



METROPOLITAN PLANNING COMMISSION MINUTES

Thursday, October 14, 2010

4:00 pm Regular Meeting

**1417 Murfreesboro Road
Metro Southeast at Genesco Park
Green Hills Conference Room**

MISSION STATEMENT

The Planning Commission guides growth and development as Nashville and Davidson County 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.

Planning Commission Present:

Jim McLean, Chair
Hunter Gee, Vice-Chair
Tonya Jones
Phil Ponder
Judy Cummings
Councilmember Jim Gotto
Andrée LeQuire, representing Mayor Karl Dean

Staff Members Present:

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

Commission Members Absent:

Derrick Dalton
Stewart Clifton
Ana Escobar

Legal Notice

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.

MEETING AGENDA

A. CALL TO ORDER

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

B. ADOPTION OF AGENDA

Mr. Ponder Moved and Councilmember Gotto seconded the motion, which passed unanimously, to adopt the agenda as presented. (6-0)

C. APPROVAL OF SEPTEMBER 23, 2010 MINUTES Councilmember Gotto moved and Mr. Ponder seconded the motion, which passed unanimously, to approve the September 23, 2010 minutes as presented. (6-0)

D. RECOGNITION OF COUNCILMEMBERS

Councilmember Hunt was in attendance but elected to speak at a later time.

Councilmember Holleman spoke in support of staff recommendation on behalf of Councilmember Evans regarding Items 6a and 6b.

Councilmember Hollin was in attendance but elected to speak at a later time.

E. ITEMS FOR DEFERRAL / WITHDRAWAL

2. 2010Z-017TX-001

BL2010-753 / WILHOITE

BARS AND NIGHT CLUBS, RESTAURANTS

9. 2010M-009PR-001

BL2010-768 / STANLEY

HOGGETT FORD ROAD ACCEPTANCE

Mr. Ponder moved and Councilmember Gotto seconded the motion to approve the Deferred and Withdrawn Items. (6-0)

F. CONSENT AGENDA

1. 2010Z-016TX-001

BL2010-746 / PAGE

AMATEUR RADIO ANTENNA TOWER

4. 2009SP-027-003

BL2010-771 / HARRISON

25TH & CLARKSVILLE (AMENDMENT #1)

6a. 2005P-005-001

HARDING PLACE CONDOS

6b. 2010SP-018-001

HARDING ACADEMY

7. 2010Z-023PR-001

BL2010-773 / MITCHELL
7300 CHARLOTTE PIKE

8. 2010Z-024PR-001

BL2010-776 / LANGSTER
4000 ALBION STREET

10. 1-74P-003

HICKORY HOLLOW (SOUTH NASHVILLE Fresenius Medical Center)

11. 38-79P-001

RIVERGATE MALL (MCDONALD'S)

12. 2010S-083-001

PARMLEY COVE

13. 2011 Planning Commission Filing Deadlines & Meeting Schedule

15. Approval of Community Plans Memo relating to the application of the Early Postcard requirements of the Planning Commission Rules and Procedures.

Dr. Cummings arrived at 4:16 p.m.

Councilmember Gotto requested that Item 1 be added to the Consent Agenda.

Councilmember Gotto moved and Mr. Ponder seconded the motion, which passed unanimously, to add Item 1 to the Consent Agenda and approve. (7-0)

G. PREVIOUSLY DEFERRED ITEMS

Zoning Text Amendments

1. 2010Z-016TX-001

BL2010-746 / PAGE

AMATEUR RADIO ANTENNA TOWER

Staff Reviewer: Jennifer Regen

A council bill to amend Section 17.16.290 of the Metro Zoning Code, to require an active, valid FCC license for operation of an amateur radio antenna, sponsored by Councilmember Anna Page.

Staff Recommendation: APPROVE

APPLICANT REQUEST - Require a FCC license to construct an amateur radio antenna / tower and remove at owner's expense any inactive radio antenna towers.

Text Amendment A council bill to amend Section 17.16.290 of the Metro Zoning Code, to require an active, valid FCC license for operation of an amateur radio antenna.

PURPOSE The bill requires an amateur radio operator to have a current, valid license from the FCC. Proof of the license must be submitted to the Zoning Administrator, prior to construction of any antenna. In the event a license expires without being renewed, the antenna and any associated tower must be removed at the property owner's expense.

ANALYSIS

Existing Law The existing Zoning Code permits amateur radio antennas in the agricultural and residential zoning district as "accessory" (A) uses. Section 17.16.290 sets forth several standards for tower height, tower location, tower setback, and tower mounting.

Proposed Bill The bill adds a standard requiring amateur radio operators to have a currently valid FCC license. Proof of the license must be submitted to the Zoning Administrator, prior to construction of any antenna. In the event a license expires without being renewed, the antenna and any associated tower must be removed at the property owner's expense.

What is amateur radio? The FCC website defines amateur radio as being a voluntary, non-commercial radio service involving amateur radio operators communicating locally and worldwide using store-bought or homemade radios, computers, satellites, and even the internet. Known as "hams", amateur radio operators have served as emergency communicators during the initial stages of emergencies and disasters. They played a critical role during Hurricane Katrina.

Is a FCC license required? The FCC requires operators to be licensed and pass an examination to operate on radio frequencies known as "amateur bands". There are three license types: Technician, general, and extra. Technician is the most common license obtained. Anyone can obtain a license who has a FCC registration number, except a representative of a foreign government. To obtain a FCC registration number, an applicant must provide a valid social security number. Licenses are to operate a radio with a call name. One call name is licensed to one radio operator. The FCC does not license or inquire about the radio tower or its location from which the operator will transmit. Licenses are good for ten years. As of August 14, 2010, Tennessee had 16,030 licensed operators per the national association of Amateur Radio operators known as "ARRL" which reports FCC licenses by state on its website.

Is a TN license required? The State of TN does not require a state-issued amateur license. State law does plainly indicate a local government (city or county) cannot pre-empt FCC (Section 6-54-130).

Metro Legal Review Metro Legal reviewed this bill and informed the Planning Department it had no concerns with the legality of the bill.

STAFF RECOMMENDATION Staff recommends approval of this bill. Metro Legal has determined it does not pre-empt state and/or federal law.

Approve (7-0), Consent Agenda

Resolution No. RS2010-143

"BE IT RESOLVED by The Metropolitan Planning Commission that 2010Z-016TX-001 is **APPROVED. (7-0)**

H. COMMUNITY PLAN POLICY CHANGES AND ASSOCIATED CASES

The Planning Commission will make the final decision on a Community Plan Amendment. The Commission will make a recommendation to the Metro Council on any associated cases(s). The Metro Council will make the final decision to approve or disapprove the associated case(s).

No Cases on this Agenda

I. RECOMMENDATIONS TO METRO COUNCIL

The Planning Commission will make a recommendation to the Metro Council on the requests below. The Metro Council will make the final decision to approve or disapprove the request.

Zoning Text Amendments

- 2. 2010Z-017TX-001**
BL2010-753 / WILHOITE

BARS AND NIGHT CLUBS, RESTAURANTS

Staff Reviewer: Jennifer Regen

A council bill to amend Chapter 17.08 and 17.16 of the Metro Zoning Code to designate bars and restaurants as uses permitted with conditions (PC) and to add certain location restrictions for these uses, requested by Councilmember Vivian Wilhoite.

Staff Recommendation: DISAPPROVE

The Metropolitan Planning Commission DEFFERRED the text amendment 2010Z-017TX-001 to the October 28, 2010, Planning Commission meeting at the request of the applicant. (6-0)

Specific Plans

3. 2009SP-022-003

BL2010-780 / HUNT

THE MANSION AT FONTANEL (AMENDMENT #1)

Map 049, Parcel(s) 140

Council District 03 (Walter Hunt)

Staff Reviewer: Brenda Bernards

A request to amend the SP District (adopted with Council Bill BL2009-561) for the previously approved Mansion at Fontanel Specific Plan District and for final site plan approval, for properties located at 4105, 4125, and 4225 Whites Creek Pike, approximately 1,000 feet north of Lloyd Road (136.04 acres), to amend the allowed capacity of the Seasonal Performance Entertainment Venue from 2,500 to 4,500 persons, to amend the event season from May 1-October 31 to April 1-November 30, to amend the maximum number of events from eight (one per month with two floating dates) to fourteen (one per month with six floating dates) with no more than two per month, and to allow unimproved seasonal parking on the east side of Whites Creek, requested by EDGE Planning, Landscape Architects, applicant, Fontanel Properties, LLC, owner.

Staff Recommendation: DISAPPROVE

APPLICANT REQUEST - Amendment of the Mansion at Fontanel SP.

Amend SP A request to amend the SP District (adopted with Council Bill BL2009-561) for the previously approved Mansion at Fontanel Specific Plan District and for final site plan approval, for properties located at 4105, 4125, and 4225 Whites Creek Pike, approximately 1,000 feet north of Lloyd Road (136.04 acres), to amend the allowed capacity of the Seasonal Performance Entertainment Venue from 2,500 to 4,500 persons, to amend the event season from May 1-October 31 to April 1-November 30, to amend the maximum number of events from eight (one per month with two floating dates) to fourteen (one per month with six floating dates) with no more than two per month, and to allow unimproved seasonal parking on the east side of Whites Creek.

Existing 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

BORDEAUX/WHITES CREEK COMMUNITY PLAN

Existing Policy

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

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

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

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

Consistent with policy? No. The original finding of consistency of the SP with the Natural Conservation (NCO) and Rural (R) land use policies was based upon the following factors:

- The proposed use, scale and location of buildings were consistent with the intent of the policies to support low intensity development and preserve sensitive environmental features of the property.
- While commercial uses are no longer contemplated in the NCO and R policies, the SP brought this property more into compliance with the intensity, design, building orientation and location of development envisioned by the policies than the R15 and RS20 zoning districts. (While the site has constraints in terms of floodplain and steep slopes, it is still developable for one and two-family residences at a density higher than the one unit per two acres called for in the policy.)
- The uses, types of building and location of buildings supported the Whites Creek Historic District.

The proposed amendment does not change the buildings along Whites Creek Pike and the SP does continue to support the Whites Creek Historic District. The amendment does propose to expand the scope of the Seasonal Performance Entertainment Venue (venue) by increasing the capacity of the venue, the event season and the number of events that would be held. In order to accommodate the increased number of patrons, it will be necessary for parking to be provided on the east side of Whites Creek within the floodway.

In recommending approval with conditions of the original SP staff argued that:

In conclusion, staff finds that while the proposed commercial uses are not consistent with the use provisions of the NCO and R policies as currently defined, at the time of adoption small scale commercial uses were considered appropriate in these policy areas. While the outdoor entertainment venue is larger than neighborhood scale and will include commercial activities, it will only be used intermittently and also be available as a community facility. In terms of built intensity and form, open space conservation, and preservation of rural character, the proposed SP brings this property more in line with the land use policy intent than does the current zoning, and better addresses the overarching vision of the Bordeaux-Whites Creek Plan to preserve rural lands. Further, with consideration of the Whites Creek Historic District and the desire to keep this area rural in character, the proposed SP supports this goal while the current zoning does not.

On balance, the proposed SP, in this particular circumstance, is found to be more consistent with the intent of the NCO and R policies and supportive of the Historic District, providing a development concept by which the environmentally sensitive features and the rural area can be preserved than the current zoning.

Staff had noted that the venue was larger than neighborhood scale with a capacity of 2,500. As the proposed amendment increases the capacity and brings cars across Whites Creek, it moves this SP further away from the intent of the NCO and R policies.

PLAN DETAILS The Planning Commission approved the Mansion at Fontanel SP, including final site plan approval for Phase 1 on October 22, 2009. The final site plan for Phase II was approved on February 11, 2010. At this time, the applicant is requesting an amendment to the SP to expand the capacity of the Seasonal Performance Entertainment Venue (venue) from a maximum of 2,500 patrons to a maximum of 4,500 patrons, the length of the performance season from six months to eight months, and the number of events from eight to fourteen, as well as requesting that unimproved parking be permitted on the east side of Whites Creek.

Council Bill BL2009-561 Included in the SP is an outdoor venue located east of Whites Creek. The Council approval of this SP specified the following conditions for this venue:

The definition of "Seasonal Performance Entertainment Venue" shall be revised to include:

- One event per month between May and October.*
- Two floating events to be held between May and October with no more than two events per month.*
- No event shall last more than one day and the maximum number of days for events between May and October shall not exceed eight.*
- Events shall be limited to Friday, Saturday or Sunday and shall end by 10:30pm*
- A stage shell shall be provided.*
- Decibel level output shall be limited to 96db at the soundboard location for the stage."*

Further, BL2009-561 required that:

...all Public Works conditions related to the access drives, driveway, bridge, special event traffic management, reporting, and number of parking spaces shall be met.

Proposed Amendments The applicant has requested a number of amendments related to the venue. Currently, the capacity of the venue is limited to 2,500 people. The event season runs from May 1 to October 30 with a maximum number of eight events

with one per month and two floating dates. The request is to expand the capacity of the venue to 4,500 people, extend the event season by two months April 1-November 30, and increase the number of events to fourteen with one per month with six floating dates. The conditions concerning the number of performances per month, length of performances, days of the week, and decibel level are to remain unchanged.

Parking In order to accommodate the increase in capacity, additional parking spaces will be necessary. Currently, there are approximately 1,000 unimproved parking spaces on the west side of Whites Creek to accommodate event patrons. The applicant has requested that an additional 900 spaces be permitted on the east side of Whites Creek. This parking would be accessed by single lane bridge across the creek.

Staff expressed concern that this bridge would need to accommodate a significant amount of vehicle traffic as well as all pedestrians from cars parked on the west side of the creek. The applicant has provided an interior traffic control plan for both entering and exiting the venue. This was developed by Red Mountain Entertainment, a company that specializes in event management. The plan includes four Police Officers who will direct traffic at the two entrances and at the intersection of Buena Vista Pike, Whites Creek Pike and Lloyd Road and the intersection of old Hickory Boulevard and Whites Creek Pike. There will be 16 parking attendants directing traffic on the property.

The plan proposes that a four foot pedestrian lane and an eight foot vehicular lane be delineated on the bridge. Parking attendants will be on both sides of the bridge so that traffic can be stopped in the event a vehicle needs to travel against the prevailing traffic.

STORMWATER RECOMMENDATION Amendment Approved

FIRE MARSHAL RECOMMENDATION Approved.

WATER SERVICES RECOMMENDATION Metro Water Service has no objections to the amendment regarding the number of people at events and seasonal parking. This amendment will not require any additional capacity studies for this venue. MWS recommends approval.

PUBLIC WORKS RECOMMENDATION 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.

Comply with all previous traffic conditions including those associated with the original SP approval, as well as the Phase 2 Final SP approval.

In addition, within one year of MPC approval of this proposed Amendment, the applicant shall submit a traffic letter/report along with supporting documentation completed by the applicant's traffic engineer to Metro Public Works for review and approval. The study shall describe and evaluate the operation of this development during large events, including the operation of the intersection of Whites Creek Pike and Old Hickory Boulevard and the intersection of Whites Creek Pike and Buena Vista Pike. It should also include information related to the number, date, and size of all large events. Based on the findings of the report, additional conditions may be required.

STAFF RECOMMENDATION Staff recommends disapproval as the proposed amendment is inconsistent with the purpose and intent of the NCO and Rural policies and due to the significant increase in activity and intensity.

CONDITIONS

1. All conditions of the SP adopted with Council Bill BL2009-561 not changed with this amendment shall remain.
2. 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.
3. The applicant shall comply with all previous traffic conditions including those associated with the original SP approval, as well as the Phase II Final SP approval.
4. Within one year of approval of this proposed Amendment, the applicant shall submit a traffic letter/report along with supporting documentation completed by the applicant's traffic engineer to Metro Public Works for review and approval. The study shall describe and evaluate the operation of this development during large events, including the operation of the intersection of Whites Creek Pike and Old Hickory Boulevard and the intersection of Whites Creek Pike and Buena Vista Pike. It shall also include information related to the number, date, and size of all large events. Based on the findings of the report, additional conditions may be required.

5. A corrected copy of the SP final site plan incorporating the conditions of approval by the Planning Commission shall be provided to the Planning Department prior to the issuance of any permit for this property, and in any event no later than 120 days after consideration by Planning Commission. If a corrected copy of the SP final site plan incorporating the conditions therein is not provided to the Planning Department within 120 days after the date of conditional approval by the Planning Commission, then the corrected copy of the SP final site plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, 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.

Ms. Bernards presented the staff recommendation of disapproval.

John Hass of 210 12th Ave S, representing applicant, spoke against staff recommendation.

Marc Owen, 329 Harbor Dr, spoke against staff recommendation.

Gary Weinberger of Red Mountain Entertainment spoke against staff recommendation and stated that this site can very comfortably accommodate 4,500 people.

John Raffino, partner with Red Mountain Entertainment, spoke against staff recommendation and stated that raising the capacity to 4,500 is very important in order to compete with other entertainment venues in Nashville.

Frances Davis, General Manager of the Farmhouse Restaurant at Fontanel, spoke against staff recommendation. Stated that 69 people are employed by this restaurant every day and that Fontanel is very concerned about preserving the integrity of the property.

Landen Morrison, 212 Mill Station Ct, spoke against staff recommendation and stated that there is too large of a gap between the small venue capacity and the large venue capacity. Firmly supports this proposal.

Bill Reynolds of 3667 Knight Drive spoke against staff recommendation and stated that he is a competitor of Fontanel's but is in support of their proposal. Noted that six additional events during the year would only be equivalent to 12-15 more parking hours per year.

Jamie Dudney, daughter of Barbara Mandrell, spoke against staff recommendation.

Stephanie Juste, 4583 Clarksville Pike, spoke against staff recommendation.

Randy Randolph, 4698 Lickton Pike, spoke against staff recommendation.

Josh Holloway, 236 Stewarts Ferry Pike, spoke against staff recommendation.

Robert Palmer, CEO of TomKats Group, responsible for hiring, stated that Fontanel has provided at least 150 new jobs for this area and spoke against staff recommendation.

David Plummer, architect, spoke against staff recommendation and stated that Fontanel increases our artist activity.

Stephanie Seyes (unsure of last name), server at Fontanel restaurant, spoke against staff recommendation.

Lily G. [last name was inaudible], employed at Fontanel, spoke against staff recommendation.

Jim Graves, Graves Realty, spoke against staff recommendation and stated that all traffic concerns have been satisfied and the noise level of 2500 vs. 4,500 people will not make much difference.

Richard Tress, Richard's Café, spoke against staff recommendation and stated that Fontanel enhances the rural feel as well as

the goodness of the area.

Eric Tarleton, 7135 Old Hickory Blvd, spoke in support of staff recommendation stating traffic and parking concerns.

Steve Huff, 1416 Plantation Drive, spoke in support of staff recommendation stating Neighborhood Association concerns regarding traffic and noise increase.

Monica Franklin, 3953 Lloyd Road, spoke in support of staff recommendation and stated that she would like to see them reach their original 8 before they ask for 14. She is unsure if other residents in the area are aware of this proposed increase.

Don Majors, 3937 Lloyd Road, stated that they community had not yet experienced a 2,500 person event. Asked the Commission to defer this Item to a later meeting so the community can see what effect it will have on the traffic and noise level. Stated that there is a large event scheduled for the end of October.

Councilmember Hunt spoke against staff recommendation of disapproval.

Councilmember Gotto moved and Mr. Ponder seconded the motion, which passed unanimously, to close the Public Hearing. (7-0)

Ms. LeQuire expressed her support to defer, stating her interest in more community involvement as well as allowing the residents to experience the large event at the end of October.

Ms Jones noted that the majority of the testimony was based on emotion (employees grateful for their job, etc.) rather than Planning related. Stated her inclination to approve, but would support deferral in order to obtain further community involvement.

Mr. Gee expressed his inclination to approve due to the Traffic Study showing no significant impact on the community as well as the character intended by the Community Plan being maintained at least 351 days per year.

Dr. Cummings agreed that the testimony heard was driven by emotion rather than a Planning perspective and would like to have more community involvement. She asked staff for clarification on reasons for disapproval.

Ms. Bernards clarified and stated that this item could only be deferred one meeting due to the fact that this item has a Council Bill already and is scheduled for the November 4th Council Public Hearing.

Mr. Ponder stated his only concern would be parking but fully supports deferral until the next meeting.

Councilmember Gotto inquired as to when this large event is supposed to take place.

Ms. Bernards clarified that the event is scheduled for October 24th and the next MPC meeting is October 28th.

Councilmember Gotto moved and Mr. Ponder seconded the motion, which passed unanimously, to defer to the October 28th MPC meeting and re-open the Public Hearing. (7-0)

Resolution No. RS2010-144

“BE IT RESOLVED by The Metropolitan Planning Commission that 2009SP-022-003 is DEFERRED to the October 28, 2010, Planning Commission meeting. (7-0)”

4. 2009SP-027-003

BL2010-771 / HARRISON

25TH & CLARKSVILLE (AMENDMENT #1)

Map 081-06, Parcel(s) 486

Council District 02 (Frank R. Harrison)

Staff Reviewer: Brian Sexton

A request to amend the SP District (adopted with Council Bill BL2009-590) for the previously approved 25th & Clarksville Specific Plan District, located at 2400 Clarksville Pike, between 24th Avenue North and 25th Avenue North (2.39 acres), to amend the condition pertaining to the wall-mounted signs, requested by Moran Foods, Inc., owner.

Staff Recommendation: APPROVE WITH CONDITIONS

APPLICANT REQUEST - Amend wall mounted building sign condition.

Amend SP A request to amend the Specific Plan district (adopted with Council Bill BL2009-590) for the previously approved 25th & Clarksville Specific Plan District, located at 2400 Clarksville Pike, between 24th Avenue North and 25th Avenue North (2.39 acres), to amend the condition pertaining to wall-mounted building signs.

Existing Zoning

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

CRITICAL PLANNING GOALS N/A

PLAN DETAILS The 25th & Clarksville SP was approved by Metro Council on January 19, 2010. The approved plan includes a one-story grocery store. A condition of approval limited the size of wall mounted building signs to 48 square feet. The proposed amendment would increase sign area and permit two wall mounted building signs with a maximum sign area of 126.75 square feet each. The proposed increase will provide for signage that is more appropriate in size in relation to the size of the building. This amendment will not relieve the applicant of the requirements to meet all other conditions of approval of the SP.

STAFF RECOMMENDATION Staff recommends that the request be approved with the condition below. All other conditions of the approved SP remain in place.

CONDITIONS

1. All original conditions of approval, with the exception of those related to wall mounted signs, shall be met.
2. Permitted signs include wall mounted signs with a maximum sign area of 130 square feet. Signs shall not be back-lit but may be spotlighted, or externally-lit. All light and glare shall be directed on-site to ensure surrounding properties are not adversely affected by increases in direct or indirect ambient light.

Approved with Conditions (7-0), Consent Agenda

Resolution No. RS2010-145

"BE IT RESOLVED by The Metropolitan Planning Commission that 2009SP-027-003 is **APPROVED WITH CONDITIONS. (7-0)**

Conditions of Approval:

1. All original conditions of approval, with the exception of those related to wall mounted signs, shall be met.
2. Permitted signs include wall mounted signs with a maximum sign area of 130 square feet. Signs shall not be back-lit but may be spotlighted, or externally-lit. All light and glare shall be directed on-site to ensure surrounding properties are not adversely affected by increases in direct or indirect ambient light.

The proposed amendment to the SP involves the allowed signage and does not conflict with the properties land use policy."

5. 2010SP-017-001

GATEWOOD

Map 071-11, Parcel(s) 016
Council District 05 (Jamie Hollin)
Staff Reviewer: Greg Johnson

A request to rezone from CL to SP-R zoning for property located at 1503 Dickerson Pike, at the northeast corner of Dickerson Pike and Gatewood Avenue and within the Dickerson Pike Sign Urban Design Overlay (2.25 acres), to permit all uses permitted by RM60 zoning, requested by MDHA, applicant, Akal Group, Inc., owner.

Staff Recommendation: APPROVE WITH CONDITIONS

APPLICANT REQUEST -Rezoning to permit multi-family residential uses.

Preliminary SP A request to rezone from Commercial Limited (CL) to Specific Plan-Residential (SP-R) zoning for property located at 1503 Dickerson Pike, at the northeast corner of Dickerson Pike and Gatewood Avenue and within the Dickerson Pike Sign Urban Design Overlay (2.25 acres), to permit all uses permitted by RM60 zoning.

Existing Zoning

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

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 proposes residential to the density allowed by the RM60 zoning district.

CRITICAL PLANNING GOALS

- Creates Walkable Neighborhoods
- Provides a Range of Housing Choices
- Supports Infill Development

The Gatewood SP promotes multi-family residential development in a street-focused format emphasizing pedestrian activity and the relationship between buildings and streetscape. Housing following these standards could serve as a catalyst for the development of additional walkable mixed-use infill projects along an arterial road currently established primarily with car-focused commercial development. The variety of housing types available to the proposed SP will add diversity in housing options to the surrounding area, which consists mainly of low-density single-family development.

EAST NASHVILLE COMMUNITY PLAN

Community/Corridor Center (CC) CC is intended for dense, predominantly commercial areas at the edge of a neighborhood, which either sits at the intersection of two major thoroughfares or extends along a major thoroughfare. This area tends to mirror the commercial edge of another neighborhood forming and serving as a "town center" of activity for a group of neighborhoods. Appropriate uses within CC areas include single- and multi-family residential, offices, commercial retail and services, and public benefit uses. An Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

Consistent with Policy? The proposed multi-family residential zoning is consistent with the intent of the land use policy to promote a mixed-use node along an important thoroughfare to serve as a center for surrounding neighborhoods. Development standards are proposed in order to provide specific design-based criteria to ensure design that is compatible with the intent of the land use policy.

PLAN DETAILS The proposed preliminary SP is a standards-based SP that anticipates residential development on the project site on Dickerson Pike. The SP proposes to use the standards of the RM60 zoning district. Design standards are proposed in addition to the standards contained in the RM60 zoning district in order to promote a strong pedestrian environment and quality building design along the property frontage.

Building Design The property is surrounded on three sides by public streets. Along these streets, a build-to zone of 5 feet to 20 feet is proposed. Building frontage must extend along a minimum of 60 percent of the Dickerson Pike street frontage. These requirements will ensure that buildings constructed within the site are placed with strong relationships to public streets.

Facade design standards included in the SP are intended to emphasize the relationship between development and public

space along Dickerson Pike. These include requirements for public entrances and window spacing. A recommended condition of approval requires the revision of a building façade articulation standard to provide acceptable examples. Staff recommends this revision because the current standard is written generally and could be interpreted to require only minimal façade elements that would provide limited enhancement of the street frontage. In addition to façade standards, a maximum height of four stories is proposed within the site.

Parking Standards Development standards propose the use of Urban Zoning Overlay (UZO) parking standards within the Zoning Code. Although this property is not located within the UZO, its location along a major arterial road with transit and a mix of uses makes the use of UZO standards appropriate.

Landscaping Standards The proposed SP includes standards for street tree spacing, landscaped buffers, and landscaped screening where parking lots are visible from the public street. These standards generally follow the requirements in the Zoning Code for the RM60 district. An additional requirement proposing a minimum 40 foot spacing for street trees along Gatewood Ave. and Dickerson Pike is proposed by the applicant.

STORMWATER RECOMMENDATION Because no construction is proposed, no stormwater permit required.

PUBLIC WORKS RECOMMENDATION

- Clarify parking and access locations as described in development standards.
- An access study may be required at development.

Maximum Uses in Existing Zoning District: **CL**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Retail (814)	2.25	0.357 F	34,989 SF	1535	35	106

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential(220)	2.25	60 D	135 U	942	70	92

Traffic changes between maximum: **CL** and proposed **SP**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-593	+35	-14

METRO SCHOOL BOARD REPORT

Projected student generation **24** Elementary **15** Middle **14** High

Schools Over/Under Capacity Students would attend Shwab Elementary School, Jere Baxter Middle School, and Maplewood High School. None of these three schools have been identified as being over capacity by the Metro School Board. This information is based upon data from the school board last updated September 2009.

STAFF RECOMMENDATION Staff recommends approval with conditions. The proposed design elements and the RM60 development standards ensure consistency with land use policy in terms of proposed uses and design.

CONDITIONS

1. The following façade design standard shall be added to the development standards:

Street-facing building facades shall be articulated with building elements, such as:

- Bay windows
- Porches

- Canopies
- Facade recesses and projections
- Other features that visually articulate building facades into distinct segments

2. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the RM60 zoning district for residential buildings as of the date of the applicable request or application.
3. A corrected copy of the preliminary SP plan incorporating the conditions of approval by the Planning Commission and Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no later than 120 days after the effective date of the enacting ordinance. The corrected copy provided to the Planning Department shall include printed copy of the preliminary SP plan and a single PDF that contains the plan and all related SP documents. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.
4. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
5. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Mr. Johnson presented the staff recommendation of approval with conditions.

Councilmember Gotto out at 5:21 p.m.

Ms. Angela Harrell, a representative for MDHA, spoke in favor of staff recommendation of approval with conditions.

Dan Morrison, 1334 Stainback Avenue, spoke against staff recommendation, stating the main concern is a lack of retail space on the first floor of this development and also requested to see a fully developed site plan.

Councilman Hollin stated that he would like more details from MDHA regarding this development, and that he did not object if the Planning Commission wanted to move forward with a recommendation to Council. He stated he would be gathering more information before any final votes at the Planning Commission.

Dr. Cummings moved and Mr. Ponder seconded the motion, which passed unanimously, to close the Public Hearing. (6-0)

Mr. Ponder moved and Dr. Cummings seconded the motion, which passed unanimously, to approve staff recommendation. (6-0)

Resolution No. RS2010-146

"BE IT RESOLVED by The Metropolitan Planning Commission that 2010SP-017-001 is **APPROVED WITH CONDITIONS. (6-0)**

Conditions of Approval:

1. The following façade design standard shall be added to the development standards:

Street-facing building facades shall be articulated with building elements, such as:

- Bay windows
- Porches
- Canopies
- Facade recesses and projections
- Other features that visually articulate building facades into distinct segments

2. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a

condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the RM60 zoning district for residential buildings as of the date of the applicable request or application.

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

The proposed SP is consistent with the East Nashville Community Plan's Corridor Center land use policy."

6a. 2010SP-018-001

HARDING ACADEMY

Map 130-01-0-C, Parcel(s) 001-015

Council District 23 (Emily Evans)

Staff Reviewer: Jason Swaggart

A request to rezone approximately 0.87 acres from Multi-Family Residential (RM40) and within the Floodplain Overlay District to Specific Plan – Institutional (SP - INS) to construct 60 parking spaces for Harding Academy on property located at 112 Harding Place, east of Harding Road, requested by Barge Cauthen & Assoc., applicant, for Harding Academy, owner. (See also PUD Cancellation Proposal No. 2005P-005-001).

Staff Recommendation: APPROVE WITH CONDITIONS

Approved with Conditions (7-0), Consent Agenda

[Note: Items #6a and #6b were discussed by The Metropolitan Planning Commission together. See Item #6b for staff report, actions and resolutions.]

6b. 2005P-005-001

HARDING PLACE CONDOS

Map 130-01-0-C, Parcel(s) 001-015

Council District 23 (Emily Evans)

Staff Reviewer: Jason Swaggart

A request to cancel the Harding Place Condos Residential Planned Unit Development located at 112 Harding Place, east of Harding Pike, zoned Multi-Family Residential (RM40) and within the Floodplain Overlay District (0.87 acres), approved for 14 condominium units, by Barge Cauthen & Associates, applicant, for Harding Academy, owner (see also Specific Plan Proposal No. 2010SP-018-001).

Staff Recommendation: APPROVE

APPLICANT REQUEST -Rezone and cancel Residential PUD Overlay.

Zone Change A request to rezone approximately 0.87 acres from Multi-Family Residential (RM40) and within the Floodplain Overlay District to Specific Plan – Institutional (SP - INS) to construct 60 parking spaces for Harding Academy on property located at 112 Harding Place, east of Harding Road.

Cancel PUD A request to cancel the Harding Place Condos Residential Planned Unit Development located at 112 Harding Place, east of Harding Pike, zoned Multi-Family Residential (RM40) and within the Floodplain Overlay District (0.87 acres), approved for 14 condominium units.

Existing Zoning

RM40 District - RM40 is intended for single-family, duplex, and multi-family dwellings at a density of 40 dwelling units per acre.

FO District -Floodplain Overlay District represents all properties or portions of properties within the floodway, the 100 year FEMA floodplain, including specific local flood basin studies, and is established to preserve the function and value of floodplains and floodways to store and convey floodwater flows through existing and natural flood conveyance systems to minimize damage to property and human life. **The proposed zoning request will not remove this property from the FO.**

Proposed Zoning

SP-INS District -Specific Plan-Institutional 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 institutional uses.

CRITICAL PLANNING GOALS N/A

WEST NASHVILLE COMMUNITY PLAN

Conservation (CO) CO policy is intended to preserve and enhance environmentally sensitive land within all Transect Categories except T6 Downtown. CO policy identifies land with sensitive environmental features including, but not limited to, steep slopes, floodway/floodplains, rare or special plant or animal habitats, wetlands and unstable or problem soils.

Consistent with Policy? While the policy would call for a site of this nature to remain undeveloped due to the fact that it is completely within the floodway for Richland Creek, the proposal is more in keeping with the policy than the currently approved condominium development. The proposed parking lot is designed to minimize runoff utilizing porous pavement in the parking areas to increase the rate of water absorption, and will restore a portion of the natural stream bank.

REQUEST DETAILS The request is to cancel the Planned Unit Development (PUD), and to rezone the property from RM40 to SP-INS, to permit the property to be used for a parking lot for Harding Academy. The site is located on Harding Place just west of Harding Pike. Richland Creek runs along the properties northern boundary. The property is completely within the floodway for Richland Creek, and is, therefore, within the Floodplain Overlay District.

In 2005, the Planning Commission approved the Harding Place Condominiums PUD for 14 residential units. The PUD has final site plan approval. The site is currently vacant; however, prior to the approval of the PUD, the site was occupied by a large structure which housed the Nashville Humane Society.

Since the site has been disturbed in the past, then the Metro Code requirements for building in the floodplain and floodway, the "50 percent rule," does not apply. Metro Code requires that undisturbed property encumbered by floodplain or floodway preserve a minimum of 50 percent of the floodplain area, including all of the floodway area, or all of the floodway area plus fifty feet on each side of the waterway, whichever is greater. A grading permit has been issued for this site in the past so it is considered disturbed and is exempt from this requirement.

While the floodplain code requirements do not apply, the Stormwater Management Division's buffer requirements do apply. Since this property is completely within the floodway, then it is required to be within a buffer. The proposal will require variances from the Metro's Stormwater regulations, which must be approved by the Stormwater Management Committee (SMC). If the preliminary plan is approved by the Metro Council, then the final site plan should not be approved until the SMC has approved all the necessary variances.

Site Plan The development plan calls for a parking lot which will accommodate 60 automobiles. Ten percent (6) of the parking spaces provided are designated for compact cars. The drive isles will be asphalt; however, the parking spaces will be paved with pervious concrete. Access to the lot will be from Harding Place from a single drive.

Analysis While the SP is not completely consistent with the area's CO policy, the proposed use is more appropriate than the uses currently approved in the PUD. The plan utilizes some Low Impact Development techniques which will improve water infiltration on the site. The plan also calls for portions of the natural stream bank to be restored, removing invasive plant species, clearing debris, and planting native species. Since this request will require that the SMC approve variances from the Stormwater Regulations, then the final site plan should not be approved until all the required stormwater variances have been granted.

PUBLIC WORKS RECOMMENDATION

If approved 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

STORMWATER RECOMMENDATION Approve Except as Noted:

Provide an approved variance from the Stormwater Management Committee for the buffer disturbances. If the variance is not granted prior to third reading at Council, then the Preliminary SP shall be re-referred to the Planning Commission.

STAFF RECOMMENDATION Staff recommends that the request to rezone from RM40 to Specific Plan be approved with conditions and that the request to cancel the PUD be approved. The proposed SP is more appropriate for the site than the currently approved PUD plan.

CONDITIONS

1. All required stormwater variances shall be approved prior to approval of the final site plan.
2. Uses permitted in this SP Zoning District include automobile parking and Greenway; no other uses shall be permitted.
3. Provide an approved variance from the Stormwater Management Committee for the buffer disturbances. If the variance is not granted prior to third reading at Council, then the Preliminary SP shall be re-referred to the Planning Commission.
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 CL 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. 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.
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 (7-0), Consent Agenda

Resolution No. RS2010-147

"BE IT RESOLVED by The Metropolitan Planning Commission that 2010SP-018-001 is **APPROVED WITH CONDITIONS. (7-0)**

Conditions of Approval:

1. All required stormwater variances shall be approved prior to approval of the final site plan.
2. Uses permitted in this SP Zoning District include automobile parking and Greenway; no other uses shall be permitted.
3. Provide an approved variance from the Stormwater Management Committee for the buffer disturbances. If the variance is not granted prior to third reading at Council, then the Preliminary SP shall be re-referred to the Planning Commission.
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 CL 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. 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.
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.

While the proposed SP is not fully in compliance with the West Nashville Community Plan's Conservation land use policy, it is more appropriate than the currently associated PUD, and will utilize low impact development techniques and repair some existing stream bank disturbances along Richland Creek."

Resolution No. RS2010-148

"BE IT RESOLVED by The Metropolitan Planning Commission that 2005P-005-001 is **APPROVED. (7-0)**

The associated SP district which is to replace the PUD overlay is more consistent with the West Nashville Community Plan's Conservation land use policy."

Zone Changes

7. 2010Z-023PR-001

BL2010-773 / MITCHELL

7300 CHARLOTTE PIKE

Map 114, Parcel(s) 137

Council District 35 (Bo Mitchell)

Staff Reviewer: Jason Swaggart

A request to rezone from R15 to CL zoning for property located at 7300 Charlotte Pike, at the corner of Charlotte Pike and Old Charlotte Pike (7.35 acres), requested by West Charlotte Properties LLC, owner.

Staff Recommendation: APPROVE, if the Commission directs staff to commence a housekeeping amendment to change the policy to Commercial Mixed Concentration (CMC).

APPLICANT REQUEST -Rezone from R15 to CL.

Zone Change A request to rezone from One and Two-Family Residential (R15) to Commercial Limited (CL) zoning for property located at 7300 Charlotte Pike, at the corner of Charlotte Pike and Old Charlotte Pike (7.35 acres).

Existing Zoning

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

Proposed Zoning

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

CRITICAL PLANNING GOALS N/A

HISTORY The property proposed for CL is zoned for residential, but for the past several years the use on the property has

been commercial in nature. The property has been the Moose Lodge and consists of a building and paved parking lot.

BELLEVUE COMMUNITY PLAN

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

Consistent with Policy? No. The proposed commercial zoning is not consistent with the property’s residential policy. The proposed commercial zoning permits uses that conflict with the residential land use policy.

The property proposed for CL is surrounded on the north and west by Commercial Mixed Concentration (CMC) policy. CMC policy is intended to include medium high to high density residential, all types of retail trade (except regional shopping malls), highway-oriented commercial services, offices, and research activities. While RLM policy exists south of the property, on the other side of Charlotte Pike, the RLM policy does not relate well with the surrounding CMC policy. Due to this inconsistency between the two policies, it is unlikely that the property would easily develop as a residential subdivision. Since the existing RLM policy does not relate well with the surrounding CMC policy, then staff could support a policy amendment. If the Planning Commission directs staff to file a housekeeping amendment to change the policy to Commercial Mixed Concentration (CMC), then staff can recommend approval of the rezoning request.

PUBLIC WORKS RECOMMENDATION A TIS may be required at development.

Typical Uses in Existing Zoning District: **R15**

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)	7.35	3.09 D	28 L	268	21	29

Typical Uses in Proposed Zoning District: **CL**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (820)	7.35	0.165 F	52,827 SF	4486	106	415

Traffic changes between typical: **R15** and proposed **CL**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+4218	+85	+386

Maximum Uses in Existing Zoning District: **R15**

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)	7.35	3.09 D	28 L	268	21	29

Maximum Uses in Proposed Zoning District: **CL**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (820)	7.35	0.6 F	192,099 SF	10381	227	986

Traffic changes between maximum: **R15** and proposed **CL**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+10113	+206	+957

STAFF RECOMMENDATION Staff recommends that the request be approved with the Commission directing staff to initiate a housekeeping amendment to change the residential policy to Commercial Mixed Concentration (CMC).

Approved with staff directed to begin a housekeeping amendment to change the land use policy to Commercial Mixed Concentration. (7-0), Consent Agenda

Resolution No. RS2010-149

“BE IT RESOLVED by The Metropolitan Planning Commission that 2010Z-023PR-001 is **APPROVED. (7-0)**

While the proposed CL zoning district is not consistent with the Bellevue Community Plan’s Residential Low Medium land use policy, the policy is inappropriate for the property and will be amended to Commercial Mixed Concentration land use policy which is more appropriate for the property.”

8. 2010Z-024PR-001

BL2010-776 / LANGSTER

4000 ALBION STREET

Map 091-08, Parcel(s) 116

Council District 21 (Edith Taylor Langster)

Staff Reviewer: Brenda Bernards

A request to rezone from CN to MUL zoning for property located at 4000 Albion Street, at the northwest corner of Albion Street and 40th Avenue North (0.1 acres), requested by Larry Davis, owner.

Staff Recommendation: APPROVE

APPLICANT REQUEST -Rezoning from CN to MUL.

Zone Change A request to rezone from Commercial Neighborhood (CN) to Mixed-Use Limited (MUL) zoning for property located at 4000 Albion Street, at the northwest corner of Albion Street and 40th Avenue North (0.1 acres).

Existing Zoning

CN District Commercial Neighborhood is intended for very low intensity retail, office, and consumer service uses which provide for the recurring shopping needs of nearby residential areas.

Proposed Zoning

MUL District Mixed Use Limited is intended for a moderate intensity mixture of residential, retail, restaurant, and office uses.

CRITICAL PLANNING GOALS N/A

NORTH NASHVILLE COMMUNITY PLAN

Tomorrow’s Hope DNDP

Mixed Use in Neighborhood Center (MxU in NC) MU policy is intended to encourage an integrated, diverse blend of compatible land uses ensuring unique opportunities for living, working, and shopping. Predominant uses include residential, commercial, recreational, cultural, and community facilities. Commercial uses appropriate to MU areas include offices and community, neighborhood, and convenience scale activities. Residential densities are comparable to medium, medium-high, or high density. 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.

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.

Consistent with Policy? Yes. The uses permitted in the MUL zoning district are consistent with the MxU in NC land use policy. While there was no site plan provided with this application, the intent of the rezoning is to allow a currently non-conforming building to be rehabilitated and used for an office.

PUBLIC WORKS RECOMMENDATION An access study may be required at development.

Typical Uses in Existing Zoning District: **CN**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Retail (814)	0.1	0.355 F	1,546 SF	104	9	26

Typical Uses in Proposed Zoning District: **MUL**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Retail (814)	0.1	0.458 F	1,995 SF	124	9	27

Traffic changes between typical: **CN** and proposed **MUL**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+449 SF	+20	0	+1

Maximum Uses in Existing Zoning District: **CN**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Retail(814)	0.1	0.25	1,089 SF	85	9	25

Maximum Uses in Proposed Zoning District: **MUL**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Retail (814)	0.1	0.6 F	2,613 SF	150	10	28

Traffic changes between maximum: **CN** and proposed **MUL**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+1,524 SF	+65	+1	+3

STAFF RECOMMENDATION Staff recommends approval of the zone change request from CN to MUL.

Approved (7-0), Consent Agenda

Resolution No. RS2010-150

“BE IT RESOLVED by The Metropolitan Planning Commission that 2010Z-024PR-001 is **APPROVED. (7-0)**”

The proposed MUL zoning district is consistent with the North Nashville Community Plan’s Mixed Use in Neighborhood Center land use policy.”

Mandatory Referrals

9. 2010M-009PR-001

BL2010-768 / STANLEY

HOGGETT FORD ROAD ACCEPTANCE

Map 085, Parcel(s) 029

Council District 14 (James Bruce Stanley)

Staff Reviewer: Bob Leeman

A request to amend the Official Street and Alley Acceptance and Maintenance Map for the The Metropolitan Government of Nashville and Davidson County by accepting Hoggett Ford Road as a public road, requested by Councilmember James Bruce Stanley, on behalf of various property owners.

Staff Recommendation: DISAPPROVE

The Metropolitan Planning Commission DEFERRED 2010M-009PR-001 to the December 9, 2010, Planning Commission meeting at the request of the applicant.

J. PLANNING COMMISSION ACTIONS

The Planning Commission will make the final decision on the items below.

Planned Unit Developments: final site plans

10. 1-74P-003

HICKORY HOLLOW (SOUTH NASHVILLE Fresenius Medical Center)

Map 163, Parcel(s) 231

Council District 32 (Sam Coleman)

Staff Reviewer: Brian Sexton

A request to revise the preliminary and for final approval for a portion of the Hickory Hollow Mall Planned Unit Development Overlay located at 5214 Hickory Hollow Parkway, at the northwest corner of Hickory Hollow Parkway and Hickory Hollow Lane (1.67 acres), zoned SCR, to permit an existing 10,000 square foot structure to be used for medical office, inventory stock and to permit a new curb cut, requested by Colliers International, applicant, for Sue Tomlinson, owner.

Staff Recommendation: APPROVE WITH CONDITIONS

APPLICANT REQUEST -Permit a Medial Office facility and new curb cut.

Revise Preliminary PUD and Final Site Plan A request to revise the preliminary plan and for final approval for a portion of the Hickory Hollow Mall Planned Unit Development Overlay located at 5214 Hickory Hollow Parkway, at the northwest corner of Hickory Hollow Parkway and Hickory Hollow Lane (1.67 acres), zoned Shopping Center Regional (SCR), to permit an existing 10,000 square foot structure to be used as a medical office, inventory stock and to permit a new curb cut.

Existing Zoning

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

CRITICAL PLANNING GOALS N/A

PLAN DETAILS 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 proposed revision to the preliminary PUD plan is for an existing outparcel located along Hickory Hollow Parkway. The parcel is developed and currently includes an existing 10,000 square foot building.

The applicants plan to reuse the existing building for a medical office and inventory stock. The plan calls for 8,000 of the existing 10,000 square foot structure to be used for the medical office and the remaining 2,000 square feet will be used for inventory stock. The existing building foot print will remain unchanged.

Access/Parking Access to the site is provided by an existing driveway and new curb cut located off of Hickory Hollow Place. The parking standards of the Zoning Code require that a total of 42 parking spaces be provided. Forty-two spaces are shown on

the plan.

PUBLIC WORKS RECOMMENDATION 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.

STAFF RECOMMENDATION Staff recommends that the request be approved with conditions. The proposal meets all zoning requirements and is consistent with the overall concept of the original PUD plan approved by Council.

CONDITIONS

1. Prior to the issuance of any building or grading permits, confirmation of PUD final site plan approval shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
2. Prior to the issuance of any building or grading permits, confirmation of PUD final site plan approval o 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. Deviation from these plans may require reapproval by the Planning Commission and/or Metro Council.

Approved with Conditions (7-0), Consent Agenda

Resolution No. RS2010-151

"BE IT RESOLVED by The Metropolitan Planning Commission that 1-74P-003 is **APPROVED WITH CONDITIONS. (7-0)**

Conditions of Approval:

1. Prior to the issuance of any building or grading permits, confirmation of PUD final site plan approval shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
2. Prior to the issuance of any building or grading permits, confirmation of PUD final site plan approval o 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. Deviation from these plans may require reapproval by the Planning Commission and/or Metro Council."

11. 38-79P-001

RIVERGATE MALL (MCDONALD'S)

Map 034-02, Parcel(s) 065

Council District 10 (Rip Ryman)

Staff Reviewer: Greg Johnson

A request to revise the preliminary plan and for final approval for a portion of the Rivergate Mall Commercial Planned Unit development located at 906 Rivergate Parkway, approximately 1,100 feet north of Gallatin Pike, zoned SCR (1.03 acres), to permit a dual drive-thru addition to an existing McDonald's fast-food restaurant, requested by TSquare Engineering, applicant, for McDonald's Corporation, owner.

Staff Recommendation: APPROVE WITH CONDITIONS

APPLICANT REQUEST - Permit alterations to drive-thru and parking for fast food restaurant.

Revise Preliminary PUD and Final Site Plan A request to revise the preliminary plan and for final approval for a portion of the Rivergate Mall Commercial Planned Unit Development located at 906 Rivergate Parkway, approximately 1,100 feet north of Gallatin Pike, zoned Shopping Center Regional (SCR) (1.03 acres), to permit a dual drive-thru addition to an existing McDonald's fast-food restaurant.

CRITICAL PLANNING GOALS N/A

PLAN DETAILS The Rivergate Mall PUD is located to the north of the intersection of Gallatin Road and Rivergate Parkway in Madison. It includes a portion of the Rivergate Mall and all of the commercial development along the west side of Gallatin Road between Rivergate Parkway and Conference Drive.

This preliminary PUD revision adds a second drive-thru lane and revises the parking layout for a portion of the site. Outside of these changes, the design of the site remains largely unchanged.

The property is accessed from Rivergate Parkway from a driveway to the north of the property that is shared with surrounding development. Additional access is available from the internal driveway system of the Rivergate Mall.

PUBLIC WORKS RECOMMENDATION 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. Show one-way pavement markings as necessary.

STORMWATER RECOMMENDATION

1. Provide at least one site benchmark with property vertical datum reference (i.e., NGVD-29). Plan Sheets C-0, C-1, and C-2 may be required during technical review.
2. Add the local FEMA Map information including the Community Map Number, and Date for the site to the plans.
3. Design calculations must be stamped by a register TN PE.
4. Add O&M information concerning the underground detention structure to the Long Term Maintenance Plan. A pdf file with Contech maintenance plan is attached to this email.
5. The Inspection & Maintenance Agreement and Dedication of Easement remain to be notarized.
6. Add a detail drawing for MWS TCP-03 Construction Entrance/Exit. Use a minimum length of 100 feet. Use the MWS TCP-03 reference number.
7. Reference MWS BMPs numbers on the Plan Sheet C-3 legend and the BMP detail drawings.
8. Provide construction ready detail drawings for the underground detention structure. Add at a minimum four accessways and two observation ports north and south.
9. Provide the Outlet Control Structure detail drawing used in the detention calculations.
10. Contech Stormfilter detail drawing should be construction ready. The drawing in the submittal was labeled "Preliminary".
11. Calculate the 100-year stormwater elevation at the 5-foot bypass weir.
12. Add a note on the plans that all erosion control measures are to be removed prior to as-built approval.
13. Please check General Information listed on the plans, especially the Utility Information listing the street as Hickory Hollow Lane.

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

CONDITIONS

1. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
2. 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.
3. Prior to the issuance of any building or grading permits, confirmation of PUD final site plan approval shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
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 with Conditions (7-0), Consent Agenda

Resolution No. RS2010-152

"BE IT RESOLVED by The Metropolitan Planning Commission that 38-79P-001 is **APPROVED WITH CONDITONS. (7-0)**

Conditions of Approval:

1. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
2. 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.
3. Prior to the issuance of any building or grading permits, confirmation of PUD final site plan approval shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
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."

Subdivision: Concept Plans

12. 2010S-083-001

PARMLEY COVE

Map 049, Parcel(s) 185

Council District 03 (Walter Hunt)

Staff Reviewer: Jason Swaggart

A request for concept plat approval to create 101 single-family cluster lots on property located at 3705 Whites Creek Pike, approximately 2,450 feet north of Green Lane (38.44 acres), zoned RS10, requested by Pinnacle National Bank, owner, Dale & Associates, surveyor.

Staff Recommendation: APPROVE WITH CONDITIONS

APPLICANT REQUEST - Concept plan approval for 101 single-family cluster lots.

Concept Plan A request for concept plan approval to create 101 single-family cluster lots on property located at 3705 Whites Creek Pike, approximately 2,450 feet north of Green Lane (38.44 acres), zoned Single-Family Residential (RS10).

Zoning

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

CRITICAL PLANNING GOALS N/A

SUBDIVISION DETAILS This is a request for concept plan approval for 101 single-family cluster lots. The property is located on the east side of Whites Creek Pike, north of Briley Parkway and is currently vacant. The property is characterized by rolling hills with open field and forest. Steep hillsides are also present on the site but they are primarily isolated along the eastern property boundary. Metro GIS indicates that there is a stream on the site, but it has been determined that it is not a stream but is a wet-weather conveyance.

This property was recently zoned from RS15, RS20 and SCN to RS10. A portion of the property was within a commercial Planned Unit Development (PUD) approved for 80,000 square feet of office and retail. The remaining portion of the property outside of the PUD was approved for a 45 lot residential subdivision. Earlier this year, the Planning Commission recommended that Council approve a request to rezone the property to RS10 and cancel the commercial PUD overlay. The rezoning (BL2010-728) and the PUD cancellation (BL2010-737) were both recently approved by Council.

Plan Details The concept plan calls for 101 single-family cluster lots on approximately 38 acres with a density of approximately 2.6 units per acre. The cluster lot option was created in order to provide for flexibility in design, the creation of common open space, and the preservation of natural features or unique or significant vegetation. The cluster lot option permits lots to be clustered into smaller areas of a site in order to protect more sensitive land features. Lots can be reduced down to two base zone districts, in this case to the RS5 zoning district, provided the sensitive areas are protected and that there is at least 15 percent of usable open space per phase.

The lots will range in size from 5,416 square feet to 10,606 square feet. Approximately seventeen acres or 46% will be in open space, and approximately 8 acres (45%) of the open space is active or within a natural conservation areas. A small trail network and gazebo are shown in the active areas. The areas along the eastern property boundary with steep slopes are designated for conservation.

Site Access/Connectivity Access to the site will be from a single public road from Whites Creek Pike. The street layout provides stub streets which will provide for future connectivity when adjacent properties develop. Two stub streets are proposed to the north, one to the east and one to the south.

Sidewalks Sidewalks will be provided on all new streets. This site is within the Urban Service District and sidewalks are required along White's Creek Pike.

Critical Lots Metro Zoning Code requires that lots with slopes equal to or greater than 25 percent be designated as critical lots and that they must meet certain performance standards. A number of lots have been identified as critical due to possible steep slopes. While Metro maps indicate that there are 25 percent and steeper slopes on the property, there is some question which lots will need to be identified as critical lots. A topography study will be conducted during the development planning stage to identify the topography of the site. There may be some rearranging of lots following the study. Any changes to the layout should be minor in nature, but could result in a net loss of lots. If changes are major then the development plan may require approval from the Planning Commission.

Fire Marshal's Office The Fire Marshal's Office has not approved the plan. Their primary issue is with access into the development. The Fire Code requires two access points for single and two-family developments with over 30 units. While the plan provides for connectivity to adjacent properties, the adjacent properties are vacant. Until the adjacent properties develop and are connected to this site, access will be from a single point at Whites Creek Pike.

The applicant is working with the Fire Marshal's Office, and if a secondary emergency access point can not be identified, then homes may require a sprinkler system. The applicant will continue to work with the Fire Marshal's Office on this issue. No final plats will be approved until the project has been approved by the Fire Marshal's Office.

Staff Analysis The Concept Plan meets all Zoning Code and Subdivision Regulation requirements. The plan provides active, usable open space and protects the steep hillsides. Given the topography of this site and surrounding area, the proposal provides for adequate connectivity to adjacent properties. While the plan has not been approved by the Fire Marshal's Office, solutions that will not require changes to the plan are available. If any future alteration to the plan is required, then it may require re-approval from the Planning Commission.

PUBLIC WORKS RECOMMENDATION

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. A recent field visit indicated the proposed access road may have to be relocated approximately 80ft to the north to provide adequate sight distance. This may require significant lot scheme redesign. Prior to the preparation of construction plans,

conduct a field run survey to document where adequate sight distance can be achieved for the access road onto Whites Creek Pike. Indicate the available and required sight distance at the project entrance for the posted speed limit per AASHTO standards.

3. Prior to the recording of the first final plat, construct a northbound right turn lane on Whites Creek Pike at the access road with 100 ft of storage and transitions per AASHTO standards.
4. Prior to the recording of the first final plat, construct the site access road at Whites Creek Pike with one entering and two exiting lanes (LT and RT) each with a minimum 100 ft of storage and transitions per AASHTO/MUTCD standards.

STORMWATER RECOMMENDATION Approved

STAFF RECOMMENDATION Staff recommends that the concept plan be approval with conditions. With the conditions, the request will meet all Zoning Code and Subdivision Regulation requirements; the plan protects the most sensitive hillsides on the site and provides for future connectivity to adjacent properties.

CONDITIONS

1. A sidewalk is required along Whites Creek Pike. The sidewalk shall meet Public Works standards and include a planting strip.
2. The development plan shall provide a more detailed topography study, and lots with slopes equal to 25% or greater shall be designated as critical and meet performance standards for critical lots. Major changes to the layout will require re-approval from the Planning Commission.
3. Prior to the recording of the first final plat, construct a northbound right turn lane on Whites Creek Pike at the access road with 100 ft of storage and transitions per AASHTO standards.
4. Prior to the recording of the first final plat, construct the site access road at Whites Creek Pike with one entering and two exiting lanes (LT and RT) each with a minimum 100 ft of storage and transitions per AASHTO/MUTCD standards.
5. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to approval of final plat.
6. Pursuant to 2-3.4.e of the Metro Subdivision Regulations, because this application has received conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to any application for a development plan, and in no event more than 30 days after the date of conditional approval by the Planning Commission.

Approved with Conditions (7-0), Consent Agenda

Resolution No. RS2010-153

"BE IT RESOLVED by The Metropolitan Planning Commission that 2010S-083-001 is **APPROVED WITH CONDITIONS. (7-0)**

Conditions of Approval:

1. A sidewalk is required along Whites Creek Pike. The sidewalk shall meet Public Works standards and include a planting strip.
2. The development plan shall provide a more detailed topography study, and lots with slopes equal to 25% or greater shall be designated as critical and meet performance standards for critical lots. Major changes to the layout will require re-approval from the Planning Commission.
3. Prior to the recording of the first final plat, construct a northbound right turn lane on Whites Creek Pike at the access road with 100 ft of storage and transitions per AASHTO standards.
4. Prior to the recording of the first final plat, construct the site access road at Whites Creek Pike with one entering and two exiting lanes (LT and RT) each with a minimum 100 ft of storage and transitions per AASHTO/MUTCD standards.
5. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to approval of final plat.
6. Pursuant to 2-3.4.e of the Metro Subdivision Regulations, because this application has received conditional approval from

the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to any application for a development plan, and in no event more than 30 days after the date of conditional approval by the Planning Commission.”

K. OTHER BUSINESS

13. 2011 Planning Commission Filing Deadlines & Meeting Schedule

Approved (7-0), Consent Agenda

Resolution No. RS2010-154

“BE IT RESOLVED by The Metropolitan Planning Commission that the 2011 Planning Commission Filing Deadlines & Meeting Schedule is **APPROVED. (7-0)**”

14. Election of the third member of the Executive Committee

Mr. Ponder moved and Dr. Cummings seconded the motion, which passed unanimously, to appoint Ms. LeQuire to the Executive Committee. (6-0)

Resolution No. RS2010-155

“BE IT RESOLVED by The Metropolitan Planning Commission that Ms. LeQuire’s election to the Executive Committee is **APPROVED. (6-0)**”

15. Approval of Community Plans Memo relating to the application of the Early Postcard requirements of the Planning Commission Rules and Procedures.

Approved (7-0), Consent Agenda

Resolution No. RS2010-156

“BE IT RESOLVED by The Metropolitan Planning Commission that the Community Plan Memo relating to **the application of Early Postcard requirements of the Planning Commission Rules and Procedures** is **APPROVED. (7-0)**”

16. Historical Commission Report

17. Board of Parks and Recreation Report

18. Executive Director Report

19. Legislative Update

Mr. Ponder out at 5:36 p.m.

L. ADJOURNMENT

The meeting ended at 5:37 p.m.

Chairman

Secretary



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