



**METROPOLITAN GOVERNMENT
OF NASHVILLE AND DAVIDSON COUNTY**

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

**Minutes
of the
Metropolitan Planning Commission**

April 22, 2010

4:00 PM

*Metro Southeast at Genesco Park
1417 Murfreesboro Road*

PLANNING COMMISSION:

James McLean, Chairman
Phil Ponder, Vice Chairman
Stewart Clifton
Judy Cummings
Derrick Dalton
Tonya Jones
Hunter Gee
Victor Tyler
Councilmember Jim Gotto
Andrée LeQuire, representing Mayor Karl Dean

Staff Present:

Rick Bernhardt, Executive Director
Ann Hammond, Assistant Executive Director
Brenda Bernards, Planner III
Kelly Armistead, Administrative Services Officer III
Doug Sloan, Legal Counsel
Jason Swaggart, Planner II
Greg Johnson, Planner II
Bob Leeman, Planning Manager II
Craig Owensby, Public Information Officer
Marie Cheek, Planning Tech II
Brian Sexton, Planner I
Dennis Corrieri, Planning Technician I
Cindy Wood, Planner III
Rebecca Ratz, Planner I
Jennifer Carlat, Planning Manager II
Jennifer Regen, Development Relations Manager

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.

I. CALL TO ORDER

The meeting was called to order at 4:04 pm.

II. ADOPTION OF AGENDA

Mr. Ponder moved and Dr. Cummings seconded the motion, which passed unanimously, to adopt the agenda as presented.(9-0)

III. APPROVAL OF APRIL 8, 2010, MINUTES

Mr. Ponder moved and Dr. Cummings seconded the motion, which passed unanimously, to approve the April 8, 2010 minutes as presented. (9-0)

IV. RECOGNITION OF COUNCILMEMBERS

Councilmember Duvall asked to withdraw Items 3, 15, 16, and 17. He also stated that he would like to defer Items 14, 18, and 19 to the June 24, 2010 Planning Commission meeting.

Ms. LeQuire arrived at 4:07pm.

Councilmember Jernigan explained that he would address the Commission after his item was presented for discussion.

Councilmember Toler would like to defer Item #1 to the May 13, 2010 Planning Commission meeting.

Councilmember LaLonde spoke in favor of approval of Item 2.

V. PUBLIC HEARING: ITEMS REQUESTED TO BE DEFERRED OR WITHDRAWN

- | | | | |
|-----|-----------------|---|--------------------------------------|
| 1. | 2007S-209G-12 | A request to rescind final plat approval for Brentwood Knoll, containing 15 lots and open space located along Brentwood Knoll Court and Bryce Road. | - Deferred to May 13, 2010 meeting |
| 3. | 2010UD-001-001 | A request to make applicable the provisions of the "Fawn Crossing UDO" to properties located at the southeast corner of Mt. View Road and Hamilton Church Road. | -Withdrawn |
| 10. | 18-85P-001 | A request to cancel the 7734 Highway 70 S Commercial Planned Unit Development district located at the northwest corner of Highway 70 South and Harpeth Valley Road, approved for a commercial nursery facility. | -Deferred to May 13, 2010 meeting |
| 11. | 2010Z-010PR-001 | A request to rezone from R40 to CL zoning for property located within the 7734 Highway 70 S Planned Unit Development Overlay at the northwest corner of Highway 70 S and Harpeth Valley Road. | -Deferred to May 13, 2010, meeting |
| 13. | 2002UD-001-001 | A request to amend the Green Hills Urban Design Overlay district, to modify variations to the conventional standards of the underlying zoning to ensure the intended design overlay objectives for signage, building form, massing and character within the overlay district. | -Deferred to June 24, 2010, meeting |
| 14. | 2010UD-002-001 | A request to make applicable the provisions of the "Pin Hook UDO" to properties located on Pin Hook Road, east of Murfreesboro Pike. | - Deferred to June 24, 2010, meeting |
| 15. | 2010UD-003-001 | A request to make applicable the provisions of the "Keeneland Downs UDO" to properties located along Buckpasser Avenue, Buckpasser Court, Backstretch Boulevard, Secretariat Drive, and Seabisquit Drive. | - Withdrawn |
| 16. | 2010UD-004-001 | A request to make applicable the provisions of the "Hamilton View UDO" to properties located along Hamilton Lane, Lipton Lane, Forest Breeze Drive, and Lake Towne Drive. | - Withdrawn |
| 17. | 2010UD-005-001 | A request to make applicable the provisions of the "Harvest Grove UDO" to properties located along Grovedale Trace, Gracewood Grove, Harvest Grove Drive, Millbridge Bay, and Rockglade Run. | - Withdrawn |
| 18. | 2010UD-006-001 | A request to make applicable the provisions of the "Edison Park UDO" to properties located along Painter Drive, Schoolhouse Court, Jenny Ruth Point, Rebecca Trena Way, and Coneflower Trail. | - Deferred to June 24, 2010, meeting |
| 19. | 2010UD-007-001 | A request to make applicable the provisions of the "Hamilton-Hobson UDO" to properties located at the intersection of Hamilton Church Road and Hobson Pike. | - Deferred to June 24, 2010, meeting |

Mr. Clifton moved and Councilmember Gotto seconded the motion, which passed unanimously, to approve the deferred and withdrawn items. (10-0)

Ms. Hammond announced, "As information for our audience, if you are not satisfied with a decision made by the Planning Commission today, you may appeal the decision by petitioning for a writ of cert with the Davidson County Chancery or Circuit

Court. Your appeal must be filed within 60 days of the date of the entry of the Planning Commission’s decision. To ensure that your appeal is filed in a timely manner, and that all procedural requirements have been met, please be advised that you should contact independent legal counsel.”

VI. PUBLIC HEARING: CONSENT AGENDA

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

ZONING MAP AMENDMENTS, SPs AND TEXT AMENDMENTS

- 5. 2009SP-031-001 A request to change from AR2a to SP-R zoning for properties located at 6887 and 6891 Burkitt Road and at Kidd Road (unnumbered), to permit 362 single-family lots.
- Approve w/conditions including revised Public Works conditions

- 6. 2010SP-003-001 A request to change from RM20 to SP-MU zoning for property located at 2209 Abbott Martin Road, to grant preliminary and final approval for multi-family, restaurant, and cellular communications tower uses, and to grant preliminary approval for a personal care service uses. -Approved w/conditions

- 7. 2010SP-005-001 A request to change from RS15 to SP-MU zoning and for final site plan approval for property located at 4130 Andrew Jackson Parkway, to permit an existing single-family dwelling unit to be used as a medical office and other specified uses of the MUN district. -Approved w/conditions

PUBLIC HEARING: FINAL PLAT

- 12. 2010S-029-001 A request for final plat approval to create three lots on property located at 415 W. Trinity Lane. -Approved w/conditions

OTHER BUSINESS

- 20. Request to grant a variance to Section 6.5 of the Subdivision Regulations and release the active building permit holds for Autumn Glen Manor Homes, Section 1; Fawn Crossing, Phase 1, Section 1; Hamilton Church Subdivision; Hamilton View, Phase 2 (formerly Hamilton Church Road Sub); Warren Place; Woods of West Meade (formerly Saussy Place).

- Approve with conditions including that Metro has collected the security, verified the collected security is sufficient to complete the infrastructure in each subdivision, and Water Services and Public Works have verified their intent to proceed with completion of said infrastructure.

Mr. Clifton moved and Mr. Ponder seconded the motion, which passed unanimously, to adopt the Consent Agenda as presented. (9-0-1)

VII. PUBLIC HEARING: PREVIOUSLY DEFERRED ITEMS

- 1. **2007S-209G-12**
Brentwood Knoll (Rescind Recorded Plat)
Map: 172-15-0-C Parcels: 001- 012
Map: 172-15-0-C Parcels: 013, 014, 015, 900, 901
Southeast Community Plan
Council District 31 – Parker Toler
Staff Reviewer: Carrie Logan

A request to rescind final plat approval for Brentwood Knoll, containing 15 lots and open space located along Brentwood Knoll Court and Bryce Road (5.09 acres), zoned RS10 and AR2a, requested by the Planning Department on behalf of Councilmember Parker Toler; Mark Sarmadi and Dean Baxter, owners.

Staff Recommendation: Approve

The Metropolitan Planning Commission DEFERRED Subdivision 2007S-209G-12 to the May 13, 2010, meeting at the request of the applicant. (10-0)

2. **2010Z-006TX-001**
Historic Bed and Breakfast Homestay
Staff Reviewer: Jennifer Regen

A council bill to amend the Metro Zoning Code, Chapters 17.04, 17.08, 17.16, 17.36, and 17.40 to delete Historic Bed and Breakfast Homestay (HB) as an historic overlay district and add it as use permitted by right (P) or as a Special Exception (SE) use in various zoning districts, sponsored by Councilmembers Kristine LaLonde, Mike Jameson, and Vivian Wilhoite.

Staff Recommendation: Approve with amendments

APPLICANT REQUEST - Delete Historic B&B Overlay District and allow Historic B&B's as a special exception (SE) or permitted (P) use in certain zoning districts.

Text Amendment A council bill to amend the Metro Zoning Code, Chapters 17.04, 17.08, 17.16, 17.36, and 17.40 to delete Historic Bed and Breakfast Homestay (HB) as an historic overlay district and add it as a use permitted by right (P) or as a Special Exception (SE) use in various zoning districts.

CRITICAL PLANNING GOALS N/A

PURPOSE The proposed bill would make it easier to open up a historic B&B by reducing the approval time from three or four months to two months. The time is reduced by having Metro Council approve the location by resolution. At this time, an ordinance must be adopted for a historic B&B to operate.

ANALYSIS

Existing Law Historic B&B homestay is allowed in an overlay district approved by Metro Council.

Proposed Bill The proposed bill would allow a historic B&B via a special exception (SE) permit in agricultural, residential, and various office, and commercial districts. Prior to consideration by the Board of Zoning Appeals, the SE use would first be approved as to its location by the Metro Council via a resolution. In certain commercial and mixed-use zoning districts, a historic B&B would be permitted by right (P) in zoning districts that allow a hotel/motel use today. No pre-approval by Council would be required for those B&B's permitted by right.

History On August 19, 2005, the Metro Council adopted BL2005-701 creating a historic bed & breakfast overlay. The overlay made it more difficult for a property to qualify for a historic B&B. Previously, only the structure needed to be determined by the Metro Historic Zoning Commission to be a "historically significant structure", as then-defined in Section 17.040.060 of the Zoning Code. Borrowing heavily from the definition of a historic landmark district in Section 17.36.120.B of the Zoning Code, the historic B&B overlay district requires an evaluation of the structure's role in local, state, or national history, mastery of craftsmanship, or its listing or eligibility for listing on the National Register of Historic Places.

The Metro Planning Commission recommended disapproval of BL2005-701 on February 22, 2007, primarily because it created a precedent for establishing a singular land use by overlay district. The Zoning Code's premise is that land use should be established by the base zoning district.

Review/Approval There is one historic B&B overlay district that has been approved by the Metro Council. Prior to the overlay district's adoption in August 2005, there were eight historic B&B's approved. The proposed bill's review process is very similar as that prior to the overlay district's adoption, as set forth below:

- 1) The applicant applies to the Codes Department for a zoning permit to operate a historic B&B.
- 2) If the zoning district in which the historic B&B is proposed allows the B&B use without a special exception, the Codes Department typically issues a permit to the applicant within one week, after all reviewing agencies approve the zoning

permit. This review includes the Metro Historic Zoning Commission. Total time: 1 week.

- 3) If the location of the historic B&B is allowed subject to a special exception, then the application is referred to the BZA, a process that can take up to four weeks, as described below:
 - Zoning Administrator notifies Metro Council of a pending historic B&B application immediately after receiving it;
 - Metro Council has 60 days to approve the specific location of the historic B&B by Council resolution from notification date;
 - If Metro Council fails to act by resolution on the proposed B&B's location within 60 days from the notification date, the BZA can proceed with consideration of the SE request, including Planning and Historic Commission recommendations.
 - If Metro Council *disapproves* the location, the BZA *does not* consider the request and the historic B&B is not allowed.

Enhancements The proposed bill enhances historic B&B's through the following modifications by allowing transfer of the B&B to a subsequent owner subject to Codes Department review and approval (does not necessitate BZA approval), larger sign with external illumination (helps guests find the house), shared parking (reduce on and off-street parking), applicant attendance at community meeting (informal presentation for neighbors to meet applicant and ask questions), prohibiting historic home events without separate SE approval from the BZA (regardless of whether inside or outside the home).

Substitute Bill A substitute bill is proposed to address some community concerns and housekeeping items. Most notably, the substitute bill reduces the number of B&B guest rooms from four to three for consistency with state law as well as the Metro fire and building codes. In addition, the bill establishes a "spacing" requirement for B&Bs. The spacing requirement is similar to the Zoning's Code's day care spacing requirements. No more than two B&Bs would be allowed within 500 hundred feet on the same street block face or an opposing street block face. The measurement would be in a direct line from property line to property line.

Staff and the sponsor have agreed to several other bill amendments. The amendments clarify text regarding Zoning Administrator notification to the Metro Council of a pending application for a historic B&B, Council action by resolution, BZA consideration of a disapproved historic B&B by Council resolution, sign placement, sign size (decreased from six to two square feet), sign review by the Historic Zoning Commission, and permitting historic B&B's to operate as a use by right (P) only where a hotel/motel use is allowed today.

Metro Historical Commission The staff of the Metro Historical Commission recommends approval of the substitute bill.

STAFF RECOMMENDATION Staff recommends approval of the proposed substitute bill incorporating the proposed amendments. These amendments address the concerns expressed by both neighbors and operators of historic home events.

Recommended amendments are underlined

SUBSTITUTE ORDINANCE NO. BL2010-636

An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of The Metropolitan Government of Nashville and Davidson County, to add the land use "Historic Bed and Breakfast Homestay" as a special exception (SE) and a use permitted by right (P) rather than a classification of the historic overlay districts, all of which is more particularly described herein (Proposal No. 2010Z-006TX-001).

WHEREAS, Ordinance BL2009-432 was adopted on second reading on July 7, 2009, and deferred indefinitely by the sponsor on July 19, 2009 in order to receive more community input on the proposed zoning changes;

WHEREAS, Ordinance No BL2005-701 amended the Metropolitan Code of Laws, Zoning Regulations, by adding Historic Bed and Breakfast Homestay as a historic overlay district;

WHEREAS, prior to the enactment of Ordinance No. BL2005-701 on August 19, 2005, a Historic Bed and Breakfast Homestay had been a special exception (SE) use or a use permitted by right (P) in certain zoning districts;

WHEREAS, under the prior special exception provisions, the Zoning Administrator notified the Metro Council of a pending Historic Bed and Breakfast Homestay application, and the Metro Council had 60 days from said notification to approve the specific location by Council resolution; and,

WHEREAS, under the prior special exception provisions, if the Metro Council failed to act within 60 days of the Zoning Administrator's notification, the Board of Zoning Appeals could proceed with its consideration of the application; and,

WHEREAS, it is fitting and proper to make Historic Bed and Breakfast Homestay a use permitted by right in certain districts, and a special exception use subject to Metro Council approval of the specific location and Board of Zoning Appeals review and consideration.

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

Section 1. That Section 17.08.030 (Zoning Land Use Table) of the Metropolitan Code is hereby amended as follows:

1. By deleting "O" (Overlay) for "Historic Bed and Breakfast Homestay" in all zoning districts where it appears in the table.
2. By inserting "Historic Bed and Breakfast Homestay" as a special exception (SE) use in the AG, AR2a, all RS, all R, all RM, ON, OL, OR20, OR40, MUN, CN, SCN, and SCC districts.
3. By inserting "Historic Bed and Breakfast Homestay" as a permitted use (P) in the MUL, MUG, MUI, OG, ORI, CL, CS, CA, CF, DTC, and SCR districts.

Section 2. That Section 17.16.160 (Residential Special Exception Uses) of the Metropolitan Code is hereby amended by inserting as subsection "A", Historic Bed and Breakfast Homestay and relettering subsections A and B accordingly.

A. Historic Bed and Breakfast Homestay.

1. Historic Eligibility. In order for a historic bed and breakfast homestay to operate, it must first be approved as an historic structure by the metropolitan historic zoning commission. A historic bed and breakfast homestay shall contain at least one historically significant structure as defined by Section 17.04.060.
2. Historic Zoning Commission Review. The application with site and architectural plans shall first be referred to and reviewed by the metropolitan historic zoning commission to determine the structure's historic eligibility as a historic bed and breakfast homestay. The commission shall furnish the board of zoning appeals with written recommendations on the eligibility of structures for such use based on historical significance, as defined in Section 17.04.060.
3. Design Review. If the proposed structure is deemed eligible, all exterior work proposed now or in the future shall be subject to design review guidelines adopted by the metropolitan historic zoning commission for determining the architectural compatibility and historical significance of such work. If the metropolitan historic zoning commission determines, pursuant to Chapter 17.40, Article IX, that the proposed bed and breakfast structure qualifies for historic preservation or landmark designation, the applicable design review guidelines shall apply. The metropolitan historic zoning commission's approval of work shall be granted in writing as a condition for issuance of a zoning permit.
4. Owner-Occupied. The owner of the property must reside permanently in the historic home. Where there is more than one owner of the home, or where an estate, corporation, limited partnership or similar entity is the owner, a person with controlling interest, or possessing the largest number of outstanding shares owned by any single individual or corporation, shall reside permanently in the historic home. If two or more persons own equal shares that represent the largest ownership, at least one of the persons shall reside permanently in the historic home.
5. Bulk Standards. The bulk regulations of the district for a residence shall apply. Overnight guest rooms may be located within historically significant accessory structures.
6. Spacing. No more than two (2) historic bed and breakfast homestays may locate on the same street block face or on an opposing street block face, or every 500 hundred feet, whichever results in fewer homestays. All distance measurements shall be taken in a direct line from property line to property line and including any public right-of-way.

7. Parking. One and only one off-street parking space shall be provided for each guest room. In the event the required off-street parking cannot be provided on-site, the owner may provide a shared parking agreement with a non-residential use to fulfill up to 50% of the required number of spaces. The commission shall advise on the appropriate location and potential adverse impacts caused by the off-site and off-street parking of vehicles, and may recommend fencing, screening and landscaping to buffer and protect surrounding residential properties.

8. Signage. One sign measuring no more than two feet by two feet shall be permitted for advertising the historic bed and breakfast homestay, regardless of how many street frontages or lots comprise the homestay. The sign may be externally illuminated by a porch light, mounted on the house, mounted on a permanent structure attached to the house such as a porch or wall, or mounted on a pillar. Signage should not damage nor obscure architectural details or character defining features, including windows, window hoods, transoms, columns and cornices. Awnings with letters/ graphics are not allowed. No other means of external illumination shall be permitted. The sign may advertise the name of the bed and breakfast only.

9. Notification. Prior to conducting a special exception hearing before the board of zoning appeals, and immediately after receiving an application for a historic bed and breakfast homestay, the zoning administrator, shall notify the district councilmember that an application for such use has been submitted as provided in Sections 17.40.280 and 17.40.290. Within thirty days from the date on which the application was filed, the district councilmember may hold a community meeting on the proposed homestay. If a meeting is held, the applicant shall attend and provide information about the homestay, including parking, lighting, hours of operation, signage, and any proposed changes to the exterior façade of the historic home.

10. Transfer Upon Sale of Home. A property owner may transfer the historic bed and breakfast homestay use to a subsequent property owner. If the subsequent property owner desires to continue the historic bed and breakfast homestay, the subsequent property owner shall obtain zoning and sign permit approvals from the metropolitan department of codes administration. A failure to obtain such approvals within thirty (30) calendar days of the property transfer shall make the historic bed and breakfast homestay use illegal. If the subsequent property owner desires to operate a historic bed and breakfast homestay, and the thirty (30) calendar days has elapsed since the property transfer occurred, a special exception (SE) application as provided in this Title shall be submitted for review and approval by the Board of Zoning Appeals.

11. Guest Register. The owner shall maintain and make available to the zoning administrator a guest register for each calendar year.

12. Meal Service shall be restricted to overnight guests only; no cooking facilities shall be permitted in any guest room. In addition, no historic home event shall occur in the home or on the property, whether inside or outside, without separate approval from the Board of Zoning Appeals for a “Historic Home Event”.

13. The metropolitan fire marshal shall approve the structure for safety.

Section 3. That Section 17.36.110.D (Historic Overlay Districts Established: Historic Bed and Breakfast Homestay) of the Metropolitan Code is hereby deleted in its entirety.

Section 4. That Section 17.36.120.C (Historic Districts Defined: Historic Bed and Breakfast Homestay) of the Metropolitan Code is hereby deleted in its entirety.

Section 5. That Section 17.40.280 (Special Exception Uses: Authority) of the Metropolitan Code is hereby amended by deleting the existing text and inserting the following in its place:

The metropolitan board of zoning appeals shall hear and decide requests for special exceptions in accordance with the provisions of this zoning code. Special exceptions shall be regulated in a manner consistent with Section 13-7-206, Tennessee Code Annotated. Prior to a public hearing by the Board of Zoning Appeals on any of the following land uses listed below, the Metropolitan Council shall first adopt a resolution approving the specific location of the following:

1. **Historic Bed & Breakfast Homestay:** In the event the Metro Council disapproves by resolution the specific location of a historic bed and breakfast homestay, the application shall not proceed to the Board of Zoning Appeals and no reapplication shall be accepted by the Zoning Administrator for a period of one year following the Council’s resolution.

2. **Airport Runway, Asphalt Plant, Hazardous Operation, Sanitary Landfill, Waste Transfer Facility, Wastewater Treatment Facility:** In the event sixty days have elapsed from the date on which the zoning administrator notified the metropolitan council and the district councilmember that an application has been filed, and no council action has been taken to approve or disapprove the specific location by resolution, the requirement for council approval shall be waived and the board of zoning appeals may proceed to consider the application.

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

Ms. Regen presented the staff recommendation of approval with amendments.

Mr. Clifton inquired about the change in historic character between current and proposed policy changes; Ms. Regen clarified.

Councilmember LaLonde spoke in favor of staff recommendation of approval with amendments due to creating greater clarity.

Ms. LeQuire inquired about the future consistency of Bed & Breakfast purchases.

Mr. Bernhardt stated that one possibility could be that once council approved it, the new owners could be required to file a notice in the deeds office that states that any transfer in ownership requires a 30 day notification.

Councilmember Gotto inquired as to why this requirement is even being discussed. Asked why we need them to notify a change of ownership for a Bed & Breakfast as it is essentially a hotel and it isn't required for a hotel/motel.

Mr. Clifton responded because these are in straight residential neighborhoods.

Ms. Regen clarified that the current owners of the Bed & Breakfasts asked for this amendment.

Mr. Dalton stated that he supports the zone change, but does share in the same concerns as Ms. LeQuire. He indicated he would want to insure new owners have some way to have notice as to proper procedure if they want to continue on as a Bed & Breakfast.

Ms. Jones is supportive of this but has concerns about the requirement and not being notified down the road.

Mr. Ponder asked if there is any value to some kind of procedure at the point of the deed change.

Mr. Clifton feels that this is an approvable bill and stated that he is willing to let Council deal with specific issues that have been raised.

Mr. Gee inquired about on-street parking counting toward their parking requirement.

Councilmember Gotto indicated that this text amendment is a good change and that it simplifies the process. He stated that he still has concerns about the requirement of being notified upon change of ownership and does not feel that there is any real way that future buyers will have knowledge of this requirement.

Councilmember Gotto inquired as to whether or not a Bed & Breakfast is required to have a Business License.

Mr. Clifton and Mr. Gee further discussed on-street parking.

Mr. Gee inquired about the current requirements for three bedroom Bed and Breakfasts. Ms. Regen clarified.

Mr. Clifton stated that he would not be in favor of amending this for parking.

Dr. Cummings moved and Mr. Ponder seconded, which was approved unanimously, to approve staff recommendation with amendments and ask Council to debate other issues with help from the Planning Staff. (10-0)

Resolution No. RS2010-47

“BE IT RESOLVED by The Metropolitan Planning Commission that 2010Z-006TX-001 is **APPROVED WITH AMENDMENT and direct staff to provide information to the Council on trigger mechanisms for transfer of B&B ownership. (10-0)**”

3. 2010UD-001-001

Fawn Crossing
Map: 150-14-0-C Parcels: 001 - 030
Map: 164-00 Parcels: part of 193, 196
Antioch/Priest Lake Community Plan
Council District 33 – Robert Duvall
Staff Reviewer: Greg Johnson

A request to make applicable the provisions of an Urban Design Overlay (UDO) district to be known as the "Fawn Crossing UDO" to properties located at 6052 Mt. View Road and Hamilton Church Road (unnumbered) and for properties located along Shady Tree Lane and Apple Orchard Trail, zoned RS10 and RM9 (76.9 acres), to apply building design standards to all residential lots within the proposed and already-developed sections of the Fawn Crossing Subdivision, requested by Councilmember Robert Duvall, and various property owners.

Staff Recommendation: Withdraw

The Metropolitan Planning Commission WITHDREW UDO 2010UD-001-001 at the request of the applicant. (10-0)

VIII. PUBLIC HEARING: COMMUNITY PLANS

4. 2010CP-007-001

Special Policy Area (Office Transition)
Map: 103-08 Parcels: 072, 272
West Nashville Community Plan
Council District 24 – Jason Holleman
Staff Reviewer: Cynthia Wood

A request to amend the West Nashville Community Plan: 2009 Update by adding Special Policy language regarding transitional offices on 4414 and 4424 Westlawn Drive to the text for Area 07-T4-NM-03.

Staff Recommendation: Approve

APPLICANT REQUEST - Amend the Community Character Policy for two properties located at 4414 and 4424 Westlawn Drive (Map 103-08, Parcels 072, 0.18 acres, and 272, 0.66 acres; approximately 0.84 acres total).

Amend the Community Plan A request to amend the *West Nashville Community Plan: 2009 Update* by adding Special Policy language regarding transitional uses on 4414 and 4424 Westlawn Drive to the text for Area 07-T4-NM-03.

One of the properties (parcel 272 at 4424 Westlawn Drive, about 0.66 acres) included in this proposal was added by Metro Planning staff because it did not appear logical to staff to leave a small area wedged between the proposed office transition special policy area requested by the applicant and the existing T4 Urban Neighborhood Center policy to the north of this area.

CRITICAL PLANNING GOALS The proposed Special Policy language added to the T4 Urban Neighborhood Maintenance policy is intended to meet the critical planning goal of creating walkable neighborhoods. It meets this goal by:

- Focusing development in nodes and centers
- Mixing uses by adding to the mix of uses in an area that complements the existing uses
- Creating a destination that can be walked to from nearby residential/office uses
- Creating an environment that allows someone to drive to a destination, but once there, to park and meet all needs on foot

- Retaining the existing block structure
- Minimizing vehicular access points
- Minimizing the prominence of parking facilities

Although this area currently lacks sidewalks, it ranks very high on the Pedestrian Generator Index and is anticipated to receive sidewalks in the next several years.

West Nashville Community Plan Goal: Create appropriate transitions between high-intensity centers and surrounding neighborhoods.

The proposal offers a means of providing a transition between the small, but intense T4 Urban Neighborhood Center located along Murphy Road and 46th Avenue North and the adjacent T4 Urban Neighborhood Maintenance Area to the south. This transition would be accomplished by permitting low-intensity, small-footprint, non-residential uses with limited and thoughtfully located parking. Both the form and operational characteristics of the proposed transition area would be designed to recognize the locational challenges faced by the properties in question. The transition would also signal a shift from a retail commercial environment to a residential environment through design and operational elements that are specified below in the proposed policy.

WEST NASHVILLE COMMUNITY PLAN

Existing Policy

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.

Proposed Policy Below is the proposed text of the Special Policy:

Add Special Policy Language: *There are two parcels (10308027200 and 10308007200) located at 4424 and 4414 Westlawn Drive that, although zoned RS7.5, are currently used for a greenhouse/nursery business (#4424) and a residential use (#4414).*

The greenhouse/nursery business is a nonconforming use that has been in operation for many years. As such, this established and small neighborhood business may continue its operation on parcel 10308027200 only and may seek Specific Plan zoning to legitimize its operations and provide improved buffering at its interfaces with properties to the rear and with parcel 10308007200. The site should continue to be limited to one access point.

Parcel 10308027200 may be considered for parking use subject to generous buffering at its interfaces with properties to the rear and with parcel 10308007200. Specific Plan zoning would be needed to properly accomplish these aims. This use may be appropriate for this parcel because of the parcel's location where it can serve the parking needs of the adjacent neighborhood commercial area and also because an appropriately-designed and buffered parking lot can serve as a transition to the south. In no case, should either of the properties be used for expansion of the commercial node found at the intersection of 46th Ave. N. and Murphy Rd.

The use of parcels 10308027200 and 10308007200 for small offices and/or residential use at densities higher than that permitted by RS7.5 zoning may also be considered on its merits subject to the following design principles:

Access – *Access is limited to a maximum of one point per property with shared access used wherever feasible to avoid multiple curb cuts and pedestrian and vehicular conflict points. Access into developments is aligned, where applicable, with access for development across the street. Cross access between multiple developments is required. Coordinated access and circulation create a transitional area that functions as a whole instead of as separate building sites. Access is designed to be easily crossed by pedestrians.*

Building Form (Mass, Orientation, Placement) – *The building form is in character with the existing development pattern of the surrounding urban neighborhood in terms of its mass, orientation and placement. The massing of buildings results in a building footprint with moderate lot coverage to allow for adequate on-site parking and buffering in the form of landscaping and fencing.*

Buildings are oriented to Westlawn Drive. Street setbacks for #4424 Westlawn are shallow to moderate, reflecting its closer proximity to the commercial development fronting on Murphy Road and 46th Avenue North. Street setbacks for #4414 Westlawn are more moderate and are consistent with the established residential setbacks to the south to aid in firmly establishing the transition from the Neighborhood Center on Murphy Road and 46th Avenue North and the residential development further south on Westlawn Drive and Sloan Road. Within these setbacks, stoops and porches are common to provide for some interaction between the public and private realm and to create a pedestrian friendly environment.

Because these properties form a transition between a Neighborhood Center and the remainder of the Neighborhood Maintenance area, spacing between buildings reflects the residential spacing found to the south and east along Westlawn Drive.

Buildings on #4424 Westlawn Drive may be 1 to 3 stories in height, in keeping with the heights allowed for housing in the neighborhood. If used for offices, the house on #4414 Westlawn Drive should be retained on the site with any additions resulting in a building containing less than 2,000 square feet. The reason for this is to maintain a micro-business environment with low-impact on-site parking and appropriate buffering. If used for housing, buildings may be 1 to 3 stories in height.

Density/Intensity – Residential use of these sites is consistent with the default T4 Urban Neighborhood Maintenance density range of 4 and 20 dwelling units per acre subject to the provision of adequate and sensitively placed, on-site parking.

With reference to intensity, nonresidential use of these properties is very limited in terms of the appropriate range of activities and degree of intensity because this is an area of development transition between higher and lower intensity areas. The limited mass of buildings as described above is one factor controlling this intensity. Intensity is further controlled by the provision of on-site parking adequate to fully meet the needs of any uses placed on the properties. Building coverage is moderate and the overall amount of impervious surface is more comparable to a residential than to a commercial development environment.

Landscaping –Landscaping on these properties is used in part to aid in defining the development transition through buffering.

Parking – Unless developed as a generously landscaped and buffered parking lot, parking for any buildings on #4424 is located behind or beside buildings and is screened from view. Because of the limitations presented by the street setback of the existing building, and the desire for the building form to present a transition to residential to the south, parking for #4414 is located behind the building.

Signage – Signage alerts motorists, pedestrians and cyclists to their location and assists them in finding their destination in a manner that complements and contributes to the envisioned residential character of the neighborhood. Signage is scaled for pedestrians and slow-moving vehicles, is smaller than that found in the adjacent T4 Urban Neighborhood Center area, and is in keeping with residential property name and address signage.

COMMUNITY PARTICIPATION A community meeting was held on March 23, 2010. Notification was mailed to property owners in and within one-quarter mile of the proposed amendment area, and it was posted on the Planning Department website. Information related to the proposal was posted on the website. About 30 persons attended the community meeting. Attendees asked questions or made comments; opinions were diverse. Staff received six comment forms following the community meeting—one in support and five opposed to the change. Notification of the Planning Commission Public Hearing was mailed to recipients of the earlier notice, plus those who provided mailing and/or email addresses at or after the community meeting. Finally, an ad giving notice of the Public Hearing was published in the *Tennessean* and two community newspapers.

ANALYSIS With reference to #4414 Westlawn, this is an existing 1930s house that the applicant wishes to purchase and use for offices, retaining the house with limited additions, primarily to the rear. This enables an existing residential structure to be retained, considered desirable in an older, established neighborhood that is currently experiencing rapid change through teardowns of existing homes and their replacement with much larger structures.

The re-use of this structure for an office also enables a transition to be established between an intense commercial area located at the intersection of two busy streets to the north and adjacent residential development to the south. Further, it introduces a use that is complementary to both the Neighborhood Center and Neighborhood Maintenance areas in terms of its form and function. It provides a neighborhood workplace that is midway between a traditional employment area and a home occupation and is thus best located at the edge of the commercial heart of the neighborhood.

The proposed Special Policy to establish a transition area would also enable staff to accomplish a housekeeping amendment. The nonconforming status of the greenhouse/nursery was overlooked during the recent plan update and therefore no Special Policy language was developed to address its future as had been done for the other nonconforming uses in the West Nashville Community. This application provides an opportunity to address this oversight, which is only applicable to #4424 Westlawn.

One final issue for the Commission to consider with regard to this application is the concern that the addition of a “transition” area will encourage property owners to the *south* of the transition to also seek to become part of the transition area and add office uses.

Concern about expansion of the transition area was raised by some attendees at the community meeting held for this plan amendment. Other attendees noted that each proposal for a transitional use should be considered separately on its merits.

In this location, there is no strong feature such as an alley, creek, or change in building orientation that provides a break between #4414 Westlawn and the residential development to the south (#4410 Westlawn). The strongest feature that exists is a tree line between #4414 and the adjacent house at #4410. Likewise, while the development across the street can sometimes provide a “cue” as to transition, that is not the case here. The multifamily residential development character across the street on Westlawn Drive is the same for #4424 and #4414 Westlawn as it is for the houses to the south as far as the entrance to McCabe Golf Course.

Planning Department staff is aware of the concern that the transition area may expand to the south. This does not diminish staff’s recommendation that the transition proposed by this application be created. Staff does recommend, however, that the Commissioners consider the concern about future expansion of the transition when addressing the two properties in the application before the Commission.

The following goal from the West Nashville Community Plan is also relevant and needs to be balanced with future equity concerns:

- Preserve the character of established neighborhoods, and strengthen transition areas between established neighborhoods and more intensely developed areas, such as centers and corridors, within the West Nashville Community.

The area of transition, whatever its ultimate extent, is made stronger by maintaining the character, scale, and function of the residential environment to the south.

According to the Community Character Manual, T4 Urban Neighborhood Centers are “...*compatible with the general character of urban neighborhoods as characterized by the service area, development pattern, building form, land use, and associated public realm.*” Any transition established between a Neighborhood Center and a Neighborhood Maintenance area needs to be held to these same standards for compatibility. Any future transition to the south should become increasingly residential in form and function the further from the center that it is found.

STAFF RECOMMENDATION Staff recommends approval.

Ms. Wood presented the staff recommendation of approval.

Daniel Barton, applicant, spoke in favor of staff recommendation of approval and clarified his intentions for the property.

Pete Wooten, president of Cherokee Crossing Assoc., spoke in favor of staff recommendation of approval.

David Hefley, 4303 Murphy Road, spoke in favor of staff recommendation of approval.

Matthew Robison, 221 Lauderdale Rd, spoke in favor of staff recommendation of approval.

Josh Hobbie, 92 44th Avenue N., spoke in favor of staff recommendation of approval.

Danny Rosen, 131 Gilman Avenue, spoke in favor of staff recommendation of approval.

Bernard Pickney, 4604 Dakota Avenue, spoke against staff recommendation, indicating that he feels there is no reason for this

change.

Wendall Goodman, President of Historic Sylvan Park, Inc., spoke against staff recommendation, stating that he is concerned about setting a bad precedent.

John Summers, 5000 Wyoming Avenue, spoke against staff recommendation and stated that there will be dozens of requests to amend this plan if this request is approved.

Cheryl Pickney, 4604 Dakota Avenue, spoke against staff recommendation. She stated that at the last Sylvan Park Neighborhood Association monthly meeting that all members voted unanimously against this amendment. She stated that the neighborhood does not want to lose residential housing to office space and is concerned that it sets a bad precedent. Mrs. Pickney also stated that this is not a unique property.

Mr. Ponder spoke in favor of staff recommendation.

Mr. Clifton stated that he understands staff recommendation, but does not remember going back and amending a plan that did not have broad support from all parts of the neighborhood within one year of adopting the plan. He felt that this would set a bad precedent of going lot by lot to amend plans, and is not in support of staff recommendation.

Dr. Cummings inquired as to why this property was not considered during the initial West Nashville planning process and stated that her only concern would be amending the plan within the first year.

Mr. Tyler inquired if applicant was living in the home, would he be allowed to have his business there?

Mr. Bernhardt stated no.

Mr. Gee is undecided, but does think there are unique conditions about this site: the street that it is on, and the uses across the street. Mr. Gee also stated that he is curious as to how the staff would feel about this policy expanding down to the next three or four parcels.

Mr. Bernhardt stated that some domino effect could be expected. He also clarified the request of the applicant.

Councilmember Gotto stated that he is impressed by the applicant's thoroughness in the approval process. He also stated that he thinks this would be a good compromise and he will support the staff recommendation. He reminded the commission that any future requests will still have to come before the commission.

Dr. Cummings wanted to note that, through further discussion, she has decided that this small business would be a good transition.

Councilmember Gotto moved and Mr. Ponder seconded the motion, to approve the staff recommendation of approval. (8-2)
Yes – McLean, Ponder, Cummings, Jones, Gee, Tyler, LeQuire, Gotto; No – Clifton, Dalton.

Resolution No. RS2010-48

“BE IT RESOLVED by The Metropolitan Planning Commission that 2010CP-007-001 is **APPROVED. (8-2)**”

IX. PUBLIC HEARING: ZONING MAP AMENDMENTS, SPs, AND TEXT AMENDMENTS

- 5. 2009SP-031-001**
Silver Spring Valley
Map: 187-00 Parcels: 010, 038, 166
Southeast Community Plan
Council District 31 – Parker Toler
Staff Reviewer: Jason Swaggart

A request to change from AR2a to SP-R zoning for properties located at 6887 and 6891 Burkitt Road and at Kidd Road (unnumbered), approximately 6,250 feet east of Nolensville Pike (91.67 acres), to permit 362 single-family lots, requested by Anderson, Delk, Epps & Associates, applicant, for Y & H Tennessee Partnership G.P. and Rachel and Amy Yazdian, owners.
Staff Recommendation: Approve with conditions

APPLICANT REQUEST - Preliminary SP- Rezone to permit 362 single-family residential lots.

A request to change from Agricultural/Residential (AR2a) to Specific Plan – Residential (SP-R) zoning for properties located at 6887 and 6891 Burkitt Road and at Kidd Road (unnumbered), approximately 6,250 feet east of Nolensville Pike (91.67 acres), to permit 362 single-family lots.

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.
Approximately 45 lots would be permitted under AR2a.

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 several variations on the single family residential building type.

CRITICAL PLANNING GOALS

Preserves/Creates Open Space

Creates Walkable Neighborhoods

As proposed, the plan provides passive and active open space. The passive areas protect some environmental features such as the stream near the county line, and provide space for stormwater detention. A large portion of the open space is classified as active and will provide residents with opportunities for gathering and outdoor recreation.

The proposed plan provides for future connectivity to surrounding properties, which will provide for a better street network when development occurs in the area. Internal street connectivity is moderate, and will permit sufficient vehicular dispersal within the development. Sidewalks are proposed along all streets and with additional mid-block sidewalk connections, pedestrians should be able to sufficiently and safely navigate throughout the development.

SOUTHEAST COMMUNITY PLAN

Suburban Neighborhood Evolving(T3-NE) “T3 NE” policy is intended to create suburban neighborhoods that are compatible with the general character of classic suburban neighborhoods as characterized by their building form, land use and associated public realm, with opportunities for housing choice and improved pedestrian, bicycle and vehicular connectivity. The resulting development pattern will have higher densities than classic suburban neighborhoods and/or smaller lot sizes, with a broader range of housing types providing housing choice. This reflects the scarcity of easily developable land (without sensitive environmental features) and the cost of developing housing - challenges that were not faced when the original classic suburban neighborhoods were built.

Consistent with Policy? Yes, the proposed SP district is consistent with the area’s T3-NE policy. While the plan consists of only single-family lots, it offers two different housing options as well as two estate lots. The new lots along Burkitt Road are in keeping with existing lots along Burkitt and help maintain the rural character. The layout provides good street and pedestrian connectivity, and open space is provided throughout the site.

PLAN DETAILS

History This plan is associated with a previously approved plan amendment to the Southeast Community Plan. On February 25, 2010, the Planning Commission approved a policy amendment for this site and other adjacent property from Rural to Suburban Neighborhood Evolving (T3-NE). This SP application was deferred to the April 22, 2010, Planning Commission meeting so that the applicant would have time to work with staff on design issues.

Current Site Conditions The three properties proposed for rezoning are located on the south side of Burkitt Road just east of Nolensville Pike, which is in southeast Davidson County near the county line with Williamson County. The properties are

mostly vacant with the exception of a few structures located close to Burkitt Road. The land is primarily open field with some wooded areas. It contains rolling hills with a few steep slopes. A stream runs along sections of the western property line and through a portion of the property closer to Williamson County.

Site Plan The plan calls for 362 single-family lots with an overall density of approximately four units per acre. There are 153 front loaded lots (42%) and 209 alley loaded lots (58%). Lot types include cottage, house and estate with the cottage being the smallest and the estate being the largest in size. There are only two estate lots which are located along Burkitt Road. The cottage lots are all alley loaded, and the house and estate lots are all front loaded. A majority of the lots front on public streets, but some of the cottage lots front onto open space, with vehicular access to lots at the rear by an alley.

Access and Sidewalks The development's main entrance in Davidson County is from Burkitt Road. The plan provides for future connectivity to adjacent properties to the south, east and west. Phase One is located at the opposite end of the site from Burkitt Road, and access will be from Williamson County. The property in Williamson County is not currently developed, and access to Phase One will be dependent on the development of the adjacent site, as well as the Burkitt Place Development which is in Williamson and Davidson County. If the adjacent areas are not developed, then the phasing plan will have to be revised. Sidewalks are shown along all streets.

Open Space Approximately 22 acres (25%) of the site is proposed for open space. Approximately 14 (63%) of these acres are designed to be usable space for residents with the remaining acres in landscape easements, stream buffers and detention areas.

STORMWATER RECOMMENDATION Preliminary SP approved

PUBLIC WORKS RECOMMENDATION

1. The sight distance at Burkitt Rd and the project access must be improved prior to any construction permits being issued.
2. Proposed roundabouts shall have a center radius of 35' or greater.
3. Road C at roundabout with Road A appears to have inadequate sight distance and may require significant grading.
4. Alleys shall have concrete ribbon curb.
5. Canopy street trees will not be allowed in the public right-of-way, understory trees are acceptable.
6. Evergreen street trees must not be planted in close proximity to an intersection in such a way as to interfere with adequate sight distance.
7. All lots must have public street frontage, or the alley frontage must be 24' in width. Specifically the entire alley system between roads C, A, G., H, and F. The alley from lot 147 to lot 159 and the connection to road F.
8. Stub street Road K south of Middlewick Lane should be removed or constructed to the property line.
9. The phasing plan shown is unacceptable and requires major revision.
10. Construction traffic shall enter through Burkitt Rd and not be routed through the adjacent development.
11. The building setback must be revised to provide a minimum distance of 5' or a minimum distance of 20' or greater to prevent parked vehicles from overlapping the sidewalk system.

Traffic

1. Developer shall construct an eastbound right turn deceleration lane on Burkitt Road at the project access with 100 ft of storage and transitions per AASHTO standards.
2. Developer shall construct a westbound left turn lane on Burkitt Road at the project access with 100 ft of storage and transitions per AASHTO/MUTCD standards.
3. Construct the project access road at Burkitt Road with one entering and two exiting lanes (LT and RT) each with a minimum

100 ft of storage and transitions per AASHTO/MUTCD standards.

4. As part of the development of construction plans, provide and document adequate sight distance from the project access at the intersection of Burkitt Road. Any required improvements on Burkitt Road shall be completed at the beginning of the project to address sight distance at the project access.

5. Developer shall conduct a signal warrant analysis at the intersection of Burkitt Road and the project access with the final platting of each phase (beginning with the platting of the 200th lot) or as directed by the Metro Traffic Engineer. The warrant analysis and traffic counts shall be submitted to the Metro Traffic Engineer for review and approval. The developer shall design and install a traffic signal when approved by the Traffic and Parking Commission.

6. To address traffic calming on Road 'A' within the development, geometric modifications will be required where Road 'A' intersects with Road 'C' and with Road 'G'. The developer's site engineer shall coordinate with the developer's traffic engineer to determine appropriate design strategies at each location.

7. Developer shall modify traffic signal at Nolensville Pike and Burkitt Road to include a westbound right turn overlap during the protected SB left turn phase.

8. Developer may be required to extend the existing southbound left turn lane on Nolensville Road at Burkitt Road to address queuing concerns at this intersection. Additional analysis of the intersection shall be provided to address this prior to approval of any construction plans.

9. In keeping with the Planning Department's IDA policy, other infrastructure improvements will be required by this development. The length of these improvements are to be as established by the Planning Department staff. The design is to be by the developer's engineer and approved by the Public Works Department.

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)	91.67	0.5 D	45 L	499	42	53

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
Single-Family Detached(210)	91.67	-	362 L	3500	272	352

Traffic changes between maximum: AR2a 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
-	-	-	+317 L	+3001	+230	+299

METRO SCHOOL BOARD REPORT

Projected student generation 57 Elementary 41 Middle 37 High

Schools Over/Under Capacity Students would attend Maxwell Elementary School, Marshal Middle School, and Cane Ridge High School. Maxwell and Marshall have been identified as over capacity. There is capacity within the cluster for middle school students, but there is no capacity within the cluster for additional elementary students. This information is based upon data from the school board last updated September 2009.

Fiscal Liability The fiscal liability of 58 new elementary students is \$1,160,000 (58 X \$20,000 per student). This is only for information purposes to show the potential impact of this proposal, it is not a staff condition of approval.

School Site Dedication Due to the potential impact of this development on the public school system, the applicant is required by Planning Commission policy to offer for dedication a school site in compliance with the standards of Section 17.16.040 for elementary schools with a capacity of 500 students.

This land dedication requirement is proportional to the development's student generation potential. Such site shall be in accordance with the site condition and location criteria of the Metropolitan Board of Education and shall be within the Cane Ridge High School cluster. The Board of Education may decline such dedication if it finds that a site is not needed or desired. No final plat for development of any residential uses on the site shall be approved until a school site has been dedicated to the Metro Board of Education or the Board has acted to relieve the applicant of this requirement. However, failure of the Board of Education to act prior to final plat consideration and approval by the Metropolitan Planning Commission in accordance with its schedule and requirements shall constitute a waiver of this requirement by the Board of Education.

STAFF RECOMMENDATION Staff recommends approval with conditions. As proposed the Specific Plan district is consistent with the T3-NE policy.

CONDITIONS

1. Uses in this SP district are limited to community facilities and 362 single-family lots.
2. Planning Commission approval shall include a variance from Section 3-4.2.b of the Subdivision Regulations which requires that residential lots have frontage directly on a public or private street for all lots fronting onto open space.
3. Understory trees are proposed within the planting strip along all streets. The final site plan shall show all utility locations, and ensure that utilities do not conflict with the final site location for trees.
4. Because access for Phase One is dependent on the development of adjacent projects, then the streets associated with those projects shall be completed prior to Phase One having final site plan approval, or the phasing plan shall be revised in order to accommodate access to the site.
5. Any required right-of-way within the project site that is identified as necessary to meet the adopted roadway plans shall be dedicated.
6. 2,658 feet of major roadways (or an equivalent transportation improvement) shall be improved by the applicant within the identified infrastructure deficiency area to a two-lane cross section at a level acceptable to the Department of Public Works. Such improvements shall be undertaken within available right-of-way and at a level commensurate with the development entitlements appropriate on the site. Improvements are to accommodate additional traffic volumes within the Infrastructure Deficiency Area. When appropriate improvements can not be physically made, then the applicant may make a financial contribution for future roadway improvements within the identified infrastructure deficiency area. The Department of Public Works shall determine the appropriate contribution based on the linear feet of roadway to be improved.
7. Due to the potential impact of this development on the public school system, the applicant is required by Planning Commission policy to offer for dedication a school site in compliance with the standards of Section 17.16.040 for elementary schools with a capacity of 500 students. This land dedication requirement is proportional to the development's student generation potential. Such site shall be in accordance with the site condition and location criteria of the Metropolitan Board of Education and shall be within the Cane Ridge High School cluster. The Board of Education may decline such dedication if it finds that a site is not needed or desired. No final plat for development of any residential uses on the site shall be approved until a school site has been dedicated to the Metro Board of Education or the Board has acted to relieve the applicant of this requirement. However, failure of the Board of Education to act prior to final plat consideration and approval by the Metropolitan Planning Commission in accordance with its schedule and requirements shall constitute a waiver of this requirement by the Board of Education.
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 RS3.75 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.
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.
11. The following note shall be added to the Plan: “This development shall meet the requirements of the Americans with Disabilities Act”, and shall be included in the corrected copy of the preliminary plan.
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.
13. The sight distance at Burkitt Rd and the project access must be improved prior to any construction permits being issued.
14. Proposed roundabouts shall have a center radius of 35’ or greater.
15. Road C at roundabout with Road A appears to have inadequate sight distance and may require significant grading.
16. Alleys shall have concrete ribbon curb.
17. Canopy street trees will not be allowed in the public right-of-way, understory trees are acceptable.
18. Evergreen street trees must not be planted in close proximity to an intersection in such a way as to interfere with adequate sight distance.
19. Stub street Road K south of Middlewick Lane should be removed or constructed to the property line.
20. The phasing plan shown is unacceptable and requires major revision.
21. Construction traffic shall enter through Burkitt Rd and not be routed through the adjacent development.
22. The building setback must be revised to provide a minimum distance of 5’ or a minimum distance of 20’ or greater to prevent parked vehicles from overlapping the sidewalk system.
23. Developer shall construct an eastbound right turn deceleration lane on Burkitt Road at the project access with 100 ft of storage and transitions per AASHTO standards.
24. Developer shall construct a westbound left turn lane on Burkitt Road at the project access with 100 ft of storage and transitions per AASHTO/MUTCD standards.
25. Construct the project access road at Burkitt Road with one entering and two exiting lanes (LT and RT) each with a minimum 100 ft of storage and transitions per AASHTO/MUTCD standards.

26. As part of the development of construction plans, provide and document adequate sight distance from the project access at the intersection of Burkitt Road. Any required improvements on Burkitt Road shall be completed at the beginning of the project to address sight distance at the project access.
27. Developer shall conduct a signal warrant analysis at the intersection of Burkitt Road and the project access with the final platting of each phase (beginning with the platting of the 200th lot) or as directed by the Metro Traffic Engineer. The warrant analysis and traffic counts shall be submitted to the Metro Traffic Engineer for review and approval. The developer shall design and install a traffic signal when approved by the Traffic and Parking Commission.
28. To address traffic calming on Road 'A' within the development, geometric modifications will be required where Road 'A' intersects with Road 'C' and with Road 'G'. The developer's site engineer shall coordinate with the developer's traffic engineer to determine appropriate design strategies at each location.
29. Developer shall modify traffic signal at Nolensville Pike and Burkitt Road to include a westbound right turn overlap during the protected SB left turn phase.
30. Developer may be required to extend the existing southbound left turn lane on Nolensville Road at Burkitt Road to address queuing concerns at this intersection. Additional analysis of the intersection shall be provided to address this prior to approval of any construction plans.

Approved with conditions, including the revised Public Works conditions. (10-0)

Resolution No. RS2010-49

"BE IT RESOLVED by The Metropolitan Planning Commission that 2009SP-031-001 is **APPROVED WITH CONDITIONS, including the following conditions with the revised Public Works conditions as follows (10-0):**

Conditions of Approval:

1. Uses in this SP district are limited to community facilities and 362 single-family lots.
2. Planning Commission approval shall include a variance from Section 3-4.2.b of the Subdivision Regulations which requires that residential lots have frontage directly on a public or private street for all lots fronting onto open space.
3. Understory trees are proposed within the planting strip along all streets. The final site plan shall show all utility locations, and ensure that utilities do not conflict with the final site location for trees.
4. Because access for Phase One is dependent on the development of adjacent projects, then the streets associated with those projects shall be completed prior to Phase One having final site plan approval, or the phasing plan shall be revised in order to accommodate access to the site.
5. Any required right-of-way within the project site that is identified as necessary to meet the adopted roadway plans shall be dedicated.
6. 2,658 feet of major roadways (or an equivalent transportation improvement) shall be improved by the applicant within the identified infrastructure deficiency area to a two-lane cross section at a level acceptable to the Department of Public Works. Such improvements shall be undertaken within available right-of-way and at a level commensurate with the development entitlements appropriate on the site. Improvements are to accommodate additional traffic volumes within the Infrastructure Deficiency Area. When appropriate improvements can not be physically made, then the applicant may make a financial contribution for future roadway improvements within the identified infrastructure deficiency area. The Department of Public Works shall determine the appropriate contribution based on the linear feet of roadway to be improved.
7. Due to the potential impact of this development on the public school system, the applicant is required by Planning Commission policy to offer for dedication a school site in compliance with the standards of Section 17.16.040 for elementary schools with a capacity of 500 students. This land dedication requirement is proportional to the

development's student generation potential. Such site shall be in accordance with the site condition and location criteria of the Metropolitan Board of Education and shall be within the Cane Ridge High School cluster. The Board of Education may decline such dedication if it finds that a site is not needed or desired. No final plat for development of any residential uses on the site shall be approved until a school site has been dedicated to the Metro Board of Education or the Board has acted to relieve the applicant of this requirement. However, failure of the Board of Education to act prior to final plat consideration and approval by the Metropolitan Planning Commission in accordance with its schedule and requirements shall constitute a waiver of this requirement by the Board of Education.

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 RS3.75 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.
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.
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.

Revised Public Works Conditions:

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.

1. All construction traffic, including equipment and workers shall enter the site from Burkitt Rd or through Williamson County. There shall be no construction traffic entering the site through the Davidson County portion of Burkitt Place.
2. The phase lines for Phase 1 shall be redrawn to include a maximum of 50 lots.
3. Prior to work on Phase 2, Burkitt Rd must be improved at the sight access to provide the required turn lanes and adequate intersection sight distance as per the AASHTO guidelines.
4. The proposed roundabouts shall have a center radius of 35' or greater, and accommodate all anticipated vehicles.
5. Alleys that service lots with no road frontage, specifically the alleys between roads C, A, G., H, and F, and the alley from lot 147 to lot 159 and the connection to road F, shall be 22 feet in width total, with 20 feet of paving and a one foot concrete ribbon curb on each side.
6. All alleys shall be posted "No Parking in Alley."
7. Homes along the above mentioned alleys facing common areas must be served by mail kiosks, and provide a minimum of 20 feet wide driveways at least 20 feet in length from the right-of-way.
8. Street trees must be understory trees, no evergreens, and cannot be planted in close proximity to an intersection in such

- a way as to interfere with adequate sight distance.
- Traffic
9. Developer shall construct an eastbound right turn deceleration lane on Burkitt Road at the project access with 100 ft of storage and transitions per AASHTO standards.
 10. Developer shall construct a westbound left turn lane on Burkitt Road at the project access with 100 ft of storage and transitions per AASHTO/MUTCD standards.
 11. Construct the project access road at Burkitt Road with one entering and two exiting lanes (LT and RT) each with a minimum 100 ft of storage and transitions per AASHTO/MUTCD standards.
 12. As part of the development of construction plans, provide and document adequate sight distance from the project access at the intersection of Burkitt Road. Any required improvements on Burkitt Road shall be completed prior to construction in Phase 2, or any connection to Burkitt Rd.
 13. Developer shall conduct a signal warrant analysis at the intersection of Burkitt Road and the project access with the final platting of each phase (beginning with the platting of the 200th lot) or as directed by the Metro Traffic Engineer. The warrant analysis and traffic counts shall be submitted to the Metro Traffic Engineer for review and approval. The developer shall design and install a traffic signal when approved by the Traffic and Parking Commission.
 14. Developer shall modify traffic signal at Nolensville Pike and Burkitt Road to include a westbound right turn overlap during the protected SB left turn phase.
 15. Developer may be required to extend the existing southbound left turn lane on Nolensville Road at Burkitt Road to address queuing concerns at this intersection. Additional analysis of the intersection shall be provided to address this prior to approval of any construction plans.
 16. In keeping with the Planning Department’s IDA policy, other infrastructure improvements will be required by this development. The length of these improvements is to be as established by the Planning Department staff. The Department of Public Works will establish what the IDA improvements are to be with the approval of the final construction plans.

The proposed SP district is consistent with the Southeast Community Plan’s Suburban Neighborhood Evolving policy.”

- 6. 2010SP-003-001**
 Metro Nashville Teachers Apt.
 Map: 117-14 Parcel: 090
 Green Hills/Midtown Community Plan
 Council District 25 – Sean McGuire
 Staff Reviewer: Brian Sexton

A request to change from RM20 to SP-MU zoning for a portion of an existing development located within the Green Hills Urban Design Overlay district at 2209 Abbott Martin Road, at the southwest corner of Abbott Martin Road and Hillsboro Circle (2.08 acres), to grant preliminary and final approval for multi-family, restaurant, and cellular communications tower uses, and to grant preliminary approval for a personal care service uses, requested by Metro Nashville Teachers Apartment Inc., owner.

Staff Recommendation: Approve with conditions

APPLICANT REQUEST - Rezoning - Permit multi-family, restaurant, cellular communications tower and personal care service uses.

A request to change from Multi-Family Residential (RM20) to Specific Plan – Mixed Use (SP-MU) zoning for a portion of an existing development located within the Green Hills Urban Design Overlay district at 2209 Abbott Martin Road, at the southwest corner of Abbott Martin Road and Hillsboro Circle (2.08 acres), to grant preliminary and final approval for multi-family, restaurant, and cellular communication tower uses, and to grant preliminary approval for personal care service uses.

Existing Zoning

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

Proposed Zoning

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

CRITICAL PLANNING GOALS N/A

GREEN HILLS/MIDTOWN COMMUNITY PLAN

Regional Activity Center (RAC) RAC policy is intended for concentrated mixed-use areas anchored by a regional mall. Other uses common in RAC policy are all types of retail activities, offices, public uses, and higher density residential areas. An Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

Consistent with Policy? Yes. The proposed specific plan allowing for a mixture of uses is consistent with the property’s RAC policy. The policy supports uses such as retail activities and high density residential.

PLAN DETAILS The property is approximately 2.08 acres in size. It is located southwest of the Green Hills Mall along Abbott Martin Road within the Green Hills Urban Design Overlay. The property is developed and consists of an existing 14 story apartment building, a cellular communications tower and indoor restaurant. While the existing cellular communications tower is already permitted under the existing RM20 zoning, the applicant has requested that staff include the cellular tower within this rezoning request. The applicant was cited by the Metro Codes Dept. for illegal signage for the restaurant as well as operating a private restaurant as a public restaurant without the proper use permit. The applicant will need a sign permit and use permit to advertise and open the restaurant to the public.

The applicant is also seeking preliminary approval for a proposed beauty salon to be located within the building. This use is categorized as “personal care services” under the Zoning Code. Details of the beauty salon were not provided to staff for review. The applicant does not have any plans for construction of the beauty salon inside the existing building at this time. Prior to final site plan approval of the beauty salon, details of the signage and any exterior modifications will need to be reviewed and approved by staff.

This SP is regulatory in nature and does not propose any additional built square footage beyond the existing 111,079 square foot building.

Building Orientation The existing building is oriented towards Abbott Martin Road and Hillsboro Circle. The primary entrance for pedestrians is located in the front of the building along Abbott Martin Road.

Access/Parking Primary access to the site is located along Abbott Martin Road. Secondary access to the site is located along Hillsboro Circle. Sidewalks are already in place and the existing parking area is located on the northwest and southeast sides of the building. There are approximately 108 existing on-site parking spaces which meets the parking requirements of the Zoning Code.

Signs Sign details were not included in this SP. All signage shall be consistent with the Signage Standards of the Green Hills Urban Design Overlay prior to 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. 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 No exception taken

As the rezoning request does not significantly alter what is currently permitted, no additional traffic is anticipated.

STAFF RECOMMENDATION Staff recommends approval of the zone change request. The proposed zoning district is consistent with the area’s RAC policy which supports a mixture of uses such as retail and high density residential.

CONDITIONS

1. Prior to final site plan approval for the beauty salon, details of the signage and any exterior modifications shall be to be reviewed and approved by the staff.
2. All signage shall require a sign permit and be consistent with the Signage Standards of the Green Hills Urban Design Overlay.
3. The SP is limited to multi-family, restaurant, cellular communications tower and personal care service uses.
4. 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 MUG zoning district as of the date of the applicable request or application.
5. 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.
6. 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.
7. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Approved with conditions. (10-0)

Resolution No. RS2010-50

"BE IT RESOLVED by The Metropolitan Planning Commission that 2010SP-003-001 is **APPROVED WITH CONDITIONS. (10-0)**

Conditions of Approval:

1. Prior to final site plan approval for the beauty salon, details of the signage and any exterior modifications shall be to be reviewed and approved by the staff.
2. All signage shall require a sign permit and be consistent with the Signage Standards of the Green Hills Urban Design Overlay.
3. The SP is limited to multi-family, restaurant, cellular communications tower and personal care service uses.
4. 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 MUG zoning district as of the date of the applicable request or application.
5. 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.

6. 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.
7. 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.

The proposed SP district is inconsistent with the Green Hills/Midtown Community Plan's Regional Activity Center policy."

7. **2010SP-005-001**
4130 Andrew Jackson Parkway
Map: 086-00 Parcel: 035.01
Donelson/Hermitage/Old Hickory Community Plan
Council District 12 – Jim Gotto
Staff Reviewer: Brian Sexton

A request to change from RS15 to SP-MU zoning and for final site plan approval for property located at 4130 Andrew Jackson Parkway, approximately 950 feet north of Chandler Road (2.04 acres), to permit an existing single-family dwelling unit to be used as a medical office and other specified uses of the MUN district, requested by Les Neely, applicant, Jim and Laria Gillispie, owners.

Staff Recommendation: Approve with conditions

APPLICANT REQUEST – Rezoning - Permit a Medical Office and other specified uses of the MUN district.

A request to change from Single-Family Residential (RS15) to Specific Plan – Mixed Use (SP-MU) zoning and for final site plan approval for property located at 4130 Andrew Jackson Parkway, approximately 950 feet north of Chandler Road (2.04 acres), to permit an existing single-family dwelling unit to be used as a medical office and other specified uses of the MUN district.

Existing 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.

Proposed Zoning

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

CRITICAL PLANNING GOALS N/A

DONELSON/HERMITAGE COMMUNITY PLAN

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

Neighborhood Center (NC) NC is intended for small, intense areas that may contain multiple functions and are intended to act as local centers of activity. Ideally, a neighborhood center is a "walk-to" area within a five minute walk of the surrounding neighborhood it serves. The key types of uses intended within NC areas are those that meet daily convenience needs and/or provide a place to gather and socialize. Appropriate uses include single- and multi-family residential, public benefit activities

and small scale office and commercial 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.

Hermitage Station Detailed Design Plan

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

Consistent with Policy? Yes. The proposed specific plan zoning is consistent with the property’s NCO and MxU in NC policy. Both policies support low intensity community facility development as well as small scale office uses.

PLAN DETAILS The property is approximately 2.04 acres in size and is located along Andrew Jackson Parkway across from the Hermitage Commuter Rail Station. The property is developed and consists of a one-story, single-family residence. This SP is regulatory in nature and does not propose any additional built square footage beyond the existing 2,685 square foot residence. The applicant intends to use a portion of the single-family residence as an eye doctors office.

The proposed SP plan would permit a medical office use on this property as well as all uses allowed by the MUN zoning district with the exception of the following prohibited uses in the SP:

- Cash Advance
- Boarding House
- Dormitory
- Check Cashing
- Title Loan
- Bar or Nightclub
- Pawnshop
- Power/gas substation
- Reservoir/water tank
- Waste water treatment
- Water/sewer pump station
- Water treatment plant
- Wind energy facility

Access/Parking Access to the site is from Andrew Jackson Parkway. There is an existing gravel parking area located in the rear of the residence. There are approximately 11 on-site parking spaces which meets the parking requirement of the Zoning Code.

Screening/Landscaping The plan proposes a 12 foot landscape buffer in the rear of the residence screening the parking area from the existing residences in the back of the home. A variety of shrubs and canopy trees are proposed around the perimeter of the parking area.

Signs While signage details for the eye doctor clinic were not included in this SP, the plan does include signage regulations. Approval of a sign permit shall be required prior to the any signs being placed on the property. 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 20 square feet. Monument signage shall be limited to a maximum of one 3 foot tall by 4 foot wide monument style sign. The base shall be constructed of brick or stone. The sign 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 No exception taken

Maximum Uses in Existing Zoning District: RS15

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)	2.04	2.47	5 L	48	4	6

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
Medical Office(720)	2.04	-	2,700 SF	84	6	8

Traffic changes between Maximum: RS15 and proposed SP-MU

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+36	+2	+2

STAFF RECOMMENDATION Staff recommends approval with conditions of the zone change request. The proposed zoning district is consistent with the area’s NCO and MxU in NC policies. Both policies support low intensity development and small scale office uses are consistent with the MxU in NC policy.

CONDITIONS

1. The SP is limited to medical office and specified uses of the MUN district.
2. Approval of a sign permit shall be required prior to the any signs being placed on the property. 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 20 square feet. Monument signage shall be limited to a maximum of one 3 foot tall by 4 foot wide monument style sign. The base shall be constructed of brick or stone. The sign 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.
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 MUN zoning district as of the date of the applicable request or application.
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. 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. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Approved with conditions. (9-0-1) Mr. Ponder recused himself due to the proximity of his residence to the proposed rezoning.

Resolution No. RS2010-51

“BE IT RESOLVED by The Metropolitan Planning Commission that 2010SP-005-001 is **APPROVED WITH CONDITIONS. (9-0-1).**”

Conditions of Approval:

1. The SP is limited to medical office and specified uses of the MUN district.
2. Approval of a sign permit shall be required prior to the any signs being placed on the property. 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 20 square feet. Monument signage shall be limited to a maximum of one 3 foot tall by 4 foot wide monument style sign. The base shall be constructed of brick or stone. The sign 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.
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 MUN zoning district as of the date of the applicable request or application.
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. 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. 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.

The proposed SP district is consistent with the Donelson/Hermitage Community Plan’s Natural Conservation and Neighborhood Center policies.”

8. **2010Z-008TX-001**
Inflatable Sign Figures
Staff Reviewer: Jennifer Regen

A council bill to modify the Metro Zoning Code, Section 17.32.040 to allow inflatable advertising figures resembling the human form where they are attached to a fixed base, do not exceed 20 feet in height from the ground, are located more than 1,000 feet from any residential zoning district, and are used only during daylight hours, sponsored by Councilmember Darren

Jernigan.

Staff Recommendation: Disapprove

APPLICANT REQUEST - Text Amendment - Permit businesses to display inflatable signs representing the human figure.

A council bill to modify the Metro Zoning Code, Section 17.32.040 to allow inflatable advertising figures resembling the human form where they are attached to a fixed base, do not exceed 20 feet in height from the ground, are located more than 1,000 feet from any residential zoning district, and are used only during daylight hours.

CRITICAL PLANNING GOALS N/A

PURPOSE The proposed bill will allow inflatable advertising figures, up to 20 feet in height measured from the ground that are attached to a fixed base, to draw attention to businesses in commercial areas.

ANALYSIS

Existing Law The existing Zoning Code, Section 17.32.050.O, prohibits signs that blow in the wind or are subjected to pressure by wind.

Proposed Bill The proposed bill would make moving inflatable advertising figures representing the human form exempt from the sign regulations. The bill requires the inflatable signs to be attached to a fixed base, no more than 20 feet in height measured from the ground, used/displayed during daylight hours only, and kept in a state of good repair. Inflatable figures are signs that are inflated via a blower or air system one-time or continuously. These inflatable signs would be permitted in any commercial districts.

STAFF RECOMMENDATION Staff recommends disapproval of this bill as it creates visual clutter along county roadways. Further, the bill would allow taller and larger signs. The number and size of signs is determined by the property's or tenant space's street frontage. By exempting these inflatable signs, they would be *in addition* to any other signs allowed on the property ---and not regulated for size or number.

ORDINANCE NO. BL2010-648

An Ordinance amending Section 17.16.250 of Title 17 of the Metropolitan Code, Zoning Regulations, to allow inflatable advertising figures in commercial districts (Proposal No. 2010-008TX-001).

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

Section 1. That Title 17 of the Code of The Metropolitan Government of Nashville and Davidson County, Zoning Regulations, is hereby amended by amending Section 17.32.040, Exempt Signs, by adding the following new subsection BB.:

“BB. In commercial districts, inflatable moving advertising figures made to resemble the human form used to draw attention to an event or business, provided such inflatable advertising figures are attached to a fixed base, do not exceed twenty feet in height from the ground, are not located within 1,000 feet of a residential structure, are only used/displayed during daylight hours, and are kept in a good state of repair with a properly-functioning blower motor and material that is not worn or tattered.”

Section 2. This Ordinance shall take effect five (5) days from and after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Ms Regen presented the staff recommendation of disapproval.

Ms. LeQuire out at 5:53pm.

Mr. Clifton out at 5:54pm.

Mr. Clifton in at 5:55pm.

Mr. Dalton out at 5:56pm.

Dr. Cummings requested clarification on the height restrictions and shape of the inflatable figures.

Mr. Ponder inquired if Verizon's current inflatable figure is illegal and Mr. Bernhardt stated that it is and that they were cited.

Councilmember Jernigan spoke in favor of the proposal and noted that an amendment was added to only allow one inflatable figure per location. He argued against "visual clutter" and "signage", stated that he does not feel that inflatable advertising qualifies as a sign and did not know how to define "visual clutter".

Mr. Dalton in at 5:57pm.

Councilmember Gotto indicated that he did not believe that the city has a problem with these inflatables and will not support staff recommendation.

Dr. Cummings out at 6:02pm.

Dr. Cummings in at 6:04pm.

Mr. Gee asked Mr. Bernhardt about clarification of zoning.

Mr. Bernhardt clarified the definition of a sign as an item designed to draw attention to the business.

Commission discussed restrictions of usage in downtown area.

Mr. Gee stated that he is in favor of allowing inflatable advertising figures.

Mr. Tyler asked if a permit is required to have these figures.

Councilmember Gotto asked for clarification on the different types of figures.

Dr. Cummings asked who regulates these figures on their visual appearance.

Mr. Clifton is in favor of allowing inflatable advertising figures.

Ms. Jones expressed concerns about the time frame of displaying these figures.

Mr. Dalton noted his support and moved in favor of the applicant's bill.

Mr. Gee asked for clarification that this bill only applies to moving inflatable figures.

Councilmember Gotto seconded the motion to approve the applicant's bill. (9-0)

Resolution No. RS2010-52

"BE IT RESOLVED by The Metropolitan Planning Commission that 2010Z-008TX-001 is **APPROVED. (9-0)**

-
- 9. 2010Z-009TX-001**
Medium Manufacturing
Staff Reviewer: Jennifer Regen

A council bill to modify the Metro Zoning Code, Section 17.08.030 by making "medium manufacturing" a use permitted with conditions (PC) instead of permitted by right (P), and Section 17.16.090 by adding a new sub-section "E" for medium manufacturing and requiring opaque fence screening for any outdoor storage that can be viewed from a residentially-zoned property with materials stacked no higher than the opaque fence, sponsored by Councilmember Darren Jernigan.

Staff Recommendation: Approve with amendment

APPLICANT REQUEST Any medium manufacturing use shall be required to have an opaque fence to screen the view of any

residentially occupied dwelling unit.

Text Amendment A council bill to modify the Metro Zoning Code, Section 17.08.030 by making "medium manufacturing" a use permitted with conditions (PC) instead of permitted by right (P), and Section 17.16.090 by adding a new sub-section "E" for medium manufacturing and requiring opaque fence screening for any outdoor storage that can be viewed from a residentially-occupied property with materials stacked no higher than the opaque fence.

CRITICAL PLANNING GOALS N/A

PURPOSE The proposed bill will require opaque fencing and prohibit any stacking of materials by a medium manufacturing use that can be viewed from a residentially occupied property.

ANALYSIS

Existing Law A medium manufacturing use is permitted by right in the IR and IG zoning districts. The Zoning Code defines this use as one that processes extracted or raw materials such as, but not limited to, composting, alcoholic beverages, glue, carpet, porcelain products, welding, and furniture. The Zoning Code has no standards regarding the height of stacked materials outdoors for this use or any other use.

Proposed Bill The proposed bill would require a medium manufacturing use to construct an opaque fence, if the property could be viewed from a residentially occupied dwelling. The bill does not require the "viewing" residential property to be zoned for residential use. Any industrial zoned property with a legally non-conforming residential use would trigger the fence construction. In addition, the bill would prohibit a medium manufacturer from stacking, piling, arranging, or heaping materials higher than the fence's height.

Amendments The bill's intended purpose is consistent with protecting residential uses from industrial intrusions. However, a non-conforming residential use in an industrial zoning district (IWD, IR, or IG) does not appear to be an appropriate trigger for the fencing requirement. Hence, staff recommends an amendment to the council bill related to the "viewing" residential property. Staff recommends that the trigger for the opaque fence's construction and limitation on stacking materials outdoors be any property in a zoning district that permits residential use.

STAFF RECOMMENDATION Staff recommends approval of this bill with the proposed amendment clarifying when a medium manufacturing use would have to construct an opaque fence.

ORDINANCE NO. BL2010-647

An Ordinance amending Chapters 17.08 and 17.16 of Title 17 of the Metropolitan Code, Zoning Regulations, to designate "manufacturing, medium" as a used permitted with conditions, all of which is more specifically described herein (Proposal No. 2010-009TX-001).

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

Section 1. That Title 17 of the Code of The Metropolitan Government of Nashville and Davidson County, Zoning Regulations, is hereby amended by amending Section 17.08.030, District Land Use Tables, by deleting "manufacturing, medium" as a use permitted by right (P) in the IR and IG districts, and by adding "manufacturing, medium" as a use permitted with conditions (PC) in the IR and IG districts.

Section 2. That Title 17 of the Code of The Metropolitan Government of Nashville and Davidson County, Zoning Regulations, is hereby amended by amending Section 17.16.090 by adding the following new subsection E., and re-lettering the existing subsections E. and F. accordingly:

"E. Manufacturing, Medium. Any medium manufacturing activity for which materials are stored outdoors shall be screened from view from any residentially-occupied property by an opaque fence. Materials shall not be piled or stacked higher than the opaque fence."

Section 3. This Ordinance shall take effect five (5) days from and after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Ms Regen presented the staff recommendation of approval with amendment.

Chairman McLean left at 6:16pm.

Chairman McLean returned at 6:17pm.

Councilmember Jernigan recommended approval.

Mr. Clifton moved and Dr. Cummings seconded the motion, which was approved unanimously, to approve the bill as amended. (9-0)

Mr. Gee asked for explanation on bill details.

Resolution No. RS2010-53

“BE IT RESOLVED by The Metropolitan Planning Commission that 2010Z-009TX-001 is **APPROVED WITH AMENDMENT. (9-0)**

Ms. Jones out at 6:20pm.

Ms. Jones in at 6:21pm.

- 10. 18-85P-001**
7734 Highway 70 S
Map: 127-00 Parcel: 086
Bellevue Community Plan
Council District 22 – Eric W. Crafton
Staff Reviewer: Brenda Bernards

A request to cancel the 7734 Highway 70 S Commercial Planned Unit Development district located at 7734 Highway 70 South, at the northwest corner of Highway 70 South and Harpeth Valley Road, zoned R40 and proposed for CL, (3.37 acres), approved for a commercial nursery facility, requested by Councilmember Eric Crafton, for Patsy Potter, owner. (See also Proposal No. 2010Z-010PR-001)

Staff Recommendation: Approve

The Metropolitan Planning Commission DEFERRED PUD 18-85P-001 to the May 13, 2010, meeting at the request of the applicant. (10-0)

- 11. 2010Z-010PR-001**
Map: 127-00 Parcel: 086
Bellevue Community Plan
Council District 22 – Eric W. Crafton
Staff Reviewer: Brenda Bernards

A request to rezone from R40 to CL zoning for property located within the 7734 Highway 70 S Planned Unit Development Overlay at 7734 Highway 70 S, at the northwest corner of Highway 70 S and Harpeth Valley Road (3.37 acres), requested by Ted Potter, applicant, Patsy Potter, owner (See also Proposal No.18-85P-001).

Staff Recommendation: Disapprove

The Metropolitan Planning Commission DEFERRED Zone Change 2010Z-010PR-001 to the May 13, 2010, meeting at the request of the applicant. (10-0)

X. PUBLIC HEARING: FINAL PLAT

12. 2010S-029-001

Trinity Lane Retail Partners
Map: 071-01 Parcel: 087
Bordeaux/Whites Creek Community Plan
Council District 2 – Frank R. Harrison
Staff Reviewer: Brian Sexton

A request for final plat approval to create three lots on property located at 415 W. Trinity Lane, approximately 600 feet west of Monticello Drive (4.86 acres), zoned RS7.5 and the majority zoned CL, requested by Trinity Lane Retail Partners, owner, Blue Ridge Surveying Inc., surveyor.

Staff Recommendation: Approve with conditions

APPLICANT REQUEST - Final Plat - Create three lots.

A request for final plat approval to create three lots on property located at 415 W. Trinity Lane, approximately 600 feet west of Monticello Drive (4.86 acres), zoned Single-Family Residential (RS7.5) and the majority zoned Commercial Limited (CL).

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.

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

CRITICAL PLANNING GOALS N/A

SUBDIVISION DETAILS This proposal subdivides one parcel into three lots along West Trinity Lane. Lot 1 contains 67,740 square feet, Lot 2 contains 46,727 square feet, and Lot 3 contains 111,224 square feet. Lot 3 is split zoned into CL and RS7.5 zoning.

Site Access Primary access to Lots 1, 2, and 3 is located on West Trinity Lane. The northwest portion of Lot 3 is accessed by Monticello Drive. The plat proposes a 30 foot Joint Access Easement that will be located in the middle of Lots 1 and 2 providing access to Lot 3 from West Trinity Lane.

Landscape Buffer Landscape buffer yards are required between the CL and RS7.5 districts.

Sidewalks There are sidewalks located along West Trinity Lane. Sidewalks are required by the Subdivision Regulations along the Monticello Drive street frontage.

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

STORMWATER RECOMMENDATION Show existing water main as marked

WATER SERVICES RECOMMENDATION Approved

FIRE MARSHAL RECOMMENDATION Approved based on no construction being done this application. Any new construction will require additional information.

STAFF RECOMMENDATION Staff recommends approval with conditions of the three lots.

CONDITION

1. The required sidewalk along Monticello Drive shall be constructed or bonded prior to final plat recordation.
2. Prior to the recording of the final plat, all Public Works' design standards shall be met. Any approval is subject to

Public Works' approval of the construction plans.

3. The requirements of the Metro Water Services Department shall be met prior to the recording of the final plat.

Approved with conditions. (10-0)

Resolution No. RS2010-54

“BE IT RESOLVED by The Metropolitan Planning Commission that 2010S-029-001 is **APPROVED WITH CONDITIONS. (10-0)**

Conditions of Approval:

1. The required sidewalk along Monticello Drive shall be constructed or bonded prior to final plat recordation.
2. Prior to the recording of the final plat, all Public Works' design standards shall be met. Any approval is subject to Public Works' approval of the construction plans.
3. The requirements of the Metro Water Services Department shall be met prior to the recording of the final plat.”

XI.

PUBLIC HEARING: URBAN DESIGN OVERLAYS

13. 2002UD-001-001

Green Hills UDO (Amendment #5 - Conventional Base Standards)
Map: 117-14 Parcels: VARIOUS
Green Hills/Midtown Community Plan
Council District 25 – Sean McGuire, District 34 – Carter Todd
Staff Reviewer: Rebecca Ratz

An ordinance amending Title 17 of the Metropolitan Code, zoning regulations, by amending the Green Hills Urban Design Overlay (UDO) district, to modify variations to the conventional standards of the underlying zoning to ensure the intended design overlay objectives for signage, building form, massing and character within the overlay district, requested by the Metro Planning Department, various property owners.

Staff Recommendation: Approve

The Metropolitan Planning Commission DEFERRED UDO 2002UD-001-001 to the June 24, 2010, meeting at the request of the applicant. (10-0)

14. 2010UD-002-001

Pin Hook
Map: 164-00 Parcels: 083, 180, 181, 317, 318
Antioch/Priest Lake Community Plan
Council District 33 – Robert Duvall
Staff Reviewer: Greg Johnson

A request to make applicable the provisions of an Urban Design Overlay (UDO) district to be known as the "Pin Hook UDO" to properties located at 3534 and 3562 Pin Hook Road, Pin Hook Road (unnumbered), and at Hamilton Church Road (unnumbered), east of Murfreesboro Pike, zoned RM9 (88.39 acres), to apply building design and typology standards to lots zoned as RM9, requested by Councilmember Robert Duvall, various property owners.

Staff Recommendation: Defer to June 24, 2010 Planning Commission meeting

The Metropolitan Planning Commission DEFERRED UDO 2010UD-002-001 to the June 24, 2010, meeting at the request of the applicant.

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15. **2010UD-003-001**
Keeneland Downs
Map: 150-14-0-D Parcels: 001-077
Antioch/Priest Lake Community Plan
Council District 33 – Robert Duvall
Staff Reviewer: Greg Johnson

A request to make the provisions of an Urban Design Overlay (UDO) district to be known as the "Keeneland Downs UDO" applicable to properties located along Buckpasser Avenue, Buckpasser Court, Backstretch Boulevard, Secretariat Drive, and Seabisquit Drive, south of Hamilton Church Road, zoned RS10 (16.59 acres), requested by Councilmember Robert Duvall, various property owners.

Staff Recommendation: Withdraw

The Metropolitan Planning Commission WITHDREW UDO 2010UD-003-001 at the request of the applicant. (10-0)

16. **2010UD-004-001**
Hamilton View
Map: 150-14-0-B Parcels: Various
Antioch/Priest Lake Community Plan
Council District 33 – Robert Duvall
Staff Reviewer: Greg Johnson

A request to make the provisions of an Urban Design Overlay (UDO) district to be known as the "Hamilton View UDO" applicable to properties located along Hamilton Lane, Lipton Lane, Forest Breeze Drive, and Lake Towne Drive, north of Hamilton Church Road, zoned RS10 (13.42 acres), requested by Councilmember Robert Duvall, various property owners.

Staff Recommendation: Withdraw

The Metropolitan Planning Commission WITHDREW UDO 2010UD-004-001 at the request of the applicant. (10-0)

17. **2010UD-005-001**
Harvest Grove
Map: 164-07-0-A Parcels: 001-109
Map: 164-00 Parcel: 085
Antioch/Priest Lake Community Plan
Council District 33 – Robert Duvall
Staff Reviewer: Greg Johnson

A request to make applicable the provisions of an Urban Design Overlay (UDO) district to be known as the "Harvest Grove UDO" to properties located along Grovedale Trace, Gracewood Grove, Harvest Grove Drive, Millbridge Bay, and Rockglade Run, north of Pin Hook Road, zoned RS10 (77.69 acres), requested by Councilmember Robert Duvall, various property owners.

Staff Recommendation: Withdraw

The Metropolitan Planning Commission WITHDREW UDO 2010UD-005-001 at the request of the applicant. (10-0)

18. **2010UD-006-001**
Edison Park
Map: 150-15-0-B Parcels: 001-089
Antioch/Priest Lake Community Plan
Council District 33 – Robert Duvall

Staff Reviewer: Greg Johnson

A request to make the provisions of an Urban Design Overlay (UDO) district to be known as the "Edison Park UDO" applicable to properties located along Painter Drive, Schoolhouse Court, Jenny Ruth Point, Rebecca Trena Way, and Coneflower Trail, east of Mt. View Road, zoned RS10 (20.36 acres), requested by Councilmember Robert Duvall, various property owners.

Staff Recommendation: Disapprove

The Metropolitan Planning Commission DEFERRED UDO 2010UD-006-001 to the June 24, 2010, meeting at the request of the applicant. (10-0)

19. 2010UD-007-001

Hamilton-Hobson
Map: 150-00 Parcel: 135
Antioch/Priest Lake Community Plan
Council District 33 – Robert Duvall
Staff Reviewer: Greg Johnson

A request to make the provisions of an Urban Design Overlay (UDO) district to be known as the "Hamilton-Hobson UDO" applicable to properties located at 3527, 3606, 3618 and 7086 Hamilton Church Road, Hamilton Church Road (unnumbered), 2214 Hobson Pike and Hobson Pike (unnumbered), at the intersection of Hamilton Church Road and Hobson Pike, zoned AR2a, RS10, MUL, and CS (45.18 acres), requested by Councilmember Robert Duvall, various property owners.

Staff Recommendation: Approve

The Metropolitan Planning Commission DEFERRED UDO 2010UD-007-001 to the June 24, 2010, meeting at the request of the applicant. (10-0)

XII. OTHER BUSINESS

20. Request to grant a variance to Section 6.5 of the Subdivision Regulations and release the active building permit holds for Autumn Glen Manor Homes, Section 1; Fawn Crossing, Phase 1, Section 1; Hamilton Church Subdivision; Hamilton View, Phase 2 (formerly Hamilton Church Road Sub); Hickory Highlands Place, Section 3, Phase 2; Warren Place; Woods of West Meade (formerly Saussy Place).

Approved with conditions including that Metro has collected the security, verified the collected security is sufficient to complete the infrastructure in each subdivision, and Water Services and Public Works have verified their intent to proceed with completion of said infrastructure. (10-0)

Resolution No. RS2010-55

“BE IT RESOLVED by The Metropolitan Planning Commission that the request to grant a variance to Section 6.5 of the Subdivision regulations is **APPROVED WITH CONDITIONS, including that Metro has collected the security, verified the collected security is sufficient to complete the infrastructure in each subdivision, and Water Services and Public Works have verified their intent to proceed with completion of said infrastructure. (10-0)**”

21. Capital Improvements Budget

Mr. Ponder moved to approve the Capital Improvements Budget, Councilmember Gotto seconded the motion. (8-0)

Resolution No. RS2010-56

“BE IT RESOLVED by The Metropolitan Planning Commission that the Capital Improvements Budget is **APPROVED. (8-0)**”

Councilmember Gotto would like an electronic copy provided sorted by district, if possible.

- 22. Historical Commission Report
- 23. Board of Parks and Recreation Report
- 24. Executive Director Reports
- 25. Legislative Update

XIII. ADJOURNMENT

The meeting was adjourned at 6:50 pm.

Chairman

Secretary



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