



**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**

May 27, 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
Tonya Jones
Hunter Gee
Councilmember Jim Gotto
Andrée LeQuire, representing Mayor Karl Dean

Staff Present:

Dennis Corrieri, Planning Technician I
Jason Swaggart, Planner II
Brian Sexton, Planner I
Ann Hammond, Assistant Executive Director
Rick Bernhardt, Executive Director
Brenda Bernards, Planner III
Greg Johnson, Planner II
Kelly Armistead, Administrative Services Officer III
Carrie Logan, Planner II
Kathryn Evans, Legal Counsel
Craig Owensby, Public Information Officer
Jennifer Carlat, Planning Manager II

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 4:05pm.

II. ADOPTION OF AGENDA

Dr. Cummings moved and Councilmember Gotto seconded the motion, which passed unanimously, to adopt the revised agenda as presented. (7-0)

III. APPROVAL OF MAY 13, 2010, MINUTES

Dr. Cummings moved and Mr. Clifton seconded the motion, which passed unanimously, to approve to May 13, 2010 minutes as presented. (7-0)

IV. RECOGNITION OF COUNCILMEMBERS

Councilmember Jim Forkum spoke in favor of staff recommendation of Item 8.

V. PUBLIC HEARING: ITEMS REQUESTED TO BE DEFERRED OR WITHDRAWN

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|----|------------|---|------------------------------------|
| 1. | 18-85P-001 | A request to cancel the Commercial PUD district located at 7734 Highway 70 South, approved for a commercial nursery facility. | -Deferred to June10, 2010, meeting |
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| 2. | 2010Z-010PR-001 | A request to rezone from R40 to CL zoning for property located within the Planned Unit Development Overlay at 7734 Highway 70 S. | -Deferred to June 10, 2010, meeting |
| 3. | 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 June 24, 2010, meeting |

Councilmember Gotto moved and Mr. Clifton seconded the motion, which passed unanimously, to approve the Deferred or Withdrawn items as presented. (7-0)

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.

PUBLIC HEARING: ZONING MAP AMENDMENTS, SPs, AND NEIGHBORHOOD LANDMARKS

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|----|----------------|---|------------------------|
| 4. | 2005SP-117G-14 | The periodic review of an approved Specific Plan district known as "Elm Hill Pike Daycare Center", to determine its completeness, for property located at 3300 Elm Hill Pike, approved for a daycare facility serving up to 200 children. | -Find the SP active |
| 5. | 2005SP-179U-03 | The periodic review of an approved Specific Plan (R) district known as "Trinity Bluffs", to determine its completeness for property located at 1106, 1108, 1110, 1116, and 1120 West Trinity Lane, approved for 248 townhouses with a club. | |
| | | - Find the SP District Inactive and direct staff to prepare a report to the Council to continue the implementation of the development plan as adopted and that no rezoning is recommended on this property. | |
| 6. | 2010SP-004-001 | A request to change from RS7.5 to SP-MU zoning and for final site plan approval for property located at 4414 Westlawn Drive, to permit single-family residential, medical and general office uses within an existing single-family structure not to exceed 1,999 square feet in floor area. | -Approved w/conditions |
| 7. | 2010NL-001-001 | A request to establish a Neighborhood Landmark District and for approval of the Neighborhood Landmark Development Plan for property located at 358 Bellevue Road, to allow for an existing single-family dwelling unit to be used for personal care instruction and a residence. | |
| | | -Approve Neighborhood Landmark District | |
| | | -Approve with conditions the Neighborhood Landmark Development Plan | |
| 8. | 2010NL-002-001 | A request to establish a Neighborhood Landmark District and for approval of the Neighborhood Landmark Development Plan for properties located at 108 and 112 Leena Belle Avenue, to permit a residence and a bluegrass music facility. | |
| | | -Approve Neighborhood Landmark District | |
| | | -Approve with conditions the Neighborhood Landmark Development Plan | |

PUBLIC HEARING: REVISED SITE PLANS

- 9. 1-74P-001 A request to revise the preliminary plan and for final approval for a portion of the Hickory Hollow Mall Commercial Planned Unit Development located at 5301 Hickory Hollow Lane, to permit a 5,130 square foot fast food restaurant, replacing an existing fast food restaurant. -Approve w/conditions
- 10. 46-83P-001 A request to revise the preliminary plan and for final approval for a portion of the Metropolitan Airport Center Commercial PUD located at 840 Royal Parkway to permit a 5-story, 62,487 square foot hotel containing 105 rooms in Phase One and a 4-story, 48,036 square foot office building in Phase Two.

-Approve with conditions, including the conditions from Metro Stormwater received on May 26, 2010.

OTHER BUSINESS

- 11. Amendment #3 to the FY 2010 Transportation Planning Contract (Grant #1-07-036033-00) between TDOT and the Metro Planning Commission. -Approved
- 12. Grant Contract between TDOT and MPC (on behalf of the MPO) for FTA 5303 Program -Approved
- 13. Adoption of revised subdivision plat fees -Approved

Mr. Clifton moved and Dr. Cummings seconded the motion, which passed unanimously, to approve the revised Consent Agenda as presented. (7-0)

VII. PUBLIC HEARING: PREVIOUSLY DEFERRED ITEMS

- 1. **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: Defer to the June 10, 2010 Planning Commission meeting

Approved (7-0), Consent Agenda

The Metropolitan Planning Commission DEFERRED Planned Unit Development 18-85P-001 to the June 10, 2010, Planning Commission meeting. (7-0)

- 2. **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: Defer to the June 10, 2010 Planning Commission meeting

Approved (7-0), Consent Agenda

The Metropolitan Planning Commission DEFERRED Zone Change 2010Z-010PR-001 to the June 10, 2010, Planning Commission meeting. (7-0)

3. **2007S-209G-12**
Brentwood Knoll
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: Defer to the June 24, 2010, Planning Commission meeting.

Approved (7-0), Consent Agenda

The Metropolitan Planning Commission DEFERRED Subdivision 2007S-209G-12 to the June 24, 2010, Planning Commission meeting. (7-0)

VIII. PUBLIC HEARING: ZONING MAP AMENDMENTS, SPs, AND NEIGHBORHOOD LANDMARKS

4. **2005SP-117G-14**
Elm Hill Pike Daycare Center
Map: 108-00 Parcel: 333
Donelson/Hermitage/Old Hickory Community Plan
Council District 13 – Carl Burch
Staff Reviewer: Brenda Bernards

The periodic review of an approved Specific Plan (S) district known as "Elm Hill Pike Daycare Center", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code, for property located at 3300 Elm Hill Pike (1.61 acres), approved for a daycare facility serving up to 200 children via Council substitute Bill BL2005-856 effective on April 18, 2006, review initiated by the Metro Planning Department.

Staff Recommendation: Find the SP active

APPLICANT REQUEST -SP Review -Four year SP review to determine activity.

The periodic review of an approved Specific Plan (S) district known as "Elm Hill Pike Daycare Center", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code, for property located at 3300 Elm Hill Pike (1.61 acres), approved for a daycare facility serving up to 200 children via Council substitute Bill BL2005-856 effective on April 18, 2006.

Zoning Code Requirement Section 17.40.106.I of the Zoning Code requires that a SP District be reviewed four years from the date of Council approval and every four years after until the development has been deemed complete by the Planning Commission.

Each development within a SP District is to be reviewed in order to determine if the project is complete or actively under development to implement the approved development concept. If the review determines that the project is complete or actively under development, then no further review is necessary at this time. If the review determines that the project is inactive then the Planning Commission is to determine if its continuation as an SP district is appropriate.

DETAILS OF THE SP DISTRICT The SP was approved for a daycare center serving up to 200 children. Staff visited the site on April 16, 2010. The daycare is in operation but there remains a number of outstanding elements including the completion of the sidewalk along Elm Hill Pike and final inspections for the electrical work. The daycare opened under a temporary use and occupancy permit and is currently working with the Codes Department to complete all outstanding items.

The staff assessment of this SP is that it is active. Staff recommends that this SP be found active and that it be placed back on the four-year review list.

STAFF RECOMMENDATION Staff recommends that the Elm Hill Pike Daycare Center SP be found to be active.

Approved (7-0), Consent Agenda

Resolution No. RS2010-70

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005SP-117G-14 is **APPROVED AS ACTIVE (7-0).**”

5. 2005SP-179U-03

Trinity Bluffs

Map: 070-06 Parcels: 038, 040, 041, 042, 044, 045, 046, 047, 048

Bordeaux/Whites Creek Community Plan

Council District 2 – Frank R. Harrison

Staff Reviewer: Brenda Bernards

The periodic review of an approved Specific Plan (R) district known as "Trinity Bluffs", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code, for property located at 1106, 1108, 1110, 1116, and 1120 West Trinity Lane (27.55 acres), approved for 248 townhouses with a club house via Council Bill BL2006-960 effective on April 18, 2006, review initiated by the Metro Planning Department.

Staff Recommendation: Find the SP District Inactive and direct staff to prepare a report to the Council to continue the implementation of the development plan as adopted and that no rezoning is recommended on this property.

APPLICANT REQUEST - SP Review - Four year SP review to determine activity.

The periodic review of an approved Specific Plan (R) district known as "Trinity Bluffs", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code, for property located at 1106, 1108, 1110, 1116, and 1120 West Trinity Lane (27.55 acres), approved for 248 townhouses with a club house via Council Bill BL2006-960 effective on April 18, 2006.

Zoning Code Requirement Section 17.40.106.I of the Zoning Code requires that a SP district be reviewed four years from the date of Council approval and every four years after until the development has been deemed complete by the Planning Commission.

Each development within a SP District is to be reviewed in order to determine if the project is complete or actively under development to implement the approved development concept. If the review determines that the project is complete or actively under development, then no further review is necessary at this time. If the review determines that the project is inactive then the Planning Commission is to determine if its continuation as an SP District is appropriate.

DETAILS OF THE SP DISTRICT The Trinity Bluffs SP is approved for 284 townhouse units and a club house on approximately 27.55 acres overlooking the Cumberland River.

The SP preserves the majority of the portion of the site within the 100 year floodplain. The approved preliminary plan shows all residential development outside of the 100 year plan and the areas of inundation from the recent storm event. The final site plan will also need to show all development outside of both the 100 year floodplain and areas of inundation from the recent storm event.

SPECIFIC PLAN REVIEW Staff conducted a site visit on April 19, 2010. There did not appear to be any construction activity on the site. A letter was sent to the property owner of record requesting details that could demonstrate that the SP was active.

The owner did not respond to the letter. Staff contacted the engineering firm that had been the original applicant on this SP. The engineer no longer had contact information for the owner. As no documentation of activity was submitted, the staff

preliminary assessment of inactivity remains in place.

FINDING OF INACTIVITY When the assessment of an SP is that it is inactive, staff is required to prepare a report for the Planning Commission with recommendations for Council Action including:

1. An analysis of the SP district's consistency with the General Plan and compatibility with the existing character of the community and whether the SP should remain on the property, or
2. Whether any amendments to the approved SP district are necessary, or
3. To what other type of district the property should be rezoned.

If the Planning Commission agrees with the staff assessment, staff will prepare a written report of the Commission's determination to Council with a recommendation on the following:

1. The appropriateness of the continued implementation of the development plan or phase(s) as adopted, based on current conditions and circumstances; and
2. Any recommendation to amend the development plan or individual phase(s) to properly reflect existing conditions and circumstances, and the appropriate base zoning classification(s) should the SP district be removed, in whole or in part, from the property.

Permits on Hold Section 17.40.106.I.1 of the Zoning Code requires that once the review of an SP with a preliminary assessment of inactivity is initiated, no new permits, grading or building, are to be issued during the course of the review. For purposes of satisfying this requirement, a hold shall be placed on all properties within the SP on the date the staff recommendation is mailed to the Planning Commission so that no new permits will be issued during the review.

ANALYSIS

Consistency with the General Plan This property is within the Bordeaux/Whites Creek Community Plan and there are two land use policies in place. The bulk of the property is within Neighborhood General (NG) policy and a small section, on a portion of the floodplain, is within the Natural Conservation (NCO) policy.

No development is proposed on the NCO area. NG is intended to meet a spectrum of housing needs with a variety of housing and a site plan is required when a property is rezoned to assure appropriate design and that the type of development conforms with the intent of the policy. The Trinity Bluffs SP is consistent with the land use policies in place.

Amendments/Rezoning As the SP is consistent with the Neighborhood General and Natural Conservation policies of the Bordeaux/Whites Creek Community Plan, at this time the SP remains appropriate for the site and area. There are no amendments to the plan proposed and no new zoning district is proposed for the property.

Recommendation to Council If the Planning Commission agrees with the staff assessment, staff will prepare a written report of the Commission's determination to Council to continue the implementation of the development plan as adopted and that no rezoning is required on this property.

STAFF RECOMMENDATION Staff recommends that the Trinity Bluff SP be found to be inactive and that the Planning Commission direct staff to prepare a report to the Council to continue the implementation of the development plan as adopted and that no rezoning is recommended on this property.

Approved (7-0), Consent Agenda

Resolution No. RS2010-71

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005SP-179U-03 is **APPROVED AS INACTIVE and staff are directed to prepare a report to the Council to continue the implementation of the development plan as adopted and that no rezoning is recommended on this property. (7-0)”**

6. 2010SP-004-001
4414 Westlawn Drive SP
Map: 103-08 Parcel: 072
West Nashville Community Plan
Council District 24 – Jason Holleman
Staff Reviewer: Jason Swaggart

A request to change from RS7.5 to SP-MU zoning and for final site plan approval for property located at 4414 Westlawn Drive, approximately 200 feet north of Sloan Road (0.18 acres), to permit single-family residential, medical and general office uses within an existing single-family structure not to exceed 1,999 square feet in floor area, requested by Daniel Barton, applicant, James W. Sovine, owner.

Staff Recommendation: Approve with conditions

APPLICANT REQUEST - Preliminary SP -Rezone to permit a single-family residence to be used for general and medical office.

A request to change from Single-Family Residential (RS7.5) to Specific Plan Mixed-Use (SP-MU) zoning and for final site plan approval for property located at 4414 Westlawn Drive, approximately 200 feet north of Sloan Road (0.18 acres), to permit single-family residential, medical and general office uses within an existing single-family structure not to exceed 1,999 square feet in floor area.

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.

Proposed Zoning

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

CRITICAL PLANNING GOALS N/A

WEST NASHVILLE COMMUNITY PLAN POLICIES

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.

Special Policy A special policy applies to this property and the adjacent property to the north (parcel 272). The policy which was adopted by the Planning Commission on April 22, 2010, calls for the two properties to provide 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. The policy permits low-intensity, small-footprint, non-residential uses with limited and properly located parking.

Consistent with Policy? Yes, the proposed Specific Plan is consistent with the area's recently adopted special policy.

PLAN DETAILS

Existing Conditions The property proposed to be rezoned to SP consists of approximately 7,840 sq. ft. (0.18 acres) of land. The property is developed and contains a small single-family residential structure.

SP Plan The SP is to permit the existing residential structure to be converted into an office. The proposed SP consists of a layout plan and regulating language. As proposed the SP would permit single-family residential, general and medical office uses. The floor area for any use would be limited to 1,999 square feet.

Access/Parking Access will be from its current location on Westlawn Drive. All parking will be located to the rear of the

structure. A minimum of nine spaces is required for the office uses and a minimum of two spaces is required for residential. The plan identifies nine spaces. Perpendicular parking spaces may meet the minimum design standards for compact spaces.

Additions/Modifications The SP does permit additions and modifications, but additions are generally limited to the rear of the building.

- Additions that expand the heated and cooled floor area beyond 1,999 sq. ft. shall not be permitted.
- Additions shall not be permitted on the front of the existing structure.
- The existing front porch shall be preserved, and shall not be enclosed.
- Decks or other exterior additions such as stairs are permitted, but shall not be permitted on the front of the structure, *unless required to meet ADA standards.*
- This SP does not regulate interior modifications to the structure, which shall be governed by all applicable Building Codes.
- This SP does not regulate exterior modifications such as general upkeep and repairs, painting, siding, window replacement, accents, lighting or other actions that don't alter the structural design of the house.
- Existing windows on the front of the structure may be replaced, but shall not be enclosed.

New Construction The SP does not permit the existing structure to be voluntarily demolished unless the Planning Commission finds that removal is necessary to protect public safety and welfare or if it is damaged or destroyed in the amount of twenty-five percent or more of the assessed valuation of all buildings and structures and other improvements on the property. In the event that new construction is permitted the following conditions apply:

New construction shall require a final site plan application including any applicable fees.

- New construction shall generally be in keeping with existing residential structures in the area. Elevations of proposed new structure(s) shall be submitted to the Planning Commission for review and approval.
- Floor area shall not exceed 1,999 sq. ft.
- Height shall not exceed 2 stories.
- Setbacks shall be consistent with Metro Zoning Code requirements for RS7.5.

Buffering The SP requires buffering adjacent to residential properties along the eastern and southern property line. Since the property to the north is not residential then buffering is optional along the northern property line.

Signage The SP permits two non-illuminated, small scale signs. The two permitted signs include a sign incorporated into the design of the mailbox, and a name plaque next to the front door on the building. Area for an individual sign shall not exceed three square feet.

Analysis The SP is consistent with the West Nashville Community Plan's Special Policy, and meets several critical planning goals. The proposed SP calls for the existing structure to be converted into a low intensity office building. While the SP does permit alterations and additions and in the instance the structure is destroyed, new construction, the SP standards will ensure that the residential character on the property is maintained.

STORMWATER RECOMMENDATION Preliminary SP approved

PUBLIC WORKS RECOMMENDATION

Maximum Uses in Existing Zoning District: **RS7.5**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	0.18	4.94	1 L	10	1	2

Maximum Uses in Proposed Zoning District: **SP-MU**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office(710)	0.18	-	1,999 SF	74	10	10

Traffic changes between Maximum: **RS7.5** 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
-	-	-	-	+64	+9	+8

STAFF RECOMMENDATION Staff recommends that the proposed SP be approved with conditions. The SP is consistent with the West Nashville Community Plan’s land use policies.

CONDITIONS

1. A sidewalk is required along the frontage of the property on Westlawn Drive. The sidewalk shall be constructed per the Department of Public Works' specifications, or a financial contribution payment shall be made in lieu of construction of sidewalks. Use and Occupancy permit shall not be issued until the sidewalk is constructed and approved by Metro Public Works or a financial contribution payment has been accepted in lieu of sidewalk construction.
2. Permitted uses include single-family residential, general office and medical office. No other uses shall be permitted without Council approval.
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. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
6. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
7. 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.

Approved (7-0), Consent Agenda

Resolution No. RS2010-72

“BE IT RESOLVED by The Metropolitan Planning Commission that 2010SP-004-001 is **APPROVE WITH CONDITIONS (7-0)**

Conditions of Approval:

1. A sidewalk is required along the frontage of the property on Westlawn Drive. The sidewalk shall be constructed per the Department of Public Works' specifications, or a financial contribution payment shall be made in lieu of construction of sidewalks. Use and Occupancy permit shall not be issued until the sidewalk is constructed and approved by Metro Public Works or a financial contribution payment has been accepted in lieu of sidewalk construction.
2. Permitted uses include single-family residential, general office and medical office. No other uses shall be permitted without Council approval.
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. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
6. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
7. 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.

The proposed SP district is consistent with the West Nashville Community Plan's special transitional policy."

7. **2010NL-001-001**
358 Bellevue Road
Map: 142-00 Parcel: 066
Bellevue Community Plan
Council District 22 – Eric W. Crafton
Staff Reviewer: Greg Johnson

A request to establish a Neighborhood Landmark District and for approval of the Neighborhood Landmark Development Plan for property located at 358 Bellevue Road, approximately 310 feet east of Old Harding Pike (0.76 acres), zoned as RS15, to allow for an existing single-family dwelling unit to be used for personal care instruction and a residence, requested by Julee Jones and Victor Scoggin, owners.

**Staff Recommendation: Approve Neighborhood Landmark District
Approve with conditions the Neighborhood Landmark Development Plan**

APPLICANT REQUEST - Apply NL and Approve NL - Apply a Neighborhood Landmark District Approve Neighborhood Landmark Development Plan

A request to establish a Neighborhood Landmark Development Plan District and for approval of the Neighborhood Landmark Development Plan for property located at 358 Bellevue Road, approximately 310 feet east of Old Harding Pike (0.76 acres), zoned as Single-Family Residential (RS15), to allow for an existing single-family dwelling unit to be used for personal care instruction and a residence.

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

Neighborhood Landmark District (NL) The NL district is intended to preserve and protect landmark features whose demolition or destruction would constitute an irreplaceable loss to the quality and character of the neighborhood or community.

Under the 17.36.420 of the Zoning Code, a neighborhood landmark is defined as a feature that “has historical, cultural, architectural, civic, neighborhood, or archaeological value and/or importance; whose demolition or destruction would constitute an irreplaceable loss to the quality and character of a neighborhood.” To be eligible for application of the Neighborhood Landmark District, a property must meet one or more of the criteria set out in 17.36.420, which are:

1. It is recognized as a significant element in the neighborhood and/or community;
2. It embodies characteristics that distinguish it from other features in the neighborhood and/or community.
3. Rezoning the property on which the feature exists to a general zoning district inconsistent with surrounding or adjacent properties such as, office, commercial, mixed-use, shopping center, or industrial zoning district would significantly impact the neighborhood and/or community;
4. Retaining the feature is important in maintaining the cohesive and traditional neighborhood fabric;
5. Retaining the feature will help to preserve the variety of buildings and structures historically present within the neighborhood recognizing such features may be differentiated by age, function and architectural style in the neighborhood and/or community;
6. Retaining the feature will help to reinforce the neighborhood and/or community’s traditional and unique character.

CRITICAL PLANNING GOALS N/A

CRITERIA FOR CONSIDERATION FOR ESTABLISHMENT OF NL DISTRICT The property at 358 Bellevue Road would also have to meet the 6 criteria for consideration outlined in Section 17.40.160 of the Zoning Code:

1. The feature is a critical component of the neighborhood context and structure.
2. Retention of the feature is necessary to preserve and enhance the character of the neighborhood.
3. The only reason to consider the application of the NL is to protect and preserve the identified feature.
4. There is acknowledgement on the part of the property owner that absent the retention of the feature, the base zoning district is proper and appropriate and destruction or removal of the feature is justification for and will remove the NL designation and return the district to the base zoning district prior to the application of the district.
5. It is in the community’s and neighborhood’s best interest to allow the consideration of an appropriate NL Development Plan as a means of preserving the designated feature.
6. All other provisions of this section have been followed.

STAFF FINDINGS The purpose of this Neighborhood Landmark District is to preserve and protect neighborhood features that are important to maintain and enhance the neighborhood character. The property at 358 Bellevue Road provides a historic link to residential development in Bellevue in the early-1900s and also embodies the prevailing residential form along its portion of Bellevue Road.

A letter from the applicant describes the intersection of Old Harding and Bellevue Rd. as the historic heart of Bellevue. The letter suggests that the current residence may have served civic and commercial functions throughout its history due to its central location and proximity to commercial activity. At the time of its construction, Bellevue was a sparsely populated community. The dwelling is one of a small number of remaining residential structures related to the historic Bellevue location. Because of this, this property is identified by the Metro Historic Commission as Worthy of Conservation. This property is also part of a node of historic Bellevue structures when combined with the adjacent property at 356 Bellevue Road, which contains Bellevue's historic post office building, and several other historic structures located near the Old Harding Road and Bellevue Road intersection.

The property at 358 Bellevue Road embodies the prevailing residential form along its portion of Bellevue Road. The single-family dwelling within a 0.76 acre site is consistent with most properties along the same section of Bellevue Road. The subject property provides a critical edge to this residential section of Bellevue Road. To the west of the site is the commercially zoned area surrounding the intersection of Old Harding Pike and Bellevue Road. An automobile service station, located between the subject property and Old Harding Road, presents a contrasting form from the consistent single-family residential form to the east. The maintenance of the current residential form at the project site will serve to maintain appropriate visual delineation of the contrasting forms of development.

The size of the lot combined with its zoning presents a threat to the preservation of the existing development on the subject property. The property could be divided into two single-family lots under the current RS15 zoning. The property lacks historic designation requiring review of alteration or demolition of the current structure. The applicant proposes to maintain the current form of development on this lot while allowing for the inclusion of a commercial use with the existing residential use. The proposed personal care services use would allow the site to be used to teach pilates and yoga classes.

Staff finds that the proposed NL meets all criteria for consideration of establishment of a NL district. The existing residential structure is strongly linked to the past and present of its Bellevue locale. The inclusion of a limited commercial use within the neighborhood landmark district will aid in the preservation of the structure and property.

DEVELOPMENT PLAN DETAILS The establishment of the Neighborhood Landmark District requires the approval of Council. The development plan to implement the District requires the approval of the Planning Commission only. The applicant has requested concurrent approval of the District and the implementing development plan.

Development Plan The applicant proposes no changes to the current layout of the property. The existing residential dwelling and the two existing out-buildings will be maintained in their current form. This Neighborhood Landmark does not allow for new construction or the demolition or alteration of existing structures, other than for routine maintenance.

Access and Parking Vehicular access to the site is available through a gravel driveway connection to Bellevue Road. A rear parking area and garage structure provides parking for the current residential use and is intended to accommodate customers related to the proposed commercial use.

The applicant proposes to maintain the gravel driveway and parking area as it currently exists. The Zoning Code requires paving of parking areas with five or more parking spaces. Conditions of approval limiting the intensity of the proposed commercial use and requiring a revised parking layout have been added to allow the applicant to maintain the gravel surface. The nature of the proposed use will allow the applicant to schedule visitors, ensuring that the maximum limit is not breached.

Signage One ground sign is proposed with the neighborhood landmark district. It will be a hanging sign with a maximum height of 6 feet. The display area will be 18 inches by 24 inches. External lighting is proposed. The proposed sign is relatively small in scale and is appropriate within the existing development.

STORMWATER RECOMMENDATION If the existing gravel drive is to be overlaid with asphalt, then no stormwater permit will be required. If grading is to take place, then a stormwater permit may be required. If a stormwater permit is required, then this should be approved prior to development plan approval. Add a note to the development plan if no grading

is to take place.

PUBLIC WORKS RECOMMENDATION Provide the proper surface for driveway and parking area as per Metro Codes.

HARPETH VALLEY UTILITIES DISTRICT RECOMMENDATION Water and Sewer service for subject property is available and has been approved by the District. All applicable charges have been paid by the owner.

STAFF RECOMMENDATION Staff recommends that the Neighborhood Landmark District be approved as it meets the criteria for this type of District. The property at 358 Bellevue Road provides a historic link to residential development in Bellevue in the early-1900s and also embodies the prevailing residential form along its portion of Bellevue Road. The Neighborhood Landmark District will help to preserve development consistent with its surroundings and historic context.

Staff recommends that the development plan be approved with conditions as it implements the proposed Neighborhood Landmark District does not allow for new construction or the demolition or alteration of existing structures, other than for routine maintenance.

DEVELOPMENT PLAN CONDITIONS

1. The number of customers concurrently visiting the property shall not exceed four.
2. Prior to use and occupancy permit approval, the property shall be connected to Metro sewer.
3. The parking lot layout shall be revised to provide a minimum of four uncovered parking spaces within the rear parking area. Five or more parking spaces shall meet the parking lot paving requirements of the Zoning Code. Paving of portions of this area with a dustless surface may be required in order to comply with ADA requirements.
4. Uses permitted within this Neighborhood Landmark are fitness center and one single-family dwelling unit. No other uses shall be permitted.
5. All Public Works' design standards shall be met prior to any final approvals and permit issuance. Any approval is subject to Public Works' approval of the construction plans.
6. Stormwater requirements shall be included on the corrected copy of the Neighborhood Landmark development plan.
7. A corrected copy of the Neighborhood Landmark development plan incorporating the conditions of approval by the Planning Commission shall be provided to the Planning Department prior to any permit applications for this property, and in any event no later than 120 days after the effective date of the ordinance establishing the Neighborhood Landmark District.
8. Planning Commission approval of the development plan is conditioned upon Council approval of the NL District.
9. The Planning Commission shall approve any changes to the development plan.

Approved (7-0), Consent Agenda

Resolution No. RS2010-73

“BE IT RESOLVED by The Metropolitan Planning Commission that 2010NL-001-001 is **APPROVED NEIGHBORHOOD LANDMARK DISTRICT AND APPROVE WITH CONDITIONS THE NEIGHBORHOOD LANDMARK DEVELOPMENT PLAN (7-0).**

Development Plan Conditions of Approval:

1. The number of customers concurrently visiting the property shall not exceed four.
2. Prior to use and occupancy permit approval, the property shall be connected to Metro sewer.
3. The parking lot layout shall be revised to provide a minimum of four uncovered parking spaces within the rear

parking area. Five or more parking spaces shall meet the parking lot paving requirements of the Zoning Code. Paving of portions of this area with a dustless surface may be required in order to comply with ADA requirements.

4. Uses permitted within this Neighborhood Landmark are fitness center and one single-family dwelling unit. No other uses shall be permitted.
5. All Public Works' design standards shall be met prior to any final approvals and permit issuance. Any approval is subject to Public Works' approval of the construction plans.
6. Stormwater requirements shall be included on the corrected copy of the Neighborhood Landmark development plan.
7. A corrected copy of the Neighborhood Landmark development plan incorporating the conditions of approval by the Planning Commission shall be provided to the Planning Department prior to any permit applications for this property, and in any event no later than 120 days after the effective date of the ordinance establishing the Neighborhood Landmark District.
8. Planning Commission approval of the development plan is conditioned upon Council approval of the NL District.
9. The Planning Commission shall approve any changes to the development plan.

The proposed Neighborhood Landmark Overlay meets all zoning code requirements.”

8. 2010NL-002-001

Larry's Grand Ole Garage
Map: 043-14 Parcels: 035, 036
Madison Community Plan
Council District 9 – Jim Forkum
Staff Reviewer: Jason Swaggart

A request to establish a Neighborhood Landmark District and for approval of the Neighborhood Landmark Development Plan for properties located at 108 and 112 Leena Belle Avenue, at the northwest corner of Leena Belle Avenue and E. Maple Street (1.26 acres), zoned as RS5, to permit a residence and a bluegrass music facility (commercial amusement indoor/outdoor), requested by Lonnie Jones, owner.

**Staff Recommendation: Approve Neighborhood Landmark District
Approve with conditions the Neighborhood Landmark Development Plan**

**APPLICANT REQUEST - Apply NL and Approve NL -Apply a Neighborhood Landmark District
Approve Neighborhood Landmark Development Plan**

A request to establish a Neighborhood Landmark Development Plan District and for approval of the Neighborhood Landmark Development Plan for properties located at 108 and 112 Leena Belle Avenue, at the northwest corner of Leena Belle Avenue and E. Maple Street (1.26 acres), zoned as Single-Family Residential (RS5), to permit a residence and a bluegrass music facility (commercial amusement indoor/outdoor).

Existing Zoning

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

Proposed Zoning

Neighborhood Landmark District (NL) The NL district is intended to preserve and protect landmark features whose demolition or destruction would constitute an irreplaceable loss to the quality and character of the neighborhood or community.

Under the 17.36.420 of the Zoning Code, a neighborhood landmark is defined as a feature that “has historical, cultural, architectural, civic, neighborhood, or archaeological value and/or importance; whose demolition or destruction would constitute an irreplaceable loss to the quality and character of a neighborhood.” To be eligible for application of the

Neighborhood Landmark District, a property must meet one or more of the criteria set out in 17.36.420, which are:

1. It is recognized as a significant element in the neighborhood and/or community;
2. It embodies characteristics that distinguish it from other features in the neighborhood and/or community.
3. Rezoning the property on which the feature exists to a general zoning district inconsistent with surrounding or adjacent properties such as, office, commercial, mixed-use, shopping center, or industrial zoning district would significantly impact the neighborhood and/or community;
4. Retaining the feature is important in maintaining the cohesive and traditional neighborhood fabric;
5. Retaining the feature will help to preserve the variety of buildings and structures historically present within the neighborhood recognizing such features may be differentiated by age, function and architectural style in the neighborhood and/or community;
6. Retaining the feature will help to reinforce the neighborhood and/or community's traditional and unique character.

CRITICAL PLANNING GOALS N/A

CRITERIA FOR CONSIDERATION FOR ESTABLISHMENT OF NL DISTRICT Section 17.40.160 of the Zoning Code requires that NL districts meet the following six criteria:

1. The feature is a critical component of the neighborhood context and structure.
2. Retention of the feature is necessary to preserve and enhance the character of the neighborhood.
3. The only reason to consider the application of the NL is to protect and preserve the identified feature.
4. There is acknowledgement on the part of the property owner that absent the retention of the feature, the base zoning district is proper and appropriate and destruction or removal of the feature is justification for and will remove the NL designation and return the district to the base zoning district prior to the application of the district.
5. It is in the community's and neighborhood's best interest to allow the consideration of an appropriate NL Development Plan as a means of preserving the designated feature.
6. All other provisions of this section have been followed.

STAFF FINDINGS Staff finds that the proposed Neighborhood Landmark meets the criteria for a NL. The purpose of this NL is to recognize a site of cultural significance for Madison and Nashville – Larry's Grand Ole Garage (LGOG). LGOG is a bluegrass music venue, classified as commercial amusement indoor/outdoor that has been operating at 549 East Maple Street for many years. Through the years people have been gathering at LGOG every Tuesday and Saturday nights creating an important gathering place for local community residents to socialize.

LGOG is an anomaly that has become a place of significance in the community. While a non-residential zoning would not be appropriate at this location, the NL will preserve this community asset and set parameters that will ensure that it will not evolve into something that will negatively impact the community.

DEVELOPMENT PLAN DETAILS The establishment of the Neighborhood Landmark District requires the approval of Council. The development plan to implement the District requires the approval of the Planning Commission only. The applicant has requested concurrent approval of the District and the implementing development plan.

Current Conditions The property contains a single-family residence which is occupied by the owner/applicant, and several accessory structures. Among the several small accessory structures are a small shop and a large covered garage, which are both used for the music venue.

NL Development Plan The development plan does not propose any new construction, but only recognizes the existing improvements on the property – a single-family residence and several accessory structures. The plan does permit expansion

of the residential use, but it does *not* permit any expansion of the commercial amusement indoor/outdoor use.

Street Closure The applicant has submitted a mandatory to close Lena Belle Avenue, and an un-named alley bordering the northern property line. Staff is recommending approval of the mandatory and if approved by Metro Council the acreage of the property and NL will expand slightly once the street and alley have been abandoned.

Access and Parking Access to the site is currently from Lena Belle Avenue. If Lena Belle is abandon then access will be from East Maple Street. Parking for events is located off site, across the street from LGOG and on property owned and operated by the Madison Little League Baseball Inc. The Madison Little League Baseball Inc. has entered into a parking agreement with LGOG, and the agreement is on file with the Planning Commission. If the parking agreement is ever terminated, then the commercial amusement indoor/outdoor uses will be required to cease until other parking arrangements are made. Any new parking arrangements including on site parking would require approval from the Planning Commission.

Hours of Operation Days of operation would be limited to Tuesdays and Saturdays. Events shall not go past 10 P.M.

Signage The NL recognizes the existing small sign which is on the small shop fronting on Lena Belle. No additional signs are permitted and the existing sign can not be relocated to where it would be visible from East Maple. The NL does not prohibit the existing sign from being replaced, but it does limit the sign area to 20 SF, and it can not be illuminated in any way.

Other Standards

Other standards in the development plan include:

- Events shall be limited to no more than 150 persons.
- No amplified music is permitted.
- Beer and alcohol may not be sold on the premises.

STORMWATER RECOMMENDATION Approved

PUBLIC WORKS RECOMMENDATION No Exceptions Taken

STAFF RECOMMENDATION Staff recommends that the Neighborhood Landmark District be approved. The proposed District meets the criteria for consideration found in the Zoning Code, and it will protect an important community asset.

Staff recommends approval with conditions of the development plan as it implements the proposed Neighborhood Landmark District. The development plan is consistent with code requirements, and will ensure that the non-residential use permitted in the District does not negatively impact the neighborhood.

DEVELOPMENT PLAN CONDITIONS

1. Planning Commission approval of the development plan is conditioned upon Council approval of the NL District.
2. The Planning Commission shall approve any changes to the development plan.
3. Uses permitted within this Neighborhood Landmark that are not permitted by the current RS5 base district are commercial amusement indoor/outdoor.
4. The two properties within the NL (Parcel 035 and 036) shall be consolidated by instrument or plat, prior to the issuance of any permits.

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

Approved (7-0), Consent Agenda

Resolution No. RS2010-74

"BE IT RESOLVED by The Metropolitan Planning Commission that 2010NL-0002-001 is **APPROVED NEIGHBORHOOD LANDMARK DISTRICT AND APPROVE WITH CONDITIONS THE NEIGHBORHOOD**

LANDMARK DEVELOPMENT PLAN (7-0)

Development Plan Conditions of Approval:

1. Planning Commission approval of the development plan is conditioned upon Council approval of the NL District.
2. The Planning Commission shall approve any changes to the development plan.
3. Uses permitted within this Neighborhood Landmark that are not permitted by the current RS5 base district are commercial amusement indoor/outdoor.
4. The two properties within the NL (Parcel 035 and 036) shall be consolidated by instrument or plat, prior to the issuance of any permits.

The proposed Neighborhood Landmark Overlay meets all zoning code requirements.”

IX. PUBLIC HEARING: REVISED SITE PLANS

9. 1-74P-001

Hickory Hollow Mall
Map: 163-00 Parcel: 230
Antioch/Priest Lake Community Plan
Council District 32 – Sam Coleman
Staff Reviewer: Greg Johnson

A request to revise the preliminary plan and for final approval for a portion of the Hickory Hollow Mall Commercial Planned Unit Development located at 5301 Hickory Hollow Lane, at the southeast corner of Bell Road and Hickory Hollow Lane, zoned SCR (1.27 acres), to permit a 5,130 square foot fast food restaurant with 130 seats, replacing an existing fast food restaurant containing 140 seats, requested by Tsquare Engineering, applicant, for McDonald's Corp., owner.

Staff Recommendation: Approve with conditions

APPLICANT REQUEST - Revise Preliminary PUD and Final Site Plan -Permit a fast-food restaurant.

A request to revise the preliminary plan and for final approval for a portion of the Hickory Hollow Mall Commercial Planned Unit Development located at 5301 Hickory Hollow Lane, at the southeast corner of Bell Road and Hickory Hollow Lane, zoned Shopping Center Regional (SCR) (1.27 acres), to permit a 5,130 square foot fast food restaurant with 130 seats, replacing an existing fast food restaurant containing 140 seats.

CRITICAL PLANNING GOALS N/A

PLAN DETAILS The Hickory Hollow Mall PUD is located immediately north of Interstate 24 along Bell Road in southeast Nashville. It includes the Hickory Hollow Mall and much of the surrounding commercial area along Bell Road and Hickory Hollow Lane.

This preliminary PUD revision replaces an existing McDonald's fast food restaurant with a new McDonald's fast food restaurant in the same location. Outside of the interior layout of the restaurant and a revised drive-thru layout, the design of the site remains largely unchanged.

The property is accessed from two existing driveway connections to Hickory Hollow Lane. Construction of sidewalks is required with this application. The site plan illustrates sidewalks along Bell Road and Hickory Hollow Lane. A condition of approval has been added to work with Metro Public Works and Metro Planning to provide a sidewalk layout that attempts to preserve existing trees on-site and within adjacent right-of-way.

PUBLIC WORKS RECOMMENDATION

Revise and Resubmit

1. The developer's final construction drawings shall comply with the design regulations established by the Department

of Public Works. Final design may vary based on field conditions.

2. Dedicate sufficient ROW or provide a pedestrian easement for sidewalk construction where necessary.

Traffic Comment

1. Identify pole guy wires with regards to proposed sidewalks.
2. Modify traffic signal to accommodate pedestrian crossing on Hickory Hollow Lane at Bell Rd as determined by the Metro Traffic Engineer.
3. Modification shall include installation/ modification of pavement markings and signal related appurtenances per MUTCD.

STORMWATER RECOMMENDATION

1. Provide Grading Permit fee (\$814) and recording fees.
2. Provide NOC.
3. Provide a construction entrance (or is the existing access being used). Either or, please specify. Also, remove erosion control measures from the ROW. Change note G on C3 to specify 15 days.
4. Add the following note to the plans: Contractor to provide an area for concrete wash down and equipment fueling in accordance with Metro CP-10 and CP-13, respectively. Contractor to coordinate exact location with NPDES department during preconstruction meeting.
5. Provide all civil details to plans (single inlet, double inlet, exact water quality unit detail with actual inverts and sizes (the one provided was blurry).
6. The interior inlets spread and spread depth seemed excessive (may overtop and bypass). Reduce spread and spread depth.
7. Provide complete Contech storm sizing calculations (show the cartridges required for mass and volume calculations).

STAFF RECOMMENDATION Staff recommends approval with conditions. The proposed changes are consistent with the approved plan.

CONDITIONS

1. Prior to building permit approval, the applicant shall receive approval from Metro Public Works and Metro Planning for a sidewalk layout that preserves existing trees on-site and within adjacent right-of-way to the greatest extent possible. A tree protection plan shall be submitted for trees adjacent to the new sidewalk.
2. A replacement tree shall be provided for each tree that must be removed for sidewalk installation and shall be planted with a minimum 2 inch caliper size. Replacement trees shall be shown on the revised site plan. Replacement trees shall be planted within the right-of-way and will not count for Tree Density Unit requirements of the Zoning Code.
3. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
4. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
5. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
6. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metro Department of Public Works for all improvements within public rights of way.
7. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metro Planning Commission.

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

Approved (7-0), Consent Agenda

Resolution No. RS2010-75

“BE IT RESOLVED by The Metropolitan Planning Commission that 1-74P-001 is **APPROVED WITH CONDITIONS.**
(7-0)

Conditions of Approval:

1. Prior to building permit approval, the applicant shall receive approval from Metro Public Works and Metro Planning for a sidewalk layout that preserves existing trees on-site and within adjacent right-of-way to the greatest extent possible. A tree protection plan shall be submitted for trees adjacent to the new sidewalk.
2. A replacement tree shall be provided for each tree that must be removed for sidewalk installation and shall be planted with a minimum 2 inch caliper size. Replacement trees shall be shown on the revised site plan. Replacement trees shall be planted within the right-of-way and will not count for Tree Density Unit requirements of the Zoning Code.
3. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
4. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
5. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
6. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metro Department of Public Works for all improvements within public rights of way.
7. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metro Planning Commission.
8. The PUD final site plan as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans may require reapproval by the Planning Commission and/or Metro Council.
9. A corrected copy of the PUD final site plan incorporating the conditions of approval by the Planning Commission shall be provided to the Planning Department prior to the issuance of any permit for this property, and in any event no later than 120 days after the date of conditional approval by the Planning Commission. Failure to submit a corrected copy of the final PUD site plan within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.”

10. 46-83P-001
Metropolitan Airport Center
Map: 108-02 Parcel: 113
Donelson/Hermitage/Old Hickory
Council District 14 – James Bruce Stanley
Staff Reviewer: Jason Swaggart

A request to revise the preliminary plan and for final approval for a portion of the Metropolitan Airport Center Commercial Planned Unit Development located at 840 Royal Parkway, approximately 1,025 feet east of Airport Center Drive, zoned CS (6.95 acres), to permit a 5-story, 62,487 square foot hotel containing 105 rooms in Phase One and a 4-story, 48,036 square foot office building in Phase Two, requested by Dean Design Group, applicant, for Pinnacle Nashville Airport, owner.

Staff Recommendation: Approve with conditions, including the conditions from Metro Stormwater received on May 26, 2010.

APPLICANT REQUEST - Revise PUD and Final Site Plan - Revise PUD and final site plan to permit a hotel and office.

A request to revise the preliminary plan and for final approval for a portion of the Metropolitan Airport Center Commercial Planned Unit Development located at 840 Royal Parkway, approximately 1,025 feet east of Airport Center Drive, zoned Commercial Service (CS) (6.95 acres), to permit a 62,487 square foot hotel in Phase One and a 48,036 square foot office building in Phase Two.

CRITICAL PLANNING GOALS N/A

REQUEST DETAILS The request is to revise the last approved preliminary plan for a portion of the Metro Airport Center Planned Unit Development. The approximately 6.9 acres site is currently vacant, and it is located at the eastern terminus of Royal Parkway.

The original PUD was approved in 1983. The last approved plan includes 1,107,974 sq. ft. of various hotel, office and commercial uses. This site was approved for 73,500 sq. ft. of office.

The plan calls for a total of 110,523 sq. ft. of floor area. Phase One is for a five-story, 62,487 sq. ft. hotel with 105 rooms, and Phase Two is for a four-story, 48,036 sq. ft. office building. While this request will increase the floor area over what was last approved by Council, the increase is not more than ten percent; therefore, the Planning Commission can approve the request as a revision.

It is important to note that the Zoning Administrator (ZA) has waived the buffer requirement along the northern property line. The property is zoned for residential, but the long range plan calls for it to become commercial. While the ZA has waived the buffer requirement, the applicant has provided additional landscaping along the property line shared with the James Buchanan Cemetery. The cemetery is historic, and the additional landscaping will provide additional screening between the cemetery and the development.

Staff has no concerns with the request. As proposed, the plan is consistent with all zoning requirements.

PUBLIC WORKS RECOMMENDATION No Exceptions Taken

STORMWATER RECOMMENDATION Under technical review

STAFF RECOMMENDATION At this time, the Stormwater review is in progress. If the review is completed by the May 27, 2010, Planning Commission meeting with a recommendation of approve or approve with conditions, staff recommends that this request be approved with conditions.

CONDITIONS

1. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
2. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded

to the Planning Commission by the Traffic Engineering Sections of the Metro Department of Public Works for all improvements within public rights of way.

3. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
4. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metro Planning Commission.
5. The PUD final site plan as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans may require reapproval by the Planning Commission and/or Metro Council.
6. A corrected copy of the PUD final site plan incorporating the conditions of approval by the Planning Commission shall be provided to the Planning Department prior to the issuance of any permit for this property, and in any event no later than 120 days after the date of conditional approval by the Planning Commission. Failure to submit a corrected copy of the final PUD site plan within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.

Approved (7-0), Consent Agenda

Resolution No. RS2010-76

"BE IT RESOLVED by The Metropolitan Planning Commission that 46-83P-001 is **APPROVED WITH CONDITIONS, including the conditions from Metro Stormwater received on May 26, 2010. (7-0)**

Conditions of Approval:

1. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
2. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metro Department of Public Works for all improvements within public rights of way.
3. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
4. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metro Planning Commission.
5. The PUD final site plan as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans may require reapproval by the Planning Commission and/or Metro Council.
6. A corrected copy of the PUD final site plan incorporating the conditions of approval by the Planning Commission shall be provided to the Planning Department prior to the issuance of any permit for this property, and in any event no later than 120 days after the date of conditional approval by the Planning Commission. Failure to submit a corrected copy of the final PUD site plan within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission."

X. OTHER BUSINESS

11. Amendment #3 to the FY 2010 Transportation Planning Contract (Grant #1-07-036033-00) between TDOT and the Metro Planning Commission.

Approved (7-0), Consent Agenda

12. Grant Contract between TDOT and MPC (on behalf of the MPO) for FTA 5303 Program

Approved (7-0), Consent Agenda

13. Adoption of revised subdivision plat fees

Approved (7-0), Consent Agenda

14. Election of Officers/Annual Meeting.

Councilmember Gotto out at 4:17pm.

Ms. LeQuire stated that the Committee drafted a slate to present with Jim McLean remaining as Chairman and selecting Hunter Gee as Vice Chairman.

Dr. Cummings moved and Mr. Clifton seconded the motion, which passed unanimously, to accept the slate presented by the Committee to re-elect Jim McLean as Chairman and select Hunter Gee as Vice Chairman. (6-0)

Resolution No. RS2010-77

“BE IT RESOLVED by The Metropolitan Planning Commission that **Jim McClean is re-elected at Chairman and Hunter Gee as Vice Chairman. (6-0)”**

15. Readoption of the Planning Commission Rules and Procedures with an effective date of Sept 2, 2010, for Early Notice of Application Filing (VII.A.1), a modification to the Four Year Review of SPs procedures to notify the Homeowner's Association, and consideration of an amendment for the creation of an Executive Committee

Mr. Clifton moved and Dr. Cummings seconded the motion, which passed unanimously, to readopt the Planning Commission Rules and Procedures with an effective date of September 2, 2010 for Early Notice of Application Filing, a modification to the Four Year Review of SP District procedures to notify the Homeowner's Association, and to defer the discussion on the amendment to create an Executive Committee to the June 10, 2010 Planning Commission meeting. (6-0)

Resolution No. RS2010-78

“BE IT RESOLVED by The Metropolitan Planning Commission to **re-adopt the Planning Commission Rules and Procedures with an effective date of Sept 2, 2010, for Early Notice of Application Filing (VII.A.1) and a modification to the Four Year Review of SP District procedures to notify the Homeowners's Association. Defer the discussion on the amendment to create an Executive Committee to the June 10, 2010, Planning Commission meeting. (6-0)”**

16. Historical Commission Report

17. Board of Parks and Recreation Report

18. Executive Director Reports


19. Legislative Update

XI. ADJOURNMENT

The meeting was adjourned at 4:49 p.m.

Chairman

Secretary

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