



METROPOLITAN PLANNING COMMISSION MINUTES

Thursday, January 8, 2015

4:00 pm Regular Meeting

700 Second Avenue South
(between Lindsley Avenue and Middleton Street)
Howard Office Building, Sonny West Conference Center (1st Floor)

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.

Commissioners Present:
Jim McLean, Chair
Stewart Clifton
Hunter Gee
Jeff Haynes
Lillian Blackshear
Andree LeQuire
Councilman Walter Hunt

Staff Present:
Rick Bernhardt, Executive Director
Doug Sloan, Deputy Director
Kelly Adams, Administrative Services Officer III
Craig Owensby, Public Information Officer
Bob Leeman, Planning Manager II
Carrie Logan, Planner III
Jason Swaggart, Planner II
Tifinie Capehart, Planner II
Stephanie McCullough, Planner II
Melissa Sajid, Planner II
Latisha Birkeland, Planner II
Lisa Milligan, Planner II
Jen Nalbantyan, Planner I
Alex Deus, Planner I
Jon Michael, Legal

Commissioners Absent: Greg Adkins, Derrick Dalton

Richard C. Bernhardt, FAICP, CNU-A
Secretary and Executive Director, Metro Planning Commission

Metro Planning Department of Nashville and Davidson County
800 2nd Avenue South P.O. Box 196300 Nashville, TN 37219-6300

p: (615) 862-7190; f: (615) 862-7130

Notice to Public

Please remember to turn off your cell phones.

The Commission is a 10-member body, nine of whom are appointed by the Metro Council and one of whom serves as the mayor's representative. The Commission meets on the 2nd and 4th Thursday of each month at 4:00 p.m., unless otherwise noted. The Planning Commission makes the final decision on final site plan and subdivision applications. On all other applications, the Commission recommends an action to the Metro Council (e.g. zone changes, specific plans, overlay districts, and mandatory referrals). The Metro Council can accept or not accept the recommendation.

Agendas and staff reports can be viewed on-line at www.nashville.gov/mpc/agendas or weekdays from 7:30 a.m. to 4:00 p.m. at the Planning Department office located at 800 2nd Avenue South, downtown Nashville. Also, at the entrance to this meeting room, a binder of all staff reports has been placed on the table for your convenience.

Meetings on TV can be viewed live or shown at an alternative time on Channel 3. Visit www.nashville.gov/calendar for a broadcast schedule.

Writing to the Commission

You can mail, hand-deliver, fax, or e-mail comments on any agenda item to the Planning Department. For the Commission to receive your comments, prior to the meeting, you must submit them by **noon the day of the meeting**. Otherwise, you will need to bring 14 copies of your correspondence to the meeting and during your allotted time to speak, distribute your comments.

Mailing Address: Metro Planning Department, 800 2nd Avenue South, P.O. Box 196300, Nashville, TN 37219-6300
Fax: (615) 862-7130
E-mail: planningstaff@nashville.gov

Speaking to the Commission

If you want to appear in-person before the Commission, view our tips on presentations on-line at www.nashville.gov/mpc/pdfs/mpc_mtg_presentation_tips.pdf and our summary regarding how Planning Commission public hearings are conducted at www.nashville.gov/mpc/docs/meetings/Rules_and_procedures.pdf. Briefly, a councilmember may speak at the very beginning of the commission meeting, after the individual item is presented by staff, or after all persons have spoken in favor or in opposition to the request. Applicants speak after staff presents, then, those in favor speak followed by those in opposition. The Commission may grant the applicant additional time for a rebuttal after all persons have spoken. Maximum speaking time for an applicant is 10 minutes, individual speakers is 2 minutes, and a neighborhood group 5 minutes, provided written notice was received prior to the meeting from the neighborhood group.

- Day of meeting, get there at least 15 minutes ahead of the meeting start time to get a seat and to fill-out a "Request to Speak" form (located on table outside the door into this meeting room).
- Give your completed "Request to Speak" form to a staff member.
- For more information, view the Commission's Rules and Procedures, at www.nashville.gov/mpc/pdfs/main/rules_and_procedures.pdf

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.



The Planning Department does not discriminate on the basis of race, color, national origin, gender, gender identity, sexual orientation, age, religion, creed or disability in admission to, access to, or operations of its programs, services, or activities. Discrimination against any person in recruitment, examination, appointment, training, promotion, retention, discipline or any other employment practices because of non-merit factors shall be prohibited. For ADA inquiries, contact Josie Bass, ADA Compliance Coordinator, at (615) 862-7150 or josie.bass@nashville.gov. For Title VI inquiries, contact Tom Negri, interim executive director of Human Relations at (615) 880-3374. For all employment-related inquiries, call 862-6640.

MEETING AGENDA

A. CALL TO ORDER

The meeting was called to order at 4:03 p.m.

B. ADOPTION OF AGENDA

Mr. Clifton moved and Mr. Gee seconded the motion to adopt the revised agenda. (7-0)

C. APPROVAL OF DECEMBER 11, 2014, MINUTES

Mr. Clifton moved and Councilman Hunt seconded the motion to approve the December 11, 2014 minutes. (7-0)

D. RECOGNITION OF COUNCILMEMBERS

Councilman Glover spoke in favor of Item 12 and requested approval.

E. NASHVILLENEXT UPDATE

Mr. Bernhardt presented the NashvilleNext update.

Ms. Farr arrived at 4:13 p.m.

F. ITEMS FOR DEFERRAL / WITHDRAWAL

1a. 2014CP-011-002

SOUTH NASHVILLE PLAN AMENDMENT

1b. 2014SP-082-001

WEDGEWOOD LOFTS

3. 2014SP-088-001

BURCHWOOD BUNGALOW

4. 2013NL-001-002

WADE SCHOOL (FINAL)

5. 2014S-162-001

AMBERWOOD APARTMENTS, RESUB RESERVE PARCEL A

7a. 2014CP-010-004

GREEN HILLS PLAN AMENDMENT

7b. 2014SP-083-001

HOWELL CORNER/BECKER CORNER OFFICES

9. 2015SP-001-001

THE ROW AT 6TH & GARFIELD

13. 2015SP-007-001

16TH AVE. APARTMENTS

21. 2015S-008-001

920 CURDWOOD BOULEVARD

Mr. Haynes moved and Mr. Gee seconded the motion to approve the deferred and withdrawn items. (7-0-1) Ms. Blackshear recused herself from Item 13.

G. CONSENT AGENDA

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

- 2. 2014SP-087-001**
HAWKEYE HILL
- 10. 2015SP-002-001**
4TH & GARFIELD
- 15. 2014Z-061PR-001**
- 17. 7-87P-001**
HAYWOOD OAKS (REVISION)
- 18. 75-83P-002**
PLAZA MARIACHI
- 19. 2014NL-003-002**
COWBOY JACK STUDIO (FINAL)
- 20. 2014S-222-001**
MARIA PATTON SUBDIVISION
- 22. 2015S-010-001**
ISSAC PAUL'S ELYSIAN GROVE PLAN, RESUB LOT 23
- 23. Employee contract renewal for Craig Owensby**
- 24. Exclusion of American Safety Casualty Insurance Company, including parent companies and subsidiaries of, from providing surety bonds for one year pursuant to Section 6-1.2.d of the Metro Subdivision Regulations.**
- 25. Resolution authorizing the expenditure of up to \$5,000 from the FY2015 Advance Planning and Research Fund to reimburse the University of Tennessee Design Studio (T. K. Davis as lead) during the spring semester for documented expenses to analyze specific corridor locations for the introduction of Missing Middle Housing in conjunction with the NashvilleNext project. The total of this authorization and the funding authorized by resolution RS2014-240 shall not exceed \$50,000 from the FY2015 Advance Planning and Research Fund.**
- 29. Accept the Director's Report and Approve Administrative Items**

Mr. Gee moved and Mr. Haynes seconded the motion to approve the Consent Agenda. (8-0)

H. PREVIOUSLY DEFERRED ITEMS

The items below were deferred from a previous Planning Commission meeting at the request of the applicant or by the commissioners. For Community Plan Policy items, see H. Community Plan Policy Changes and Associated Cases.

Community Plan Amendments

1a. 2014CP-011-002

SOUTH NASHVILLE PLAN AMENDMENT

Map 105-11, Parcel(s) 231

Council District 17 (Sandra Moore)

Staff Reviewer: Stephanie McCullough

A request to amend the South Nashville Community Plan by changing the Community Character policy from a T4 Neighborhood Maintenance policy to a T4 Mixed Use Neighborhood policy for property located at Wedgewood Avenue (unnumbered), approximately 750 feet west of Bransford Avenue (1.25 Acres), requested by Civil Site Design Group, PLLC, applicant; Delta Four, LLC, owner (See also Specific Plan Case No. 2014SP-082-001).

Staff Recommendation: Defer to the February 12, 2015, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2014CP-011-002 to the February 12, 2015, Planning Commission meeting. (8-0)

1b. 2014SP-082-001

WEDGEWOOD LOFTS

Map 105-11, Parcel(s) 231

Council District 17 (Sandra Moore)

Staff Reviewer: Jason Swaggart

A request to rezone from R6 to SP-MU zoning for property located at Wedgewood Avenue (unnumbered), approximately 750 feet west of Bransford Avenue, (1.25 acres), to permit a mixed-use development, requested by Civil Site Design Group, PLLC, applicant; Delta Four, LLC, owner (See also Community Plan Amendment Case No. 2014CP-011-002).

Staff Recommendation: Defer to the February 12, 2015, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2014CP-011-002 to the February 12, 2015, Planning Commission meeting. (8-0)

Specific Plans

2. 2014SP-087-001

HAWKEYE HILL

Map 083-09, Parcel(s) 453-454

Council District 06 (Peter Westerholm)

Staff Reviewer: Jennifer Nalbantyan

A request to rezone from R6 to SP-R zoning for properties located at 1505 and 1507 Holly Street, at the northwest corner of Holly Street and Lindsley Park Drive and located within the Lockeland Springs-East End Neighborhood Conservation Overlay District, (0.34 acres), to permit up to five dwelling units on three lots, including two lots with one or two-family dwelling units within a single structure on each lot and one lot with a single-family dwelling unit, requested by REM3 Studio, applicant; Allen and Janice Williams and Hawkeye Realty, LLC, owners.

Staff Recommendation: Approve with conditions and disapprove without all conditions including a variance for sidewalks along Lindsley Park Drive.

APPLICANT REQUEST

Preliminary SP to permit up to five dwelling units.

Preliminary SP

A request to rezone from One and Two-Family Residential (R6) to Specific Plan-Residential (SP-R) zoning for properties located at 1505 and 1507 Holly Street, at the northwest corner of Holly Street and Lindsley Park Drive and located within the Lockeland Springs-East End Neighborhood Conservation Overlay District, (0.34 acres), to permit up to five dwelling units on

three lots, including two lots with one or two-family dwelling units within a single structure on each lot and one lot with a single-family dwelling unit.

Existing Zoning

One and Two-Family Residential (R6) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre, including 25 percent duplex lots. *R6 would permit a maximum of 2 lots with 2 duplex lots for a total of 4 units.*

Proposed Zoning

Specific Plan-Residential (SP-R) 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 two residential building types.

CRITICAL PLANNING GOALS

- Supports Infill Development
- Creates Walkable Neighborhoods

SUBDIVISION REGULATIONS

The properties at 1505 and 1507 Holly Street are located within the Lockeland Springs-East End Neighborhood Conservation Overlay District. Under Section 3-5.4 of the Subdivision Regulations, the Metropolitan Historical Commission or its designee shall provide a recommendation for the consideration of the Commission as to whether or not the proposed subdivision is consistent with the historical development pattern of the district and compatible with the character of the district in terms of lot size, lot frontage and lot orientation.

The subdivision shall meet the current standards of reviewing agencies including Metro Public Works, Stormwater and Water Services.

EAST NASHVILLE COMMUNITY PLAN

Current Policy

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

DRAFT Preferred Future Policy

No changes are proposed.

Consistent with Policy?

Yes. The proposed SP is consistent with the Urban Neighborhood Maintenance policy which is intended to preserve the character of the existing neighborhood. The SP proposes detached dwelling units, which reflects the predominant development pattern in the area and maintains the existing context on both Holly Street and Lindsley Park Drive. The new single-family lot would orient towards Lindsley Park Drive directly across from an existing lot that also fronts onto Lindsley Park Drive and would be consistent with the existing development pattern on this street overall. This SP proposes shared parking that will be more obscured than the existing parking pad on the corner lot, which currently fronts directly onto Lindsley Park Drive.

PLAN DETAILS

The request proposes to create one additional lot from the rear yards of the existing two lots for a new single-family home. Lots 1 and 2 are oriented towards Holly Street and have frontage of 50 feet. The new Lot 3 would orient towards Lindsley Park Drive and have frontage of 51.6 feet. Lot 3 will have access from Lindsley Park Drive.

There is an existing sidewalk along Holly Street but not on Lindsley Park Drive. Infill Subdivision Regulations Section 3-8 2.b.3. states, "*Existing sidewalk present on the same block face.* New sidewalk shall be constructed on all streets abutting the property wherever sidewalk(s) already exists on any block face that includes the proposed subdivision." The applicant is required to extend the sidewalk along the side of Lot 2 and the front of Lot 3 along Lindsley Park Drive. Width constraints of Lindsley Park Drive present a unique hardship; therefore, the applicant requested a subdivision variance to Section 3-8 2.b.3 and proposes to build the same length of sidewalk in an alternate location within Pedestrian Benefit Zone 4, which is a condition of approval.

METROPOLITAN HISTORIC ZONING COMMISSION RECOMMENDATION

The Metropolitan Historic Zoning Commission recommended approval at the October 2014 meeting of subdivision of 1505 and 1507 Holly Street with the condition that final construction plans shall be reviewed by MHZC.

FIRE MARSHAL RECOMMENDATION

Approved with conditions

- Fire Code issues for the structures will be addressed at permit application review.

STORMWATER RECOMMENDATION

Approved with conditions

- Site will be required to meet the Stormwater Infill Ordinance.

PUBLIC WORKS RECOMMENDATION

Approved with conditions

- 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.
- Per the note on the plans, prior to Final SP, submit engineered sidewalk construction plans for the offsite sidewalk construction to MPW for review.

TRAFFIC AND PARKING RECOMMENDATION

No exceptions taken

Maximum Uses in Existing Zoning District: **R6**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential (210)	0.34	7.26 D	4 U*	39	3	5

*Based on two two-family lots.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.34	-	3 U	29	3	4

Traffic changes between maximum: **R6** and **SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	- 1 U	-10	0	-1

METRO WATER RECOMMENDATION

Approved

Approved as a Preliminary SP only. The following items need to be addressed by the Final SP:

- 1) Certain proposed construction within a public utility/sewer easement requires an approved easement encroachment. It appears permanent construction features will be built on top of MWS public sewer. Please submit for an encroachment with the Property Services Division of Metro Water Services.
- 2) A minimum amount of cover (typically 48 inches under paved surfaces, 30 inches unpaved) must be left on top of all public sewer. Please take this into account with all on-site grading work.
- 3) No proposed buildings shall be placed on top of existing private sewer service lines that are active. Also, if the proposed building will be parceled off into a separate lot, than two private service line easements must cross this northern lot to serve the two southern lots with sewer. These easements are 5-feet offset the alignment of the private service lines, meaning two 10-foot swaths of land must run clear across this new lot to the northern property line.

SCHOOL BOARD REPORT

Projected student generation existing R6 district: 0 Elementary 0 Middle 0 High

Projected student generation proposed SP-R district: 0 Elementary 0 Middle 0 High

The proposed SP-R will generate no additional students.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions, including a variance for sidewalks on Lindsley Park Drive.

CONDITIONS (if approved)

1. 150 linear feet of sidewalk shall be required in an alternate location where it would extend an existing sidewalk network within Pedestrian Benefit Zone 4. The alternate location shall be reviewed and approved by the Planning Department and Public Works at SP final site plan. Construction plans for the sidewalk consistent with Public Works standards shall be submitted with the SP final site plan. Sidewalk shall be constructed or bonded prior to recordation of the final plat.

Approve with conditions and disapprove without all conditions including a variance for sidewalks along Lindsley Park Drive. (8-0), Consent Agenda

Resolution No. RS2015-1

"BE IT RESOLVED by The Metropolitan Planning Commission that 2014SP-087-001 is **Approve with conditions and disapprove without all conditions including a variance for sidewalks along Lindsley Park Drive. (8-0)**"

CONDITIONS

1. 150 linear feet of sidewalk shall be required in an alternate location where it would extend an existing sidewalk network within Pedestrian Benefit Zone 4. The alternate location shall be reviewed and approved by the Planning Department and Public Works at SP final site plan. Construction plans for the sidewalk consistent with Public Works standards shall be submitted with the SP final site plan. Sidewalk shall be constructed or bonded prior to recordation of the final plat.

3. 2014SP-088-001

BURCHWOOD BUNGALOW

Map 072-10, Parcel(s) 063
Council District 05 (Scott Davis)
Staff Reviewer: Latisha Birkeland

A request to rezone from R6 and CS to SP-R zoning for property located at 1033 Burchwood Avenue, approximately 140 feet west of Gallatin Pike, (0.47 acres), to permit up to eight detached residential dwelling units, requested by SEC, Inc., applicant; Chiquita Hall, owner.

Staff Recommendation: Defer to the January 22, 2015, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2014SP-088-001 to the January 22, 2015, Planning Commission meeting. (8-0)

Neighborhood Landmark Overlays

4. 2013NL-001-002

WADE SCHOOL (FINAL)

Map 067, Parcel(s) 056
Council District 01 (Lonnell Matthews, Jr.)
Staff Reviewer: Lisa Milligan

A request for approval of a Neighborhood Landmark Development Plan for property located at 5022 Old Hydes Ferry Pike, approximately 200 feet west of Old Hickory Boulevard and partially located within the Floodplain Overlay District (8.76 acres), zoned RS20, to permit a cafe/restaurant use, a working farm and special events in addition to the general office use previously approved, requested by Millarrich Properties, LLC, owner.

Staff Recommendation: Defer indefinitely.

The Metropolitan Planning Commission deferred 2013NL-001-002 indefinitely. (8-0)

Subdivision: Final Plats

5. 2014S-162-001

AMBERWOOD APARTMENTS, RESUB RESERVE PARCEL A

Map 128, Parcel(s) 141

Council District 23 (Emily Evans)

Staff Reviewer: Jason Swaggart

A request for final plat approval to remove the reserve status and create one lot on property located at Old Hickory Boulevard (unnumbered), approximately 2,430 feet north of Highway 70 South, zoned R15 (4.13 acres), requested by Chapdelaine & Associates, applicant; Edmund and Anne Attebury, owner.

Staff Recommendation: Withdraw.

The Metropolitan Planning Commission withdrew 2015S-162-001. (8-0)

6. 2014S-178-001

THOMPSON BONDS, REVISION TO LOTS 4 & 5

Map 083-02, Parcel(s) 305-306

Council District 06 (Peter Westerholm)

Staff Reviewer: Latisha Birkeland

A request for final plat approval to create four lots within the Eastwood Neighborhood Conservation Overlay District on properties located at 313 and 315 Manchester Avenue, at the southwest corner of Sharpe Avenue and Manchester Avenue, zoned R6 (0.69 acres), requested by ELI, LLC, applicant; Jerry and Gracie Vandiver and Jerry W. Bland et ux, owners.

Staff Recommendation: Approve with conditions and disapprove the request for a sidewalk variance.

APPLICANT REQUEST

Final plat to create four residential lots.

Final Plat

A request for final plat approval to create four lots within the Eastwood Neighborhood Conservation Overlay District on properties located at 313 and 315 Manchester Avenue, at the southwest corner of Sharpe Avenue and Manchester Avenue, One and Two-Family Residential Districts (R6) (0.69 acres).

Existing Zoning

One and Two-Family Residential Districts (R6) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25 percent duplex lots. *R6 would permit a maximum of 5 lots with 1 duplex lot for a total of 7 units.*

CRITICAL PLANNING GOALS

- Supports Infill Development
- Supports a Variety of Transportation Choices

This site is located in an area that is served by adequate infrastructure. Development in areas with adequate infrastructure is more appropriate than development not served with adequate infrastructure such as roads, water and sewer, because it does not burden Metro with the cost of maintaining new infrastructure. Bus service is present along Chapel Road, one block away. Increased density through infill development makes bus service and similar transit services more feasible because it generates more riders.

SUBDIVISION REGULATIONS

The properties located at 313 and 315 Manchester Avenue are located within in the Eastwood Neighborhood Conservation Overlay District. Under Section 3-5.4 of the Subdivision Regulations, the Metropolitan Historical Commission or its designee shall provide a recommendation for the consideration of the Commission as to whether or not the proposed subdivision is consistent with the historical development pattern of the district and compatible with the character of the district in terms of lot size, lot frontage and lot orientation.

The subdivision shall meet the current standards of reviewing agencies including Metro Public Works, Stormwater and Water Services.

PLAN DETAILS

The request for final plat proposes to create two additional lots from the rear yards of the existing two lots. Lot 3 and Lot 4 are orientated towards Sharpe Avenue and have frontage greater than 50 feet. All lots meet the Zoning Code requirements for 6,000 square feet. Lot 3 and Lot 4 will have access from the improved alley to the west of the lots.

The sidewalk along Manchester Avenue ends at Lot 2. The applicant is required to extend the sidewalk along the remainder of the property on both Manchester and Sharpe Avenues. The sidewalk extension from Manchester Avenue to Sharpe Avenue will provide an important pedestrian connection to the existing sidewalk along Matthews Place to the north.

Public Works reviewed the proposed construction plans for a sidewalk and determined that where this sidewalk is required, the pavement for the street must be increased to a minimum of 20 feet in width. The existing pavement width on Sharpe Avenue is 17 feet. This means that Sharpe Avenue will need to be widened, using Public Works' standards, because sidewalks are required with this subdivision request. Expanding the right-of-way for Sharpe Avenue allows for the additional pavement and the proposed sidewalk with an integrated curb to be installed. A grass strip will not be required.

SIDEWALK VARIANCE REQUEST

The applicant has applied for a variance from Section 3-8.2.d. of the Subdivision Regulations to not be required to install the required sidewalks and to not be required to widen the street. However, the variance can only be for the installation of sidewalks, since the pavement expansion is contingent upon the sidewalk installation and standard for Public Works. If the applicant does not have to install the sidewalks, then they do not have to expand the pavement along Sharpe Avenue.

If the Planning Commission finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations, a variance from these regulations may be granted, provided that such variance shall not have the effect of nullifying the intent and purpose of these regulations. The Planning Commission shall make findings based upon the evidence presented to it in each specific case that:

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

The applicant states that the runoff from the north side of Sharpe Avenue will be concentrated by the curb and gutter which will then be directed into the alley to the west. According to the applicant, the potential concentrated flow could result in a greater potential for erosion through and along the alley. Additionally, the applicant states that the construction of a sidewalk will result in the removal of several mature trees along the south side of Sharpe Avenue. Widening Sharpe Avenue to the south to provide 20 feet of pavement and 5 foot sidewalk will intrude past the rail supports and into the steps off the side of 1724 Sharpe Ave.

During Metro Stormwater's review of the plat, they checked the calculations of installing a 5 foot sidewalk along the perimeters of the site. The plan reviewer indicated that the rain garden capacity, as designed, can handle the stormwater with the infill credit. Staff recommends that sidewalks be added to the plat and the grading permit application and be reviewed by Stormwater.

Based on the criteria for granting of the variances, staff does not support a variance. Staff recommends sidewalks to be constructed along Sharpe Avenue and that the installation of sidewalks is not detrimental to the public safety, health, or welfare or injurious to other property or improvements to the neighborhood. All reviewing agencies have indicated that the sidewalks can be constructed without any detrimental impacts to the area.

The Subdivision Regulations and the General Plan support sidewalk installation and connectivity. The properties are able create an area for the sidewalk to be installed, with a minor change to the porch steps along Sharpe Avenue. No unique property hardship has been identified that would prohibit the construction of sidewalks at this location.

The applicant has indicated a hardship based on the requirement that Sharpe Avenue be widened from 17 feet to 20 feet with the installation of a sidewalk. Staff finds that improvements to substandard roads, as a result of a new subdivision, are not a unique property hardship. This situation is common throughout the county when new development occurs.

METROPOLITAN HISTORIC ZONING COMMISSION RECOMMENDATION

The Metropolitan Historic Zoning Commission staff recommends approval of subdivision of 313 and 315 Manchester with the condition that the final building placement, improvements and elevations be reviewed by the MHZC.

WATER SERVICES RECOMMENDATION

Approved with Conditions

- Approval is contingent on completion of Metro Water construction project # 14-SL-102. Bond will be set at \$24,000 for this project.

These comments apply to Metro Water Services' public water and sewer utility issues only. It is the responsibility of the applicant to contact the Fire Marshal's Office regarding adequate fire protection.

STORMWATER RECOMMENDATION

Approved with conditions

- Final plat must show the stormwater features as approved on the grading permit including: Label and outline the limits of all stormwater features on plans as well as the approximate boundary associated with the Restrictive Covenants document. Show any required drainage easements. Cite the instrument number of the recorded Restrictive Covenants document.

PUBLIC WORKS RECOMMENDATION

No exceptions taken

- Note that prior to any work within the public right-of-way, permitting is required through the Department of Public Works, including ramp or driveway connections, sidewalk construction, excavations, encroachments, or other activities.

If sidewalks are required then they should be shown and labeled on the plan per Public Works standards with the required curb and gutter, and the applicant needs to choose:

- 1) To submit a bond application and post a bond with the Planning Department,
- 2) To add the following note to the plat: "No Building Permit is to be issued until the proposed sidewalk is constructed per the Department of Public Works' specifications."

The construction of sidewalks in residential areas requires a 5 foot sidewalk, curb and gutter, and a minimum of 20 feet pavement width if on a minor local road. Final construction plans must be submitted prior to recording and bonding the plat. Plans should also address the related drainage improvements, utility relocation(s), and tree removal where required. Final design may vary based on field conditions.

TRAFFIC AND PARKING RECOMMENDATION

No exceptions taken

STAFF RECOMMENDATION

Staff disagrees with the variance request and does not recommend varying from the sidewalk provisions adopted in the General Plan. Staff recommends plat approval with conditions, including requiring sidewalks.

CONDITIONS (If approved)

1. Approval is contingent on completion of Metro Water construction project # 14-SL-102. Bond will be set at \$24,000 for this project.
2. Lots 3 and 4 shall only have access from the access easement from the alley.
3. Lots 1 and 2 shall only have access from the access easement from the alley. Lot 1 and Lot 2 shall remove the access points along Manchester Avenue prior to building permit approval for Lot 3 and Lot 4. Additional access point for Lot 1, along Sharpe Avenue, shall be removed prior to the approval of a redevelopment permit for Lot 1.
4. Sidewalks are required along existing streets for Lot 1, Lot 3 and Lot 4. Sidewalks shall be added to the plat prior to recordation. Sidewalk shall be bonded prior to recordation of the plat or constructed and accepted prior to the issuance of any building permits. Sidewalks shall be added to the grading permit application and be reviewed by Stormwater.

Ms. Birkeland presented the staff recommendation of approval with conditions and disapproval without conditions.

Ms. Blackshear stepped out of the room at 4:26 p.m.

Mr. Clifton stepped out of the room at 4:26 p.m.

Jerry Vandiver, 1702 Sharp Ave, spoke in favor of the application and requested that the sidewalk variance be approved.

Brett Withers, 1113 Granada Ave, spoke in favor of the application.

Councilman Westerholm spoke in favor of the application and noted that a variance is warranted in this situation due to a high amount of pedestrian traffic.

Chairman McLean closed the Public Hearing.

Ms. Farr spoke in favor of the application and expressed understanding regarding the need for connectivity in these neighborhoods.

Mr. Gee inquired if there is a way to provide a sidewalk within the right-of-way or without intruding on the existing porch and trees.

Mr. Bernhardt clarified that the sidewalk would be within the existing right-of-way and noted that it would be a key link because it connects two existing sidewalks.

Mr. Gee noted that there are parts of the neighborhood that could use sidewalk extensions.

Mr. Gee moved and Ms. Farr seconded the motion to approve with conditions, including a variance for sidewalk construction on Sharpe Avenue, with the condition that an equal amount of sidewalk (289.47 feet) is constructed in the same pedestrian benefit zone. (6-0)

Ms. Blackshear stepped back in the meeting at 4:50 p.m.

Resolution No. RS2015-2

“BE IT RESOLVED by The Metropolitan Planning Commission that 2014S-178-001 is **Approved with conditions, including a variance for sidewalk construction on Sharpe Avenue, with the condition that an equal amount of sidewalk (289.47 feet) is constructed in the same pedestrian benefit zone. (6-0)**”

CONDITIONS

1. Approval is contingent on completion of Metro Water construction project # 14-SL-102. Bond will be set at \$24,000 for this project.
2. Lots 3 and 4 shall only have access from the access easement from the alley.
3. Lots 1 and 2 shall only have access from the access easement from the alley. Lot 1 and Lot 2 shall remove the access points along Manchester Avenue prior to building permit approval for Lot 3 and Lot 4. Additional access point for Lot 1, along Sharpe Avenue, shall be removed prior to the approval of a redevelopment permit for Lot 1.
4. A sidewalk is required along Lot 1. This sidewalk shall be added to the plat prior to recordation. Sidewalk shall be bonded prior to recordation of the plat or constructed and accepted. Sidewalks shall be added to the grading permit application and be reviewed by Stormwater.

I. 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).

Community Plan Amendments

7a. 2014CP-010-004

GREEN HILLS PLAN AMENDMENT

Map 118-01, Parcel(s) 130-131
Council District 17 (Sandra Moore)
Staff Reviewer: Anita McCaig

A request to amend the Green Hills-Midtown Community Plan by changing the Community Character policy from a T4 Neighborhood Maintenance policy to a T4 Neighborhood Center policy for properties located at 1109 and 1111 Montrose Avenue, approximately 210 feet east of 12th Avenue South (0.34 Acres), requested by Fulmer Engineering, LLC, applicant; The Shop Trust, LLC, owner (See also Specific Plan Case No. 2014SP-083-001).

Staff Recommendation: Defer to the January 22, 2015, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2014CP-010-004 to the January 22, 2015, Planning Commission meeting. (8-0)

7b. 2014SP-083-001

HOWELL CORNER/BECKER CORNER OFFICES

Map 118-01, Parcel(s) 130-131
Council District 17 (Sandra Moore)
Staff Reviewer: Lisa Milligan

A request to rezone from R8 to SP-MU zoning for properties located at 1109 and 1111 Montrose Avenue, approximately 210 feet east of 12th Avenue South, (0.34 acres), to permit a mixed-use development, requested by Fulmer Engineering, LLC, applicant; The Shop Trust, LLC, owner (See also Community Plan Amendment Case No. 2014CP-010-004).

Staff Recommendation: Defer to the January 22, 2015, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2014SP-083-001 to the January 22, 2015, Planning Commission meeting. (8-0)

8a. 2015CP-005-001

EAST NASHVILLE PLAN AMENDMENT

Map 083-07, Parcel(s) 032-039

Council District 06 (Peter Westerholm)

Staff Reviewer: Tifine Capehart

A request to amend the East Nashville Community Plan: 2006 Update by changing the Community Character Policy from T4 Urban Neighborhood Maintenance to T4 Urban Neighborhood Evolving for property located at 821, 827, 829, and 831 Porter Road, Porter Road (unnumbered), 2109 Tillman Lane, 809 Powers Avenue, and Powers Avenue (unnumbered), located north of Tillman Lane between Porter Road and Powers Avenue, (2.2 acres), to permit a multi-family development, requested by Littlejohn, applicant; Josephine Lynn Colley, owner. (See also Specific Plan Case # 2015SP-008-001)

Staff Recommendation: Approve.

APPLICANT REQUEST

Amend land use policy from Urban Neighborhood Maintenance (T4 NM) to Urban Neighborhood Evolving (T4 NE).

Minor Plan Amendment

A request to amend the East Nashville Community Plan to change the Land Use Policy from Urban Neighborhood Maintenance policy (T4 NM) to Urban Neighborhood Evolving policy (T4 NE) for properties located at the corner of Porter Road, Tillman Lane and Powers Avenue.

CRITICAL PLANNING GOALS

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

The application of Urban Neighborhood Evolving policy on properties located at the corner of Porter Road, Tillman Lane and Powers Avenue creates walkable neighborhoods, provides a range of housing choices, and supports infill development and transit options.

The Urban Neighborhood Evolving policy creates walkable neighborhoods by promoting the location of housing within walking distance to neighborhood commercial centers and transit options. The Urban Neighborhood Evolving policy also encourages housing choice, thus fostering neighborhoods that support aging-in-place, transit, and successful neighborhood market places.

Providing a range of housing types is most often facilitated by infill development. Infill development most often utilizes existing infrastructure and should be designed to provide appropriate transitions in massing, height, and scale. The application of Urban Neighborhood Evolving policy on the subject properties creates opportunity for the use of existing infrastructure, and would provide guidance for appropriate transitions along the side streets of Tillman Lane and Powers Avenue.

EAST NASHVILLE COMMUNITY PLAN

Current Policy

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

Proposed Policy

Urban Neighborhood Evolving (T4 NE) policy is intended to create and enhance urban neighborhoods that are compatible with the general character of existing urban neighborhoods as characterized by their development pattern, building form, land use and associated public realm, with opportunities for housing choice and improved pedestrian, bicycle and vehicular connectivity. The resulting development pattern may have higher densities than existing urban neighborhoods and/or smaller lots sizes, with a broader range of housing types providing housing choice. This reflects the scarcity of easily developable land (without sensitive environmental features) and the cost of developing housing.

COMMUNITY PARTICIPATION

An early postcard notification announcing the plan amendment and a regular notice communicating the time and date of the Planning Commission Public Hearing was sent to property owners within 600 feet of the potential plan amendment area. A community meeting was not required for this plan amendment request.

ANALYSIS

Physical Site Conditions

There is a stream that runs parallel to Porter Road and Powers Avenue that should be avoided during the development of these properties. There is no associated floodplain or floodway.

Land Use

The subject properties are currently classified as a vacant, single family, and two family. Land uses adjacent to the subject property include single family residential. Two family residential land uses are located sporadically throughout the area surrounding the subject properties.

Existing Development Pattern

The development pattern is urban, primarily due to the linear block structure and existence of alleys. Lot sizes in the area vary due the existence of a stream that runs parallel to Porter Road, bisecting many properties into irregular shapes and sizes. Setbacks in the area are generally between 30 feet in depth.

Access

There is existing unbuilt alley right-of-way. The right-of-way is for a segment that would run parallel to Porter Road and another segment that would run perpendicular to Tillman Lane. If not built, the intent of the alley system should be replicated with new development; access should be from the rear, with limited curb cuts on surrounding streets. With regard to pedestrian, bike, and transit access – there are multiple transit stops, a bike lane, and a sidewalk along Porter Road. There is no sidewalk along Tillman Lane and Powers Avenue. New sidewalks should be provided to provide safe access to transit routes and to facilitate the safe travel of pedestrians throughout the area.

Historic Features

The subject properties were not identified as historic features, nor are any adjacent properties considered historic.

Summary

The Urban Neighborhood Evolving policy supports the creation of walkable neighborhoods, increased housing choice, and infill development. Under the guidance of Urban Neighborhood Evolving policy, the aforementioned may be achieved through infill development. Appropriate locations for infill development in Urban Neighborhood Evolving include areas along corridors or near neighborhood centers.

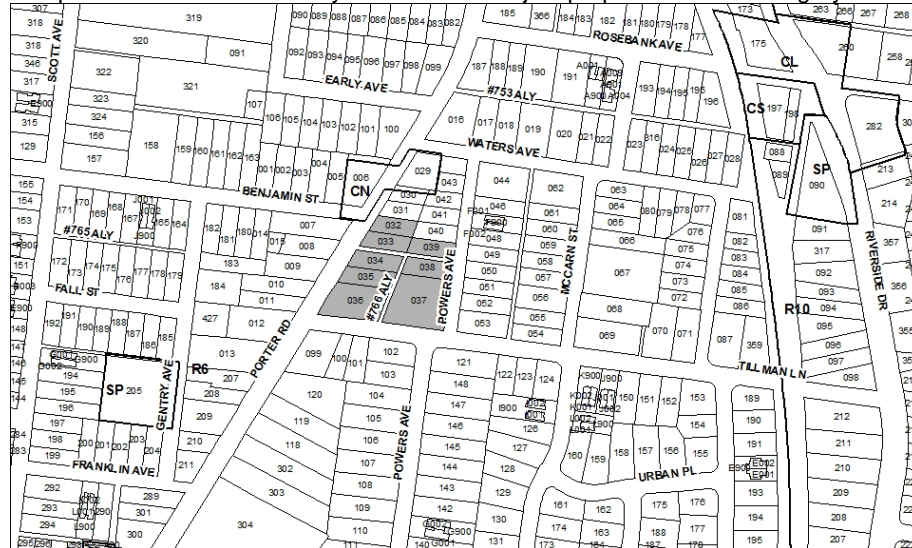
The subject properties are an appropriate location for infill development under the guidance of Urban Neighborhood Evolving policy. Located along Porter Road and 0.3 miles from a significant neighborhood center, the subject properties are close to transit and neighborhood services. The subject properties also provide opportunity for appropriate transitions with regard to building type, massing, scale, and setbacks; higher intensity development is appropriate along Porter Road and should transition in intensity and scale along Tillman Lane and Powers Avenue. Walkability can be enhanced by providing additional pedestrian facilities along Tillman Lane and Powers Avenue. For these reasons the application of Urban Neighborhood Evolving is appropriate in this location.

STAFF RECOMMENDATION

Staff recommends approval.

PROPOSED POLICY

The plan amendment boundary includes the subject properties outlined in gray.



Ms. Capehart presented the staff recommendation of approval.

Items 8a and 8b were heard and discussed together.

Jeff Heinze spoke in favor of the application and noted that the plan reflects many of the principles outlined in the NashvilleNext guidelines.

Brett Withers, 1113 Granada Ave, spoke regarding the land use policy change and noted that neighbors have some concerns regarding parking and density.

Rick Puncochar, 818 Porter Road, spoke in opposition to the application due to density and height concerns.

Eric Alvarez, 726 Powers Ave, spoke in opposition to the application due to density concerns; would like to see the entrance moved to Porter.

(Name Unclear), spoke in opposition due to density concerns and noted that the change is so drastic that it will unleash a precedent for the area.

Mark Richards, 719 Powers Ave, spoke in opposition to the application due to density and height concerns.

Susan Pryor, 817 Powers Ave, spoke in opposition to the application due to density and decreased property value concerns.

Karen Carson, 724 Powers Ave, spoke in opposition to the application due to density concerns.

Jeff Heinze noted that Public Works recommended approval on this project.

Chairman McLean closed the Public Hearing.

Ms. Farr expressed support of the policy change but not the project due to the huge increase in density on this street.

Councilman Hunt left the meeting at 5:24 p.m.

Mr. Gee noted that this is a perfect example of a place where additional infill could be accommodated in a way that would encourage walkability although he understands the neighbor's concerns regarding the scale.

Ms. Blackshear expressed support of the policy change but not the project due to the huge increase in density on this street; perhaps something less drastic would be more appropriate.

Ms. LeQuire suggested deferral and stated that she is not comfortable picking one spot without knowing its overall context.

Ms. LeQuire moved and Ms. Farr seconded the motion to defer to the February 12, 2015 Planning Commission meeting to understand the broader application of Neighborhood Evolving policy and keep the public hearing open. (6-0)

The Metropolitan Planning Commission deferred 2015CP-005-001 to the February 12, 2015, Planning Commission meeting to understand the broader application of Neighborhood Evolving policy and kept the public hearing open. (6-0)

8b. 2015SP-008-001

821 PORTER ROAD MULTIFAMILY
Map 083-07, Parcel(s) 032-039
Council District 06 (Peter Westerholm)
Staff Reviewer: Melissa Sajid

A request to rezone from R6 to SP-R zoning for properties located at 821, 827, 829, and 831 Porter Road, Porter Road (unnumbered), 2109 Tillman Lane, 809 Powers Avenue, and Powers Avenue (unnumbered), located north of Tillman Lane between Porter Road and Powers Avenue, (2.2 acres), to permit a multi-family development with up to 54 stacked flats and 9 detached residential units, requested by Littlejohn, applicant; Josephine Lynn Colley, owner. (See also Community Plan Amendment Case #2015CP-005-001)

Staff Recommendation: Approve with conditions and disapprove without all conditions, subject to approval of the policy amendment.

APPLICANT REQUEST

Preliminary SP to permit up to 54 stacked flats and 9 detached residential units.

Preliminary SP

A request to rezone from One and Two-Family Residential (R6) to Specific Plan-Residential (SP-R) zoning for properties located at 821, 827, 829, and 831 Porter Road, Porter Road (unnumbered), 2109 Tillman Lane, 809 Powers Avenue, and Powers Avenue (unnumbered), located north of Tillman Lane between Porter Road and Powers Avenue, (2.2 acres), to permit up to 54 stacked flats and 9 detached residential units.

Existing Zoning

One and Two-Family Residential (R6) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25 percent duplex lots. *R6 would permit a maximum of 15 lots with 3 duplex lots for a total of 18 units.*

Proposed Zoning

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

CRITICAL PLANNING GOALS

- Supports Infill Development
- Provides a Range of Housing Choices
- Supports a Variety of Transportation Choices

The proposed SP creates an opportunity for infill housing in an area that is served by existing infrastructure and introduces an additional housing type to the area. In addition, the site is served by an existing bus routes that run along Porter Road which will be supported by the additional units proposed by the SP.

EAST NASHVILLE COMMUNITY PLAN

Existing Policy

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

DRAFT Preferred Future Policy

No change is proposed.

Proposed Policy

Urban Neighborhood Evolving (T4 NE) policy is intended to create and enhance urban neighborhoods that are compatible with the general character of existing urban neighborhoods as characterized by their development pattern, building form, land use and associated public realm, with opportunities for housing choice and improved pedestrian, bicycle and vehicular connectivity. The resulting development pattern may have higher densities than existing urban neighborhoods and/or smaller lots sizes, with a broader range of housing types providing housing choice. This reflects the scarcity of easily developable land (without sensitive environmental features) and the cost of developing housing.

Consistent with Policy?

The proposed SP is not consistent with the existing policy. T4 NM policy is intended to preserve the character of the existing neighborhood in terms of its development pattern, building form, land use and the public realm. A community plan amendment (2015CP-005-001) has been requested to change the policy from Urban Neighborhood Maintenance (T4 NM) to Urban Neighborhood Evolving (T4 NE). The proposed SP is consistent with the T4 NE policy. The request introduces an additional housing option to those currently available in the immediate area. In addition, the proposed development is located adjacent to existing transit which will support residential use proposed by the SP.

PLAN DETAILS

The site is located at the northeast corner of the intersection of Porter Road and Tillman Lane and consists of eight parcels that front on Porter Road, Tillman Lane and Powers Avenue. Currently, five structures are located on the site; all of which are proposed to be demolished. Surrounding zoning includes R6 and CN, and the primary uses in the area are one and two-family residential.

Site Plan

The plan proposes 54 stacked flats and 9 detached residential units. The stacked flats are located in two buildings. The larger of the two buildings of stacked flats anchors the corner of Porter Road and Tillman Lane, and the smaller building is oriented toward Porter Road. Nine detached units are located along Powers Avenue and are setback to maintain the existing context along that street. The maximum building height for the multi-family structures is 4 stories in 60 feet while the detached residences along Powers Avenue shall not exceed 3 stories in 41 feet to the roof ridgeline. Plans utilize site topography to

achieve the proposed maximum height without overwhelming the surrounding area. A site section that illustrates the proposed building height in relation to existing structures on Porter Road and Powers Avenue is included with the SP and shown below.



Site Section through Porter Road and Powers Avenue

The SP proposes three access points to the site. The multi-family buildings are accessed via driveways off Porter Road and Tillman Lane, and the detached units have a shared drive off Powers Avenue. Two unimproved alleys are currently located on the site and are proposed to be abandoned by mandatory referral. There is a stream located on the site that runs parallel to Porter Road near Alley #766 and prohibits construction of the alleys. Ample parking for the multi-family units is located on parking decks on the lower and first levels. Parking for the units on Powers Avenue is provided through tuck under garages at the rear of the units.

Sidewalks are currently located along the Porter Road frontage. However, the SP proposes to improve the existing sidewalks on Porter Road and add sidewalks along Tillman Lane and Porter Road to meet the standards of the Major and Collector Street Plan. In addition, the SP is located along an existing transit route that runs along Porter Road.

Architectural elevations included with the SP indicate that the design is to take cues from the Eastwood Neighborhood located to the west. Elements of Arts and Crafts -style architecture are incorporated in the design, and materials shown on the representative architectural images appear to primarily include cementitious lap siding and architectural shingles.

ANALYSIS

The proposed SP is consistent with the proposed Urban Neighborhood Evolving land use policy, and the plan meets several critical planning goals.

FIRE MARSHAL RECOMMENDATION

Approved with conditions

- Fire Code issues for the structures will be addressed at permit application review

STORMWATER RECOMMENDATION

Approve

TRAFFIC & PARKING RECOMMENDATION

No exception taken

WATER SERVICES RECOMMENDATION

Approved with conditions

- Approved as a Preliminary SP only, on the condition the applicant submits an updated availability study reflecting the latest layout (latest study on file shows less units than this SP shows.) Depending on the final layout, public utility relocation may be required. If so, these public construction plans must be approved before Final SP stage.

PUBLIC WORKS RECOMMENDATION

Approved with conditions

- 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.
- Prior to Final SP, submit application, i.e. Mandatory Referral, to abandon alleys 766 and 767. Application at: https://www.nashville.gov/portals/0/SiteContent/pw/docs/permits/permits_streetalley.pdf

- Prior to Final SP, indicate installation of MPW standard ST200 curb and gutter and widen street to 22' of asphalt. ~ On Tillman, indicate curb and gutter with 22' of asphalt. On Porter, 20' of asphalt is shown, widen to 22 feet (i.e. do not count the gutter pans in travel way. Lip of gutter should be placed at the existing EOP, unless the street is being widened.
- Prior to Final SP, dedicate ROW to the back for the public sidewalk on all streets, as necessary, prior to building permits.
- Prior to Final SP, submit to Traffic and Parking Commission to install no parking signage on Porter and Tillman or add 8' parking lane on each street.

Maximum Uses in Existing Zoning District: **R6**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential (210)	2.2	7.26 D	18 U*	173	14	19

*Based on three two-family lots.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	2.2	-	63 U	506	35	53

Traffic changes between maximum: **R6** and **SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+ 45 U	+333	+21	+34

SCHOOL BOARD REPORT

Projected student generation existing R6 district: 1 Elementary 1 Middle 1 High

Projected student generation proposed SP-R district: 5 Elementary 3 Middle 3 High

The proposed SP-R zoning district would generate eight more students than what is typically generated under the existing R6 zoning district. Students would attend Rosebank Elementary School, Bailey Middle School, and Stratford High School. All three schools have been identified as having additional capacity. This information is based upon data from the school board last updated October 2014.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions, subject to approval of the policy amendment.

CONDITIONS

1. Uses within the SP shall be limited to up to 63 residential units.
2. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM40-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
3. The final site plan shall include architectural elevations showing raised foundations of 18-36" for residential buildings.
4. Proposed alley abandonments must be approved by mandatory referral prior final plat approval.
5. Height of townhomes shall not exceed 41', as shown on the provided site section, nor shall they increase the height as compared to the structures across Powers Avenue from the provided site section.
6. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
7. 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.

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

Ms. Sajid presented the staff recommendation of approval with conditions and disapproval without all conditions.

Items 8a and 8b were heard and discussed together.

Jeff Heinze spoke in favor of the application and noted that the plan reflects many of the principles outlined in the NashvilleNext guidelines.

Brett Withers, 1113 Granada Ave, spoke regarding the land use policy change and noted that neighbors have some concerns regarding parking and density.

Rick Puncochar, 818 Porter Road, spoke in opposition to the application due to density and height concerns.

Eric Alvarez, 726 Powers Ave, spoke in opposition to the application due to density concerns; would like to see the entrance moved to Porter.

(Name Unclear), spoke in opposition due to density concerns and noted that the change is so drastic that it will unleash a precedent for the area.

Mark Richards, 719 Powers Ave, spoke in opposition to the application due to density and height concerns.

Susan Pryor, 817 Powers Ave, spoke in opposition to the application due to density and decreased property value concerns.

Karen Carson, 724 Powers Ave, spoke in opposition to the application due to density concerns.

Jeff Heinze noted that Public Works recommended approval on this project.

Chairman McLean closed the Public Hearing.

Ms. Farr expressed support of the policy change but not the project due to the huge increase in density on this street.

Councilman Hunt left the meeting at 5:24 p.m.

Mr. Gee noted that this is a perfect example of a place where additional infill could be accommodated in a way that would encourage walkability although he understands the neighbor's concerns regarding the scale.

Ms. Blackshear expressed support of the policy change but not the project due to the huge increase in density on this street; perhaps something less drastic would be more appropriate.

Ms. LeQuire suggested deferral and stated that she is not comfortable picking one spot without knowing its overall context.

Ms. LeQuire moved and Mr. Gee seconded the motion to defer to the February 12, 2015 Planning Commission meeting and keep the public hearing open. (6-0)

The Metropolitan Planning Commission deferred 2015SP-008-001 to the February 12, 2015, Planning Commission meeting and kept the public hearing open. (6-0)

J. 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.

Specific Plans

9. 2015SP-001-001

THE ROW AT 6TH & GARFIELD

Map 081-08, Parcel(s) 445-446, 448, 450-451
Council District 19 (Erica S. Gilmore)
Staff Reviewer: Latisha Birkeland

A request to rezone from R6 to SP-R zoning for properties located at 1700, 1702, 1706, 1710 and 1712 6th Avenue North, at the northeast corner of 6th Avenue North and Garfield Street, (1.01 acres), to permit up to 20 multifamily dwelling units, requested by Dale & Associates, applicant; Bryan Development, LLC, owner.

Staff Recommendation: Defer indefinitely.

The Metropolitan Planning Commission deferred 2015SP-001-001 indefinitely. (8-0)

10. 2015SP-002-001

4TH & GARFIELD

Map 082-05, Parcel(s) 108
Council District 19 (Erica S. Gilmore)
Staff Reviewer: Melissa Sajid

A request to rezone from R6 to SP-R zoning for property located at 1618 4th Avenue North, at the southeast corner of 4th Avenue North and Garfield Street, (0.40 acres), to permit up to eight residential dwelling units, requested by Dale & Associates, applicant; Mark and Donya Waynick, owners.

Staff Recommendation: Approve with conditions and disapprove without all conditions.

APPLICANT REQUEST

Preliminary SP to permit up to 8 residential units.

Preliminary SP

A request to rezone from One and Two-Family Residential (R6) to Specific Plan-Residential (SP-R) zoning for property located at 1618 4th Avenue North, at the southeast corner of 4th Avenue North and Garfield Street, (0.40 acres), to permit up to eight residential dwelling units.

Existing Zoning

One and Two-Family Residential (R6) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25 percent duplex lots. *R6 would permit a maximum of 3 lots with 3 duplexes for a total of 6 units.*

Proposed Zoning

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

CRITICAL PLANNING GOALS

- Supports Infill Development
- Provides a Range of Housing Choices
- Supports a Variety of Transportation Choices

The proposed SP creates an opportunity for infill housing in an area that is served by existing infrastructure. In addition, the site is served by an existing bus routes that run along 3rd and 4th Avenues which will be supported by the additional density proposed by the SP.

NORTH NASHVILLE COMMUNITY PLAN

Urban Neighborhood Evolving (T4 NE) policy is intended to create and enhance urban neighborhoods that are compatible with the general character of existing urban neighborhoods as characterized by their development pattern, building form, land use and associated public realm, with opportunities for housing choice and improved pedestrian, bicycle and vehicular connectivity.

The resulting development pattern may have higher densities than existing urban neighborhoods and/or smaller lots sizes, with a broader range of housing types providing housing choice. This reflects the scarcity of easily developable land (without sensitive environmental features) and the cost of developing housing.

DRAFT Preferred Future Policy

No change is proposed.

Consistent with Policy?

Yes, the SP is consistent with the Urban Neighborhood Evolving policy. The urban neighborhood evolving policy is intended to create neighborhoods that are compatible with the general character of urban neighborhoods in terms of its development pattern, building form, land use and the public realm while anticipating changes such additional density and the introduction of additional housing types.

PLAN DETAILS

The site is located at the southeast corner of the intersection of 4th Avenue North and Garfield Street. Surrounding zoning includes CS, R6, SP and MUN, and the area is characterized by a variety of land uses. Access to the property is from the alley located to the east of the site.

Site Plan

The plan proposes 8 attached residential units. The maximum height for all units is 3 stories in 45' to the roof ridgeline. Access to all units is via the existing improved alley located east of the site.

The overall site layout includes six attached units facing Garfield Street and two attached units facing 4th Avenue North. Unit 6 includes a side façade oriented toward 4th Avenue North and incorporates a bay window on the side façade. Architectural images have not been included with the preliminary SP. The SP, however, includes notes that address design considerations for the SP. The design conditions address doorway placement, glazing, window orientation and porches. Also, EIFS and vinyl siding are not be permitted as building materials.

Parking is provided via a mixture of garage and surface parking and includes ample guest parking located interior to the site. The SP is located within easy walking distance of existing transit routes that run along 3rd Avenue North and 5th Avenue North. The SP proposes to improve the existing sidewalk network to the standards of the Major and Collector Street Plan. In addition, ten feet of right-of-way dedication is proposed along the Garfield Street frontage which is classified as a constrained collector.

ANALYSIS

The proposed SP is consistent with the Urban Neighborhood Evolving land use policy, and the plan meets two critical planning goals. Therefore, staff recommends approval with conditions and disapproval without all conditions.

FIRE MARSHAL RECOMMENDATION

N/A

HISTORICAL COMMISSION

No exception taken

STORMWATER RECOMMENDATION

Approve

TRAFFIC & PARKING RECOMMENDATION

Approve with conditions

- Refurbish intersection pavement markings as necessary. ~ indicate on the Final SP documents.

WATER SERVICES RECOMMENDATION

Approve

- Approved as a Preliminary SP only, on the condition the applicant updates their availability study to reflect the latest unit count. (Latest study submitted by the applicant showed 7 units - this SP proposes 8 units.) Public utility construction plans must be approved before the Final SP can be approved.

PUBLIC WORKS RECOMMENDATION

Approve with conditions

- 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.
- Prior to Final SP submit contract with private hauler for solid waste collection.

Maximum Uses in Existing Zoning District: **R6**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential (210)	0.40	7.26 D	4 U *	39	3	5

*Based on two two-family lots.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (230)	0.40	-	8 U	60	6	7

Traffic changes between maximum: **R6** and **SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+ 4 U	+21	+3	+2

SCHOOL BOARD REPORT

Projected student generation existing R6 district: 0 Elementary 0 Middle 0 High

Projected student generation proposed SP-R district: 0 Elementary 0 Middle 0 High

The proposed SP-R zoning district would not generate any more students than what is typically generated under the existing R6 zoning district. Students would attend Buena Vista Elementary School, John Early Middle School, and Pearl-Cohn High School. Buena Vista Elementary School has been identified as over capacity. There is capacity within the cluster for elementary school students. This information is based upon data from the school board last updated October 2014.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Uses within the SP shall be limited to a maximum of 8 residential units.
2. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM20-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
3. The final site plan shall include architectural elevations showing raised foundations of 18-36" for residential buildings.
4. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
5. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
6. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Approve with conditions and disapprove without all conditions. (8-0), Consent Agenda

Resolution No. RS2015-3

"BE IT RESOLVED by The Metropolitan Planning Commission that 2015SP-002-001 is **Approved with conditions and disapproved without all conditions. (8-0)**"

CONDITIONS

1. Uses within the SP shall be limited to a maximum of 8 residential units.

2. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM20-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
3. The final site plan shall include architectural elevations showing raised foundations of 18-36" for residential buildings.
4. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
5. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
6. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

11. 2015SP-003-001

BROADSTONE EIGHTH SOUTH

Map 118-02, Parcel(s) 057

Council District 17 (Sandra Moore)

Staff Reviewer: Jason Swaggart

A request to rezone from CS to SP-R zoning for property located at Elliott Avenue (unnumbered), approximately 340 feet west of Franklin Pike, (2.34 acres), to permit a multifamily development containing up to 200 dwelling units, requested by Kimley-Horn and Associates, Inc., applicant; Eighth South, LLC, owner.

Staff Recommendation: Approve with conditions, including the removal of the platted setback along Elliott Avenue and Inverness Avenue; disapprove without all conditions.

APPLICANT REQUEST

Preliminary SP to permit up to 200 residential dwelling units.

Preliminary SP

A request to rezone from Commercial Services (CS) to Specific Plan – Residential (SP-R) zoning for property located at Elliott Avenue (unnumbered), approximately 340 feet west of Franklin Pike, (2.34 acres), to permit a multifamily development containing up to 200 dwelling units.

Existing Zoning

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

Proposed Zoning

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

CRITICAL PLANNING GOALS

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

This area is served by adequate infrastructure. Development in areas with adequate infrastructure is more appropriate than development not served with adequate infrastructure such as roads, water and sewer, because it does not burden Metro with the cost of maintaining new infrastructure. The request provides for additional housing options in the area. The design should create a streetscape that is interesting, creating a vibrant and friendly pedestrian environment, which would be more difficult under the existing CS zoning. The plan will provide additional residents in the area that will not only be there during work hours. This is an important factor for walkability and a strong public transportation system. Higher density areas typically foster walkability and better public transportation because housing, work and conveniences are located within a smaller area making them more accessible by foot and or public transportation which is located along Franklin Pike.

This request is associated with a commercial component along Franklin Pike that is within the city of Berry Hill. This adds additional services along the main corridor which will also be supported by new residence in the subject development.

GREEN HILLS/MIDTOWN COMMUNITY PLAN

Regional Center (T5 RC) policy is intended to enhance regional centers, encouraging their redevelopment as intense mixed use areas that serve multiple communities as well as the entire County with supporting land uses that create opportunities to live, work, and recreate. T5 Regional Centers are pedestrian friendly areas, generally located at the intersection of two arterial streets, and contain commercial, mixed use, residential, civic and public benefit land uses. T5 Regional Centers serve communities within a reasonable driving distance or a 5 to 10 minute walk. Intensity is generally placed within boundaries not exceeding ½ mile in diameter and transitional uses placed within boundaries not exceeding 1 mile in diameter measured from the prominent intersection.

DRAFT Preferred Future Policy

Suburban Regional Center (T4 CC) policy is intended to preserve, enhance, and create urban community centers encouraging their development and redevelopment as intense mixed use areas that are compatible with the general character of urban neighborhoods as characterized by the service area, development pattern, building form, land use, and associated public realm. Where not present, enhance infrastructure and transportation networks to improve pedestrian, bicycle and vehicular connectivity. T4 Urban Community Centers are pedestrian friendly areas, generally located at intersections of prominent urban streets. T4 Urban Community Centers serve urban communities within a 5 minute drive or a 5 to 10 minute walk.

Consistent with Policy?

Yes. The proposed SP is consistent with the existing T5 RC and the future T4 CC land use policies. As proposed the plan provides for additional housing that is urban in design that is supported by both policies. The overall project, which includes mostly non-residential uses within Berry Hill, provides mixture of uses which provides services for the additional residents as well as existing residents. It also provides a transition from the less dense development pattern located on the west side of Elliott Avenue and the more intense development pattern along Franklin Pike.

PLAN DETAILS

The approximate 2.31 acre site is located on the east side of Elliott Avenue between Hillview Heights and Inverness Avenue. The site is relatively flat and does not contain any environmentally sensitive land features. The site is mostly vacant, but a small portion of the site located along Inverness Avenue does contain some truck parking associated with Colonial Bread, located along Franklin Pike.

The proposed development is part of a larger project that is also located in the city of Berry Hill. That portion of the development in Berry Hill includes 154 residential units as well as non-residential including retail and restaurant. The Berry Hill Zoning and Planning Commission approved the portion of development in Berry Hill on December 1, 2014.

Site Plan

As shown, the SP calls for 174 residential units, but permits a maximum of 200 units. The building contains internal units, as well as units fronting onto Elliott Avenue. Units along Elliott Avenue have access onto Elliott Avenue and will include stoops. The building façade along Elliott Avenue is articulated to where portions of the building are close to the property line, while other portions are recessed. The recessed areas consist of open space. The plan calls for an amenity area closer to Inverness Avenue. The height for the portion of the building closer to Elliott Avenue will be three stories (max 38'). After a 20 foot step-back the height increases to four stories (max 48').

Structured parking is shown behind the residential building. On street parking is proposed along Elliott Avenue. Access into the parking structure is from Elliott Avenue. The number of parking spaces must be consistent with Metro Code requirements based on the Urban Zoning Overlay (UZO). Sidewalks are shown along Elliott Avenue, Inverness Avenue and Hillview Heights. Sidewalks are six feet in width. A four foot planting strip is shown along both Inverness Avenue and Hillview Heights.

The plan limits fencing along Elliott Avenue between recesses and the amenity area to six feet in height. Walls or chain link are not permitted.

ANALYSIS

The plan is consistent with the Green Hills/Midtown Community Plan and meets several critical planning goals.

The subject site consists of several lots that will need to be consolidated. The original plat includes a 70 foot front setback along Elliott Avenue and a 16 foot setback along Inverness Avenue. The Commission must approve amendments to platted setbacks. This typically occurs with a subdivision plat. Since it is understood that the platted setback must be consistent with the SP and removed in order to permit the subject development, then staff is recommending that the setback amendment be approved as part of this approval. If approved, then the future consolidation plat would not require a public hearing, and could be approved administratively.

FIRE MARSHAL'S OFFICE

Approved with conditions

Fire Code issues for the structures will be addressed at permit application review.

PUBLIC WORKS RECOMMENDATION

Approved with conditions

- 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.
- Coordinate the final design of the roadside cross section with MPW prior to Final SP submittal. The road side cross section should include, at a minimum, the following: MPW standard ST-200, curb and gutter (the lip of the gutter placed at the existing edge of pavement), 4' minimum furnishing zone (furnishing zone maybe omitted where adjacent to on-street parking), and MPW standard and minimum 5' sidewalk.
- Indicate ROW dedication to the back of sidewalk, where applicable.

The TIS has been reviewed and the following conditions shall be required for approval of this project:

Franklin Pike at Craighead Street/Proposed Driveway 1

- Install a southbound left-turn lane and northbound left-turn lane on Franklin Pike both with approximately 150 feet of storage and transitions per AASHTO/MUTCD standards.
- Modify the existing traffic signal to include pedestrian signal infrastructure for all approaches, mast arms with LED signal heads for all approaches, and to provide split-phased signal operations for the eastbound and westbound approaches.
- Construct Project Driveway 1 with one (1) lane for vehicular ingress and two (2) lanes for vehicular egress including a separate left-turn lane 100 with feet of storage and a shared through/right-turn lane.

Internal Site Circulation for Project Driveway 1

- Provide a right-in/right-out access along Project Driveway 1 for the retail and supermarket land uses, approximately 125 feet west of Franklin Pike.
- Provide a full-movement access along Project Driveway 1 for the retail and supermarket land uses, approximately 250 feet west of Franklin Pike.
- Provide a westbound left turn lane with approximately 75 feet of storage to improve traffic operations for vehicles entering the retail and supermarket land uses.

Elliott Avenue

- Widen Elliott Avenue along the site frontage to conform to ST-252 - 13.5 feet of pavement, 2.5 feet of curb & gutter, 4 feet of grass area, and 6 feet of sidewalk.

Hillview Heights

- Widen Hillview Heights along the site frontage to conform to ST-252 - 13.5 feet of pavement, 2.5 feet of curb & gutter, 4 feet of grass area, and 6 feet of sidewalk.

Inverness Avenue

- Widen Inverness Avenue along the site frontage to conform to ST-252 - 13.5 feet of pavement, 2.5 feet of curb & gutter, 4 feet of grass area, and 6 feet of sidewalk.
- Additionally, widen the northern half-section of Inverness Avenue between the proposed development and Franklin Pike to conform to ST-252.

Elliott Avenue at Inverness Avenue

- Mitigate intersection sight distance obstructions in accordance with the criteria provided in A Policy on Geometric

Project Driveway 2 at Elliott Avenue

- Construct Project Driveway 2 with one (1) lane for vehicular ingress and one (1) lane for vehicular egress.
- Provide STOP control along the westbound approach of Project Driveway 2. Install signs and pavement markings in accordance with the standards provided in the Manual on Uniform Traffic Control Devices (MUTCD).
- Provide adequate intersection sight distance in accordance with AASHTO standards.

Project Driveway 3 at Inverness Avenue

- Construct Project Driveway 3 with one (1) lane for vehicular ingress and one (1) lane for vehicular egress.
- The driveway width shall accommodate the turning movements of large vehicles that desire to access the service court and/or loading dock.
- Provide STOP control along the southbound approach of Project Driveway 3. Install signs and pavement markings in accordance with the standards provided in the Manual on Uniform Traffic Control Devices (MUTCD).
- Provide adequate intersection sight distance in accordance with AASHTO standards.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	2.31	0.6 F	60,374 SF	4893	115	454

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	2.31	-	174 U	1178	89	114

Traffic changes between maximum: **CS** and **SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-3,715	-26	-340

STORMWATER RECOMMENDATION

Approved

WATER SERVICES

Approved with conditions

- Should any public water or sewer lines need to be relocated, construction plans will need to be approved before Final SP stage.

METRO SCHOOL BOARD REPORT

Projected student generation existing **CS** district: **0** Elementary **0** Middle **0** High

Projected student generation proposed **SP-R** district: **1** Elementary **0** Middle **1** High

The proposed SP-R zoning district could generate two more students than what is typically generated under the existing CS zoning district. Students would attend Percy Priest Elementary, J.T. Moore Middle School, and Hillsboro High School. There is capacity for additional high school students; however, there is no additional capacity for elementary or middle school students. This information is based upon data from the school board last updated October 2014.

Fiscal Liability

The fiscal liability of one new elementary school student is \$21,500 (\$21,500 per student). This is only for information purposes to show the potential impact of this proposal, it is not a staff condition of approval.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions as it is consistent with the Green Hills/Midtown Community plan and meets several critical planning goals. Staff also recommends that the Commission approve the removal of the platted setback along Elliott Avenue and Inverness Avenue.

CONDITIONS

1. Uses shall be limited to a maximum of 200 residential units.
2. Final site plan approval shall be coordinated with the city of Berry Hill.
3. Sidewalks shall be required as indicated on the preliminary development plan (minimum 6 foot wide sidewalk with 4 foot wide grass strip).
4. Comply with all Public Works requirements, except where other more specific conditions may apply.
5. Any fence along Elliott Avenue shall not be opaque. Final fence designs shall be approved by the Planning Department and shall consist of quality materials consistent with the overall concept.
6. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM100-A zoning district as of the date of the applicable request or application.
7. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
8. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles

and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

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

Mr. Swaggart presented the staff recommendation of approval with conditions, including the removal of the platted setback along Elliott Avenue and Inverness Avenue, disapprove without all conditions.

Shawn Henry, 315 Deaderick Street, spoke in favor of the application.

Todd Oglesby, developer, spoke in favor of the application.

David (last name unclear), 4101 Utah Ave, spoke in favor of the application and noted that there will be over 100 parking spaces more than what is required.

Charlie Gerber, 907 Clayton Ave, spoke in favor of the application.

Micah Lacher, 801 Hillview Heights, spoke in favor of the application and stated that having extra retail options in the neighborhood will be a great asset.

Ryan Seibels, 2400 Franklin Road, spoke in favor of the application and noted that this area has been an eyesore for a long time.

Sarah Dawkins, 3615 Rainbow Place, spoke in favor of the application and noted that this project is exactly what the area needs.

Paul Dent, 1506 Woodmont Blvd, spoke in favor of the application.

Calvit Ratcliffe, 2310 Elliott Ave, spoke in favor of the application and noted that it will increase property values.

Steven Graw, 1000 Hillsboro Pike, spoke in favor of the application due to the new retail and the revenue it will bring to the area.

Hunter Nelson, 2400 Franklin Road, spoke in favor of the application and expressed excitement regarding the new retail options.

James Polen, 1226 Sigler St, spoke in favor of the application.

Paul Batson, Jr., Inverness and Frankin Rd, spoke in favor of the application and noted that it will be a great benefit to the community.

Steve Weissenburger, 2310 Elliott Ave, spoke in favor of the application.

Mark (last name unclear), Elliott Ave, spoke in opposition to the application and noted that the scale of the project is enormous and unbearable.

Scott Bonner, 2401 Elliott Ave, spoke in opposition to the application due to traffic concerns.

(Name unclear), spoke in opposition to the application and noted that this does not fit with the character of the neighborhood.

Lisa (last name unclear), Elliott Ave, spoke in opposition to the application and noted that this area is already saturated.

William Douglas, Inverness Ave, spoke in opposition to the application.

Barbara Seger, 2405 Elliott Ave, spoke in opposition to the application due to traffic concerns.

David (?), noted that over 650 notifications were sent out regarding the community meetings.

Shawn Henry asked for approval and noted that they are providing more parking than required; will continue to hold community meetings if desired.

Chairman McLean closed the Public Hearing.

Mr. Gee spoke in favor of the application and stated that this is a prime opportunity to achieve many of the goals spelled out in NashvilleNext.

Ms. Blackshear spoke in favor of the application and noted that this will be good for the area.

Mr. Haynes spoke in favor of the application.

Ms. Farr spoke in favor of the application and stated that this would be a great opportunity to increase the supply of affordable housing in Nashville.

Ms. LeQuire spoke in favor of the application.

Mr. Haynes moved and Mr. Gee seconded the motion to approve with conditions, including the removal of the platted setback along Elliott Avenue and Inverness Avenue; disapprove without all conditions. (6-0)

Ms. Blackshear left the meeting at 6:22 p.m.

Mr. Clifton stepped back in the room at 6:22 p.m.

The Commission took a short break from 6:22 p.m. to 6:40 p.m.

Resolution No. RS2015-4

“BE IT RESOLVED by The Metropolitan Planning Commission that 2015SP-003-001 is **Approved with conditions, including the removal of the platted setback along Elliott Avenue and Inverness Avenue; disapproved without all conditions. (6-0)**”

CONDITIONS

1. Uses shall be limited to a maximum of 200 residential units.
2. Final site plan approval shall be coordinated with the city of Berry Hill.
3. Sidewalks shall be required as indicated on the preliminary development plan (minimum 6 foot wide sidewalk with 4 foot wide grass strip).
4. Comply with all Public Works requirements, except where other more specific conditions may apply.
5. Any fence along Elliott Avenue shall not be opaque. Final fence designs shall be approved by the Planning Department and shall consist of quality materials consistent with the overall concept.
6. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM100-A zoning district as of the date of the applicable request or application.
7. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
8. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
9. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

12. 2015SP-006-001

TOWERING OAKS

Map 098, Parcel(s) 052

Council District 12 (Steve Glover)

Staff Reviewer: Melissa Sajid

A request to rezone from RS15 to SP-R zoning for property located at 5572 South New Hope Road, at the current terminus of Cherry Bark Court, (3.52 acres), to permit up to 13 single-family dwelling units, requested by Dale & Associates, applicant; Bruce and Richelle Harp, owner.

Staff Recommendation: Disapprove.

APPLICANT REQUEST

Preliminary SP to permit up to 13 single-family lots.

Preliminary SP

A request to rezone from Single-Family Residential (RS15) to Specific Plan-Residential (SP-R) zoning for property located at 5572 South New Hope Road, at the current terminus of Cherry Bark Court, (3.52 acres), to permit up to 13 single-family lots.

Existing Zoning

Single-Family Residential (RS15) requires a minimum 15,000 square foot lot and is intended for single-family dwellings at a density of 2.47 dwelling units per acre. *RS15 would permit a maximum of 8 lots with a Cluster Lot subdivision.*

Proposed Zoning

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

CRITICAL PLANNING GOALS

N/A

DONELSON-HERMITAGE COMMUNITY PLAN

Current Policy

Suburban Neighborhood Maintenance (T3 NM) policy is intended to preserve the general character of suburban neighborhoods as characterized by their development pattern, building form, land use and associated public realm. T3 NM areas will experience some change over time, primarily when buildings are expanded or replaced. When this occurs, efforts should be made to retain the existing character of the neighborhood, in terms of its development pattern, building form, land use, and the public realm. Where not present, enhancements may be made to improve pedestrian, bicycle and vehicular connectivity.

DRAFT Preferred Future Policy

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

Consistent with Policy?

No. The proposed SP is inconsistent with the goals of both the existing T3 NM policy and the proposed T3 NE policy. The T3 NM policy is intended to preserve the general character of the existing neighborhood while the T3 NE policy is intended to create and enhance the character of the existing neighborhood in terms of its development pattern, building form, land use and the public realm. Both policies also emphasize vehicular connectivity and discourage the use of cul-de-sacs. The T3 NE policy specifically encourages vehicular connectivity to provide multiple routes to destinations for residents which will reduce congestion on primary roads.

The SP proposes a cul-de-sac that will limit access to the site from Stewarts Ferry Pike to the south even though the property has frontage on Cape Hope Pass. The connection of Cherrybark Court to Cape Hope Pass would create an additional access point to South New Hope Road to the east in an area characterized by limited connectivity. Increasing connectivity in this area is especially important given that many of the older subdivisions surrounding the subject property were approved under regulations that did not require as much connectivity as the regulations do today. In addition to providing residents with multiple routes and reducing congestion, increased connectivity also allows for multiple routes for emergency access. Not only is the SP inconsistent with the goals of the policy, but the Fire Marshal's Office has also recommended disapproval as a secondary access is required to meet the requirements of the Fire Code.

PLAN DETAILS

The site is located at 5572 South New Hope Road, southwest of Cape Hope Pass. Surrounding zoning includes RS15, AR2a and PUD. The Towering Oaks subdivision, a cluster lot subdivision, is located to the south of the subject property, and the New Hope Point PUD surrounds the site to the north, east and west.

Site Plan

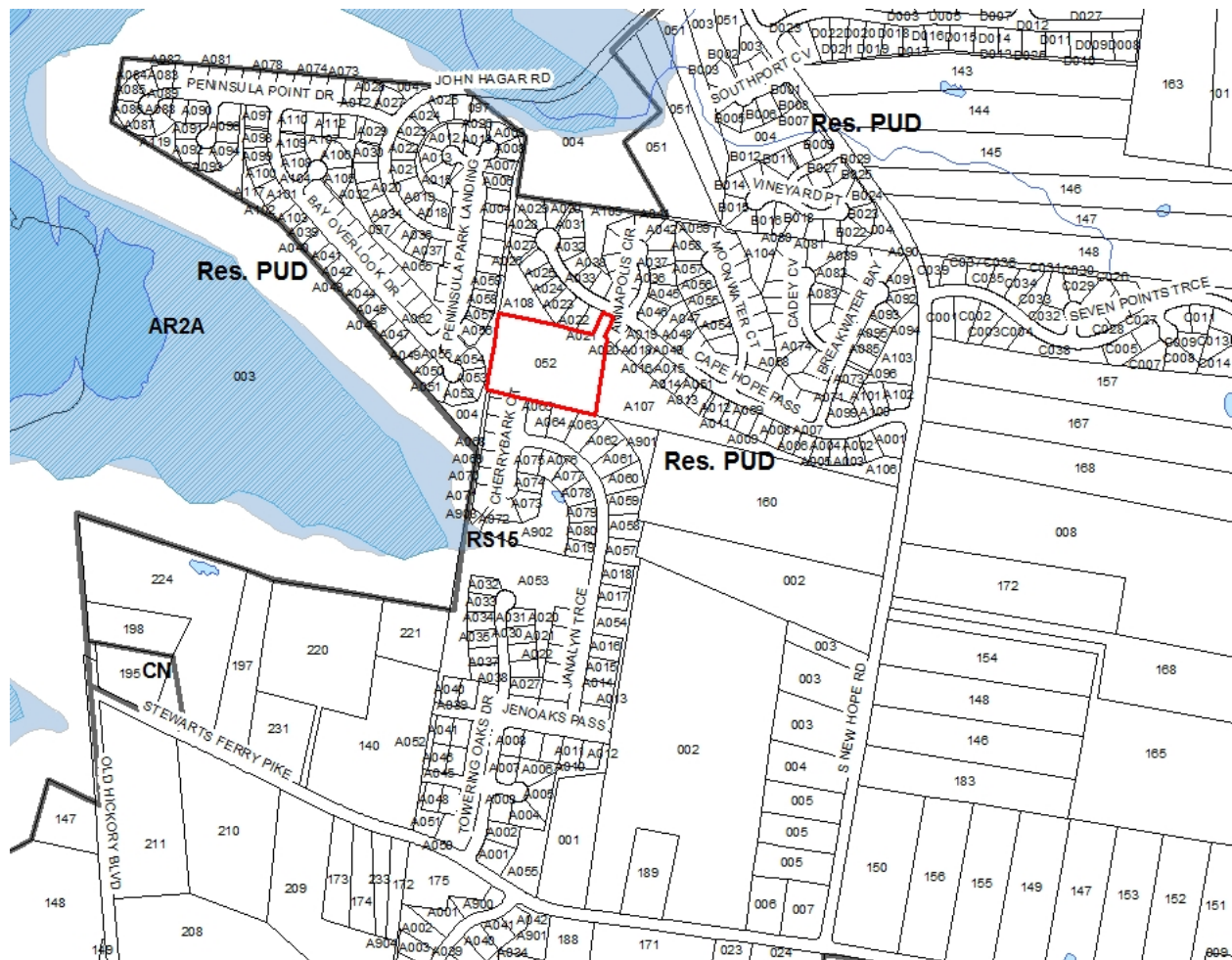
The plan proposes thirteen single-family units on individual lots with a minimum lot size of 5,000 square feet, but lot sizes are shown around 8,200 square feet. Even though there is an opportunity to connect to Cape Hope Pass to the east, the plan includes only one access point from Cherrybark Court, which is extended to the north and terminates in a double cul-de-sac. Landscape buffers are proposed along the perimeter of the site with limited open space provided between Lots 20 and 21 of New Hope Point along Cape Hope Pass. However, the proposed open space is not easily accessed by the proposed units.

If the site were developed as a cluster lot subdivision, the maximum number of lots that would be permitted is 8 lots at a minimum of 7,500 square feet, whereas the SP proposes 13. The cluster lot option would also require a minimum of 15% open

space exclusive of the proposed landscape buffers. Such open space is characteristic of the developments surrounding this site. The New Hope Point PUD and the Towering Oaks subdivision both provide more than 20% open space. The SP proposes about 3% of open space, exclusive of landscape buffer yards.

The SP proposes a subdivision for 13 single-family lots. In addition to the Community Character policy, the Subdivision Regulations also require the use of an interconnected street system. The New Hope Point PUD was approved in 1996, and the access shown at Cape Hope Pass for the subject property was conveyed to the property owner at that time to provide access to the site. The property that is the subject of this SP request was not included in the New Hope Point PUD.

An interconnected street system allows for the reasonable dispersal of traffic among all available streets which reduces traffic congestion on major thoroughfares. Street connections allow for multiple routes for emergency access and allow for alternatives for residents in the event of an accident or emergency situation. There are approximately 100 lots in the New Hope Point that share one access point to South New Hope Road, which is identified in the Major and Collector Street Plan as a suburban residential collector. In addition, there are about 75 lots in the Towering Oaks subdivision to the south that share one access point at Stewarts Ferry Pike. Currently there are no alternative routes for these residents. The map below illustrates the lack of connected street network.



A connection from Cherrybark Court to South New Hope Road would provide an alternate route for residents. In addition, Metro Fire has recommended disapproval of the SP since a secondary access is required to meet the requirements of the Fire Code.

Variance request

Section 3-9.2(i) of the Subdivision Regulations states that the maximum length of dead end streets with turnarounds is 750 feet. The applicant requests a variance to the requirement to permit a dead end street with turnaround of approximately 1,600 feet.

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

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

Staff finds that approval of a variance to the maximum length of a dead end street is not appropriate in this case, as the applicant has not demonstrated a hardship related to the land. In this case, the length of the dead end street is measure from Jenoa Pass, as Jenoa Pass provides for future connection to adjacent sites. The applicant claims that Cherrybark Court is the only public right-of-way connection to the property. That is not the case, as the site also has frontage on Cape Hope Pass. Also, the applicant asserts that there is inadequate right-of-way to create further connectivity and that the physical configuration is not feasible for proper intersection. Upon consultation with Public Works, staff finds that the connection to Cape Hope Pass is possible.

Chapter 17.40.105 of the Zoning Code that established Specific Plan zoning details the requirements for SP zoning. This section specifically says that SP zoning cannot over-ride the Subdivision Regulations. While SP zoning allows for alternative design standards in many areas, it does not allow for variances to the Subdivision Regulations. The SP enabling legislations also outlines that the plan must be consistent with the land use policy.

ANALYSIS

In order to be consistent with the goals of either the T3 NM or T3 NE land use policies, the SP must incorporate a street connection to Cape Hope Pass. Such a connection would benefit not only the residential units proposed by this SP, but also the existing neighborhoods surrounding the site by providing adequate access for fire apparatus, additional routes for residents and reducing congestion. In addition, the SP should incorporate additional open space that is characteristic of the suburban context and neighboring developments. Achieving these goals may necessitate a reduction in the number of units or smaller lot sizes. As the SP is not consistent with the goals of the T3 NM and T3 NE land use policies to provide vehicular connectivity and Metro Fire has recommended disapproval, staff recommends disapproval.

FIRE MARSHAL RECOMMENDATION

Disapprove

- Spoke with applicant on 12-17-14. Reviewed revised plans.
- D107.1 One- or two-family dwelling residential developments. Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.

HISTORICAL COMMISSION RECOMMENDATION

Approve

STORMWATER RECOMMENDATION

Approve

TRAFFIC & PARKING RECOMMENDATION

No exception taken

WATER SERVICES RECOMMENDATION

Approved

- Approved as a Preliminary SP only. Public construction plans must be approved by Final SP/Site Plan stage. Update MWS's availability study by Final SP/Site Plan stage, to reflect the actual unit count.

PUBLIC WORKS RECOMMENDATION

Approved with conditions

- This development will require Public Works approval of detailed construction plans prior to grading the site. Final design and improvements may vary based on actual field conditions.
- This development should comply with the subdivision regulations concerning maximum cul-de-sac length and connectivity.

Maximum Uses in Existing Zoning District: **RS15**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	3.52	2.90 D	10 U	96	8	11

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	3.52	-	15 U	144	12	16

Traffic changes between maximum: **RS15** and **SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+ 5 U	+48	+4	+5

SCHOOL BOARD REPORT

Projected student generation existing RS15 district: 1 Elementary 1 Middle 1 High

Projected student generation proposed SP-R district: 2 Elementary 1 Middle 1 High

The proposed SP-R zoning district would generate one more student than what is typically generated under the existing RS15 zoning district. Students would attend Ruby Major Elementary School, Donelson Middle School, and McGavock High School. Ruby Major Elementary School and Donelson Middle School have been identified as over capacity. There is capacity within the cluster for elementary and middle school students. This information is based upon data from the school board last updated October 2014.

STAFF RECOMMENDATION

Staff recommends disapproval of the SP as it is not consistent with the goals of the land use policy, the Subdivision Regulations, and has been recommended for disapproval by the Fire Marshall's Office.

CONDITIONS (if approved)

1. Uses within the SP shall be limited to up to 13 residential lots.
2. The final site plan shall include a minimum of 15% open space exclusive of the proposed landscape buffer yards.
3. The final site plan shall include the extension of Cherrybark Court to Cape Hope Pass.
4. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RS5 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
5. The preliminary SP plan approved by the metropolitan council is of such detail that the executive director of the planning department or his designee may waive the submittal of a final site plan.
6. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
7. 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.
8. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Ms. Sajid presented the staff recommendation of disapproval.

Tom White spoke in favor of the application and noted that his client is willing to sprinkle the lots.

Adam Sager, 516 Heather Place, spoke in favor of the application and noted that connectivity is not applicable in this situation.

Scott Davis, developer, spoke in favor of the application.

Jack (last name unclear), spoke in favor of the application.

Chairman McLean closed the Public Hearing.

Mr. Clifton spoke in favor of staff recommendation of disapproval.

Ms. Farr spoke in favor of staff recommendation of disapproval.

Mr. Clifton moved and Ms. LeQuire seconded the motion to disapprove. (5-1) Mr. Haynes voted against.

Resolution No. RS2015-5

"BE IT RESOLVED by The Metropolitan Planning Commission that 2015SP-006-001 is Disapproved. (5-1)"

13. 2015SP-007-001

16TH AVE. APARTMENTS

Map 104-04, Parcel(s) 227-231, 240

Council District 17 (Sandra Moore)

Staff Reviewer: Jason Swaggart

A request to rezone from OR20 to SP-R zoning for properties located at 1202, 1204, 1206, 1208 and 1212 16th Avenue South, and 16th Avenue South (unnumbered), approximately 80 south of Edgehill Avenue (0.99 acres), to permit a residential development with a maximum of 135 dwelling units or for redevelopment under the OR20-A zoning district requirements, requested by Civil site Design Group, PLLC, applicant; Gary Belz Family Limited Partnership and Bradley Daniel, owners.

Staff Recommendation: Defer to the January 22, 2015, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2015SP-007-001 to the January 22, 2015, Planning Commission meeting. (8-0)

14. 2015SP-011-001

PLUM ORCHARD

Map 171, Parcel(s) 041-042, 071, 072, 100, 105, 114

Map 171-02, Parcel(s) 005, 006 and P/O 002, 003 and 004

Council District 04 (Brady Banks)

Staff Reviewer: Jason Swaggart

A request to rezone from R40 to SP-R zoning for properties located at 500, 524, 532, 554, 558, 552, 556 Church Street East, 5665, 5669, 5671 Valley View Road and 5693 and 5689 Cloverland Drive, (17.58 acres), to permit up to 78 single-family residential lots, Dale and Associates, Inc., applicant for various property owners.

Staff Recommendation: Approve with conditions and disapprove without all conditions.

APPLICANT REQUEST

Preliminary SP to permit up to 78 single-family lots.

Preliminary SP

A request to rezone from One and Two-Family Residential (R40) to Specific Plan – Residential (SP-R) zoning for properties located at 500, 524, 532, 554, 558, 552, 556 Church Street East, 5665, 5669, 5671 Valley View Road and 5693 and 5689 Cloverland Drive, (17.58 acres), to permit up to 78 single-family residential lots.

Existing Zoning

One and Two-Family Residential (R40) requires a minimum 40,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 1.16 dwelling units per acre including 25 percent duplex lots. *R40 would permit a maximum of 19 lots with 4 duplex lots for a total of 23 units.*

Proposed Zoning

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

History

On October 23, 2014, the Planning Commission recommended disapproval of a SP to permit up to 107 residential units. That plan included 24 detached residential units and 83 attached residential units. The Commission did not support the proposal primarily because they did not find that it was consistent with the land use policy or provide an appropriate transition.

CRITICAL PLANNING GOALS

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

The area is served by roads water and sewer. Development in areas with existing infrastructure is more appropriate than development in areas not served with infrastructure because it does not burden Metro with the cost of extending and maintaining new infrastructure. The request provides for an additional housing option in the area. Additional housing options are important to serve a wide range of people with different housing needs. The plan calls for an internal sidewalk system as well as new sidewalks along Church Street and Cloverland Drive.

SOUTHEAST COMMUNITY PLAN

Current Policy

Suburban Neighborhood Maintenance (T3 NM) policy is intended to preserve the general character of suburban neighborhoods as characterized by their development pattern, building form, land use and associated public realm. T3 NM areas will experience some change over time, primarily, when buildings are expanded or replaced. When this occurs, efforts should be made to retain the existing character of the neighborhood, in terms of its development pattern, building form, land use, and the public realm. Where not present, enhancements may be made to improve pedestrian, bicycle and vehicular connectivity.

DRAFT Preferred Future Policy

No change is proposed to the existing policy.

Consistent with Policy?

Yes. The plan calls for single-family lots only with an overall density of approximately 4.4 units per acre. The policy supports a variety of residential types including single-family. The policy also supports up to 20 units per acre so the proposed density is on the lower end of the supported density range.

While the policy supports single-family uses as well as up to 20 units per acre, it calls for development to fit within the general character of the surrounding area. The policy also supports development that provides appropriate transitions between different land uses and development patterns. This site sits between a higher density apartment complex to the west and a single-family neighborhood to the north and east. The site is an ideal location for a transition between the two areas. The plan provides a transition by maintaining the single-family lot development pattern while providing smaller lots transitioning from the more intense multi-family residential to the less intense single-family residential.

PLAN DETAILS

The approximately 17 acre site is located on the northwest quadrant of Church Street East and Cloverland Drive. It consists of several properties and portions of properties. Several of the lots contain single-family homes and a large portion of the site consists of dense wooded areas. There is a small stream that bisects the property.

Site Plan

As proposed the plan calls for 78 single-family lots. The average lot size is 5,000 square feet and the minimum lot size is 4,000 square feet. A majority of the lots (54) front onto new streets. Eighteen lots front onto Church Street, and six lots front onto Cloverland Drive.

Vehicular access in and out of the development is proposed from two points along Church Street. No access is proposed onto Cloverland Drive. A majority of the lots would be accessed from alleys that are located at the rear of the lots. Eight lots would have access from the front via shared driveways (five drives). As proposed all new streets and alleys will be public. The plan proposes five foot wide sidewalks with a four foot wide planting strip. Sidewalks along Church and Cloverland will be consistent with the Major and Collector Street Plan.

The plan requires that corner lots have a primary façade along the main street and a secondary façade and secondary doorway or other feature facing the secondary street that requires the home to address the street. The plan also provides examples of homes, including corner lot homes, and specifies building materials, primarily brick, stone and other masonry products. Vinyl is prohibited. The plan encourages homes to have front porch entrances that are elevated above the street. The plan requires a 20 foot front setback from Church Street and Cloverland Drive. As proposed all homes must have a minimum floor area of 3,100 square feet and a maximum height of three stories.

Open space is provided throughout the plan. A majority of the open space is informal including stormwater areas, buffer areas and stream buffers. The plan does identify an active open area at the intersection of Church and Cloverland.

The plan provides a preliminary grading plan, which would require minimal grading. Homes would be specifically designed for each lot in order to minimize grading. The plan limits the height of retaining walls to three feet from pre-development grade.

ANALYSIS

The plan is consistent with the land use policy and meets several critical planning goals. The plan provides a transition by maintaining the single-family lot development pattern while providing smaller lots transitioning from the more intense multi-family use west of the site to the less intense single-family north and east of the site. A key feature of the plan is that it minimizes grading. This would be accomplished by requiring that homes be designed for each lot. Typically new homes within new, large subdivisions are not specially designed for a particular lot. This often results in excessive, mass grading because the home design requires a slab on grade foundation. The proposed SP would not permit this type of construction. A condition of staff approval, which is also indicated on the plan, would require Council approval if the grading plan included with any final site plan significantly deviates from the current preliminary grading plan or if the Planning Commission determines that proposed grading would deviate from the plans intent to minimize grading. The note/requirement is as follows:

The grading plan shall be consistent with the preliminary SP and shall not have any retaining walls in excess of three feet in height. Homes must be specifically designed to fit on each lot. Lots 30 thru 42 and Lots 63 through 67 must have tucked under or detached garages or other specific designs as required to achieve the elevation difference across the lot.

As proposed the plan sets a minimum floor area for any home. This is not appropriate as a zoning requirement and staff is recommending that it be removed from the SP.

FIRE MARSHAL'S OFFICE

Approve with conditions

Fire Code issues for the structures will be addressed at permit application review.

PUBLIC WORKS RECOMMENDATION

In accordance with the recommendations of the traffic impact study and the technical memorandum from the traffic engineer dated December 15, 2014, the following improvements shall be required:

- Extend the southbound right turn lane on Cloverland Drive approximately 200 feet and provide taper to AASHTO standards.
- The final design of each of the streets providing access to the residential lots should be completed such that departure sight triangles, as specified by AASHTO, will be clear of all potential sight obstructions, including horizontal and vertical curvature, landscaping, monument signs, etc.
- Sidewalk should be provided along the project site frontage on Church Street East and Cloverland Drive.
- Pedestrian facilities should be provided at the intersection of Church Street East and Cloverland Drive/Jones Parkway for crossing the west leg of Church Street East. Specifically, a crosswalk should be provided for the west leg between the southwest corner and the channelized right turn island on the northwest corner. A crosswalk across the southbound right turn lane should be provided. ADA compliant pedestrian signals and pushbuttons should be provided for the crosswalk on the west leg. Curb ramps with detectable warning should be provided for the northwest and southwest corners. Pedestrian pushbutton poles or pedestrian pedestal poles may be required for the southeast and southwest corners in order to provide ADA compliance for the existing crosswalk. Developer shall design signal plan and submit to Metro traffic engineer for approval.
- Install a Pedestrian Crossing (W11-2) warning sign with a diagonal downward pointing arrow (W16-7P) plaque at the crosswalk for the southbound right turn lane.
- The signal timing and phasing should be modified for the AM peak period to provide a shorter cycle length in order to reduce the intersection control delay.

STORMWATER RECOMMENDATION

Approve with conditions

WATER SERVICES

Approved

Approved as Preliminary SP only. Applicant must submit Construction plans and pay Capacity Fees before Final SP is approved.

METRO SCHOOL BOARD REPORT

Projected student generation existing R40 district: 2 Elementary 1 Middle 1 High

Projected student generation proposed SP-R district: 8 Elementary 4 Middle 4 High

The proposed SP-MR zoning district could generate 12 more students than what is typically generated under the existing R40 zoning district. Students would attend Granbery Elementary, Oliver Middle School, and Overton High School. Granbery and Overton are over capacity and there is no additional capacity within the cluster for additional elementary or high school students. This information is based upon data from the school board last updated October 2014.

Fiscal Liability

The fiscal liability of six new elementary students is \$129,000 (\$21,500 per student). The fiscal liability of three new high school students is \$108,000 (\$36,000 per student). This is only for information purposes to show the potential impact of this proposal, it is not a staff condition of approval.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions as the request is consistent with the Southeast Community Plan and meets several critical planning goals.

CONDITIONS

1. Uses shall be to a maximum of 78 single-family lots.
2. Prior to final site plan application, demonstrate that the remainder of parcels 002, 003, 004 can be consolidated and include 40,000 square feet without modifying the SP plan, or consolidate the remainders into the open space for the SP.
3. Prior to the approval of any final site plan, any additional right-of-way along Church Street East and/or Cloverland needed to meet the Major and Collector Street plan shall be shown on the plan, and shall be dedicated with the final plat.
4. Sidewalks along Church Street and Cloverland Drive must be consistent with the Major and Collector Street Plan and shown on the final site plan.
5. Comply with all Public Works requirements.
6. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RS5 zoning district as of the date of the applicable request or application.
7. The grading plan shall be consistent with the preliminary SP and shall not have any retaining walls in excess of three feet in height. Homes must be specifically designed to fit on each lot. Lots 30 thru 42 and Lots 63 through 67 must have tucked under or detached garages or other specific designs as required to achieve the elevation difference across the lot.
8. A revised preliminary SP plan shall be submitted prior to final site plan approval removing the minimum floor area note.
9. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
10. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
11. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Mr. Swaggart presented the staff recommendation of approval with conditions and disapproval without all conditions.

Mr. Haynes recused himself but remained in the room to maintain a quorum.

Tom White spoke in favor of the application due to many positive changes made including a decrease in the number of units and a greater buffer area.

Roy Dale, 516 Heather Place, spoke in favor of the application.

Councilman Banks spoke in favor of the application and noted the reduction in the number of units from 300 to 78 with single family only.

Robert Shelton, 552 Church Street E, spoke in favor of the application.

Loretta Shelton, 552 Church Street E, spoke in favor of the application,

Amy Greer, 5801 Cloverland Drive, spoke in opposition to the application and noted that the developer is not in tune with what is going on with the current traffic situation; density is still too high.

David Hoover, 5811 Cloverland Drive, spoke in opposition to the application due to density and traffic concerns.

Charles Blackwood, 5650 Cloverland Drive, spoke in opposition to the application due to a 20' setback, no green space, and not kid friendly.

Betsy Stubblefield, 5711 Cloverhill Drive, spoke in opposition to the application and noted that it is not an appropriate transition; it would be an urban look in a suburban area.

Brenda Martin, 5680 Cloverland Drive, spoke in opposition to the application and noted that the infrastructure wasn't there in the past and it still isn't there currently.

Jerry Stubblefield, 5711 Cloverhill Drive, spoke in opposition to the application due to traffic issues; requested a deferral.

Tom White clarified that this is 4.4 units per acre, all single, detached units, and a greater buffer area provided.

Roy Dale noted that there are massive amounts of open space on this plan.

Chairman McLean closed the Public Hearing.

Councilman Banks spoke in favor of the application and noted that this proposal won't affect the neighborhoods as much as the prior proposal would have.

Mr. Gee spoke in favor of the application due to the connectivity opportunities that will be provided.

Mr. Clifton stated that while he understands the neighbors' reluctance to see this much of a change, he is impressed with the amount of positive changes made in the plan and will support staff recommendation of approval with conditions.

Ms. Farr spoke in favor of the application and noted that it is a considerable improvement.

Ms. LeQuire noted that no single development will solve the infrastructure problem; will ask each developer to do what they can.

Mr. Gee moved and Mr. Clifton seconded the motion to approve with conditions and disapprove without all conditions. (4-1-1) Mr. Haynes recused himself. Ms. LeQuire voted against.

Resolution No. RS2015-6

"BE IT RESOLVED by The Metropolitan Planning Commission that 2015SP-011-001 is **Approved with conditions and disapproved without all conditions. (4-1-1)**"

CONDITIONS

1. Uses shall be to a maximum of 78 single-family lots.
2. Prior to final site plan application, demonstrate that the remainder of parcels 002, 003, 004 can be consolidated and include 40,000 square feet without modifying the SP plan, or consolidate the remainders into the open space for the SP.
3. Prior to the approval of any final site plan, any additional right-of-way along Church Street East and/or Cloverland needed to meet the Major and Collector Street plan shall be shown on the plan, and shall be dedicated with the final plat.
4. Sidewalks along Church Street and Cloverland Drive must be consistent with the Major and Collector Street Plan and shown on the final site plan.
5. Comply with all Public Works requirements.
6. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RS5 zoning district as of the date of the applicable request or application.
7. The grading plan shall be consistent with the preliminary SP and shall not have any retaining walls in excess of three feet in height. Homes must be specifically designed to fit on each lot. Lots 30 thru 42 and Lots 63 through 67 must have tucked under or detached garages or other specific designs as required to achieve the elevation difference across the lot.
8. A revised preliminary SP plan shall be submitted prior to final site plan approval removing the minimum floor area note.
9. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
10. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
11. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Zone Changes

15. 2014Z-061PR-001

Map 091-14, Parcel(s) 269
Council District 20 (Buddy Baker)
Staff Reviewer: Lisa Milligan

A request to rezone from R8 to CS zoning for property located at OBrien Avenue (unnumbered), approximately 130 feet west of White Bridge Pike (0.08 acres), requested by Jai Balaji, LLC, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from RS to CS.

Zone Change

A request to rezone from One and Two-Family Residential (R8) to Commercial Service (CS) zoning for property located at OBrien Avenue (unnumbered), approximately 130 feet west of White Bridge Pike (0.08 acres).

Existing Zoning

One and Two-Family Residential (R8) requires a minimum 8,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 5.79 dwelling units per acre including 25 percent duplex lots. *Based on the lot size, this is not a buildable lot.*

Proposed Zoning

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

CRITICAL PLANNING GOALS

N/A

WEST NASHVILLE COMMUNITY PLAN

Current Policy

T4 Urban Community Center (T4 CC) is intended to preserve, enhance, and create urban community centers encouraging their development and redevelopment as intense mixed use areas that are compatible with the general character of urban neighborhoods as characterized by the service area, development pattern, building form, land use, and associated public realm. Where not present, enhance infrastructure and transportation networks to improve pedestrian, bicycle and vehicular connectivity. T4 Urban Community Centers are pedestrian friendly areas, generally located at intersections of prominent urban streets. T4 Urban Community Centers serve urban communities within a 5 minute drive or a 5 to 10 minute walk.

DRAFT Preferred Future Policy

T4 Urban Community Center (T4 CC) is intended to preserve, enhance, and create urban community centers encouraging their development and redevelopment as intense mixed use areas that are compatible with the general character of urban neighborhoods as characterized by the service area, development pattern, building form, land use, and associated public realm. Where not present, enhance infrastructure and transportation networks to improve pedestrian, bicycle and vehicular connectivity. T4 Urban Community Centers are pedestrian friendly areas, generally located at intersections of prominent urban streets. T4 Urban Community Centers serve urban communities within a 5 minute drive or a 5 to 10 minute walk.

Consistent with Policy?

Yes. The proposed CS is consistent with the policy. The property in question is located just south of the I-40/White Bridge Pike interchange and north of the White Bridge Pike and Charlotte Avenue intersection, both prominent and intensely developed intersections which are appropriate for CS zoning and commercial development. The policy indicates that commercial use is an appropriate land use. The current R8 zoning of the property is inconsistent and does not further the goals of the policy and is also surrounded on all sides by CS zoning.

FIRE DEPARTMENT RECOMMENDATION

N/A

PUBLIC WORKS RECOMMENDATION

N/A

Maximum Uses in Existing Zoning District: **R8**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential (210)	0.08	5.44 D	0 U	-	-	-

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	0.08	0.6 F	2,090 SF	128	9	27

Traffic changes between maximum: **R8** and **CS**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+128	+9	+27

TRAFFIC AND PARKING RECOMMENDATION

Conditions if approved

1. Traffic study may be required at time of development

STORMWATER RECOMMENDATION

Ignore

STAFF RECOMMENDATION

Staff recommends approval since it is consistent with T4 Urban Community Center Policy and because the lot is completely surrounded by CS zoning.

Approve. (8-0), Consent Agenda

Resolution No. RS2015-7

“BE IT RESOLVED by The Metropolitan Planning Commission that 2014Z-061PR-001 is **Approved. (8-0)**”

Planned Unit Developments

16. 94-71P-002

BELLEVUE CENTER (AMENDMENT)

Map 128, Parcel(s) 152, 170
 Map 142, Parcel(s) 001, 297, 298, 301, 354
 Council District 22 (Sheri Weiner)
 Staff Reviewer: Jason Swaggart

A request to amend a portion of the Commercial Planned Unit Development Overlay District for properties located at 7614 A, 7614B, 7616, 7620, 7624, 7632 and 7634 Highway 70 South, west of Sawyer Brown Road, zoned MUL and SCR, (85.5 acres), to permit a mixed use development, requested by Barge, Cauthen & Associates, applicant; Bellevue Development, LLC, owner.

Staff Recommendation: Approve with conditions and disapprove without all conditions.

APPLICANT REQUEST

Amend PUD to permit a mixed-use development.

Amend PUD

A request to amend a portion of the Commercial Planned Unit Development Overlay District for properties located at 7614 A, 7614B, 7616, 7620, 7624, 7632 and 7634 Highway 70 South, west of Sawyer Brown Road, zoned Mixed Use Limited (MUL) and Shopping Center Regional (SCR), (85.5 acres), to permit a mixed use development.

Existing Zoning

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

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

Planned Unit Development Overlay District (PUD) is an alternative zoning process that allows for the development of land in a well-planned and coordinated manner, providing opportunities for more efficient utilization of land than would otherwise be permitted by the conventional zoning provisions of this title. The PUD district may permit a greater mixing of land uses not easily accomplished by the application of conventional zoning district boundaries, or a framework for coordinating the development of land with the provision of an adequate roadway system or essential utilities and services. This PUD plan in return, the PUD district provisions require a high standard for the protection and preservation of environmentally sensitive lands, well-planned living, working and shopping environments, and an assurance of adequate and timely provision of essential utilities and streets.

CRITICAL PLANNING GOALS

- Supports Infill Development

The area is served by adequate infrastructure. Development in areas with adequate infrastructure is more appropriate than development not served with adequate infrastructure, such as substandard roads, water and sewer, because it does not burden Metro with the cost of upgrading or building new infrastructure.

BELLEVUE COMMUNITY PLAN

Current Policy

Suburban Community Center (T3 CC) policy is intended to enhance suburban community centers encouraging their redevelopment as intense mixed use areas that are compatible with the general character of suburban neighborhoods as characterized by the service area, development pattern, building form, land use, and associated public realm. Where not present, enhance infrastructure and transportation networks to improve pedestrian, bicycle and vehicular connectivity. T3 Suburban Community Centers are pedestrian friendly areas, generally located at prominent intersections. T3 Suburban Community Centers serve suburban communities within a 10 to 20 minute drive.

DRAFT Preferred Future Policy

No change is proposed.

Consistent with Policy?

Yes. The subject site, which is now mostly inactive, was once the major anchor of this commercial area. Its redevelopment should bring the site back to life, providing additional shopping opportunities as well as additional housing.

PLAN DETAILS

The approximately 97 acre site is a large part of the old Bellevue Mall Planned Unit Development (PUD). The overall PUD consists of approximately 102 acres and includes the subject site and several other parcels along HWY 70 that are not included in this proposal. Parcels not included in this request include but is not limited to office, retail and restaurant uses.

The original PUD was approved by Council in 1971. Since that time, the plan has been revised numerous times. The last major revision for the subject portion of the PUD was approved by the Planning Commission in 2007. It included 1,166,670 square feet of various commercial uses. The current proposal calls for a complete redevelopment of the underutilized mall site. The change is major and will require Council approval.

Site Plan

The plan will bring the overall non-residential floor area within the PUD to 753,170 square feet including but not limited to retail, restaurant, theater, bank and hotel. It also includes 500 multi-family residential units. The PUD would also permit any use that is permitted by the MUL and/or the SCR base zoning districts.

The layout for the commercial portion of the proposed development includes the typical suburban big box development pattern as well as a pedestrian friendly lifestyle center. The big box buildings are located at the exterior including one large building that will back towards Sawyer Brown Road and two large buildings adjacent to I-40. Small outparcels are located closer to HWY 70.

The proposed 500 multi-family residential units are located along the northern property line. A majority of the residential units front onto open space or internal private drives. A unit also fronts onto Sawyer Brown Road.

Landscaping is provided throughout the development. This includes parking areas, common open space, mostly associated with the residential area. Buffer yards are also shown which includes a larger buffer area along Sawyer Brown Road.

Access into the site is shown from both Highway 70 as well as Sawyer Brown Road. Two drives access Sawyer Brown Road and three drives access Highway 70. All five access points exist today. All roadways in the development are private drives. The plan calls for sidewalks along both Highway 70 and Sawyer Brown Road. The plan indicates that sidewalks and right-of-way dedications will be consistent with the Major and Collector Street Plan. A sidewalk network which includes a pathway is provided throughout the development.

ANALYSIS

The proposed amendment to the PUD is consistent with the sites T3 CC land use policy and supports infill development, which is a critical planning goal. Like other malls throughout the United States, the Bellevue Mall has been declining for years and is currently mostly vacant, with the exception of Sears and a few other stores. The proposed redevelopment could bring the site back into productive use which could spur future development in the area.

FIRE MARSHAL'S OFFICE

N/A

PUBLIC WORKS RECOMMENDATION

The applicant for the Bellevue Center has submitted to Metro a letter regarding the expected change in traffic generated between the proposed PUD amendment and the previously approved PUD. Because of the change in land uses, the proposed PUD amendment is expected to generate more daily trips than what was previously approved. Due to this increase, the proposed changes to some access points, and the addition of residential land uses, as final PUD plans are reviewed, additional traffic analyses will likely be required. These analyses would specifically address the type of traffic control, intersection geometry, or any other traffic related concerns that may be expected at the site access points.

STORMWATER RECOMMENDATION

Approved

WATER SERVICES

N/A

HARPETH VALLEY UTILITY DISTRICT

No issues

METRO SCHOOL BOARD REPORT

Projected student generation: 28 Elementary 21 Middle 18 High

The proposed PUD amendment could generate approximately 67 additional students. Students would attend Westmeade Elementary, Bellevue Middle School, and Hillwood High School. There is capacity for additional elementary and high school students, but there is no additional capacity for middle school students. This information is based upon data from the school board last updated October 2014.

Fiscal Liability

The fiscal liability of 27 new middle school students is \$546,000 (\$26,000 per student). This is only for information purposes to show the potential impact of this proposal, it is not a staff condition of approval.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions as the request is consistent with the Bellevue Community Plan and supports a infill development which is a critical planning goals.

CONDITIONS

1. Adequate landscaping shall be provided along Sawyer Brown Road to ensure that the back of any building is not visible from Sawyer Brown Road. Planning staff will review final site plans with the Metro Urban Forester to ensure that landscaping is of an adequate quantity and quality to provide year round screening in this area as depicted on the preliminary landscape plan.
2. The applicant shall work with MTA to provide a bus shelter or bus shelters along Highway 70. A bus shelter is not required unless approved by MTA.
3. Comply with all requirements of Public Works.
4. 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.
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.
6. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.

Mr. Swaggart presented the staff recommendation of approval with conditions and disapproval without all conditions.

Tim Cinema, developer, spoke in favor of the application and noted overwhelming support at neighborhood meetings.

Kim Hawkins spoke in favor of the application and noted that this is a great opportunity to finally reimagine these 97 acres.

Richard Jones spoke in favor of the application.

Council Lady Weiner spoke in favor of the application.

Gloria Hausser, 222 Plantation Court, spoke in favor of the application.

Dave Rosenberg, 7429 Riverfront Drive, spoke in favor of the application.

Charlie Cooper, 412 General George Patton Road, spoke in favor of the application.

Dawn Bagby, 613 General George Patton Road, spoke in favor of the application.

Matt Lowney, 1004 Morgan Trace Court, spoke in favor of the application.

Linda Bozza, 8104 Sawyer Brown Road, spoke in opposition to the application due to increased noise and traffic concerns.

Chairman McLean closed the Public Hearing.

Mr. Haynes spoke in favor of the application due to the economic viability.

Ms. Farr spoke in favor of the application.

Ms. LeQuire spoke in favor of the application.

Mr. Clifton spoke in favor of the application.

Mr. Gee spoke in favor of the application.

Mr. Haynes moved and Mr. Gee seconded the motion to approve with conditions and disapprove without all conditions. (6-0)

Resolution No. RS2015-8

"BE IT RESOLVED by The Metropolitan Planning Commission that 94-71P-002 is Approved with conditions and disapproved without all conditions. (6-0)"

CONDITIONS

- 1. Adequate landscaping shall be provided along Sawyer Brown Road to ensure that the back of any building is not visible from Sawyer Brown Road. Planning staff will review final site plans with the Metro Urban Forester to ensure that landscaping is of an adequate quantity and quality to provide year round screening in this area as depicted on the preliminary landscape plan.**
- 2. The applicant shall work with MTA to provide a bus shelter or bus shelters along Highway 70. A bus shelter is not required unless approved by MTA.**
- 3. Comply with all requirements of Public Works.**
- 4. 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.**
- 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.**
- 6. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.**

K. PLANNING COMMISSION ACTIONS

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

Planned Unit Developments: final site plans

17. 7-87P-001

HAYWOOD OAKS (REVISION)

Map 148-10, Parcel(s) 135

Council District 30 (Jason Potts)

Staff Reviewer: Jennifer Nalbantyan

A request to revise the preliminary plan and for final site plan approval for a portion of the Haywood Oaks Commercial Planned Unit Development Overlay District for property located at 3800 Ezell Road, north of Haywood Lane, zoned CS, (13.78 acres), to permit the subdivision of the property into two lots, requested by Civil & Environmental Consultants, Inc., applicant; Haywood Oaks Eight Investors, Ltd., owner (See Also Subdivision Case No. 2015S-007-001).

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Revision of preliminary plan and final site plan approval for a portion of a Planned Unit Development to permit the subdivision of the property into two lots.

Revise Preliminary PUD and Final Site Plan

A request to revise the preliminary plan and for final site plan approval for a portion of the Haywood Oaks Commercial Planned Unit Development Overlay District for property located at 3800 Ezell Road, north of Haywood Lane, zoned Commercial Service (CS), (13.78 acres), to permit the subdivision of the property into two lots (See Also Subdivision Case No. 2015S-007-001).

Existing Zoning

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

Proposed Zoning

Planned Unit Development Overlay District (PUD) is an alternative zoning process that allows for the development of land in a well-planned and coordinated manner, providing opportunities for more efficient utilization of land than would otherwise be permitted by the conventional zoning provisions of this title. The PUD district may permit a greater mixing of land uses not easily accomplished by the application of conventional zoning district boundaries, or a framework for coordinating the development of land with the provision of an adequate roadway system or essential utilities and services. In return, the PUD district provisions require a high standard for the protection and preservation of environmentally sensitive lands, well-planned living, working and shopping environments, and an assurance of adequate and timely provision of essential utilities and streets. *The subject PUD permits a variety of commercial uses.*

CRITICAL PLANNING GOALS

N/A

PLAN DETAILS

The site is located at 3800 Ezell Road, north of Haywood Lane. The site is part of The Haywood Oaks Commercial PUD, which was originally approved in 1990. A preliminary PUD plan for Haywood Oaks – South 4A was approved in 1996. This plan approved the existing one story office/warehouse on the subject property and also shows another one-story office/warehouse building to the south that was never built. The latest revision in 1998 permitted a parking lot on this southern portion of the lot that would become a new lot with this proposal. Automobile parking is a permitted use in the CS zoning district.

ANALYSIS

The proposed lot line does not interfere with the existing building on the lot and there is no proposal for new construction with this application. There is no change proposed elsewhere on the plan. Being minor in nature, staff finds that the proposal is consistent with the overall plan approved by Council. Since the request does not propose any major changes, staff finds that the request can be approved as a revision not requiring Council approval.

Section 17.40.120.G permits the Planning Commission to approve “minor modifications” under certain conditions. Staff finds that the request is consistent with all the requirements of Section 17.40.120.G, which is provided below for review.

G. Status of Earlier Planned Unit Developments (PUDs). The following provisions shall apply to a planned unit development (PUD) approved under the authority of a previous zoning code and remaining a part of the official zoning map upon the enactment of this title.

1. The planned unit development (PUD) shall be recognized by this title according to the master development plan and its associated conditions specified in the PUD ordinance last approved by the metropolitan council prior to the effective date of the ordinance codified in this title.
2. The planning commission may consider and approve minor modifications to a previously approved planned unit development subject to the following limitations. All other modifications shall be considered by the planning commission as an amendment to the previously approved planned unit development and shall be referred back to the council for approval according to the procedures of Section 17.40.120(A)(5). That portion of a planned unit development master plan being amended by the council shall adhere to all provisions of this code:
 - a. In the judgment of the commission, the change does not alter the basic development concept of the PUD;
 - b. The boundary of the planned unit development overlay district is not expanded;
 - c. There is no change in general PUD classification (e.g. residential to any classification of commercial or industrial PUD; any change in general classification of a commercial PUD; or any change in general classification of an industrial PUD);
 - d. There is no deviation from special performance criteria, design standards, or other specific requirements made part of the enacting ordinance by the council;
 - e. There is no introduction of a new vehicular access point to an existing street, road or thoroughfare not previously designated for access;
 - f. There is no increase in the total number of residential dwelling units originally authorized by the enacting ordinance;
 - g. There is no change from a PUD approved exclusively for single-family units to another residential structure type;
 - h. The total floor area of a commercial or industrial classification of PUD shall not be increased more than ten percent beyond the total floor area last approved by the council;
 - i. If originally limited to office activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
 - j. If originally limited to office, retail and other general commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to include industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
 - k. If originally limited to commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
 - l. In the determination of the commission, the nature of the change will have no greater adverse impact on those environmentally sensitive features identified in Chapter 17.28 of this code than would have occurred had the development proceeded in conformance with the previous approval.
 - m. In the judgment of the commission, the planned unit development or portion thereof to be modified does not meet the criteria for inactivity of Section 17.40.120.H.4.a.

FIRE MARSHAL RECOMMENDATION

N/A

STORMWATER RECOMMENDATION

Approved with conditions

- Add FEMA note to plans.

PUBLIC WORKS RECOMMENDATION

No exceptions taken

TRAFFIC AND PARKING RECOMMENDATION

No exceptions taken

METRO WATER RECOMMENDATION

Approved

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

1. Any new development will be required to meet the parking and loading standards of Chapter 17.20, and the landscaping standards of Chapter 17.24 per section 17.40.120 G.3. of the Zoning Code.
2. 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.
3. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
4. Prior to recordation, a cross access/joint access easement shall be shown on the plat from the existing driveway ramp on Lot 1 to Lot 2.
5. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metro Department of Public Works for all improvements within public rights of way.
6. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
7. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metro Planning Commission.
8. The PUD final site plan as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans may require reapproval by the Planning Commission and/or Metro Council.
9. A corrected copy of the PUD final site plan incorporating the conditions of approval by the Planning Commission shall be provided to the Planning Department prior to or with the final plat application or, when no final plat application is required, prior to the issuance of any permit for this property.

Approve with conditions. (8-0), Consent Agenda

Resolution No. RS2015-9

"BE IT RESOLVED by The Metropolitan Planning Commission that 7-87P-001 is **Approved with conditions. (8-0)**"

CONDITIONS

1. Any new development will be required to meet the parking and loading standards of Chapter 17.20, and the landscaping standards of Chapter 17.24 per section 17.40.120 G.3. of the Zoning Code.
2. 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.
3. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
4. Prior to recordation, a cross access/joint access easement shall be shown on the plat from the existing driveway ramp on Lot 1 to Lot 2.
5. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metro Department of Public Works for all improvements within public rights of way.
6. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
7. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metro Planning Commission.
8. The PUD final site plan as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans may require reapproval by the Planning Commission and/or Metro Council.
9. A corrected copy of the PUD final site plan incorporating the conditions of approval by the Planning Commission shall be provided to the Planning Department prior to or with the final plat application or, when no final plat application is required, prior to the issuance of any permit for this property.

18. 75-83P-002

PLAZA MARIACHI

Map 133-15, Parcel(s) 145
Council District 26 (Chris Harmon)
Staff Reviewer: Jason Swaggart

A request to revise the preliminary plan and for final site plan approval for a portion of the Commercial Planned Unit Development Overlay District for property located at 3941 Nolensville Pike, approximately 500 feet south of Elysian Fields Road, zoned OR20 and RM20, (10.9 acres), to permit the addition of 5,050 square feet of commercial space to an existing shopping center, requested by Dean Design Group, applicant; JMM, III LLC, owner.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Revise a portion of a Planned Unit Development and final site plan to permit 5,000 square feet of additional floor space for a commercial use.

Revise Preliminary PUD and Final Site Plan

A request to revise the preliminary plan and for final site plan approval for a portion of the Commercial Planned Unit Development Overlay District for property located at 3941 Nolensville Pike, approximately 500 feet south of Elysian Fields Road, zoned Office/Residential (OR20) and Multi-Family Residential (RM20), (10.9 acres), to permit the addition of 5,050 square feet of commercial space to an existing shopping center.

Existing Zoning

Office/Residential (OR20) is intended for office and/or multi-family residential units at up to 20 dwelling units per acre. *Uses on this property are dictated by the PUD Overlay.*

Multi-Family Residential (RM20) is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre. *Uses on this property are dictated by the PUD Overlay.*

Planned Unit Development Overlay District (PUD) is an alternative zoning process that allows for the development of land in a well-planned and coordinated manner, providing opportunities for more efficient utilization of land than would otherwise be permitted by the conventional zoning provisions of this title. The PUD district may permit a greater mixing of land uses not easily accomplished by the application of conventional zoning district boundaries, or a framework for coordinating the development of land with the provision of an adequate roadway system or essential utilities and services. This PUD plan In return, the PUD district provisions require a high standard for the protection and preservation of environmentally sensitive lands, well-planned living, working and shopping environments, and an assurance of adequate and timely provision of essential utilities and streets. *The PUD permits a variety of commercial uses, including retail and restaurant.*

CRITICAL PLANNING GOALS

N/A

PLAN DETAILS

The site is located on the west side of Nolensville Pike just south of Elysian Fields Road. The proposed revision calls for two separate expansions totaling 5,050 square feet. One expansion is located on the south side of the building and is 2,400 square feet. The second expansion is located on the north side of the building and is 2,650 square feet. Both expansions are located at on the side of the building and are not visible from the parking lot that faces Nolensville Pike.

ANALYSIS

The original Council approved Planned Unit Development was approved in 1983 for 110,265 square feet of various commercial uses. The existing floor space currently approved and built is 104,660 square feet. The proposed 5,050 square foot expansion would bring the overall building area to 109,710 square feet which is under the overall floor area approved by Council. The proposal does not propose any additional uses not permitted today. Since the request does not propose any major changes, then staff finds the request can be approved as a minor modification not requiring Council approval.

Section 17.40.120.G permits the Planning Commission to approve "minor modifications" under certain conditions. Staff finds that the request is consistent with all the requirements of Section 17.40.120.G, which is provided below for review.

G. Status of Earlier Planned Unit Developments (PUDs). The following provisions shall apply to a planned unit development (PUD) approved under the authority of a previous zoning code and remaining a part of the official zoning map upon the enactment of this title.

1. The planned unit development (PUD) shall be recognized by this title according to the master development plan and its associated conditions specified in the PUD ordinance last approved by the metropolitan council prior to the effective date of the ordinance codified in this title.
2. The planning commission may consider and approve minor modifications to a previously approved planned unit development subject to the following limitations. All other modifications shall be considered by the planning commission as an amendment to the previously approved planned unit development and shall be referred back to the council for approval according to the procedures of Section 17.40.120(A)(5). That portion of a planned unit development master plan being amended by the council shall adhere to all provisions of this code:
 - a. In the judgment of the commission, the change does not alter the basic development concept of the PUD;
 - b. The boundary of the planned unit development overlay district is not expanded;
 - c. There is no change in general PUD classification (e.g. residential to any classification of commercial or industrial PUD; any change in general classification of a commercial PUD; or any change in general classification of an industrial PUD);
 - d. There is no deviation from special performance criteria, design standards, or other specific requirements made part of the enacting ordinance by the council;
 - e. There is no introduction of a new vehicular access point to an existing street, road or thoroughfare not previously designated for access;

- f. There is no increase in the total number of residential dwelling units originally authorized by the enacting ordinance;
- g. There is no change from a PUD approved exclusively for single-family units to another residential structure type;
- h. The total floor area of a commercial or industrial classification of PUD shall not be increased more than ten percent beyond the total floor area last approved by the council;
- i. If originally limited to office activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
- j. If originally limited to office, retail and other general commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to include industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
- k. If originally limited to commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
- l. In the determination of the commission, the nature of the change will have no greater adverse impact on those environmentally sensitive features identified in Chapter 17.28 of this code than would have occurred had the development proceeded in conformance with the previous approval.
- m. In the judgment of the commission, the planned unit development or portion thereof to be modified does not meet the criteria for inactivity of Section 17.40.120.H.4.a.

FIRE MARSHAL'S OFFICE

N/A

PUBLIC WORKS RECOMMENDATION

No Exceptions Taken

STORMWATER RECOMMENDATION

Approved

WATER SERVICES

Approved with conditions

- Approved, on the condition the proposed development does not disturb the existing public water and sewer mains within the site.

STAFF RECOMMENDATION

Staff recommends that the request be approved with conditions.

CONDITIONS

1. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
2. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metro Department of Public Works for all improvements within public rights of way.
3. 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. Billboards are prohibited.
4. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
5. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metro Planning Commission.
6. The PUD final site plan as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans may require reapproval by the Planning Commission and/or Metro Council.

Resolution No. RS2015-10

“BE IT RESOLVED by The Metropolitan Planning Commission that 75-83P-002 is **Approved with conditions. (8-0)**”

CONDITIONS

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

Neighborhood Landmark Overlays: final site plans

19. 2014NL-003-002

COWBOY JACK STUDIO (FINAL)

Map 117-08, Parcel(s) 104
Council District 25 (Sean McGuire)
Staff Reviewer: Latisha Birkeland

A request for approval of a Neighborhood Landmark Development Plan for property located at 3405 Belmont Boulevard, approximately 260 feet south of Stokes Lane (1.53 acres), zoned R10, to permit multimedia production and a single-family home as uses to be permitted within an existing structure, requested by The Addison Group, applicant; Beverly Miller, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Neighborhood Landmark Development Plan to permit multimedia production and a single-family home.

Neighborhood Landmark Development Plan

A request for approval of a Neighborhood Landmark Development Plan for property located at 3405 Belmont Boulevard, approximately 260 feet south of Stokes Lane (1.53 acres), zoned One and Two-Family Residential (R10), to permit multimedia production and a single-family home as uses to be permitted within an existing structure.

Existing Zoning

One and Two-Family Residential (R10) requires a minimum 10,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25 percent duplex lots. *R10 would permit a maximum of 6 lots with 1 duplex lots for a total of 8 units.*

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

HISTORY

On August 14, 2014, the Planning Commission recommended that Council approve the Neighborhood Landmark Overlay District. Council subsequently approved the overlay on September 9, 2014. The site consists of an existing studio, a pool, two outbuildings, and a circular drive with existing parking areas. The recording studio was founded and operated by Jack Clement, an important person in music history, especially country music. Preserving the building provides an incentive to maintain the existing home and property in its current state, which helps maintain the existing character of the area.

With this development, the existing use of a multimedia production will become a permitted use. A single-family home within the existing structure will also be allowed.

PLAN DETAILS

The establishment of the Neighborhood Landmark District requires the approval of Council. The development plan, to implement the overlay district, requires the approval of the Planning Commission only.

This development proposes to permit a multimedia production and a single-family home as uses permitted within an existing structure. The existing structure is 5,842 square feet. The plan also identifies two exiting outbuildings on the site. The plan does not propose exterior alterations to the building at this time.

Parking

Parking will be provided on site, in the existing parking areas. A total of 16 parking spaces are calculated from the areas provided on the plan; formal stalls are not required. Nine spaces are located along the rear of the building and the remaining seven spaces are located along the southern side of the site.

Signage

No signage is proposed with this development plan.

ANALYSIS

A multimedia production means a facility for the staging and recording of video or audio productions such as, but not limited to music commercial, programs and motion pictures. All uses, including the recording studio, are required to be inside the structure. The proposed business hours of Cowboy Jack Studio are 9:00 AM to 5:00 PM, Monday – Friday. Cowboy Jack Studio will be governed by the same noise standards as other residential uses, as determined by the Metro Zoning Code in Chapter 17.28.090.

The development preserves the existing building, in its current state, which helps maintain the existing character of the area. Allowing a single-family use within the existing structure is consistent with the R10 zoning district and existing uses surrounding the property.

FIRE RECOMMENDATION

N/A

PUBLIC WORKS RECOMMENDATION

No exception taken

STORMWATER RECOMMENDATION

Ignore – no agency review required

WATER SERVICES RECOMMENDATION

N/A

STAFF RECOMMENDATION

Staff recommends approval of the proposed Neighborhood Landmark District Development Plan. Staff finds that the proposed plan demonstrates compliance with the intent of the Neighborhood Landmark District and ensures compatibility with surrounding uses.

Approve. (8-0), Consent Agenda

Resolution No. RS2015-11

“BE IT RESOLVED by The Metropolitan Planning Commission that 2014NL-003-002 is **Approved. (8-0)**”

Subdivision: Final Plats

20. 2014S-222-001

MARIA PATTON SUBDIVISION

Map 081-03, Parcel(s) 087

Council District 02 (Frank R. Harrison)

Staff Reviewer: Lisa Milligan

A request for final plat approval to create three lots on property located at 2138 18th Avenue North, at the southeast corner of 18th Avenue North and Cecilia Avenue, zoned R6 (0.59 acres), requested by Rocky Montoya, applicant; Maria Patton, owner.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Create 3 lots.

Final Plat

A request for final plat approval to create three lots on property located at 2138 18th Avenue north, at the southeast corner of 18th Avenue North and Cecilia Avenue, zoned One and Two-Family Residential (R6) (0.59 acres).

Existing Zoning

One and Two-Family Residential (R6) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25 percent duplex lots. *R6 would permit a maximum of 4 lots with 1 duplex lot for a total of 5 units.*

CRITICAL PLANNING GOALS

N/A

REQUEST DETAILS

The subject property is located at 2138 18th Avenue North, at the southeast corner of 18th Avenue North and Cecilia Avenue. The property is currently vacant.

The final plat proposes to split the lot into 3 lots. The proposed lots are as follows:

- Lot 1: 10,394 sq ft and 69' of frontage on 18th Avenue North
- Lot 2: 8,744 sq ft and 75' of frontage on 18th Avenue North
- Lot 3: 8,523 sq ft and 95' of frontage on 18th Avenue North

ANALYSIS

The proposal is considered an Infill Subdivision. Section 3-5.2 of the Subdivision Regulations outlines the criteria for reviewing infill subdivisions located within the Urban Neighborhood Maintenance policy area for which the property is located. Staff finds that both lots meet said section. Staff reviewed the final plat against the following criteria as required by the Subdivision Regulations:

Zoning Code

Proposed lots meet the minimum standards of the R6 zoning district.

Street Frontage

Proposed lots have frontage on a public street.

Density

Urban Neighborhood Maintenance land use policy supports density up to 20 dwelling units per acre. The proposed infill subdivision provides a density of approximately 10 dwelling units per acres, which falls within the range supported by policy. This density is based on the possibility that each of the 3 new lots will be developed as a duplex.

Community Character

1. Lot frontage: The proposed lots must have frontage either equal to or greater than 70% of the average frontage of surrounding parcels or equal to or greater than the surrounding lot with the least amount of frontage, whichever is greater.

Lot Frontage Analysis	
70% of Average	34'
Smallest Surrounding Parcel	42'

	Frontage
Lot 1	69'
Lot 2	75'
Lot 3	95'

2. Lot size: The proposed lots must have lot area that is either equal to or greater than 70% of the lot size of the average size of surrounding parcels or equal to or larger than smallest surrounding lot, whichever is greater.

Lot Size Analysis	
70% of Average	4,861 SF
Smallest Surrounding Parcel	5,731 SF

	Area
Lot 1	10,394
Lot 2	8,744
Lot 3	8,523

FIRE MARSHAL RECOMMENDATION
N/A

PUBLIC WORKS RECOMMENDATION
Approve with conditions

1. This should be titled Maria Patton's Resubdivision of Pt Lot 31 Owen...
2. Show the edge of pavement on both 18th Ave North and Cecilia Avenue.

STORMWATER RECOMMENDATION
Approved

1. No Grading Permit required since will be covered under Regulated Infill

WATER SERVICES RECOMMENDATION
Approved with conditions

1. Please revise the water main locations on the mylar to show their actual sizes on locations. Please refer to the information provided by Water Services.

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

1. Rename the plat to reference the recorded plat.
2. Add new parcel numbers (Lot 1-395; Lot 2-396; Lot 3-397)
3. Sidewalks are required along the entire frontage of the lots along both 18th Avenue North and Cecilia Avenue. Because there is an existing sidewalk, payment in lieu is not an option. Show a minimum of 5 feet of sidewalk and a minimum of 4 foot of grass strip. Prior to plat recording choose one of the following options in regards to the sidewalks:
 - Construct sidewalk and have it accepted by Public Works;
 - Add the following note to the plat: "No building permit is to be issued on any of the proposed lots until sidewalk is constructed per the Department of Public Works specifications." Sidewalk shall be shown and labeled on the plat per Public Works Standards with required curb and gutter.

Approve with conditions. (8-0), Consent Agenda

Resolution No. RS2015-12

"BE IT RESOLVED by The Metropolitan Planning Commission that 2014S-222-001 is **Approved with conditions. (8-0)**"

CONDITIONS

1. Rename the plat to reference the recorded plat.
2. Add new parcel numbers (Lot 1-395; Lot 2-396; Lot 3-397)
3. Sidewalks are required along the entire frontage of the lots along both 18th Avenue North and Cecilia Avenue. Because there is an existing sidewalk, payment in lieu is not an option. Show a minimum of 5 feet of sidewalk and a minimum of 4 foot of grass strip. Prior to plat recording choose one of the following options in regards to the sidewalks:
 - Construct sidewalk and have it accepted by Public Works;
 - Add the following note to the plat: "No building permit is to be issued on any of the proposed lots until sidewalk is constructed per the Department of Public Works specifications." Sidewalk shall be shown and labeled on the plat per Public Works Standards with required curb and gutter.

21. 2015S-008-001

920 CURDWOOD BOULEVARD

Map 061-11, Parcel(s) 064

Council District 08 (Karen Bennett)

Staff Reviewer: Alex Deus

A request for final plat approval to create three lots on property located at 920 Curdwood Boulevard, approximately 300 feet west of Burrus Street, zoned RS7.5 (0.73 acres), requested by Roger Harrah, applicant; Robert L. Scruggs, owner.

Staff Recommendation: Defer to the February 12, 2015, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2015S-008-001 to the February 12, 2015, Planning Commission meeting. (8-0)

22. 2015S-010-001

ISSAC PAUL'S ELYSIAN GROVE PLAN, RESUB LOT 23

Map 105-03, Parcel(s) 097

Council District 17 (Sandra Moore)

Staff Reviewer: Jennifer Nalbantyan

A request for final plat approval to create three lots on property located at 1067 2nd Avenue South, approximately 195 feet north of Mildred Shute Avenue, zoned R6 (0.48 acres), requested by Dale & Associates, applicant; Urban Dwell Homes LP, owner.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Create three lots.

Final Plat

A request for final plat approval to create three lots on property located at 1067 2nd Avenue South, approximately 195 feet north of Mildred Shute Avenue, zoned One and Two-Family Residential (R6) (0.48 acres).

Existing Zoning

One and Two-Family Residential (R6) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre, including 25 percent duplex lots. *R6 would permit a maximum of 3 lots with 3 duplex lots for a total of 6 units.*

CRITICAL PLANNING GOALS

- Creates Walkable Neighborhoods
- Supports Infill Development

SOUTH NASHVILLE COMMUNITY PLAN

Current Policy

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

DRAFT Preferred Future Policy

T4 Urban Neighborhood Evolving (T4 NE) policy is intended to create and enhance urban neighborhoods that are compatible with the general character of existing urban neighborhoods as characterized by their development pattern, building form, land use and associated public realm, with opportunities for housing choice and improved pedestrian, bicycle and vehicular connectivity. The resulting development pattern may have higher densities than existing urban neighborhoods and/or smaller lots sizes, with a broader range of housing types providing housing choice. This reflects the scarcity of easily developable land (without sensitive environmental features) and the cost of developing housing.

PLAN DETAILS

The plat proposes three duplex lots located at 1067 2nd Avenue South. The proposed subdivision is considered an infill subdivision. Therefore, the subdivision is reviewed against the criteria for determining compatibility for infill subdivisions that is outlined in Section 3-5.2 of the Subdivision Regulations. All three lots meet the compatibility criteria.

The subdivision is served by an improved alley located to the west of the site, and the plat includes a note restricting vehicular access to the alley and prohibiting vehicular access from 2nd Avenue South. An existing sidewalk network is located along the 2nd Avenue South frontage.

The existing two lots and part of two additional lots encompass approximately 0.48 acres and are proposed to be subdivided into three duplex lots with the following areas and street frontages:

- Lot 1: 6,318.635 Sq. Ft., (0.145 Acres), and 52.13 Ft. of frontage;
- Lot 2: 6,318.631 Sq. Ft., (0.145 Acres), and 52.33 Ft. of frontage;
- Lot 3: 6,318.641 Sq. Ft., (0.145 Acres), and 52.54 Ft. of frontage.

ANALYSIS

Section 3-5.2 of the Subdivision Regulations outlines the criteria for reviewing infill subdivisions located within the Urban Neighborhood Maintenance policy area. Lots 1, 2, and 3 are compared to lots along 2nd Avenue South. This application would also meet the criteria if reviewed under the Neighborhood Evolving policy. Staff reviewed the final plat against the following criteria as required by the Subdivision Regulations:

Zoning Code

All lots meet the minimum standards of the R6 zoning district.

Street Frontage

Proposed lots have frontage on a public street.

Density

Urban Neighborhood Maintenance land use policy supports density up to 20 dwelling units per acre.

The proposed infill subdivision provides a density of 13.79 dwelling units per acre, which falls within the range supported by policy.

Community Character

1. Lot frontage: The proposed lots must have frontage either equal to or greater than 70% of the average of surrounding lots or equal to or greater than the surrounding lot with the least amount of frontage, whichever is greater.

Lot 1 Frontage Analysis	
Minimum Proposed	52.13'
70% of Average	47.13'
Lot 3 Frontage Analysis	
Smallest Surrounding Parcel	28'
Minimum Proposed	52.54'
70% of Average	47.13'
Smallest Surrounding Parcel	28'

Lot 2 Frontage Analysis	
Minimum Proposed	52.33'
70% of Average	47.13'
Smallest Surrounding Parcel	28'

2. Lot Size: The proposed lots must have lot area that is either equal to or greater than 70% of the lot size of the average size of surrounding lots or equal to or greater than the smallest surrounding lot, whichever is greater.

Lot 1 Size Analysis	
Minimum Proposed	6,318 SF
70% of Average	3,566 SF
Smallest Surrounding Parcel	3,784 SF

Lot 2 Size Analysis	
Minimum Proposed	6,318 SF
70% of Average	3,566 SF
Smallest Surrounding Parcel	3,784 SF

Lot 3 Size Analysis	
Minimum Proposed	6,318 SF
70% of Average	3,566 SF
Smallest Surrounding Parcel	3,784 SF

Agency Review

All reviewing agencies recommend approval.

FIRE MARSHAL RECOMMENDATION
N/A

STORMWATER RECOMMENDATION
Approved

PUBLIC WORKS RECOMMENDATION
No exceptions taken

METRO WATER SERVICES RECOMMENDATION
Approved

STAFF RECOMMENDATION
Staff recommends approval with conditions.

CONDITIONS

1. Access to Lots 1, 2, and 3 is limited to the existing alley. No access to 2nd Avenue South is permitted.

Approve with conditions. (8-0), Consent Agenda

Resolution No. RS2015-13

“BE IT RESOLVED by The Metropolitan Planning Commission that 2015S-010-001 is **Approved with conditions. (8-0)**”

CONDITIONS

1. Access to Lots 1, 2, and 3 is limited to the existing alley. No access to 2nd Avenue South is permitted.

L. OTHER BUSINESS

23. Employee contract renewal for Craig Owensby

Approve. (8-0), Consent Agenda

Resolution No. RS2015-14

“BE IT RESOLVED by The Metropolitan Planning Commission that the employee contract renewal for Craig Owensby is **Approved. (8-0)**”

24. Exclusion of American Safety Casualty Insurance Company, including parent companies and subsidiaries of, from providing surety bonds for one year pursuant to Section 6-1.2.d of the Metro Subdivision Regulations.

Approve. (8-0), Consent Agenda

Resolution No. RS2015-15

“BE IT RESOLVED by The Metropolitan Planning Commission that the Exclusion of American Safety Casualty Insurance Company, including parent companies and subsidiaries of, from providing surety bonds for one year pursuant to Section 6-1.2.d of the Metro Subdivision Regulations is **Approved. (8-0)**”

25. Resolution authorizing the expenditure of up to \$5,000 from the FY2015 Advance Planning and Research Fund to reimburse the University of Tennessee Design Studio (T. K. Davis as lead) during the spring semester for documented expenses to analyze specific corridor locations for the introduction of Missing Middle Housing in conjunction with the NashvilleNext project. The total of this authorization and the funding authorized by resolution RS2014-240 shall not exceed \$50,000 from the FY2015 Advance Planning and Research Fund.

Approve. (8-0), Consent Agenda

Resolution No. RS2015-16

“BE IT RESOLVED by The Metropolitan Planning Commission that the Resolution authorizing the expenditure of up to \$5,000 from the FY2015 Advance Planning and Research Fund to reimburse the University of Tennessee Design Studio (T. K. Davis as lead) during the spring semester for documented expenses to analyze specific corridor locations for the introduction of Missing Middle Housing in conjunction with the NashvilleNext project. The total of this authorization and the funding authorized by resolution RS2014-240 shall not exceed \$50,000 from the FY2015 Advance Planning and Research Fund is **Approved. (8-0)**”

26. Historic Zoning Commission Report
27. Board of Parks and Recreation Report
28. Executive Committee Report
29. Accept the Director's Report and Approve Administrative Items

Approve. (8-0), Consent Agenda

Resolution No. RS2015-17

“BE IT RESOLVED by The Metropolitan Planning Commission that the Director’s Report and Administrative Items are **Approved. (8-0)**”

30. Legislative Update

M. MPC CALENDAR OF UPCOMING MATTERS

January 8, 2015

MPC Meeting

4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center

January 22, 2015

MPC Meeting

4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center

February 12, 2015

MPC Meeting

4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center

February 26, 2015

MPC Meeting

4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center

N. ADJOURNMENT


The meeting adjourned at 8:06 p.m.

Chairman

Secretary



**METROPOLITAN GOVERNMENT
OF NASHVILLE AND DAVIDSON COUNTY**
Planning Department
Metro Office Building, 2nd Floor
800 Second Avenue South
Nashville, Tennessee 37219

Date: January 8, 2015
To: Metropolitan Nashville-Davidson County Planning Commissioners
From: Richard C. Bernhardt, FAICP, CNU-A 
Re: Executive Director's Report

The following items are provided for your information.

A. Planning Commission Meeting Projected Attendance (6 members are required for a quorum)

1. Planning Commission Meeting:
 - a. Attending (8): McLean; Haynes; Farr; LeQuire; Gee; Hunt; Blackshear; Clifton
 - b. Leaving Early:
 - c. Absent (2): Dalton; Adkins
2. Legal Representation – Jon Michael will be attending

B. January 8, 2015 MPC meeting NashvilleNext MPC Topic

1. Guiding Principles Overview (Bernhardt)

C. Communications

1. A short video explaining the Preferred Future is complete and up at www.nashvillenext.net

D. Community Planning

1. We will be working with the Nashville Civic Design Center and the University of Tennessee Design Studio (T. K. Davis to lead) during the spring semester to analyze specific corridor locations for the introduction of Missing Middle Housing. They will be partially supported through a \$5,000 grant from the Advance Planning Fund.

E. Land Development

1. Brandon Burnette's last day was January 2, 2015 (he will be working for Dale and Associates). We are advertising for a Planner 3 to fill his position as soon as possible.

F. GIS

1. Mary Beth Stephens has resigned to take a position with NES. Her last day will be January 30, 2015. We will be advertising to fill her position.
2. Continuing to prepare launch for Cityworks in February 2015.

G. Executive Director Presentations

1. MPO, Executive Committee, Preferred Future Book-A-Planner Presentation
2. MTA, Board of Directors, Preferred Future Book-A-Planner Presentation
3. Conexion Americas Board of Directors, Preferred Future Book-A-Planner Presentation
4. Bordeaux Community Meeting, Preferred Future Book-A-Planner Presentation

H. NashvilleNext

1. **Guiding Principles** – They are in final Draft Stage. They will form the basis for Draft Plan.

Ensure Equity for All - Accessibility is critical for equity.

- Nashville is accessible, allowing *all* Nashvillians to come together to work, to play, to learn, and to create community, regardless of background or ability.
- Nashville's accessibility extends to transportation, employment and educational opportunities, online capabilities, civic representation, access to nature and recreation and government services.
- In Nashville, we are all able to participate and contribute to community decision-making and the future of our community.

Expand Accessibility - Accessibility is critical for equity.

- Nashville is accessible, allowing *all* Nashvillians to come together to work, to play, to learn, and to create community, regardless of background or ability.
- Nashville's accessibility extends to transportation, employment and educational opportunities, online capabilities, civic representation, access to nature and recreation and government services.
- In Nashville, we are all able to participate and contribute to community decision-making and the future of our community.

Create Economic Prosperity - Access to prosperity improves all.

- Nashville's economy is diverse, dynamic and open. It benefits from our culture of arts, creativity and entrepreneurialism.
- Our strong workforce and high quality of life make Nashville's economy nationally and internationally competitive.
- Nashville's success is based on promoting opportunities for individual growth and success, for small and local businesses and entrepreneurs.
- To provide a foundation for future growth and prosperity, Nashville meets its infrastructure needs in an environmentally responsible way.

Foster Strong Neighborhoods - Neighborhoods are the heart and soul of Nashville.

- Neighborhoods are the building blocks of our community: they are where we live, work, shop and gather as a community.
- Our neighborhoods are complete. They are healthy, safe, affordable and connected – with vibrant parks, welcoming libraries, accessible shopping and employment, valued and protected natural features and strong schools.
- Our diverse neighborhoods give our community character and grow with us as we move into the future.

Advance Education - Educational access for all is our foundation.

- Community investment is key to Nashville’s success in K-12 education. Neighborhoods, businesses, institutions, non-profits, families, individuals and Metro work to ensure access to opportunity for all children through child care and school choices, transportation options, and engaging Nashvillians in supporting children and families.
- Life-long learning also benefits from the community’s investment in continuing education, retraining opportunities and literacy.
- Nashville’s excellent colleges and universities are community assets that educate our youth and adults, are a tremendous resource for the community and add to the community’s prestige.

Champion the Environment - Environmental stewardship is our responsibility.

- Nashville has unique natural environments of breath-taking beauty, exceptional parks and greenways, abundant water and agricultural land that supports local food production. The natural landscapes of Nashville – from the Cumberland River to the hills of Beaman and Warner Parks – are part of our identity.
- We protect these landscapes because they contribute to our health and quality of life and retain the historic character of Nashville.
- Nashville enables sustainable living through transportation options, housing choices, economic and social diversity and thoughtful design of sustainable buildings and infrastructure.

Be Nashville - ‘Nashville’ is our strength.

- Nashville is strong because we lift one another up and help people help themselves.
- We are strong because of our culture of creativity, respect for history, and optimism for the future.
- We are strong because of our welcoming culture that represents the best of Southern hospitality and celebrates Nashville’s multiculturalism.
- Nashville recognizes its role in the region and responds to improve and advance regional activities, quality of life and well-being for all.

2. NashvilleNext Overall Schedule

- a. Creating and Adopting the Plan (Fall 2014/Summer 2015)
 - i. Community Vision and Guiding Principles Statements
 - ii. Goals, Policies and Actions
 - iii. Preferred Development Scenario
 - iv. Community Plan Updates
 - v. Implementation Schedule
 - vi. Planning Commission Adoption

3. NashvilleNext Key Activities:

- a. **Participation** - Phase 4 (of 5) of the process is completed with over 5,000 participants.
- b. **Draft Plan** – The draft plan is being prepared between the staff and Resource Teams. All input received by January 23, 2015 will be evaluated and considered prior to the release of the draft plan in late February or early March.
- c. **Community Engagement** - Preferred Future and Community Plan Update Presentations are underway and will continue through January 23, 2015.
- d. **Online** - Preferred Future Mapping and Information tool is at www.nashvillenext.net.

4. Resource Teams:

- a. NashvilleNext Resource Teams have moved into Phase 3 (of 3) of their process. The purpose of this Phase is to develop final goals, policies and actions for the preferred future.

Resource Team - Phase 3	1 st	2 nd	3 rd	4 th
Economic/Workforce Development	●	●	○	○
Arts, Culture, & Creativity	●	●	○	○
Natural Resources/Hazard Adaptation	●	●	○	○
Education & Youth	●	●	○	○
Housing	●	●	○	○
Health, Livability, & Built Environment	●	●	○	○
Land Use, Transportation, & Infrastructure	●	●	●	○

5. NashvilleNext Special Studies

- a. **Cost of Service Tool – RCL.** Nashville was chosen as a test case for this study. The cost of service tool aims to quantify the varying per household and employee cost of providing municipal and county services at different densities of development. Rather than focusing on infrastructure/capital costs, RCL will focus on ongoing operating costs that are the backbone of municipal budgets. Upon completion, this tool will be used to: a) estimate a gradient by which costs of municipal and county services are expected to increase or decrease depending on density and b) allow municipalities to better estimate the cost of future development at varying densities. RCL hopes that the tool will allow municipalities and counties to improve on the traditional average cost methodology of fiscal impact analysis by taking density, and its cost impact, into account

RCL’s goal is to measure the cost of service across densities for road, fire, police, water and sewage, waste and school bussing services. By measuring costs individually by services in existing sheds and collecting data across municipalities and counties for a richer dataset, they hope to bring data specificity to the literature, which currently tends to rely on case studies.

A. Planning Commission Workshops (all include 1.5 hours Planning Commissioners Training credits)

B. APA Training Opportunities Specifically for Planning Commissioners (cosponsored by Lincoln Institute of Land Policy) (all include 1.5 hours Planning Commissioners Training credits). These programs are designed for planning commissioners; some are also appropriate for planners.

1. Scheduled APA Webinars
2. Nashville Room, 2nd floor MOB.
3. All are scheduled from 3:00 – 4:30 pm (except April 20, 2015 meeting)
4. All have 1.5 hours AICP and Planning Commissioner training credit

Date	Topic (Live Program and Online Recording)
February 18, 2015	Sustaining Places through the Comprehensive Plan
April 20, 2015 (time TBD)	Planning Commissioner Ethics (Live Webcast from APA's National Planning Conference)

A. APA Training Opportunities

1. Scheduled APA Webinars
2. Nashville Room, 2nd floor MOB.
3. All are scheduled from 3:00 – 4:30 pm
4. All have 1.5 hours AICP and Planning Commissioner training credit

Date	Topic (Live Program and Online Recording)
January 21, 2015	Safe Mobility Planning
June 3, 2015	The Planning Office of the Future
June 24, 2015	2015 Planning Law Review

Administrative Approved Items and Staff Reviewed Items Recommended for approval by the Metropolitan Planning Commission

In accordance with the Rules and Procedures of the Metropolitan Planning Commission, the following applications have been reviewed by staff for conformance with applicable codes and regulations. Applications have been approved on behalf of the Planning Commission or are ready to be approved by the Planning Commission through acceptance and approval of this report. Items presented are items reviewed **through 1/02/2015**.

APPROVALS	# of Applications	Total # of Applications 2014
Specific Plans	4	45
PUDs	0	6
UDOs	0	1
Subdivisions	11	143
Mandatory Referrals	10	164
Total	25	359

SPECIFIC PLANS (finals only): MPC Approval						
Finding: Final site plan conforms to the approved development plan.						
Date Submitted	Staff Determination		Case #	Project Name	Project Caption	Council District # (CM Name)
8/12/2014	12/12/2014	Recommend Approval	2013SP-012-002	46TH AND UTAH (FINAL)	A request for final site plan approval for properties located at 132 and 134 46th Avenue North, at the southeast corner of 46th Avenue North and Utah Avenue, zoned SP (0.54 acres), to permit three detached single-family units and 4,190 square feet of commercial space, requested by Laodice, LLC, owner.	24 (Jason Holleman)
8/28/2014	12/12/2014	Recommend Approval	2014SP-002-003	STADIUM LOFTS (FINAL)	A request for final site plan approval for properties located within the Phillips-Jackson Street Redevelopment District at 1102 and 1138 3rd Avenue North and 1121 2nd Avenue North, at the northwest corner of Jefferson Street and 2nd Avenue North, zoned SP (2.71 acres), to permit a mixed-use development containing up to 280 multifamily dwelling units and up to 5,000 square feet of commercial space, requested by Barge Cauthen & Associates, applicant; Third Avenue Associates and Sneed Family General Partnership, owners.	19 (Erica S. Gilmore)
9/29/2014	12/22/2014	Recommend Approval	2014SP-013-002	PORTER ROAD PLACE (FINAL)	A request for final site plan approval for properties located at 1421 Porter Road and Porter Road (unnumbered), approximately 500 feet south of McKennell Drive, zoned SP (0.61 acres), to permit six detached dwelling units, requested by Dale & Associates, applicant; RWA/Porter Road Associates, LLC, owner.	07 (Anthony Davis)

SPECIFIC PLANS (finals only): MPC Approval (continued)

Finding: Final site plan conforms to the approved development plan.

4/30/2014	12/23/2014	Recommend Approval	2013SP-039-002	WOODMONT/HO PKINS (FINAL)	A request for final site plan approval for properties located at 1804 and 1808 Graybar Lane, 1919 and 1921 Woodmont Boulevard and 3505 Hopkins Street, between Graybar Lane and Woodmont Boulevard, zoned SP (8.75 acres), to permit 28 single-family detached units, requested by Hawkins Partners, applicant; Graymont Development, LLC, owner.	25 (Sean McGuire)
-----------	------------	--------------------	----------------	------------------------------	---	-------------------

URBAN DESIGN OVERLAYS (finals and variances only) : MPC Approval

Finding: all design standards of the overlay district and other applicable requirements of the code have been satisfied.

Date Submitted	Staff Determination	Case #	Project Name	Project Caption	Council District # (CM Name)
NONE					

MANDATORY REFERRALS: MPC Approval

Date Submitted	Staff Determination	Case #	Project Name	Project Caption	Council District (CM Name)	
12/2/2014	12/9/2014	RECOM APPR	2014M-033PR-001	HILLSBORO ROAD/OLD HICKORY BOULEVARD PROPERTY PURCHASE	A request to authorize the Director of Public Property to exercise an option to purchase property (Parcel ID No. 15800013000) for the Metropolitan Government of Nashville and Davidson County, requested by the Metro Department of Finance, applicant; Regency Realty Group, Inc., property owner.	34 (Carter Todd)
10/23/2014	12/9/2014	RECOM APPR	2014M-015AB-001	16th & Boscobel	A request to abandon Alley #160 (easements to be retained) from Division Street northward to its intersection with Alley # 196, requested by SEV 8th and Division, LLC, adjacent property owner.	19 (Erica S. Gilmore)
3/4/2014	12/11/2014	RECOM APPR	2014M-002AB-001	PARK AVE, ELKINS, AVE, ALLEY #1198 & #1199 ABANDONMENT	A request to abandon a portion of Park Avenue from 40th Avenue North westward to the dead end at railroad, Elkins Avenue from 40th Avenue North westward to dead end, Alley #1198 from 40th Avenue North westward to the dead end at railroad, and Alley #1199 from 40th Avenue North westward to dead end (all easements to be abandoned and relocated), requested by Barge, Cauthen & Associates, applicant.	24 (Jason Holleman)

MANDATORY REFERRALS: MPC Approval (continued)

12/8/2014	12/16/2014	RECOM APPR	2015M-001ES-001	HOGGETT FORD ROAD	A request to authorize the acquisition by negotiation or condemnation of temporary and permanent utility easements relating to the installation of a new eight inch water main along Brandau Road and Hoggett Ford Road, approving the form of a participation financing agreement for property owners to connect to the new water main, and amending Chapter 15.52 of the Metropolitan Code to allow for the construction and financing arrangement, requested by Metro Water Services, applicant; various property owners.	14 (James Bruce Stanley)
12/4/2014	12/16/2014	RECOM APPR	2015M-001PR-001	4529 NOLENSVILLE PIKE PROPERTY ACQUISITION	A request to authorize the Director of Public Property, or his designee, to exercise an option to purchase real property (Map 147-11, part of parcel 140.00) for the use and benefit of Metropolitan Nashville Public Schools, requested by the Metro Department of Finance, applicant; JC Sun Investment, Inc., property owner.	27 (Davette Blalock)
12/9/2014	12/18/2014	RECOM APPR	2015M-001EN-001	PALM RESTAURANT AERIAL ENCROACHMENT	A request to allow an aerial encroachment for "Palm Restaurant" comprised of a 9'11" X 2'2" X 18" double-faced illuminated projecting sign encroaching 13' 6" above the public right-of-way and a 2' X 1.25" X 20' 8.5" set of channel letters with a curve encroaching 12' 11.5" above the public right-of-way at 121 4th Avenue South, zoned DTC and located within the Capitol Mall Redevelopment District, requested by Joslin Signs, Inc., applicant; Nashville Downtown Hotel, LLC, owner.	19 (Erica S. Gilmore)
12/12/2014	12/18/2014	RECOM APPR	2012M-013PR-002	3268 BRICK CHURCH PIKE PROPERTY ACQUISITION	A request to authorize the Director of Public Property, or his designee, to exercise an option to acquire real property by purchase, requested by the Metro Department of Finance, applicant.	03 (Walter Hunt)
12/12/2014	12/18/2014	RECOM APPR	2015M-002ES-001	HILL CENTER SYLVAN HEIGHTS MIXED USE DEVELOPMENT	A request to abandon approximately 700 linear feet of 8" public sewer main and easement, 400 linear feet of existing water main and to abandon and remove 429 linear feet of 6" DIP water main and replace with 8" DIP in the same trench, to accept 100 linear feet of 6" DIP water main for fire hydrant leads and existing main re-connects (3 fire hydrants), to abandon 65 linear feet of 6" DIP water main in Elkins Avenue (currently not connected to 12") and to abandon 65 linear feet of 6" DIP water main (to be connected to 12" water main) on various properties located south of Charlotte Avenue, Metro Water Services Project #'s 14-SL-29 and 14-WL-22, requested by Metro Water Services and Barge Cauthen & Associates, applicants.	24 (Jason Holleman)

MANDATORY REFERRALS: MPC Approval (continued)

12/17/2014	12/26/2014	RECOM APPR	2015M-002PR-001	NASHVILLE CLASSICAL, INC. LEASE AGREEMENT	A request to approve a lease agreement by and between the Metropolitan Government of Nashville and Davidson County and Nashville Classical, Inc., for the operation of a charter school, requested by the Metro Department of Finance, applicant.	06 (Peter Westerholm)
12/18/2014	12/26/2014	RECOM APPR	2015M-003ES-001	HILL ROAD/SAN MARCOS DRIVE EASEMENT ACQUISITION	A request to acquire drainage and temporary construction easements on various properties located along Hill Road (from Hill Road Circle to San Marcos Drive), Hill Road Circle and San Marcos Drive (from Hill Road to Woodhurst Drive - East side) for a sidewalk improvement project, (Project No. 2014-R-10), requested by the Metro Public Works Department, applicant; various property owners.	04 (Brady Banks)

PLANNED UNIT DEVELOPMENTS (finals and variances only) : MPC Approval

Date Submitted	Staff Determination	Case #	Project Name	Project Caption	Council District # (CM Name)
NONE					

INSTITUTIONAL OVERLAYS (finals and variances only) : MPC Approval

Finding: Final site plan conforms to the approved campus master development plan and all other applicable provisions of the code.

Date Submitted	Staff Determination	Case #	Project Name	Project Caption	Council District # (CM Name)
NONE					

SUBDIVISIONS: Administrative Approval

Date Submitted	Date Approved	Action	Case #	Project Name	Project Caption	Council District (CM Name)
11/10/2014	12/5/2014	APADMIN	2014S-239A-001	ABERDEEN WOODS, LOT 112 SETBACK AMENDMENT	A request to amend the recorded rear setback from 20 feet to 10 feet for property located at 4928 Aviemore Drive, approximately 505 feet north of Cochran Drive, (0.20 acres), zoned R15 and located within the Aberdeen Woods Residential Planned Unit Development Overlay District, requested by William and Claire Webb, owners.	26 (Chris Harmon)
9/3/2014	12/8/2014	APADMIN	2014S-204-001	CHRISTOPHER & MICHELLE CLUCK PROPERTY, RESUB LOTS 1 & 2	A request for final plat approval to shift lot lines between properties located at 7500 and 7510 Harper Road, approximately 1,500 feet south of Baxter Road, zoned AR2a and partially located within the Floodplain Overlay District (8.35 acres), requested by Tommy E. Walker, applicant; Kenneth and Deborah Wilson, owners.	01 (Lonnell Matthews, Jr.)
10/27/2014	12/9/2014	APADMIN	2014S-226-001	Wilcox Property, Resub Lots 41 & 42	A request for final plat approval to shift lot lines between lots located at 405 33rd Avenue North, at the southwest corner of 33rd Avenue North and Felicia Street, zoned R6 (0.29 acres), requested by Donlon Land Surveying, LLC, applicant; H.E. Taylor et ux, owners.	21 (Edith Taylor Langster)
9/12/2013	12/15/2014	RECOM APPR	2013S-181-001	Noel's Subdivision, Resub Lot 75	A request for final plat approval to create two lots on property located at 3429 Amanda Avenue, approximately 255 feet north of Woodmont Boulevard, zoned R20 (0.92 acres), requested by Timothy K. King and Cary Innes Grayson, owners; Jesse Walker Engineering, applicant.	25 (Sean McGuire)
2/11/2014	12/18/2014	APADMIN	2014S-040-001	MUSIC CITY AUTOPLEX	A request for final plat approval to create one lot on properties located at 2428 and 2430 Gallatin Pike and at Gallatin Pike (unnumbered), approximately 575 feet east of Cumberland Hills Drive, zoned CS (3.93 Acres), requested by Southern Precision Land Surveying, Inc., applicant; Music City Autoplex, LLC, owner.	10 (Doug Pardue)
5/2/2014	12/22/2014	RECOM APPR	2014S-108-001	CRESCENT PROPERTIES DIVISION STREET	A request for final plat approval to create one lot and dedicate right-of-way within the Arts Center Redevelopment District and the Music Row Urban Design Overlay District on properties located at 1205, 1209, 1211, 1213, 1303, 1305 and 1307 Division Street, approximately 360 feet east of Music Circle East (2.1 acres), zoned CF, requested by Energy Land & Infrastructure, applicant; Crescent Communities, owner.	19 (Erica S. Gilmore)

SUBDIVISIONS: Administrative Approval (continued)

11/4/2014	12/22/2014	APADMIN	2014S-238-001	MERRY OAKS, RESUB LOTS 19 & 20	A request for final plat approval to shift lot lines between lots located at 2406 Deerwood Court, approximately 200 feet east of Blue Hills Drive, zoned RS10 (4.21 acres), requested by Littlejohn Engineering Associates, Inc., applicant; Judy Pewitt Vecchione, Nancy Pewitt Cathey and William Harold Pewitt, Jr., owners.	15 (Phil Claiborne)
9/8/2014	12/22/2014	APADMIN	2014S-207-001	JOELTON FIRST BAPTIST CHURCH	A request for final plat approval to shift lot lines between properties located at 7140 Whites Creek Pike and 3347 Union Hill Road, east of the intersection of Union Hill Road and Whites Creek Pike, zoned AR2a, CL, OR20 and RS40 (13.17 acres), requested by Steven E. Artz & Associates, Inc., applicant; First Baptist Church of Joelton, Inc., and Virginia Brown, owners.	03 (Walter Hunt)
9/11/2014	12/22/2014	APADMIN	2014S-211-001	WEST NASHVILLE PLAN NO. 2, RESUB. PART OF ABANDONED RIGHT-OF-WAY	A request for final plat approval to create 1lot on property located at 5220 Pennsylvania Avenue, approximately 370 feet west of Centennial Boulevard, zoned R6 (0.175 acres), requested by Tommy E. Walker, applicant; Regal Homes Co., owner.	20 (Buddy Baker)
7/2/2014	12/22/2014	RECOM APPR	2014S-158-001	CHRISTIANSTED VALLEY RESERVE	A request for final plat approval to create 22 clustered lots on property located at 265 Holt Hills Road, at the terminus of Christiansted Lane (10.02 acres), zoned RS15, requested by Ragan-Smith-Associates, Inc., applicant; The Jones Company of Tennessee, LLC, owner.	04 (Brady Banks)
10/28/2014	12/23/2014	APADMIN	2014S-228-001	WOODARDS SUBDIVISION, RESUB LOTS 12 & 13	A request for final plat approval to shift lot lines between lots located at 3946 Moss Rose Drive, approximately 160 feet south of Fremont Avenue, zoned RS20 (1.8 acres), requested by Clint Elliott, applicant; Mark and Sarah Blakeman, owners.	07 (Anthony Davis)

Performance Bonds: Administrative Approvals

Date Approved	Administrative Action	Bond #	Project Name
12/10/2014	Approved Extension	2012B-030-003	WESTPORT BUSINESS PARK, PHASE 1
12/11/2014	Approved New	2014B-038-002	CHRISTIANSTED VALLEY RESERVE
12/11/2014	Approved New	2014B-044-001	LOHAVEN
12/11/2014	Approved New	2014B-045-001	RIVERGATE SQUARE, RESUB LOTS 1A & 2, 2ND REVISION
12/15/2014	Approved Release	2009B-014-006	TULIP RESERVE
12/17/2014	Approved New	2014B-041-001	RESUBDIVISION OF LOTS 1, 2 & 3 ON THE PLAN OF RESUBDIVISION OF THE NORTH HALF OF BLOCK 12, SYLVAN PARK PLAN
12/17/2014	Approved Extension/Reduction	2009B-010-008	SHOPPES AT NASHBORO, RESUB. LOT 1
12/18/2014	Approved Extension	2013B-004-003	VILLAGES OF RIVERWOOD, PHASE 4A, SECTION 1
12/22/2014	Approved Release	2007B-020-004	CANE RIDGE FARMS, PHASE 3, SECTION 1
12/22/2014	Approved Extension	2006B-096-008	CHATEAU VALLEY, PHASE 4
12/30/2014	Approved Extension	2013B-036-002	VILLAGES OF RIVERWOOD, SECTION 1, PHASE 4D
12/30/2014	Approved Extension	2013B-035-002	VILLAGES OF RIVERWOOD, SECTION 1, PHASE 4E
12/10/2014	Approved Extension	2012B-030-003	WESTPORT BUSINESS PARK, PHASE 1
12/11/2014	Approved New	2014B-038-002	CHRISTIANSTED VALLEY RESERVE
12/11/2014	Approved New	2014B-044-001	LOHAVEN
12/11/2014	Approved New	2014B-045-001	RIVERGATE SQUARE, RESUB LOTS 1A & 2, 2ND REVISION
12/15/2014	Approved Release	2009B-014-006	TULIP RESERVE

Schedule

- A. **Tuesday; January 27, 2015** - [NashvilleNext Steering Committee](#) (Jim McLean; Jeff Haynes; Andree LeQuire)
- B. **Thursday, January 22, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- C. **Thursday, February 12, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- D. **Thursday, February 26, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- E. **Thursday, March 12, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- F. **Thursday, March 26, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- G. **Thursday, April 9, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- H. **Thursday, April 23, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- I. **Thursday, May 14, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- J. **Thursday, May 28, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- K. **Thursday, June 11, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- L. **Thursday, June 25, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- M. **Thursday, July 23, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- N. **Thursday, August 13, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- O. **Thursday, August 27, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- P. **Thursday, September 10, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- Q. **Thursday, September 24, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- R. **Thursday, October 8, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- S. **Thursday, October 22, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- T. **Thursday, November 12, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- U. **Thursday, December 10, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center