

METROPOLITAN PLANNING COMMISSION **MINUTES**

Thursday, January 22, 2015

4:00 pm Regular Meeting

700 Second Avenue South

(between Lindslev 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.

Staff Present:

Commissioners Present: Jim McLean, Chair Greg Adkins, Vice Chair Derrick Dalton Lillian Blackshear Jessica Farr Andree LeQuire Councilman Walter Hunt

Rick Bernhardt, Executive Director Doug Sloan, Deputy Director Kelly Adams, Administrative Services Officer III Craig Owensby, Public Information Officer Bob Leeman, Planning Manager II

Kathryn Withers, Planning Manager II Carrie Logan, Planner III Jason Swaggart, Planner II Melissa Sajid, Planner II

Stephanie McCullough, Planner II Latisha Birkeland, Planner II Jen Nalbantyan, Planner I Alex Deus, Planner I

Jon Michael, Legal

Commissioners Absent: Stewart Clifton, Hunter Gee, Jeff Haynes

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

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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.

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MEETING AGENDA

A. CALL TO ORDER

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

B. ADOPTION OF AGENDA

Ms. Blackshear moved and Mr. Dalton seconded the motion to adopt the agenda. (6-0)

C. APPROVAL OF JANUARY 8, 2015, MINUTES

Mr. Adkins moved and Ms. Blackshear seconded the motion to approve the January 8, 2015 minutes. (6-0)

Ms. LeQuire arrived at 4:04 p.m.

D. RECOGNITION OF COUNCILMEMBERS

Councilman Scott Davis spoke in favor of Item 2.

Councilman Bedne spoke in favor of Item 8.

Councilman Potts spoke in favor of Item 7.

E. NASHVILLENEXT UPDATE

Mr. Bernhardt presented the NashvilleNext Update.

F. ITEMS FOR DEFERRAL / WITHDRAWAL

1a. 2014CP-010-004

GREEN HILLS PLAN AMENDMENT

1b. 2014SP-083-001

HOWELL CORNER/BECKER CORNER OFFICES

3. 2015SP-007-001

16TH AVE. APARTMENTS

4a. 2015CP-003-001

BORDEAUX-WHITES CREEK PLAN AMENDMENT

4b. 2015SP-012-001

NASHVILLE READY MIX VASHTI STREET OPERATION

5b. 2014Z-065PR-001

5c. 2014Z-066PR-001

Councilman Hunt moved and Mr. Adkins seconded the motion to approve the Deferred Items. (7-0)

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.

- 5a. 2014M-005OT-001
- 6. 2015Z-001PR-001
- 9. 2015S-002-001 CHAPMAN'S RETREAT
- 10. New employee contract for Adams Carroll
- 11. Employee contract renewal for Carrie Logan
- 15. Accept the Director's Report and Approve Administrative Items

Mr. Adkins moved and Ms. LeQuire seconded the motion to approve the Consent Agenda. (7-0)

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-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 February 12, 2015, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2014CP-010-004 to the February 12, 2015, Planning Commission meeting. (7-0)

1b. 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 February 12, 2015, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2014SP-083-001 to the February 12, 2015, Planning Commission meeting. (7-0)

Specific Plans

2. 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: Open the public hearing and disapprove.

APPLICANT REQUEST

Zone change to permit eight detached dwelling units.

Preliminary SP

A request to rezone from One and Two-Family Residential (R6) and Commercial Service (CS) to Specific Plan-Residential (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.

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. Half of the lot (.235 acres) is zoned R6 and would permit a maximum of 1 lot with 1 duplex lots for a total of 2 units.

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

Proposed Zoning

<u>Specific Plan-Residential (SP-R)</u> 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

HISTORY AND PLANNING COMMISSIONERS CONCERNS AT THE 12/11/2014 MPC MEETING

At the December 11, 2014, Metro Planning Commission meeting, the proposed plan depicted eight detached residential units along Burchwood Avenue, with two, 20 foot vehicular accesses from Burchwood Avenue. After the public hearing was closed for Burchwood Bungalows, the Planning Commissioners discussed this development at length. The applicant handed out a plan to the Planning Commission at the December 11, 2014 meeting that was different than the plan being considered, but similar to the one associated with this staff report. This plan was distributed at the meeting and the Commissioners had limited discussion of the different plans proposed at the meeting. The overall discussion identified the following concerns with the design of a development:

- location of the access point,
- lack of alley access,
- · compatibility with the neighborhood, and
- taking away commercial depth at the Gallatin Pike Corridor.

The Planning Commissioners recommended deferral in order to allow the applicant the opportunity to meet with the community and the councilman, discuss the concerns, and potentially bring back a different plan or make revisions to the plan. Since the December 11, 2014 meeting, the applicant has met with and has been in regular contact with Councilman Davis. The applicant also stated they have corresponded with the neighborhood group via phone and email.

EAST NASHVILLE COMMUNITY PLAN Current Policies

T4 Urban Community 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.

<u>T4 Urban Neighborhood Maintenance (T4 NM)</u> 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?

The property is split between T4 Urban Community Center policy on the portion closest to Gallatin Pike and T4 Urban Neighborhood Maintenance Policy on the portion furthest from Gallatin Pike. The Detailed Land Use Policies contained in the East Hill, Renraw, and South Inglewood (West) Detailed Neighborhood Design Plan (DNDP) identifies Mixed Use on the east side of the parcel and Single Family Detached on the west side of the parcel. Staff reevaluated the plan after the Planning Commission's discussion. As noted by the Planning Commissioners, the proposed SP is not compatible with T4 NM policy, which is intended to preserve the general character of this neighborhood, or T4CC, because it develops a portion of the property that would be more appropriate to develop in conjunction with the property at the corner of Gallatin Avenue and Burchwood Avenue, to provide depth from the corridor. A different design could be consistent with both policies, by transitioning in height and scale and relocating the access drive to the eastern property line, to access and facilitate development along the corridor.

PLAN DETAILS

The applicant has submitted a different plan than the one considered at the December 11, 2014, meeting requesting eight detached residential units. Vehicular access points have been reduced from two driveways along the sides of the property to one driveway in the middle of the property. This was done by moving the units closer to the side property lines and by

removing the internal courtyard. The proposed singular driveway is 20 feet in width. A four foot private walkway has been added to the west side of the driveway. This walkway will be flush with the pavement in order to comply with Metro Public Works standard of private drives being a minimum of 24 feet in width. Each dwelling unit will have a two car garage and a 20 foot driveway that could be used to park two additional cars. The hard surface width between the western and eastern units is 64 feet. This width is similar to a collector street width and unlikely to be found in urban development. The additional driveway parking increases the total number of parking spaces from 16 spaces to 32 spaces. The additional parking area within the middle of the SP makes the focal point on cars and does not create a harmonious development within this neighborhood.

The private sidewalk will connect the four units along the west side of the SP that will connect to a new sidewalk along the frontage of 1033 Burchwood Avenue. The units fronting Burchwood Avenue will have a sidewalk that connects the unit to the new sidewalk along Burchwood Avenue. Revised landscaping plans were submitted for review, but did not include buffering along the north or west property lines of the list. Staff still recommends, that if approved, that a Type "B" landscape buffer yard be established along the west and north property line to buffer the surrounding residential buildings. Staff also recommends that a six foot tall wooden (opaque) shadowbox fence shall be required along the west and north sides of the parcel. To minimize the impact of cars parked on the proposed driveways, staff recommends a knee wall and additional landscaping be installed in front of the driveways of building type "B".

Conceptual building elevation drawings were submitted with the revised plans and architectural standards have been included in the conditions. These elevations are not to scale and do not show the effect of the 64 foot wide, hard surface area that stretches between the western and eastern units. Final elevation drawings shall be provided with the final site plan. The standards include that buildings shall have façade requirements on all facades fronting a street and parking area. The front facades for type "B" buildings shall include porches. The proposed residential units shall have a maximum height limitation of 38 feet, measured to roofline. A decorative fence with gates and stone columns will be installed on the south side of the property.

ANALYSIS

After reviewing the Planning Commissioner's comments from the meeting on December 11, 2014, staff has determined that this proposal is inconsistent with the policy and character of this area. Neighborhood Maintenance Policy does support infill development if it maintains the character of the neighborhood and provides an appropriate transition. The proposed plan does not maintain the urban character of this neighborhood. This plan makes it difficult, if not impossible, to redevelop along the Gallatin Pike Corridor because this SP will remove the depth that would be needed to redevelopment the corridor.

The proposed plan has removed the courtyard amenity that was present in the previous plan. Instead of a courtyard, a drive aisle with eight driveways has been added. This width expands more than 60 feet and will have an adverse effect on the neighborhood. Staff does not support a cottage style development where the design focuses on the access and not the building form

Metro Historic Zoning Commission has identified this building as Worthy of Conservation. Currently, the building on the site is not protected by a historic overlay and could be demolished to permit new development consistent with the existing R6 and CS zoning districts. Metro Historic Zoning staff is recommending approval of the project and encouraging the applicant to consider salvaging some of the elements of the house. The applicant has stated they plan on using the stone from the day care building within the proposed SP.

METRO HISTORIC COMMISSION STAFF RECOMMENDATION Approved

• The project will result in the demolition of a Worth of Conservation property. Staff encourages the applicant to consider salvage of some elements of the house.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

• Approved revised plans, initial comments still apply.

Received revised plans showing a 20' wide FD access road as required. Hydrants shall be located within 500' of all parts of every structure via approved hard-surfaced roads. Water flow requirements for single-family homes that do not exceed 3600 sq. ft. is a minimum of 1000 gpm @ 20 psi. Provide this data to pre-approve the future homes.

STORMWATER RECOMMENDATION

Approved with conditions

- Detention may be required (to be determined during construction drawing review).
- Downstream improvements may be required (to be determined during construction drawing review).

WATER SERVICES RECOMMENDATION

Approved

• Re-Approved as Preliminary SP only. Applicant will need to pay required Capacity Fees and have approved Public Construction Plans before the Final SP can be approved. (Shared private sewer services will not be allowed.)

TRAFFIC AND PARKING RECOMMENDATION

Conditions if approved

• Post no parking along Burchwood frontage. Parking restriction may require T&P approval.

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.
- Indicate installation of ST-200 curb and gutter at the existing edge of pavement.
- Comply with MPW Traffic Engineer conditions of approval.

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)	0.235	7.26 D	2 U*	20	2	3

^{*}Based on one two-family lot.

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 (814)	0.235	0.6 F	6,141 SF	301	13	37

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)	0.47	-	8 U	77	6	9

Traffic changes between maximum: R6 and 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
-	-	-	-	-244	-9	-31

METRO SCHOOL BOARD REPORT

Projected student generation existing R6 and CS district: <u>0</u> Elementary <u>0</u> Middle <u>0</u> High Projected student generation proposed SP-R district: <u>1</u> Elementary <u>1</u> Middle <u>1</u> High

The proposed SP-R zoning district could generate 3 more students than what is typically generated under the existing R6 and CS zoning district. Students would attend Hattie Cotton Elementary, Gra-Mar Middle School, and Maplewood High School. Hattie Cotton Elementary 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 September 2014.

STAFF RECOMMENDATION

Staff recommends opening the public hearing and disapproval.

CONDITIONS (if approved)

- 1. No structure shall be more than three stories and shall be limited to a maximum height of 38 feet, measured to the roofline. Building elevations for all street facades shall be provided with the final site plan. Each of the proposed street facades shall have a distinct design and composition. The following standards shall be met:
- a. Building facades fronting a street-and parking area shall provide a minimum of one principal entrance (doorway) and a minimum of 25% glazing. Type "B" buildings shall have front porches facing Burchwood Avenue.
- b. Windows shall be vertically oriented at a ratio of 2:1 or greater.
- c. EIFS and vinyl siding shall be prohibited.
- 2. Type "B" landscape buffer yard shall be required along the west and north property lines.
- 3. A 6 foot tall opaque fence shall be required along the west and north property lines. Fence details shall be submitted with the final site plan.
- 4. A knee wall and additional landscaping shall be installed in front of the driveways of building type "B".
- 5. Abandon and relocate the existing public sewer main on the east side of the property. Submit plans to Metro Water Services Engineering for relocation of new main. Plan shall be approved prior to final SP approval.
- 6. Uses within this SP shall be limited to a maximum of eight residential units.
- 7. 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.
- 8. The final site plan shall include architectural elevations showing raised foundations of 18-36" for residential buildings.
- 9. Add the following note to plan: Ownership for units may be divided by a Horizontal Property Regime or a subdivision with a minimum lot size of 1,000 square feet.
- 10. 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.
- 11. 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.
- 12. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Ms. Blackshear stepped out of the room at 4:23 p.m.

Ms. Birkeland presented the staff recommendation of opening the public hearing and disapproval.

Gary Wisniewski, 6064 Central Pike, spoke in favor of the application.

Shan Canfield, 1016 Spain Ave, spoke in favor of the application on behalf of seven other people.

Richard Akers, 1021 Fairwin Ave, spoke in opposition to the application.

Reuben Stugart, 1026 Burchwood Ave, spoke in opposition and noted that the density is too high for that specific lot.

Chairman McLean closed the Public Hearing.

Mr. Dalton asked staff for clarification on the proposed zoning as well as the eight foot difference between the commercial side and the neighborhood side.

Mr. Wisniewski stated that the elevation of the lot to be converted to residential is eight feet lower than the lot that is directly on Gallatin Road, so in order to take down the Auto Sales Center that is currently there and provide ingress, egress, and parking – there is no way to do it off Gallatin Road without coming through Burchwood.

Ms. Farr noted that she is more inclined to support what was presented at the last meeting because the 60' driveway seems imposing and wouldn't look right with the context of the street. She stated that we have a plan in place and asked if there was a compelling reason to change it.

Ms. LeQuire stated that while she appreciates the comment regarding the eight foot drop, she is still inclined to go with what the community has already mapped out as their plan.

Ms. LeQuire moved and Mr. Dalton seconded the motion to disapprove. (3-3) Councilman Hunt, Chairman McLean, and Mr. Adkins voted against.

Councilman Hunt moved and Mr. Adkins seconded the motion to approve. (3-3) Ms. LeQuire, Ms. Farr, and Mr. Dalton voted against.

Resolution No. RS2015-18

"BE IT RESOLVED by The Metropolitan Planning Commission that 2014SP-088-001 is Disapproved. (3-3)"

3. 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 February 12, 2015, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2015sp-007-001 to the February 12, 2015, Planning Commission meeting. (7-0)

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

4a. 2015CP-003-001

BORDEAUX-WHITES CREEK PLAN AMENDMENT

Map 071-14, Parcel(s) 380, 387 Council District 02 (Frank R. Harrison) Staff Reviewer: Stephanie McCullough

A request to amend the Bordeaux-Whites Creek Community Plan by changing the Community Character Policy from District Industrial policy to an Impact policy for properties located at 1311 and 1325 Vashti Street, (6.94 acres), requested by Gresham, Smith and Partners, applicant; Steve Meadows, owner (See Also Specific Plan Case No. 2015SP-012-001).

Staff Recommendation: Defer to the February 26, 2015, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2015CP-003-001 to the February 26, 2015, Planning Commission meeting. (6-0-1)

4b. 2015SP-012-001

NASHVILLE READY MIX VASHTI STREET OPERATION

Map 071-14, Parcel(s) 380, 387 Council District 02 (Frank R. Harrison) Staff Reviewer: Jennifer Nalbantyan

A request to rezone from IWD to SP-IND zoning for properties located at 1311 and 1325 Vashti Street, north of Cowan Street and located within the Floodplain Overlay District (6.94 acres), to permit the development of a concrete batch plant, requested by Gresham, Smith and Partners, applicant; Steve Meadows, owner (See Also Community Plan Amendment Case No. 2015CP-003-001).

Staff Recommendation: Defer to the February 26, 2015, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2015SP-012-001 to the February 26, 2015, Planning Commission meeting. (6-0-1)

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.

Mandatory Referral: Others

5a. 2014M-005OT-001

BL2014-948\Westerholm, A. Davis

FIVE POINTS REDEVELOPMENT DISTRICT (AMENDMENT # 3)

Council District 6 (Peter Westerholm) Staff Reviewer: Jason Swaggart

A request to approve Amendment No. 3 to the Five Points Redevelopment District, requested by the Metropolitan Development and Housing Authority, applicant.

Staff Recommendation: Approve.

APPLICANT REQUEST

Amend the Five Points Redevelopment District.

Amend Redevelopment District

A request to approve Amendment No. 3 to the Five Points Redevelopment District.

AMEND REDEVELOPMENT DISTRICT

Redevelopment districts are intended to ensure the use and long-term viability of the urban areas that they encompass by reversing disinvestment and blight and promoting redevelopment that is sustainable from economic, environmental, aesthetic, public safety, and historic preservation perspectives. Redevelopment districts and their plans are established by the Metro Council and administered by the Metropolitan Development and Housing Agency (MDHA). The Planning Commission's role in the adoption or amendments to redevelopment districts is advisory only. The Commission is not required to hold public hearings for the adoption of new districts or amendments to existing districts, but a hearing may be held at the discretion of the Commission.

Development within redevelopment districts is reviewed under the redevelopment district standards/requirements and not the base zoning district. For example, uses not permitted within a base zoning district may be permitted if permitted within the redevelopment district. A use would not be permitted if the underlying base zoning district expressly prohibited the use. Setbacks and other bulk/design standards would also have to be consistent with the development district and not the base zoning district.

The proposed amendment impacts seven individual properties located within the Five Points Redevelopment District. A list of the properties and their zoning follows:

Map & Parcel Number	Address	Zoning
08313000300	217 S 10TH ST	CN
08309008800	0 N 11TH ST	MUL
08314019700	1700 FATHERLAND ST	CN
08309008700	203 N 11TH ST	MUL
08309008500	206 GALLATIN AVE	OR20
08309008400	211 N 11TH ST	MUL
08309017400	102 S 12TH ST	MUL

The redevelopment district consists of policies that are used to guide development within the district. The seven properties which are subject to this amendment are under a Neighborhood Commercial redevelopment district policy. The proposed amendment would apply the Mixed-Use redevelopment district policy to all seven properties. According to MDHA staff the major difference between the two different redevelopment district policies is that the Mixed-Use redevelopment district policy permits bed and breakfast where the Neighborhood Commercial redevelopment district policy does not.

The amendment to the redevelopment district also includes an increase in the TIF capacity and the extension of the life of the plan. This increase and extension is intended to assist in the closeout prior to the plan's expiration. The proposed amendment would increase the TIF capacity from \$330,000 to \$1 million and the expiration date to December 31, 2020.

ANALYSIS

The seven subject properties are within a Community Character land use policy that supports commercial, office, residential or a mixture of uses with the exception of the East Library property which is within an open space policy. If the library ever is redeveloped then the appropriate policy for the site would be a mixed-use policy consistent with the proposed amendment to the Five Points Redevelopment District.

METRO FIRE MARSHAL'S OFFICE RECOMMENDATION N/A

NASHVILLE ELECTRIC SERVICE RECOMMENDATION Approved

METRO PARKS Approved

PUBLIC PROPERTY Approved

WATER SERVICES RECOMMENDATION Approved

METRO HISTORIC RECOMMENDATION Approved

PLANNING DEPARTMENT RECOMMENDATION:

Staff recommends approval.

Approve. (7-0), Consent Agenda.

Resolution No. RS2015-19

"BE IT RESOLVED by The Metropolitan Planning Commission that 2014M-005OT-001 is Approved. (7-0)"

Zone Changes

5b. 2014Z-065PR-001

BL2014-949\Westerholm, A. Davis Map 083-09, Parcel(s) 237-238 Council District 06 (Peter Westerholm) Staff Reviewer: Jason Swaggart

A request to rezone from OR20 to R6 for properties located at 1103 and 1105 Holly Street, approximately 60 feet east of South 11th Street and located within the Lockeland Springs-East End Neighborhood Conservation Overlay and the Five Points Redevelopment District (0.42 Acres), requested by Councilmember Peter Westerholm, applicant; Ashley Dugger, Casey Kilmer and Carmen Primrose, owners.

Staff Recommendation: Defer indefinitely.

The Metropolitan Planning Commission deferred 2014Z-065PR-001 indefinitely. (7-0)

5c. 2014Z-066PR-001

BL2014-950\Westerholm, A. Davis Map 083-13, Parcel(s) 219-220 Council District 06 (Peter Westerholm) Staff Reviewer: Jason Swaggart

A request to rezone from OR20 to R6 for properties located at 1101 and 1103 Shelby Avenue, at the northeast corner of Shelby Avenue and South 11th Street and located within the Lockeland Springs-East End Neighborhood Conservation Overlay and the Five Points Redevelopment District (0.36 Acres), requested by Councilmember Peter Westerholm, applicant; Debbie and Patrick Ranney, Dean Hinton and Sheetal Jhaveri, owners.

Staff Recommendation: Defer indefinitely.

The Metropolitan Planning Commission deferred 2014Z-066PR-001 indefinitely. (7-0)

6. 2015Z-001PR-001

Map 086, Parcel(s) 274

Council District 14 (James Bruce Stanley)

Staff Reviewer: Lisa Milligan

A request to rezone from CL to CS zoning for property located at 5765 Old Hickory Boulevard, approximately 165 feet south of Central Pike (0.56 acres), requested by Jarvis Sign Comany., applicant; Charles A. Kotlaris, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from CL to CS.

Zone Change

A request to rezone from Commercial Limited (CL) to Commercial Service (CS) zoning for property located at 5765 Old Hickory Boulevard, approximately 165 feet south of Central Pike (0.56 acres).

Existing Zoning

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

Proposed Zoning

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

CRITICAL PLANNING GOALS

N/A

DONELSON-HERMITAGE COMMUNITY PLAN

Current Policy

T3 Suburban Community Center (T3 CC) 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 proposed.

Consistent with Policy?

Yes. The proposed CS is consistent with the policy. The T3 CC policy is intended for intense mixed use areas that are compatible with the general character of suburban areas. The proposed rezoning is located near a prominent location surrounded by commercial uses.

FIRE MARSHAL'S OFFICE RECOMMENDATION

N/A

PUBLIC WORKS RECOMMENDATION

N/A

No traffic table was prepared as this request is not anticipated to generate significant additional traffic.

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 the request is consistent with T3 Suburban Community Center Policy and because the property is located near a prominent intersection and surrounded by commercial uses.

Approve. (7-0), Consent Agenda

Resolution No. RS2015-20

"BE IT RESOLVED by The Metropolitan Planning Commission that 2015Z-001PR-001 is Approved. (7-0)"

7. 2015Z-002PR-001

BL2015-1002\Potts
Map Various, Parcel(s) Various
Council District 30 (Jason Potts)
Staff Reviewer: Lisa Milligan

A request to rezone from R10 to RS10 zoning for various properties located along Algonquin Trail, Barella Court, Bart Drive, Benzing Road, Bess Court North, Brenda Court, Brenda Lane, Chrishall Court, Cimarron Court, Cimarron Way, Colemont Court, Colemont Drive, Coleridge Court, Coleridge Drive, Creekside Drive, Darlene Drive, Delvin Drive, Emely Court, Hays Blackman Loop, Hill Bennett Circle, Jenny Murff Drive, Joann Court, Karen Ray Court, Karen Ray Drive, Keeley Drive, Leeshan Court, Lindy Murff Court, Luker Lane, McLendon Court, McLendon Drive, Ocala Drive, Old Tusculum Road, Olivia Drive, Parkard Drive, Panamint Drive, Penny Brink Drive, Richard Irwin Court, Robert Yoest Drive, Shacklett Lane Court, Sheila Drive, Shihmen Court, Shihmen Drive, Shufeld Court, Suzanne Drive, Tomarand Court, Tomarand Road, Townes Drive, Tusculum Court, Tusculum Road, Valley Green Court, Valley Green Drive and Valley Way, south of Packard Drive (approximately 361 acres), requested by Councilmember Jason Potts, applicant; various property owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from R10 to RS10.

Zone Change

A request to rezone from One and Two-Family Residential (R10) to Single-Family Residential (RS10) zoning for various properties located along Algonquin Trail, Barella Court, Bart Drive, Benzing Road, Bess Court North, Brenda Court, Brenda Lane, Chrishall Court, Cimarron Court, Cimarron Way, Colemont Court, Colemont Drive, Coleridge Court, Coleridge Drive, Creekside Drive, Darlene Drive, Delvin Drive, Emely Court, Hays Blackman Loop, Hill Bennett Circle, Jenny Murff Drive, Joann Court, Karen Ray Court, Karen Ray Drive, Keeley Drive, Leeshan Court, Lindy Murff Court, Luker Lane, McLendon Court, McLendon Drive, Ocala Drive, Old Tusculum Road, Olivia Drive, Parkard Drive, Panamint Drive, Penny Brink Drive, Richard Irwin Court, Robert Yoest Drive, Shacklett Lane Court, Sheila Drive, Shihmen Court, Shihmen Drive, Shufeld Court, Suzanne Drive, Tomarand Court, Tomarand Road, Townes Drive, Tusculum Court, Tusculum Road, Valley Green Court, Valley Green Drive and Valley Way, south of Packard Drive (approximately 361 acres.

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.

Proposed Zoning

<u>Single-Family Residential (RS10)</u> requires a minimum 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre.

CRITICAL PLANNING GOALS

N/A

SOUTHEAST COMMUNITY PLAN

Current Policy

<u>Suburban Neighborhood Maintenance (T3 NM)</u> 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.

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

DRAFT Preferred Future Policy

No changes proposed.

Consistent with Policy?

The policy supports a variety of housing types, including single-family as well as non-single-family. Non single-family residential uses include two family and multi-family uses. The policy promotes development that is primarily consistent with the existing development pattern. The area contains a variety of residential uses which includes single-family, two-family, zero lot line and multi-family. The proposed RS10 zoning district would not alter the existing character on the ground, but it would create a situation where the existing legal non-single-family uses would become nonconforming.

ANALYSIS

The proposed RS10 zoning district would limit development in the subject area to only single-family uses. Existing legal duplexes in the area would become legal non-conforming uses and would be allowed to continue to be used. Key parcels at intersections will remain as R10 allowing for the possibility of duplexes in the future, resulting in a mixture of housing types.

Chapter 17.40 Article XIV of the Zoning Ordinance addresses non-conforming structures and uses. Duplexes that legally exist at the time of rezoning to RS are allowed to continue to be used as a duplex and may be rebuilt if damaged or destroyed.

17.40.650 E.2. states: In a residential district, a nonconforming use shall cease if 50% or more of the floor area of the building or structure is damaged or destroyed. When damage is to less than 50% of the floor area, the building may be restored within one year of the date of the damage. A structure containing a two-family non-conforming use within an RS district may be restored within two years regardless of percentage of damage or destruction.

STAFF RECOMMENDATION

Staff recommends approval.

Ms. Blackshear stepped back in the room at 4:47 p.m.

Ms. Milligan presented the staff recommendation of approval.

Councilman Potts spoke in favor of the application.

Mr. Adkins spoke in favor of the application and noted that this is a very balanced and thoughtful approach to very controversial issue; appreciates the fact that people are able to opt out and also that the commission is actively working with the councilman.

Councilman Hunt spoke in favor of the application.

Chairman McLean closed the Public Hearing.

Councilman Hunt moved and Mr. Adkins seconded the motion to approve. (7-0)

Resolution No. RS2015-21

"BE IT RESOLVED by The Metropolitan Planning Commission that 2015Z-002PR-001 is Approved. (7-0)"

8. 2015Z-003PR-001

BL2015-1004\Bedne Map Various, Parcel(s) Various Council District 31 (Fabian Bedne) Staff Reviewer: Lisa Milligan

A request to rezone from R10 to RS10 zoning for various properties located along Amelia Court, Amelia Drive, Ashlawn Circle, Ashlawn Court, Ashlawn Drive, Ashworth Circle, Ash Grove Drive, Ashmont Circle, Ashmont Drive, Bell Road, Bess Court South, Benzing Road, Brook View Estates Drive, Brook Drive, Eulala Drive, Janice Drive, Jeri Court, Josephine Court, Lou Court, Michele Drive, Ocala Drive, Roxanne Court, Roxanne Drive, Sue Court, Sue Drive, Tusculum Road and Yoest Circle, north of Bell Road (approximately 155 acres), requested by Councilmember Fabian Bedne, applicant; various property owners.

Staff Recommendation: Approve with a substitute ordinance.

APPLICANT REQUEST

Zone change from R10 to RS10.

Zone Change

A request to rezone from One and Two-Family Residential (R10) to Single-Family Residential (RS10) zoning for various properties located along Amelia Court, Amelia Drive, Ashlawn Circle, Ashlawn Court, Ashlawn Drive, Ashworth Circle, Ash Grove Drive, Ashmont Circle, Ashmont Drive, Bell Road, Bess Court South, Benzing Road, Brook View Estates Drive, Brook Drive, Eulala Drive, Janice Drive, Jeri Court, Josephine Court, Lou Court, Michele Drive, Ocala Drive, Roxanne Court, Roxanne Drive, Sue Court, Sue Drive, Tusculum Road and Yoest Circle, north of Bell Road (approximately 155 acres).

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.

Proposed Zoning

<u>Single-Family Residential (RS10)</u> requires a minimum 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre.

CRITICAL PLANNING GOALS

N/A

SOUTHEAST COMMUNITY PLAN

Current Policy

<u>Suburban Neighborhood Maintenance (T3 NM)</u> 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.

<u>Suburban Neighborhood Evolving (T3NE)</u> 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.

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

DRAFT Preferred Future Policy

No changes proposed.

Consistent with Policy?

The policy supports a variety of housing types, including single-family as well as non-single-family. Non single-family residential uses include two family and multi-family uses. The policy promotes development that is primarily consistent with the existing development pattern. The area contains a variety of residential uses which includes single-family, two-family, zero lot line and multi-family. The proposed RS10 zoning district would not alter the existing character on the ground, but it would create a situation where the existing legal non-single-family uses would become nonconforming. The area with a Neighborhood Evolving Policy is also Conservation Policy, so development potential in this area is limited.

ΔΝΔΙ ΥSIS

The proposed RS10 zoning district would limit development in the subject area to only single-family uses. Existing legal duplexes in the area would become legal non-conforming uses and would be allowed to continue to be used. Key parcels at intersections will remain as R10 allowing for the possibility of duplexes in the future, resulting in a mixture of housing types.

Chapter 17.40 Article XIV of the Zoning Ordinance addresses non-conforming structures and uses. Duplexes that legally exist at the time of rezoning to RS are allowed to continue to be used as a duplex and may be rebuilt if damaged or destroyed.

17.40.650 E.2. states: In a residential district, a nonconforming use shall cease if 50% or more of the floor area of the building or structure is damaged or destroyed. When damage is to less than 50% of the floor area, the building may be restored within one year of the date of the damage. A structure containing a two-family non-conforming use within an RS district may be restored within two years regardless of percentage of damage or destruction.

Substitution for BL2015-1004

Staff recommends approval with a substitute to remove Map 162 Parcel 49 from the downzoning. The property in question is approximately 16 acres in size and has the potential to be developed as a subdivision. If zoned R10 and subdivided, the property would be limited to 25% of the lots allowing duplexes.

STAFF RECOMMENDATION

Staff recommends approval with a substitute ordinance.

Ms. Milligan presented staff recommendation of approval with a substitute ordinance.

Councilman Bedne noted that people will be allowed to opt out if desired.

Chairman McLean asked if there was anyone in the audience that wished to speak in favor or in opposition. No one spoke, therefore, Ms. LeQuire moved and Mr. Adkins seconded the motion to approve with a substitute ordinance. (7-0)

Resolution No. RS2015-22

"BE IT RESOLVED by The Metropolitan Planning Commission that 2015Z-003PR-001 is **Approved with a substitute** ordinance. (7-0)"

K. PLANNING COMMISSION ACTIONS

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

Subdivision: Final Plats

9. 2015S-002-001

CHAPMAN'S RETREAT

Map 172, Parcel(s) 252 Council District 04 (Brady Banks) Staff Reviewer: Melissa Sajid

A request for final plat approval to create three lots on property located at Mt. Pisgah Road (unnumbered), approximately 200 feet east of Bryce Road, zoned RS10 and AR2a (2.52 acres), requested by Advantage Land Surveying, applicant; Thomas and Kristina Chapman and Mt. Pisgah United Methodist Church, owners.

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 Mt. Pisgah Road (unnumbered), approximately 200 feet east of Bryce Road, zoned Single-Family Residential (RS10) and Agricultural/Residential (AR2a) (2.52 acres).

Existing Zoning

<u>Single-Family Residential (RS10)</u> requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre. *RS10 would permit a maximum of 3 lots*.

Agricultural/Residential (AR2a) requires a minimum lot size of two acres and intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per two acres. The AR2a District is intended to implement the natural conservation or rural land use policies of the general plan. Normally, a lot of this size in AR2a would permit a maximum of 1 lot with 1 unit. However, in this case, staff is recommending that Lot 3 be limited to the cemetery use.

CRITICAL PLANNING GOALS

•Supports Infill Development

The proposed subdivision creates infill housing opportunity in an area that is served by existing infrastructure.

SUBDIVISION REGULATIONS

The request will create three lots from two existing parcels located on Mt. Pisgah Road, east of Bryce Road. The land use policy for the subject property is Neighborhood Maintenance (NM), which is subject to the compatibility criteria in Section 3-5.2 of the Subdivision Regulations. Lots 1 and 2 are required to meet the infill compatibility analysis as those lots are zoned RS10; Lot 3, however, is not evaluated as an infill lot as it is zoned AR2a. As there is only one surrounding parcel that is zoned R or RS which Lots 1 and 2 can be compared to per the Subdivision Regulations, the applicant requests approval under Section 3-5.2(f) of the Subdivision Regulations; under this section, the Planning Commission may grant approval of a subdivision that does not meet the compatibility criteria, if the subdivision can provide for harmonious development within the community.

PLAN DETAILS

The site consists of two existing parcels totaling 2.52 acres that were created by deed in 2007. The larger existing parcel has long served as a cemetery site. In order to subdivide the smaller parcel into two lots, the cemetery parcel must also be included as part of this subdivision. The subject property is proposed to be subdivided into three lots with the following areas and street frontages:

- Lot 1: 13,800 Sq. Ft., (0.187 Acres), and 123.62 Ft. of frontage;
- Lot 2: 18,625 Sq. Ft., (0.189 Acres), and 79.09 Ft. of frontage;
- Lot 3: 77,309 Sq. Ft., (1.77 Acres), and 19.91 Ft. of frontage.

All parcels are considered critical lots as they include slopes up to 20%. The subject property is located in the General Services District with sidewalk Priority Index score less than 20, so sidewalks are not required.

ANALYSIS

Lot Compatibility

Section 3-5.2 of the Subdivision Regulations outlines the criteria for reviewing infill subdivisions located within the Urban Neighborhood Maintenance policy area. Only Lot 1 and Lot 2 must meet lot compatibility. Proposed Lot 3 is not considered infill because it is zoned AR2a. In addition, Lot 3, which is an existing parcel, does not meet the minimum lot size of AR2a, which is 2 acres. However, the Zoning Administrator has determined that Lot 3 is exempt from the minimum lot size requirement of AR2a as it is an existing cemetery that is owned by a church and is protected under both state and federal legislation.

Lots 1 and 2 of the final plat are reviewed against the following criteria as required by the Subdivision Regulations:

Zonina Code

Proposed lots meet the minimum standards of the RS10 zoning district.

Street Frontage

Proposed lots have frontage on a public street.

Density

Suburban Neighborhood Maintenance land use policy supports density up to 20 dwelling units per acre. The proposed infill subdivision provides a density of 0.79 dwelling units per acres, which falls within the range supported by policy.

Community Character

Of the five lots on each side of the proposed subdivision, there is only one parcel to which the proposed subdivision may be compared for infill compatibility as all other parcels are zoned AR2a.

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. In this case, the lots created must be equal to or greater than 211.5' feet, which is the lot frontage of the only parcel available for the infill compatibility analysis. The proposed subdivision does not meet the lot frontage requirement.

Lot Frontage Analysis	
Minimum Proposed	79.09'
70% of Average	148.05
Smallest Surrounding Parcel	211.5'

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. In this case, the minimum lot area must be at least 111,513 square feet or 2.56 acres, which is the lot area of the only parcel available for the infill compatibility analysis. The proposed subdivision does not meet the lot size requirement.

Lot Size Analysis	
Minimum Proposed	13,800 SF
70% of Average	78,059.1 SF
Smallest Surrounding Parcel	111,513 SF

- Street Setback: As the adjacent parcels along Mt. Pisgah Road are unbuilt, there currently is no setback context on the south side of the street. However, staff recommends platting a 40' which would reflect a setback similar to the RS10 lots across the street.
- 4. Lot Orientation: Lots 1 and 2 remain oriented to Mt. Pisgah Road.

Agency Review

All review agencies recommend approval.

Compatibility with Surrounding Area

The proposed subdivision does not meet the Community Character criteria. However, the Planning Commission may grant approval if it determines that the subdivision provides for the harmonious development of the community. The applicant has not proposed any conditions to meet this provision. However, given the character of the larger area including the parcels that have been subdivided, staff finds that Lots 1 and 2 provide for the harmonious development of the community with the condition that the lots include a platted front setback of 40 feet.

FIRE MARSHAL RECOMMENDATION

N/A

ZONING ADMINISTRATOR RECOMMENDATION

Approve

• The cemetery in question is a church cemetery and appears to be relatively old. Because this land use (cemetery) is church owned, it is exempt from the AR2a 2 acre lot size requirement pursuant to the Tennessee Religious Freedom Restoration Act (TCA 4-1-407) and the federal Religious Land Use and Institutionalized Persons Act (42 USC 2000cc et seq).

STORMWATER RECOMMENDATION

Approved

WATER SERVICES RECOMMENDATION

Approved with conditions

• Approval is contingent on construction and completion of Metro Water Project 14-SL-140. If choosing to post bond before recording, the amount would be \$38,000.

TRAFFIC AND PARKING RECOMMENDATION

No exception taken

PUBLIC WORKS RECOMMENDATION

No exception taken

STAFF RECOMMENDATION

Staff finds that this subdivision provides for the harmonious development of the community. Therefore, staff recommends approval with conditions.

CONDITIONS

- 1. Lot 1 and Lot 2 shall have a minimum front setback of 40 feet.
- 2. Prior to recordation, the critical lot designation shall be removed from Lot 3.
- 3. Add the following note and reference on Lot 3: "Lot 3 is for cemetery use only. No residential structures to be constructed."

Approve with conditions. (7-0), Consent Agenda

Resolution No. RS2015-23

"BE IT RESOLVED by The Metropolitan Planning Commission that 2015S-002-001 is **Approved with conditions. (7-0)**" **CONDITIONS**

- 1. Lot 1 and Lot 2 shall have a minimum front setback of 40 feet.
- 2. Prior to recordation, the critical lot designation shall be removed from Lot 3.
- 3. Add the following note and reference on Lot 3: "Lot 3 is for cemetery use only. No residential structures to be constructed."

L. OTHER BUSINESS

10. New employee contract for Adams Carroll

Approve. (7-0), Consent Agenda

Resolution No. RS2015-24

"BE IT RESOLVED by The Metropolitan Planning Commission that the new employee contract for Adams Carroll is **Approved.** (7-0)"

11. Employee contract renewal for Carrie Logan

Approve. (7-0), Consent Agenda

Resolution No. RS2015-25

"BE IT RESOLVED by The Metropolitan Planning Commission that the employee contract renewal for Carrie Logan is **Approved. (7-0)**"

- 12. Historic Zoning Commission Report
- 13. Board of Parks and Recreation Report
- 14. Executive Committee Report
- 15. Accept the Director's Report and Approve Administrative Items

Approve. (7-0), Consent Agenda

Resolution No. RS2015-26

"BE IT RESOLVED by The Metropolitan Planning Commission that the Director's Report and Administrative Items are **Approved. (7-0)**"

16. Legislative Update

M. MPC CALENDAR OF UPCOMING MATTERS

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

March 12, 2015

MPC Meeting

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

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The meeting adjourned at 5:08 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 22, 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: McLean; Haynes; Farr; LeQuire; Hunt; Blackshear; Clifton; Dalton; Adkins
 - b. Leaving Early: Gee (6:00)
 - c. Absent:
- 2. Legal Representation Jon Michael will be attending

B. January 22, 2015 MPC meeting NashvilleNext MPC Topic

- 1. CCM Rural Policies Overview (Bernhardt)
 - a. Upcoming February 12, 2015 Summary of Phase 4.5 Input (Claxton)

C. Communications

- 1. NashvilleNext staffed an information table and distributed surveys at the Nashville MLK Day event at the TSU arena yesterday.
- 2. Last day for comments on the Preferred Future is Friday, January 26. A short video explaining the Preferred Future is complete and up at www.nashvillenext.net

D. Community Planning

- 1. An initial meeting and field visits was held with UT design students. The topic is design of transition areas focusing on the potential introduction of Missing Middle Housing.
 - a. Key Study Objectives
 - i. Affordability Can the transition provide lower cost housing types?
 - ii. Connectivity Can the transition improve pedestrian, bicycle, and street connectivity?
 - iii. Context How far into the neighborhood should the transition go?
 - iv. Open Space Can the transition incorporate new open space?

b. Study Locations

- i. Gallatin Pike (Corridor b/n Seymour & Granada)
- ii. Dickerson Pike (Corridor b/n Cleveland & Douglas)
- iii. White Bridge Road (Corridor b/n Vine Ridge & Brookwood)
- iv. Bellevue (Edge of Memphis Bristol Hwy & Sawyer Brown Rd. Into Cross Timbers Residential)
- v. Nolensville Pike (Corridor b/n Old Hickory Rd. to Brewer Dr)
- vi. Nolensville Pike (Corridor b/n Nolensville Pike & Thompson Lane Intersection to Sunrise Avenue)
- vii. Harding Pike (Corridor from Trousdale to stream)
- viii. Green Hills (Edge of Hillsboro Pike & Richard Jones Rd into residential neighborhood)
- ix. Harding Pike Corridor (Corridor from Danby to Shadecrest)

E. Land Development

1. We are interviewing for a Planner 3 to fill Brandon Burnette's position.

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. South Nashville Community Meeting, Preferred Future Book-A-Planner Presentation
- 2. Woodbine Community Meeting, Preferred Future Book-A-Planner Presentation

H. NashvilleNext

1. **Guiding Principles** – They have been vetted and 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	•	•	0	\circ
Arts, Culture, & Creativity	•	•	0	\circ
Natural Resources/Hazard Adaptation	•	•	0	0
Education & Youth	•	•	0	0
Housing	•	•	0	0
Health, Livability, & Built Environment	•	•	0	0
Land Use, Transportation, & Infrastructure	•	•	•	0

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 (Planning Commissioners and Staff)

- 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 1/16/2015**.

APPROVALS	# of Applications	Total # of Applications 2015
Specific Plans	0	0
PUDs	0	0
UDOs	0	0
Subdivisions	1	1
Mandatory Referrals	1	1
Total	2	2

SPECIFIC PLANS (finals only): MPC Approval Finding: Final site plan conforms to the approved development plan.									
Date Submitted	Statt Determination Case # Project Name Project Cantion					Council District # (CM Name)			
NONE									

Finding: a	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								

PLANNED UNIT DEVELOPMENTS (finals and variances only): MPC Approval								
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)				
12/18/2014	1/5/2015	RECOM APPR	2015M- 004ES- 001	LEALAND LANE/KIRKWOOD AVENUE EASEMENT ACQUISITION	A request to acquire drainage and temporary construction easements on properties located at 1000 Gale Lane and at 995 and 1000 Clayton Avenue for a sidewalk improvement project for sidewalks located along Lealand Lane (from Gale Lane to Kirkwood Avenue west side) and along Kirkwood Avenue (from 12th Avenue South to Lealand Lane - south side), (Project No. 2014-R-006), requested by the Metro Public Works Department, applicant; various property owners.	17 (Sandra Moore)				

Finding:	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	Project Caption	Council District (CM Name)						
7/31/2014	1/6/2015	APADMIN	2014S-176- 001	MRS. CLAUDE WALLER SUBDIVISION, RESUB LOT 4	A request for final plat approval to shift lot lines between properties located at 228 and 230 Ensworth Place, approximately 625 feet south of Woodlawn Drive, zoned R10 and RS40 (3.37 acres), requested by Dale & Associates, applicant; Frank May and Mimsye May Trustee, owners.	24 (Jason Holleman)			

DTC MPC Approval Finding: Final site plan conforms to the provisions of the DTC as conditioned.								
Project Name	Location	Project Summary	Planning Staff	MDHA/DRC/ By right	Staff Recommended Conditions			
427 Lafayette	427 Lafayette St.	Tobacco, and E-cig sales. 1 story commercial building located at the "pork chop" in front of the Greyhound station. The Divisions St. Extension will be coming through the property, necessitating the removal of the existing building. Applicant will be constructing a new building in its place.	12/5/2014	by-right	Approval for the revised submittal drawings dated 12.05.2014. The Ash St./ future Division St. Extension has been designated as the principal frontage of the property. The minor frontages are 5th Ave. South, an Lafayette St., allowing the facade width along the minor frontages to be reduced to the depth of the building along the principal frontage, per the DTC. The remainder of the minor street frontages shall be defined by a knee wall.			
1000 Division St.	1000 Division St.	Mixed use 4 level apartment building. Ground floor retail, residential units above, underground parking.	12/17/2014	11/20/2014	Approved with modifications for ground floor glazing percentages along the street frontages as proposed.			

Performance Bonds: Administrative Approvals							
Date Approved	Administrative Action	Bond #	Project Name				
1/7/2015	Approved New	2015B-001-001	28TH AND CHARLOTTE				
1/9/2015	Approved Release	2013B-013-003	SUNSET HILLS, PHASE 3				
1/12/2015	Approved Extension/Reduction	2009B-023-005	MILL CREEK TOWNE CENTRE, RESUB. LOT 5				
1/12/2015	Approved Extension	2011B-023-004	THE GROVE AT CANE RIDGE, PHASE 1				
1/13/2015	1/13/2015 Approved Extension/Reduction		VILLAGES OF RIVERWOOD, PHASE 3A, SECTION 1				
1/13/2015	Approved Collected	2003B-061-002	WINDHAVEN SHORES, SECTION 2				
1/14/2015	Approved New	2014B-043-001	HALLMARK, SECTION 3				
1/14/2015	Approved Extension/Reduction	2013B-005-003	VILLAGES OF RIVERWOOD, PHASE 3C, SECTION 1				
1/14/2015	Approved Reduction	2014B-029-002	AVONDALE PARK, PHASE 3, SECTION 1				
1/14/2015	Approved Extension/Reduction	2010B-026-005	AVONDALE PARK, PHASE 2, SECTION 1				
1/14/2015	Approved Extension/Reduction	2010B-029-005	AVONDALE PARK, PHASE 2, SECTION 2A				
1/14/2015	Approved Extension/Reduction	2010B-016-005	AVONDALE PARK, PH. 2, SEC. 3A				
1/14/2015	Approved Extension/Reduction	2010B-028-005	AVONDALE PARK, PHASE 2, SECTION 3B				
1/14/2015	Approved Extension/Reduction	2010B-027-005	AVONDALE PARK, PHASE 2, SECTION 4				

Schedule

- **A.** Tuesday; January 27, 2015 NashvilleNext Steering Committee (Jim McLean; Jeff Haynes; Andree LeQuire)
- **B.** Thursday, February 12, 2015 MPC Meeting; 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- **C.** Thursday, February 26, 2015 MPC Meeting; 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- **D.** Thursday, March 12, 2015 MPC Meeting; 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- **E.** Thursday, March 26, 2015 MPC Meeting; 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- **F.** Thursday, April 9, 2015 MPC Meeting; 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- **G.** Thursday, April 23, 2015 MPC Meeting; 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- **H.** Thursday, May 14, 2015 MPC Meeting; 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- I. Thursday, May 28, 2015 MPC Meeting; 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- J. Thursday, June 11, 2015 MPC Meeting; 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- K. Thursday, June 25, 2015 MPC Meeting; 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- L. Thursday, July 23, 2015 MPC Meeting; 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- M. Thursday, August 13, 2015 MPC Meeting; 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- N. Thursday, August 27, 2015 MPC Meeting; 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- **O.** Thursday, September 10, 2015 MPC Meeting; 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- **P.** Thursday, September 24, 2015 MPC Meeting; 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- **Q.** Thursday, October 8, 2015 MPC Meeting; 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- **R.** Thursday, October 22, 2015 MPC Meeting; 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- **S.** Thursday, November 12, 2015 MPC Meeting; 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- **T.** Thursday, December 10, 2015 MPC Meeting; 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- **U.** Thursday, January 14, 2016 MPC Meeting; 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center