

# Metropolitan Planning Commission



## Staff Reports

**January 22, 2015**



## Metro Planning Commission Meeting of 01/22/2015

*Mission Statement: The Planning Commission is to guide the future growth and development for Nashville and Davidson County to evolve into a more socially, economically and environmentally sustainable community with a commitment to preservation of important assets, efficient use of public infrastructure, distinctive and diverse neighborhood character, free and open civic life, and choices in housing and transportation.*

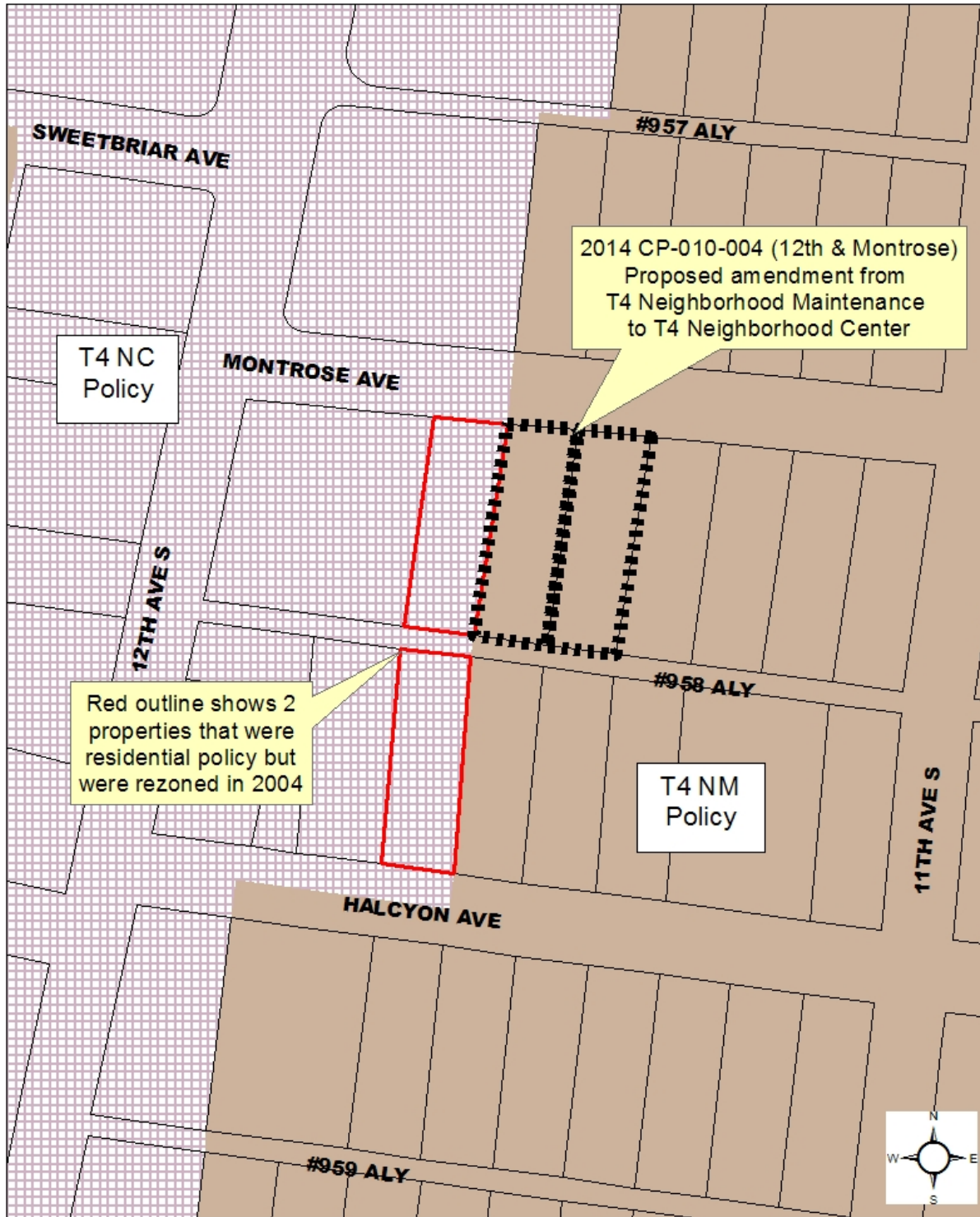


## **PREVIOUSLY DEFERRED ITEMS**

- **Community Plan Amendments**
- **Specific Plans**
- **Zone Changes**



# Metro Planning Commission Meeting of 01/22/2015



**2014CP-010-004**  
**GREEN HILLS-MIDTOWN COMMUNITY PLAN AMENDMENT**  
1109 and 1111 Montrose Avenue, Map 118-01, Parcel 130 and Parcel 131  
Green Hills-Midtown  
8 – Sandra Moore





**Project No.** Major Plan Amendment 2014CP-010-004  
**Project Name** Green Hills-Midtown Community Plan: 2005 Update – 1109 and 1111 Montrose Avenue  
**Associated Case** 2014SP-083-001  
**Council District** 17 – Moore  
**School District** 8 – Pierce  
**Requested by** Fulmer Engineering, LLC, applicant; The Shop Trust, LLC, owner.

**Deferrals** This request was deferred from the January 8, 2015, Planning Commission meeting.

**Staff Reviewer** McCaig  
**Staff Recommendation** *Disapprove.*

**APPLICANT REQUEST**

**Change the policy from Urban Neighborhood Maintenance (residential) to Urban Neighborhood Center (mixture of uses at a neighborhood-scale).**

Major Plan Amendment

A request to amend the Green Hills-Midtown Community Plan by changing the Community Character policy from Urban Neighborhood Maintenance policy to Urban Neighborhood Center policy for properties located at 1109 and 1111 Montrose Avenue, approximately 210 feet east of 12<sup>th</sup> Avenue South (0.34 acres), (See also Specific Plan Case No. 2014SP-083-001).

**CRITICAL PLANNING GOALS**

N/A

**GREEN HILLS-MIDTOWN COMMUNITY PLAN**

**CURRENT POLICY**

Urban Neighborhood Maintenance (T4 NM) policy is intended to preserve the general character of existing urban neighborhoods as characterized by their development pattern, building form, primarily residential 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. Enhancements may be made to improve pedestrian, bicycle, and vehicular connectivity.

**PROPOSED POLICY**

Urban Neighborhood Center (T4 NC) policy is intended to preserve, enhance, and create urban neighborhood centers that fit in with the general character of urban neighborhoods. Infrastructure and transportation networks may be enhanced to improve pedestrian, bicycle, and vehicular connectivity. T4 NC areas are pedestrian friendly areas generally located at intersections of urban streets that contain commercial, mixed use, residential, and civic and public benefit uses.



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### BACKGROUND

The properties at 1109 and 1111 Montrose Avenue have been residentially zoned for decades and currently contain two single-family houses. The property owners would like to continue their development (along 12<sup>th</sup> Avenue South) on these two parcels. With the accompanying zone change request, the owners propose keeping the two single-family structures and using them for offices in the future as well as adding parking to the site.

The Green-Hills Midtown Community Plan was last updated in 2005. However, a more specific planning study created the 12<sup>th</sup> Avenue South Corridor Detailed Neighborhood Design Plan in 2008. The overarching goal of the design plan is to maintain the corridor as a livable and walkable community by providing a well-balanced mix of housing, neighborhood-scaled businesses, real transportation options, easily accessible open spaces, employment and social services, and civic and cultural opportunities. As one moves off the 12<sup>th</sup> Avenue corridor, the design plan highlights the importance of preserving the existing housing stock and single-family residential character of the immediately adjacent residential area. The design plan accommodates additional housing types by allowing them along the corridor itself. This provides additional housing choices but also helps to preserve the existing single-family housing.

### COMMUNITY PARTICIPATION

Community Meeting Notices were mailed out to property owners within 1,300 feet on November 21, 2014.

A community meeting was held on December 4, 2014, to discuss the three plan amendment requests and associated rezoning requests currently active in the area. Approximately 55 people attended the meeting, along with the applicants, and the area councilmember. Several attendees voiced concerns and left written comments regarding this proposal. Attendees were mainly concerned that the:

- proposed amendment and rezoning, if approved, would allow commercial to intrude into the adjacent residentially-zoned single-family neighborhood;
- proposed amendment and rezoning, if approved, would set a precedent for other businesses to expand into residential areas in other locations along the 12<sup>th</sup> Avenue South corridor;
- proposed amendment and rezoning, if approved, continues growth of the center, increases the volume of businesses into the residential area, and has implications for pushing the center's scale beyond that of just serving the immediate neighborhood;
- proposed amendment and rezoning, if approved, would increase the depth of non-residential uses to approximately 4 parcels from 12<sup>th</sup> Avenue South, taking up more than half of the block; and
- proposed amendment and rezoning, if approved, would result in the loss of residential zoning and single-family homes for residents in a desirable area to live.

Some attendees thought that the proposed development was acceptable, but still remained concerned about the precedent it would set for future commercial encroachment into the adjacent residential area and the implications for increasing the center's scale beyond that of serving the neighborhood.

In December, Public Hearing Notices were mailed out to property owners within 1,300 feet prior to the MPC Public Hearing. Local neighborhood associations were also notified of both the



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community meeting and the public hearing. Copies of the notices were also placed on the Planning Department website.

### **ANALYSIS**

While the proposed request may seem minimal and innocuous, there are factors that cause concern. To the east, north, and south is an established single-family residential area. Additional housing is in great demand in the 12South area, and the neighborhood is extremely concerned about losing the existing single-family housing stock over time.

Previously, in September 23, 2004, the property owners requested a zone change (for the adjacent properties to the west) from Commercial Services (CS) and R8 to Mixed Use Limited (MUL). This request included two adjacent residential properties. At that time, Planning staff voiced concerns about rezoning the two residential properties to mixed use since it would cause non-residential uses to encroach further into the neighborhood. One of the two properties is adjacent to the present rezoning request, and the other property is to the south. In 2004, staff recommended not to rezone the two residential properties. However, the Commission approved the rezoning at that time, including the two residential properties.

Since 2004, more detailed planning has taken place in the 12South area. Today, the two properties involved in the current plan amendment and rezoning request, remain in residential policy. These two properties and their houses are part of the single-family residential fabric along Montrose Avenue. The 12South area continues to be a desirable location with growth and development pressures. Currently, staff is reviewing three plan amendments and associated rezoning requests within an area of a few blocks along the 12<sup>th</sup> Avenue South corridor.

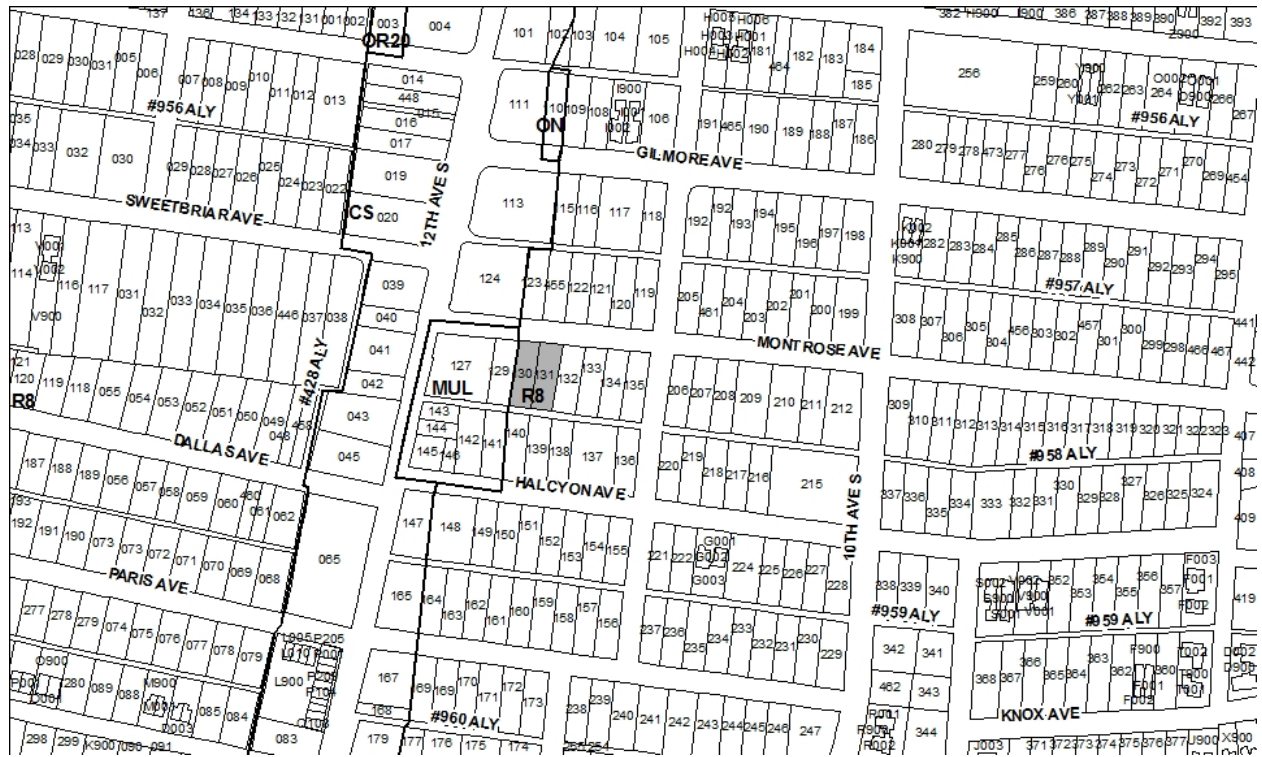
The 12<sup>th</sup> Avenue South corridor is envisioned as a neighborhood-scaled center. Currently, it is experiencing growth pressures similar to what is found along major corridors, such as 8<sup>th</sup> Avenue South. Approving this plan amendment at this time may create negative implications for other properties in the area. Without a clearly defined boundary to limit any commercial expansion, the potential exists for fragmented business expansion into the adjacent residential neighborhoods.

### **STAFF RECOMMENDATION**

Staff recommends disapproval of the amendment application because of the loss of residential properties, expansion of a neighborhood scale center and commercial encroachment into the residential area, and the precedent that approving this application would set for additional commercial encroachment into residential areas adjacent to the 12<sup>th</sup> Avenue South Corridor.



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**2014SP-083-001**

HOWELL CORNER/BECKER CORNER OFFICES

Map 118-01, Parcel(s) 130-131

10, Green Hills - Midtown

17 (Sandra Moore)



**Project No.** 2014SP-083-001  
**Project Name** Howell Corner/Becker Corner Offices  
**Associated Case** 2014CP-010-004  
**Council District** 17 - Moore  
**School District** 8 - Pierce  
**Requested by** Fulmer Engineering, Inc., applicant; The Shop Trust, LLC, owner.

**Deferrals** This request was deferred from the January 8, 2015, Planning Commission meeting.

**Staff Reviewer** Milligan  
**Staff Recommendation** *Disapprove.*

**APPLICANT REQUEST**

**Preliminary SP to permit mixed-use development.**

Preliminary SP

A request to rezone from One and Two-Family Residential (R8) to Specific Plan-Mixed Use (SP-MU) for properties located at 1109 and 1111 Montrose Avenue, approximately 210 feet east of 12<sup>th</sup> Avenue South (0.34 acres) to permit a mixed-use development.

**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. *R8 would permit a maximum of 1 lot with 1 duplex lot for a total of 2 units.*

**Proposed Zoning**

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

**GREEN HILLS MIDTOWN COMMUNITY PLAN**

**Current Policy**

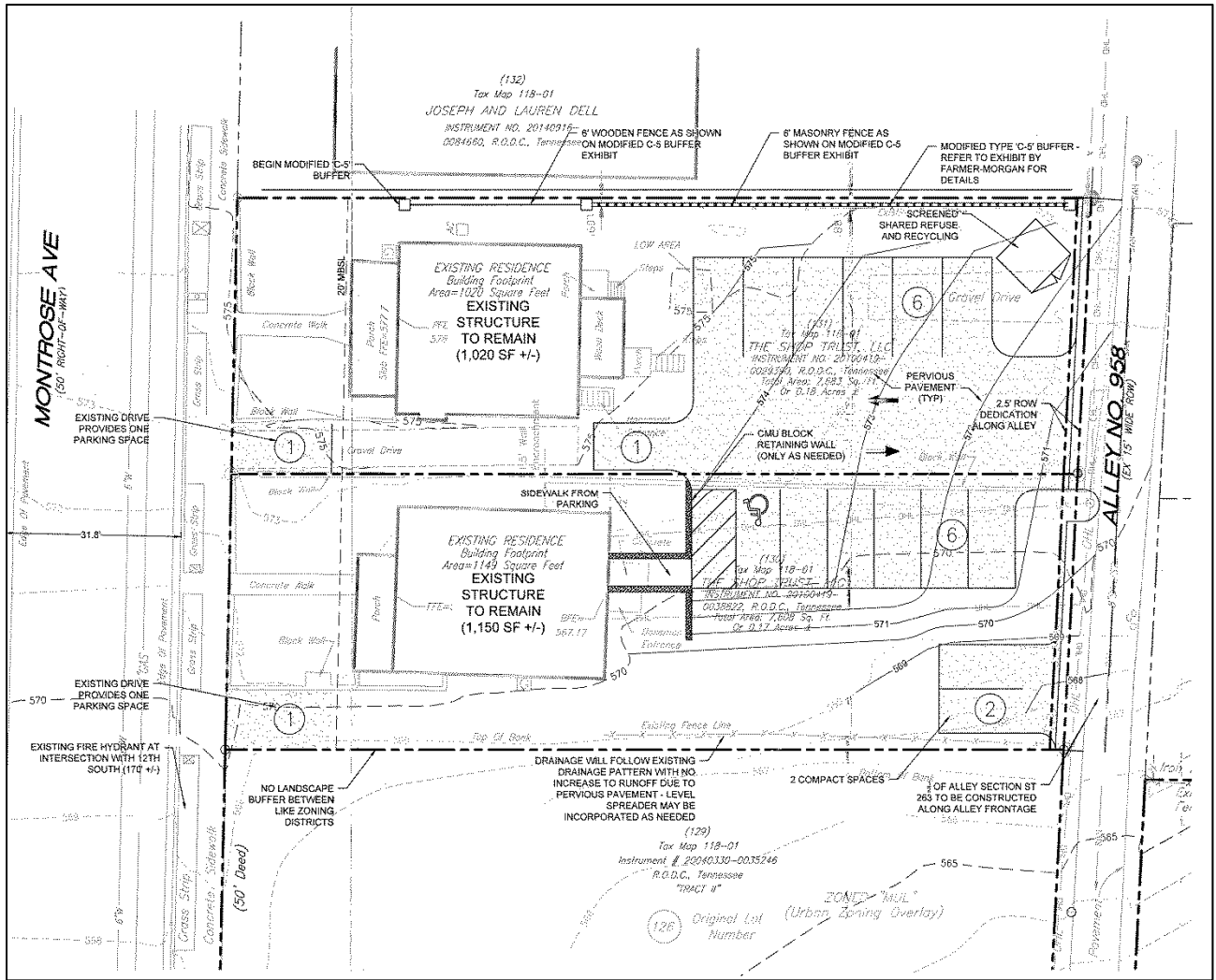
T4 Urban Neighborhood Maintenance (T4 NM) policy is intended to preserve the general character of urban neighborhoods as characterized by their development pattern, building form, land use and associated public realm. T4 NM areas will experience some change over time, primarily when buildings are expanded 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 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



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Proposed Site Plan



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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**

T4 Urban Neighborhood Center (T4 NC) is intended to preserve, enhance, and create urban neighborhood centers 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 Neighborhood Centers are pedestrian friendly areas generally located at intersections of urban streets that contain commercial, mixed use, civic and public benefit land uses, with residential only present in mixed use buildings. T4 Urban Neighborhood Centers serve urban neighborhoods within a 5 minute walk.

### Consistent with Policy?

The proposed development is not consistent with the current policy or the Draft Preferred Future policy. Staff is recommending disapproval of the requested policy change due to concerns including the need for housing in this area, commercial encroachment into a residential area, and the precedent set for additional commercial encroachment into residential areas along the 12<sup>th</sup> Avenue South corridor. Please see the staff report for 2014CP-010-004 for additional information.

### **PLAN DETAILS**

The site is located at 1109 and 1111 Montrose Avenue. The site is located approximately 210 feet east of 12<sup>th</sup> Avenue South, south of Montrose Avenue. The site is approximately 0.34 acres in size. The current use of the property is 2 single-family detached residential units.

### Site Plan

The proposed plan adds office uses to the two existing buildings. The plan also adds parking behind the buildings, adjacent to the existing alley. A total of 17 parking spaces are proposed. However, the majority of the parking spaces behind the existing structures are proposed for Phase 2. Proposed parking is based on Urban Zoning Overlay standards which exempts the 1<sup>st</sup> 2,000 square feet of office from providing parking.

The existing driveways will be retained for 1 parking space each. All other vehicular access will be from the alley. An existing sidewalk runs along the entire length of the property.

A landscape buffer is proposed along the northern property line.

### **ANALYSIS**

In 2004, a request was made to rezone the adjacent properties to the west of the subject property. The property immediately adjacent to the subject property, 1113 Montrose Avenue, was within the Residential Medium (RM) policy area. Staff recommended disapproval of the rezoning of this property as the rezoning was not consistent with the policy. The Planning Commission approved the entire rezoning request, including those properties that staff recommended disapproval



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Following the rezoning, a Detailed Neighborhood Design Plan (DNNDP) was completed for the 12<sup>th</sup> Avenue South Corridor. The two properties that are a part of the current request are within a residential policy (T4 Urban Neighborhood Maintenance). Staff finds that it is inappropriate given the policy and the DNNDP to expand non-residential uses further into the established and stable residential area. Staff recommends that the residential area needs to be protected from further commercial encroachment.

### **FIRE DEPARTMENT RECOMMENDATION**

#### **Approve with conditions**

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

### **STORMWATER RECOMMENDATION**

#### **Approve with conditions**

1. If post developed sheet flow condition can't be achieved, then offsite improvements may be required.

### **WATER SERVICES**

#### **Approved**

### **HISTORIC ZONING COMMISSION STAFF RECOMMENDATION**

Staff recommended that both residential structures be maintained which is being done with the current plan.

### **PUBLIC WORKS RECOMMENDATION**

#### **Approved with conditions**

1. The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
2. Build and dedicate 1/2 MPW standard ST-263 alley along property frontage. ROW dedication must be recorded prior to building permit approval.
3. Coordinate stormwater outfall with MPW and Metro Stormwater to confirm no stormwater flow into the alley causing excessive ponding or flooding, may require hard connection to the existing infrastructure with Final SP.

### **TRAFFIC AND PARKING RECOMMENDATION**

#### **No exception taken**

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)	0.34	5.44 D	2 U*	20	2	3

\*Based on one two-family lot.





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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	0.34	-	4,020 SF	210	11	32

Traffic changes between maximum: **R8** and **SP-MU**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+190	+9	+29

## METRO SCHOOL BOARD REPORT

Projected student generation existing **R8** district: 0 Elementary 0 Middle 0 High

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

The proposed SP-MU zoning district will not generate any additional students than the existing zoning.

## STAFF RECOMMENDATION

Staff recommends disapproval. Staff does not find that the requested zoning is consistent with the existing policy for the area as well as the recommendations of the Detailed Neighborhood Design Plan.

## CONDITIONS (if approved)

1. Permitted land uses shall be limited to single-family residential and office. Residential uses shall be limited to up to 2 units.
2. With the submittal of the corrected copy, remove all references to commercial in the notes. (See note 1, 2, 3).
3. No signage shall be allowed on either lot for residential use. For office use, signage shall be limited to signage permitted within the ON zoning district, except that any ground sign shall be monument type, shall not be more than five feet in height and shall not be illuminated.
4. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Council approval, the property shall be subject to the standards, regulations and requirements of the MUN-A zoning district as of the date of the application request or application.
5. A corrected copy of the preliminary SP plan incorporating the conditions of approval by the Metro Council shall be provided to the Planning Commission prior to or with the final site plan application.
6. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering, or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.



## **Metro Planning Commission Meeting of 01/22/2015**

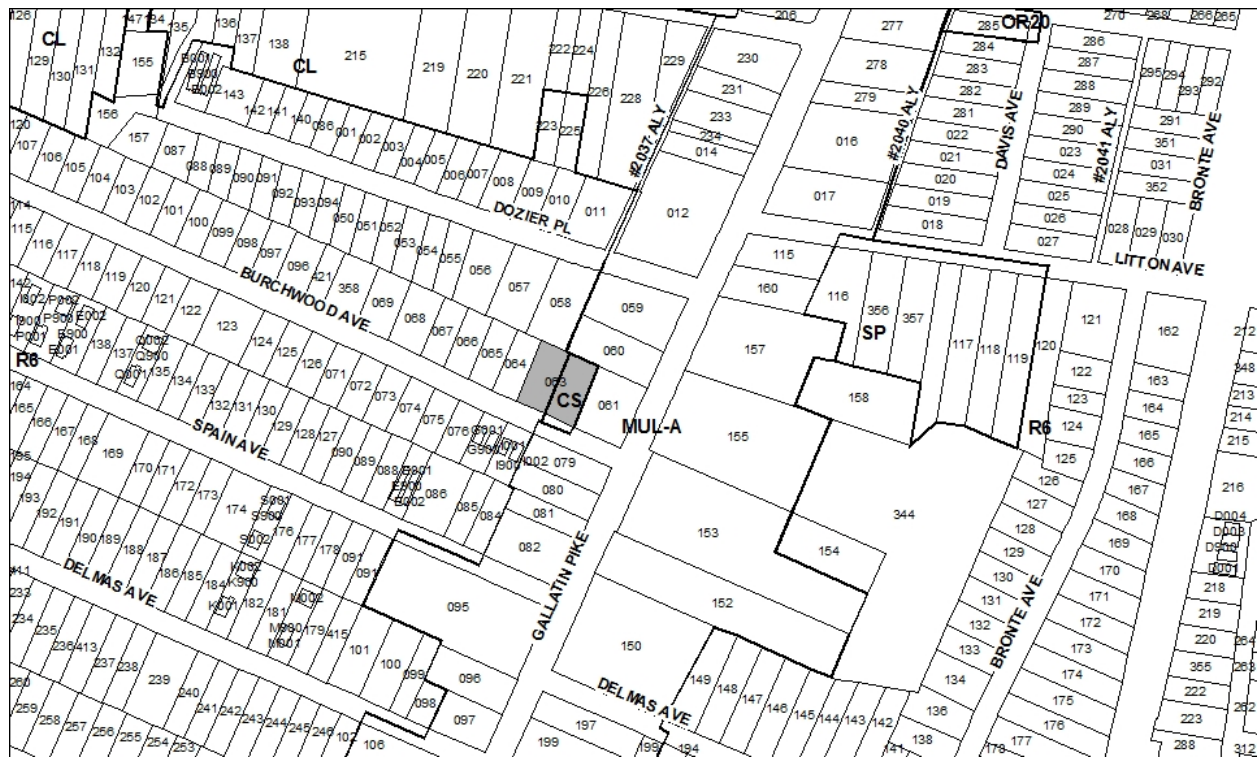
7. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.



**SEE NEXT PAGE**



# Metro Planning Commission Meeting of 01/22/2015



**2014SP-088-001**  
BURCHWOOD BUNGALOW  
Map 072-10, Parcel(s) 063  
05, East Nashville  
05 (Scott Davis)



**Project No.** Zone Change 2014SP-088-001  
**Project Name** Burchwood Bungalow  
**Council District** 5 – S. Davis  
**School District** 5 – Kim  
**Requested by** SEC, Inc, applicant; Chiquita Hall, owner.

**Deferral** This item was deferred at the December 11, 2014, and the January 8, 2015, Planning Commission meetings. The Public Hearing was closed.

**Staff Reviewer** Birkeland  
**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.*

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**

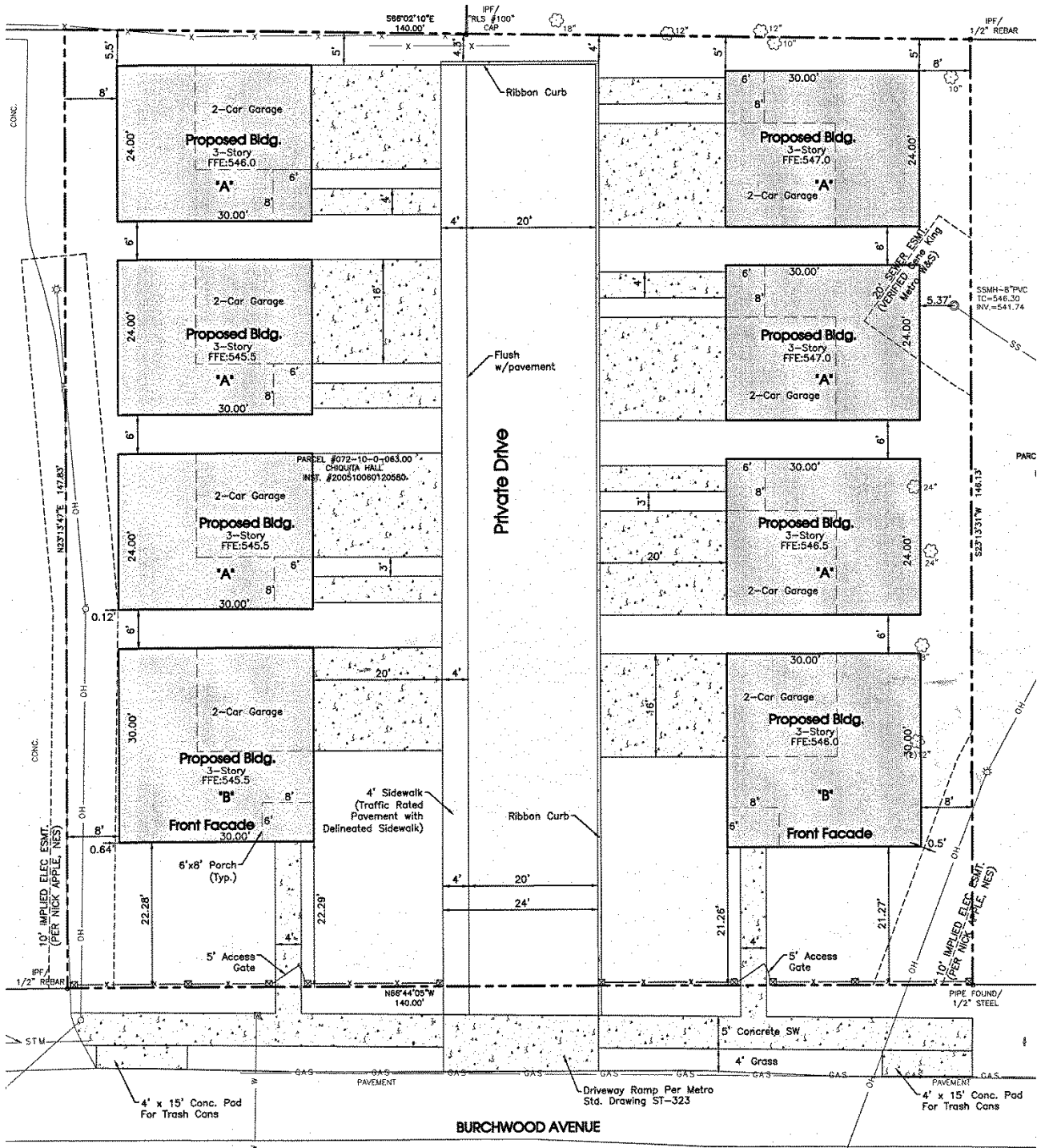
- N/A

**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



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Proposed Site Plan



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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.

T4 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?

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 (DNDDP) 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





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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 redevelop the corridor.



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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.



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



## Metro Planning Commission Meeting of 01/22/2015

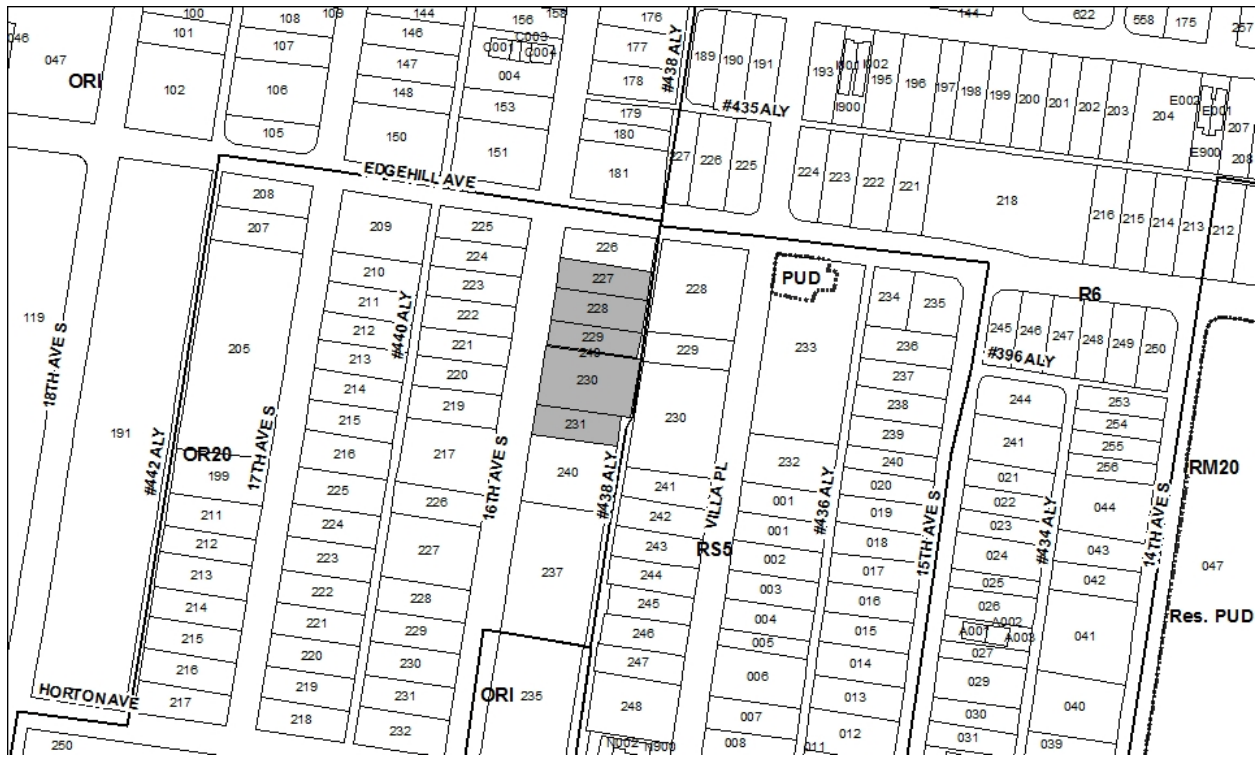
- a. Building facades fronting a street-and parking area shall provide a minimum of one principal entrance (doorway) and a minimum of 25% glazing. Type “B” buildings shall have front porches facing Burchwood Avenue.
  - b. Windows shall be vertically oriented at a ratio of 2:1 or greater.
  - c. EIFS 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.



**SEE NEXT PAGE**



# Metro Planning Commission Meeting of 01/22/2015



**2015SP-007-001**

16TH AVE. APARTMENTS

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

10, Green Hills - Midtown

17 (Sandra Moore)



**Project No.** Zone Change 2015SP-007-001  
**Project Name** 16<sup>th</sup> Avenue Apartments  
**Council District** 17 – Moore  
**School District** 5 – Kim  
**Requested by** Civil Site Design Group, PLLC, applicant; Gary Belz Family Limited Partnership and Bradley Daniel, owners.

**Deferrals** This request was deferred from the January 8, 2015, Planning Commission meeting.

**Staff Reviewer** Swaggart  
**Staff Recommendation** *Defer to the February 12, 2015, Planning Commission meeting.*

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**APPLICANT REQUEST**

**Preliminary SP to permit 135 residential dwelling units or for redevelopment under the OR20-A zoning district requirements.**

Preliminary SP

A request to rezone from Office and Residential (OR20) to Specific Plan – Residential (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.

**STAFF RECOMMENDATION**

Staff recommends deferral to the February 12, 2015, Planning Commission meeting at the request of the applicant.



**SEE NEXT PAGE**





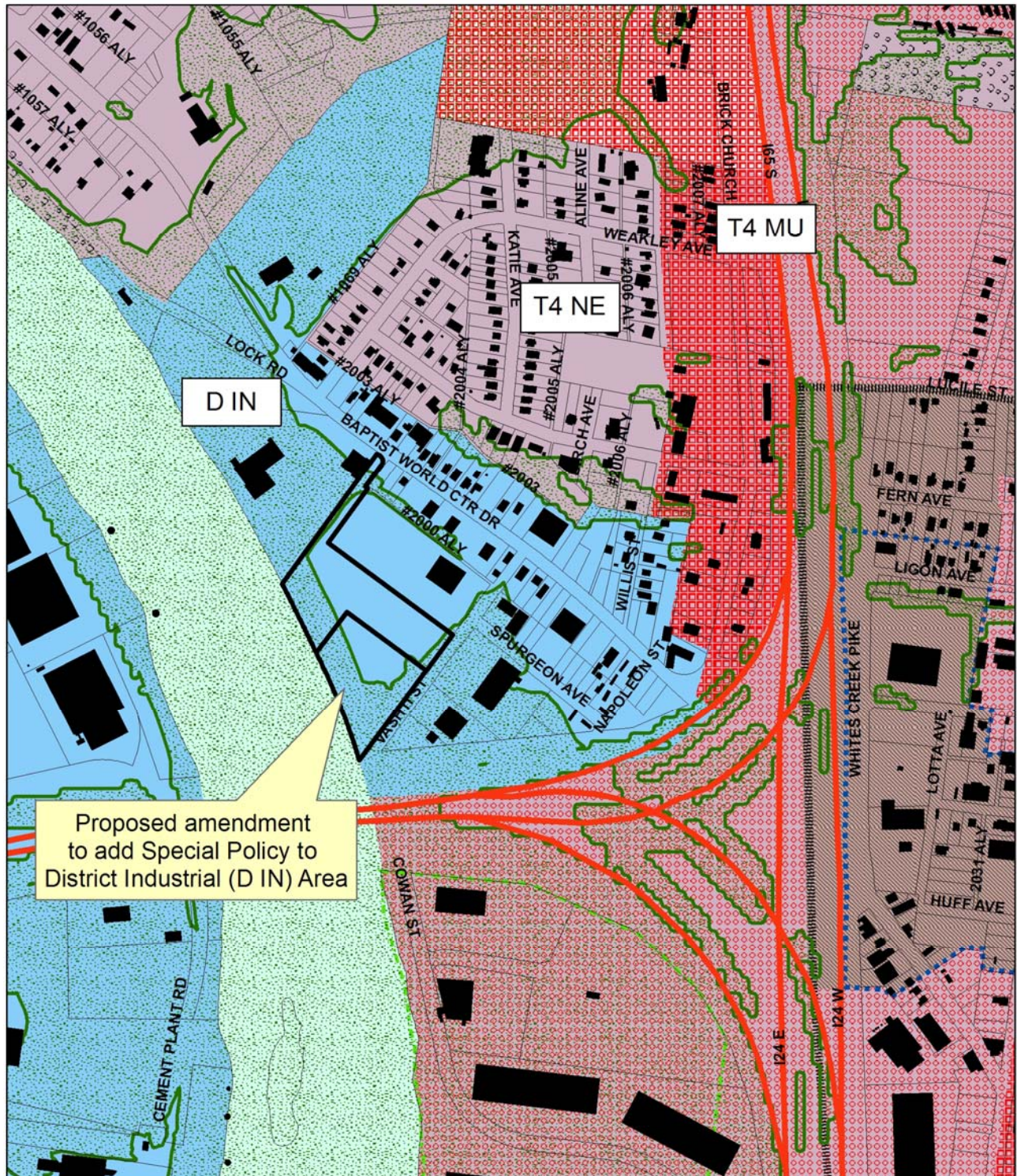
## **COMMUNITY PLAN POLICY CHANGES and ASSOCIATED CASE**

- **Plan Amendment**
- **Specific Plan**





# Metro Planning Commission Meeting of 01/22/2015



**2015CP-003-001**  
BORDEAUX-WHITES CREEK PLAN AMENDMENT  
Map 071-14, Parcel(s) 380, 387  
03, Bordeaux - Whites Creek  
02 (Frank R. Harrison)





<b>Project No.</b>	<b>2015CP-003-001</b>
<b>Project Name</b>	<b>Bordeaux Whites Creek Community Plan: 2003 – Nashville Ready Mix</b>
<b>Associated Case</b>	2015SP-012-001
<b>Council District</b>	02 –Harrison
<b>School Districts</b>	01 –Gentry
<b>Requested by</b>	Gresham Smith & Partners, applicant; Steve Meadows, owner.
<b>Staff Reviewer</b>	McCullough
<b>Staff Recommendation</b>	<i>Approve amending the District Industrial Policy to include a Special Policy for the properties.</i>

**APPLICANT REQUEST**

**Amend the Bordeaux-Whites Creek Community Plan by changing the Community Character Policy, District Industrial, to District Impact for properties located at 1311 and 1325 Vashti Street, (6.94 acres)**

Minor Plan Amendment

A request by the applicant to amend the *Bordeaux-Whites Creek Community Plan* by amending the current Community Character policy of District Industrial (D IN) to District Impact (D I) for property located at 1311 and 1325 Vashti Street (6.94 Acres)

**Current Land Use Policy**

District Industrial (D IN) policy is intended to preserve, enhance, and create Industrial Districts in appropriate locations. The policy creates and enhances areas that are dominated by one or more industrial activities, so that they are strategically located and thoughtfully designed to serve the overall community or region, but not at the expense of the immediate neighbors. Types of uses in D IN areas include non-hazardous manufacturing, distribution centers and mixed business parks containing compatible industrial and non-industrial uses. Uses that support the main activity and contribute to the vitality of the D IN are also found.

**Proposed Land Use Policy**

The applicant requests the policy to be changed to District Impact (D I). D I policy is intended to create and enhance areas that are dominated by one or more activities that have, or can have, a significant, adverse impact on the surrounding area, so that they are strategically located and thoughtfully designed to serve the overall community or region, but not at the expense of the immediate neighbors.

**Recommended Policy**

Staff recommends approval of the following Special Policy language to accompany the area to be mapped in the Bordeaux-Whites Creek Community Plan:

- *The parcels at 1311 and 1325 Vashti Street are located within the District Industrial Policy but are also included in a special policy to allow all uses envisioned in the District Industrial Policy and concrete batch plant:*



## Metro Planning Commission Meeting of 01/22/2015

- *The Design Principles of the District Industrial policy category are followed for uses envisioned within the District Industrial policy.*
  - **Access** – Vehicular access is from major arterials and freeways. Larger thoroughfares provide access on the outer areas of the D Industrial District while private, local access and service streets provide access to buildings internal to the D Industrial District. Some uses may require limited and controlled access points for safety. Access points are consolidated and coordinated with strategic access points across all fronting streets.
  - **Block Length** – Varies and is designed to promote the operation of the uses that exist within the D Industrial District.
  - **Building Form (Mass, Orientation, Placement)** – The building form in terms of mass, orientation, and placement of buildings is based on the building type and location, with special consideration given to the D Industrial District’s surrounding Transect and Community Character Policy Areas; the mass, orientation, and placement of surrounding buildings; and the role of the building in transitioning from the D Industrial District into the surrounding neighborhood or adjacent Community Character Policy Areas. Buildings are oriented with the main entrances facing the street. Building heights are low-rise, with tall single story buildings being predominant. The setbacks vary throughout. For industrial areas that involve large campus-style sites, the layout of development, setbacks, and building orientation are established in a site plan.
  - **Connectivity (Pedestrian/Bicycle)** – Pedestrian connectivity is high and is provided in the form of sidewalks, walkways and crosswalks. Walkways for pedestrians are provided from large parking areas to buildings. Crosswalks are provided at intersections and vehicular access points and are clearly marked.
  - **Connectivity (Vehicular)** – Vehicular connectivity to surrounding neighborhoods and corridors is low to moderate and avoids truck traffic on local streets and all residential streets outside the D Industrial Area. D Industrial Areas are generally located along or near arterial streets. Connectivity within the D Industrial Area is provided through coordinated access and circulation, which may include the construction of new streets.
  - **Density/Intensity** – Residential uses in D Industrial Areas, if present, are highly specialized and their density will vary widely. Intensity of nonresidential development is generally moderate. In all cases, the density and intensity and their appropriate form are established through the Community Planning process Detailed Design Plan process, to be in keeping with the goals and objectives of the Community Plan.
  - **Landscaping** – Landscaping is generally formal. Street trees and other plantings are appropriate. In surface parking lots, landscaping in the form of trees, bushes, and other plantings is provided. Consideration is given to the use of native plants and natural rainwater collection to minimize maintenance costs and burden on infrastructure. Landscaping is used to screen ground utilities, meter boxes, heating and cooling units, refuse storage, and other building systems that would be visible from public streets. Fencing and walls that are along or are visible from the right-of-way are constructed from materials that manage property access and security while complementing the surrounding environment and furthering Community Character Manual and Community Plan urban design objectives. Generous and dense landscape buffers are utilized to aid in creating a transition between the D Industrial District and adjacent non-Industrial Community Character Policies.
  - **Lighting** – Lighting is provided to enhance the operation of the D Industrial District. Lighting is used for safety at buildings, safety in vehicular and pedestrian travel.



## Metro Planning Commission Meeting of 01/22/2015

Street lighting is integral to the streetscape; spacing and location of lighting is considered in relation to street trees and plantings. Lighting is projected downward. Lighting is designed to enhance the character of the D Industrial District, does not intrude onto adjacent residential uses or neighborhoods, and does not contribute to light pollution.

- **Parking** – Parking is designed to minimize visibility and/or the appearance of vast contiguous areas of parking. There are no more than 2 rows of parking between the building and the street with the remainder of the parking behind or beside the building. The perimeters of parking lots are heavily landscaped to screen parking from view of the street. On-street parking is limited to delivery vehicles. Off-street parking is preferred to minimize moving truck/train conflicts with parked vehicles. Shared parking is appropriate for neighboring businesses.
  - **Service Area** – Not applicable in this policy category.
  - **Signage** – Signage alerts motorists, pedestrians and cyclists to their location and assists them in finding their destination in a manner that is not distracting or overwhelming to the streetscape. The design and location of signage complements and contributes to the envisioned character of the D Industrial District. A consistent, appropriately-themed wayfinding and signage program is encouraged. Signage is generally scaled for vehicles and building mounted signs, projecting signs, awning signs and monument signs are appropriate. Any lighting on signage is minimal and complies with the lighting design principles above.
- *Concrete batch plant shall follow the Design Principles of the District Industrial policy category plus provide vegetative buffers to screen and separate the medium to heavy manufacturing uses from all surrounding properties.*

### BACKGROUND

Case 2015SP-012-001, the companion to this case, is a zone change from IWD district to SP-IND district, for the site. The requested SP district is proposed to permit the development of a concrete batch plant. The applicant wishes to relocate their current operation from 605 Cowan Street, to the Vashti location. The properties in question are two of three owned by the applicant in the area. Additional uses in the area include a number of food processing facilities, a scrap metal purchaser, and single family residences.

The adjacent neighborhood to the north, Katie Hill, has seen an increase in residential infill development in the past year due to its close proximity to and views of Downtown, and is in T4 Urban Neighborhood Evolving Policy.

While the area is in a District Industrial area, there are significant areas of Conservation Policy as well. This area was impacted during the 2010 flood.

### COMMUNITY PARTICIPATION

A community meeting was held by the Planning Department on January 5, 2015, at 605 Cowan Street. It was attended by twenty-three people from the surrounding neighborhood, in addition to a number of members of the Nashville Ready Mix staff. Several of those in attendance expressed concerns with the development, and possible associated pollution, additional traffic from large trucks, noise, and obstructed views from homes in the adjacent neighborhood (Katie Hill). Attendees also expressed concerns with the current quality of the site, used as storage and support to the batch plant on Cowan Street.



## **Metro Planning Commission Meeting of 01/22/2015**

Representatives of the applicant described the new facility as a cleaner version, using new technology to address issues of pollution, as well as the strict federal and state guidelines the operation must follow. The proposed SP would provide more guidance on the design of the facility.

During the meeting, it was suggested that the proposed vegetation buffers around the site be increased, and additional site work be completed around a third property, located at 1326 Baptist World Center Drive, which is not included in the policy amendment or rezoning, but it owned by the applicant. Neighbors also asked how tall the batch plant needed to be to function; the applicant agreed to investigate the lowest height they would needed to operate at acceptable levels. Representatives of the applicant stated that they would reach out to the property owners that are particularly concerned about pollution, those working with produce, to discuss their concerns.

Staff has received several letters from property owners in the area in opposition to the development since the meeting.

### **ANALYSIS**

The properties, totaling 6.94 acres, are adjacent to the Cumberland River, north of Interstate 65/24, and south of Baptist World Center Drive. The properties are currently located within a larger area of properties located within the District Industrial policy and zoned IWD (Industrial Warehousing and Distribution). As was noted previously, uses in the area include a number of food processing facilities, a scrap metal purchaser, and existing non-conforming single family residences (zoned IWD, but used as residential).

The site is used as an industrial site today, to store cement trucks and parts and perform maintenance on the trucks. Additionally, the existing batch plant is located less than a mile to the south and trucks from that plant travel this stretch of road. Traffic patterns due to the relocation of the batch plant to this location will be consistent with current levels of traffic and also what is currently allowable with new development under the existing entitlements of the D IN policy and the IWD zoning.

### **STAFF RECOMMENDATION**

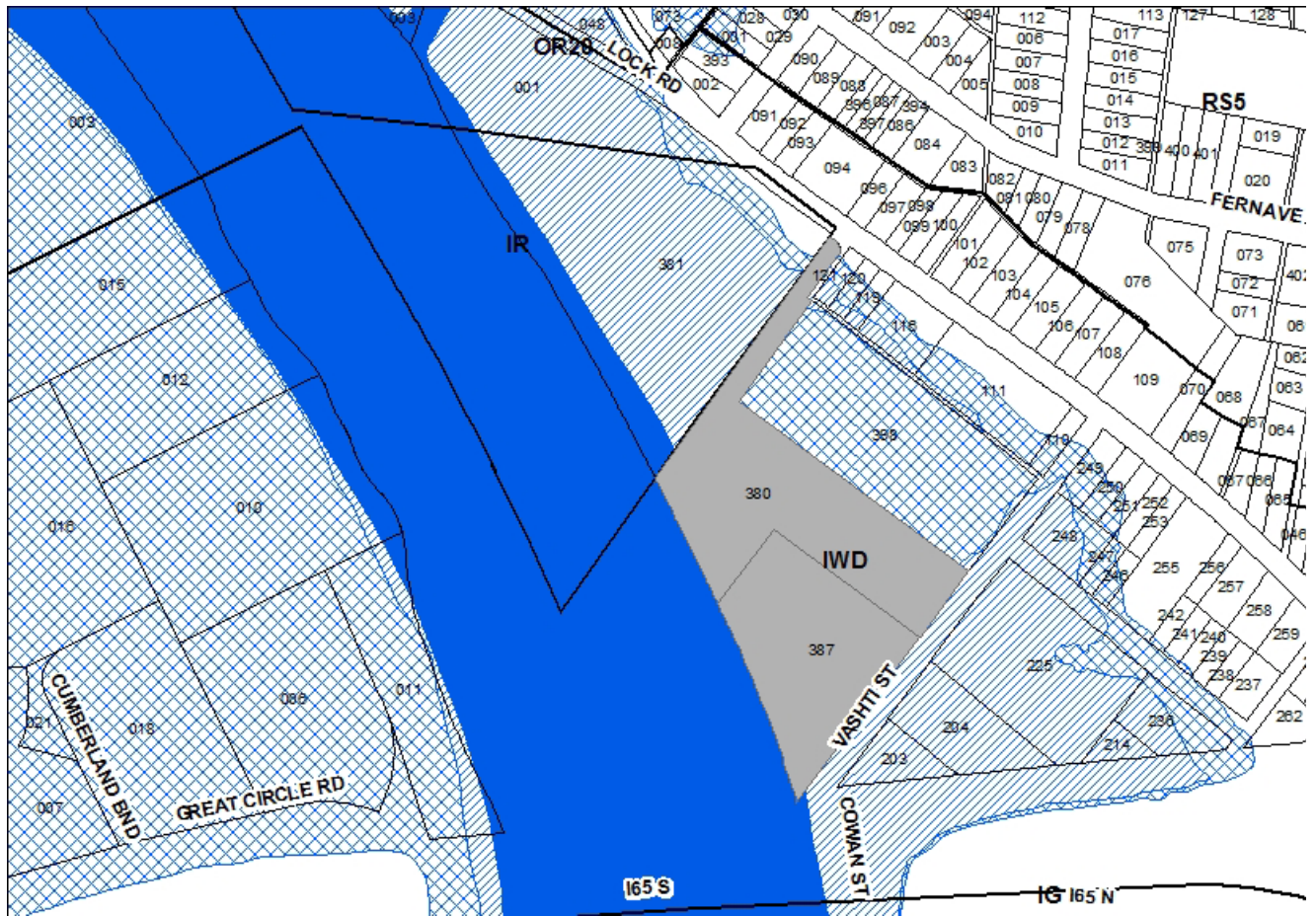
Staff recommends amending the existing District Industrial policy for the properties to include a special policy for the area as noted above finding that the operational characteristics of medium – heavy manufacturing uses are not a deviation from what is currently anticipated in the District Industrial Policy, and visual and noise impacts can be mitigated with increased landscaping buffers to increase the aesthetic qualities of the site and provide additional protection for the surrounding properties.



**SEE NEXT PAGE**



# Metro Planning Commission Meeting of 01/22/2015



**2015SP-012-001**

NASHVILLE READY MIX VASHTI STREET OPERATION

Map 071-14, Parcel(s) 380, 387

03, Bordeaux - Whites Creek

02 (Frank R. Harrison)





<b>Project No.</b>	<b>2015SP-012-001</b>
<b>Project Name</b>	<b>Nashville Ready Mix Vashti Street Operation</b>
<b>Associate Case</b>	2015CP-003-001
<b>Council District</b>	2 –Harrison
<b>School District</b>	1 – Gentry
<b>Requested by</b>	Gresham Smith & Partners, applicant; Steve Meadows, owner.
<b>Staff Reviewer</b>	Nalbantyan
<b>Staff Recommendation</b>	<i>Approve with conditions and disapprove without all conditions, subject to approval of the policy amendment.</i>

**APPLICANT REQUEST**

**Preliminary SP to permit a concrete batch plant.**

Preliminary SP

A request to rezone from Industrial Warehousing/Distribution (IWD) to Specific Plan-Industrial (SP-I) 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 Community Plan Amendment Case No. 2015CP-003-001).

**Existing Zoning**

Industrial Warehousing/Distribution (IWD) is intended for a wide range of warehousing, wholesaling, and bulk distribution uses.

**Proposed Zoning**

Specific Plan-Industrial (SP-I) 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 industrial uses.

**BORDEAUX-WHITES CREEK COMMUNITY PLAN**

**Current Policy**

District Industrial (D IN) policy is intended to preserve, enhance, and create Industrial Districts in appropriate locations. The policy creates and enhances areas that are dominated by one or more industrial activities, so that they are strategically located and thoughtfully designed to serve the overall community or region, but not at the expense of the immediate neighbors. Types of uses in D IN areas include non-hazardous manufacturing, distribution centers and mixed business parks containing compatible industrial and non-industrial uses. Uses that support the main activity and contribute to the vitality of the D IN are also found.

**Proposed Policy**

District Impact (D I) policy is intended to create and enhance areas that are dominated by one or more activities that have, or can have, a significant, adverse impact on the surrounding area, so that they are strategically located and thoughtfully designed to serve the overall community or region, but not at the expense of the immediate neighbors.



# Metro Planning Commission Meeting of 01/22/2015



**Proposed Site Plan**



## Metro Planning Commission Meeting of 01/22/2015

### **DRAFT Preferred Future Policy**

No changes are proposed.

#### Consistent with Policy?

The proposed SP is not consistent with the existing policy. A community plan amendment (2015CP-003-001) has been requested to amend the *Bordeaux-Whites Creek Community Plan* by amending the current Community Character policy of District Industrial (D IN) to District Impact (D I).

Staff recommends amending the existing District Industrial policy for the subject properties to include a special policy for the area in place of amending the policy to District Impact, which would prevent the allowance of future industrial uses not consistent with District Industrial policy. With approval of the special policy, the SP is consistent with policy.

### **PLAN DETAILS**

The approximately 7.03 acre site is located at 1311 and 1325 Vashti Street just east of the Cumberland River, consisting of two parcels that front onto Vashti Street. Part of the site is located within the 100-year floodplain and the remaining part is located within the 500-year floodplain. The site is currently vacant except that it is used for the storage of industrial equipment and trucks for the existing Nashville Ready Mix operation at 1326 Baptist World Center Drive, directly north of the subject property.

The plan proposes the development of a concrete batch plant, which is classified as a heavy manufacturing use, allowed only within the Industrial General (IG) district. The plant would include a silo that is proposed to reach a height of 85 feet and would have a support office on the site.

There would be two access drives from Vashti Street. Parking would be provided to meet the requirements for a heavy industrial use (one space per 1,500 square feet).

The applicant has proposed to buffer the site with a Type B-1 landscape buffer yard. This type of buffer is 20 feet in width and includes 3.5 canopy trees, 1.4 understory, and 14 shrubs. To comply with policy and separate a more heavy manufacturing use from the surrounding area, staff recommends increasing the buffer to a Type D-5 buffer, which would be 15 feet in width and include an 8' masonry wall, 4 canopy trees, 3 understory trees and 15 shrubs. Staff also recommends expanding the buffer along the portion of the site that extends up to Baptist World Center Drive.

### **ANALYSIS**

The proposed SP is for an industrially zoned site, but allows for a specific heavy manufacturing uses. Truck traffic is already an allowed activity in the area based on the existing zoning, however, a concrete batch plant is not permitted in the IWD zoning district. Because of the limited change between what is currently allowed and what would be allowed with this SP, staff finds that the SP provides a better development by improving the aesthetics and increasing the separation between this use and surrounding uses with the landscape buffer, subject to the approval of the special policy.



## **Metro Planning Commission Meeting of 01/22/2015**

Staff also recommends a condition that hours of operation generally be limited to between 6:00 am and 5:00 pm, Monday through Friday, and 6:00 am to 12:00 pm on Saturdays, with few exceptions, in order to protect the surrounding neighborhood from undesirable noise and disturbances at irregular hours.

### **FIRE MARSHAL RECOMMENDATION**

**N/A**

### **STORMWATER RECOMMENDATION**

**Approved**

Preliminary SP approved

### **PUBLIC WORKS RECOMMENDATION**

**No exceptions taken**

- 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.

### **TRAFFIC AND PARKING RECOMMENDATION**

**No exceptions taken**

No traffic table due to similar uses. This request is not expected to generate a significant difference in traffic.

### **METRO WATER RECOMMENDATION**

**Approved as a Preliminary SP only.**

### **STAFF RECOMMENDATION**

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

### **CONDITIONS**

1. Replace all B-1 buffer yards with Type D-5 buffer yards and extend the D-5 buffer yard north to Baptist World Center Drive, along the western property line. The plantings shall be placed between the 8' masonry wall and the western and eastern property lines, to buffer Vashti Street and adjacent properties under different ownership.
2. Operating hours are limited to 6:00 am- 5:00 pm, Monday through Friday, and 6:00 am to 12:00 pm on Saturdays. These hours of operation may only be exceeded when there is a large scale construction projection that requires a nighttime pour and the Zoning Administrator and Planning Department have been notified of that project. When that occurs, the contractor is required to comply with all applicable restrictions imposed by the City and the contractor/applicant shall limit the noise levels below 70 dcb, measured at the nearest residentially used property.
3. Signage shall be limited to one monument sign with a maximum size of 64 square feet of signage and a maximum height of 10 feet.
4. All lighting shall be projected downward and shall not project onto adjacent properties.
5. Total height, including the silo and required air pollution control device, is limited to 73 feet.
6. Permitted are all uses under IWD zoning and concrete batch plant.



## Metro Planning Commission Meeting of 01/22/2015

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. 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 IWD zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
9. 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.
10. 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.



**SEE NEXT PAGE**



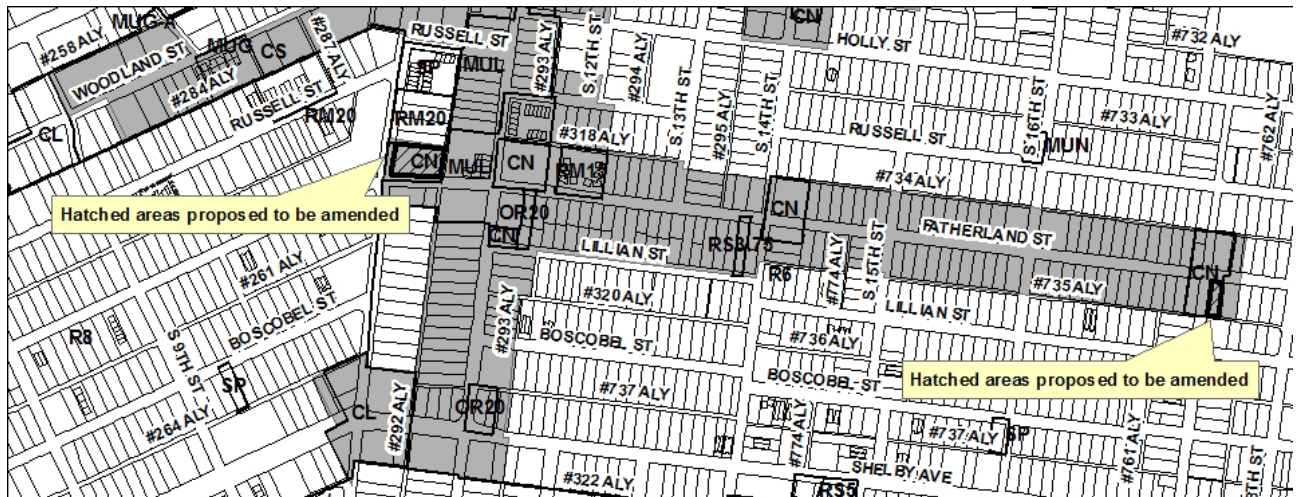
## **RECOMMENDATIONS TO METRO COUNCIL**

- **Text Amendment**
- **Specific Plans**
- **Zone Changes**





# Metro Planning Commission Meeting of 01/22/2015



**2014M-005OT-001**

**FIVE POINTS REDEVELOPMENT DISTRICT (AMENDMENT # 3)**

Map Various, Parcel(s) Various

5, East Nashville

6 (Peter Westerholm)





**Project No.** 2014M-005OT-001  
**Project Name** Five Points Redevelopment District  
**Amendment**  
**Associated Cases** 2014Z-065PR-001 & 2014Z-066PR-001  
**Council Bill** BL2014-948  
**Council District** 6 – Westerholm  
**School District** 5 – Kim  
**Requested by** MDHA, applicant.

**Staff Reviewer** Swaggart  
**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



## Metro Planning Commission Meeting of 01/22/2015

08309017400	102 S 12TH ST	MUL
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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 all seven properties. The major difference between the two different redevelopment district policies is that the Mixed-Use redevelopment district policy permits bed and breakfast.

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

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### **PLANNING DEPARTMENT RECOMMENDATION:**

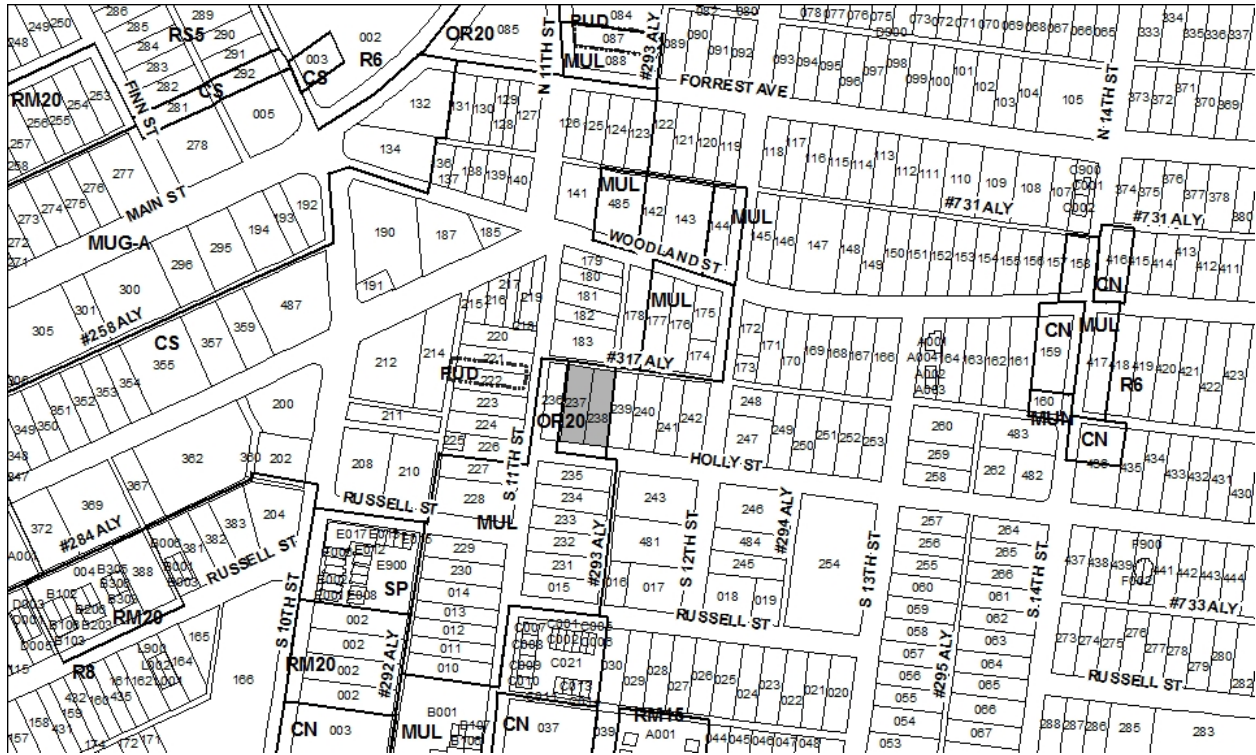
Staff recommends approval.



**SEE NEXT PAGE**



# Metro Planning Commission Meeting of 01/22/2015



**2014Z-065PR-001 ~ BL2014-949**

Map 083-09, Parcel(s) 237-238

05, East Nashville

06 (Peter Westerholm)



<b>Project No.</b>	<b>Zone Change 2014Z-065PR-001</b>
<b>Council Bill No.</b>	<b>BL2014-949</b>
<b>Associated Case(s)</b>	2014Z-066PR-001 & 2014M-005OT-001
<b>Council District</b>	6 – Westerholm
<b>School District</b>	5 – Kim
<b>Requested by</b>	Councilmember Peter Westerholm, applicant; Ashley Dugger, Casey Kilmer and Carmen Primrose.
<b>Staff Reviewer</b>	Swaggart
<b>Staff Recommendation</b>	<i>Approve.</i>

**APPLICANT REQUEST**

**Zone change from OR20 to R6.**

Zone Change

A request to rezone from Office/Residential (OR20) to One and Two-Family Residential (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).

**Existing Zoning**

Office/Residential (OR20) is intended for office and/or multi-family residential units at up to 20 dwelling units per acre. *OR20 would permit a maximum of seven residential units.*

**Proposed 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 two lots with two duplex lots for a total of four units.*

**FIVE POINTS REDEVELOPMEN DISTRICT**

The subject properties are within the Five Points 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 adopted 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.

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 allowed 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.



## **Metro Planning Commission Meeting of 01/22/2015**

The redevelopment district consists of standards that guide future development. The subject properties are classified as residential under the Five Points Redevelopment District. The proposed R6 zoning district is consistent with the redevelopment district.

### **CRITICAL PLANNING GOALS**

N/A

### **EAST NASHVILLE COMMUNITY PLAN**

#### **Current Policy**

Urban Neighborhood Maintenance (T4 NM) 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

#### Consistent with Policy?

Yes. The proposed R6 zoning district is consistent with the T4 NM land use policy.

### **FIRE MARSHAL'S OFFICE RECOMMENDATION**

N/A

### **PUBLIC WORKS RECOMMENDATION**

N/A

### **STORMWATER RECOMMENDATION**

**Ignore**

### **STAFF RECOMMENDATION**

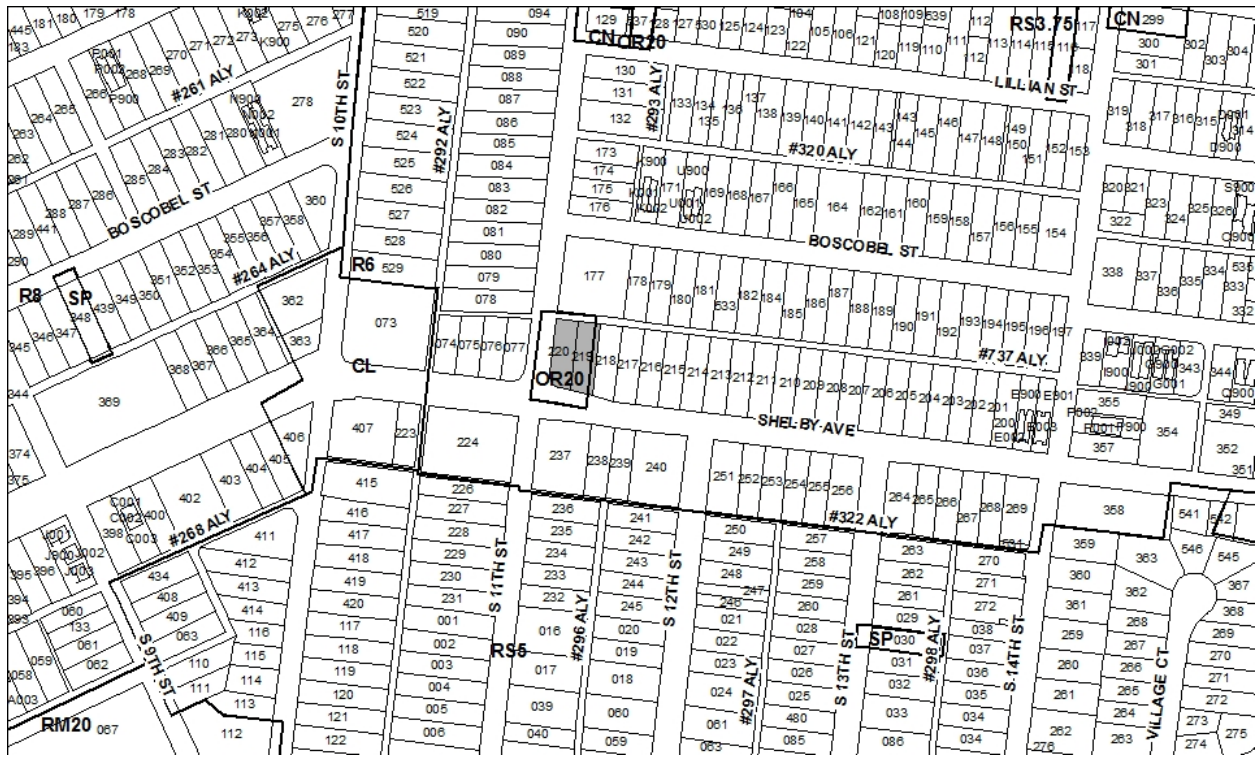
Staff recommends approval since the request is consistent with the Community Plan's land use policy.



**SEE NEXT PAGE**



# Metro Planning Commission Meeting of 01/22/2015



**2014Z-066PR-001 ~ BL2014-950**

Map 083-13, Parcel(s) 219-220

05, East Nashville

06 (Peter Westerholm)





<b>Project No.</b>	<b>Zone Change 2014Z-066PR-001</b>
<b>Council Bill No.</b>	<b>BL2014-950</b>
<b>Associated Case(s)</b>	2014Z-065PR-001 & 2014M-005OT-001
<b>Council District</b>	6 – Westerholm
<b>School District</b>	5 – Kim
<b>Requested by</b>	Councilmember Peter Westerholm, applicant; Debbie and Patrick Ranney, Dean Hinton and Sheetal Jhaveri, owners.
<b>Staff Reviewer</b>	Swaggart
<b>Staff Recommendation</b>	Approve.

**APPLICANT REQUEST**

**Zone change from OR20 to R6.**

Zone Change

A request to rezone from Office and Residential (OR20) to One and Two-Family Residential (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).

**Existing Zoning**

Office/Residential (OR20) is intended for office and/or multi-family residential units at up to 20 dwelling units per acre. *OR20 would permit a maximum of seven residential units.*

**Proposed 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 two lots with two duplex lots for a total of four units.*

**FIVE POINTS REDEVELOPMEN DISTRICT**

The subject properties are within the Five Points 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 adopted 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.

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 allowed 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.



## Metro Planning Commission Meeting of 01/22/2015

The redevelopment district consists of standards that guide future development. The subject properties are classified as residential under the Five Points Redevelopment District. The proposed R6 zoning district is consistent with the redevelopment district.

### **CRITICAL PLANNING GOALS**

N/A

### **EAST NASHVILLE COMMUNITY PLAN**

#### **Current Policy**

Urban Neighborhood Center (T4 NC) is intended to preserve, enhance, and create urban neighborhood centers 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 Neighborhood Centers are pedestrian friendly areas generally located at intersections of urban streets that contain commercial, mixed use, civic and public benefit land uses, with residential only present in mixed use buildings. T4 Urban Neighborhood Centers serve urban neighborhoods within a 5 minute walk.

#### **DRAFT Preferred Future Policy**

Urban Neighborhood Maintenance (T4 NM) 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.

#### Consistent with Policy?

Yes. The proposed R6 zoning district is supported within the T4 NC land use policy. It is also consistent with the draft preferred future policy.

### **FIRE MARSHAL'S OFFICE RECOMMENDATION**

N/A

### **PUBLIC WORKS RECOMMENDATION**

N/A

### **STORMWATER RECOMMENDATION**

**Ignore**

### **STAFF RECOMMENDATION**

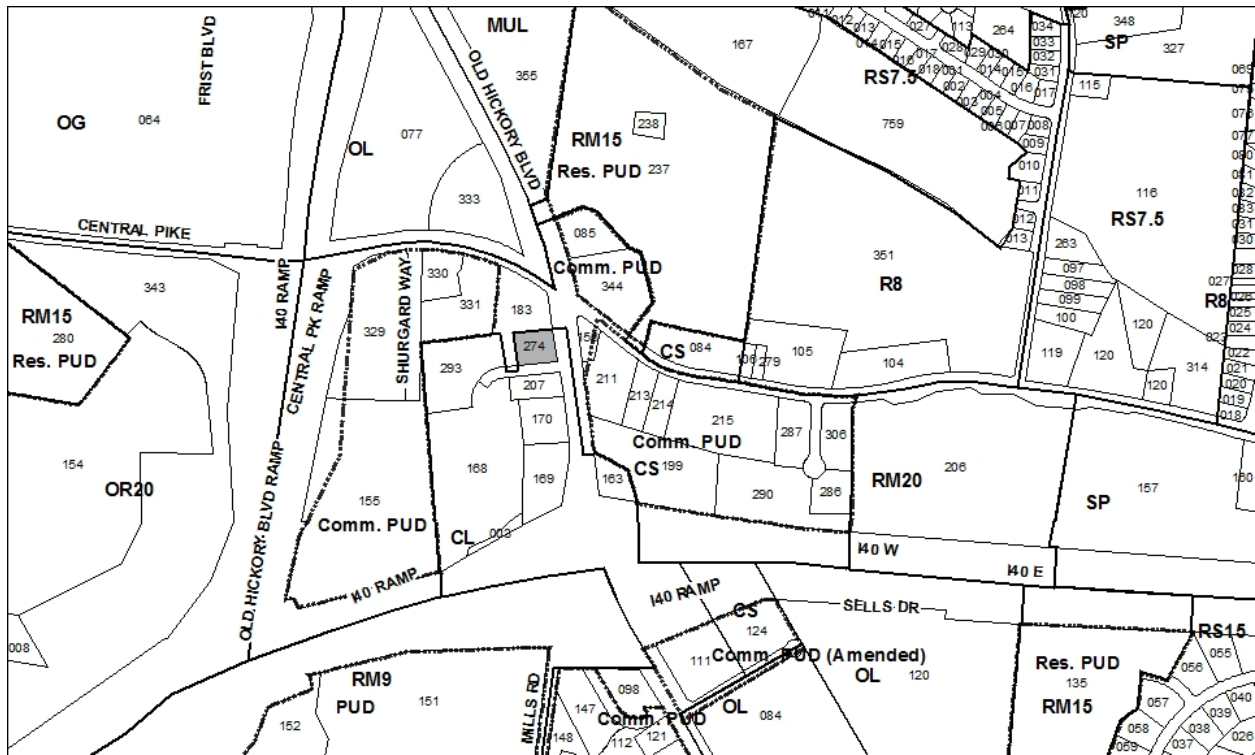
Staff recommends approval since the request is consistent with the Community Plan's land use policy.



**SEE NEXT PAGE**



# Metro Planning Commission Meeting of 01/22/2015



**2015Z-001PR-001**

Map 086, Parcel(s) 274

14, Donelson - Hermitage

14 (James Bruce Stanley)



<b>Project No.</b>	<b>Zone Change 2015Z-001PR--001</b>
<b>Council District</b>	14 – Stanley
<b>School District</b>	4 – Shepherd
<b>Requested by</b>	Jarvis Sign Company, applicant; Charles A. Kotlaris, owner.
<b>Staff Reviewer</b>	Milligan
<b>Staff Recommendation</b>	<i>Approve.</i>

**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**

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

**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.



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### **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**

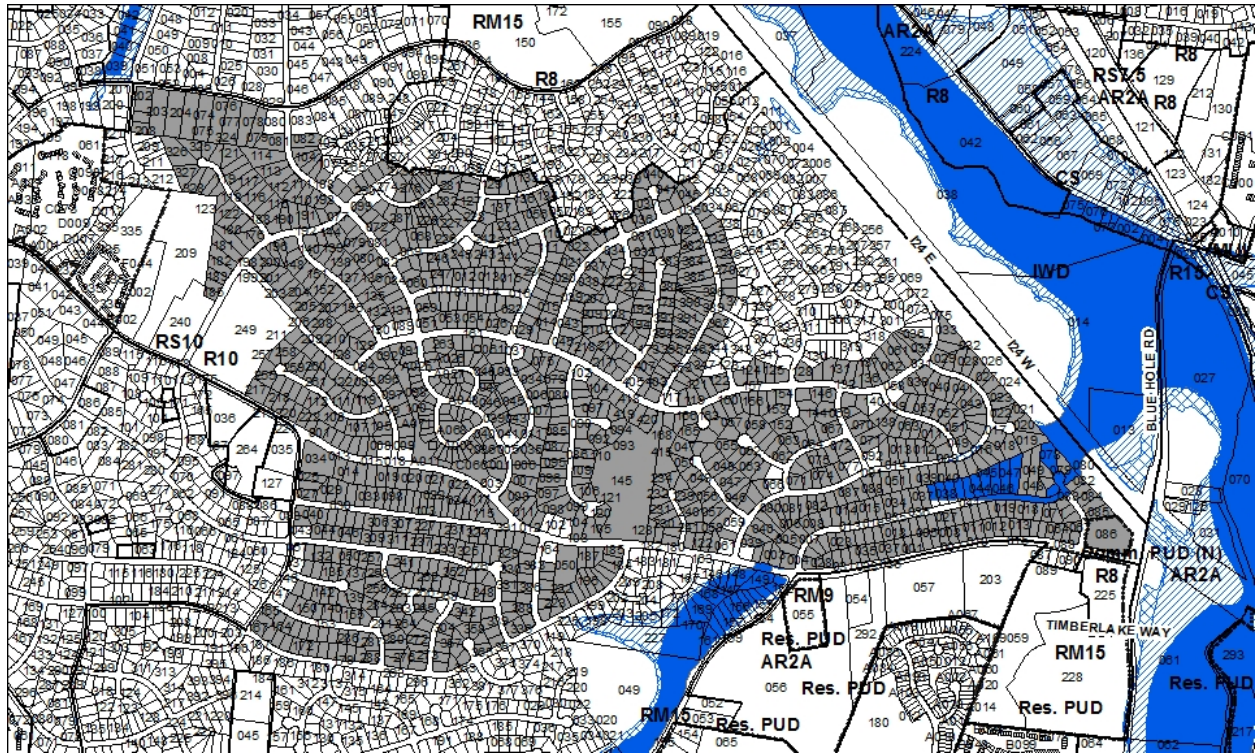
Staff recommends approval since the request is consistent with T3 Suburban Community Center Policy and because the property is located near a prominent intersection and surrounded by commercial uses.



**SEE NEXT PAGE**



# Metro Planning Commission Meeting of 01/22/2015



**2015Z-002PR-001**

Map Various, Parcels Various

12, Southeast

30 (Jason Potts)





**Project No.** 2015Z-002PR-001  
**Council Bill** BL2015-1002  
**Council District** 30 - Potts  
**School District** 2 - Brannon  
**Requested by** Councilmember Jason Potts, applicant; various property owners.

**Staff Reviewer** Milligan  
**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**

Single-Family Residential (RS10) 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**

Suburban Neighborhood Maintenance (T3 NM) 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.



## Metro Planning Commission Meeting of 01/22/2015

Conservation (CO) 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**

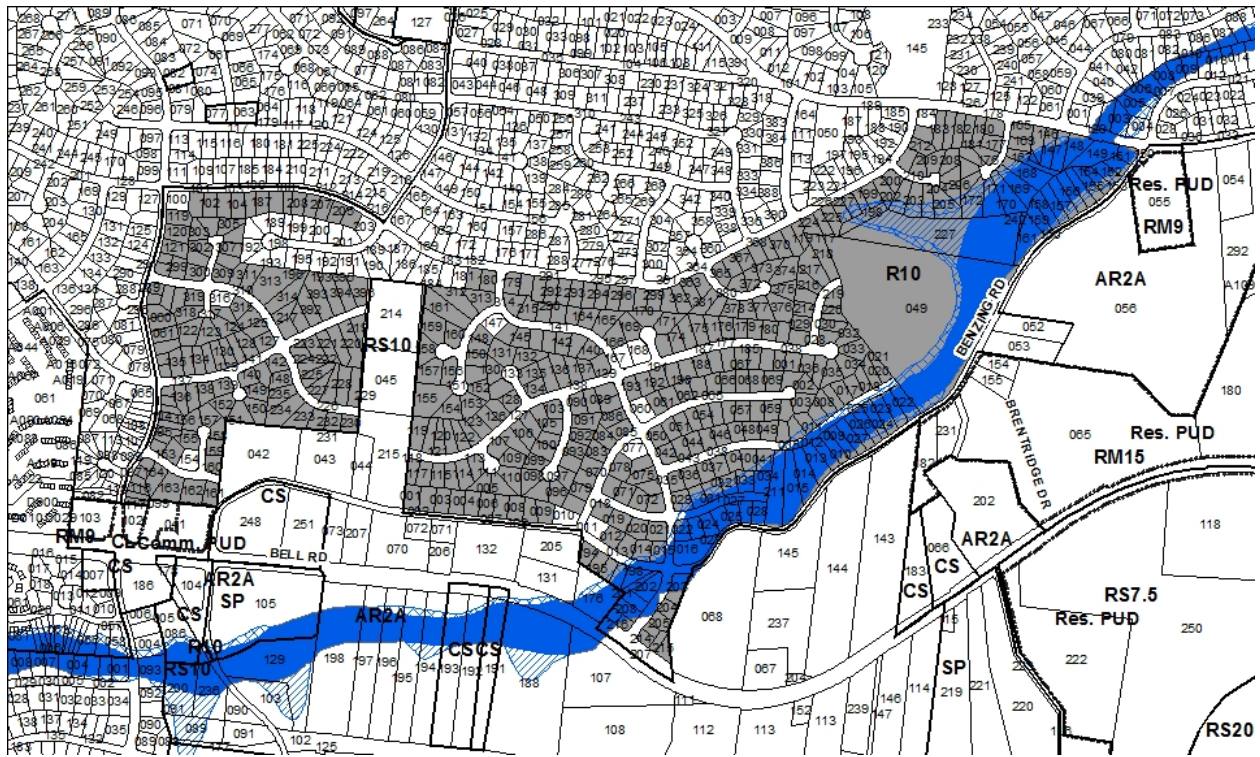
Staff recommends approval.



**SEE NEXT PAGE**



# Metro Planning Commission Meeting of 01/22/2015



**2015Z-003PR-001**

Map Various, Parcels Various

12, Southeast

31 (Fabian Bedne)



**Project No.** 2015Z-003PR-001  
**Council Bill** BL2015-1004  
**Council District** 31 - Bedne  
**School District** 2 - Brannon  
**Requested by** Councilmember Fabian Bedne, applicant; various property owners.

**Staff Reviewer** Milligan  
**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**

Single-Family Residential (RS10) 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**

Suburban Neighborhood Maintenance (T3 NM) 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.

Suburban Neighborhood Evolving (T3NE) 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



## Metro Planning Commission Meeting of 01/22/2015

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.

Conservation (CO) 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.

### **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.

### **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.

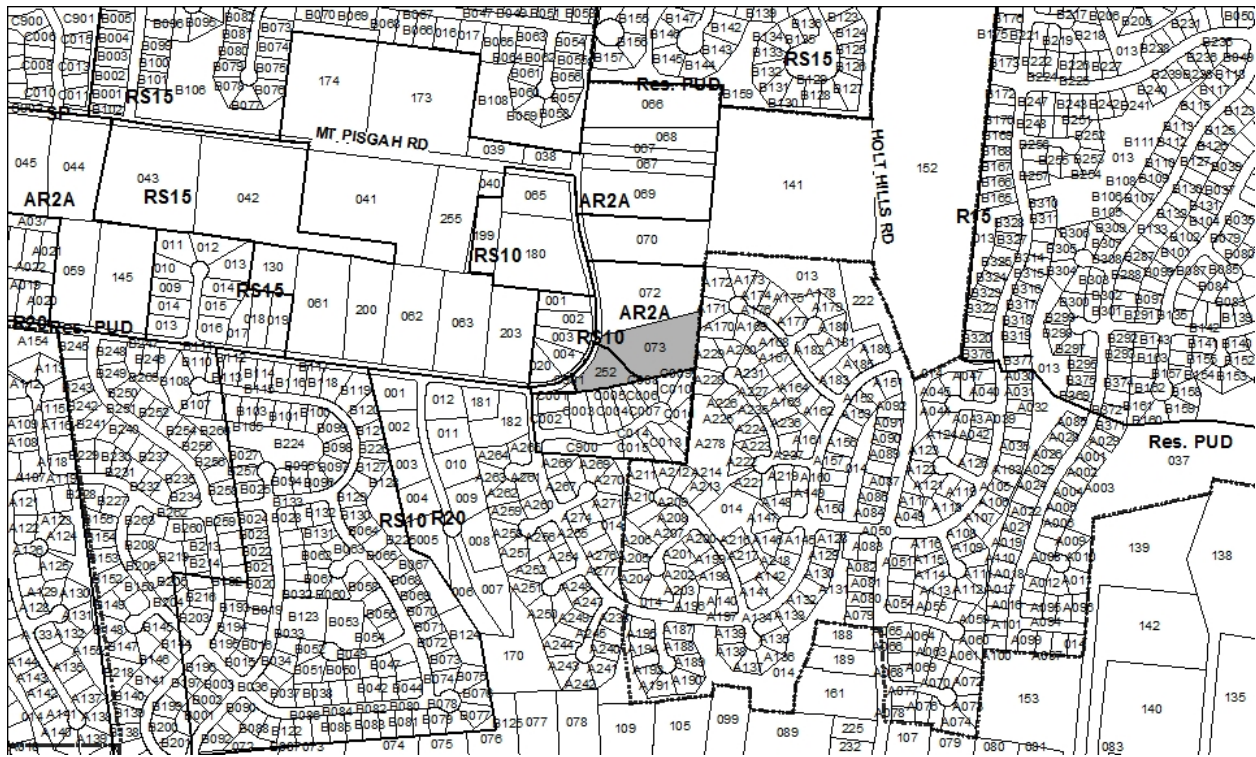


## **PLANNING COMMISSION ACTIONS**

- **Subdivision (Final)**



# Metro Planning Commission Meeting of 01/22/2015



**2015S-002-001**

**CHAPMAN'S RETREAT**

Map 172, Parcel(s) 252

12, Southeast

04 (Brady Banks)





<b>Project No.</b>	<b>2015S-002-001</b>
<b>Project Name</b>	<b>Chapman’s Retreat</b>
<b>Council District</b>	4 – Banks
<b>School District</b>	2 – Brannon
<b>Requested by</b>	Advantage Land Surveying, applicant; Thomas & Kristina Chapman and Mt. Pisgah United Methodist Church, owners.
<b>Staff Reviewer</b>	Sajid
<b>Staff Recommendation</b>	<i>Approve with conditions.</i>

**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**

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

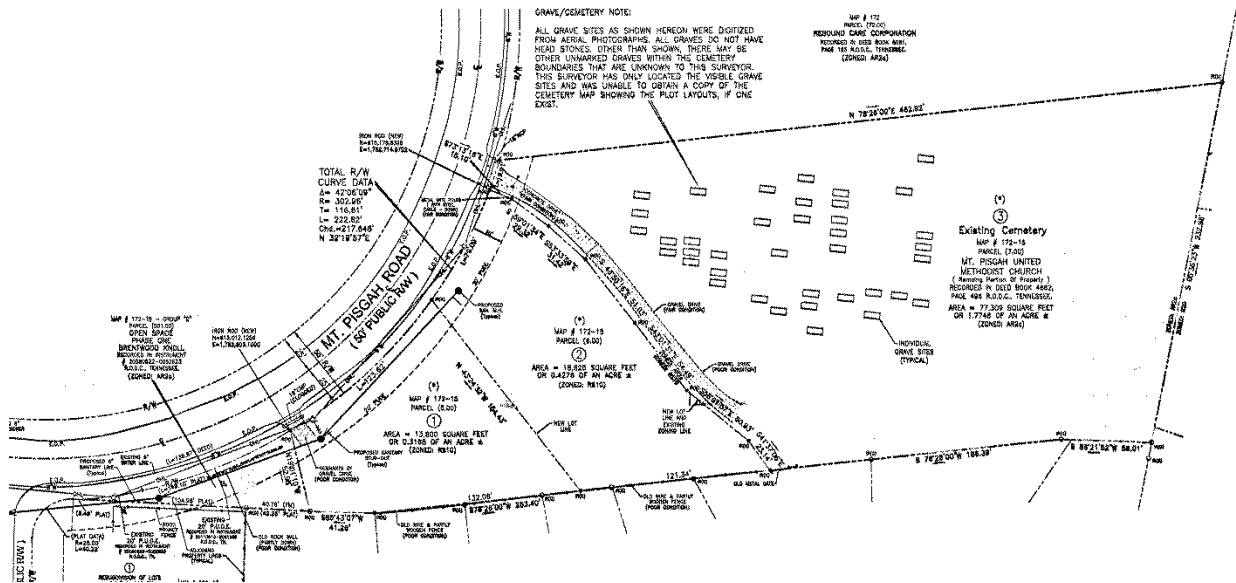
The proposed subdivision creates infill housing opportunity in an area that is served by existing infrastructure.

**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



# Metro Planning Commission Meeting of 01/22/2015



**Proposed Subdivision**



## Metro Planning Commission Meeting of 01/22/2015

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:

#### Zoning 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



## Metro Planning Commission Meeting of 01/22/2015

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.

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

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.

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

3. 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



## **Metro Planning Commission Meeting of 01/22/2015**

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."