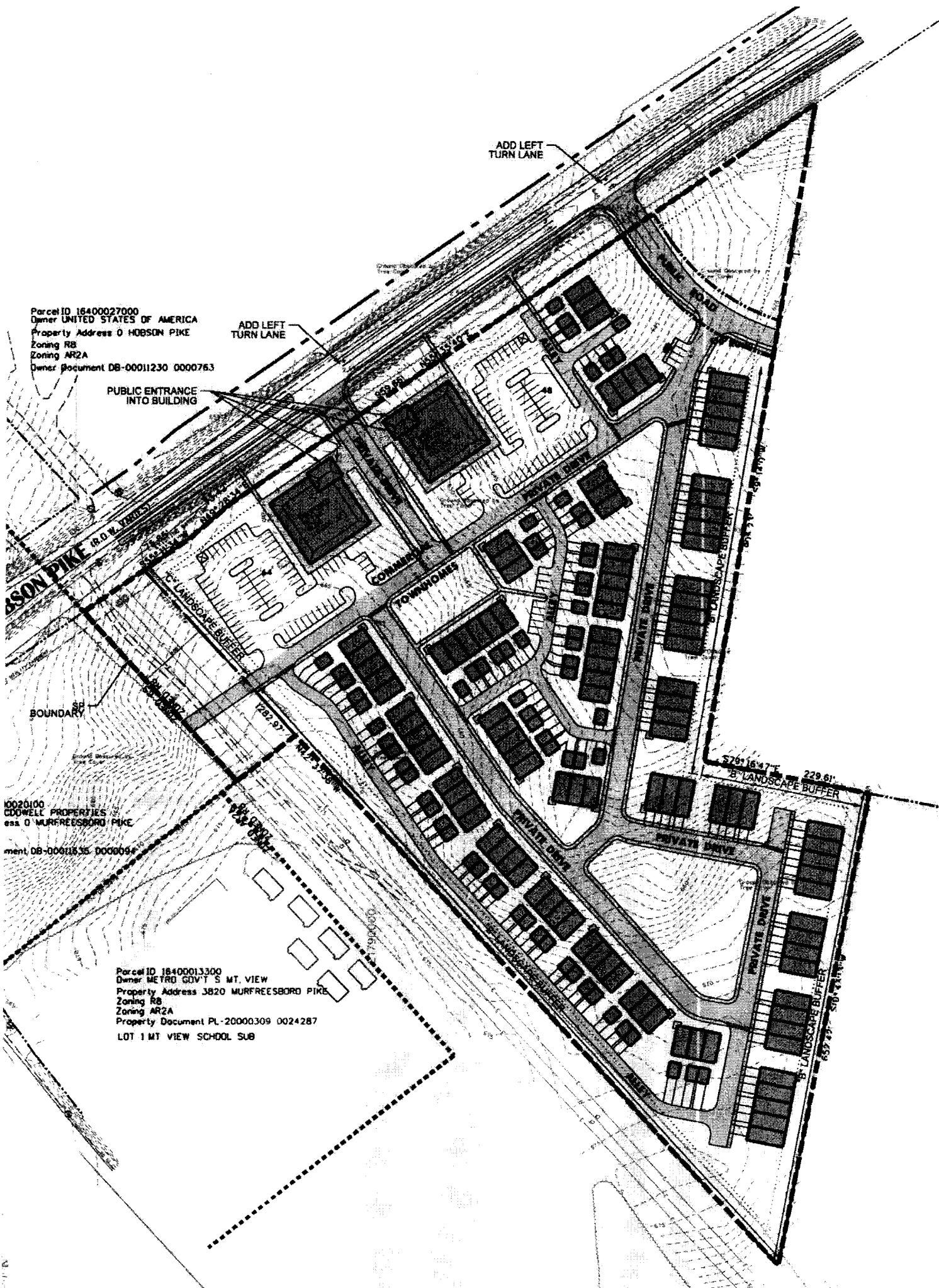
Specific Plan-Mixed Use is a zoning District category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to

Parcel ID 16400027000
Owner UNITED STATES OF AMERICA
Property Address 0 HOBSON PIKE
Zoning RB
Zoning AR2A
Owner Document DB-00011230 0000763

ADD LEFT
TURN LANE

PUBLIC ENTRANCE
INTO BUILDING

ADD LEFT
TURN LANE



BOUNDARY

0020100
COWELL PROPERTIES
ess 0 MURFREESBORO PIKE

ment DB-00011635 0000094

Parcel ID 16400013300
Owner METRO GOV'T S. MT. VIEW
Property Address 3820 MURFREESBORO PIKE
Zoning RB
Zoning AR2A
Property Document PL-20000309 0024287
LOT 1 MT VIEW SCHOOL SUB

S76°16'47"E
229.61'
8' LANDSCAPE BUFFER

8' LANDSCAPE BUFFER
63°42' - 58°-24" W



Metro Planning Commission Meeting of 12/10/09

implement the specific details of the General Plan. *This Specific Plan includes residential, retail, and office uses.*

CRITICAL PLANNING GOALS

Creates Walkable Neighborhoods
Provides a Range of Housing Choices
Promotes Compact Building Design
Creates Open Space

This SP promotes mixed-use and walkable development with the placement of retail, office and townhouse residential adjacent to a prominent intersection of arterial streets. Retail and office buildings are situated with strong relationships to these streets with direct and unbroken connections to public sidewalks. An internal street and alley system allows for strong building frontages and a mostly unbroken sidewalk network within the site. Street and building frontages are enhanced through two open spaces provided within the project.

Townhouse buildings provide residential density appropriately adjacent to the intersection of Murfreesboro Pike and Hobson Pike and diversify housing options within the surrounding area while providing strong physical relationships among these compact building types.

ANTIOCH / PRIEST LAKE COMMUNITY PLAN POLICY

Community Center (CC)

CC is intended for dense, predominantly commercial areas at the edge of a neighborhood, which either sits at the intersection of two major thoroughfares or extends along a major thoroughfare. This area tends to mirror the commercial edge of another neighborhood forming and serving as a "town center" of activity for a group of neighborhoods. Appropriate uses within CC areas include single- and multi-family residential, offices, commercial retail and services, and public benefit uses. An 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.

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.



Metro Planning Commission Meeting of 12/10/09

Consistent with Policy?

Yes. The SP proposes a mixed-use development with a combination of residential, retail and office uses with strong relationships to adjacent streets and with strong pedestrian connectivity which meets the use and design intent of the CC policy. The townhouses located on the small portion of NG policy to the rear of the site are consistent with NG policy.

PLAN DETAILS

The proposed SP consists of a mixture of residential and commercial uses, including 112 townhouses and 20,000 square feet of commercial uses. The commercial space is proposed within two free-standing buildings at the front of the site placed along Hobson Pike.

The development has two access points from Hobson Pike, a third from a private street that runs in-between the two proposed retail buildings and a fourth from a public street connection near the northeast corner of the site. This public street will stub to an adjacent undeveloped lot to the east. An interior network of private streets and alleys allows most of the proposed townhouses to have alley-loaded parking, which preserves the continuity of sidewalks and strengthens the street frontage of the townhouse buildings. Forty-three of the 112 townhouses do not have alley-loaded parking and propose driveway access to a private street. These front-loaded units are located along the northeast property line and should have minimal impact on the overall walkability of the project due to their location along the rear property line.

The layout of the commercial area meets the design intent of the CC policy with shallow building setbacks along Hobson Pike and a continuous pedestrian connection to the front of each building without interruption by parking, which is placed to the side and rear of the retail buildings. Retail uses are limited to those allowed by CS zoning.

Two open spaces are proposed within the site. One small open space is located at the terminus of the private entry street from Hobson Pike. It provides a focal point for the frontage of surrounding townhouses. A second open space is located near the rear of the site and is surrounded on all sides by townhouses. According to the plans, these open spaces do not include detention areas.

Conditions of approval have been added to ensure that townhouse units face public and private streets with



Metro Planning Commission Meeting of 12/10/09

appropriate front facades, to reduce the prominence of garage doors on front-loaded townhouses, to address orientation of residential units, prominence of garage doors and driveways, and to visually screen parking areas from the residential areas and public streets. The applicant proposes signage restrictions that will prohibit pole-mounted signs and provide limitations for the lighting of all signs.

According to the Tennessee Department of Environment and Conservation, endangered species may exist on the project site. A condition of approval has been added, stating that prior to final site plan approval, obtain letter from Tennessee Department of Environment and Conservation or a botanical inventory from a qualified biologist stating if endangered species exist on this site. Presence of endangered species may require modification to the plan.

STORMWATER RECOMMENDATION

Approved.

PUBLIC WORKS RECOMMENDATION

Comply with previous conditions.

1. The public roadway "A" connection to Hobson Pike shall be constructed per Metro ST-253.
2. Don't combine minimum parking with minimum street widths. Internal private roads shall be constructed to Metro ST-252 (31 ft foc). Alternatively, if 2.5 parking spaces per unit are constructed, then the narrower street widths of Metro ST-251 can be used.
3. Construct a minimum 20-ft setback between the back of sidewalk and the face of buildings or garages.
4. All required parking shall be designed to permit entry/exit without moving any other vehicle.
5. Total alley width shall be a minimum of 18 ft to accommodate SU-30 trash truck service, and shall be constructed to the Metro ST-263 pavement schedule.
6. Construct Metro ST-324 driveway ramp for access to Roadway "A" and for private drive access to Hobson Pike.
7. Connect the sidewalk in the vicinity of the mail kiosk.



Metro Planning Commission Meeting of 12/10/09

Maximum Uses in Existing Zoning District: AR2a

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	2.9	0.5 D	1 L	10	1	2

Maximum Uses in Existing Zoning District: R8

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	10.01	5.79 D	57 L	620	50	65

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
Res. Condo/Townhome (230)	-	-	112 U	710	57	66

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 (710)	-	-	20,000 Sq. Ft.	387	52	102

Traffic changes between maximum: AR2a, R8 and proposed SP-MR

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	8.97	-	-	+467	+58	+101

METRO SCHOOL BOARD REPORT

Projected student generation

3 Elementary 2 Middle 3 High

Schools Over/Under Capacity

Students would attend Mt. View Elementary School, Kennedy Middle School, or Antioch High School. Mt. View Elementary and Kennedy Middle have been identified as being over capacity by the Metro School Board. There is no capacity for elementary students within the cluster. However, there is capacity within the cluster for middle schools students.

The fiscal liability for three elementary students is \$60,000. This data is for informational purposes only and is not a condition of approval. This information is based upon data from the school board last updated September 2009.



Metro Planning Commission Meeting of 12/10/09

STAFF RECOMMENDATION

Staff recommends approval with conditions. The proposed mixed use project is consistent with land use policy in terms of proposed uses and design.

CONDITIONS

1. Where a garage door opening faces a street, each garage door opening shall have a maximum width of 10 feet. The driveway for each unit shall have a maximum width of 12 feet at the garage entrance. Door panels shall be modest in scale and architecturally integrated with each dwelling unit.
2. Building frontages shall clearly identify the primary pedestrian entrance toward the street, which shall be separate from vehicular entrances. Pedestrian entryways shall be 100 percent visible, oriented to and accessible from street/pedestrian plaza/parks. All primary public entrances shall have a paved connection to the project's sidewalk network.
3. For each unit where a garage door opening faces a street, the front setback of the primary pedestrian entrance shall be shorter than or equal to the front setback of the garage door.
4. Open spaces in the plan shall be fronted with primary facades of buildings; no rear elevations to face open space.
5. Parking areas for proposed retail buildings shall be screened from Hobson Pike and the private drive to the rear of the buildings with a masonry wall (brick or stone) or a consistent visual landscaping screen with a minimum height of 3 feet and a maximum height of 4 feet.
6. No parking for the retail buildings shall have a shorter setback than the front façade of each retail building along Hobson Pike.
7. Uses within the proposed commercial buildings shall be limited to retail, office, and restaurant uses provided that these uses comply with parking requirements of the CS zoning classification. The site plan shall be corrected to eliminate the allowance of all uses in CS zoning.



Metro Planning Commission Meeting of 12/10/09

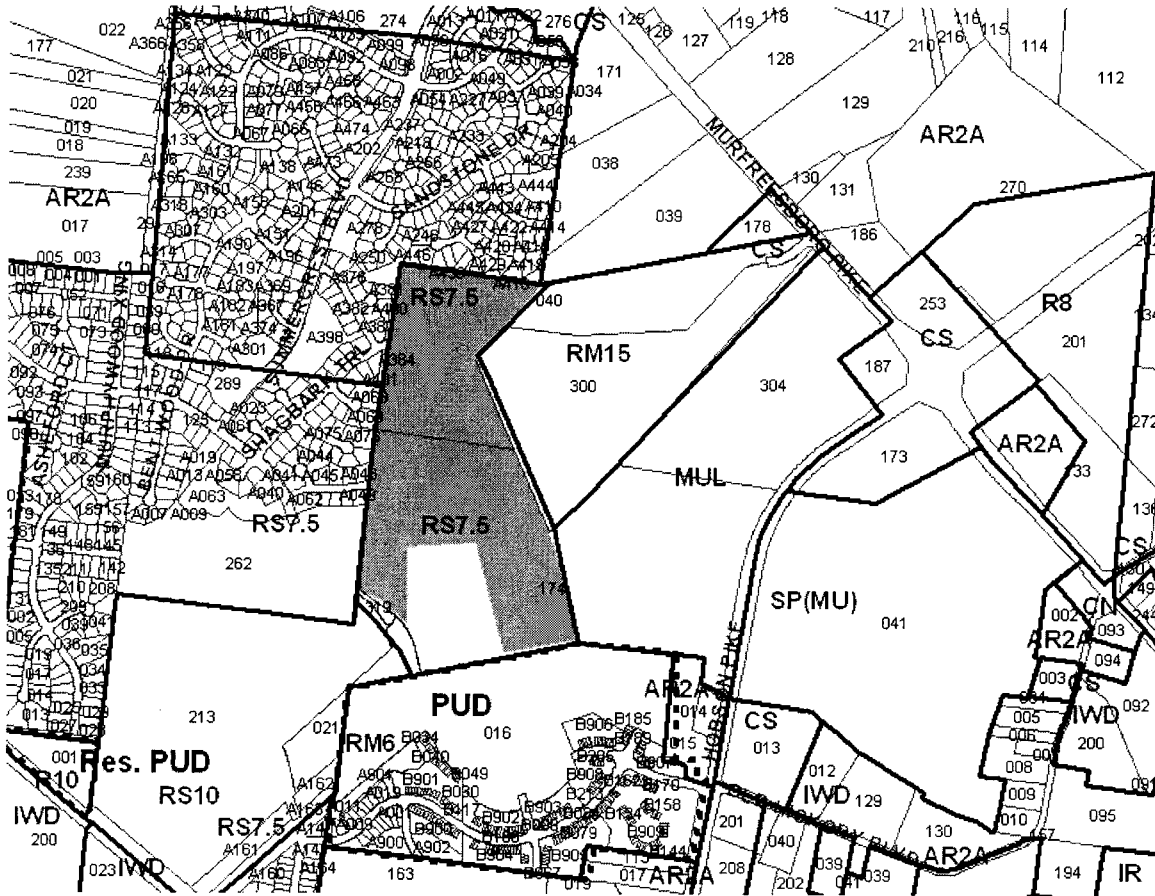
8. Prior to final site plan approval, obtain letter from Tennessee Department of Environment and Conservation or a botanical inventory from a qualified biologist stating if endangered species exist on this site. Presence of endangered species may require modification to the plan.
9. The public roadway "A" connection to Hobson Pike shall be constructed per Metro ST-253.
10. Internal private roads shall be constructed to Metro ST-252 (31 ft foc). Alternatively, if 2.5 parking spaces per unit are constructed, then the narrower street widths of Metro ST-251 may be used.
11. Garages shall be set back a minimum 20 feet from the back of sidewalk or alley.
12. Private alleys shall be constructed to Public Works standards.
13. Driveway ramp for access to Roadway "A" and for private drive access to Hobson Pike shall be constructed to the Metro ST-324 Driveway standard.
14. Sidewalk shall be connected in the vicinity of the mail kiosk.
15. Prior to final site plan approval, the SP plan shall include sign details, including proposed sign placement for building and ground signs. In addition to signs prohibited by Section 17.32.050 of the Metro Zoning Ordinance, prohibited signs 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. Monument signs shall have a maximum sign area of 48 square feet and shall not exceed six feet in height or three feet in height if any portion of the sign is located within 15 feet of the driveway.
16. 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 CS zoning district for commercial buildings and the RM9



Metro Planning Commission Meeting of 12/10/09

zoning district for residential buildings as of the date of the applicable request or application.

17. 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.
18. 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.
19. 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.
20. All development within the boundaries of this plan shall meet the requirements of the Americans with Disabilities Act and the Fair Housing Act.



2009SP-025-001
 Belz-Mountain Springs Community
 Map: 164-00 Parcels: part of 040 & 174
 Antioch/Priest Lake Community Plan
 Council District 32 – Sam Coleman



Project No.	2009SP-025-001
Project Name	SP: Belz-Mountain Springs Community
Council Bill	BL2009-598
Council District	32 - Coleman
School District	6 - Johnson
Requested by	Civil Site Design Group, PLLC, applicant, for Belz-McDowell Properties, owner
Deferral	Deferred from the November 12, 2009, Planning Commission meeting at the request of the applicant.
Staff Reviewer	Johnson
Staff Recommendation	<i>Disapprove</i>

APPLICANT REQUEST

Construct 187 townhouses and 32 single-family dwellings.

Preliminary SP

A request to change from Single-Family Residential (RS7.5) zoning to Specific Plan - Mixed Residential (SP-MR) zoning for a portion of properties located at 5000 Mountain Springs Road and at Hobson Pike (unnumbered), north of Hobson Pike (40.8 acres), to permit 219 residential dwelling units comprised of 32 single-family lots and 187 multi-family dwelling units.

Existing Zoning

RS7.5 District

RS7.5 requires a minimum 7,500 square foot lot and is intended for single-family dwellings at a density of 4.94 dwelling units per acre. This zoning would permit 236 lots on this property.

Proposed Zoning

SP-MR District

Specific Plan-Mixed Residential 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 mixture of housing types.*

**ANTIOCH / PRIEST LAKE
COMMUNITY PLAN**

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.



Metro Planning Commission Meeting of 12/10/09

Consistent with Policy?

No. The proposed SP does not comply with the design principles of the NG policy. These principles require a high level of street connectivity and strong building frontages. Shagbark Trail/Mountain Springs Drive is the only public street connection to this development and will serve as the only ingress/egress street for 215 of the proposed 219 residential units.

Building frontage and walkability are compromised through the overuse of front-loaded building types. Although the design principles of NG policy allow for both front and alley-loaded building types, a majority of the townhouse units and all of the single-family residential units are front-loaded. Additionally, the design principles propose that all lots less than 50 feet in width provide alley access. Each proposed front-loaded townhouse will have approximately 20 feet of frontage along each private street, making driveways the primary feature of these building types.

Project Description

This SP proposal includes 187 townhouse units and 32 single-family lots. Access to the site will be provided through a new public street that will connect Murfreesboro Pike to the east of the site with Shagbark Trail to the west. The existing residential area to the west is comprised primarily of single-family dwellings. The SP proposal respects this development pattern by lining the Shagbark Trail/Mountain Springs Drive connection with single-family lots. Two driveway connections to Shagbark Trail, closely-spaced at approximately 200 feet apart, will provide access to all 187 proposed townhouses to the south. A private cul-de-sac to the north of Shagbark Trail and a cul-de-sac terminus of Shadowbrook Trail along the west property line will provide access to 10 additional single-family lots. Four single-family lots are proposed along a proposed extension of Asheford Trace along the southwest property line.

Analysis

Staff recommends disapproval of this SP based on the lack of additional street connections to the townhouse portion of the project and the fragmented street frontage prompted by the overuse of front-loaded townhouses. Street connectivity and strong building frontages are design elements encouraged by the NG policy.

The lack of street connectivity forces all traffic through the Shagbark Trail/Mountain Springs Drive connection. Additional opportunities exist for a through connection to



Metro Planning Commission Meeting of 12/10/09

the existing Shadowbrook Trail along the west property line and a future connection to adjacent undeveloped land to the southeast that could provide a connection to Hobson Pike with future development. This connection would provide more direct access to the planned Southeast Connector, which would extend near the southern edge of the project site. The strength of the townhouse building type as a transition building type between the stacked-flat multi-family to the east and the single-family dwelling types to the west is negated by the absence of these connections.

Front-loaded townhouses are proposed around the exterior of this portion of the site, accounting for 115 of the proposed 187 townhouse units. The narrow frontage of the townhouses combined with a driveway connection to the street for each unit will result in a street frontage dominated by curb cuts, which will diminish the pedestrian-oriented intent of NG policy. This frontage will also reduce the quality of the three proposed "public greens."

According to the Tennessee Department of Environment and Conservation, endangered species may exist on the project site. A condition of approval has been included, stating that prior to final site plan approval, the applicant must obtain a letter from Tennessee Department of Environment and Conservation or a botanical inventory from a qualified biologist stating if endangered species exist on this site. Presence of endangered species may require modification to the plan.

PUBLIC WORKS RECOMMENDATION

1. This development will require Public Works approval of detailed construction plans prior to permit issuance. Final design and improvements may vary based on actual field conditions.
2. Identify parking requirements, locations, and size of units / number of bedrooms.
3. Construct private streets per standard drawing ST-252.
4. Construct cul-de-sacs per standard drawing ST-331.
5. Identify plans for recycling collection and solid waste disposal. Solid waste plan must be approved by the Department of Public Works Solid Waste Division.
6. Identify mail service delivery plan (kiosk location / parking?)



Metro Planning Commission Meeting of 12/10/09

7. Construct the proposed Mountain Springs Lane to property boundary.
8. Prior to final SP plan approval, construct the Mountain Springs Drive roadway connection to Murfreesboro Pike and dedicate right of way.
9. Lots 1 - 4 are proposed on an unbuilt section of roadway. Prior to final SP plan approval, dedicate right of way and construct the extension of Ashford Trace with circular turnaround at terminus of roadway.
10. Offsite traffic mitigations to the Murfreesboro Rd/Hobson Pike intersection are required, and will be determined with the final SP plan.

Maximum Uses in Existing Zoning District: RS7.5

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)	40.8	4.94 D	201 L	1977	151	201

Maximum Uses in Proposed Zoning District: SP-MR

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)	-	-	23 L	221	18	24

Maximum Uses in Proposed Zoning District: SP-MR

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Res. Condo/Townhome (230)	-	-	195 U	1150	89	104

Traffic changes between maximum: RS7.5 and proposed SP-MR

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-606	-44	-73

METRO SCHOOL BOARD REPORT

Projected student generation 13 Elementary 8 Middle 10 High

Schools Over/Under Capacity

Students would attend Mt. View Elementary School, Kennedy Middle School, or Antioch High School. Mt. View Elementary and Kennedy Middle have been identified as being over capacity by the Metro School Board. There is no capacity for elementary students within the cluster.



Metro Planning Commission Meeting of 12/10/09

However, there is capacity within the cluster for middle schools students.

The fiscal liability for 13 elementary students is \$260,000. This data is for informational purposes only and is not a condition of approval. This information is based upon data from the school board last updated September 2009.

STAFF RECOMMENDATION

Staff recommends disapproval of the zone change request. The proposed SP falls short of the design intent of the NG policy as it applies to street connectivity and building frontages.

CONDITIONS (if approved)

1. Where a garage door opening faces a street, each garage door opening shall have a maximum width of 10 feet. The driveway for each unit shall have a maximum width of 12 feet at the garage entrance. Door panels shall be modest in scale and architecturally integrated with each dwelling unit.
2. Building frontages shall clearly identify the primary pedestrian entrance toward the street, which shall be separate from vehicular entrances. Pedestrian entryways shall be 100 percent visible, oriented to and accessible from street/pedestrian plaza/parks. All primary public entrances shall have a paved connection to the project's sidewalk network.
3. For each unit where a garage door opening faces a street, the front setback of the primary pedestrian entrance shall be shorter than or equal to the front setback of the garage door.
4. Building frontages shall clearly identify the primary pedestrian entrance toward the street, which shall be separate from vehicular entrances. Pedestrian entryways shall be 100 percent visible, oriented to and accessible from street/pedestrian plaza/parks. All primary public entrances shall have a paved connection to the project's sidewalk network.
5. Open spaces in the plan shall be fronted with primary facades of buildings; no rear elevations to face open space.



Metro Planning Commission Meeting of 12/10/09

6. The garage associated with townhouse #174 shall be turned to take access from the adjacent alley or shall be removed.
7. Construct sidewalks along single-family lots 6, 10, and 13 to connect Shagbark Trail sidewalks to sidewalks within the townhouse area.
8. Construct sidewalks to the north of townhouse units 138 and 173.
9. Prior to building permit approval, the conditions of approval for BL2003-1383 shall be satisfied for the project site and documentation shall be submitted to Metro Planning.
10. Prior to final site plan approval, obtain letter from Tennessee Department of Environment and Conservation or a botanical inventory from a qualified biologist stating if endangered species exist on this site. Presence of endangered species may require modification to the plan.
11. This development shall require Public Works approval of detailed construction plans prior to permit issuance.
12. Private streets and cul-de-sacs shall be constructed to Public Works standards.
13. Plans for recycling collection and solid waste disposal shall be provided to Public Works for approval.
14. Identify a mail service delivery plan, including kiosk location and parking shall be provided with submission of final site plan.
15. Mountain Springs Lane shall be constructed to property boundary.
16. Prior to issuance of building permits, the Mountain Springs Drive roadway connection to Murfreesboro Pike shall be constructed and right-of-way dedicated.
17. Prior to the recording of final plat for Lots 1 to 4, the extension of Ashford Trace with circular turnaround at terminus of roadway, shall be constructed and right-of-way dedicated.



Metro Planning Commission Meeting of 12/10/09

18. Offsite traffic mitigations to the Murfreesboro Rd/Hobson Pike intersection are required, and shall be determined with the final SP plan.
19. Prior to the issuance of building permits, a final plat shall be recorded that reserves 120 feet of right-of-way for the Southeast Arterial.
20. 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 RS7.5 zoning district for single-family residential development and the RM6 zoning district for townhouse buildings as of the date of the applicable request or application.
21. 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.
22. 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



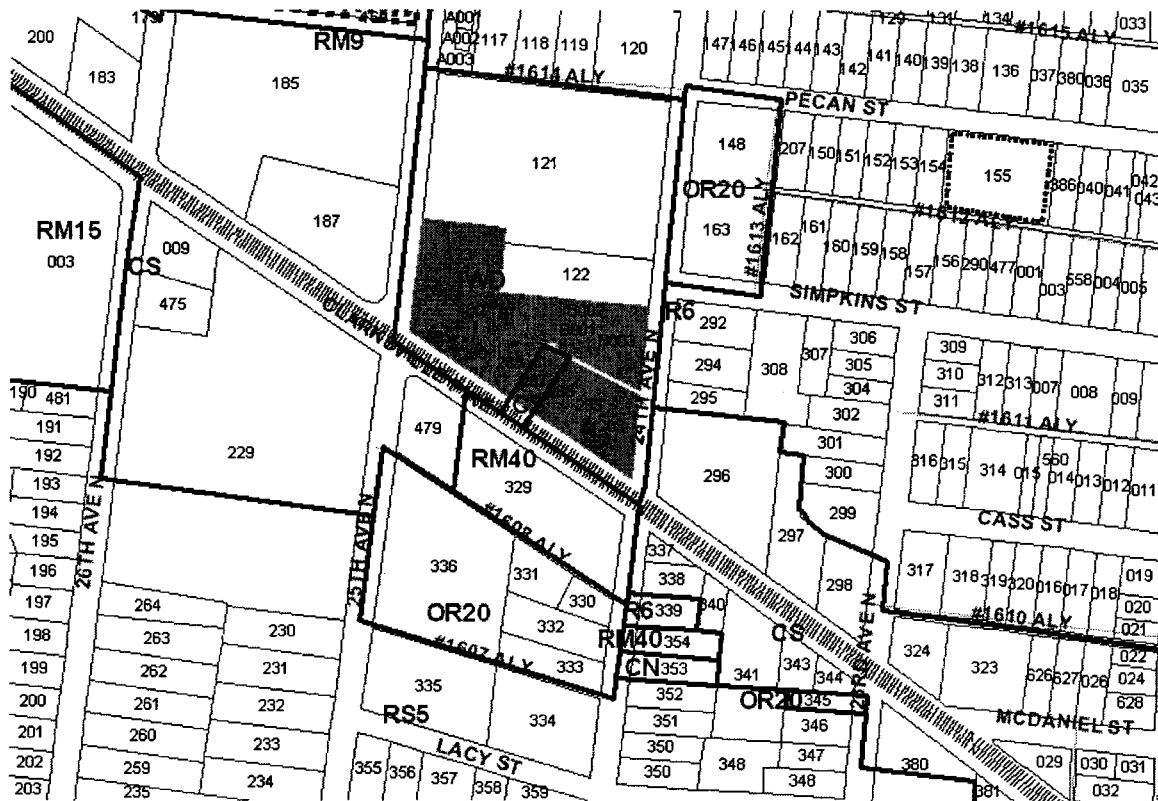
Metro Planning Commission Meeting of 12/10/09

in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

23. 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.
24. All development within the boundaries of this plan shall meet the requirements of the Americans with Disabilities Act and the Fair Housing Act.

SEE NEXT PAGE

**SPECIFIC PLANS,
ZONING MAP AMENDMENTS,
and PUDs**



2009SP-027-001
 25th & Clarksville
 Map: 081-02 Parcel: 123
 Map: 081-06 Parcels: 283, 285, 286, 287, 288, 289, 480, 485
 North Nashville Community Plan
 Council District 2 – Frank R. Harrison



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

Zone Change 2009SP-027-001
25th & Clarksville SP
BL2009-590
2 – Harrison
1 – Gentry
Dale and Associates, applicants, for T. Pool Manager, LLC and Emerald Estock LLC, owners

Staff Reviewer
Staff Recommendation

Sexton
Approve with conditions

APPLICANT REQUEST

Permit retail use.

Preliminary SP

A request to rezone from Industrial Warehousing/ Distribution (IWD) and Commercial Service (CS) to Specific Plan-Commercial (SP-C) for properties located at 404, 2404, 2406,2408, 2410, 2412 and 2418 Clarksville Pike, 2111, 2113 and 2113-B 24th Avenue North, 2104 25th Avenue North and 25th Avenue North (unnumbered), at the northwest corner of Clarksville Pike and 24th Avenue North (2.25 acres), to permit a retail use.

Existing Zoning
IWD District

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

CS District

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

Proposed Zoning
SP-C

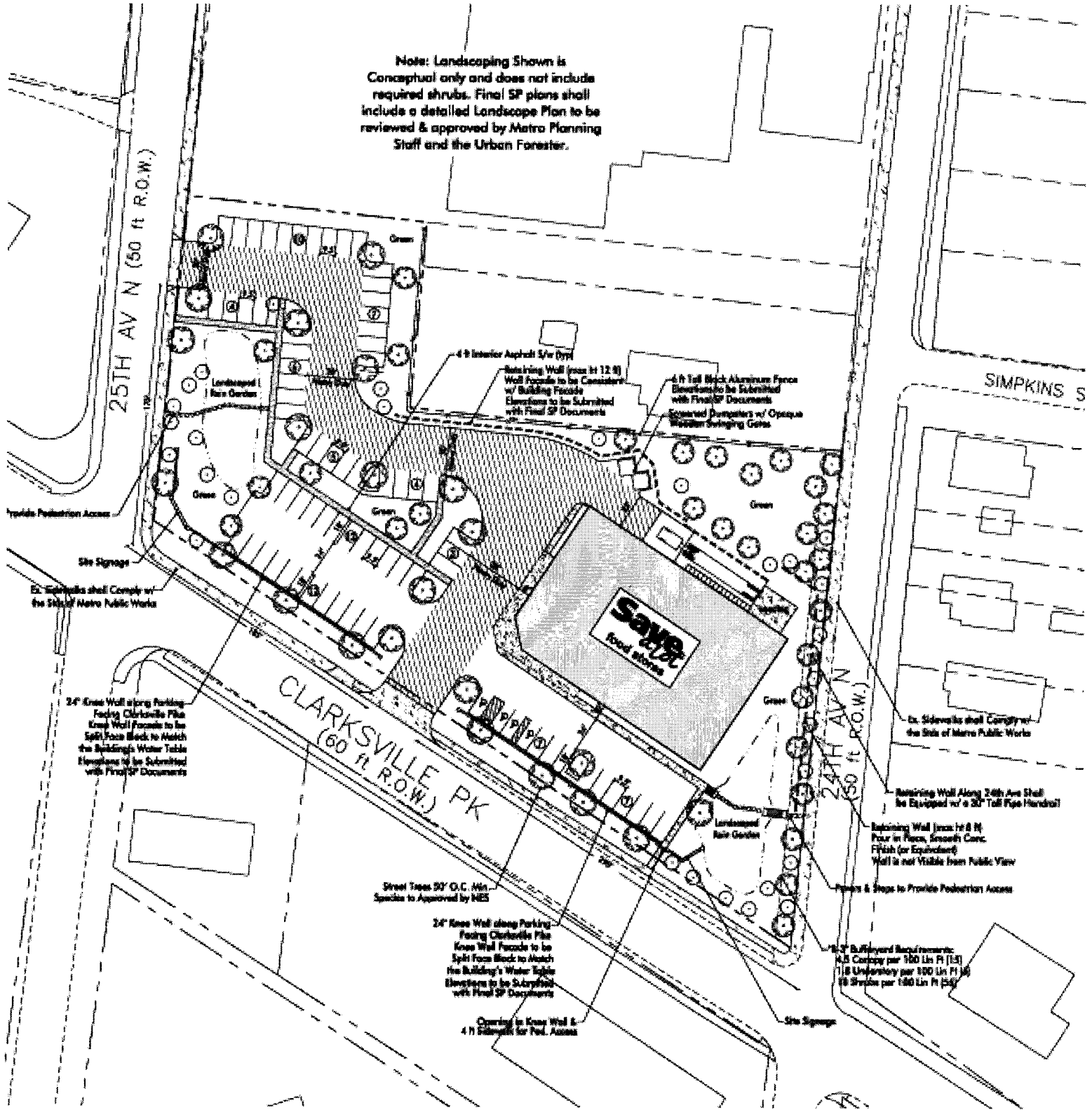
Specific Plan-Commercial is a zoning District category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. *This Specific Plan includes retail.*

CRITICAL PLANNING GOALS

- Creates Walkable Neighborhoods

This SP adds to the creation of a walkable neighborhood. The site proposed for this SP is located east of Ed Temple Boulevard and south of Rosa Parks Boulevard. The site is surrounded by a mixture of single and multi-family residences, office, industrial, and commercial uses on all sides of the property. The SP adds to the walkable neighborhood environment by integrating a community shopping center into an existing

Note: Landscaping Shown is Conceptual only and does not include required shrubs. Final SP plans shall include a detailed Landscape Plan to be reviewed & approved by Metro Planning Staff and the Urban Forester.



25TH AV N (50 ft R.O.W.)

SIMPKINS S

CLARKVILLE PK (60 ft R.O.W.)

24TH AV N (50 ft R.O.W.)

Site Signage
Ex: Signage shall Comply w/ the Sign of Metro Public Works

4' 9" Interior Asphalt S/W (Typ)
Retaining Wall (max H 12 ft)
Wall Facade to be Consistent w/ Building Facade
Elevations to be Submitted with Final SP Documents

4 ft Tall Black Aluminum Fence
Elevations to be Submitted with Final SP Documents
Covered Dumpsters w/ Opaque Weather Swinging Gates

Ex: Sidewalks shall Comply w/ the Sign of Metro Public Works

24" Knee Wall along Parking Facing Clarksville Pk
Knee Wall Facade to be Split Face Block to Match the Building's Water Table
Elevations to be Submitted with Final SP Documents

Retaining Wall Along 24th Ave Shall be Equipped w/ a 20" Tall Pipe Handrail

Street Trees 30' O.C. Min
Species to be Approved by MES

Retaining Wall (max H 8 ft)
Four in Face, Smooth Conc. Finish (or Equivalent)
Wall is not Visible from Public View

24" Knee Wall along Parking Facing Clarksville Pk
Knee Wall Facade to be Split Face Block to Match the Building's Water Table
Elevations to be Submitted with Final SP Documents

6' 0" Bufferyard Required:
4.5' Canopy per 150 Lin Ft (1.5)
1.8' Understory per 150 Lin Ft (1.8)
0.8' Shrubs per 150 Lin Ft (0.8)

Opening in Knee Wall & 4 ft Filigree for Ped. Access

Steps & Ramps to Provide Pedestrian Access

Site Signage



Metro Planning Commission Meeting of 12/10/09

neighborhood creating a destination that can be walked to from nearby residential, office, industrial or commercial uses. The SP also provides pedestrian pavers onto the site from 24th and 25th avenue enhancing the pedestrian streetscape. Community residents who live or work on the west, south or east sides of the property will be able to enjoy the convenience of walking to the shopping center from their home or business.

NORTH NASHVILLE COMMUNITY PLAN

Community Center (CC)

CC is intended for dense, predominantly commercial areas at the edge of a neighborhood, which either sits at the intersection of two major thoroughfares or extends along a major thoroughfare. This area tends to mirror the commercial edge of another neighborhood forming and serving as a "town center" of activity for a group of neighborhoods. Appropriate uses within CC areas include single- and multi-family residential, offices, commercial retail and services, and public benefit uses. An 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.

Buena Vista Heights Detailed Design Plan Commercial (Com)

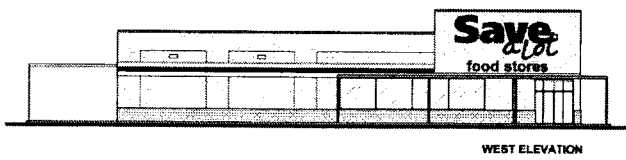
Commercial is intended for commercial uses only, with no residential uses. It is intended for mixed commercial buildings with shops at street level and office uses on the upper levels.

Consistent with Policy?

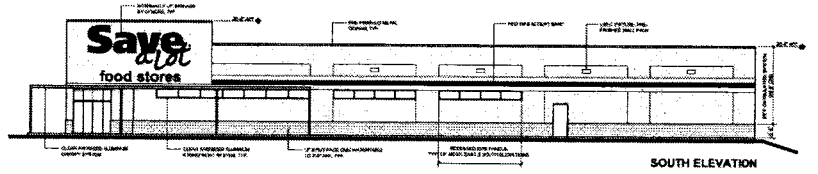
Yes. The request to rezone the property from IWD and CS to SP-C is consistent with the Commercial in CC policy. Appropriate uses within CC policy areas include commercial retail with an associated site plan.

PLAN DETAILS

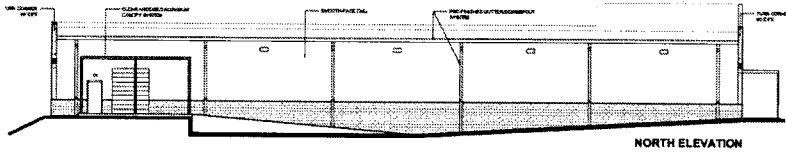
The preliminary site plan proposes a one-story retail use for a Save-A-Lot food store located east of Ed Temple Boulevard, and south of Rosa Parks Boulevard. The total acreage of the site is approximately 2.25 acres. A number of the properties proposed for this SP contain existing, vacant residences. These will be demolished prior to construction of the retail business. The lots will need to be consolidated into one lot before this project can be constructed. There is also an existing alley along 24th Avenue North that extends west and dead ends in the



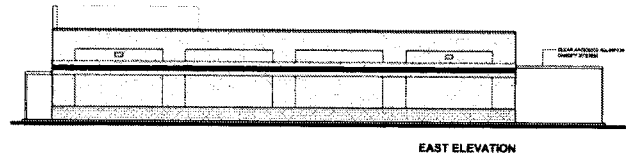
WEST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION



EAST ELEVATION



Metro Planning Commission Meeting of 12/10/09

middle of the properties proposed for this development. The applicant has submitted a Mandatory Referral application to close the alley. The Mandatory Referral must be approved by Metro Council prior to the recording of the final plat to consolidate the existing lots.

The proposed shopping center will be surrounded by existing single and multi-family residences, office, industrial, and commercial. There are four MTA bus stops located along Clarksville Pike near the property and sidewalks are already in place which helps to support the critical planning goal of creating a walkable neighborhood.

Building Orientation

The proposed shopping center is oriented toward both 24th Avenue North and Clarksville Pike. The primary entrance into the building is located on the west side of the shopping center fronting Clarksville Pike. The rear of the shopping center faces the northeast portion of the site and overlooks a loading area and green. A 12 foot retaining wall is planned along the northwest portion of the rear property line below grade. An eight foot retaining wall is also planned on the east portion of the property line along 24th Avenue North below grade.

A list of building materials and a set of adequate elevations for the shopping center were not submitted and will be required prior to Final Site Plan approval for this development.

Access/Parking

Primary access to the site is located along Clarksville Pike. Sidewalks are already in place and pavers are proposed at the sidewalks of 24th and 25th Avenue to provide pedestrian access to the building. A sidewalk is also proposed from the shopping center to Clarksville Pike for pedestrian access to the site. The UZO standards of the Zoning Code require that 54 parking spaces be provided. The plan proposes a total of 77 on-site parking spaces which meets the parking requirement of the Code.

Landscaping/Screening

A standard B Landscape Buffer Yard is proposed along east side of the shopping center and along the rear property line. A six foot tall black aluminum fence is proposed along the rear property line on top of the 12 foot retaining wall for safety. Landscaped rain gardens and greens are proposed on the north, south, east, and west sides of the property. The plan also proposes a 24 inch knee wall along 25th Avenue North and Clarksville Pike to provide additional screening for the parking area



Metro Planning Commission Meeting of 12/10/09



Signs

Details of the landscaping and a list of trees and shrubs species consistent with the Urban Forester's tree density requirement have not been provided. A landscaping plan, list of trees and shrub species and a tree density unit table will be required prior to Final Site Plan approval for this development. A dumpster is located on the northeast portion of the property. Screening elevations for the dumpster were not submitted to staff and must be provided with the final site plan.

Sign details were not included in this SP. Sign elevations for the shopping center will be required prior to Final Site Plan approval for this development. In addition to signs prohibited by Section 17.32.050 of the Metro Zoning Ordinance, prohibited signs 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 include wall mounted signs with a maximum sign area of 48 square feet. Monument signs shall have a maximum sign area of 48 square feet and shall not exceed six feet in height or three feet in height if any portion of the sign is located within 15 feet of the driveway. Signs shall not be back-lit but may be spotlighted, or externally-lit. All light and glare shall be directed on-site to ensure surrounding properties are not adversely affected by increases in direct or indirect ambient light.

FIRE MARSHAL RECOMMENDATION

- All applicable fire codes shall be adhered to including but not limited to: Fire-flow shall meet the requirements of the International Fire Code - 2006 Edition - B105.1.

STORM WATER RECOMMENDATION

- All site outfalls shall discharge into appropriate infrastructure.

PUBLIC WORKS RECOMMENDATION

- This development will require Public Works approval of detailed construction plans prior to permit issuance. Final design and improvements may vary based on actual field conditions.
- An access study or TIS is required prior to final SP rezoning.



Metro Planning Commission Meeting of 12/10/09

- Driveway on Clarksville Pike should align with existing driveway on the south side.
- Detailed construction plans are required for proposed retaining wall adjacent to 24th Ave North.
- The slope away from the sidewalk should not exceed 3:1 or a handrail will be required.
- The proposed grading adjacent to 24th Avenue North requires installation of a guard rail that meets TDOT specifications. With installation of a guard rail, the sidewalk handrail may be omitted.

Maximum Uses in Existing Zoning District: IWD

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office Building Low Rise (710)	2.02	0.8 F	70,392 SF	1019	142	158

Maximum Uses in Existing Zoning District: SP-C

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Supermarket (850)	2.02	-	15,498 SF	2430	NA	277

Traffic changes between maximum: IWD and proposed SP-C

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+1411	NA	+119

STAFF RECOMMENDATION

Staff recommends approval with conditions of the zone change request. The request is consistent with the Commercial in Community Center policy of the community plan. The SP adds to the walkable neighborhood environment by integrating a community shopping center into an existing neighborhood creating a destination that can be walked to from nearby residential, office, industrial or commercial uses.

CONDITIONS

1. Prior to the issuance of any grading or building permits, all lots included in this SP district shall be consolidated.
2. Prior to the recording of the final plat, a Mandatory Referral for the closure of alley #1609 shall be approved by the Metro Council.



Metro Planning Commission Meeting of 12/10/09

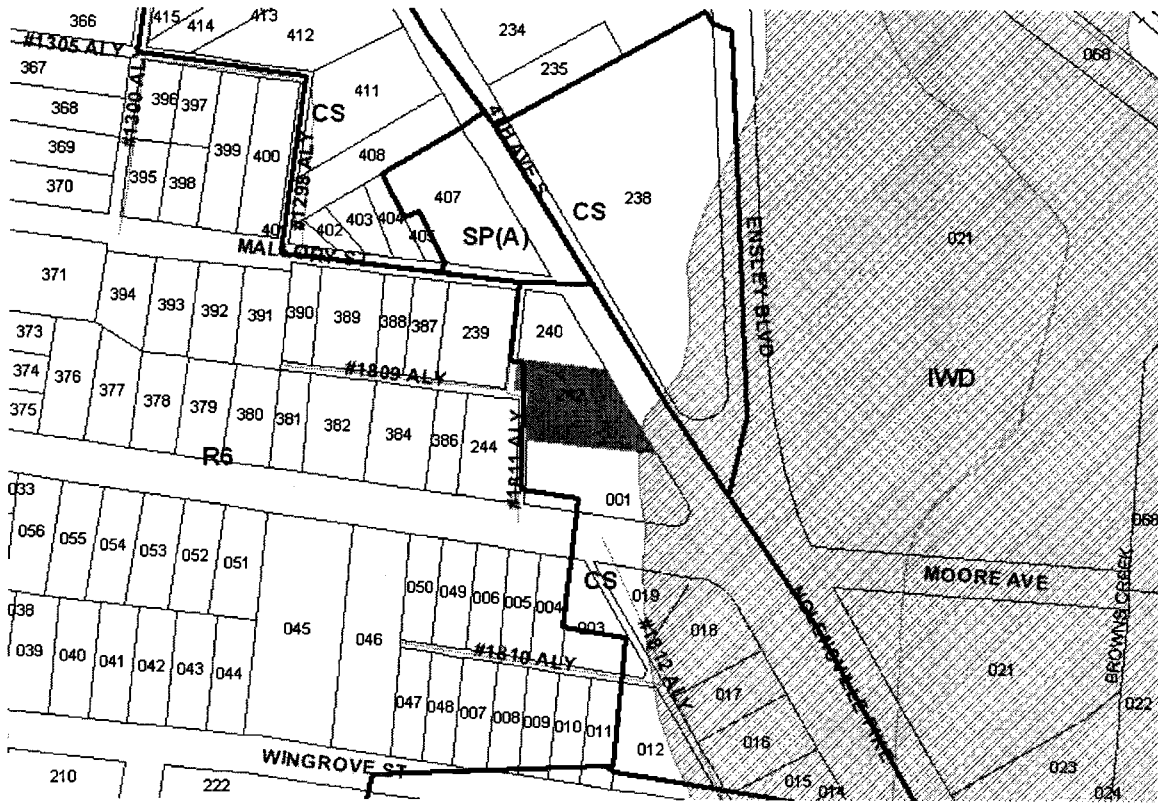
3. Prior to final site plan approval, the SP plan shall include a set of building materials and elevations for the building, which shall be reviewed and approved by the Planning Department.
4. Prior to final site plan approval, the SP plan shall include a landscape plan, list of proposed trees and shrub species and a tree density unit table, which shall be reviewed and approved by the Urban Forester.
5. All Public Works recommendations shall be satisfied on the SP final site plan.
6. Prior to final site plan approval, the SP plan shall include sign details. In addition to signs prohibited by Section 17.32.050 of the Metro Zoning Ordinance, prohibited signs 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 include wall mounted signs with a maximum sign area of 48 square feet. Monument signs shall have a maximum sign area of 48 square feet and shall not exceed six feet in height or three feet in height if any portion of the sign is located within 15 feet of the driveway. Signs shall not be back-lit but may be spotlighted, or externally-lit. All light and glare shall be directed on-site to ensure surrounding properties are not adversely affected by increases in direct or indirect ambient light.
7. This SP is limited to retail uses.
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 CS zoning district as of the date of the applicable request or application.
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



Metro Planning Commission Meeting of 12/10/09

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. All development within the boundaries of this plan shall meet the requirements of the Americans with Disabilities Act.
12. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.



2009SP-030-001

Trust Auto Sales & Repair

Map: 105-08 Parcel: 242

South Nashville Community Plan

Council District 17 – Sandra Moore



Project No.	Zone Change 2009SP-030-001
Project Name	Trust Auto Sales & Repair SP
Council Bill	BL2009-591
Council District	17 – Moore
School District	7 – Kindall
Requested by	Sawa Saber, owner
Staff Reviewer	Sexton
Staff Recommendation	<i>Approve with conditions</i>

APPLICANT REQUEST

Permit automobile sales (used), automobile service and retail.

Preliminary and Final SP

A request to rezone from Commercial Service (CS) to Specific Plan - Auto (SP-A) zoning and for final site plan approval for property located at 1535 4th Avenue South, approximately 200 feet north of Moore Avenue (0.3 acres), to permit Automobile Sales (Used), Automobile Service, and Retail.

Existing Zoning
CS District

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

Proposed Zoning
SP-A District

Specific Plan-Auto 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 auto uses.*

CRITICAL PLANNING GOALS

N/A

SOUTH NASHVILLE COMMUNITY PLAN

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.



Metro Planning Commission Meeting of 12/10/09

Consistent with Policy?

Yes. The request to rezone the property from CS to SP-A is consistent with the NU policy. Predominant uses within NU policy areas include commercial activities including automobile uses.

PLAN DETAILS

The property is approximately 0.3 acres in size. It is located north of the Tennessee State Fair grounds along 4th Avenue South. The property is developed and consists of an existing one story garage. This SP would permit the storage and servicing of used automobiles within the garage, but it does not propose any additional built square footage beyond the existing 1,500 square foot building. Staff has surveyed the area surrounding the proposed SP and found that there were four other similar auto uses located within 1,000 feet of this rezoning. Typically, staff does not consider there to be an over concentration of auto uses unless there are five or more similar uses within 1,000 feet of the proposed auto use.

Building Orientation

The existing building is oriented towards 4th Avenue South. The primary entrance for pedestrians is located in the front of the building. A garage door opening for automobile access has been relocated from the front of the building to the rear. The garage is set back approximately 120 feet from the property line.

Access/Parking

Primary access to the site is located along 4th Avenue South. Sidewalks are already in place and the parking area in the front, right side and rear of the building is proposed to be paved. The UZO standards of the Zoning Code require that 8 parking spaces be provided. The plan proposes a total of 16 on-site parking spaces which meets the parking requirement.

Landscaping/Screening

A variety of canopy trees and shrubs are proposed on site and along the perimeter of the property which meets the Urban Foresters requirement for landscaping. A six foot wood plank fence is proposed along the rear property line to provide screening for residences located in the back of the property. The plan also proposes a 24 inch brick knee wall along 4th Avenue South to provide additional screening for the parking area. A five foot wrought iron fence with brick pillars is proposed on the east and west sides of the property. A set of adequate elevations for the knee wall and wrought iron fence was submitted by the applicant and reviewed by planning staff.



Metro Planning Commission Meeting of 12/10/09

Signs

A dumpster is located on the southeast portion of the property. Screening elevations for the dumpster was submitted by the applicant and reviewed by planning staff.

Sign details were included in this SP. The plan proposes one 48 square foot wall mounted building sign that will be externally lit. The sign will be placed on the front side of the building fronting 4th Avenue South. In addition to signs prohibited by Section 17.32.050 of the Metro Zoning Ordinance, prohibited signs 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 include wall mounted signs with a maximum sign area of 48 square feet. Monument signs shall have a maximum sign area of 48 square feet and shall not exceed six feet in height or three feet in height if any portion of the sign is located within 15 feet of the driveway. Signs shall not be back-lit but may be spotlighted, or externally-lit. All light and glare shall be directed on-site to ensure surrounding properties are not adversely affected by increases in direct or indirect ambient light.

PUBLIC WORKS RECOMMENDATION

- The applicant should note that any work within the public right-of-way including ramp installation requires an Excavation Permit from the Department of Public Works

Maximum Uses in Existing Zoning District: CS

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	0.3	0.6 F	7,857 SF	189	25	25

Maximum Uses in Proposed Zoning District: SP-A

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Auto Dealer/Sales (841)	0.3	-	10,000 SF	334	21	26

Traffic changes between maximum: CS and proposed SP-A

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+145	-4	+1



Metro Planning Commission Meeting of 12/10/09

STAFF RECOMMENDATION

Staff recommends approval with conditions of the zone change request. The request is consistent with the NU policy of the community plan. Predominant uses in NU policy areas consist of commercial activities including automobile uses.

CONDITIONS

1. Pole mounted signs are not permitted. In addition to signs prohibited by Section 17.32.050 of the Metro Zoning Ordinance, prohibited signs 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 include wall mounted signs with a maximum sign area of 48 square feet. Monument signs shall have a maximum sign area of 48 square feet and shall not exceed six feet in height or three feet in height if any portion of the sign is located within 15 feet of the driveway. Signs shall not be back-lit but may be spotlighted, or externally-lit. All light and glare shall be directed on-site to ensure surrounding properties are not adversely affected by increases in direct or indirect ambient light.
2. This SP is limited to automobile sales (used), automobile service, and retail uses.
3. 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 CS zoning district as of the date of the applicable request or application.
4. A corrected copy of the SP 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 consideration by Planning Commission. If a corrected copy of the SP final site plan incorporating the conditions therein is not provided to the Planning Department within 120 days after the date of conditional approval by the Planning Commission, then the corrected copy of the SP final site plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of

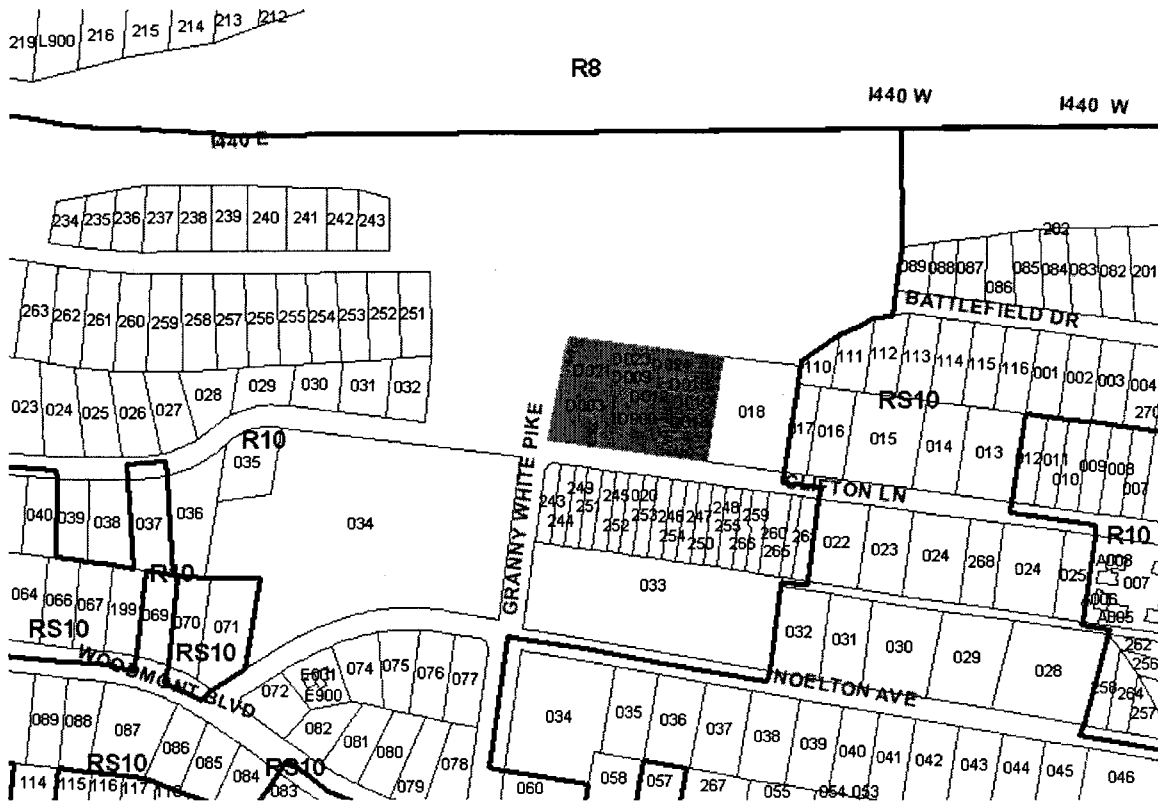


Metro Planning Commission Meeting of 12/10/09

any grading, clearing, grubbing, or any other development application for the property.

5. The SP final site plan as approved by the Planning Commission will be used to determine compliance, both in the issuance of permits for construction and field inspection. While minor changes may be allowed, significant deviation from the approved site plans may require reapproval by the Planning Commission and/or Metro Council.
6. All development within the boundaries of this plan shall meet the requirements of the Americans with Disabilities Act.

SEE NEXT PAGE



2009SP-032-001

Glendale Condos

Map: 118-09-D Parcels: 001 - 020

Map: 118-09-D Parcels: 021, 022, 023, 024, 025

Green Hills/Midtown Community Plan

Council District 25 – Sean McGuire



Project No. Zone Change 2009SP-032-001
Project Name Glendale Condos
Council District 25 – McGuire
School District 8 – Fox
Requested by Councilmember Sean McGuire and James U. Rust IV

Staff Reviewer Swaggart
Staff Recommendation *Approve with conditions*

APPLICANT REQUEST

Rezone to permit 25 multi-family residential units.

Preliminary SP

A request to rezone from One and Two-Family Residential (R10) to Specific Plan-Residential (SP-R) and for final site plan approval for property located at 1112 Clifton Lane, at the northeast corner of Clifton Lane and Granny White Pike, to permit 25 existing dwelling units where 20 dwelling units were legally approved by the Codes Administration Department (2.09 acres).

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.

Proposed Zoning

SP-R District

Specific Plan-Residential is a zoning District category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. *This Specific Plan includes only one residential building type.*

CRITICAL PLANNING GOALS

N/A

**GREEN HILLS/M IDTOWN
COMMUNITY PLAN**

Existing Policy

Residential Low Medium (RLM)

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

Consistent with Policy?

Yes. While the density is above the two to four units called for by the RLM policy, when this policy was applied to this area, this and other pre-existing multi-family developments



Metro Planning Commission Meeting of 12/10/09

were already in place. This zone change proposal does not seek to add additional units over what has existed for many years. When this community plan was updated, it was common practice to apply policies representing the general character of the broader area rather than applying a more intense policy to each individual multi-family development.

PLAN DETAILS

Current Conditions

The property is located at the northeast intersection of Granny White Pike and Clifton Lane. It is developed and consists of a single large structure containing 25 multi-family units.

According to the applicant, he purchased all 25 units in 2007. Most of the units were then sold, but some others needed renovation. When he attempted to pull permits for their renovation, Codes could not find where some of the units had ever been permitted, and the permits were denied. Records indicate that the property was only issued permits for 20 units in the early 1950's, and that the five units were built illegally by a previous land owner. While it is not clear exactly when this occurred, it is believed to have happened sometime in the 1950's. The proposed SP will make the additional five units legal, permitting renovations.

Plan Proposal

The plan does not propose any changes to the property, but only recognizes what currently exists. Consequently the plan identifies the existing structure consisting of 25 units and parking areas.

Analysis

Since the SP is only to recognize what currently exists, and it does not propose any new development then staff has no concern with the request. If any new development is proposed in the future, then additional right-of-way, and sidewalks should be required along Granny White Pike, and Clifton Lane.

STORMWATER RECOMMENDATION

Approved – No Stormwater permit required.

PUBLIC WORKS RECOMMENDATION

No Exceptions Taken



Metro Planning Commission Meeting of 12/10/09

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
Low-Rise Res. Condo/Townhome (230)	2.09	-	20 U*	159	15	17

*As legally permitted by the Codes Administration Department

Maximum Uses in Proposed Zoning District: SP-R

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Low-Rise Res. Condo/Townhome (230)	2.09	-	25 U	193	18	20

Traffic changes between maximum: R10 and proposed SP-R

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+5 U	+34	+3	+3

METRO SCHOOL BOARD REPORT

Schools Over/Under Capacity

Since the SP only recognizes what currently exists then no new students would be generated from this request.

STAFF RECOMMENDATION

Staff recommends approval with conditions of the request. The request does not change what currently exist, and will have no additional impact to the surrounding area.

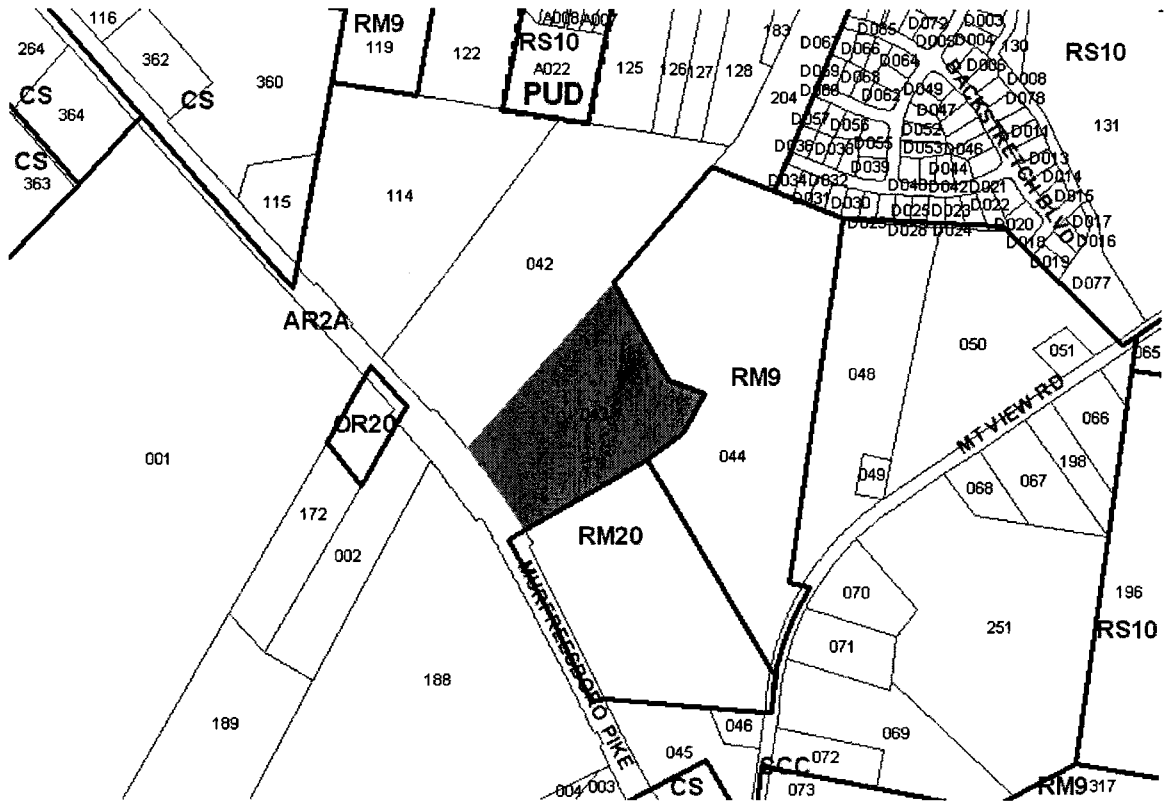
CONDITIONS

1. Uses in this SP district are limited to 25 multi-family units.
2. New sidewalks are not required with this request, and the sidewalks identified along Granny White Pike and Clifton Lane shall be removed from the site plan. If the property is redeveloped, then sidewalks shall be required at that time.
3. 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 RM15 zoning district as of the date of the applicable request or application.



Metro Planning Commission Meeting of 12/10/09

4. 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.
5. 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.
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. All development within the boundaries of this plan shall meet the requirements of the Americans with Disabilities Act.



2009SP-033-001
Hamilton Hills
Map: 164-00 Parcel: 043
Antioch/Priest Lake
Council District 33 – Robert Duvall



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

2009SP-033-001
SP: Hamilton Hills

BL2007-30
33 - Duvall
6 - Johnson

Digidata Corporation, applicant for D.L. Buttery et ux, owners

Re-referral

This request was originally approved on 9/27/07 as a request to change from AR2a to RM20. It is being referred from Council to Commission as an SP to request that vinyl siding be excluded as an allowable building material.

Staff Reviewer
Staff Recommendation

Withers

Disapprove; Approve with conditions if Stormwater approval is received prior to the meeting.

APPLICANT REQUEST

To approve a conceptual site plan and elevations in compliance with the Hamilton Hills UDO, remove vinyl siding from the list of possible building materials available to this project and establish a maximum of 165 dwelling units.

Preliminary SP

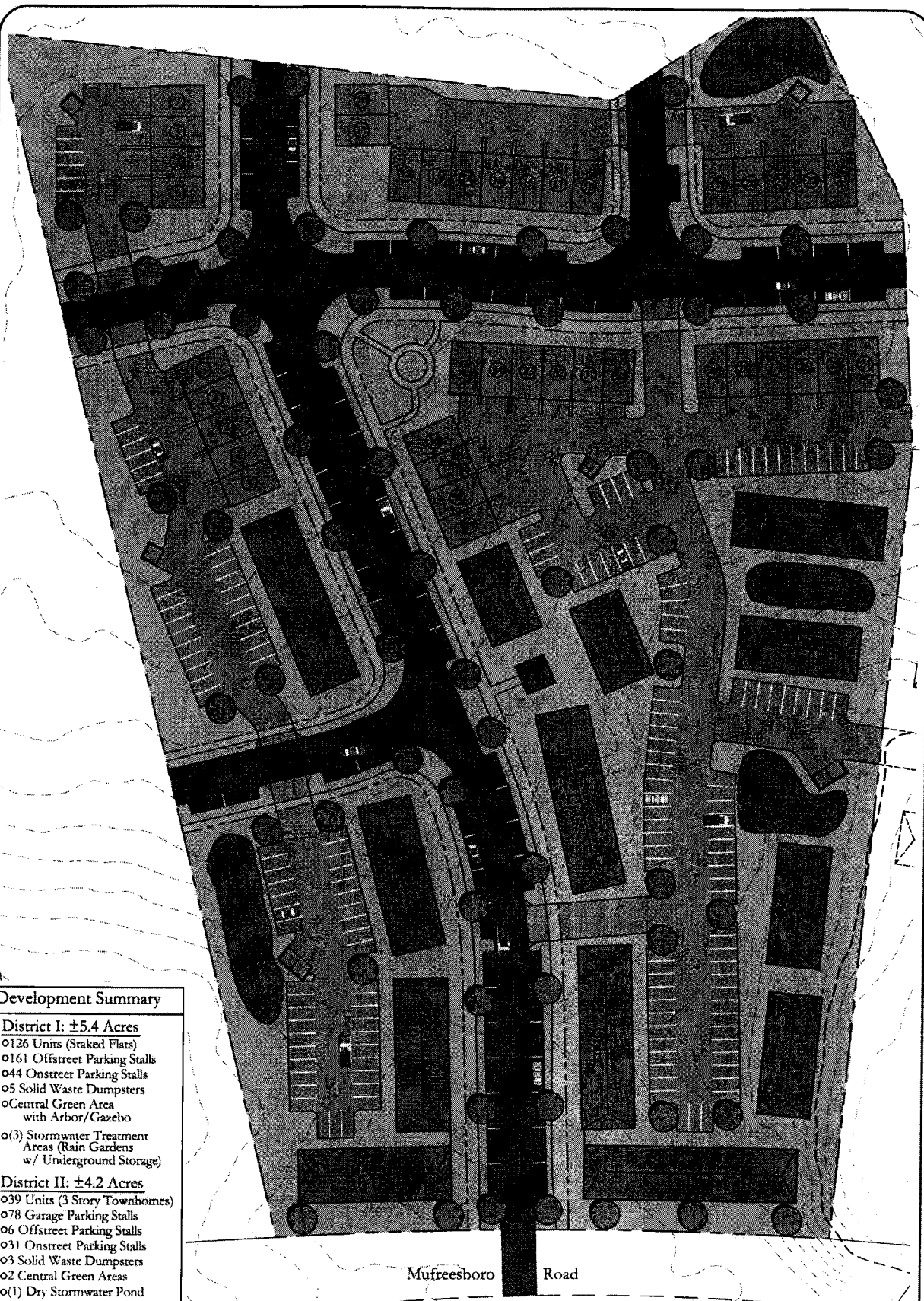
A request to change from Agricultural/Residential (AR2a) to Specific Plan-Mixed Residential (SP-MR) zoning property located within the Hamilton Hills Urban Design Overlay at 3214 Murfreesboro Pike, approximately 1,590 feet north of Mt. View Road (9.6 acres), to permit 126 flats and 39 townhomes.

Existing Zoning
AR2a District

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

Proposed Zoning
SP-MR District

Specific Plan-Mixed Residential 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 flats and townhomes.*



Development Summary

- District I: ±5.4 Acres**
 o126 Units (Stacked Flats)
 o161 Offstreet Parking Stalls
 o44 Onstreet Parking Stalls
 o5 Solid Waste Dumpsters
 oCentral Green Area with Arbor/Gazebo
 o(3) Stormwater Treatment Areas (Rain Gardens w/ Underground Storage)

- District II: ±4.2 Acres**
 o39 Units (3 Story Townhomes)
 o78 Garage Parking Stalls
 o6 Offstreet Parking Stalls
 o31 Onstreet Parking Stalls
 o3 Solid Waste Dumpsters
 o2 Central Green Areas
 o(1) Dry Stormwater Pond

Murfreesboro Road

Development Note: This drawing is for illustrative purposes only to serve as the Preliminary SP Plan for this property. Final SP Plans shall be Submitted to the Metro Planning Commission for approval & to confirm Compliance with all Aspects of the Hamilton Hills Urban Design Overlay.

Metro Council Exhibit

Date: October 2009

Drawing Scale: 1"=60'

Hamilton Hills SP

Preliminary Specific Plan (SP)
 Tax Map 164, Parcel 43
 Nashville, Davidson County, Tennessee



Dale & Associates
 516 Heather Place
 Nashville, TN 37204
 (615) 297-5166



Metro Planning Commission Meeting of 12/10/09

CRITICAL PLANNING GOALS

The intent of the development proposal and its relationship to the critical planning goals is not being altered by this request.

ANTIOCH / PRIEST LAKE COMMUNITY PLAN POLICY

Corridor General (CG)

CG 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; but multi-family development might work best on such busy corridors. An accompanying Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

Hamilton Hills Urban Design Overlay District

This request is within the Hamilton Hills Urban Design Overlay District. The district plan calls for residential at this location and the request is consistent with the UDO, and is needed to implement the plan. When the Hamilton Hills UDO was adopted in 2005, there was not a companion base zone change done to implement the UDO. This was done to allow property owners to continue to be taxed at their current value until they wished to develop. This requires property owners to seek individual zone changes when they are ready to develop their property. This application was originally reviewed in 2007 as a request for the RM20 base zoning recommended by the Hamilton Hills UDO. After this SP becomes effective, a final site plan will be submitted for review to ensure compliance with the UDO standards before proceeding to building permits.

Consistent with Policy?

Yes. The proposed SP-MR district illustrated in the conceptual site plan and elevations is consistent with the area's Corridor General Policy and would provide additional regulation consistent with the Hamilton Hills Urban Design Overlay District.

PLAN DETAILS

The schematic plan and elevations attached to this ordinance shows a mix of 126 flats and 39 townhomes as envisioned by the Hamilton Hills UDO. The buildings are



Hamilton Hills UDO Site - Townhouses
Proposed 3 story Townhouse Bldgs
Conceptual Elevations



Hamilton Hills UDO Site - Townhouses
Proposed 4 story Townhouse Bldgs
Conceptual Elevations



Metro Planning Commission Meeting of 12/10/09

located on streets designed per the UDO street plan. These streets will serve to connect the entire UDO as it is built out. The purpose of this SP request is to exclude the use of vinyl siding – a building material that is not excluded by UDO. The UDO will still govern all other details of development and will be reviewed for compliance when the final site plan is submitted.

STORMWATER RECOMMENDATION

Preliminary SP returned for corrections:

- Provide the FEMA Note / Information to plans.
- Show North Arrow & Bearing Information.
- Provide a Vicinity Map to plans.
- Add 78-840 Note to plans:

Any excavation, fill, or disturbance of the existing ground elevation must be done in accordance with storm water management ordinance No. 78/840 and approved by The Metropolitan Department of Water Services.

- Add Preliminary Note to plans:

This drawing is for illustration purposes to indicate the basic premise of the development. The final lot count and details of the plan shall be governed by the appropriate regulations at the time of final application.

- Add Access Note to plans:

Metro Water Services shall be provided sufficient and unencumbered access in order to maintain and repair utilities in this site.

- Add C/D Note to plans:

Size driveway culverts per the design criteria set forth by the Metro Stormwater Management Manual (Minimum driveway culvert in Metro ROW is 15" CMP).

- For the Water Quality / Detention, it appears that some specified locations are at higher sections of the drainage basin. Site may not contain enough area designated for water quality and detention.

NES RECOMMENDATION

- 1) Developer to provide a civil duct and gear (pad/switch) locations for NES review and approval. This shall cover the entire project area.
- 2) Developer drawing should show any existing utilities easements on property and the utility poles on the property and/or r-o-w.
- 3) 20-foot public utility easement required adjacent to public r-o-w. Make drainage and common open space areas should be a public utility easement.
- 4) Any addition easements required that are not part of this parcel must be obtained by the developer or the engineer for the developer.
- 5) Street names are required before NES's final construction drawings can be issued.
- 6) NES can meet with developer/engineer upon request to determine electrical service options



Metro Planning Commission Meeting of 12/10/09

- 7) NES needs any drawings that will cover any road improvements to Murfreesboro Pike r-o-w that Public Works will require (ie, turning lanes or lane improvements). Any of these items may require electric facilities to be relocated and may be an impact to the developers.
- 8) 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).
- 9) NES needs to know if the developer has other options on property next to this area, if so NES needs an overall concept plan.
- 10) All street lighting shall meet Metro/NES requirements for the public r-o-w. The conduit, footings, poles and fixtures must be installed by developer – NES needs locations of street light bases for conduit stub-outs to those general areas.
- 11) Concrete encasement will be required when NES is forced into less than a 10foot PUE.
- 12) Depending on transformer sizes a 20foot by 20foot (maybe larger) PUE transformer knuckle easement may be required when where is less than the standard easement required for transformer clearances.
- 13) Building phase lines are required at the design stage.
- 14) NES needs load information for each different lot type and size. (required to determine load capacity)
- 15) If porches or fire escapes are allowed to be constructed beyond the minimum setback limits and into the public utility easements; then the easement will be considered reduced by that much of the easement. Such encroachments may increase the cost of electrical infrastructure to allow for reduced or limited access to equipment. *NES reserves the right to enter and to erect, maintain, repair, rebuild, operate and patrol electric power overhead and underground conductors and communications circuits with all necessary equipment reasonably incident thereto including the right to clear said easement and keep the same clear of brush, timber, inflammable structures, buildings, permanent structures, and fire hazards; all over, under, upon, and across the easement as granted on any plats.*
- 16) Overhead electrical power lines are required to meet or exceed the conditions as specified in the *National Electrical Safety Code* as adopted by the State of Tennessee in *Chapter 89, Public Acts, 2007*. The existing 69 kV and 23.9 kV power lines located in the public right-of-ways require an electrical safety clearance that must be maintained after construction of any buildings. The *National Electrical Safety Code, 2007 edition*, dictates the clearances in *Rule 234 C and G* to provide the minimum horizontal and vertical clearances from live conductors. Thus, NES is requesting that public utility easements be provided parallel to the right-of-ways for this safety zone. The 69 kV line must have a horizontal clearance of 15 feet away from the nearest conductor to allow for blow-out conditions as it is configured today. Check with OSHA regulations to meet the crane operating clearances for construction near energized 69 kV or 23.9 kV conductors for additional clearance requirements. Often the locations of new buildings are impacted by the inability of de-energizing the circuits to meet cost and construction schedules.

PUBLIC WORKS RECOMMENDATION

A traffic impact study may be required at the time of development to determine any required mitigations of this UDO and development of this property.

This development will require Public Works approval of detailed construction plans prior to permit issuance. Final design and improvements may vary based on actual field conditions.

The submitted sketch was not dimensioned, and did not indicate whether the roads are public or private. Additional comments will be forthcoming upon the receipt of more complete plans.

The on-street parking spaces on the driver's left side of the street stubs are unusable without temporary turnarounds.



Metro Planning Commission Meeting of 12/10/09

Prior to approval of any building permit, developer shall submit a general plan for solid waste & recycling to Public Works. As proposed, the eight dumpsters on this site will require pickup service more than once per week and shall be at the owners' expense.

Maximum Uses in Existing Zoning District: AR2a

Land Use (ITE Code)	Acres	Density	Total Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	9.6	0.5	5	48	4	6

Maximum Uses in Proposed Zoning District: SP-MR

Land Use (ITE Code)	Acres	Density	Total Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Res. Condo/Townhome (230)	9.6	17 du/acre	165	995	78	91

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

		--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--			+160	+947	+74	+85

METRO SCHOOL BOARD REPORT

Projected student generation

17 Elementary 12 Middle 7 High

Schools Over/Under Capacity

Students would attend Edison Elementary School, Kennedy Middle School and Antioch High School. Edison Elementary School has been identified as full by the Metro School Board and there is no additional capacity within the cluster.

The fiscal liability for 17 elementary students is \$340,000 for elementary students. This information is based upon data from the school board last updated September 2009.

STAFF RECOMMENDATION

Disapprove; Approve with conditions if Stormwater approval is received prior to the meeting. The SP-MR district adds additional regulation that is consistent with the intent of the Hamilton Hills UDO, but does not warrant an amendment to make them applicable to the entire UDO. The graphics attached to this request are schematic only and have not been reviewed in detail by the Metro agencies, but do appear to implement the vision defined by the UDO. The final site plan will be reviewed by all agencies to ensure consistency with all applicable



Metro Planning Commission Meeting of 12/10/09

regulations, as would be the procedure if this had proceeded as a zone change to RM20 and had not been converted to an SP-MR. The Council Bill also includes conditions to reflect this.

CONDITIONS

1. Sidewalks are required along Murfreesboro Road as well as along interior streets and parking areas that serve as the main access to dwelling units.
2. A traffic impact study may be required at the time of development to determine any required mitigations of this UDO and development of this property.
3. This development will require Public Works approval of detailed construction plans prior to permit issuance. Final design and improvements may vary based on actual field conditions.
4. The submitted sketch was not dimensioned, and did not indicate whether the roads are public or private. Additional comments will be forthcoming from Public Works upon the receipt of more complete plans.
5. The on-street parking spaces on the driver's left side of the street stubs are unusable without temporary turnarounds.
6. Prior to approval of any building permit, developer shall submit a general plan for solid waste & recycling to Public Works. As proposed, the eight dumpsters on this site will require pickup service more than once per week and shall be at the owners' expense.
7. All Stormwater comments will be addressed with the final site plan, including:
 - Provide the FEMA Note / Information to plans.
 - Show North Arrow & Bearing Information.
 - Provide a Vicinity Map to plans.
 - Add 78-840 Note to plans:
 - Any excavation, fill, or disturbance of the existing ground elevation must be done in accordance with storm water management ordinance No. 78/840 and approved by The Metropolitan Department of Water Services.
 - Add Preliminary Note to plans:
 - This drawing is for illustration purposes to indicate the basic premise of the development. The final lot



Metro Planning Commission Meeting of 12/10/09

count and details of the plan shall be governed by the appropriate regulations at the time of final application.

- Add Access Note to plans:

Metro Water Services shall be provided sufficient and unencumbered access in order to maintain and repair utilities in this site.

- Add C/D Note to plans:

Size driveway culverts per the design criteria set forth by the Metro Stormwater Management Manual (Minimum driveway culvert in Metro ROW is 15" CMP).

- For the Water Quality / Detention, it appears that some specified locations are at higher sections of the drainage basin. Site may not contained enough area designated for water quality and detention.

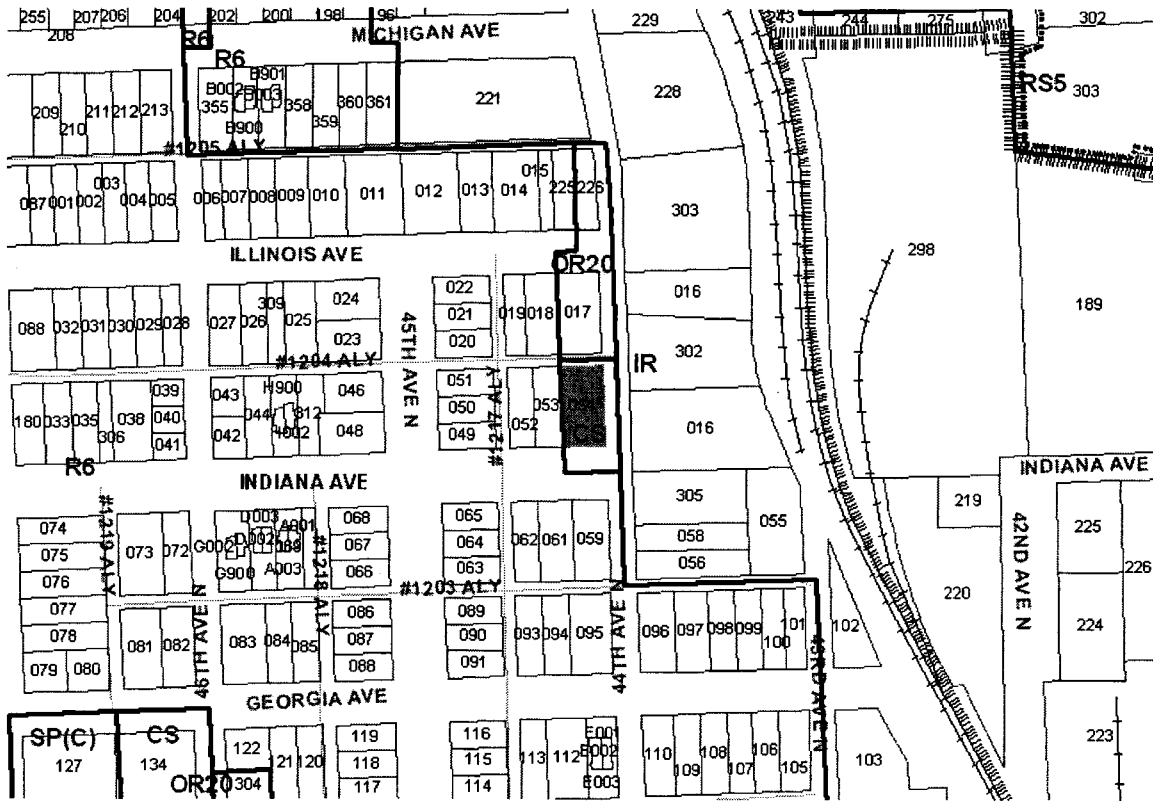
8. The purpose of this SP-MR request is to limit the number of dwelling units to 165 and exclude the use of vinyl siding, which the Hamilton Hills UDO does not do. For all development standards, regulations and requirements beyond the purpose for this SP plan, and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the Hamilton Hills UDO and the RM20 zoning district as of the date of the applicable request or application.
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.



Metro Planning Commission Meeting of 12/10/09

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 and the Fair Housing Act.

SEE NEXT PAGE



2009Z-041PR-001

Map: 091-12 Parcel: 054

West Nashville Community Plan

Council District 20 – Buddy Baker



Project No.
Council District
School District
Requested by

Zone Change 2009Z-041PR-001
20 – Baker
1 – Gentry
Toni J. Rothfuss, owner

Staff Reviewer
Staff Recommendation

Swaggart
Approve

APPLICANT REQUEST

Rezone from CS to OR20.

Rezoning

A request to rezone from Commercial Service (CS) to Office/Residential (OR20) zoning property located at 4400 Indiana Avenue, at the northwest corner of Indiana Avenue and 44th Avenue North (0.28 acres).

Existing Zoning
CS District

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

Proposed Zoning
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

**WEST NASHVILLE
COMMUNITY PLAN**

**T4 Urban Neighborhood
Maintenance (T4 NM)**

T4 NM Policy is intended to preserve the general character of urban neighborhoods as characterized by their development pattern, building form, land use and associated public realm. T4 NM areas will experience some change over time, primarily when buildings are expanded or replaced. When this occurs, efforts should be made to retain the existing character of the neighborhood, in terms of its development pattern, building form, land use and the public realm. Where not present, enhancements are made to improve pedestrian, bicycle and vehicular connectivity.

Consistent with Policy?

The proposed OR20 zoning district will permit uses that are consistent with the area's T4 NM policy. While the OR20 district does permit high intensity uses, the size of the property would limit the intensity of any use making the site a transition between the single and two-family district to the west and the industrial district to the east,



Metro Planning Commission Meeting of 12/10/09

which will ultimately bring the property more into compliance with the area policy.

PUBLIC WORKS RECOMMENDATION

No Exceptions Taken

Typical Uses in Existing Zoning District: CS

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Strip Shopping (814)	0.28	0.429 F	5,232 SF	262	12	35

Typical Uses in Proposed Zoning District: OR20

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office Building Low Rise (710)	0.28	0.236 F	3,207 SF	95	12	12

Traffic changes between typical: CS and proposed OR20

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-167	0	-23

Maximum Uses in Existing Zoning District: CS

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Strip Shopping (814)	0.28	0.6	7,318 SF	351	14	40

Maximum Uses in Proposed Zoning District: OR20

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office Building Low Rise (710)	0.28	0.8	9,757 SF	223	30	30

Traffic changes between maximum: CS and proposed OR20

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-128	+16	-10

STAFF RECOMMENDATION

Staff recommends that the proposed OR20 zoning district be approved.

SEE NEXT PAGE



2009P-005-001

Taco Mamacita (Beer PUD)

Map: 105-01 Parcel: part of 233

Green Hills/Midtown Community Plan

Council District 19 – Erica Gilmore



Project No.
Project Name
Council District
School Board District
Requested By

Planned Unit Development 2009P-005-001
Taco Mamacita (Beer PUD)
19 - Gilmore
8 - Fox
Villa Properties Joint Venture LLC, owner.

Staff Reviewer
Staff Recommendation

Sexton
Approve with conditions

APPLICANT REQUEST

Exemption from minimum distance requirements of the beer regulations.

Preliminary PUD and Final Site Plan

A request for preliminary and final site plan approval for a proposed Planned Unit Development located on a portion of property at 1200 Villa Place, at the southeast corner of Villa Place and Edgehill Avenue, zoned Single-Family Residential (RS5), (1.07 acres), to permit an existing 4,443 square foot restaurant an exemption from beer regulations requiring a 100 foot minimum distance from a residential use.

Zoning District
RS5 District

RS5 requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 7.41 dwelling units per acre.

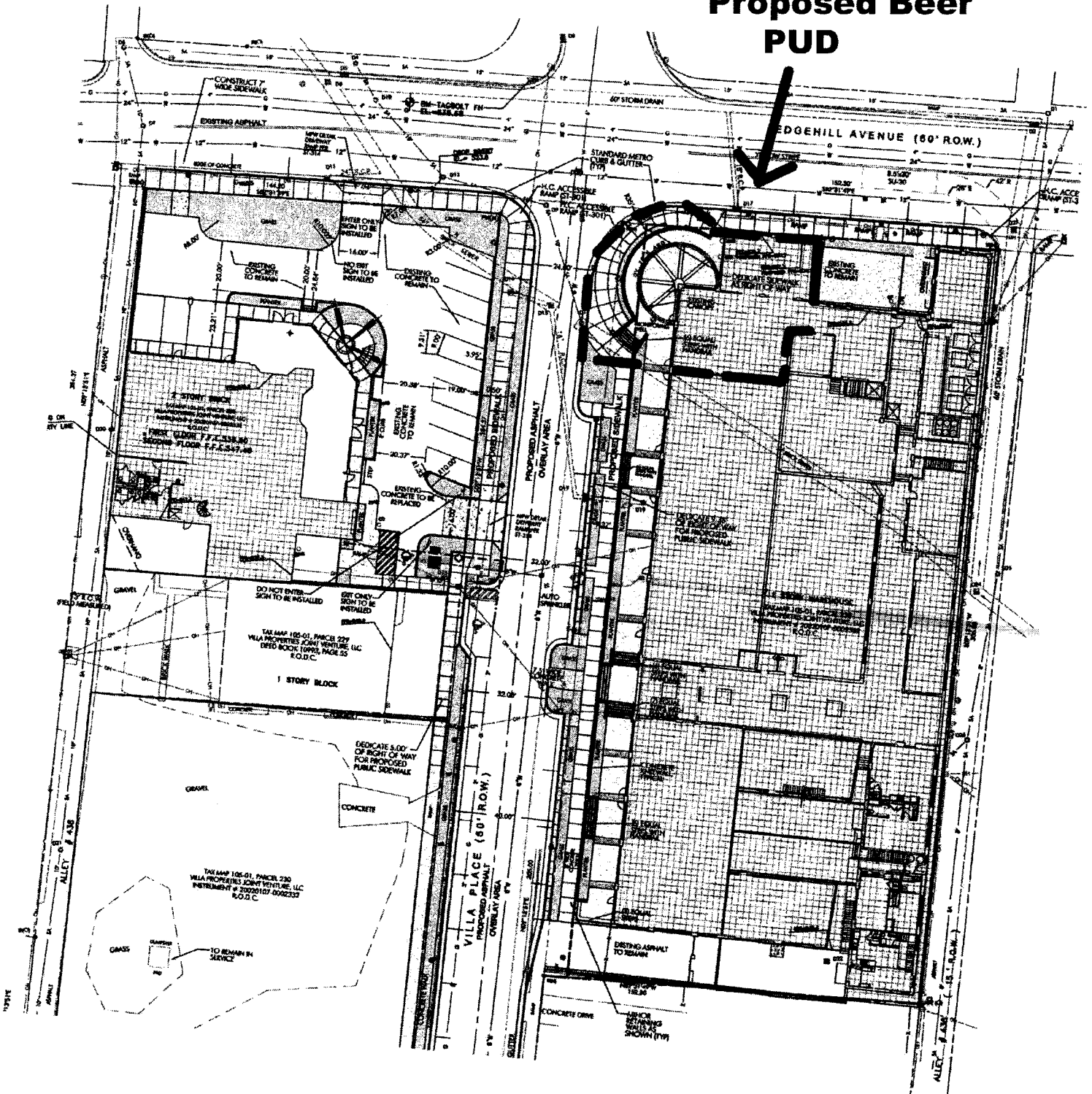
PLAN DETAILS

In July 2003, the Metro Council passed an ordinance that allows some restaurants with a valid on-premises liquor license from the state Alcoholic Beverage Commission to be exempt from the minimum distance requirements included in the beer permit provisions of the Metro Code. In order to qualify for the exemption, the restaurant must be on property that is subject to a Commercial Planned Unit Development (PUD).

The proposed PUD plan is to allow an existing 4,443 square foot restaurant at the corner of Edgehill Avenue and Villa Place to serve beer. The existing restaurant is located less than 100 feet from residential uses along Edgehill Avenue. By placing the commercial PUD on the property, the restaurant can be exempted from this requirement.

The property contains 132 off-site parking spaces along Villa Place and Edgehill Avenue which meets the requirements of the zoning code for parking.

Proposed Beer PUD





Metro Planning Commission Meeting of 12/10/09

STAFF RECOMMENDATION

Staff recommends approval with conditions since the proposed PUD plan meets the requirements of the PUD provisions of the zoning code.

CONDITIONS

1. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs
2. 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.
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 Traffic Engineering Sections of the Metro Department of Public Works for all improvements within public rights of way.
4. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
5. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metro Planning Commission.
6. The PUD final site plan as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans may require 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

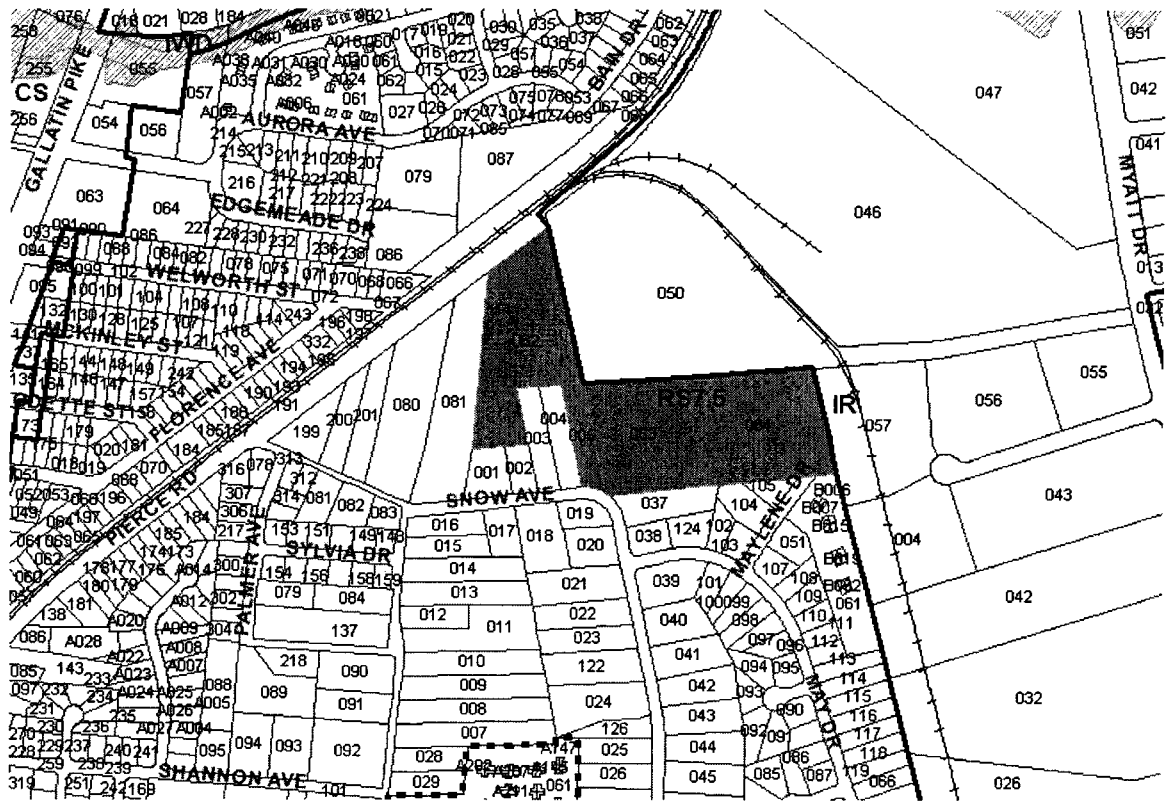


Metro Planning Commission Meeting of 12/10/09

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.

8. All development within the boundaries of this plan shall meet the requirements of the Americans with Disabilities Act

CONCEPT PLANS



2006S-108G-04
 Cumberland Bend (Preliminary Plat Extension)
 Map: 034-14 Parcels: 082, 083, 084
 Map: 043-02 Parcel: 005
 Madison Community Plan
 Council District 9 – Jim Forkum

Project No.
Project Name
Council District
School Board District
Requested By

Subdivision 2006S-108G-04
Cumberland Bend Subdivision
9 - Forkum
3 - North
Bruce Rainey and Associates, applicant for Mike Stokes, property owner

Staff Reviewer
Staff Recommendation

Swaggart
Approve with a variance to 1-9.2 of the Subdivision Regulations for the extension of the preliminary plat.

APPLICANT REQUEST**Permit the extension of a preliminary plat approval.****Variance for Preliminary Plat Extension**

A request for a variance from Section 1-9.2 of the Subdivision Regulations to permit the extension of an expired preliminary plat for the Cumberland Bend Subdivision for 53 single-family clustered residential lots located at 1108 and 1110 Snow Avenue and Snow Avenue (unnumbered), zoned Single-Family Residential (RS7.5) (16.7 acres).

Zoning
RS7.5 District

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

SUBDIVISION DETAILS

The original preliminary plat for Cumberland Bend was approved by the Planning Commission on March 23, 2006, under the previous Subdivision Regulations. The plat includes 53 single-family clustered residential lots. Under the previous regulations, preliminary approval does not expire for two years. If a subdivision is not platted within the two-year period then the preliminary approval expires.

A final plat for the subdivision was submitted in 2008, and was approved by all reviewing agencies. However, the plat was never recorded because bonds were never posted by the property owner, and the approval for the preliminary plat has since expired. The applicant represents a new property owner who is prepared to have the plat recorded and complete the project.

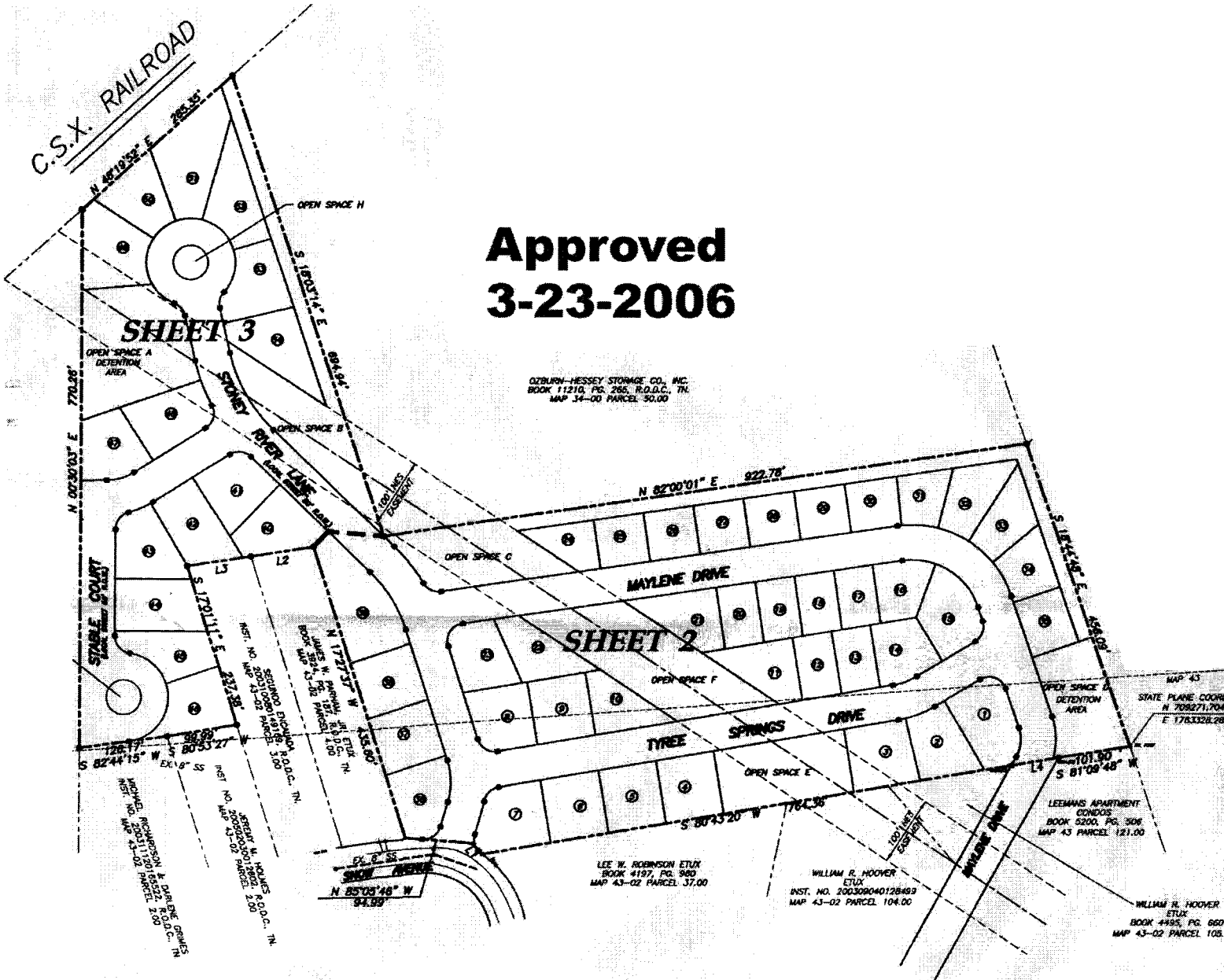
The current Subdivision Regulations do not allow for extensions of approvals for preliminary plats. Section 1-9.2 of the current regulations states that “any

**Approved
3-23-2006**

OZBURN-HESSEY STORAGE CO., INC.
BOOK 11210, PG. 266, R.O.D.C., TN
MAP 34-00 PARCEL 50.00

SHEET 3

SHEET 2



C.S.X. RAILROAD

STABLE COURT

LEE W. ROBINSON ETUX
BOOK 4197, PG. 980
MAP 43-02 PARCEL 37.00

WILLIAM R. HOOVER
ETUX
INST. NO. 200309040128483
MAP 43-02 PARCEL 104.00

LEEHANS APARTMENT
CONDOS
BOOK 5200, PG. 308
MAP 43 PARCEL 121.00

WILLIAM R. HOOVER
ETUX
BOOK 4485, PG. 660
MAP 43-02 PARCEL 105.00

STATE PLANE COORDINATES
N 709271.7045
E 1783328.2886

subdivision submitted as a complete application or approved in preliminary or final form, but not yet expired, prior to the effective date may, at the discretion of the applicant, continue under the subdivision regulations adopted March 21, 1991, as amended, but no extension shall be granted for these subdivisions.”

The applicant has requested that the plat be extended under the old regulations which will require a variance to Section 1-9.2 of the current Subdivision Regulations.

The applicant has provided justification for the extension stating that significant progress has taken place on the site, and that it would be detrimental to the developer to not permit the extension. According to the applicant most of the infrastructure has been completed. This includes but is not limited to water lines, fire hydrants, sewer lines, stormwater facilities, roads (base stone and binder), curbs and underground utility conduits.

Variance Requirements

Section 1-11.1 of the Subdivision Regulations states that the Planning Commission may grant variances to the regulations when it finds that extraordinary hardships or practical difficulties may result from strict compliance with the regulations, provided that the variance does not nullify the intent and purpose of the regulations. It further states that findings shall be based upon the evidence presented in each specific case that:

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

its constituent elements, the Major Street Plan, or the Zoning Code for Metropolitan Nashville and Davidson County (Zoning Code).

Analysis

The intent of the regulation for which the variance is sought is to keep approvals for subdivisions that were approved under the previous regulations from being extended when no significant progress has been made in the completion of the development. Staff has visited the site and can confirm that significant progress has been made on the development of this subdivision. Infrastructure described by the applicant is in place. All reviewing agencies have approved the construction plans, and have no concern with extending the approval of the preliminary. Because most of the infrastructure has been completed and the subdivision is mostly developed then the variance would not nullify the intent of the regulation.

Furthermore, in addition to the finding that the variance will not nullify the intent of the regulation, staff also finds the following as evidence for this variance consistent with Section 1-11.1, a – b above:

- a. The granting of the variance would not be detrimental to the surrounding area, but would actually improve the area by permitting a more timely completion of the mostly completed subdivision.
- b. There are no other subdivisions in the immediate area that are experiencing the same situation, and therefore, the conditions for which this variance is sought are unique to this development within this general area.
- c. The variance is not to a design standard of the regulations, but to a processing standard. Because the request is not a variance to a design standard then c. of Section 1-11.1 is not applicable.
- d. The subdivision as previously approved is consistent with the area's long range policy, and current zoning requirements.

STAFF RECOMMENDATION

Staff recommends approval of the variance to Section 1-9.2, and that the preliminary plat approval be extended for one year to December 12, 2010.



Project No.
Project Name
Council District
School District
Requested by

2009S-107-001
Lakeside Meadows Phase Three
12 - Gotto
4 - Glover
Lakeside Meadows LLC, owner, Weatherford & Associates LLC, surveyor

Staff Reviewer
Staff Recommendation

Johnson
Approve with conditions

APPLICANT REQUEST

Concept plan revision for 63 lots.

Concept Plan

A request to revise a phase of a previously approved concept plan to create 63 lots where 47 lots were previously approved on properties located at 4652 Hessey Road and at 3547 Earhart Road, on the south side of Lakeside Meadows Drive, (18.84 acres), zoned Single-Family Residential (RS15).

ZONING
RS15 District

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

PLAN DETAILS

The plan proposes 63 single-family lots in Phase Three of the Lakeside Meadows concept plan, which was originally approved in 2006 with 47 units in Phase Three and 108 lots overall. The application proposes to use the cluster lot option which allows lots to be reduced in size to two base zoning districts. Because the zoning is RS15, 7,500 square foot lots can be appropriate if the plan meets all requirements of the cluster lot option policy. All proposed lots are larger than the required minimum lot size.

Access

Aside from the increase in number of lots, the layout of streets and open space remains unchanged from the 2006 concept plan approval. Access is proposed from one point on Earhart Road and two points on Hessey Road. This subdivision proposes connections to the south and the east for future development.

Open Space

There is 26.3 percent usable open space proposed within Phase Three, which exceeds the 15 percent requirement for cluster lot option policy. The Commission's cluster lot policy requires common open space to have "use and enjoyment" value to the residents – recreational value, scenic value, or passive use value. Residual land with no "use or enjoyment" value will not be counted.

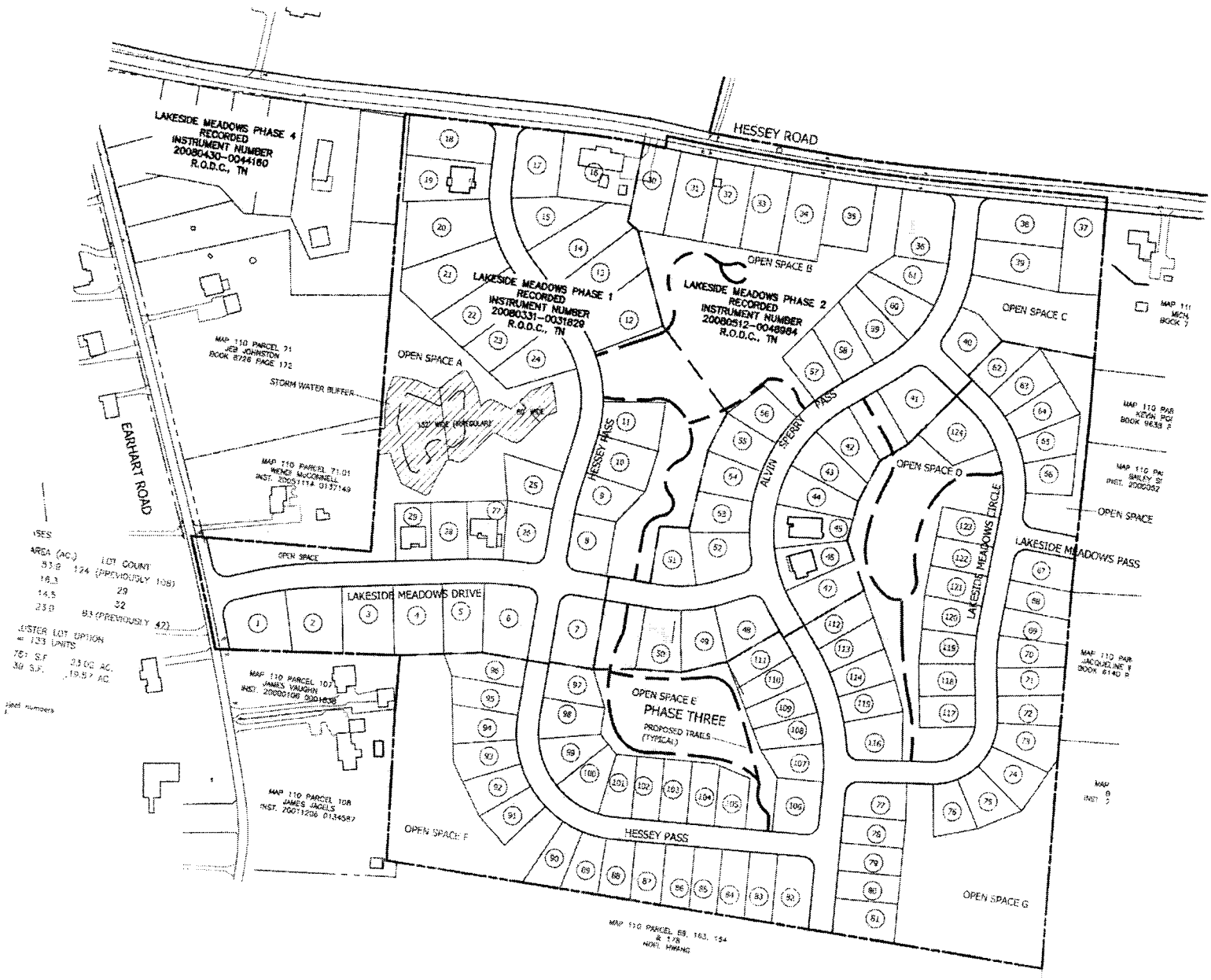


Metro Planning Commission Meeting of 12/10/09

9. NES needs to know if the developer has other options on property next to this area, if so NES needs an overall concept plan.
10. All street lighting shall meet Metro/NES requirements and conduit must be installed by developer – NES needs locations of bases for conduit stub-outs to those general areas.

CONDITIONS

1. Prior to final plat recordation for Phase Three, all walking trails shall be completed.
2. Prior to recordation of final plat, detailed construction plans shall be approved by Public Works.
3. Within residential developments all utilities are to be underground. The utility providing the service is to approve the design and construction. The developer is to coordinate the location of all underground utilities. Conduit for street lighting is required in the GSD.
4. Prior to final plat recordation, a 20' wide landscape easement shall be added to each final plat along the back of all public right of way areas for possible street trees to be planted.



USES	AREA (AC)	LOT COUNT
RES	53.8	124 (PREVIOUSLY 108)
	16.3	29
	14.5	32
	23.0	83 (PREVIOUSLY 42)

CLUSTER LOT OPTION
= 123 UNITS

75' S.F. 23.00 AC.
30' S.F. 19.97 AC.

sheet numbers

MAP 110 PARCEL 58, 163, 154
& 178
NORC HWANG

MAP 111
MECH
BOOK 7

MAP 110 PAR
KEVIN PEG
BOOK 9638 P

MAP 110 PAR
SHILEY SP
PHET. 200052

MAP 110 PAR
JACQUELINE T
BOOK 8140 P

MAP 8
INST 7



Metro Planning Commission Meeting of 12/10/09

The proposed subdivision proposes a walking trail that loops through the three main open spaces. The access to the walking trail is at eight different street locations throughout the subdivision and three within Phase Three. This walking trail fulfills the recreation facilities requirements of the Zoning Code for cluster-lot subdivisions.

Landscape buffer yards are not required because lots adjacent to this phase are not part of a standard R or RS subdivision as required by the Zoning Code.

PUBLIC WORKS RECOMMENDATION

This development will require Public Works approval of detailed construction plans prior to permit issuance. Final design and improvements may vary based on actual field conditions.

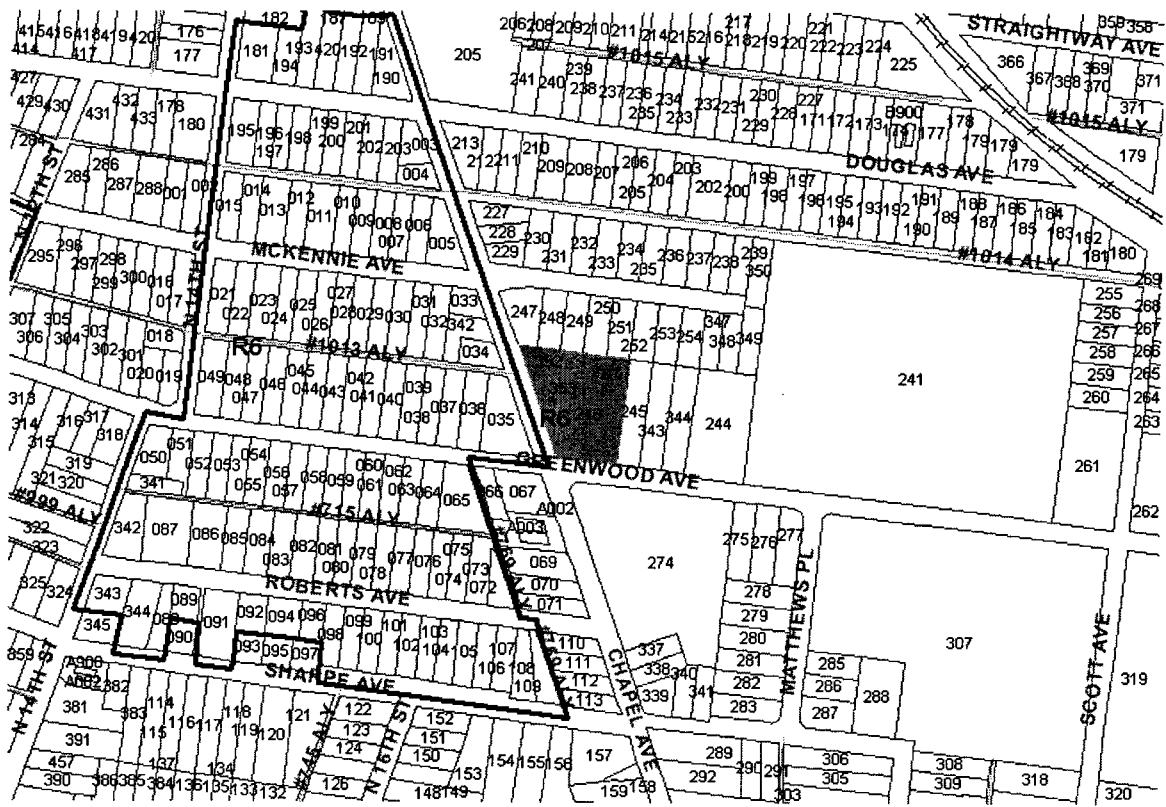
STORMWATER RECOMMENDATION

Approved

NES RECOMMENDATION

1. Developer to provide a civil duct and gear (pad/switch) locations for NES review and approval. This shall cover the entire project area.
2. Developer drawing should show any existing utilities easements on property and the utility poles on the property and/or r-o-w.
3. 20-foot public utility easement required adjacent to public r-o-w. Make drainage and common open space areas should be a public utility easement.
4. Any addition easements required that are not part of these 3 parcels must be obtained by the developer or the engineer for the developer.
5. Street names are required before NES's final construction drawings can be issued.
6. NES can meet with developer/engineer upon request to determine electrical service options
7. NES needs any drawings that will cover any road improvements to Metro r-o-w that Public Works will require.
8. 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).

SEE NEXT PAGE



2009S-108-001

J. J. Pryor's Subdivision, Resub. Lot 1 & Part of Lot 2, 1st Rev

Map: 083-02 Parcels: 246, 352, 353

East Nashville Community Plan

Council District 6 – Mike Jameson



Project No.
Project Name
Council District
School District
Requested by

2009S-108-001
J.J. Pryor Subdivision
6 - Jameson
5 - Porter
Alain Christopher Keenan, owner, Kirk Duclos, surveyor

Staff Reviewer
Staff Recommendation

Johnson
Disapprove

APPLICANT REQUEST

Final plat to create five lots.

Final Plat

A request for final plat approval to create five lots on properties located at 1703 Greenwood Avenue and at 1203 and 1205 Chapel Avenue, at the northeast corner of Greenwood Avenue and Chapel Avenue (1.43 acres), zoned One and Two-Family Residential (R6) and located within the Eastwood Neighborhood Conservation Overlay.

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.

Neighborhood Conservation
Overlay District (NC)

Neighborhood Conservation (NC) districts are defined as geographical areas which possess a significant concentration, linkage or continuity of sites, buildings, structures or objects which are united by past events or aesthetically by plan or physical development, and that meet one or more of the following criteria:

1. The district is associated with an event that has made a significant contribution to local, state or national history; or
2. It includes structures associated with the lives of persons significant in local, state or national history; or
3. It contains structures or groups of structures that embody the distinctive characteristics of a type, period or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or



Metro Planning Commission Meeting of 12/10/09

4. It has yielded or may be likely to yield archaeological information important in history or prehistory; or
5. It is listed or is eligible for listing in the National Register of Historic Places.

PLAN DETAILS

The final plat proposes five single-family lots. Each lot complies with the minimum lot size requirements for R6 zoning. An existing single-family dwelling is located on Lot 1 and is planned to remain.

Three lots currently occupy the plat boundary. The final plat for these three lots was approved by the Planning Commission on July 24, 2008. The original plan proposed four lots, but the applicant reduced to three lots after working with Planning staff.

Historic Property

The East Nashville Community Plan identifies this site as a historic resource. The Colonel Pryor House is located on proposed lot 1 and is designated as National Register Eligible by the Metro Historic Zoning Commission. Additionally, this site is located within the Eastwood Neighborhood Conservation District.

Lot Comparability

Section 3-5.1 of the Subdivision Regulations states that new lots in areas that are predominantly developed are to be generally in keeping with the lot frontage and lot size of the existing surrounding lots.

Lot comparability analysis was performed and yielded the following information:

Lot Comparability Analysis		
Street	Requirements	
	Minimum lot size (square feet)	Minimum lot frontage (linear feet)
Greenwood Avenue (interior lot)	12,087	52
Chapel Avenue (interior lot)	6,615	63
Greenwood Avenue (corner lot)	12,087	67
Chapel Avenue (corner lot)	7,318	81



Metro-Planning Commission Meeting of 12/10/09

As proposed, the five lots have the following areas and street frontages (Numbers shown in bold fail lot comparability standards):

- Lot 1: 26,498.5 sq. ft. with 96.37 ft. of frontage
- Lot 2: 8,104 sq. ft. with **50 ft.** of frontage
- Lot 3: 7,127.3 sq. ft. with **50 ft.** of frontage
- Lot 4: **6,150.7 sq. ft.** with **50 ft.** of frontage
- Lot 5: 12,928.8 sq. ft. with **58.1 ft.** of frontage along Greenwood Avenue and 155.68 ft. of frontage along Chapel Avenue.

Lots 2-5 fail lot comparability for lot frontage and Lot 4 also fails lot comparability for area.

Analysis

Previous proposals for this site have generated concern over the relationship of new development and the existing Colonel Pryor House. The currently-approved three lot plat was approved by the Planning Commission on July 24, 2008. This three lot layout was preceded by an earlier four lot layout that was deferred by the Planning Commission because of concerns of the orientation of three proposed lots facing Chapel Avenue and their relationship to the fourth lot containing the historic house. The current five lot proposal with four lots along Chapel Avenue will further obscure visibility of the historic house from Chapel Avenue with development along most of the Chapel Avenue frontage.

Four lots within the current proposal do not meet lot comparability standards. An exception to lot comparability could be granted because the proposed lot sizes are consistent with the NG policy that applies to the site. However, the design principles of NG policy strongly recommend alley access to on-site parking for lots of 50 feet in width or less. The proposal includes three lots with 50 feet of frontage. This plat proposes access to on-site parking through joint access driveway connections to Chapel Avenue.

The Colonel Pryor House is representative of front setbacks of adjacent single family dwellings along Greenwood Avenue to the east of Chapel Avenue. These houses have consistent front setbacks of around 120 feet to the front property line. The presence of the proposed Lot 5 in this plat would allow for a dwelling along Greenwood with a shorter front setback. Dwellings along Greenwood



Metro Planning Commission Meeting of 12/10/09

to the west of Chapel Avenue have consistent setbacks between 25 feet and 30 feet. The front setback along Greenwood Avenue preferred by Metro Historic Commission staff of 85 feet for Lot 5 would not be consistent with either prevailing setback.

HISTORICAL COMMISSION RECOMMENDATION

Metro Historic Commission staff submitted a letter stating that the proposed five lot subdivision would be compatible with the historic context in the Eastwood Neighborhood Conservation District (ENCD). The letter notes that the proposed 50 foot lot frontages along Chapel Avenue for Lots 2-4 are consistent with other surrounding lots fronting onto Chapel Avenue.

The letter suggests that the size and setback of residential structures should be controlled to meet ENCD guidelines. Specifically, a residential structure on Lot 5 should have a front setback of approximately 85 feet and should be oriented to face Greenwood Avenue. All other new structures should face Chapel Avenue. The Metro Historic Zoning Commission has the ability through the ENCD to enforce size, setback, and orientation requirements for new construction.

PUBLIC WORKS RECOMMENDATION

No exception taken

STORMWATER RECOMMENDATION

Approved

FIRE MARSHAL RECOMMENDATION

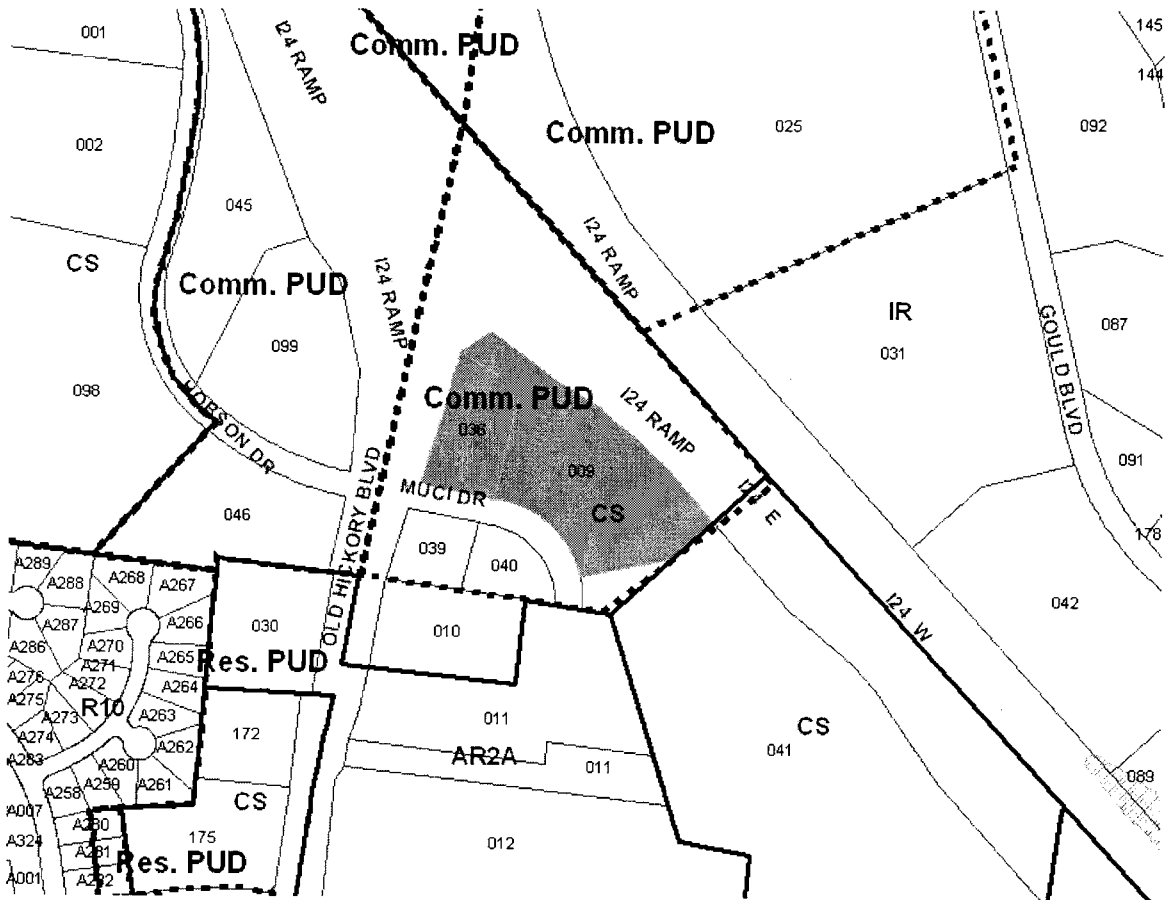
No comment at this time.

STAFF RECOMMENDATION

Staff recommends disapproval of the final plat to create five lots. The plat neither follows the character of surrounding development with respect to building setbacks, lot size, and lot frontage; nor sufficiently respects the existing on-site historic dwelling.

SEE NEXT PAGE

**REVISIONS
and FINAL SITE PLANS**



201-69P-001
 Starpointe (Revision)
 Map: 183-00 Parcels: 009, 036
 Southeast Community Plan
 Council District 31 – Parker Toler



Project No.
Project Name
Council District
School District
Requested by

201-69P-001
Starpointe PUD
31 - Toler
2 - Brannon
Lukens Engineering Consultants, applicant, for Dr.
Byron V. Bush, owner

Staff Reviewer
Staff Recommendation

Johnson
Approve with conditions

APPLICANT REQUEST

Permit one hotel and two retail buildings.

Revise Preliminary PUD and Final Site Plan

A request to revise the preliminary plan and for final approval for a portion of the Starpointe Commercial Planned Unit Development Overlay located at 13105 Old Hickory Boulevard and at Old Hickory Boulevard (unnumbered), at the northeast corner of Old Hickory Boulevard and Muci Drive (5.0 acres), zoned Commercial Service (CS), to permit the development of a 4-story, 35,800 square foot hotel containing 75 units and three 1-story retail buildings containing a total of 28,500 square feet, replacing a 100 unit hotel containing 74,250 square feet and 12,500 square feet of retail space.

CRITICAL PLANNING GOALS

N/A

PLAN DETAILS

Preliminary Plan

The Starpointe PUD is located immediately south of Interstate 24 on the east side of Old Hickory Boulevard in southeast Nashville. It was originally approved in 1969 for approximately 14,300 square feet of retail and an 88,500 square foot motel with 100 units. The PUD was revised in 2007 to permit a 74,250 square foot hotel and a 12,500 square foot retail building. The current preliminary PUD revision proposes four buildings, one for a hotel and three for retail uses.

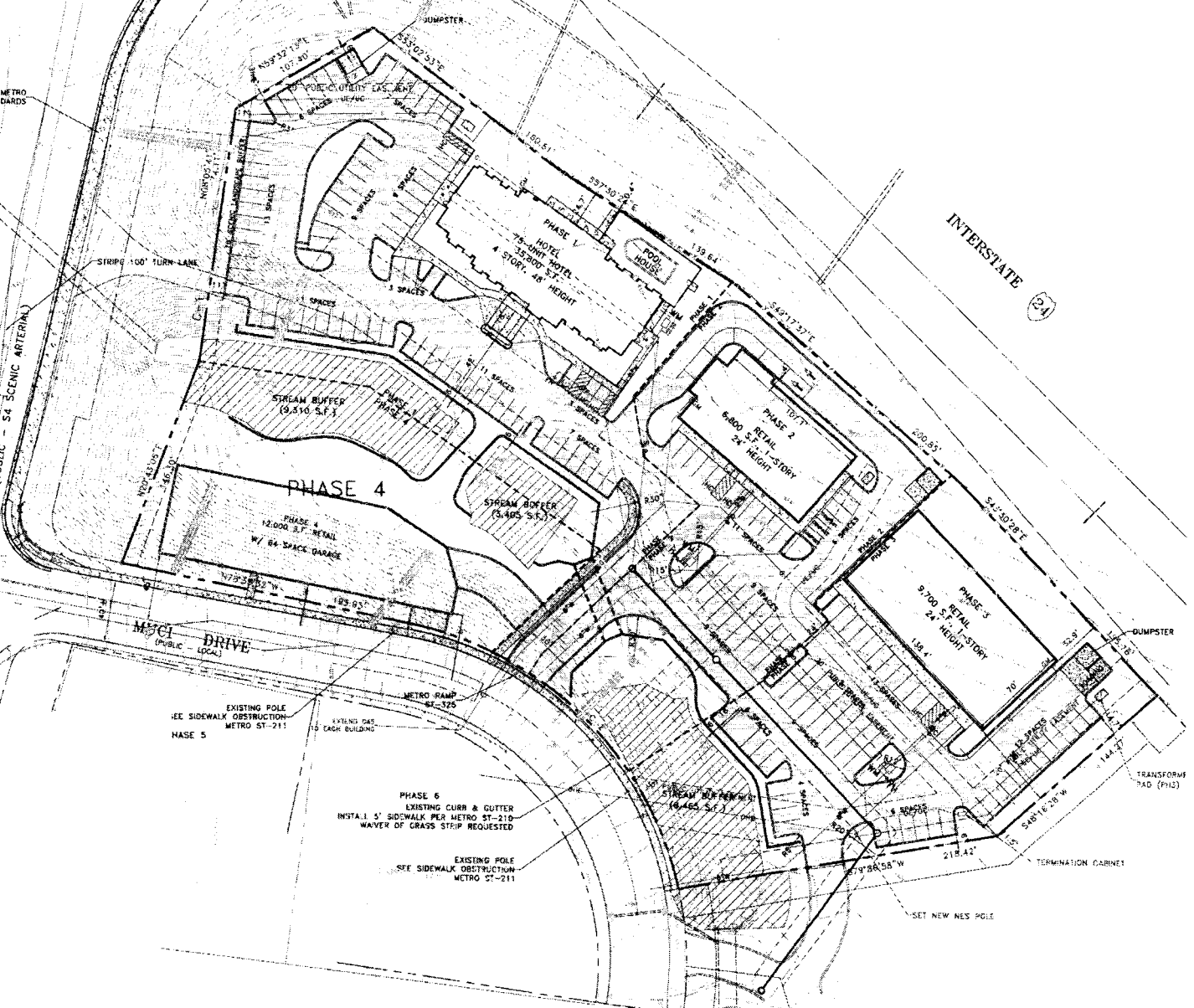
This preliminary PUD revision would increase retail space from 12,500 square feet to 28,500 square feet and reduce hotel space from 74,250 square feet to 35,800 square feet, resulting in an overall decrease in square footage within the PUD. The hotel location remains unchanged. Retail space is divided into three buildings. Two of the retail buildings occupy the location of the currently approved retail building, along the rear property line to the east of the hotel building. An additional 12,000 square foot retail building is proposed at the front of the site along Muci

SEWER LINE
GAS
FIRE HYDRANT

SIDEWALK PER METRO
PUBLIC WORKS STANDARDS

OLD HICKORY BOULEVARD
(PUBLIC - SA SCENIC ARTERIAL)
R/W WIDTH VARIES

INTERSTATE 24



EXISTING POLE
SEE SIDEWALK OBSTRUCTION
METRO ST-211
PHASE 5

PHASE 6
EXISTING CURB & GUTTER
INSTAL. 5' SIDEWALK PER METRO ST-210
WAIVER OF GRASS STRIP REQUESTED

EXISTING POLE
SEE SIDEWALK OBSTRUCTION
METRO ST-211

SET NEW NES POLE

TERMINATION CABLE

TRANSFORMER PAD (PH2)

DUMPSTER



Metro Planning Commission Meeting of 12/10/2009

Final PUD

Drive in a layout that is consistent with the approved plan.

All buildings are accessed from a private drive access to Muci Drive, which connects to Old Hickory Boulevard to the west. Sidewalks are shown along Muci Drive and Old Hickory Boulevard and will connect to interior walkways. This proposal divides development into four phases corresponding with each proposed building. Each phase complies with parking requirements of the Zoning Code.

Final PUD approval is requested for Phases 1 and 2 of the PUD. These phases, which include the hotel building (Phase 1) and one retail building (Phase 2) currently have final PUD approval through the approved preliminary plan. The 100-room 74,250 square foot hotel is reduced to 75 rooms and 35,800 square feet. The retail building included in Phase 2 is reduced from 12,500 square feet to 6,800 square feet. Both phases provide sufficient parking for their uses.

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. Widen Old Hickory Boulevard to provide a left turn lane with 100 feet of storage and transitions per AASHTO/MUTCD standards.
3. Modify markings on Muci to extend left turn lane from OHB to access drive with two-way left turn lane pavement markings.

STORMWATER RECOMMENDATION

Revisions approved

STAFF RECOMMENDATION

Staff recommends that the request be approved with conditions. The proposed changes are consistent with the approved plan.

CONDITIONS

1. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total



Metro Planning Commission Meeting of 12/10/2009

acreage, which may require that the total number of dwelling units or total floor area be reduced.

2. Prior to approval of building and grading permits, a final plat shall be recorded including any required bonds for public improvements.
3. Widen Old Hickory Boulevard to provide a left turn lane with 100 feet of storage and transitions per AASHTO/MUTCD standards, as determined by the Department of Public Works.
4. Modify markings on Muci to extend left turn lane from OHB to access drive with two-way left turn lane pavement markings, as determined by the Department of Public Works.
5. 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.
6. 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.
7. 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.
8. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
9. 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.



Metro Planning Commission Meeting of 12/10/2009

10. 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.
11. 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.