



# METROPOLITAN PLANNING COMMISSION MINUTES

**Thursday, June 25, 2015**

**4:00 pm Regular Meeting**

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

## **MISSION STATEMENT**

The Planning Commission guides growth and development as Nashville and Davidson County evolve into a more socially, economically and environmentally sustainable community, with a commitment to preservation of important assets, efficient use of public infrastructure, distinctive and diverse neighborhood character, free and open civic life, and choices in housing and transportation.

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

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

Commissioners Absent: Greg Adkins, Derrick Dalton, Hunter Gee

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

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

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## Notice to Public

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**Please remember to turn off your cell phones.**

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

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

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

### Writing to the Commission

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

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

### Speaking to the Commission

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

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

### Legal Notice

**As information for our audience, if you are not satisfied with a decision made by the Planning Commission today, you may appeal the decision by petitioning for a writ of cert with the Davidson County Chancery or Circuit Court. Your appeal must be filed within 60 days of the date of the entry of the Planning Commission's decision. To ensure that your appeal is filed in a timely manner, and that all procedural requirements have been met, please be advised that you should contact independent legal counsel.**



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# MEETING AGENDA

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## A. CALL TO ORDER

The meeting was called to order at 4:05 p.m.

## B. ADOPTION OF AGENDA

Mr. Haynes moved and Mr. Clifton seconded the motion to adopt the agenda. (6-0)

## C. APPROVAL OF JUNE 11, 2015, MINUTES

Mr. Clifton moved and Ms. Blackshear seconded the motion to approve the June 11, 2015 minutes. (6-0)

## D. RECOGNITION OF COUNCILMEMBERS

Councilman Steine spoke in favor of Item 13.

Councilman Bedne spoke in favor of Item 17 as well as his items on consent.

Councilman Westerholm spoke in favor of Item 19, Item 21, Item 23, and Item 26.

Councilman Anthony Davis spoke in favor of Item 3, Item 15, and Item 23.

Council Lady Allen spoke in favor of Item 15 and Item 21.

Councilman Matthews spoke in favor of Item 4b, Item 13, Item 15, Item 17, and Item 25.

Council Lady Evans asked the commission to look carefully and take the necessary time needed on Item 4b and spoke in favor of Item 20.

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## E. ITEMS FOR DEFERRAL / WITHDRAWAL

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### 1. 2006SP-075-001

1329 7TH AVENUE NORTH

### 4a. 2015SP-060-001

BORDEAUX SP

### 5. 2015SP-061-001

HILLSHIRE GROVE

### 6. 2015SP-067-001

THE CROSSING AT DRAKES BRANCH

### 8a. 75-83P-003

ELYSIAN FIELDS

### 8b. 2015Z-064PR-001

### 9. 122-83P-001

THE WOODLANDS, PHASE 3

### 24. 2015Z-057PR-001

**39. 2015S-066-001**  
RIVERSIDE DRIVE, SECTION 2

Mr. Haynes moved and Ms. Blackshear seconded the motion to approve the Deferred and Withdrawn Items. (5-0-1)  
Ms. Blackshear recused herself from Item 5.

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**F. CONSENT AGENDA**

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

**2. 2014SP-025-001**  
1209 MONTGOMERY AVENUE

**7. 2015SP-080-001**  
6220 NOLENSVILLE PIKE SP

**10. 88P-068-001**  
NASHBORO PLACE PUD

**11. 2013NL-001-002**  
WADE SCHOOL (FINAL)

**12. 2014Z-006TX-003**

**13. 2015Z-009TX-001**

**14. 2015Z-010TX-001**

**16. 2015Z-012TX-001**

**22. 2015Z-055PR-001**

**25. 2015HL-001-001**  
BELLS BEND PARK HISTORIC LANDMARK OVERLAY

**26. 2015HL-002-001**  
SHELBY PARK AND THE US NAVAL RESERVE TRAINING CENTER HISTORIC LANDMARK

**27. 2015HL-003-001**  
CENTENNIAL PARK HISTORIC LANDMARK OVERLAY

**28. 2015HL-004-001**  
STONE HALL AND OUTBUILDINGS HISTORIC LANDMARK OVERLAY

**29. 2015HL-005-001**  
LOCK ONE ON THE CUMBERLAND RIVER HISTORIC LANDMARK OVERLAY

**30. 2015HL-006-001**  
LOCK TWO ON THE CUMBERLAND RIVER HISTORIC LANDMARK OVERLAY

**31. 2015HL-007-001**  
BUCHANAN STATION CEMETERY HISTORIC LANDMARK OVERLAY

- 32. 2015HL-008-001**  
KELLYTOWN ARCHAEOLOGICAL SITE HISTORIC LANDMARK OVERLAY
- 33. 2015HL-009-001**  
OMAN BUILDING HISTORIC LANDMARK OVERLAY
- 34. 2015HL-010-001**  
BANK STREET HISTORIC LANDMARK OVERLAY
- 35. 2015HL-011-001**  
WARNER PARK EXTENSION HISTORIC LANDMARK OVERLAY
- 36. 2015HL-012-001**  
BEN WEST LIBRARY BUILDING HISTORIC LANDMARK OVERLAY
- 37. 2015HL-013-001**  
BEN WEST MARKET HOUSE HISTORIC LANDMARK OVERLAY
- 38. 2015HL-014-001**  
MUNICIPAL AUDITORIUM HISTORIC LANDMARK OVERLAY
- 40. Employee contract renewals for Lisa Milligan, Jennifer Higgs, John Broome, David Kline, and Nicholas Lindeman**
- 42b. Selection of Greg Adkins as the Planning Commission representative on the Board of Parks and Recreation**
- 44. Accept the Director's Report and Approve Administrative Items**

Ms. LeQuire moved and Mr. Haynes seconded the motion to approve the Consent Agenda. (6-0)

Ms. Farr arrived at 4:51 p.m.

Mr. Haynes left the meeting at 5:00 p.m.

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## G. PREVIOUSLY DEFERRED ITEMS

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

### Specific Plans

#### 1. 2006SP-075-001

##### 1329 7TH AVENUE NORTH

Map 081-12, Parcel(s) 441

Council District 19 (Erica S. Gilmore)

Staff Reviewer: Latisha Birkeland

A request to amend an existing SP to permit four townhome units plus two live/work unit for a total of six units, where four detached units had previously been approved, approximately 174 feet north of Rosa Parks Blvd (0.18 acres), within the Germantown Historic Preservation Zoning Overlay District, requested by Barge Cauthen & Associates, applicant; Village People, LLC, owner.

**Staff Recommendation: Defer to the July 23, 2015, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2006SP-075-001 to the July 23, 2015, Planning Commission meeting. (6-0)**

#### 2. 2014SP-025-001

BL2014-806 \ S. Davis

##### 1209 MONTGOMERY AVENUE

Map 071-16, Parcel(s) 292

Council District 05 (Scott Davis)

Staff Reviewer: Jason Swaggart

A request to rezone from RS5 to SP-R zoning for property located at 1209 Montgomery Avenue, approximately 290 feet north of Richardson Avenue, (0.18 acres), to permit up to two dwelling units, requested by Dale & Associates, applicant; Regal Homes Co., owner.

**Staff Recommendation: Disapprove the SP plan and file a substitute ordinance.**

#### APPLICANT REQUEST

**Zone change from RS5 to SP-R.**

#### Zone Change

A request to rezone from Specific Plan – Residential (SP-R) to Specific Plan – Residential (SP-R) zoning for property located at 1209 Montgomery Avenue, approximately 290 feet north of Richardson Avenue, (0.18 acres), to permit up to two dwelling units on separate lots.

#### **Existing 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 a large area and permits detached accessory dwelling units in addition to single-family. Detached accessory dwelling units are considered accessory to the primary single-family residential use. The SP requires that the primary use be consistent with the RS5 zoning district.

#### **Proposed Zoning**

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

#### **HISTORY**

The Planning Commission recommended that Council disapprove this request at the May 22, 2014, Planning Commission meeting. Staff recommended disapproval because the units would require that parking be located within the front yard. The request passed first reading at Council on June 3, 2014. The request is now scheduled for the July 7, 2015, Council public hearing. Staff's recommendation has not changed. The plan has changed since it was originally presented to the Planning Commission. The plan now identifies two units on a single lot where the plan originally presented to the Commission included two units which were on individual lots. While the plan now calls for two units on a single-lot (two-family), the caption on the bill

conflicts with the plan. The caption in the bill indicates the original request, which was two units on separate lots. If Council is inclined to approve the proposed zoning, then the bill should be amended so that the caption matches the SP plan.

## **CRITICAL PLANNING GOALS**

N/A

## **EAST NASHVILLE COMMUNITY PLAN**

### **Current Policy**

#### **Structure Plan Policy**

Neighborhood General (NG) is intended to meet a spectrum of housing needs with a variety of housing that is carefully arranged, not randomly located. An Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

#### **Detailed Policy**

Single-Family Detached (SFD) is intended for single family housing that varies based on the size of the lot. Detached houses are single units on a single lot.

#### **Growth and Preservation Concept Map Policy**

Urban Neighborhood Maintenance (T4NM) is intended to preserve the general character of existing urban neighborhoods. 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. Enhancements may be made to improve pedestrian, bicycle and vehicular connectivity.

#### Consistent with Policy?

No. The existing and proposed future policy support additional density that creates a strong pedestrian realm. This includes but is not limited to rear loaded access and rear parking. The proposed SP is inconsistent with this intent of these policies because it proposes front loaded access and front parking that takes up most of the front yard.

## **PLAN DETAILS**

The site is approximately 0.18 (7,840 SF) acre in size. It is located on the east side of Montgomery Avenue the Cleveland Park neighborhood in East Nashville.

### Site Plan

The SP plan calls for two units on a single lot and (two-family residential) with parking in front of the units. The council bill provides the following requirements:

1. Front setbacks shall be consistent with Metro Code, Section 17.12.030, Street Setbacks.
2. Height shall be limited to two stories (29' at front setback and 35' maximum).
3. Building facades fronting a street shall provide a minimum of one principal entrance (doorway) and a minimum of 25% glazing.
4. Windows shall be vertically oriented at a ratio of 2:1 or greater.
5. Access shall be limited to one joint driveway for the two units.
6. Parking shall be located behind the principal structure.
7. No front loaded garages.
8. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

The conditions in the council bill conflict with the proposed plan. If the Planning Commission recommends disapproval, staff will file a substitute bill to remove the conditions. If the Planning Commission recommends approval with the staff recommended conditions, staff will file a substitute bill to include the additional conditions.

## **ANALYSIS**

Staff recommends disapproval. The proposed units would be accessed from Montgomery Avenue because there is no rear alley. While this condition may exist in the area, the applicant is asking for additional property rights. The existing and proposed future policy support additional density that creates a strong pedestrian realm. This includes, but is not limited to rear loaded access and rear parking. The proposed SP is inconsistent with this intent because it proposes front loaded access and front parking that takes up most of the front yard. While the Zoning Code would permit front parking under some circumstances, the applicant is requesting additional development rights; therefore, the proposed plan should be consistent with the policies. This could also set a bad precedent for future proposals eroding the intent of the policies.

If the Commission recommends that Council approve the proposed SP, then staff recommends that additional standards be required. These standards are intended to reduce the impact that the proposed development could have on the surrounding area and are as follows:

Additional standards:

- Porches shall provide a minimum of six feet of depth.
- A raised foundation of 18" - 36" is required for all residential structures.

**STORMWATER RECOMMENDATION**

**Approved with conditions**

- An infill site plan review will be required during the Building Permit review.

**PUBLIC WORKS RECOMMENDATION**

**Approved with conditions**

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- Add note indicating the access for these lots, prior to final SP.

\*A traffic table was not prepared because an additional unit would not significantly generate more traffic than the current zoning.

**WATER SERVICES RECOMMENDATION**

**Approved**

**METRO SCHOOL BOARD REPORT**

**The proposed SP would not generate any more students than what would be generated by the current RS5 district.**

Any students would attend Shwab Elementary School, Jere Baxter Middle School, and Maplewood High School. This information is based upon data from the school board last updated September 2012.

**STAFF RECOMMENDATION**

Staff recommends disapproval of the SP plan.

**CONDITIONS (if approved)**

1. Uses are limited to two-family residential.
2. Front setbacks shall be consistent with Metro Code, Section 17.12.030, Street Setbacks.
3. Height shall be limited to two stories (29' at front setback and 35' maximum).
4. Building facades fronting a street shall provide a minimum of one principal entrance (doorway) and a minimum of 25% glazing.
5. Windows shall be vertically oriented at a ratio of 2:1 or greater.
6. Access shall be limited to one joint driveway for the two units.
7. Front loaded garages are not permitted.
8. Porches shall provide a minimum of six feet of depth.
9. A raised foundation of 18" - 36" is required for all residential structures.
10. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval the property shall be subject to the standards, regulations and requirements of the RS3.75 zoning district as of the date of the applicable request or application.
11. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Disapprove the SP plan and file a substitute ordinance. (6-0), Consent Agenda

**Resolution No. RS2015-221**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2014SP-025-001 is **Disapproved and a substitute ordinance be filed. (6-0)**"

**3. 2015SP-053-001**

**PENNINGTON AVENUE SP**

Map 072-11, Parcel(s) 211-215  
Council District 07 (Anthony Davis)  
Staff Reviewer: Lisa Milligan

A request to rezone from R6 to SP-R zoning for properties located at 2305, 2309, 2313, 2317 and 2321 Pennington Avenue, approximately 152 feet south of Litton Ave, (0.86 acres), to permit up to 17 residential units, requested by Dale and Associates, applicant; D222, LLC, owners..

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



## **APPLICANT REQUEST**

**Preliminary SP to permit up to 17 dwelling units.**

### Preliminary SP

A request to rezone from One and Two-Family Residential (R6) to Specific Plan-Residential (SP-R) zoning for property located at 2305, 2309, 2313, 2317, and 2321 Pennington Avenue, approximately 152 feet south of Litton Avenue, (0.82 acres), to permit up to 17 residential units.

### **Existing Zoning**

One and Two-Family Residential (R6) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25 percent duplex lots. All lots are currently duplex eligible which would result in 10 units on 5 lots.

### **Proposed Zoning**

Specific Plan-Residential (SP-R) 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**

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

This proposal meets three critical planning goals. Development in areas with adequate infrastructure is more appropriate than development not served with adequate infrastructure such as roads, water and sewer, because it does not burden Metro with the cost of maintaining new infrastructure. The project will intensify development on an infill site. Sidewalks are being provided along Pennington Avenue to create a more pedestrian friendly and walkable area. Also, a range of housing options is being provided within the development to serve different types of residents.

## **EAST NASHVILLE COMMUNITY PLAN**

### **CCM Policy**

T4 Urban Neighborhood Maintenance (T4NM) is intended to preserve the general character of existing urban neighborhoods. 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. Enhancements may be made to improve pedestrian, bicycle and vehicular connectivity.

### Consistent with Policy?

Yes. The proposed SP is consistent with the T4 Urban Neighborhood Maintenance Policy. The plan is providing for additional housing options within an urban area, while maintaining the single-family detached character along the street. Pennington Avenue will be extended to Litton Avenue, completing a part of the street network which will improve connectivity for existing and future residents.

## **PLAN DETAILS**

The site is located at 2305, 2309, 2313, 2317, and 2321 Pennington Avenue, on the east side of Pennington Avenue. The site is approximately 0.86 acres in size. The property is currently vacant.

### Site Plan

The plan proposes up to 17 residential dwelling units, 9 detached units and 8 attached stacked units. The Pennington Avenue frontage will be fronted with 7 single-family detached units. The remaining 2 single-family detached units will face an interior courtyard. There are 8 stacked units that are configured to resemble attached duplexes, with 2 upstairs units and 2 downstairs units for a total of 4 units in each. The design of the units is meant to easily blend in with the detached units, allowing for flexibility in unit type while also maintaining a similar character.

Pennington Avenue currently ends at its intersection with Monetta Avenue. With this proposal, Pennington Avenue will be extended to Litton Avenue. Additionally, a public alley will be constructed on the northern and eastern property lines of the development. This will allow for circulation around the site. Access to the site will be from the public alley on the northern boundary as well as a private drive on the southern boundary. Parking is provided in garages for 2 units and surface parking for the remainder of the units. On-street parking will also be provided along Pennington Avenue. Sidewalks are being installed along the Pennington Avenue frontage and throughout the development to allow for pedestrian circulation.

The developer has proposed architectural guidelines for the project. Buildings facades facing a street or courtyard shall provide a minimum of 1 principal entrance and a minimum of 25% glazing. Standards are provided for window orientation, prohibited materials, raised foundations, and porch depths.

**ANALYSIS**

The plan is consistent with the T4 Urban Neighborhood Maintenance policy. While the policy calls for the existing character to remain, some change is expected over time in this policy. The change should be respectful of the existing form of the neighborhood. By providing single-family detached units along the Pennington Avenue frontage, the development is able to reflect the nature of the existing neighborhood. Currently, 10 units could be constructed on this site based on the existing zoning. The SP allows for design considerations that better integrate the development into the existing neighborhood while also allowing for a mix of housing types. The extension of Pennington Avenue is also creating an important connection that is currently missing in the neighborhood, providing for better circulation.

**FIRE DEPARTMENT RECOMMENDATION**

**Approved with conditions**

- Hydrants shall be located within 500' of all parts of every structure via approved hard-surfaced roads. Fire Code issues for the structures will be addressed at permit application review

**STORMWATER RECOMMENDATION**

**Approved**

**WATER SERVICES**

**Approved with conditions**

- As the unit count on the latest availability study (17 units) matches these SP plans, we recommend approval. Public water and sewer construction plans must be submitted and approved prior to Final SP approval. Also, the required capacity fees must be paid prior to Final SP 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.
- The construction of the proposed Pennington Ave is to be per MPW standards and specifications. A full review of the road design will occur at the Final SP submittal.

**TRAFFIC AND PARKING RECOMMENDATION**

**Conditions if approved**

- Provide parking per metro code. Identify guest parking area.

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)	0.82	7.26 D	6 U*	58	5	7

\*Based on one two-family lot.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (230)	0.82	-	17 U	138	13	15

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+ 11 U	+80	+8	+8

## METRO SCHOOL BOARD REPORT

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

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

The proposed SP-R zoning district could generate 1 more students than what is typically generated under the existing R6 zoning district. Students would attend Inglewood Elementary School, Isaac Litton Middle School, and Stratford High School. None of the schools have been identified as over capacity. This information is based upon data from the school board last updated October 2014.

### STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions as the plan is consistent with the policy for the area and provides additional housing options.

### CONDITIONS (if approved)

1. Permitted land uses shall be limited to up to 17 multi-family residential units.
2. Provide a sidewalk connection from the courtyard area directly to the sidewalk along Pennington Avenue.
3. Prior to building permit issuance, a plat must be recorded to consolidate the lots and dedicate the right-of-way for the public alley. The Pennington Avenue extension shall be bonded prior to recordation of the plat.
4. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
5. 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 RM20-A zoning district as of the date of the application request or application.
6. 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.
7. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering, or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
8. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

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

Michael Garrigan, 516 Heather Place, spoke in favor of the application and noted that it is a good pilot project that is consistent with the surrounding area.

Jason Corbitt, 2231 Pennington Ave, spoke in opposition to the application; East Nashville is being overdeveloped and this project does not fit with the existing character of the neighborhood.

Lindsey Shuman, 2231 Pennington Ave, spoke in opposition to the application due to the existing street congestion.

Michael Garrigan explained that the eight affordable units in the back are perfect for families and everything will be limited to two stories. The goal of this plan is to fit the area – it will provide more asphalt to allow for on street parking on both sides.

### Chairman McLean closed the Public Hearing.

Ms. Farr expressed excitement about the project, especially the diversity of housing options and that the developer is trying to integrate affordable units.

Ms. Blackshear spoke in favor of the application, especially the diversity of housing options, connectivity improvement, and building up the alley ways.

Mr. Clifton spoke in favor of the application and noted that it is one of the most impressive proposals seen in a while for this area.

**Ms. LeQuire moved and Ms. Farr seconded the motion to approve with conditions and disapprove without all conditions. (6-0)**

## **Resolution No. RS2015-222**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2015SP-053-001 is **Approved with conditions and disapproved without all conditions. (7-0)**”

### **CONDITIONS**

1. Permitted land uses shall be limited to up to 17 multi-family residential units.
2. Provide a sidewalk connection from the courtyard area directly to the sidewalk along Pennington Avenue.
3. Prior to building permit issuance, a plat must be recorded to consolidate the lots and dedicate the right-of-way for the public alley. The Pennington Avenue extension shall be bonded prior to recordation of the plat.
4. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
5. 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 RM20-A zoning district as of the date of the application request or application.
6. 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.
7. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering, or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
8. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

### **4a. 2015SP-060-001**

#### **BORDEAUX SP**

Map 080, Parcel(s) 029, 073-074, Part of Parcel 035  
Council District 01 (Lonnell Matthews, Jr.)  
Staff Reviewer: Brett Thomas

A request to rezone from AR2a and R10 to SP-MU zoning for properties located at County Hospital Road (unnumbered) and 1016 Camilla Caldwell Lane and Camilla Caldwell Lane (unnumbered) and a portion of property located at 1010 Camilla Caldwell Lane, located west of the intersection of County Hospital Road and Hospital Lane, (525.5 acres), to permit a mixed use development with a maximum of 1,500 residential units and 80,000 square feet of commercial development, requested by Metropolitan Development and Housing Authority (MDHA), Metro Government, applicant and owner.

**Staff Recommendation: Withdraw.**

**The Metropolitan Planning Commission withdrew 2015SP-060-001 at the request of the applicant. (6-0)**

### **4b. 2015M-001OT-001**

#### **BORDEAUX REDEVELOPMENT DISTRICT**

Council District 01 (Lonnell Matthews, Jr.)  
Staff Reviewer: Brett Thomas

A request to establish a redevelopment district for properties located at County Hospital Road (unnumbered) and 1016 Camilla Caldwell Lane and Camilla Caldwell Lane (unnumbered) and a portion of property located at 1010 Camilla Caldwell lane, located west of the intersection of County Hospital Road and Hospital Lane, requested by the Metropolitan Development and Housing Authority (MDHA), applicant; Metro Government, applicant and owner.

**Staff Recommendation: Approve.**

#### **APPLICANT REQUEST**

**Establish the Bordeaux Redevelopment District.**

#### Redevelopment District

A request to establish a redevelopment district for properties located at County Hospital Road (unnumbered) and 1016 Camilla Caldwell Lane and Camilla Caldwell Lane (unnumbered) and a portion of property located at 1010 Camilla Caldwell Lane, located west of the intersection of County Hospital Road and Hospital Lane, (525.5 acres).

#### **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 of 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.

The proposed redevelopment district includes four individual properties. A list of the properties and their zoning follows:

<b>Map &amp; Parcel Number</b>	<b>Address</b>	<b>Zoning</b>
portion of 08000003500	1010 Camilla Caldwell Lane	AR2A
08000002900	County Hospital Road (unnumbered)	R10
08000007300	1016 Camilla Caldwell Lane	AR2A
08000007400	Camilla Caldwell Lane (unnumbered)	AR2A

The primary objectives of the redevelopment plan are to create new housing options; increase the population to a level that can sustain new commercial development; prevent additional unwanted land uses from occurring in the area; establish standards and guidelines for the redevelopment and continued use of the area; eliminate and prevent the recurrence of blight; and mitigate flood impacts. According to the applicant, the main redevelopment actions proposed for the district are to plan and construct appropriate housing types; facilitate new residential and complementary commercial development; offer incentives to support further development; maintain the character and natural features by preserving as much of its park-like setting as reasonably possible; and provide and construct streets, public facilities, open spaces, and pedestrian ways.

**ANALYSIS**

The four properties are located within a land use policy that supports mixed use development. The establishment of a redevelopment district is the first step to ensuring long-term viability of the area, as well as achieving the mix of land uses supported by the policy. In keeping with its mission, MDHA's administration of the district aims to strategically reverse disinvestment and blight and promote redevelopment that is sustainable from economic, environmental, aesthetic, public safety, and historic preservationist perspectives. Any future rezoning of the area would be subject to review by the Planning Commission and approval by Metro Council.

**METRO FIRE MARSHAL'S OFFICE RECOMMENDATION**

N/A

**NASHVILLE ELECTRIC SERVICE RECOMMENDATION**

Approved

**PUBLIC WORKS RECOMMENDATION**

Approved

**STORMWATER RECOMMENDATION**

Approved

**WATER SERVICES RECOMMENDATION**

Approved

**EMERGENCY COMMUNICATIONS CENTER RECOMMENDATION**

Approved

**METRO HISTORIC RECOMMENDATION**

Approved

**STAFF RECOMMENDATION**

Staff recommends approval.

Mr. Thomas presented the staff recommendation of approval.

Kaitlyn Dastague, MDHA, spoke in favor of the application and noted that three public hearings were conducted.

Ruby Baker, 3222 Leawood Dr, spoke in favor of the application and noted this will benefit the community as well as the surrounding communities.

Chris Crockett, 3208 Mexico Dr, spoke in favor of the application and noted that it will be very positive for the area.

Gloria Southall, 3346 Olsen Lane, spoke in favor of the application.

Councilman Matthews spoke in favor of the application.

**Chairman McLean closed the Public Hearing.**

Councilman Hunt spoke in favor of the application. The area has experienced a lot of blight, crime, etc. and this project will be a big step forward.

Ms. Farr asked if this is the most opportune area since it doesn't meet the same conditions as the other redevelopment districts in the city. She encouraged that some portion of the tax increment financing be tied to affordable housing in that area.

Ms. Blackshear spoke in favor of the application.

Mr. Clifton spoke in favor of the application.

Ms. LeQuire suggested deferral to allow time to engage the entire community and allow thoughtful, creative, community driven development.

Councilman Hunt stated that it is time for this development; the discussion needs to be about how to make this work versus all the reasons it won't work.

Ms. Blackshear noted that it is a big decision but it obviously has the support of the councilman as well as the community. This area is very much in need of redevelopment.

Mr. Clifton spoke in favor and explained that this is a council decision; the councilman has put forth a really strong effort to include all public input.

Ms. Farr inquired if there is normally a redevelopment plan in place at the same time.

Ms. LeQuire stated that she wants the best for Bordeaux; perhaps there is another area of Bordeaux that would be really benefitted by this. Three community meetings don't seem to be enough.

Ms. LeQuire moved and Ms. Farr seconded the motion to defer.

Ms. Farr noted that she would like to see a detailed plan before approval; however, there is probably not much that staff can do.

A vote was taken on deferral. (2-4) Councilman Hunt, Ms. Blackshear, Mr. Clifton, and Chairman McLean voted against.

**Mr. Clifton moved and Ms. Blackshear seconded the motion to approve. (4-2) Ms. LeQuire and Ms. Farr voted against.**

**Resolution No. RS2015-223**

**"BE IT RESOLVED by The Metropolitan Planning Commission that 2015M-001OT-001 is Approved. (4-2)"**

**5. 2015SP-061-001**

**HILLSHIRE GROVE**

Map 186, Parcel(s) 027, 028, Part of Parcel 029

Map 187, Parcel(s) 001

Council District 31 (Fabian Bedne)

Staff Reviewer: Jason Swaggart

A request to rezone from AR2a to SP-MR for properties located at 6994 and 6998 Burkitt Road and Burkitt Road (unnumbered), approximately 1,200 feet east of Canonbury Drive (155.3 acres), to permit up to 286 single-family lots and 116 multi-family units, requested by Ragan-Smith & Associates; Timothy and Kimberly Weddle, Gary Price, Jr. et ux, Starker Services, Inc, and Stacy Carter et al, owners.

**Staff Recommendation: Defer to the July 23, 2015, Planning Commission.**

**The Metropolitan Planning Commission deferred 2015SP-061-001 to the July 23, 2015, Planning Commission meeting. (5-0-1)**

**6. 2015SP-067-001**

**THE CROSSING AT DRAKES BRANCH**

Map 058, Parcel(s) 085, 099

Council District 01 (Lonnell Matthews, Jr.)

Staff Reviewer: Brett Thomas

A request to rezone from RS20 and RS40 to SP-R zoning for properties located at 4834 and 4856 Drakes Branch Road, approximately 1,400 feet north of Judd Drive, (76.13 acres), to permit up to 108 residential units, requested by Dewey Estes

Engineering, applicant; Drakes Branch Development, LLC. and Harvey Bowles, owners.

**Staff Recommendation: Defer to the July 23, 2015, Planning Commission.**

**The Metropolitan Planning Commission deferred 2015SP-067-001 to the July 23, 2015, Planning Commission meeting. (6-0)**

## **7. 2015SP-080-001**

### **6220 NOLENSVILLE PIKE SP**

Map 173, Parcel(s) 064

Council District 31 (Fabian Bedne)

Staff Reviewer: Alex Deus

A request to rezone property from AR2a to SP-O to permit general office and medical office use for property located at 6220 Nolensville Pike, on the east side of Nolensville Pike, approximately 400 feet north of Shane Point Place (3.33 acres), requested by Perfect Smile Orthodontics, applicant for Grover R. Dunn, et ux, owner.

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

#### **APPLICANT REQUEST**

**Request to rezone from AR2a to SP-O to permit general office and medical office use.**

#### Zone Change

A request to rezone property from Agricultural/ Residential (AR2a) to Specific Plan (SP-O) to permit general office and medical office use for property located at 6220 Nolensville Pike, on the east side of Nolensville Pike, approximately 400 feet north of Shane Point Place (3.33 acres).

#### **Existing Zoning**

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.

#### **Proposed Zoning**

Specific Plan- Office (SP-O) 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 office uses.

#### **CRITICAL PLANNING GOALS**

- Creates Walkable Neighborhoods

The request focuses development in a corridor and minimizes vehicular access points while adding sidewalks to the pedestrian network. The orientations of buildings would be located along pedestrian travel ways.

#### **SOUTHEAST COMMUNITY PLAN**

T4 Urban Community Center (T4 CC) is intended to preserve, enhance, and create urban community centers encouraging their development and redevelopment as intense mixed use areas that fit in with the general character of urban neighborhoods. Infrastructure and transportation networks may be enhanced to improve pedestrian, bicycle and vehicular connectivity. T4 Urban Community Centers are pedestrian friendly areas, generally located at intersections of prominent urban streets.

#### Consistent with Policy?

Yes. This rezoning is consistent with the existing land use policy and the Growth and Preservation Concept Map. The SP district is an appropriate zoning under the T4 Community Center policy.

#### **ANALYSIS**

This request is consistent with the T4 Community Center (CC) policy and achieves a critical planning goal of creating walkable neighborhoods. The T4 CC policy looks to create pedestrian friendly areas at prominent intersections that contain a variety of uses. This SP would create more diversity of uses along this corridor serving the needs of the immediate neighborhoods.

Sidewalks would be required along Nolensville Pike, and would be required to meet the standards of the Major and Collector Street Plan; all buildings would also have to have a direct connection from the public sidewalk to the building. The pedestrian experience would also be enhanced by limiting the amount of curb cuts on the property to one vehicular access point.

The proposed zoning is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards along a corridor. Structures would have a shallow build- to- zone that situates the building to address the public realm. Based on these findings, staff recommends approval with conditions and disapproval without all conditions.

#### **FIRE MARSHAL RECOMMENDATION**

**N/A**

**PUBLIC WORKS RECOMMENDATION**

N/A

**TRAFFIC & PARKING RECOMMENDATION**

- Traffic study may be required at time of development.

Maximum Uses in Existing Zoning District: **AR2a**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	3.33	0.50 D	1 U	10	1	2

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Medical Office (720)	3.33	-	145,054 SF	5717	334	392

Traffic changes between maximum: **AR2a** and **SP-O**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+5,707	+333	+390

**METRO SCHOOL BOARD REPORT**

Projected student generation existing AR2a district      1 Elementary      0 Middle      0 High  
 Projected student generation proposed SP-0 district      0 Elementary      0 Middle      0 High

The proposed SP-O district would generate fewer students than what is typically generated under the existing AR2a district. Students would attend Shayne Elementary School, Oliver Middle School, and Overton High School.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

1. Permitted land uses within this SP shall be limited to general office and medical office use.
2. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUL-A zoning district as of the date of the applicable request or application.
3. Pedestrian Access:
  - a. Sidewalks along Nolensville Pike must be provided in accordance with the Major and Collector Street Plan.
  - b. All buildings must have a direct connection from the public sidewalk along Nolensville Pike to the buildings primary entrance.
4. Parking and Access:
  - a. Vehicular access is limited to one access point.
5. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
6. Minor modifications to the preliminary SP 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.



**Resolution No. RS2015-224**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2015SP-080-001 is **Approved with conditions and disapproved without all conditions. (6-0)**”

**CONDITIONS**

1. Permitted land uses within this SP shall be limited to general office and medical office use.
2. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUL-A zoning district as of the date of the applicable request or application.
3. Pedestrian Access:
  - a. Sidewalks along Nolensville Pike must be provided in accordance with the Major and Collector Street Plan.
  - b. All buildings must have a direct connection from the public sidewalk along Nolensville Pike to the buildings primary entrance.
4. Parking and Access:
  - a. Vehicular access is limited to one access point.
5. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
6. Minor modifications to the preliminary SP 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.

**Zone Changes**

**8a. 75-83P-003**

**ELYSIAN FIELDS**

Map 133-14, Parcel(s) 077  
Council District 26 (Chris Harmon)  
Staff Reviewer: Melissa Sajid

A request to amend a portion of the Commercial Planned Unit Development Overlay District for property located at 451 Elysian Fields Road, approximately 722 feet west of Nolensville Pike, zoned OR20 and RS10, (1.63 acres), to permit parking additions, requested by Dean Design Group, applicant; JMM, LLC, owner.

**Staff Recommendation: Defer indefinitely.**

**The Metropolitan Planning Commission deferred indefinitely 75-83P-003. (6-0)**

**8b. 2015Z-064PR-001**

Map 133-14, Part of Parcel(s) 077  
Council District 26 (Chris Harmon)  
Staff Reviewer: Melissa Sajid

A request to rezone from RS10 to OR20 zoning for a portion of property located at 451 Elysian Fields Road, approximately 735 feet west of Nolensville Pike (0.146 acres), requested by Dean Design Group, applicant; J.M.M., LLC, owner.

**Staff Recommendation: Defer indefinitely.**

**The Metropolitan Planning Commission deferred indefinitely 2015Z-064PR-001. (6-0)**

## **Planned Unit Developments**

### **9. 122-83P-001**

#### **THE WOODLANDS, PHASE 3**

Map 172, Parcel(s) 179

Council District 04 (Brady Banks)

Staff Reviewer: Lisa Milligan

A request to revise a portion of The Woodlands Residential Planned Unit Development Overlay District and for Final Site Plan on property located at 1203 Pineview Lane, at the terminus of Boxwood Drive (31.54 acres), zoned R15, to revise the lots lines of Phase 3, requested by Dewey-Estes Engineering, applicant; Woodlands Development, LLC, owner.

**Staff Recommendation: Defer to the July 23, 2015, Planning Commission.**

**The Metropolitan Planning Commission deferred 122-83P-001 to the July 23, 2015, Planning Commission meeting. (6-0)**

### **10. 88P-068-001**

#### **NASHBORO PLACE PUD**

Map 135-15-0-A, Parcel(s) 004

Council District 29 (Karen Y. Johnson)

Staff Reviewer: Jason Swaggart

A request to revise the preliminary plan and for final site plan approval for a portion of the Commercial Planned Unit Development Overlay District for property located at 2312 Murfreesboro Pike, approximately 460 feet south of Nashboro Boulevard, zoned R10, (2.29 acres), to permit a 10,000 square foot retail space where 8,750 square feet of office, retail and or restaurant space is currently permitted, requested by Perry Engineering, LLC, applicant; CRSW Land & Cattle Company, owner.

**Staff Recommendation: Approve with conditions.**

#### **APPLICANT REQUEST**

**Revise PUD and final to permit retail.**

#### Revise PUD & Final Site Plan

A request to revise the preliminary plan and for final site plan approval for a portion of the Commercial Planned Unit Development Overlay District for property located at 2312 Murfreesboro Pike, approximately 460 feet south of Nashboro Boulevard, zoned One and Two-Family Residential (R10), (2.29 acres), to permit a 10,000 square foot retail space where 8,750 square feet of office, retail and or restaurant space is currently permitted.

#### **Existing Zoning**

One and Two-Family Residential (R10) requires a minimum 10,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25 percent duplex lots. *While the base zoning is residential, the PUD sets the permitted uses which includes a variety of commercial uses.*

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

#### **CRITICAL PLANNING GOALS**

**N/A**

#### **PLAN DETAILS**

The subject PUD is located at the southeast corner of Murfreesboro Pike and Nashboro Boulevard. The PUD was originally approved in 1988 for a variety of commercial uses. A portion of the PUD is developed and contains retail and restaurant uses. The subject site is currently approved for 8,750 square feet of office, retail or restaurant space. While the site is vacant, a final site plan was previously approved for an 8,724 square foot building and the site was prepped for development consistent with the approved final site plan.

#### Site Plan

The plan calls for a 10,000 square foot retail building. The plan would also permit restaurant and office uses. Access into the site is from an existing private drive from Murfreesboro Pike. Sufficient parking is provided on site.

## **ANALYSIS**

Staff finds that the proposed revision is consistent with the Council approved PUD plan. The proposal is consistent with uses permitted today. The plan does not increase the floor area over what is permitted or make changes to the layout that significantly deviate from the Council approved PUD plan. It is important to note that while this request calls for retail uses, restaurant and/or office uses is also permitted. Since the request does not propose any major changes to the Council approved PUD plan, then staff finds the request can be approved as a minor modification not requiring Council approval.

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

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

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

## **FIRE MARSHAL'S OFFICE**

### **Approve with Conditions**

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

## **PUBLIC WORKS RECOMMENDATION**

### **No Exceptions Taken**

## **TRAFFIC & PARKING RECOMMENDATION**

### **No Exceptions Taken**

**STORMWATER RECOMMENDATION**

**Approve with conditions**

1. Provide the Plan Review and Grading Permit fee of \$1354.
2. Provide NOC.
3. Specify the amount of disturbance on the initial erosion control sheet. Also, delete note 21 on C5.1.
4. For the construction entrance, specify a minimum width of 20’.
5. For the initial erosion control measures, add additional measures (such as silt fence), rather than inlet protection and a construction entrance only.
6. Some slopes at the far east section of the site were observed to be 3:1. Add note stating that area is to be sodded too.
7. Provide all civil details (area drain, etc.).
8. Provide a storm structure drainage map to scale.
9. Double check the storm structure drainage.

**WATER SERVICES**

**Approved**

**STAFF RECOMMENDATION**

Staff recommends approval with conditions as the request is consistent with all zoning requirements.

**CONDITIONS**

1. Construction drawings must be approved by Metro Stormwater. If the approved construction drawings are not consistent with the plan approved by the Planning Commission, then a new application must be submitted for review and approval prior to the issuance of any grading or building permits.
2. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration (based on CS zoning district) except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
3. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
4. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.

Approve with conditions. (6-0), Consent Agenda

**Resolution No. RS2015-225**

“BE IT RESOLVED by The Metropolitan Planning Commission that 88P-068-001 is **Approved with conditions. (6-0)**”

**CONDITIONS**

1. Construction drawings must be approved by Metro Stormwater. If the approved construction drawings are not consistent with the plan approved by the Planning Commission, then a new application must be submitted for review and approval prior to the issuance of any grading or building permits.
2. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration (based on CS zoning district) except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
3. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
4. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.

**Neighborhood Landmark Overlays**

**11. 2013NL-001-002**

**WADE SCHOOL (FINAL)**

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

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

**Staff Recommendation: Approve with conditions.**

## APPLICANT REQUEST

### Neighborhood Landmark Development Plan to permit various uses at the Wade School Neighborhood Landmark

#### Neighborhood Landmark Development Plan

A request for approval of a Neighborhood Landmark Development Plan (NLOD) for property located at 5022 Old Hydes Ferry Pike (8.76 acres), zoned Single-Family Residential District (RS20), to permit a restaurant, agricultural activity, and special events, in addition to the previously approved uses.

#### **Existing Zoning**

Single-Family Residential District (RS20) requires a minimum 20,000 square foot lot and is intended for single-family dwellings at a density of 1.85 dwelling units per acre.

*RS20 would permit a maximum of 16 lots on 8.76 acres.*

Neighborhood Landmark Overlay District (NLOD) is intended to preserve and protect landmark features whose demolition or destruction would constitute an irreplaceable loss to the quality and character of the neighborhood or community. *The NLOD was approved in 2006.*

#### **HISTORY**

A Neighborhood Landmark Overlay was placed on the property located at 5022 Old Hydes Ferry Pike in 2006 (BL2005-905). A Neighborhood Landmark Development Plan was approved in 2013. The approved Wade School Neighborhood Development Plan included the following uses: uses permitted by the RS20 base district, general office, community education, personal instruction and park.

Wade Elementary School was built in 1936 using Works Progress Administration (WPA) assistance. Both the City of Nashville and Davidson County used New Deal agency resources to dramatically expand educational facilities during the Depression. The brick Colonial Revival building is typical of 1930's schools designed to provide more comfortable, safe, and sanitary facilities for students than the small frame buildings many, particularly those in rural communities, had used for many years. Two classrooms and a cafeteria were added in 1953. Although the present structure dates from the twentieth century, Wade School was established in 1850 and has one of the county's longest histories as a school site.

#### **PLAN DETAILS**

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

The development plan proposes to use the existing site for the following uses: general office, community education, personal instruction, park, restaurant, agricultural activity, and special events. The office, community education, personal instruction, and restaurant activities will take place inside the existing structure. No additional structures will be constructed and the existing structure will not increase in size. The special events are proposed to take place both inside the existing structure as well as in the garden area. The agricultural activity will include a garden and working farm. The restaurant area is proposed to be approximately 920 square feet. The kitchen area is 468 square feet. The grand hall for special events is approximately 1,900 square feet. The remainder of the building is office and classroom space.

There are 27 marked parking spaces on the property as well as a concrete basketball court that is used for overflow parking. The Wade School also has an agreement with the neighboring church to share parking facilities when needed. A total of 9 parking spaces have been added since the approval of the original Neighborhood Landmark Development Plan.

In regards to the special events, the owner has indicated that these events would include square dances, weddings, parties, etc., and would occur approximately 2 times per month (24 per year). Music for events would be inside the building and would end by 11:00 with the events ending by 11:30 pm. Parking for events is supervised by parking attendants. On average, the events are expected to average around 100 attendees, with 200 maximum. Portable toilets will be used for all special events.

#### **ANALYSIS**

The Wade School site is located within the Bordeaux-Whites Creek Community Plan and is designated at T2 Rural Neighborhood Center policy which is intended to preserve, enhance, and create rural centers that fit in with the rural character. By utilizing the existing structure, the applicant is able to provide additional services while still maintaining the character of the area.

#### **FIRE DEPARTMENT RECOMMENDATION**

##### **Approved with conditions**

- As an A-2 occupancy, sprinklers will be required in the building. The space needs to be permitted as an event space. The website is extensive. Fire Code issues for the structures will be addressed at permit application review

#### **PUBLIC WORKS RECOMMENDATION**

##### **No exception taken**

**TRAFFIC AND PARKING RECOMMENDATION**

No exception taken

**WATER SERVICES RECOMMENDATION**

Approved

- Approved for public water only. Applicant must obtain approval from the Metro Health Department for on-site septic systems. The required water capacity fees are due before pulling permits.

**HEALTH DEPARTMENT RECOMMENDATION**

The septic system will be monitored for performance and additional modifications or further restrictions may be required.

**STORMWATER RECOMMENDATION**

Approved with conditions

- Must comply with floodplain regulations (during building permit review).

**STAFF RECOMMENDATION**

Staff recommends approval with conditions.

**CONDITIONS (if approved)**

1. Uses shall be limited to all uses permitted by the RS20 base district, general office, community education, personal instruction, park, restaurant, agricultural activity, and special events.
2. Special events shall be limited to 24 events per year.
3. Music for special events shall be inside the building and shall end by 11:00 pm. Events shall end by 11:30 pm.
4. Portable toilets must be utilized for all special events.
5. The Planning Commission shall approve any changes to the development plan which shall include but not be limited to any exterior alterations to the structure or the addition of any paved parking areas.

Approve with conditions. (6-0), Consent Agenda

**Resolution No. RS2015-226**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2013NL-001-002 is **Approved with conditions. (6-0)**”

**CONDITIONS**

1. Uses shall be limited to all uses permitted by the RS20 base district, general office, community education, personal instruction, park, restaurant, agricultural activity, and special events.
2. Special events shall be limited to 24 events per year.
3. Music for special events shall be inside the building and shall end by 11:00 pm. Events shall end by 11:30 pm.
4. Portable toilets must be utilized for all special events.
5. The Planning Commission shall approve any changes to the development plan which shall include but not be limited to any exterior alterations to the structure or the addition of any paved parking areas.

**H. COMMUNITY PLAN POLICY CHANGES AND ASSOCIATED CASES**

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

**No Cases on this Agenda**

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## I. RECOMMENDATIONS TO METRO COUNCIL

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

### Zoning Text Amendments

#### 12. 2014Z-006TX-003

BL2015-1140\Glover

##### **BZA NOTICES**

Staff Reviewer: Carrie Logan

A request to amend Section 17.40.720 of the Metropolitan Zoning Code to modify the general requirements of public notice mailings for Board of Zoning Appeals hearings, requested by Councilman Steve Glover.

**Staff Recommendation: Approve.**

##### **APPLICANT REQUEST**

**Increase distances for BZA notices.**

##### **TEXT AMENDMENT**

A request to amend Section 17.40.720 of the Metropolitan Zoning Code to modify the general requirements of public notice mailings for Board of Zoning Appeals hearings.

##### **PURPOSE**

Prior to 2014, there was a requirement that the appropriate department of the Metropolitan Government post signs for public hearings required by the Zoning Code. The Codes Department and Planning Department posted all of the public hearing signs for Council public hearings and the Codes Department posted signs for Board of Zoning Appeal hearings. In 2014, the Planning Department initiated a text amendment to remove the requirement that Council public hearing signs be posted by the appropriate department of the Metropolitan Government.

The removal of that requirement allowed a process similar to the Metro Planning Commission public hearing signs, which are posted by applicants and a certificate is returned to the Planning Department verifying that the signs have been posted. In 2014, the Codes Department opted to continue posting signs for Board of Zoning Appeal hearings.

In May of 2015, the Metro Council approved an ordinance that revised the Board of Zoning Appeal hearing sign posting process to require applicants to post signs, with the exception of Councilmembers, who would have the choice of posting the signs themselves or returning the signs to the Codes Department. That text amendment also removed the requirement for the Codes Department to advertise hearings in the newspaper.

During the process, it was suggested that the distance for required BZA public hearing notices should also be increased. This text amendment would increase the distance from 300 feet to 600 feet, which is the minimum notice distance required for a rezoning application.

##### **ZONING ADMINISTRATOR RECOMMENDATION**

**Approve**

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##### **STAFF RECOMMENDATION**

Because this text amendment would provide additional notice to surrounding property owners for cases appearing before the BZA, staff recommends approval.

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##### **ORDINANCE NO. BL2015-1140**

**An Ordinance to amend Section 17.40.720 of the Metropolitan Zoning Code to modify the general requirements of public notice mailings for Board of Zoning Appeals hearings (Proposal No. 2014Z-006TX-003).**

BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Section 17.40.720 of the Code of The Metropolitan Government of Nashville and Davidson County is hereby amended by deleting the phrase "three hundred feet", wherein it appears in subsection A., and substituting with the phrase "six hundred feet".

Section 2. This Ordinance shall take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Sponsored by: Steve Glover

Approve. (6-0), Consent Agenda

**Resolution No. RS2015-227**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2015Z-006TX-001 is **Approved. (6-0)**”

**13. 2015Z-009TX-001**

BL2015-1121\Steine, Hunt

**ARTISAN MANUFACTURING**

Staff Reviewer: Carrie Logan

A request to amend various sections of Title 17 of the Metropolitan Zoning Code related to artisan manufacturing and associated uses, requested by the Metro Arts Commission and Metro Planning Department.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Create a new use, called “artisan manufacturing,” and modify associated uses.**

**TEXT AMENDMENT**

A request to amend various sections of Title 17 of the Metropolitan Zoning Code related to artisan manufacturing and associated uses.

**PURPOSE**

Nashville has thousands of practicing artists, sculptors, crafts people and artisans who make their products for direct to consumer sale within their studios. The last five years has seen a dramatic rise in the number of makers who are producing their products fully in place. This “made local” movement is part of what is fueling Nashville’s vibe and our national recognition as a creative city. Local brands provide local jobs, support neighborhood economies and build creative culture in Nashville. Other models, like co-working and artisan co-ops have not always fit neatly within Nashville’s existing zoning regulations. More than a year ago, representatives from Planning, Zoning, Mayor’s Office of Economic Development, Mayor’s Office of Innovation and Metro Arts began to meet to discuss both the need for more adaptive artisan space to meet demand and the need to streamline existing zoning to support these new business models and uses that did not exist a decade ago.

Artisan makers often require workspace that is affordable, flexible and open to a range of uses and that scales up and down based on the intensity of their work/orders/customer demand. Additionally, many makers work in co-ops or shared space that means multiple product types may be manufactured or coordinated within one roof.

Artisan Manufacturing is a new use definition and allows that with conditions in most Mixed-Use, Commercial and Industrial Zoned Areas of Nashville/Davidson County. The ordinance clarifies existing definitions for Rehearsal Hall, Theatre, Commercial Amusement (indoor), and Cultural Center and designates them as allowable with conditions in certain districts.

The bill allows artisan uses in a way that protects them from hazardous uses and protects industrial areas from an influx of uses that are incompatible with industrial operations.

**ZONING ADMINISTRATOR RECOMMENDATION**

**Approve**

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Staff recommends approval.

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**ORDINANCE NO. BL2015-1121**

**An ordinance to amend various sections of Title 17 of the Metropolitan Zoning Code related to artisan manufacturing and associated uses. (Proposal No. 2015Z-009TX-001).**

WHEREAS, Artisans, craftsmen and makers support Nashville’s economy and brand as a hub for creative individuals;

WHEREAS, There is underutilized industrial land in the county that could create opportunities for artisans, craftsmen and makers to live, work and create; and

WHEREAS, Allowing for this use, but limiting the intensity of associated uses in these areas will not displace industrial uses.



NOW, THEREFORE, BE IT ENACTED BY THE COUNTY OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. Section 17.04.060 (Definitions of general terms) of the Metropolitan Code is hereby amended by inserting the follow definition of "Manufacturing, Artisan" :

Manufacturing, Artisan mean the shared or individual use of hand-tools, mechanical tools and electronic tools for the manufacture of finished products or parts including design, processing, fabrication, assembly, treatment, and packaging of products; as well as the incidental storage, sales and distribution of such products. Typical artisan manufacturing uses include, but are not limited to: electronic goods, food and bakery products; non-alcoholic beverages; printmaking; household appliances; leather products; jewelry and clothing/apparel; metal work; furniture; glass or ceramic production; paper manufacturing.

Section 2. Section 17.08.030.F (District land use tables) of the Metropolitan Code is hereby amended by adding "Manufacturing, Artisan" as a use permitted with conditions (PC) in MUL, MUL-A, MUG, MUG-A, MUI, MUI-A, CS, CF, DTC- North, DTC- South, DTC- West, IWD, IR and IG zoning districts.

Section 3. Section 17.16.090 (Industrial uses) of the Metropolitan Code is hereby amended by inserting the following as subsection C and renumbering the remaining sections:

C. Manufacturing, Artisan

1. Outdoor storage. Any activity storing materials outdoors shall construct an opaque fence to screen the ground-level view from any public right of way or of any residential use. Materials shall not be piled or staked higher than the opaque fence.
2. Loading docks. Where the site abuts a residential zone district or a district permitting residential use, the building wall facing such lot shall not have any service door openings or loading docks oriented toward the residential zone district or district permitting residential use.

Section 4. Table 17.20.030 (Parking requirements) of the Metropolitan Code is hereby amended by inserting the following row for "Manufacturing, Artisan" under Industrial uses:

Manufacturing, Artisan	1 space per 1,500 square feet
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Section 5. Section 17.16.070.S (Retail) of the Metropolitan Code is hereby amended by deleting subsection 4 and replacing with the following subsection 4:

4. In the IWD, IR and IG zone districts, each establishment shall be limited to two thousand five hundred square feet of gross floor area, maximum, unless the retail is accessory to a Manufacturing, Artisan use and a portion of the products are created or assembled on site.

Section 6. Section 17.16.030 (Residential uses) of the Metropolitan Code is hereby amended by inserting the following subsection E and renumbering the remaining subsections:

E. Multi-family.

1. A maximum of two units per lot shall be permitted as an accessory use to Manufacturing, Artisan use.
2. Residential uses are supported by the Community Plan, as determined by the Planning Department.
3. In IR districts, no hazardous materials or uses are located within an unsafe distance of the proposed residential use, as evidenced by the information presented to the Zoning Administrator. Notices shall be sent to all property owners within 300 feet, notifying them of the proposed residential use and the time period for response and requesting information regarding hazardous materials or uses located within an unsafe distance of the proposed residential use. After 20 days from the date the notices were sent and upon a determination by the Zoning Administrator that no hazardous materials or uses are located within an unsafe distance of the proposed residential use, the permit for residential uses may be issued.

Section 7. Section 17.08.030.F (District land use tables) of the Metropolitan Code is hereby amended by adding "Multi-family" as a special exception use (SE) in IG.

Section 8. Section 17.16.160 (Residential special exceptions) of the Metropolitan Code is hereby amended by inserting the following subsection C:

C. Multi-family.

1. A maximum of two units per lot shall be permitted as an accessory use to Manufacturing, Artisan use.
2. Residential uses are supported by the Community Plan, as determined by the Planning Department.
3. No hazardous materials or uses are located within an unsafe distance of the proposed residential use, as evidenced by the testimony presented to the Board of Zoning Appeals.

Section 9. Section 17.08.030.F (District land use tables) of the Metropolitan Code is hereby amended by adding "Theatre" as a special exception use (SE) in IWD, IR and IG zoning districts.

Section 10. Section 17.16.220 (Recreation and entertainment special exceptions) of the Metropolitan Code is hereby amended by inserting the following subsection I and renumbering the remaining subsections:

I. Theatre.

1. Size is limited to 20,000 square feet, maximum.
2. A mixture of uses is supported by the Community Plan, as determined by the Planning Department.
3. No hazardous materials or uses are located within an unsafe distance of the proposed residential use, as evidenced by the testimony presented to the Board of Zoning Appeals.

Section 11. Section 17.04.060 (Definitions of general terms) of the Metropolitan Code is hereby amended by deleting the following phrase from the definition of "Cultural Center":

"by a public or private, non-profit facility"

Section 12. Section 17.08.030.F (District land use tables) of the Metropolitan Code is hereby amended by adding "Cultural Center" as a special exception use (SE) in IR and IG zoning districts.

Section 13. Section 17.16.170.B (Cultural Center) of the Metropolitan Code is hereby amended by inserting the following subsection 5:

5. In IWD, IR and IG, the following additional restrictions apply:

- a. Size is limited to 20,000 square feet, maximum.
- b. A mixture of uses is supported by the Community Plan, as determined by the Planning Department.
- c. No hazardous materials or uses are located within an unsafe distance of the proposed residential use, as evidenced by the testimony presented to the Board of Zoning Appeals.

Section 14. Section 17.04.060 (Definitions of general terms) of the Metropolitan Code is hereby amended by deleting the definition of "Commercial amusement, inside" and inserting the following definition:

Commercial amusement, inside' or 'inside commercial amusement' means the provision of entertainment, performances or games of skill to the general public for a fee and that is wholly enclosed in a building, including but not limited to a bowling alley or billiard parlor. This use does not include an arena."

Section 15. Section 17.08.030.F (District land use tables) of the Metropolitan Code is hereby amended by adding "Commercial Amusement, Inside" as a special exception use (SE) in the IG zoning district.

Section 16. Section 17.16.220 (Recreation and entertainment special exceptions) of the Metropolitan Code is hereby inserting by adding the following subsection B and renumbering the remaining subsections

B. Commercial Amusement, Inside

1. Size is limited to 20,000 square feet, maximum.
2. A mixture of uses is supported by the Community Plan, as determined by the Planning Department.
3. No hazardous materials or uses are located within an unsafe distance of the proposed residential use, as evidenced by the testimony presented to the Board of Zoning Appeals.

Section 17. Section 17.08.030.F (District land use tables) of the Metropolitan Code is hereby amended by inserting "Rehearsal Hall" as a special exception use (SE) in IWD, IR and IG zoning districts.

Section 18. Section 17.16.220 (Recreation and entertainment special exceptions) of the Metropolitan Code is hereby amended by adding the following subsection H and renumbering the remaining subsections

B. Rehearsal Hall

1. Size is limited to 20,000 square feet, maximum.
2. A mixture of uses is supported by the Community Plan, as determined by the Planning Department.
3. No hazardous materials or uses are located within an unsafe distance of the proposed residential use, as evidenced by the testimony presented to the Board of Zoning Appeals.

Section 19. That Section 17.08.030 of the Metropolitan Code, District Land Use Tables, is hereby amended by adding "Short Term Rental Property" as an accessory (A) use in IWD, IR and IG.

Section 20. That Section 17.16.250.E of the Metropolitan Code, Residential Accessory Uses, is hereby amended by adding the following sentence to the end of the section:

In IWD, IR and IG, STRP is permitted as an accessory use multi-family use associated with Manufacturing, Artisan use.

Section 21. This Ordinance shall take effect five (5) days from and after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Sponsored by: Ronnie Steine, Walter Hunt, Megan Barry

Approve. (6-0), Consent Agenda

**Resolution No. RS2015-228**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2015Z-009TX-001 is **Approved. (6-0)**"

**14. 2015Z-010TX-001**

BL2015-1120\Allen

**DADU OVERLAY**

Staff Reviewer: Lisa Milligan

A request to amend various sections of Title 17 of the Metropolitan Zoning Code to create a Detached Accessory Dwelling Unit (DADU) Overlay District, requested by Councilmember Burkley Allen, applicant.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Amend the text of the Zoning Ordinance to create the Detached Accessory Dwelling Unit (DADU) Overlay**

Zone Change

A request to amend various sections of Title 17 of the Metropolitan Zoning Code to create a Detached Accessory Dwelling Unit (DADU) Overlay District.

**ANALYSIS**

In April 2014, Planning Staff initiated changes to the Zoning Ordinance in regards to the standards for detached accessory dwelling units. The definition, access standards, bulk, massing, and design standards were established to ensure that detached accessory dwelling units are located in appropriate locations on lots and are compatible with the neighborhoods where they are constructed. Detached accessory dwelling units are a use permitted with conditions on property zoned R6 thru R80, RM2 thru RM20-A, and RM40 thru RM100-A.

The proposed text amendment would allow for the establishment of a Detached Accessory Dwelling Unit (DADU) Overlay district. The proposed text amendment would allow DADUs as an accessory use in areas where the overlay is applied, with the same standards that currently apply to DADUs.

In order for a lot to be eligible for a detached accessory dwelling unit within an area that has a DADU Overlay, it must first meet the lot size standards of the base zoning district. Additionally the lot must:

- Be located within a historic overlay district; OR
- Be located within a Urban Design Overlay with standards for DADUs; OR
- Have an improved alley abutting the rear or side lot line; OR
- Exceed 15,000 square feet in size.

The Detached Accessory Dwelling Unit Overlay refers to the Zoning Ordinance in regards to the standards for the construction of a DADU. The standards are as follows:

#### Site Requirements

- May only be located behind the principal structure

#### Driveway Access

- No alley – no more than 1 curb-cut from any public street
- Alley – Any additional access shall be from the alley and no new curb cut from public streets
- Parking accessed from any public street shall be limited to one driveway for the lot with a maximum width of 12 feet

#### Bulk and Massing

- Living space shall not exceed 700 square feet
- Footprint ranges from a maximum of 750 square feet (lots less than 10,000 sq ft) to 1,000 square feet (lots 10,000 sq ft and over)
- DADU shall maintain a proportional mass, size, and height to ensure it is not taller than the principal structure on the lot. Height shall not exceed the height of the principal structure as measured to the eave line, with a maximum eave height of 10 feet for single-story and 17 feet for two-story
- The roof ridge line must be less than the primary structure and shall not exceed 27 feet in height.

#### Design Standards

- Shall be of similar style, design, and material color as used for the principal structure and shall use similar architectural characteristics, including roof form and pitch
- May have dormers that relate to the style and proportion of windows on the DADU and shall be subordinate to the roof slope by covering no more than 50% of the roof
- May have dormers that are setback a minimum of 2 feet from the exterior wall

#### Historic Properties

- Any properties within a historic district shall comply with the adopted standards of the applicable historic overlay

#### **STAFF RECOMMENDATION**

Staff recommends approval as the text amendment allows for additional housing types to be introduced into neighborhoods while still maintaining the existing character of the neighborhood.

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#### **SUBSTITUTE ORDINANCE NO. BL2015-1120**

**An ordinance amending Chapters 17.36 and 17.40 of Title 17 of the Metropolitan Code to create a Detached Accessory Dwelling Unit (DADU) Overlay District. (Proposal No. 2015Z-010TX-001).**

BE IT ENACTED BY THE COUNTY OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Chapter 17.36 of the Metropolitan Code is hereby amended by adding the following new Article XIV entitled "Detached Accessory Dwelling Unit (DADU) Overlay District".

#### 17.36.600 Purpose and intent.

The DADU overlay district provides additional housing options throughout Davidson County.

#### 17.36.610 Overlay designation.

A DADU overlay district shall be created according to the procedures of Chapter 17.40, Article III and depicted as a geographical area on the official zoning map.

#### 17.36.620 Design guidelines.

A detached self-sufficient dwelling unit shall be allowed accessory to a principal structure subject to the standards set forth in Section 17.16.030 F of this zoning code.

#### 17.36.630 Permitted land uses.

The range of land uses permitted within a DADU overlay district shall be those permitted by the underlying zoning district(s) as established by the zoning district land use table of Section 17.08.030 and accessory dwelling, detached.

#### 17.36.640 Bulk Provisions.

The bulk provisions of the base zoning district shall apply.

#### 17.36.650 Detached Accessory Dwelling Unit Overlay District.

A. Planning Commission Recommendation. The planning commission shall review a proposed DADU overlay district application for conformance with the General Plan. The planning commission shall act to recommend approval or disapproval of the application. Within ten working days of an action, the commission's resolution shall be transmitted in writing to the applicant, the metro clerk, the zoning administrator and all other appropriate governmental departments.

- B. Council Consideration. The metropolitan council shall consider an ordinance establishing a DADU overlay district according to the procedures of Article III of this chapter (Amendments). All property owners within and proximate to a proposed DADU overlay district shall be notified according to the procedures of Article XV of this chapter.
- C. Final Site Plan Approval. For property located within a DADU overlay district, a final site plan application shall be submitted for review and approval by the Zoning Administrator in a manner consistent with the procedures of Section 17.40.170A. The applicant is required to submit all necessary information to the Zoning Administrator and to certify the accuracy of the submitted information.
- D. Changes to a DADU Overlay District Boundary. A proposed change in the geographic boundary of a DADU overlay district on the official zoning map shall be considered by the council according to the procedures of Article III of this chapter (Amendments).

Section 2. Section 17.40.740 of the Metropolitan Code is hereby amended by deleting subsection C.3 in its entirety and substituting with the following:

“Applying the urban design overlay district, historic preservation district, neighborhood conservation district, urban zoning overlay district, contextual overlay district or detached accessory dwelling unit overlay district as provided in Chapter 17.36;”

Section 3. That this Ordinance shall take effect five (5) days from and after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it

Sponsored by: Burkley Allen, Peter Westerholm, Erica Gilmore

Approve. (6-0), Consent Agenda

**Resolution No. RS2015-229**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2015Z-010TX-001 is **Approved. (6-0)**”

**15. 2015Z-011TX-001**

BL2015-1139\Bedne, A. Davis  
**AFFORDABLE HOUSING UNITS**  
 Staff Reviewer: Carrie Logan

A request to amend Title 17 of the Metropolitan Code, Zoning Regulations, to establish a requirement for affordable housing units, and to authorize the Metropolitan Government of Nashville and Davidson County, acting by and through the Planning Department, to establish rules and regulations in accordance with this ordinance, requested by Councilmember Fabian Bedne, applicant.

**Staff Recommendation: Disapprove as filed. Approve the staff proposed substitute ordinance.**

**APPLICANT REQUEST**

Require affordable housing units.

**TEXT AMENDMENT**

A request to amend Title 17 of the Metropolitan Code, Zoning Regulations, to establish a requirement for affordable housing units, and to authorize the Metropolitan Government of Nashville and Davidson County, acting by and through the Planning Department, to establish rules and regulations in accordance with this ordinance.

**PURPOSE**

With the ongoing growth in Nashville, the affordability of housing has been identified as a major concern. It was discussed throughout the NashvilleNext process, in candidate forums and at various events throughout the city. Maintaining and creating housing for all of Nashville’s residents is necessary for the continued health of the city. Metro has issued a RFP to hire a consultant to perform an Inclusionary Zoning market feasibility study, provide recommendations and facilitate community conversation.

This ordinance is intended to create a framework for the later adoption of Rules and Regulations for providing affordable and workforce housing. There are several issues with the bill as filed; however, staff has been working with the affordable housing advocates to create a substitute ordinance. This substitute ordinance, included at the end of this report, addresses the following issues:

- More clearly defines affordable and workforce housing, consistent with state law,
- Clarifies that the list of issues to be addressed with the follow-up ordinance is permissive, allowing the market feasibility study and additional community conversation to address which are appropriate,
- Provides an option for off-site construction to be addressed with the market feasibility study and additional community conversation,
- Clarifies that the 14% requirement is a goal, and
- Clarifies the process for the follow-up ordinance.

The last issue that the affordable housing advocates have not agreed to is the process for the follow-up ordinance. The ordinance that was filed creates a process that bypasses the Planning Commission and requires the ordinance to be sent to the Planning Commission after first reading at Metro Council. Given the involvement of the Planning Commission on this issue, the staff proposed ordinance corrects the process and allows the follow-up ordinance to have a recommendation from the Planning Commission before being filed at Metro Council.

The substitute ordinance provides a framework for further discussions on affordable and workforce housing and allows the market feasibility study to provide the necessary information to create a program to address the affordability of housing in Nashville. The RFP for the market feasibility study has been posted and is awaiting responses. The Planning Department anticipates being able to present a follow-up ordinance in the required timeframe.

#### **ZONING ADMINISTRATOR RECOMMENDATION**

**Disapprove as filed.**

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#### **STAFF RECOMMENDATION**

Staff recommends disapproval as filed and approval of the staff proposed substitute ordinance.

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#### **ORDINANCE NO. BL2015-1139**

**An ordinance amending Title 17 of the Metropolitan Code, Zoning Regulations, to establish a requirement for affordable housing units, and to authorize The Metropolitan Government of Nashville and Davidson County, acting by and through the Planning Department, to establish rules and regulations in accordance with this ordinance (Proposal No. 2015Z-011TX-001).**

WHEREAS, the 2010 US Census found that more than 58,000 renters in Nashville-Davidson County pay more than 30% of their household income for housing and are considered to be housing cost-burdened; and

WHEREAS, in the Nashville Metropolitan Statistical Area 82 percent of renter households with an income below \$35,000 were found in the 2010 Census to be housing cost-burdened; and

WHEREAS, the local economy continues to grow and expand in the aftermath of the recession, but housing costs continue to be a major barrier to economic progress for many in Nashville; and

WHEREAS, monthly rent for apartments in Nashville has risen 75% from 2000 to 2010 while vacancy rates have decreased 20% over the same time period; and

WHEREAS, increasing the supply of modestly priced housing supports economic growth and is an important tool in reducing poverty in Davidson County; and

WHEREAS, in the Metropolitan Planning Department's Memorandum dated April 30, 2009, to Vice Mayor Diane Neighbors and the Metropolitan Council, the Planning Department stated: "If Nashville/Davidson County is seeking a proactive approach to meet its affordable housing needs in an equitable fashion, then the County should consider Inclusionary Zoning."

WHEREAS, the enactment of the following provisions of the Metropolitan Code of Laws is in the best interest of The Metropolitan Government of Nashville and Davidson County.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. Title 17 of the Metropolitan Code of Laws is amended by adding the definition of "Workforce Housing" to Section 17.04.060 as follows:

"Workforce Housing" means housing that is affordable to households earning more than eighty percent, but no more than one hundred and twenty percent, of the average median income for Davidson County as established by the U.S. Department of Housing and Urban Development.

Section 2. Title 17 of the Metropolitan Code of Laws is amended by adding the following new chapter, 17.10, entitled Inclusionary Zoning.

## Chapter 17.10 Inclusionary Zoning

### 17.10.010 Purpose and Intent

- A. The purpose of this chapter is:
1. To increase the supply of affordable housing and workforce housing.
  2. To provide housing opportunities that meet the affordability needs of households needing affordable housing and workforce housing
  3. To disperse housing opportunities throughout Davidson County for households needing affordable housing and workforce housing.
  4. To promote social and economic integration in safe and stable neighborhoods.
  5. To promote the creation and maintenance of suitable residential areas that are safe, attractive and stable.
  6. To protect property values.
  7. To implement the housing goals and policies contained in the General Plan For Nashville and Davidson County.
- B. The intent of this chapter is to provide enabling legislation for residential development that creates Affordable Housing and Workforce Housing, and equitably distributes such housing within new or substantially renovated residential development and construction across all of Davidson County. These regulations may consider any of the following:
1. Whether there should be a minimum project size that is required to provide Affordable Housing and/or Workforce Housing.
  2. Whether any residentially-zoned land or proposed projects should be “grandfathered” in and not be required to provide Affordable Housing and/or Workforce Housing.
  3. What should the income eligibility and target population for the Affordable Housing and/or Workforce Housing be?
  4. Whether there should be a limit on the period of time that the units should remain Affordable Housing and/or Workforce Housing, and/or the conditions under which Affordable Housing and/or Workforce Housing units may be sold or re-sold, and who is entitled to the increased equity.
  5. Whether developers should be offered cost offsets, for example, such as a density bonus or the waiver of certain fees to assist developers in recuperating the cost of providing the Affordable Housing and/or Workforce Housing.
  6. Whether developers should be offered a “cash in lieu of building” option, with any such payments being deposited in the Barnes Fund for Affordable Housing.
  7. Whether there should be reduced Affordable Housing and/or Workforce Housing requirements for new high rise residential construction made primarily with steel and concrete.

### 17.10.020 Minimum Requirements

- A. For all residential development in Davidson County, including new construction, renovation of existing developments, and the conversion of rental property to for-purchase, not less than fourteen percent of the units in such residential development shall be reserved and used for Affordable Housing and/or Workforce Housing.
- B. If any rule or regulation promulgated pursuant to this chapter allows a payment in place of providing Affordable Housing or Workforce Housing units, all such payments shall be deposited in the Barnes Fund for Affordable Housing, or any successor fund.

### 17.10.030 Method of Implementation

- A. The Executive Director of the Metropolitan Planning Department, subject to the requirements of section 17.10.020, shall promulgate such rules and regulations (or, alternatively, propose further amendments to the Zoning Code) as may be necessary to carry out the intent of this chapter; provided, that all such rules and regulations promulgated by (or further amendments to the Zoning Code proposed by) the Executive Director shall become effective upon approval by the Metropolitan Council.
- B. The Executive Director of the Metropolitan Planning Department shall submit the rules and regulations (or further amendments to the Zoning Code) required in section 17.10.030(A) to the Metropolitan Council so that, if at least one Member of the Council signs as a sponsor, the rules and regulations (or further amendments to the Zoning Code) can be presented for a first reading no later than one hundred and eighty days after this ordinance takes effect. If the Metropolitan Council passes the Executive Director’s submitted rules and regulations (or further amendments to the Zoning Code) on first reading, the referral to the Metropolitan Planning Commission, and the approval of the Metropolitan Council on second and third reading, shall be obtained pursuant to other applicable law.

17.10.040 Conflict with Provisions of Zoning Code

If there is a conflict between the requirements of this chapter 17.10 and any other part of the Zoning Code, the provisions of this chapter 17.10 shall prevail.

Section 3. That this ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Sponsored by: Fabian Bedne, Brady Banks, Jerry Maynard, Anthony Davis, Scott Davis

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**STAFF PROPOSED SUBSTITUTE ORDINANCE NO. BL2015-1139**

**An ordinance amending Title 17 of the Metropolitan Code, Zoning Regulations, to establish a requirement for affordable and workforce housing units, and to authorize the Planning Department to establish rules and regulations in accordance with this ordinance (Proposal No. 2015Z-011TX-001).**

WHEREAS, the 2010 US Census found that more than 58,000 renters in Nashville-Davidson County pay more than 30% of their household income for housing and are considered to be housing cost-burdened; and

WHEREAS, in the Nashville Metropolitan Statistical Area 82 percent of renter households with an income below \$35,000 were found in the 2010 Census to be housing cost-burdened; and

WHEREAS, the local economy continues to grow and expand in the aftermath of the recession, but housing costs continue to be a major barrier to economic progress for many in Nashville; and

WHEREAS, monthly rent for apartments in Nashville has risen 75% from 2000 to 2010 while vacancy rates have decreased 20% over the same time period; and

WHEREAS, increasing the supply of modestly priced housing supports economic growth and is an important tool in reducing poverty and maintaining a local workforce in Davidson County; and

WHEREAS, in the Metropolitan Planning Department's Memorandum dated April 30, 2009, to Vice Mayor Diane Neighbors and the Metropolitan Council, the Planning Department stated: "If Nashville/Davidson County is seeking a proactive approach to meet its affordable housing needs in an equitable fashion, then the County should consider Inclusionary Zoning."

WHEREAS, the enactment of the following provisions of the Metropolitan Code of Laws is in the best interest of The Metropolitan Government of Nashville and Davidson County and its citizens.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. Title 17 of the Metropolitan Code of Laws is amended by deleting the definition of "Affordable Housing" to Section 17.04.060 and replacing it with the following language:

"Affordable housing" means housing that, on an annual basis, costs thirty percent or less than the estimated median household income for households earning sixty percent or less than the median household income for the applicable county based on the number of persons in the household, as established by Median Household Income in the Past 12 Months by Household Size (B19019) from the most recently available US Census Bureau American Community Survey.

Section 2. Title 17 of the Metropolitan Code of Laws is amended by adding the following definition of "Workforce housing" to Section 17.04.060:

"Workforce housing" means housing that, on an annual basis, costs thirty percent or less than the estimated median household income for households earning more than sixty percent and not to exceed one hundred and twenty percent of the median household income for the applicable county based on the number of persons in the household, as established by Median Household Income in the Past 12 Months by Household Size (B19019) from the most recently available US Census Bureau American Community Survey.

Section 3. Title 17 of the Metropolitan Code of Laws is amended by adding the following new chapter, 17.10, entitled Inclusionary Zoning.

Chapter 17.10 Inclusionary Zoning

17.10.010 Purpose and Intent



- A. The purpose of this chapter is:
1. To increase the supply of affordable housing and workforce housing.
  2. To provide housing opportunities that meet the affordability needs of households needing affordable housing and workforce housing
  3. To disperse housing opportunities throughout Davidson County for households needing affordable housing and workforce housing.
  4. To promote social and economic integration in safe and stable neighborhoods.
  5. To promote the creation and maintenance of suitable residential areas that are safe, attractive and stable.
  6. To protect property values.
  7. To implement the housing goals and policies contained in the General Plan For Nashville and Davidson County.
- B. The intent of this chapter is to provide enabling legislation for residential development that creates Affordable Housing and Workforce Housing, and equitably distributes such housing within new or substantially renovated residential development and construction across all of Davidson County. These regulations may consider any means of providing affordable and/or workforce housing, including the following:
1. Minimum project size that is required to provide Affordable Housing and/or Workforce Housing.
  2. Qualifications for “grandfathered” projects not required to provide Affordable Housing and/or Workforce Housing.
  3. Income eligibility and target population for the Affordable Housing and/or Workforce Housing
  4. Period of time that the units should remain Affordable Housing and/or Workforce Housing, and/or the conditions under which Affordable Housing and/or Workforce Housing units may be sold or re-sold, and who is entitled to the increased equity.
  5. Development and financial incentives for providing affordable or workforce housing.
  6. An in-lieu fee option for building affordable or workforce housing.
  7. An offsite option to build the affordable or workforce housing units, provided that the offsite option meets the intent to equitably distribute affordable and workforce housing.

#### 17.10.020 Minimum Requirements

- A. In preparing the rules and regulations for implementation of this chapter, the planning department shall set a goal of requiring at least fourteen percent of the units in all residential development in Davidson County, including new construction and renovation be reserved and used for Affordable Housing and/or Workforce Housing.
- B. If any rule or regulation promulgated pursuant to this chapter allows an in lieu of payment in place of providing Affordable Housing or Workforce Housing units, all such payments shall be deposited in the Barnes Fund for Affordable Housing, or any successor fund.

#### 17.10.030 Method of Implementation

- A. The Executive Director of the Metropolitan Planning Department, subject to the requirements of section 17.10.020 and all applicable state law including without limitation TCA 66-35-102, shall promulgate rules and regulations or propose further amendments to the Zoning Code to carry out the intent of this chapter; provided, that all such rules and regulations promulgated by, or further amendments to the Zoning Code proposed by, the Executive Director shall become effective upon approval by the Metropolitan Council, and also provided, that the minimum requirements set forth in section 17.10.020(A) shall not be effective until the Metropolitan Council has approved the rules and regulations promulgated by, or further amendments to the Zoning Code proposed by, the Executive Director under this section.
- B. The Executive Director of the Metropolitan Planning Department shall submit an ordinance to the Metropolitan Council amending the Metropolitan Zoning Code to implement the rules and regulations no later than one hundred and eighty days after this ordinance takes effect.

#### 17.10.040 Conflict with Provisions of Zoning Code

If there is a conflict between the requirements of this chapter 17.10 and any other part of the Zoning Code, the provisions of this chapter 17.10 shall prevail.

Section 4. That this ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Ms. Logan presented the staff recommendation of disapproval as filed and approval of the staff proposed substitute ordinance.

Councilman Bedne spoke in favor of the substitute ordinance and thanked the planning staff and the council co-sponsors.

Avi Poster spoke in favor of the substitute ordinance on behalf of NOAH.

James Fraser, 1509 Fatherland Street, spoke in favor of the substitute ordinance.

Cindy Stanton, 4540 Trousdale Drive, spoke in favor of the substitute ordinance on behalf of GNAR and their members.

Paulette Coleman spoke in favor of the substitute ordinance.

Bill Barnes spoke in favor of the substitute ordinance and noted that Nashville has a huge unmet need for affordable housing.

Catie Bailey, 2348 Redwood Trail, spoke in opposition on behalf of GNAA.

James Weaver, 511 Union Street, asked for deferral and noted the language isn't permissive with regard to inclusionary zoning.

Councilman Bedne and Dr. Fraser asked for approval.

**Chairman McLean closed the Public Hearing.**

Mr. Clifton spoke in favor of the substitute ordinance.

Ms. Blackshear spoke in favor of the substitute ordinance due to the city's large problem with affordability.

Ms. Farr spoke in favor of the substitute ordinance but noted she was hoping to leave the percentage open.

Councilman Hunt spoke in favor of the substitute ordinance.

**Ms. LeQuire moved and Councilman Hunt seconded the motion to disapprove as filed but approve the staff proposed substitute ordinance. (6-0)**

### **Resolution No. RS2015-230**

**"BE IT RESOLVED by The Metropolitan Planning Commission that 2015Z-011TX-001 is Disapproved as filed but approved the staff proposed substitute ordinance. (6-0)"**

## **16. 2015Z-012TX-001**

### **A DISTRICTS**

Staff Reviewer: Carrie Logan

A request to amend various sections of Title 17 of the Metropolitan Zoning Code to add alternative zoning districts and modify alternative zoning district standards, requested by Metro Planning Department.

**Staff Recommendation: Approve with an amendment.**

### **APPLICANT REQUEST**

**Modify A district standards and add new A districts.**

### **TEXT AMENDMENT**

A request to amend various sections of Title 17 of the Metropolitan Zoning Code to add alternative zoning districts and modify alternative zoning district standards.

### **PURPOSE**

In May of 2011, the Metro Council adopted the first set of Alternative zoning districts. These "A districts" were intended to create rezoning options, in addition to the already existing base zoning districts, including SP. The A districts included a set of minimal design standards. Over the years, staff has identified situations in which SPs have been requested to ensure design standards above or different than the adopted A districts. This ordinance would update the A districts to include additional design standards and additional districts.

First, this ordinance creates a series of suburban design standards for use outside of the Urban Zoning Overlay. These suburban design standards are based on the Murfreesboro Road UDO. They would allow one module (two rows) of parking in front of the buildings and require a certain percentage of the lot frontage to be occupied by building frontage.

Second, this ordinance updates the existing A district standards to require additional building frontage. Alley access and construction, parking garage liners, glazing requirements, raised foundations for residential structures and sidewalk construction on streets in the Major and Collector Street Plan would be required in all A districts. These standards are often the reason for rezoning to SP, in order to comply with the Community Plan or design requests of the Councilmember and community. Currently, a development can apply for a special exception at the Board of Zoning Appeals to exceed the maximum height in the A Districts in the Urban Zoning Overlay, but not the maximum height in the build to zone. Staff recommends an amendment that would allow for the maximum height in the build to zone to be exceeded with a special

exception process. This would allow for more design flexibility, but still be reviewed against the community character policy through the special exception process. The amendment to Section 17.12.060 would be:

- F. Special Height Regulations for All Uses (Excluding Single-Family and Two-Family Dwellings) Within the Urban Zoning Overlay District:
  - 1. In all districts, a principal or accessory structure may exceed the maximum height at the setback line and/or penetrate the height control plane as shown in Tables 17.12.020.B and 17.12.020.C, or **the maximum height in the build to zone for 30% of the façade fronting each public street** and/or the maximum heights specified in Table 17.12.020.D, based on the review and approval of a Special Exception by the Board of Zoning Appeals.

Third, this ordinance creates commercial A districts. This provides additional options for the rezonings to permit commercial uses.

Lastly, this ordinance creates several small lot single-family and one and two-family (R and RS) A districts. Staff has seen an increase in requests to allow two-family uses in single-family areas. When those requests are adjacent to a constructed alley, a SP is required to ensure alley access only.

This ordinance would give the option of rezoning to an A district instead of a SP. The one and two-family standards are:

- a. Access and Driveways.
  - 1. Where existing, access shall be from an improved alley only. Where no improved alley exists, one driveway within the street setback may be permitted.
  - 2. For a corner lot, the driveway shall be located within 30 feet of the rear property line.
  - 3. Parking, driveways and all other impervious surfaces in the required street setback shall not exceed twelve feet in width.
- b. Garages.
  - 1. Detached. The front of any detached garage shall be located behind the rear of the primary structure. The garage door of a detached garage may face the street.
  - 2. Attached. The garage door shall face the side or rear property line.
- c. A minimum raised foundation of 18-36" is required.

#### **ZONING ADMINISTRATOR RECOMMENDATION**

**Approve**

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#### **STAFF RECOMMENDATION**

Staff recommends approval with an amendment.

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#### **ORDINANCE NO. BL2015-1153**

**An ordinance to amend various sections of Title 17 of the Metropolitan Zoning Code to add alternative zoning districts and modify alternative zoning district standards. (Proposal No. 2015Z-012TX-001).**

WHEREAS, there is a need to create non-site plan based zoning districts to implement the bulk standards necessary to create the walkable communities envisioned by the citizens of Davidson County through the general plan;

WHEREAS, encouraging and fostering development and reinvestment that promotes alternative modes of transportation such as walking, bicycling and transit are important to enhancing the quality of the life of the citizens of Metropolitan Nashville and Davidson County;

NOW, THEREFORE, BE IT ENACTED BY THE COUNTY OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Section 17.08.010.F (Commercial Districts:) of the Metropolitan Code is hereby amended by deleting items 1-3, inserting the following districts as items 1-6 and renumbering the remaining items accordingly:

- 1. CN Commercial Neighborhood.
- 2. CN-A Commercial Neighborhood Alternative.
- 3. CL Commercial Limited.
- 4. CL-A Commercial Limited Alternative.
- 5. CS Commercial Service.
- 6. CS-A Commercial Service Alternative.

Section 2. That Section 17.08.020.F (Zoning Districts Described: Commercial Districts) of the Metropolitan Code is hereby amended by retaining the introductory paragraph, deleting Sections 17.08.020.F.1, 17.08.020.F.2, 17.08.020.F.3 and inserting in their place the following descriptions:

1. CN, Commercial Neighborhood District and CN-A, Commercial Neighborhood District Alternative. The CN and CN-A districts will implement the local convenience and neighborhood retail policies of the general plan. These districts are designed to provide for the recurring shopping and personal service needs of nearby residential areas. The range of permitted uses is limited to those which are generally patronized on a frequent basis by neighborhood residents. The bulk and buffering standards are intended to insure good compatibility between the commercial uses and adjacent residential properties.

2. CL, Commercial Limited District and CL-A, Commercial Limited District Alternative. The CL and CL-A districts are designed to provide for a limited range of commercial uses primarily concerned with retail trade and consumer services, general and fast food restaurants, financial institutions, administrative and consulting offices. The uses in this district serve a moderately wide market area, and therefore ease of automobile access is requisite.

3. CS, Commercial Service District and CS-A, Commercial Service District Alternative. The CS and CS-A districts are intended to provide opportunities for a diverse range of commercial uses that include retail trade and consumer services, automobile sales and repair, small scale custom assembly, restaurants, entertainment and amusement establishments, financial, consulting and administrative services.

Business establishments in the CS and CS-A districts often serve a wide market area, and ease of automobile access is requisite. However, it is not intended that this district permit uses which generate truck traffic other than the stocking of products. Because of the diverse nature of uses found in these districts, bulk and buffering standards are designed to protect neighboring areas.

Section 3. That Section 17.080.030 (Zoning District Land Use Table) of the Metropolitan Code is hereby amended by modifying the land use table to incorporate the alternative zoning districts as follows:

Under the "Commercial" sub-heading, delete "CN" and replace with "CN and CN-A", and delete "CL" and replace with "CL and CL-A", delete "CS" and replace with "CS and CS-A."

Section 4. That Section 17.12.020 (District Bulk Tables) of the Metropolitan Code is hereby amended by deleting subsection "D" and Table 17.12.020.D with its corresponding notes and replacing with the following:

D. District bulk Table 17.12.020.D establishes the bulk requirements for all structures in the alternative zoning districts for multi-family, mixed-use, office and commercial.

Table 17.12.020D  
MULTI-FAMILY, MIXED USE AND NONRESIDENTIAL ALTERNATIVE ZONING DISTRICTS

Zoning District	Min. Lot Area	Max. Density	Max. FAR(see Note 1)	Max. ISR (see Note 2)	Min. Rear Setback (in ft)	Min. Side Setback (in ft)	Max. Height in Build-to Zone	Min. Step-back	Max. Height	Build-to Zone (in ft) (See note 3)
MUN-A	None	Doesn't apply	0.60	0.80	20	None req.	3 stories in 45 feet	15 feet	4 stories in 60 feet	0 – 15, 0-80 outside of the UZO
MUL-A	None	Doesn't apply	1.00	0.90	20	None req.	3 stories in 45 feet	15 feet	4 stories in 60 feet	0 – 15, 0-80 outside of the UZO
MUG-A	None	Doesn't apply	3.00	0.90	20	None req.	5 stories in 75 feet	15 feet	7 stories in 105 feet	0- 15
MUI-A	None	Doesn't apply	5.00	1.00	None req.	None req.	7 stories in 105 feet	15 feet	15 stories in 150 feet	0- 15
RM9-A	15,000	15	0.60 See Note 8	0.70	20	10 See Note 3	20 feet	15 feet	35 feet	0 – 15, 0-80 outside of the UZO
RM15-A	10,000	9	0.75 See Note 8	0.70	20	10 See Note 3	20 feet	15 feet	35 feet	0 – 15, 0-80 outside of the UZO
RM20-A, OR20-A	7,500	20	0.80 (see Note 2)	0.70	20	5 See Note 3	30 feet	15 feet	45 feet	0 – 15, 0-80 outside of the UZO
RM40-A, OR40- A	6,000	40	1.00 See Note 1	0.75	20	5 See Note 3	45 feet	15 feet	60 feet	0- 15
RM60-A	6,000	60	None	0.80	20	5 See Note 3	65 feet	15 feet	90 feet	0- 15
RM80-A	6,000	80	None	0.90	20	5	65 feet	15 feet	90 feet	0- 15
RM100-A	6,000	100	None	0.90	20	5	65 feet	15 feet	90 feet	0- 15
ORI-A	None	Doesn't apply	3.00	0.90	20	None req.	65 feet	15 feet	105	0- 15
CN-A	None	Doesn't apply	0.25	0.80	20	None req.	2 stories in 30 feet	Doesn't apply	2 stories in 30 feet	0 – 15 in the UZO, 0-80 outside of the UZO
CL-A	None	Doesn't apply	0.60	0.90	20	None req.	3 stories in 45 feet	15 feet	4 stories in 60 feet	0 – 15 in the UZO, 0-80 outside of the UZO

CS-A	None	Doesn't apply	0.60	0.90	20	None req.	3 stories in 45 feet	15 feet	4 stories in 60 feet	0 – 15 in the UZO, 0-80 outside of the UZO
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Note 1: The area of any parcel dedicated as right-of-way as part of a related development process may be used to calculate FAR or density for the applicable property. No maximum FAR applies to multi-family developments in the RM9-A thru RM40-A and OR20-A OR40-A, and ORI-A districts.

Note 2: Within the urban zoning overlay district, any attached townhomes or rowhouses with alley access to required off-street parking, may have a zero-foot side setback (1) on internal lot lines between units, or (2) where the side of a unit is adjacent to an area having a minimum width of 10 feet that is shown on the final site plan as an open space area or a required landscape buffer yard, provided that each unit has a private yard and no more than eight units are contained in any single-structure.

Note 3: Alternative zoning districts shall have the following standards apply to the location of a building and its associated parking:

- a. Sidewalks shall be constructed to the standard of the Major and Collector Street Plan or, if on a local street, to local street standards. The build-to zone for alternative zoning districts shall be measured shall be measured from the Standard right-of-way line as established by the table entitled "Standard Street Right-of-Way Widths" in the Major and Collector Street Plan. Streets included in the Major and Collector Street Plan are not eligible for the in-lieu fee in Section 17.20.120.D.
- b. A parcel located at the intersection of two public streets shall have a building occupy the corner of the parcel that is bounded by the two intersecting public streets subject to the "Notes" of this table, which apply to both frontages.
- c. A primary entrance to the building shall be located along the building façade within the build-to zone.
- d. Street Level Parking Decks. Parking decks located at street level shall have no less than seventy-five percent of the lineal street frontage devoted to office or nonparking commercial uses, or in districts that only permit residential uses, residential uses at a minimum depth of twenty feet. A minimum of fifty percent of that wall area shall be glazed. That floor area shall be excluded from the calculation of floor area ratio.
- e. The zoning administrator may allow necessary adjustments to the build-to zone when existing utilities or utility easements are within the build-to zone and unusual circumstances require that the utilities cannot be relocated or easements reduced. Upon allowing an adjustment to the build-to zone, the zoning administrator may also allow adjustments to the rear setback and landscape buffer yard as authorized by Table 17.24.230, to provide for a necessary building area. The zoning administrator may allow necessary adjustments to the build-to zone, rear setback and landscape buffer yard based on the nature of the existing and future land uses and site conditions in the general vicinity after receiving a written recommendation from the planning department and any relevant department or agency.
- f. For first floor residential uses, a minimum raised foundation of 18-36" is required.
- g. Glazing on the first floor of any public street frontage shall be a minimum of 40% for nonresidential uses and a minimum of 25% for residential uses. Glazing on the upper floors of any public street frontage shall be a minimum of 25%.
- h. In the UZO:
  - i. Any unimproved alley abutting the property that would provide direct access to an improved alley or street shall be constructed as the primary vehicular access.
  - ii. A parcel that is sixty feet wide or greater shall have the front facade of the building extend across at least sixty percent of the parcel's frontage.
  - iii. A parcel less than sixty feet wide shall have the building's front facade extend across the full width of the parcel in mixed-use, office and commercial districts.
  - iv. If an improved alley is not present or required, an opening of up to twenty-six feet wide shall be permitted, regardless of the requirements of subsections ii and iii above.
  - v. Parking shall be permitted only at the sides and rears of buildings
- i. Outside of the UZO:
  - i. The front facade of the building shall extend across at least forty-five percent of the parcel's frontage or the building front façade shall be at least twenty-five feet in width, whichever is greater.
  - ii. A maximum of one module of parking (two rows and a drive aisle) shall be permitted between the building and the street.

Section 5. That Section 17.12.070 (Special floor area ratio (FAR) provisions) of the Metropolitan Code is hereby amended by deleting subsection E. and and replacing with the following subsection E.:

Street Level Parking Decks in the MUG, ORI and MUI Districts. Regardless of whether other special floor area ratio (FAR) provisions in this section are utilized, parking decks located at street level shall have no less than seventy-five percent of the lineal street frontage devoted to office or nonparking commercial uses at a minimum depth of twenty feet. A minimum of fifty percent of that wall area shall be glazed. That floor area shall be excluded from the calculation of floor area ratio.

Section 6. That Section 17.08.010.B.1 (Single-Family Districts:) of the Metropolitan Code is hereby amended by deleting items h. and i. and replacing with the following items:

- h. RS7.5-A (7,500 square foot lot).
- i. RS5 (5,000 square foot lot).
- j. RS5-A (5,000 square foot lot).
- k. RS3.75 (3,750 square foot lot).
- l. RS3.75-A (3,750 square foot lot).

Section 7. That Section 17.08.010.B.2 (One and Two-Family Districts:) of the Metropolitan Code is hereby amended by deleting item h and replacing with the following items:

- h. R8-A (8,000 square foot lot).
- i. R6 (6,000 square foot lot).
- j. R6-A (6,000 square foot lot).

Section 8. That Section 17.08.020.B.1. (Single-Family (RS) Districts) of the Metropolitan Code is hereby amended by deleting subsection c. and inserting the following subsection c.:

c. RS7.5, RS7.5-A, RS5, RS5-A, RS3.75 and RS3.75-A Districts. Designed for higher intensity single-family development, these districts are appropriate for implementing the residential medium density policies of the general plan. As a general rule, these districts should have good access to either arterial or collector streets with the RS3.75 and RS3.75-A districts located in proximity to mass transit service.

Section 9. That Section 17.08.020.B.2. (One and Two-Family (R) Districts) of the Metropolitan Code is hereby amended by deleting subsection c. and inserting the following subsection c.:

c. R15, R10, R8 and R8-A Districts. Intended for medium intensity one-family and two-family development, these districts are appropriate for implementing the residential medium density policies of the general plan. The R8 and R8-A districts also may be applied to areas zoned for medium-high density residential development. Generally, these districts should have good access to either arterial or collector streets.

Section 10. That Section 17.08.020.B.2. (One and Two-Family (R) Districts) of the Metropolitan Code is hereby amended by deleting subsection d. and inserting the following subsection d.:

d. R6 and R6-A Districts. Intended to provide for higher intensity one-family and two-family development, this district is appropriate for implementing the residential medium or medium-high density policies of the general plan. This district should have good access to arterial streets with preference given to locations with mass transit service.

Section 11. That Section 17.080.030 (Zoning District Land Use Table) of the Metropolitan Code is hereby amended by modifying the land use table to incorporate the alternative zoning districts as follows:

Under the "Residential" sub-heading, delete "RS80 through RS3.75" and replace with "RS80 through RS3.75-A", and delete "R80 through R6" and replace with "R80 through R6-A."

Section 12. That Section 17.12.020 (District Bulk Tables) of the Metropolitan Code is hereby amended by adding note 5 under Table 17.12.020.A:

Note 5: In RS3.75-A, RS5-A, RS7.5-A, R6-A and R8-A districts, the following standards shall apply:

- a. Access and Driveways.
  - 1. Where existing, access shall be from an improved alley only. Where no improved alley exists, one driveway within the street setback may be permitted.
  - 2. For a corner lot, the driveway shall be located within 30 feet of the rear property line.
  - 3. Parking, driveways and all other impervious surfaces in the required street setback shall not exceed twelve feet in width.
- b. Garages.
  - 1. Detached. The front of any detached garage shall be located behind the rear of the primary structure. The garage door of a detached garage may face the street.
  - 2. Attached. The garage door shall face the side or rear property line.
- c. A minimum raised foundation of 18-36" is required.

Section 13. That Section 17.12.020 (District Bulk Tables) of the Metropolitan Code is hereby amended by adding note 8 under Table 17.12.020.B:

Note 5: In RS3.75-A, RS5-A, RS7.5-A, R6-A and R8A districts, the following standards shall apply:

- a. Access and Driveways.
  1. Where existing, access shall be from an improved alley only. Where no improved alley exists, one driveway within the street setback may be permitted.
  2. For a corner lot, the driveway shall be located within 30 feet of the rear property line.
  3. Parking, driveways and all other impervious surfaces in the required street setback shall not exceed twelve feet in width.
- b. Garages.
  1. Detached. The front of any detached garage shall be located behind the rear of the primary structure. The garage door of a detached garage may face the street.
  2. Attached. The garage door shall face the side or rear property line.
- c. A minimum raised foundation of 18-36" is required.

Section 14. That Section 17.32.110 (On-premises signs—I, MUN, MUN-A, MUL, MUL-A, ON, OL, OG, OR20, OR20-A, OR40, OR40-A, CN and SCN districts) of the Metropolitan Code is hereby amended by deleting the heading and replacing with the following:

On-premises signs—MUN, MUN-A, MUL, MUL-A, ON, OL, OG, OR20, OR20-A, OR40, OR40-A, CN, CN-A, CL-A, CS-A and SCN districts.

Section 15. That all other sections of Title 17 of the Metropolitan Code not previously referenced in this ordinance are hereby amended by inserting "and CN-A" after "CN", "and CL-A" after "CL", "and CS-A" after "CS", "and RS3.75-A" after "RS3.75", "and RS5-A" after "RS5", "and RS7.5-A" after "RS7.5", "and R6-A" after "R6", "and R8-A" after "R8", wherever they appear.

Section 16. That all other sections of Title 17 of the Metropolitan Code not previously referenced in this ordinance are hereby amended by replacing the phrase "R and RS" with "R/R-A and RS/RS-A", wherever it appears and inserting "and RS-A" after "RS", "and R-A" after "R", for any remaining references that do not include a numeral specifying the lot size.

Section 17. This Ordinance shall take effect five (5) days from and after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Sponsored by: Walter Hunt, Anthony Davis

Approve with an amendment. (6-0), Consent Agenda

**Resolution No. RS2015-231**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2015Z-012TX-001 is **Approved with an amendment. (6-0)**"

**17. 2015Z-014TX-001**

BL2015-1210\Matthews, Garrett & others  
**NATURAL GAS COMPRESSOR STATIONS**  
Staff Reviewer: Carrie Logan

A request to amend various sections of Title 17 of the Metropolitan Zoning Code related to natural gas compressor stations, requested by Councilmember Lonnell Matthews.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Create a new use, called "natural gas compressor station."**

**TEXT AMENDMENT**

A request to amend various sections of Title 17 of the Metropolitan Zoning Code related to natural gas compressor stations.

**PURPOSE**

Currently, the Zoning Code includes only one use specifically related to natural gas:

"Power/gas substation" means a facility that regulates electric current or natural gas pressure for distribution to individual neighborhoods.



This use contemplates small facilities that service individual neighborhoods. Natural gas pipelines also require additional facilities that move gas along the pipeline. The EPA describes this process:

“To ensure that the natural gas flowing through any pipeline remains pressurized, compression of the gas is required periodically along the pipeline. This is accomplished by compressor stations usually placed between 40 and 100 mile intervals along the pipeline. At a compressor station, the natural gas enters the station, where it is compressed by reciprocating or centrifugal compressors.” <http://www.epa.gov/airquality/oilandgas/pdfs/20110728tsd.pdf>

This ordinance would define natural gas compressor stations:

Natural Gas Compressor Station means a facility designed and constructed to compress natural gas that originates from an Oil and Gas well or collection of such wells operating as a midstream facility for delivery of Oil and Gas to a transmission pipeline, distribution pipeline, Natural Gas Processing Plant or underground storage field, including one or more natural gas compressors, associated buildings, pipes, valves, tanks and other equipment.

Because natural gas compressor stations are operationally and physically similar to an industrial use, this ordinance permits them only in industrial districts.

#### **ZONING ADMINISTRATOR RECOMMENDATION**

**Approve**

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#### **STAFF RECOMMENDATION**

Staff recommends approval.

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#### **ORDINANCE NO. BL2015-1210**

**An ordinance to amend various sections of Title 17 of the Metropolitan Zoning Code related to natural gas compressor stations. (Proposal No. 2015Z-014TX-001).**

WHEREAS, Natural gas compressor stations are operationally and physically similar to an industrial use;

WHEREAS, Industrial uses are incompatible with many other land uses and are not sensitive to the environment; and

WHEREAS, Because of the similarity to industrial uses, natural gas compressor stations are only appropriate in industrial zoning districts.

NOW, THEREFORE, BE IT ENACTED BY THE COUNTY OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. Section 17.04.060 (Definitions of general terms) of the Metropolitan Code is hereby amended by inserting the following definition of “Natural Gas Compressor Station”:

Natural Gas Compressor Station means a facility designed and constructed to compress natural gas that originates from an Oil and Gas well or collection of such wells operating as a midstream facility for delivery of Oil and Gas to a transmission pipeline, distribution pipeline, Natural Gas Processing Plant or underground storage field, including one or more natural gas compressors, associated buildings, pipes, valves, tanks and other equipment.

Section 2. Section 17.08.030.F (District land use tables) of the Metropolitan Code is hereby amended by adding “Compressor Station” as a use permitted with conditions (P) in IWD, IR and IG zoning districts.

Section 3. Table 17.20.030 (Parking requirements) of the Metropolitan Code is hereby amended by inserting the following row for “Compressor Station” under Industrial uses:

Natural Gas Compressor Station 1 space per employee

Section 4. This Ordinance shall take effect five (5) days from and after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Sponsored by: Lonnell Matthews, Tim Garrett, Robert Duvall, Buddy Baker, Walter Hunt, Anthony Davis, Karen Bennett

Ms. Logan presented the staff recommendation of approval.

Councilman Matthews spoke in favor of the application.

Lori Birckhead, 7721 Whites Creek Pike, spoke in favor of the application.

Kaye Bentley, 7720 Greenbrier Road, spoke in favor of the application and explained that no one wants to live on an industrial site.

Kari Huskey, 4244 Bernard, spoke in favor of the application due to health and toxins concerns.

Bill Robertson, 1310 Roberts Road, spoke in favor of the application.

Wendy Wilson, 4898 Bull Run Road, spoke in favor of the application.

Mike Younger, 6974 Old Hickory Blvd, spoke in favor of the application due to health and safety concerns.

Shanna Midgett, 5200 Rawlings Road, spoke in favor of the application due to health and safety concerns.

Christina Wright, 3041 Morgan Road, spoke in favor of the application; would like to keep the area quiet and residential.

Lane Brody, Walden's Puddle, 8131 Jackman Road, spoke in favor of the application and noted that a compressor station would drastically impact the animal rehabilitation.

Bettina Bowers, Walden's Puddle, spoke in favor of the application and noted that the 3500 injured animals that they care for each year will have nowhere else to go if a compressor station is allowed.

Mac Wilson, 1898 Bull Run Road, spoke in favor of the application.

Susan Shann, 5476 Old Hickory Blvd, spoke in favor of the application due to potential decreased property values.

Jennifer Mayo, 2873 Morgan Road, spoke in favor of the application due to health concerns.

Eric Lewis, 7978 Hwy 100, spoke in favor of the application.

Jim Wright, 3041 Morgan Road, spoke in favor of the application because he doesn't want anything to affect the rural character of the neighborhood.

Christy Harrison spoke in favor of the application due to health concerns and also protection for Walden's Puddle.

Jake Larson, 3250 Lacey Road, spoke in opposition to the application and noted that the compressor station will create many new jobs.

Daniel Maxian, 1001 Louisiana St, spoke in opposition to the application and asked for deferral or disapproval.

James Weaver, 511 Union Street, spoke in opposition to the application.

Councilman Matthews asked for approval in order to protect Davidson County.

**Chairman McLean closed the Public Hearing.**

Ms. Blackshear noted that this is common sense legislation and she can't think of any reason why this should be in an area that isn't industrially zoned.

Ms. Farr spoke in favor of the application.

Councilman Hunt spoke in favor of the application and noted that the constituents in this area did not know anything about this.

Mr. Clifton spoke in favor of the application and noted that this needs to be limited to non-residential areas.

**Mr. Clifton moved and Councilman Hunt seconded the motion to approve. (6-0)**

**Resolution No. RS2015-232**

**"BE IT RESOLVED by The Metropolitan Planning Commission that 2015Z-014TX-001 is Approved. (6-0)"**

## **Specific Plans**

### **18. 2015SP-051-001**

#### **MADISON STREET APARTMENTS**

Map 082-09, Parcel(s) 356-357, 499-500

Council District 19 (Erica S. Gilmore)

Staff Reviewer: Lisa Milligan

A request to rezone from IR to SP-MU zoning for property located at 200 and 206 Madison Street and 1212 and 1214 3rd Avenue North, (0.83 acres), at the intersection of 2nd Avenue North and Madison Street, to permit a mixed-use development with up to 101 multi-family dwelling units, requested by T-Square Engineering, Inc., applicant; GP Luxury, LLC and Volpar, Inc., owners.

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

#### **APPLICANT REQUEST**

**Preliminary SP to permit up to 101 dwelling units.**

#### Preliminary SP

A request to rezone from Industrial Restrictive (IR) to Specific Plan-Mixed Use (SP-MU) zoning for property located at 200 and 206 Madison Street and 1212 and 1214 3rd Avenue North, (0.83 acres), at the intersection of 2nd Avenue North and Madison Street, to permit a mixed-use development with up to 101 multi-family dwelling units.

#### **Existing Zoning**

Industrial Restrictive (IR) is intended for a wide range of light manufacturing uses at moderate intensities within enclosed structures.

#### **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 in addition to office and/or commercial uses.

#### **CRITICAL PLANNING GOALS**

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

This proposal meets three critical planning goals. Development in areas with adequate infrastructure is more appropriate than development not served with adequate infrastructure such as roads, water and sewer, because it does not burden Metro with the cost of maintaining new infrastructure. The project will intensify development on an infill site. Sidewalks are being improved along 2<sup>nd</sup> Avenue N, 3<sup>rd</sup> Avenue N, and Madison Street to create a more pedestrian friendly and walkable area. Also, the development will provide additional housing options in an existing urban neighborhood.

#### **NORTH NASHVILLE COMMUNITY PLAN**

##### **CCM Policy**

T4 Urban Mixed Use Neighborhood (T4 MU) is intended to preserve, enhance, and create urban, mixed use neighborhoods with a development pattern that contains a diverse mix of residential and non-residential land uses and that are envisioned to remain or develop in a mixed use pattern. T4 MU areas may include commercial and even light industrial uses in addition to vertical mixed use and a significant amount of moderate to high density residential development.

##### Consistent with Policy?

Yes. The proposed SP is consistent with the T4 Urban Mixed Use Neighborhood policy. The project is providing for multi-family residential dwelling units as well as a small amount of retail. The future residents will be able to walk to other mixed use developments that are being constructed in the immediate area, adding to the vitality and success of the urban neighborhood.

#### **PLAN DETAILS**

The site is located at 200 and 206 Madison Street, on the north side of Madison Street between 2<sup>nd</sup> Avenue N and 3<sup>rd</sup> Avenue N. The site is approximately 0.83 acres in size and is currently vacant.

##### Site Plan

The plan proposes a mixed use development with up to 101 multi-family residential units and approximately 700 square feet of retail space. The Madison Street elevation includes amenity areas for residents as well as a leasing office. The retail space is the only part of the development that is not associated directly with the residential use as either living space or amenity space. Residential amenities include a fitness center and courtyard.

An underground parking area is planned to serve the residents as well as the retail space. Access to the garage is from 3<sup>rd</sup> Avenue N on the northern boundary of the site. An existing alley runs through the middle of the site. The alley will be improved. The building is proposed to be built over and span across the existing alley. The sidewalks along 2<sup>nd</sup> Avenue N, 3<sup>rd</sup> Avenue N, and Madison Street will be improved to include a 4 foot planting strip and 8 foot sidewalk. On part of the 3<sup>rd</sup> Avenue N frontage, the building is proposed to cantilever over the sidewalk.

The project is located within the Phillips-Jackson Street Redevelopment District and MDHA has approved the project.

Proposed building materials include masonry, fiber cement panels, and wood grain stained panels. Portions of the parking garage will be visible on 3<sup>rd</sup> Avenue N as well as internal from the alley. A series of decorative metal panels are proposed for screening of the parking garage.

#### **ANALYSIS**

The plan is consistent with the T4 Urban Mixed Use Neighborhood policy. The project introduces additional residential dwelling units into an emerging mixed use neighborhood. Future residents will be able to walk to uses within other developments that are currently under construction contributing to the success and vibrancy of the neighborhood. The 3<sup>rd</sup> Avenue N façade includes a cantilevered element. The original design included columns within the right-of-way. A revised plan removed the columns.

#### **MDHA**

**Approved**

#### **FIRE DEPARTMENT RECOMMENDATION**

**Approved with conditions**

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

#### **STORMWATER RECOMMENDATION**

**Approved with conditions**

- Storm connection into the public system will need to be made to an approved location determined by Metro Sewer.

#### **WATER SERVICES**

**Approved with conditions**

- Approved as a Preliminary SP only. Applicant will need to submit public sewer construction plans for review and approval before the Final SP is approved (double sewer pump system may not be allowed in this scenario). The required capacity fees must also be paid prior to Final SP 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.
- Comply with MPW Traffic Engineer
- Prior to Final SP approval an Aerial Encroachment and a Mandatory Referral application will be required to be submitted. The aerial encroachment is for construction above the alley at a minimum of 18' clear. The mandatory referral is for construction below the alley ROW and must facilitate the existing and proposed utilities within the alley. Additionally, the building overhang on 3rd Ave N will need to be submitted with the MR application

#### **TRAFFIC AND PARKING RECOMMENDATION**

**Conditions if approved**

In accordance with TIS findings, comply with TIS recommendations.

- Provide adequate sight distance at garage access driveways with existing alley (proposed to be modified) and at alley intersection with Madison St. and Driveway at 3rd Ave.
- Provide adequate truck turning movement on alley with adjacent properties.
- If garage is gated, gates shall be a minimum of 40ft from to public ROW. Identify denial lane.
- Apply to T&P to restrict parking along Madison St, 3rd and 2nd Ave frontages.
- Provide parking per Metro code with guest parking.
- Extend a left turn lane on Madison St along Madison frontage to connect with the existing turn lane on Madison St at 3rd Ave, and coordinate design with the proposed 50 ft left turn lane on Madison at 2nd Ave to be constructed by LC Germantown multi-family mixed use project on 2nd Ave between Madison St and Monroe.
- Provide a signage and striping plan with construction documents for the center turn lane on Madison St.

Maximum Uses in Existing Zoning District: IR

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	0.83	0.6 F	21,692 SF	78	7	7

Maximum Uses in Proposed Zoning District: SP-R

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	0.83	-	101 U	736	54	74

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
Retail (814)	0.83	-	707 SF	68	8	24

Traffic changes between maximum: IR and SP-R

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+726	+55	+91

**METRO SCHOOL BOARD REPORT**

Projected student generation existing IR 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 could generate no more students than what is typically generated under the existing IR zoning district, utilizing the Urban Infill Factor. Students would attend Buena Vista Elementary School, John Early Middle School, and Pearl Cohn High School. All of the schools have been identified as over capacity. This information is based upon data from the school board last updated October 2014.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

1. Permitted land uses shall be limited to up to 101 multi-family residential units and Retail.
2. On the corrected set, provide Bicycle Parking as per the adopted Bicycle Parking Ordinance. Provide 25 spaces for the residential uses. 5 of these must be publicly available. Provide 2 publicly available spaces for the Retail use.
3. Submit finalized elevations with the submittal of the Final SP. The elevations must be consistent with the elevations as submitted to the Planning Department and approved by MDHA, with the exception of the removal of the columns from the 3<sup>rd</sup> Avenue façade. If additional changes are made to the elevations, it may require an amendment to the Preliminary SP and approval by Metro Council.
4. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
5. 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 MUG-A zoning district as of the date of the application request or application.
6. 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.
7. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering, or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

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

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

Daniel (last name unclear), spoke in favor of the application and expressed excitement to bring this project to the Germantown community.

Gene Greene, 219 Donna Drive, spoke in opposition to the application due to being detrimental to his small business.

Daniel noted that they developed a plan that would not only keep the alley open, but would enhance it.

**Chairman McLean closed the Public Hearing.**

Ms. LeQuire stated she would like to see an opportunity created for future retail options.

Ms. Farr stated she would like to eventually get a list of all the projects approved in Germantown over the last six months or so in order to keep an eye on the cumulative number of units going in.

**Mr. Clifton moved and Councilman Hunt seconded the motion to approve with conditions and disapprove without all conditions. (6-0)**

### **Resolution No. RS2015-233**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2015SP-051-001 is **Approved with conditions and disapproved without all conditions. (6-0)**"

#### **CONDITIONS**

1. Permitted land uses shall be limited to up to 101 multi-family residential units and Retail.
2. On the corrected set, provide Bicycle Parking as per the adopted Bicycle Parking Ordinance. Provide 25 spaces for the residential uses. 5 of these must be publicly available. Provide 2 publicly available spaces for the Retail use.
3. Submit finalized elevations with the submittal of the Final SP. The elevations must be consistent with the elevations as submitted to the Planning Department and approved by MDHA, with the exception of the removal of the columns from the 3<sup>rd</sup> Avenue façade. If additional changes are made to the elevations, it may require an amendment to the Preliminary SP and approval by Metro Council.
4. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
5. 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 MUG-A zoning district as of the date of the application request or application.
6. 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.
7. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering, or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
8. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

## **19. 2015SP-070-001**

### **10TH & RUSSELL**

Map 082-16, Parcel(s) 166  
Council District 06 (Peter Westerholm)  
Staff Reviewer: Lisa Milligan

A request to rezone from R8 to SP-MR zoning for a portion of property located at 210 S. 10th Street, at the southwest corner of S. 10th Street and Russell Street (0.57 acres), to permit up to 8 residential units, requested by Civil Site Design Group, PLLC, applicant; East Nashville Free Will Baptist Church, Inc., owner.

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

#### **APPLICANT REQUEST**

**Preliminary SP to permit up to 8 dwelling units.**

### Preliminary SP

A request to rezone from One and Two-Family Residential (R8) to Specific Plan-Mixed Residential (SP-MR) zoning for a portion of property located at 210 S. 10th Street, at the southwest corner of S. 10th Street and Russell Street (0.57 acres), to permit up to 8 residential units.

### **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 3 lots with 3 duplex lots for a total of 6 units.*

### **Proposed Zoning**

Specific Plan-Mixed Residential (SP-MR) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes a mixture of housing types.

### **CRITICAL PLANNING GOALS**

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

This proposal meets three critical planning goals. Development in areas with adequate infrastructure is more appropriate than development not served with adequate infrastructure such as roads, water and sewer, because it does not burden Metro with the cost of maintaining new infrastructure. The project will intensify development on an infill site. The development is providing an additional housing choice within the area. An existing bus line runs along Woodland Street, which is an easy walk from the proposed development, providing for transportation choice for future residents.

### **EAST NASHVILLE COMMUNITY PLAN**

#### **CCM Policy**

T4 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 Urban Neighborhood Centers are pedestrian friendly areas generally located at intersections of urban streets that contain commercial, mixed use, residential, and institutional land uses.

#### Consistent with Policy?

Yes. The proposed SP is consistent with the T4 Urban Neighborhood Center policy. The site is located in a Neighborhood Center that currently contains of mixture of residential and commercial uses. The introduction of additional residential units within the center adds to the vitality of the center. Providing for a diversity of uses within the center allows for current and future residents to walk to various uses, contributing to the success of the center.

### **PLAN DETAILS**

The site is located at 210 S 10<sup>th</sup> Street, at the corner of S 10<sup>th</sup> Street and Russell Street. The site is approximately 0.57 acres in size and is currently vacant. The site is also located within the Edgefield Historic Preservation District.

#### Site Plan

The plan proposed up to 8 residential dwelling units including 5 single-family detached units and 3 multi-family units. The detached units will front on Russell Street and S 10<sup>th</sup> Street with the multi-family units wrapping the corner.

Sidewalks along S 10<sup>th</sup> Street will need to be widened to meet the requirements of the Major and Collector Street plan which requires a 4 foot planting strip and 8 foot sidewalk. The sidewalk along Russell Street will remain.

The detached units have garage parking. Surface parking and on-street parking along Russell Street will serve the multi-family units. Vehicular access to the site will be from Russell Street to an existing alley.

The Metro Historic Zoning Commission has approved the bulk and massing of the project. An additional review will be required if the SP is approved.

### **ANALYSIS**

The plan is consistent with the T4 Urban Neighborhood Center policy. The plan is proposing to increase the number of residential units within an existing Neighborhood Center which provides for a more diverse use mix in the center. This allows for residents to walk to the commercial areas within the center, allowing for increased pedestrian activity.

### **METRO HISTORIC ZONING COMMISSION**

#### **Approved with conditions**

- The rear portion of unit 1 shall not exceed one and one-half stories;
- None of the units shall exceed thirty-five feet (35') from grade to ridge;

- If the SP is approved by the Planning Commission, the applicant will return to the Commission with a second application for review of materials; windows and doors; proportion and rhythm of openings; orientation, porches, balconies and awnings; appurtenances and utility locations; signage; and the overall detailing of the proposal.

**FIRE DEPARTMENT RECOMMENDATION**

**Approved with conditions**

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

**STORMWATER RECOMMENDATION**

**Approved**

**WATER SERVICES**

**Approved with conditions**

- Approved as a Preliminary SP only. By Final SP stage, applicant should revise availability study to match unit and square footage counts, so the appropriate capacity fee amounts are paid (the latest Prelim SP shows less units and square footage than our latest availability study). Public construction plans must be submitted and approved prior to Final SP approval. If not done so already, the required capacity fees must be paid prior to Final SP approval.

**PUBLIC WORKS RECOMMENDATION**

**Approve with conditions**

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- Indicate sidewalk construction per the MCSP. Sidewalks are required to be within ROW. ROW is to be dedicated prior to the building permit issuance.
- Build and dedicate ½ MPW standard alley cross section ST-263. Dedicate +/- 4feet and construct +/- 16' of pavement.

**TRAFFIC AND PARKING RECOMMENDATION**

**Conditions if approved**

- Document adequate sight distance at corners and restrict parking as necessary on Fatherland. Apply to T&P staff to install no parking to corners signage as necessary to allow adequate sight distance.

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)	0.57	5.44 D	6 U*	58	5	7

\*Based on three two-family lots.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (210)	0.57	-	8 U	77	6	9

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+ 2 U	+19	+1	+2

**METRO SCHOOL BOARD REPORT**

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

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

The proposed SP-MR zoning district could generate 1 more students than what is typically generated under the existing R8 zoning district. Students would attend Warner Elementary School, Bailey Middle School, and Stratford High School. None of the schools have been identified as over capacity. This information is based upon data from the school board last updated October 2014.



## STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions as the plan is consistent with the T4 Urban Neighborhood Center policy and contributes to the diverse use mix of the existing center.

## CONDITIONS

1. Permitted land uses shall be limited to up to 8 multi-family residential units.
2. Provide sidewalks along S 10<sup>th</sup> Street consistent with the standards of the Major and Collector Street Plan: 4 foot planting strip/tree wells and 8 foot sidewalk.
3. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
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 RM15-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.
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.

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

Sean DeCoster, Civil Site Design Group, spoke in favor of the application and noted that the Historic Zoning Commission has already approved this.

Hibah Qubain, 702 Shelby Ave, spoke in opposition to the application and explained that neighborhood streets are not built for high density.

Logan Key, 1411 Fatherland Street, spoke in opposition to the application, noted that no one from the neighborhood showed up to speak in favor, and explained that growth will continue under the current zoning.

Donna Phillips, 800 Potter Lane, spoke in opposition to the application due to no reference to the cost or affordability of the added density.

Brent Smith, Russell Street, spoke in opposition to the application and would like to keep the existing zoning.

Randall Gilberd, 816 Russell Street, spoke in opposition to the application. He is deeply concerned about the level of growth, change, and excessive use of SP zoning.

Robert Hodge, 702 Shelby Ave, spoke in opposition to the application and explained that the area is becoming overbuilt very quickly.

Lois Layne, 817 Russell Street, spoke in opposition to the application and requested to keep the current zoning.

## Chairman McLean closed the Public Hearing.

Mr. Clifton and Ms. Blackshear both stated that there are many advantages to an SP.

Ms. Farr agreed that traffic calming issues definitely need to be addressed on 10<sup>th</sup>. She explained that she has always felt like this was an under-utilized site. It seems like the developer has worked with the neighbors to try to address some of the concerns.

Ms. LeQuire asked if some retail could be considered in the building on the corner.

**Councilman Hunt moved and Ms. Blackshear seconded the motion to approve with conditions and disapprove without all conditions. (4-1-1) Mr. Clifton abstained from voting and Ms. Farr voted against.**

## **Resolution No. RS2015-234**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2015SP-070-001 is **Approved with conditions and disapproved without all conditions. (4-1-1)**”

### **CONDITIONS**

1. Permitted land uses shall be limited to up to 8 multi-family residential units.
2. Provide sidewalks along S 10<sup>th</sup> Street consistent with the standards of the Major and Collector Street Plan: 4 foot planting strip/tree wells and 8 foot sidewalk.
3. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
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 RM15-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.
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.

## **20. 2015SP-072-001**

### **OFFICES AT RAIL STATION**

Map 129-08, Parcel(s) 084-087  
Council District 23 (Emily Evans)  
Staff Reviewer: Jason Swaggart

A request to rezone from R20 to SP-O zoning for properties located at 6200, 6202, 6300 Highway 100 and Highway 100 (unnumbered), approximately 630 feet south of Harding Pike (3.44 acres), to permit an office development, requested by Dale and Associates, applicant; various property owners.

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

### **APPLICANT REQUEST**

**Zone change from R20 to SP-O to permit an office development.**

#### Zone Change

A request to rezone from One and Two-Family Residential (R20) to Specific Plan – Office (SP-O) for properties located at 6200, 6202, 6300 Highway 100 and Highway 100 (unnumbered), approximately 630 feet south of Harding Pike (3.44 acres), to permit an office development.

#### **Existing Zoning**

One and Two-Family Residential (R20) requires a minimum 20,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 2.31 dwelling units per acre including 25 percent duplex lots. *R20 would permit a maximum of seven lots with one duplex lots for a total of eight units.*

#### **Proposed Zoning**

Specific Plan-Office (SP-O) 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 office uses.

### **CRITICAL PLANNING GOALS**

N/A

### **WEST NASHVILLE COMMUNITY PLAN**

#### **Current Policy**

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

**Growth and Conservation Concept Map**

Transition (TR) policy is intended to preserve, enhance, and create areas whose primary purposes are to serve as transitions between higher intensity uses or major thoroughfares and lower density residential neighborhoods while providing opportunities for small scale offices and/or residential development. Housing in Transition areas can include a mix of types and is especially appropriate for “missing middle” housing such as plexes, bungalow courts, and multifamily housing with small to medium-sized footprints. Predominant uses in Transition areas are small scale offices and moderate density residential of all types. Transition areas may be used in situations where it would otherwise be difficult to provide a transition between higher intensity development or a major thoroughfare and an adjacent residential neighborhood and where there is a market for a compatibly scaled office, live-work, and/or residential uses.

Consistent with Policy?

The request is not consistent with the existing residential policy, but it is consistent with the proposed future policy. As proposed office use provides a transition from the more intense commercial (CS) zoning to the north to the residential (R20) zoning to the south. It is also important to note that while the plan provides a buffer to the existing home to the south, the transition policy applies south of the subject site.

**PLAN DETAILS**

The site consists of four individual properties totaling approximately 3.44 acres. The site which is on the east side of Highway 100 and is bounded by Highway 100 and a CSX railroad that runs along the western property boundary. The site is listed as Worthy of Conservation (WOC). The WOC designation recognizes the Red House Spring House. While the designation recognizes the spring house, the applicant and Metro Historic staff has not been able to locate the spring.

Site Plan

The plan calls for a maximum of 60,200 square feet of office space. Buildings are proposed to be two stories in height and the SP limits the maximum height to two stories. Buildings are setback 30 feet from Highway 100. The plan provides images of building types and includes some architectural standards.

Access into the site is proposed from two drives from Highway 100. Both drives line up with the two streets on the opposite side of Highway 100 (Gilman Avenue and Taggart Avenue). All parking is located to the rear of the buildings and includes 202 spaces (~1 space per 300 sq. ft.). The plan provides a six foot sidewalk and eight foot planting strip.

**ANALYSIS**

As proposed, the plan is consistent with the proposed future policy and the Major and Collector Street Plan.

**FIRE MARSHAL’S OFFICE**

**Approve with conditions**

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

**STORMWATER RECOMMENDATION**

**Approved**

**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.
- ROW dedication to the back of sidewalk may be required if the proposed sidewalk is not contained within the existing ROW.
- A TIS is required prior to final site (SP) plan approval.
- At a minimum a center turn lane along Hwy 100 frontage with appropriate tapers shall be required.

Maximum Uses in Existing Zoning District: **R20**

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)	3.44	2.17 D	8 U*	77	6	9

\*Based on one two-family lot.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	3.44	-	60,200 SF	903	125	147

Traffic changes between maximum: **R20 and SP-O**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+826	+119	+138

**WATER SERVICES RECOMMENDATION**

Approved

**STAFF RECOMMENDATION**

Staff recommends approval of the proposed SP as it is consistent with the future Transition policy and the Major and Collector Street Plan.

**CONDITIONS**

1. Uses are limited to general office and medical office.
2. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUN-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
3. Prior to the issuance of any building permits, a cross access easement shall be recorded to provide cross access between this SP and the adjacent parcels to the north and south.
4. The SP shall be limited to a maximum of two driveways onto Highway 100.
5. All building shall be oriented to Highway 100 and include a primary entrance along Highway 100.
6. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
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.

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

Roy Dale, 516 Heather place, spoke in favor of the application. A lot of the tree canopy along Hwy 100 will be maintained, there will be a combination of roof gardens, pervious pavement, and subservient stormwater to address storm drainage concerns; there will not be an increase in runoff from the site.

Angie Henderson, 112 Clydelan Ct, spoke in opposition to the application and noted that Councilman Todd is in opposition. The community likes to walk and bike to local shops and would like to keep traffic calm on Hwy 100.

Donna Phillips spoke in opposition due to increased traffic; would like a traffic study conducted.

Roy Dale asked for approval.

**Chairman McLean closed the Public Hearing.**

Ms. Farr suggested that there should be a middle ground between what the neighbors want and what the developers want – possibly a policy change.

Ms. Blackshear spoke in favor of a deferral to allow both parties a chance to discuss this further.

Mr. Clifton noted that this is not quite ready yet.

Ms. LeQuire spoke in favor of a deferral to allow both parties to discuss further and perhaps come back with more creative uses.

Ms. Farr asked if a policy change request would have to come from the applicant.

Mr. Bernhardt clarified the commission could request a policy change but would need to think through what the implications are.

Ms. LeQuire suggested considering a master plan for the entire triangle and noted that a lot more visioning could go into this.

Mr. Bernhardt stated the commission needs to do what they think is appropriate for this area; if not comfortable with this, make it known to council.

Ms. Farr moved and Ms. LeQuire seconded the motion to defer.

Mr. Clifton asked if this could be re-referred back to the planning commission.

Mr. Bernhardt stated that if disapproved, council could send it back.

A vote was taken on the deferral motion. (3-3) Chairman McLean, Mr. Clifton, Councilman Hunt voted against. Motion failed.

Mr. Clifton moved to disapprove. There was no second to the motion.

Councilman Hunt moved and Chairman McLean seconded the motion to approve. (2-4) Ms. LeQuire, Mr. Clifton, Ms. Blackshear, and Ms. Farr voted against.

**Mr. Clifton moved and Chairman McLean seconded the motion to disapprove. (5-1) Councilman Hunt voted against.**

### **Resolution No. RS2015-235**

**"BE IT RESOLVED by The Metropolitan Planning Commission that 2015SP-072-001 is Disapproved. (5-1)"**

## **Zone Changes**

### **21. 2015Z-044PR-001**

BL2015-1155\Westerholm  
Various Maps, Various Parcel(s)  
Council District 06 (Peter Westerholm)  
Staff Reviewer: Lisa Milligan

A request to apply the Detached Accessory Dwelling Unit (DADU) overlay to various properties located along Davidson Street, Dew Street, Eastside Avenue, Electric Avenue, Glenview Drive, Lenore Street, Long Avenue, Ozark Street, S 9th Street, S 10th Street, S 11th Street, S 12th Street, S 13th Court, S 13th Street, S 14th Street, S 15th Street, S 16th Street, S 17th Street, S 18th Street, S 19th Street, S 20th Street, Sevier Court, and Sevier Street (approximately 129 acres), requested by Councilmember Peter Westerholm, applicant; various property owners.

**Staff Recommendation: Approve.**

#### **APPLICANT REQUEST**

**Apply a Detached Accessory Dwelling Unit (DADU) overlay.**

#### Zone Change

A request to apply the Detached Accessory Dwelling Unit (DADU) overlay to various properties located along Davidson Street, Dew Street, Eastside Avenue, Electric Avenue, Glenview Drive, Lenore Street, Long Avenue, Ozark Street, S 9th Street, S 10th Street, S 11th Street, S 12th Street, S 13th Court, S 13th Street, S 14th Street, S 15th Street, S 16th Street, S 17th Street, S 18th Street, S 19th Street, S 20th Street, Sevier Court, and Sevier Street (approximately 129 acres).

#### **Existing Zoning**

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

#### **Proposed Zoning**

Detached Accessory Dwelling Unit (DADU) Overlay provides additional housing options.

#### **CRITICAL PLANNING GOALS**

N/A

## **EAST NASHVILLE COMMUNITY PLAN**

### **CCM Policy**

T4 Urban Neighborhood Maintenance (T4 NM) policy is intended to preserve the general character of existing urban neighborhoods. 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. Enhancements may be made to improve pedestrian, bicycle and vehicular connectivity.

T4 Urban Neighborhood Evolving (T4 NE) policy is intended to create and enhance urban neighborhoods that fit in with the general character of existing urban neighborhoods, with opportunities for housing choice and improved pedestrian, bicycle and vehicular connectivity. The resulting development pattern may have higher densities than existing urban neighborhoods and/or smaller 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.

Conservation (CO) policy is intended to preserve and enhance environmentally sensitive land in all Transect Categories except T1 Natural, T5 Center, and 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. The guidance for preserving or enhancing these features varies with what Transect they area in and whether or not they have already been disturbed.

#### Consistent with Policy?

Yes. The proposed Detached Accessory Dwelling Unit (DADU) Overlay is consistent with the policies for the area. The overlay provides for an additional housing option while maintaining the existing character of the area. The design standards that are incorporated into the overlay ensure proper placement, design, and access to the units.

### **ANALYSIS**

The Planning Commission is currently reviewing a text amendment to the Zoning Ordinance to establish the Detached Accessory Dwelling Unit Overlay District. On May 5, the Metro Council approved the text amendment on 1<sup>st</sup> reading. The Detached Accessory Dwelling Unit Overlay District provides additional housing options within Davidson County. Currently, DADUs are a use permitted with conditions on property zoned R6-R80, RM2-RM20-A, and RM40-RM100-A. The proposed text amendment would allow DADUs as an accessory use in areas where the overlay is applied, with the same standards that currently apply to DADUs.

In order for a lot to be eligible for a detached accessory dwelling unit, it must first meet the lot size standards of the base zoning district, in this case RS5 which requires a minimum lot size of 5,000 square feet. Additionally the lot must:

- Be located within a historic overlay district; OR
- Be located within a Urban Design Overlay with standards for DADUs; OR
- Have an improved alley abutting the rear or side lot line; OR
- Exceed 15,000 square feet in size.

The Detached Accessory Dwelling Unit Overlay outlines standards for DADUs including specifications for ownership, location, driveway access, bulk, massing, as well as design standards. The Design Standards as established cannot be modified.

See Staff Report for 2015Z-010TX-001 for the specific standards that apply to the Detached Accessory Dwelling Unit Overlay.

### **STAFF RECOMMENDATION**

Staff recommends approval as the establishment of a detached accessory dwelling unit overlay is consistent with the policy for the area and allows for the introduction of an additional dwelling unit type while maintaining the existing character of the community.

Ms. Milligan presented the staff recommendation of approval.

Donna Phillips spoke in favor of the application.

Matt Schutz, 605 S 10<sup>th</sup> Street, expressed concern that the proposal could threaten affordable housing infrastructure.

Craig Prewitt, 509 S 13<sup>th</sup> Street, spoke in opposition due to parking, traffic, and lack of community involvement concerns.

Bob Hopkins, 1300 Shelby Ave, spoke in opposition to the application due to lack of community involvement.

### **Chairman McLean closed the Public Hearing.**

Ms. Farr explained that she's disturbed to hear there hasn't been more community meetings regarding this but she does like the argument that this can also be an income producer for existing residents. There are some significant community concerns and they should be given the opportunity to discuss them with their councilmember.

Mr. Clifton expressed interest in staff's thoughts on the two suggested amendments.

Mr. Bernhardt noted if there is a strong feeling that the standards need to be altered, there could be a motion to reconsider Item 14 and add them in; however, he's not sure staff would support the unilateral limit of 24' as sometimes you might get an accessory dwelling that is taller than the main dwelling.

Ms. LeQuire expressed agreement with Mr. Bernhardt that it doesn't need to arbitrarily be set at 24' tall if it could possibly end up taller than the house. It seems that everyone is envisioning something small – not something equal to a three story house. If that is what is intended and it isn't in the language, it might bear reconsidering.

Mr. Bernhardt clarified the standards that are in the DADU bill are that you cannot exceed the height of the principal structure. Current standards and standards that are in this bill say that the roof ridge line must be less than the primary structure and shall not exceed 27' in height.

Ms. Farr suggested deferral but Mr. Leeman explained that due to the council schedule a deferral would be the same as an approval.

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

### **Resolution No. RS2015-236**

**"BE IT RESOLVED by The Metropolitan Planning Commission that 2015Z-044PR-001 is Disapproved. (5-1)"**

## **22. 2015Z-055PR-001**

BL2015-1184\Todd

Map 130-05, Parcel(s) 131-133, 135

Map 130-09, Parcel(s) 098-101, 117, 119-130 Map 130-13, Parcel(s) 011-012

Council District 34 (Carter Todd)

Staff Reviewer: Melissa Sajid

A request to rezone from R20 to RS20 zoning for various properties located along Nichol Lane, east of Page Road and south of W Tyne Drive (approximately 10.5 acres), requested by Councilmember Carter Todd, applicant; various property owners.

**Staff Recommendation: Approve.**

### **APPLICANT REQUEST**

**Zone change from R20 to RS20**

#### Zone Change

A request to rezone from One and Two-Family Residential (R20) to Single-Family Residential (RS20) zoning for various properties located along Nichol Lane, east of Page Road and south of W. Tyne Drive (approximately 10.5 acres).

#### **Existing Zoning**

One and Two-Family Residential (R20) requires a minimum 20,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 2.31 dwelling units per acre including 25 percent duplex lots.

#### **Proposed Zoning**

Single-Family Residential (RS20) requires a minimum 20,000 square foot lot and is intended for single-family dwellings at a density of 1.85 dwelling units per acre.

### **CRITICAL PLANNING GOALS**

N/A

### **WEST NASHVILLE 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.

#### **Growth and Preservation Concept Map**

No change 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 proposed rezoning area contains only single-family detached dwelling units, and the area is predominantly single-family but includes some two family units.

**ANALYSIS**

The proposed RS20 zoning district would limit development in the subject area to only single-family uses. Of the 23 parcels included in this request, seven parcels meet the minimum lot size of the R20 zoning district and are duplex eligible. Therefore, the majority of the parcels included in this request are already limited to single-family uses as the site must meet the minimum lot size of the district to be eligible for two-family. The proposed rezoning area contains only single-family detached dwelling units at the current time. There are currently existing duplexes in the general vicinity of this neighborhood.

**PUBLIC WORKS RECOMMENDATION**

**No exception taken**

No traffic table was prepared for this case, as it is not expected to generate significant additional traffic.

**STAFF RECOMMENDATION**

Because this rezoning affects only seven parcels, staff recommends approval.

Approve. (6-0), Consent Agenda

**Resolution No. RS2015-237**

**"BE IT RESOLVED by The Metropolitan Planning Commission that 2015Z-055PR-001 is Approved. (6-0)"**

**23. 2015Z-056PR-001**

BL2015-1169A. Davis, Westerholm  
Various Maps, Various Parcel(s)  
Council District 06 (Peter Westerholm); 07 (Anthony Davis)  
Staff Reviewer: Lisa Milligan

A request to apply the contextual overlay to various properties located along Carter Avenue, Eastland Avenue, Himes Drive, McKennell Drive, Pafford Drive, Preston Drive, Rose Park Drive, Rosebank Avenue, Roseview Drive, and Solon Drive (approximately 78 acres), requested by Councilmember Anthony Davis, applicant; various property owners.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Apply a Contextual Overlay District.**

Zone Change

A request to apply the contextual overlay to various properties located along Carter Avenue, Eastland Avenue, Himes Drive, McKennell Drive, Pafford Drive, Preston Drive, Rose Park Drive, Rosebank Avenue, Roseview Drive, and Solon Drive (approximately 78 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 including 25 percent duplex lots.

**Proposed Zoning**

Contextual Overlay provides appropriate design standards for residential areas necessary to maintain and reinforce an established form or character of residential development in a particular area.

**CRITICAL PLANNING GOALS**

N/A

**EAST NASHVILLE COMMUNITY PLAN**

**CCM Policy**

T3 Suburban Neighborhood Maintenance (T3 NM) is intended to preserve the general character of developed suburban neighborhoods. 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. Enhancements may be made to improve pedestrian, bicycle and vehicular connectivity.



Conservation (CO) policy is intended to preserve and enhance environmentally sensitive land in all Transect Categories except T1 Natural, T5 Center, and 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. The guidance for preserving or enhancing these features varies with what Transect they area in and whether or not they have already been disturbed.

Consistent with Policy?

Yes. The proposed Contextual Overlay is consistent with the policy. The Contextual Overlay would help to preserve the general character of the existing neighborhood with specific standards for new construction that are directly related to the existing residential structures in the area.

**ANALYSIS**

The Contextual Overlay District provides appropriate design standards for residential areas necessary to maintain and reinforce an established form or character of residential development in a particular area.

The Design Standards established through the Contextual Overlay include specific standards in regards to street setback, building height, building coverage, access, driveways, garages, and parking areas. Street setbacks, building height, and building coverage are directly tied to the lots abutting on either side of a lot proposed for new construction. Access, driveway, garage and parking Design Standards are intended to help control new accesses on the public streets as well as location of garages and parking to lessen the impact of new construction on existing homes. The Design Standards as established cannot be modified.

**CONTEXTUAL OVERLAY STANDARDS**

A. Street setback. The minimum required street setback shall be the average of the street setback of the two developed lots abutting each side of the lot. When one or more of the abutting lots is vacant, the next developed lot on the same block face shall be used. The minimum provided in 17.12.030A and the maximum provided in 17.12.030C.3 shall not apply. Where there is only one abutting lot on the same block face, it shall be used for this calculation. When the subject lot is on a corner, the minimum required street setback shall be calculated and met for each street.

B. Height.

1. The maximum height, including the foundation, of any primary structure shall not be greater than 35 feet or 125% of the average height of the principal structures on the two lots abutting each side of the lot, whichever is less. When one of the abutting lots is vacant, the next developed lot on the same block face shall be used. Where there is only one abutting lot on the same block face, it shall be used for this calculation. When the subject lot is on a corner, the maximum height shall be calculated for each street and limited to 35 feet or 125% of the average height of the lesser value. When 125% of the average of the abutting structures is less than 27 feet, a maximum height of 1.5 stories in 27 feet shall be permitted.
2. The maximum height, including the foundation, of any accessory structure shall not be greater than 27 feet.
3. For the purposes of this section, height shall be measured from grade or, if present, the top of a foundation which shall not exceed three feet above grade, to the roof line.

C. Maximum building coverage. The maximum building coverage (excluding detached garages and other accessory buildings) shall be a maximum of 150% of the average of the building coverage (excluding detached garages and other accessory buildings) of the two abutting lots on each side. When the abutting lot is vacant, the next developed lot shall be used. Where there is only one abutting lot on the same block face, it shall be used for this calculation. When the subject lot is on a corner, the maximum building coverage shall be calculated and met for each street.

D. Access and driveways, garages and parking areas.

1. Access and Driveways.

- a. Where existing, access shall be from an improved alley. Where no improved alley exists, a driveway within the street setback may be permitted.
- b. For a corner lot, the driveway shall be located within 30 feet of the rear property line.
- c. Driveways are limited to one driveway ramp per public street frontage.
- d. Parking, driveways and all other impervious surfaces in the required street setback shall not exceed twelve feet in width.

2. Garages.

- a. Detached. The front of any detached garage shall be located behind the rear of the primary structure. The garage door of a detached garage may face the street.
- b. Attached. The garage door shall face the side or rear property line

**STAFF RECOMMENDATION**

Staff recommends approval as the establishment of a contextual overlay is consistent with the policy for the area.

Ms. Milligan presented the staff recommendation of approval.

John West, 2645 Solon Drive, spoke in favor of the application.

Morgen Matens, 2412 Pafford Drive, spoke in favor of the application.

Brook Scurlock, 841 Rose Park Drive, spoke in favor of the application.

Merritt McKinney, 2430 Solon Drive, spoke in favor of the application.

Todd Jarrell, 841 Rose Park Drive, spoke in favor of the application.

**Chairman McLean closed the Public Hearing.**

**Mr. Clifton moved and Councilman Hunt seconded the motion to approve. (6-0)**

### **Resolution No. RS2015-238**

**"BE IT RESOLVED by The Metropolitan Planning Commission that 2015Z-056PR-001 is Approved. (6-0)"**

#### **24. 2015Z-057PR-001**

Map 119-14, Parcel(s) 003  
Council District 16 (Tony Tenpenny)  
Staff Reviewer: Latisha Birkeland

A request to rezone from RS10 to R10 zoning for property located at 2913 Simmons Avenue, at the northwest corner of Simmons Avenue and Tanksley Avenue (0.35 acres), requested by Land Development Solutions - Nashville, applicant; Terry Woodall, owner.

**Staff Recommendation: Defer to the July 23, 2015, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2015Z-057PR-001 to the July 23, 2015, Planning Commission meeting. (6-0)**

## **Historic Landmark Overlays**

#### **25. 2015HL-001-001**

BL2015-1188\Matthews  
**BELLS BEND PARK HISTORIC LANDMARK OVERLAY**  
Map 101, Parcel(s) 001  
Council District 01 (Lonnell Matthews, Jr.)  
Staff Reviewer: Carrie Logan

A request to apply a Historic Landmark Overlay District to property located at 4107 Old Hickory Boulevard, approximately 3,400 feet south of Cleeces Ferry Road (808.74 acres), zoned AR2a, requested by the Metro Historical Commission, applicant, and Metro Government of Nashville and Davidson County, applicant and owner.

**Staff Recommendation: Approve.**

#### **APPLICANT REQUEST**

**Apply Historic Landmark Overlay District.**

#### Historic Landmark Overlay

A request to apply a Historic Landmark Overlay District to property located at 4107 Old Hickory Boulevard, approximately 3,400 feet south of Cleeces Ferry Road (808.74 acres), zoned Agricultural/Residential (AR2a).

#### **Existing Zoning**

Agricultural/Residential 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.

#### **Proposed Zoning**

Historic Landmark Overlay District (HL) A Historic Landmark is a building, structure, site or object, its appurtenances and the property it is located on, of high historical, cultural, architectural or archaeological importance; whose demolition or destruction would constitute an irreplaceable loss to the quality and character of Nashville and Davidson County.

#### **CRITICAL PLANNING GOALS**

- Preserves Historic Resources

The proposed Historic Landmark Overlay District is intended to preserve the historic structure on the property through the implementation of development guidelines by the Metro Historic Zoning Commission and staff.

## **BORDEAUX - WHITES CREEK COMMUNITY PLAN**

### **Current Policy**

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

T1 Natural Open Space (T1 OS) policy is intended to preserve existing undisturbed open space in natural areas to remain undeveloped. T1 OS policy includes public parks and preserves, and may also include private land held in conservation by land trusts and private groups or individuals. Enhancements to existing open space are guided by the *Metropolitan Parks and Greenways Master Plan*.

### **Growth and Preservation Concept Map**

T1 Natural Open Space (T1 OS) policy is intended to preserve existing undisturbed open space in natural areas to remain undeveloped. T1 OS policy includes public parks and preserves, and may also include private land held in conservation by land trusts and private groups or individuals. Enhancements to existing open space are guided by the *Metropolitan Parks and Greenways Master Plan*.

### Consistent with Policy?

Yes. The policy encourages the protection and preservation of historic features.

### **REQUEST DETAILS**

The Metro Historic Zoning Commission (MHZC) considered this application at its June 17, 2015, meeting and recommended approval. The following background information was provided by the Metro Historical Commission staff:

#### **Bells Bend Park**

Bells Bend park is Located in western Davidson County, this park takes its name from a peaceful arc of the Cumberland River known as Bells Bend. Bells Bend Park opened to the public in 2007 after a decades-long dispute between residents and the city of whether or not to put a landfill in its location. The park is 808 acres of open fields and trails, making it the fourth largest park in Nashville behind Percy Warner, Beaman, and Shelby Parks. Despite being relatively new, Bells Bend Park is rich with history.

The land on which the park is located was originally part of a land grant given by the state of North Carolina to state senator, Dr. James White, in 1789. For much of the 19<sup>th</sup> century, the farmland belonged to a branch of the Buchanan family. Their 1842 home still stands in the park today and is known as the Buchanan House. Several barns and outbuildings from around this time can also be seen at various places throughout the hiking trails.

Dr. James White was far from Bells Bend's first resident. Evidence has been found that the small area north of the Cumberland River has had occupants for over 13,000 years. Archaeologists have excavated over 60 sites in the entire bend, many of which date back to the end of the Ice Age. Bells Bend Park, in particular, has produced many Paleo-Indian artifacts and more archaeological research has taken place there as a result than any other park in Nashville. A large dig took place in 2010 that, with the assistance of the flooding that year, uncovered several new historical finds from both the Paleo-Indian and Mississippi periods. In addition to pieces of ceramic, nails, charcoal from prehistoric campfires, and iconic Clovis point spearhead, burial sites of several pigs were found. Ironically several shell deposits were also unearthed. These piles of discarded snail and mussel shells prove that Nashville politicians were not the first to think the land would be a good place for trash.

Each year what is known about the prehistoric residents of Bells Bend Park grows. Unfortunately, so do the number of looters taking artifacts from the sites. While no human remains from prehistoric times have been found yet, the possibility still exists. In 1877, archaeologists with the Peabody Museum at Harvard discovered a burial mound in the area, but the exact location of that dig has since been lost. Bells Bend Park is a rare site containing history from the Paleo-Indians, to the Mississippians, and all the way through farmers in the mid-19<sup>th</sup> century, providing a holistic view of Nashville's history.

To be considered as an historic landmark a building, structure, site or object must meet one or more of the following criteria:

1. The historic landmark is associated with an event that has made a significant contribution to local, state or national history;
2. It is associated with the lives of persons significant in local, state or national history; or
3. It embodies the distinctive characteristics of a type, period or method of construction, or that represents the work of a master, or that possesses high artistic value; or
4. It has yielded or may be likely to yield archaeological information important in history or prehistory; or
5. It is listed or is eligible for listing in the National Register of Historic Places.

### **METRO HISTORIC ZONING COMMISSION RECOMMENDATION**

On June 17, 2015, the Metro Historic Zoning Commission recommended approval of the Historic Landmark Overlay.

### **PARKS DEPARTMENT RECOMMENDATION**

**Approve**

**PUBLIC WORKS RECOMMENDATION**

**Approve with conditions**

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- Comply with Metro Zoning Code for Access and Parking requirements.
- The Historic Overlay shall support and accommodate the future transportation needs indicated in the Major and Collector Street Plan, and transportation projects of Metro Public Works and TDOT.

**STAFF RECOMMENDATION**

Staff recommends approval of the Historic Landmark Overlay District.

Approve. (6-0), Consent Agenda

**Resolution No. RS2015-239**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2015HL-001-001 is **Approved. (6-0)**”

**26. 2015HL-002-001**

BL2015-1187Westerholm

**SHELBY PARK AND THE US NAVAL RESERVE TRAINING CENTER HISTORIC LANDMARK**

Map 094-02, Parcel(s) 229

Council District 06 (Peter Westerholm)

Staff Reviewer: Carrie Logan

A request to apply a Historic Landmark Overlay District to property located at 2009 Sevier Street, approximately 540 feet east of S 14th Street (336.43 acres), zoned R6, RS5, and RS7.5, requested by the Metro Historical Commission, applicant, and Metro Government of Nashville and Davidson County, applicant and owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Apply Historic Landmark Overlay District.**

Historic Landmark Overlay

A request to apply a Historic Landmark Overlay District to property located at 2009 Sevier Street, approximately 540 feet east of S 14th Street (336.43 acres), zoned One and Two-Family Residential (R6), Single-Family Residential (RS5), and Single-Family Residential (RS7.5).

**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.

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

Single-Family Residential (RS7.5) requires a minimum 7,500 square foot lot and is intended for single-family dwellings at a density of 4.94 dwelling units per acre.

**Proposed Zoning**

Historic Landmark Overlay District (HL) A Historic Landmark is a building, structure, site or object, its appurtenances and the property it is located on, of high historical, cultural, architectural or archaeological importance; whose demolition or destruction would constitute an irreplaceable loss to the quality and character of Nashville and Davidson County.

**CRITICAL PLANNING GOALS**

- Preserves Historic Resources

The proposed Historic Landmark Overlay District is intended to preserve the historic structure on the property through the implementation of development guidelines by the Metro Historic Zoning Commission and staff.

**EAST NASHVILLE COMMUNITY PLAN**

**Current Policy**

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

T2 Rural Open Space (T2 OS) policy is intended to preserve existing undisturbed open space in rural areas. T2 OS policy includes public parks and may also include private land held in conservation by land trusts and private groups or individuals. Enhancements to existing open space are guided by the *Metropolitan Parks and Greenways Master Plan*.

#### **Growth and Preservation Concept Map**

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

Open Space (OS) policy is intended to preserve existing undisturbed open space in rural areas. OS policy includes public parks and may also include private land held in conservation by land trusts and private groups or individuals. Enhancements to existing open space are guided by the *Metropolitan Parks and Greenways Master Plan*.

#### Consistent with Policy?

Yes. The policy encourages the protection and preservation of historic features.

#### **REQUEST DETAILS**

The Metro Historic Zoning Commission (MHZC) considered this application at its June 17, 2015, meeting and recommended approval. The following background information was provided by the Metro Historical Commission staff:

#### **Shelby Park and US Naval Reserve Training Center**

Shelby Park is located at Shelby Avenue and South 20<sup>th</sup> Street along the Cumberland River. It is named for John Shelby, a prominent doctor who owned much of East Nashville, including the land where the park is located. Shelby Park had its beginning as an amusement park at the turn of the century. The company that owned the amusement park went bankrupt in 1903 and the site was bought by the Parks Board in 1909. The Board spent a few years acquiring more land before opening the park on July 4, 1912.

Shelby Park has a storied past. The first city park baseball league was started there by the YMCA in 1915. Many of the first buildings in Shelby Park were part of a 1912 master plan laid out by Eugene Castner Lewis, the same man who built the Parthenon in Centennial Park. Among these were Sycamore Lodge, Mission House, and a large Dutch windmill overlooking the Cumberland River. Unfortunately most of these buildings have since disappeared, due to disrepair and a fire in the 1940s. Another long-gone piece of park history is the pool, which stood from 1932 to 1961, that was used by the Army during WWII for river assault boat training.

The most significant building still standing in the park today is the US Naval Reserve Training Center, located in Meredith Grove, and listed in the National Register of Historic Places under Criterion A, for its local significance in military history, and under Criterion C for its design by notable Nashville architect Edwin A. Keeble. Constructed in 1948-1949, the US Naval Reserve Training Center building is a result of the United States Navy's need for additional reserve facilities across the nation following the close of World War II. The training, military action, and disaster assistance of the Naval reservists and units in Nashville indicate a strong connection between the city and the Naval Reserve. In addition to the military role, the US Naval Reserve Training Center is also significant for its architecture. Uniquely designed to resemble a ship's prow by Nashville architect, Edwin A. Keeble, the US Naval Reserve Training Center reflects Keeble's duty in the Navy during World War II as well as previous experience designing National Guard Armories during the New Deal era. The connection to such a notable Nashville architect, who later designed many prominent Nashville buildings including the Life & Casualty Tower, a 1950s modern skyscraper, illustrates local significant for architecture, under Criterion C.

To be considered as an historic landmark a building, structure, site or object must meet one or more of the following criteria:

1. The historic landmark is associated with an event that has made a significant contribution to local, state or national history;
2. It is associated with the lives of persons significant in local, state or national history; or
3. It embodies the distinctive characteristics of a type, period or method of construction, or that represents the work of a master, or that possesses high artistic value; or
4. It has yielded or may be likely to yield archaeological information important in history or prehistory; or
5. It is listed or is eligible for listing in the National Register of Historic Places.

#### **METRO HISTORIC ZONING COMMISSION RECOMMENDATION**

On June 17, 2015, the Metro Historic Zoning Commission recommended approval of the Historic Landmark Overlay.

#### **PARKS DEPARTMENT RECOMMENDATION**

**Approve**

**PUBLIC WORKS RECOMMENDATION**

**Approve with conditions**

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- Comply with Metro Zoning Code for Access and Parking requirements
- The Historic Overlay shall support and accommodate the future transportation needs indicated in the Major and Collector Street Plan, and transportation projects of Metro Public Works and TDOT.

**STAFF RECOMMENDATION**

Staff recommends approval of the Historic Landmark Overlay District.

Approve. (6-0), Consent Agenda

**Resolution No. RS2015-240**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2015HL-002-001 is **Approved. (6-0)**”

**27. 2015HL-003-001**

BL2015-1194\Langster

**CENTENNIAL PARK HISTORIC LANDMARK OVERLAY**

Map 092-14, Parcel(s) 076

Council District 21 (Edith Taylor Langster)

Staff Reviewer: Carrie Logan

A request to apply a Historic Landmark Overlay District to property located at 2500 West End Avenue, approximately 840 feet west of 24th Avenue N (91.28 acres), zoned RM20, requested by the Metro Historical Commission, applicant, and Metro Government of Nashville and Davidson County, applicant and owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Apply Historic Landmark Overlay District.**

Historic Landmark Overlay

A request to apply a Historic Landmark Overlay District to property located at 2500 West End Avenue, approximately 840 feet west of 24th Avenue N (91.28 acres), zoned Multi-Family Residential (RM20).

**Existing Zoning**

Multi-Family Residential (RM20) is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre.

**Proposed Zoning**

Historic Landmark Overlay District (HL) A Historic Landmark is a building, structure, site or object, its appurtenances and the property it is located on, of high historical, cultural, architectural or archaeological importance; whose demolition or destruction would constitute an irreplaceable loss to the quality and character of Nashville and Davidson County.

**CRITICAL PLANNING GOALS**

- Preserves Historic Resources

The proposed Historic Landmark Overlay District is intended to preserve the historic structure on the property through the implementation of development guidelines by the Metro Historic Zoning Commission and staff.

**GREEN HILLS- MIDTOWN COMMUNITY PLAN**

**Current Policy**

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

T5 Center Open Space (T5 OS) policy is intended to preserve existing open space in T5 Regional, Super Regional, and Center Mixed Use Neighborhood areas. T5 OS policy includes public parks and may also include private land held in conservation by land trusts and private groups or individuals. Enhancements to existing open space are guided by the *Metropolitan Parks and Greenways Master Plan*.

Special Policy 10-T5-OS-01

In this area, the following Special Policies apply. Where the Special Policy is silent, the guidance of the T5 Center Open Space policy applies. Improvements to Centennial Park are guided by the Centennial Park Master Plan.

**Growth and Preservation Concept Map**

Open Space (OS) policy is intended to preserve existing open space in T5 Regional, Super Regional, and Center Mixed Use Neighborhood areas. OS policy includes public parks and may also include private land held in conservation by land trusts and private groups or individuals. Enhancements to existing open space are guided by the *Metropolitan Parks and Greenways Master Plan*.

Special Policy 10-MT-T5-OS-01

In this area, the following Special Policies apply. Where the Special Policy is silent, the guidance of the T5 Center Open Space policy applies. Improvements to Centennial Park are guided by the Centennial Park Master Plan.

Consistent with Policy?

Yes. The policy encourages the protection and preservation of historic features.

**REQUEST DETAILS**

The Metro Historic Zoning Commission (MHZC) considered this application at its June 17, 2015, meeting and recommended approval. The following background information was provided by the Metro Historical Commission staff:

**Centennial Park**

Centennial Park was listed in the National Register of Historic Places in 2008 as a designed historic landscape under criteria A and C for its local significance in art, architecture, landscape architecture, entertainment/recreation, and politics/government. As it was the location of the Tennessee Centennial Exposition in 1897 and has continued to be the home of the iconic replica of the Parthenon, Centennial Park has been, for over 100 years, a Nashville landmark that has made an excellent contribution to local history. Centennial Park contains buildings and monuments that both maintain historic integrity and are, in many case architecturally one of a kind. Furthermore, Centennial Park demonstrates, at the local level, many of the movements that were taking place at the national level, such as the parks movement, the playground movement, the recreation movement and the post-World War II modern period.

The Parthenon, located within Centennial Park was Landmarked in 1999.

To be considered as an historic landmark a building, structure, site or object must meet one or more of the following criteria:

1. The historic landmark is associated with an event that has made a significant contribution to local, state or national history;
2. It is associated with the lives of persons significant in local, state or national history; or
3. It embodies the distinctive characteristics of a type, period or method of construction, or that represents the work of a master, or that possesses high artistic value; or
4. It has yielded or may be likely to yield archaeological information important in history or prehistory; or
5. It is listed or is eligible for listing in the National Register of Historic Places.

**METRO HISTORIC ZONING COMMISSION RECOMMENDATION**

On June 17, 2015, the Metro Historic Zoning Commission recommended approval of the Historic Landmark Overlay.

**PARKS DEPARTMENT RECOMMENDATION**

**Approve**

**PUBLIC WORKS RECOMMENDATION**

**Approve with conditions**

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- Comply with Metro Zoning Code for Access and Parking requirements.
- The Historic Overlay shall support and accommodate the future transportation needs indicated in the Major and Collector Street Plan, and transportation projects of Metro Public Works and TDOT.

**STAFF RECOMMENDATION**

Staff recommends approval of the Historic Landmark Overlay District.

Approve. (6-0), Consent Agenda

**Resolution No. RS2015-241**

**"BE IT RESOLVED by The Metropolitan Planning Commission that 2015HL-003-001 is *Approved. (6-0)*"**

## 28. 2015HL-004-001

BL2015-1190\Stanley

### STONE HALL AND OUTBUILDINGS HISTORIC LANDMARK OVERLAY

Map 085, Parcel(s) 017-018, 214

Council District 14 (James Bruce Stanley)

Staff Reviewer: Carrie Logan

A request to apply a Historic Landmark Overlay District to properties located at 3300 Lebanon Pike and 1014 and 1015 Stones River Road, approximately 650 feet south of Hickory Hill Lane (10.62 acres), zoned AR2a and RM20, requested by the Metro Historical Commission, applicant, and Metro Government of Nashville and Davidson County, applicant and owner.

**Staff Recommendation: Approve.**

#### APPLICANT REQUEST

**Apply Historic Landmark Overlay District.**

#### Historic Landmark Overlay

A request to apply a Historic Landmark Overlay District to property located at Stones River Road (unnumbered), approximately 4,500 feet west of Lebanon Pike (5.93 acres), zoned Agricultural/Residential (AR2a).

#### Existing Zoning

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.

#### Proposed Zoning

Historic Landmark Overlay District (HL) A Historic Landmark is a building, structure, site or object, its appurtenances and the property it is located on, of high historical, cultural, architectural or archaeological importance; whose demolition or destruction would constitute an irreplaceable loss to the quality and character of Nashville and Davidson County.

#### CRITICAL PLANNING GOALS

- Preserves Historic Resources

The proposed Historic Landmark Overlay District is intended to preserve the historic structure on the property through the implementation of development guidelines by the Metro Historic Zoning Commission and staff.

#### DONELSON – HERMITAGE – OLD HICKORY COMMUNITY PLAN

##### Current Policy

T3 Suburban Open Space (T3 OS) policy is intended to preserve and enhance existing open space in suburban areas. T3 OS policy includes public parks and may also include private land held in conservation by land trusts and private groups or individuals. Enhancements to existing open space are guided by the *Metropolitan Parks and Greenways Master Plan*.

##### Growth and Preservation Concept Map

Open Space (OS) policy is intended to preserve and enhance existing open space in suburban areas. OS policy includes public parks and may also include private land held in conservation by land trusts and private groups or individuals. Enhancements to existing open space are guided by the *Metropolitan Parks and Greenways Master Plan*.

##### Consistent with Policy?

Yes. The policy encourages the protection and preservation of historic features.

#### REQUEST DETAILS

The Metro Historic Zoning Commission (MHZC) considered this application at its June 17, 2015, meeting and recommended approval. The following background information was provided by the Metro Historical Commission staff:

##### **Stone Hall & Outbuildings**

Stone Hall is a 9.6 acre parcel that includes multiple historic buildings and serves as a trailhead for the Greenway system.

The primary structure is a Colonial Revival house constructed in 1918 for the Dempsey Cantrell family, following the East Nashville Fire of 1916, when the Cantrells left Russell Street for the then-rural Donelson-Hermitage section, on land owned by Mrs. Cantrell's father. Noted Nashville architect George D. Waller was the architect and Elly Hayes was the stone mason. The house is a 2866 square feet, two-story frame building with a local limestone veneer, concrete tile roof and an exterior stone chimney. Built on high ground above the Stones River, Stone Hall is a landmark building in the Donelson-Hermitage area of Davidson County.



Eversong Cabin, overlooking the Stones River, is believed to be a historic log cabin moved to this location from Wilson County in the early 20<sup>th</sup> century. It is a 1178 square foot log building with dove-tail notching at the corners. It is 2.5 stories and has a pressed metal gable roof and an exterior stone chimney. Nora Johnson Cantrell, the original owner of Stone Hall, was a published poet, and she used this cabin as an artist retreat for other poets, authors, and artists.

To be considered as an historic landmark a building, structure, site or object must meet one or more of the following criteria:

1. The historic landmark is associated with an event that has made a significant contribution to local, state or national history;
2. It is associated with the lives of persons significant in local, state or national history; or
3. It embodies the distinctive characteristics of a type, period or method of construction, or that represents the work of a master, or that possesses high artistic value; or
4. It has yielded or may be likely to yield archaeological information important in history or prehistory; or
5. It is listed or is eligible for listing in the National Register of Historic Places.

#### **METRO HISTORIC ZONING COMMISSION RECOMMENDATION**

On June 17, 2015, the Metro Historic Zoning Commission recommended approval of the Historic Landmark Overlay.

#### **PARKS DEPARTMENT RECOMMENDATION**

**Approve**

#### **PUBLIC WORKS RECOMMENDATION**

**Approve with conditions**

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- Comply with Metro Zoning Code for Access and Parking requirements.
- The Historic Overlay shall support and accommodate the future transportation needs indicated in the Major and Collector Street Plan, and transportation projects of Metro Public Works and TDOT.

#### **STAFF RECOMMENDATION**

Staff recommends approval of the Historic Landmark Overlay District.

Approve. (6-0), Consent Agenda

#### **Resolution No. RS2015-242**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2015HL-004-001 is **Approved. (6-0)**"

## **29. 2015HL-005-001**

BL2015-1192\Harrison

### **LOCK ONE ON THE CUMBERLAND RIVER HISTORIC LANDMARK OVERLAY**

Map 071-09, Parcel(s) 002

Council District 02 (Frank R. Harrison)

Staff Reviewer: Carrie Logan

A request to apply a Historic Landmark Overlay District to property located at 1530 Lock Road, approximately 870 feet east of Baptist World Center Drive (5.8 acres), zoned R6, requested by the Metro Historic Zoning Commission and Metro Planning Department, applicants; U.S. Army Corps of Engineers, owner.

**Staff Recommendation: Approve.**

#### **APPLICANT REQUEST**

**Apply Historic Landmark Overlay District.**

#### Historic Landmark Overlay

A request to apply a Historic Landmark Overlay District to property located at 1530 Lock Road, approximately 870 feet east of Baptist World Center Drive (5.8 acres), zoned One and Two-Family Residential (R6).

#### **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.

#### **Proposed Zoning**

Historic Landmark Overlay District (HL) A Historic Landmark is a building, structure, site or object, its appurtenances and the property it is located on, of high historical, cultural, architectural or archaeological importance; whose demolition or destruction would constitute an irreplaceable loss to the quality and character of Nashville and Davidson County.

## CRITICAL PLANNING GOALS

- Preserves Historic Resources

The proposed Historic Landmark Overlay District is intended to preserve the historic structure on the property through the implementation of development guidelines by the Metro Historic Zoning Commission and staff.

## BORDEAUX- WHITES CREEK COMMUNITY PLAN

### Current Policy

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

T4 Urban Open Space (T4 OS) policy is intended to preserve and enhance existing open space in urban areas. T4 OS policy includes public parks and may also include private land held in conservation by land trusts and private groups or individuals. Enhancements to existing open space are guided by the *Metropolitan Parks and Greenways Master Plan*.

### Growth and Preservation Concept Map

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

Open Space (OS) policy is intended to preserve and enhance existing open space in urban areas. OS policy includes public parks and may also include private land held in conservation by land trusts and private groups or individuals. Enhancements to existing open space are guided by the *Metropolitan Parks and Greenways Master Plan*.

### Consistent with Policy?

Yes. The policy encourages the protection and preservation of historic features.

## REQUEST DETAILS

The Metro Historic Zoning Commission (MHZC) considered this application at its June 17, 2015, meeting and recommended approval. The following background information was provided by the Metro Historical Commission staff:

### Lock 1

Lock 1 is one of the only remnants of the failed canalization of the Cumberland River at the turn of the century. The Cumberland was vital trade route that helped sustain Nashville's early economy. However, the popularity of large steam ships in the late 19<sup>th</sup> century threatened that prosperity, as the Upper Cumberland is too shallow and rocky for such ships to travel through safely. As a solution the U.S. Army Corps of Engineers constructed a series of twenty-one locks and dams from Nashville to Smith's Shoals, Kentucky to improve travel through the area. The poorly funded project took from 1888 to 1924 to complete and did little to improve river navigation.

Many of the locks and dams were submerged or demolished when more efficient dams were erected in the 1930s and 1940s. Today, only portions of Lock 1 can still be seen along the river near the American Baptist Campus and Lock 2 at Pennington Bend near Opryland. Lock 1 was the first lock of the project completed, built in 1898. Construction was put on hold briefly and the rock-filled timber crib dam was finished in 1904.

In recent years, both Locks 1 and 2 were sold to the Metro Parks Department. The original stone wall, steps, and building foundation are visible at the site. A section of the land wall exists as well, but can only be seen from across the river. The rest of the lock and the dam were demolished in 1958 due to the fact that they were hazardous for river navigation.

To be considered as an historic landmark a building, structure, site or object must meet one or more of the following criteria:

1. The historic landmark is associated with an event that has made a significant contribution to local, state or national history;
2. It is associated with the lives of persons significant in local, state or national history; or
3. It embodies the distinctive characteristics of a type, period or method of construction, or that represents the work of a master, or that possesses high artistic value; or
4. It has yielded or may be likely to yield archaeological information important in history or prehistory; or
5. It is listed or is eligible for listing in the National Register of Historic Places.

## METRO HISTORIC ZONING COMMISSION RECOMMENDATION

On June 17, 2015, the Metro Historic Zoning Commission recommended approval of the Historic Landmark Overlay.

## PARKS DEPARTMENT RECOMMENDATION

Approve

**PUBLIC WORKS RECOMMENDATION**

**Approve with conditions**

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- Comply with Metro Zoning Code for Access and Parking requirements.
- The Historic Overlay shall support and accommodate the future transportation needs indicated in the Major and Collector Street Plan, and transportation projects of Metro Public Works and TDOT.

**STAFF RECOMMENDATION**

Staff recommends approval of the Historic Landmark Overlay District.

Approve. (6-0), Consent Agenda

**Resolution No. RS2015-243**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2015HL-005-001 is **Approved. (6-0)**”

**30. 2015HL-006-001**

BL2015-1191\Claiborne

**LOCK TWO ON THE CUMBERLAND RIVER HISTORIC LANDMARK OVERLAY**

Council District 15 (Phil Claiborne)

Staff Reviewer: Carrie Logan

A request to apply a Historic Landmark Overlay District to property located at the terminus of Lock Two Road, requested by the Metro Historic Zoning Commission and Metro Planning Department, applicants; U.S. Army Corps of Engineers, owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Apply Historic Landmark Overlay District.**

Historic Landmark Overlay

A request to apply a Historic Landmark Overlay District to property located at the terminus of Lock Two Road.

**Existing Zoning**

One and Two-Family Residential (R15) requires a minimum 15,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 3.09 dwelling units per acre including 25 percent duplex lots.

**Proposed Zoning**

Historic Landmark Overlay District (HL) A Historic Landmark is a building, structure, site or object, its appurtenances and the property it is located on, of high historical, cultural, architectural or archaeological importance; whose demolition or destruction would constitute an irreplaceable loss to the quality and character of Nashville and Davidson County.

**CRITICAL PLANNING GOALS**

- Preserves Historic Resources

The proposed Historic Landmark Overlay District is intended to preserve the historic structure on the property through the implementation of development guidelines by the Metro Historic Zoning Commission and staff.

**BORDEAUX- WHITES CREEK COMMUNITY PLAN**

**Current Policy**

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

**Growth and Preservation Concept Map**

No change proposed.

Consistent with Policy?

Yes. The policy encourages the protection and preservation of historic features.

**REQUEST DETAILS**

The Metro Historic Zoning Commission (MHZC) considered this application at its June 17, 2015, meeting and recommended approval. The following background information was provided by the Metro Historical Commission staff:

**Lock 2 Park**

Lock Two Park is one of the only remnants of the failed canalization of the Cumberland River at the turn of the century. The Cumberland was vital trade route that helped sustain Nashville’s early economy. However, the popularity of large steam ships in the late 19<sup>th</sup> century threatened that prosperity, as the Upper Cumberland is too shallow and rocky for such ships to travel through safely. As a solution the U.S. Army Corps of Engineers constructed a series of twenty-one locks and dams from Nashville to Smith’s Shoals, Kentucky to improve travel through the area. The poorly funded project took from 1888 to 1924 to complete and did little to improve river navigation.

Many of the locks and dams were submerged or demolished when more efficient dams were erected in the 1930s and 1940s. Today, only portions of Lock One can still be seen along the river near the American Baptist Campus and Lock 2 at Pennington Bend near Opryland. Of these, Lock Two is almost completely intact. Completed in 1908, the land wall has been well preserved, as have the concrete steps with the river gauge running up the side. There is still visible evidence of mooring features and the lockkeeper’s house and several small outbuildings stand nearby.

In recent years, both Locks One and Two were sold to the Metro Parks Department. Being better preserved, Lock Two and the surrounding land were developed into Lock Two Park. This neighborhood park stands as a prime example of late 19<sup>th</sup> century engineering and a reminder of the 36 year effort of the men of the U.S. Army Corps of Engineers to improve trade in Nashville via the Cumberland River.

To be considered as an historic landmark a building, structure, site or object must meet one or more of the following criteria:

1. The historic landmark is associated with an event that has made a significant contribution to local, state or national history;
2. It is associated with the lives of persons significant in local, state or national history; or
3. It embodies the distinctive characteristics of a type, period or method of construction, or that represents the work of a master, or that possesses high artistic value; or
4. It has yielded or may be likely to yield archaeological information important in history or prehistory; or
5. It is listed or is eligible for listing in the National Register of Historic Places.

**METRO HISTORIC ZONING COMMISSION RECOMMENDATION**

On June 17, 2015, the Metro Historic Zoning Commission recommended approval of the Historic Landmark Overlay.

**PARKS DEPARTMENT RECOMMENDATION**

Approve

**PUBLIC WORKS RECOMMENDATION**

Approve with conditions

- The developer’s final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- Comply with Metro Zoning Code for Access and Parking requirements.
- The Historic Overlay shall support and accommodate the future transportation needs indicated in the Major and Collector Street Plan, and transportation projects of Metro Public Works and TDOT.

**STAFF RECOMMENDATION**

Staff recommends approval of the Historic Landmark Overlay District.

Approve. (6-0), Consent Agenda

**Resolution No. RS2015-244**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2015HL-006-001 is **Approved. (6-0)**”

**31. 2015HL-007-001**

BL2015-1189\Claiborne

**BUCHANAN STATION CEMETERY HISTORIC LANDMARK OVERLAY**

Map 106-04, Part of Parcel(s) 020

Council District 15 (Phil Claiborne)

Staff Reviewer: Carrie Logan

A request to apply a Historic Landmark Overlay District to a portion of property located at 749 Massman Drive, approximately 675 feet north of Elm Hill Pike (0.60 acres), zoned IR, requested by the Metro Historical Commission, applicant, and Metro Government of Nashville and Davidson County, applicant and owner.

**Staff Recommendation: Approve.**

## APPLICANT REQUEST

### Apply Historic Landmark Overlay District.

#### Historic Landmark Overlay

A request to apply a Historic Landmark Overlay District to property located at 749 Massman Drive, approximately 675 feet north of Elm Hill Pike (8.63 acres), zoned Industrial Restrictive (IR).

#### **Existing Zoning**

Industrial Restrictive (IR) is intended for a wide range of light manufacturing uses at moderate intensities within enclosed structures.

#### **Proposed Zoning**

Historic Landmark Overlay District (HL) A Historic Landmark is a building, structure, site or object, its appurtenances and the property it is located on, of high historical, cultural, architectural or archaeological importance; whose demolition or destruction would constitute an irreplaceable loss to the quality and character of Nashville and Davidson County.

## CRITICAL PLANNING GOALS

- Preserves Historic Resources

The proposed Historic Landmark Overlay District is intended to preserve the historic structure on the property through the implementation of development guidelines by the Metro Historic Zoning Commission and staff.

## DONELSON – HERMITAGE – OLD HICKORY COMMUNITY PLAN

### **Current Policy**

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

D 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.

### **Growth and Preservation Concept Map**

No change proposed.

#### Consistent with Policy?

Yes. The policy encourages the protection and preservation of historic features.

## REQUEST DETAILS

The Metro Historic Zoning Commission (MHZC) considered this application at its June 17, 2015, meeting and recommended approval. The following background information was provided by the Metro Historical Commission staff:

### **Buchanan Station Cemetery**

Buchanan Station Cemetery is associated with an early Tennessee pioneer settlement, Buchanan Station. The fort had one or two blockhouses surrounded by stockade to four corner blockhouses. In 1784 or 1785, Major John Buchanan Jr. moved from Nashboro to Buchanan Station to construct and protect one of the earliest mills in the county on Mill Creek. The successful defense of the Station in 1792 against hundreds of Indians is credited with protecting a larger plan to attack all of the settlements in the area.

The first burial may be Samuel Buchanan, killed by Indians in 1786. John Buchanan Sr., killed by Indians in 1787, is thought to be buried in a rocked-in plot in the cemetery. After other burials, Major John Buchanan (1832) and his wife Sally (1831) were laid to rest there. Altogether, the cemetery includes about 67 burials, many with un-inscribed fieldstones.

The cemetery was sold out of the Buchanan family in 1841. Over the next 173 years, the cemetery had various private owners including George Peabody College. On October 18, 2011, a grassroots campaign was begun to raise awareness about Buchanan's Station and its cemetery. On March 17, 2012, the Friends of Buchanan's Station Cemetery was formed at the Buchanan Log House.

- To be considered as an historic landmark a building, structure, site or object must meet one or more of the following criteria:
1. The historic landmark is associated with an event that has made a significant contribution to local, state or national history;
  2. It is associated with the lives of persons significant in local, state or national history; or
  3. It embodies the distinctive characteristics of a type, period or method of construction, or that represents the work of a master, or that possesses high artistic value; or
  4. It has yielded or may be likely to yield archaeological information important in history or prehistory; or
  5. It is listed or is eligible for listing in the National Register of Historic Places.

#### **METRO HISTORIC ZONING COMMISSION RECOMMENDATION**

On June 17, 2015, the Metro Historic Zoning Commission recommended approval of the Historic Landmark Overlay.

#### **PUBLIC WORKS RECOMMENDATION**

##### **Approve with conditions**

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- Comply with Metro Zoning Code for Access and Parking requirements.
- The Historic Overlay shall support and accommodate the future transportation needs indicated in the Major and Collector Street Plan, and transportation projects of Metro Public Works and TDOT.

#### **STAFF RECOMMENDATION**

Staff recommends approval.

Approve. (6-0), Consent Agenda

#### **Resolution No. RS2015-245**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2015HL-007-001 is **Approved. (6-0)**"

## **32. 2015HL-008-001**

BL2015-1195\Todd

#### **KELLYTOWN ARCHAEOLOGICAL SITE HISTORIC LANDMARK OVERLAY**

Map 158, Parcel(s) 130

Council District 34 (Carter Todd)

Staff Reviewer: Carrie Logan

A request to apply a Historic Landmark Overlay District to property located at Hillsboro Pike (unnumbered), at the southeast corner of Hillsboro Pike and Old Hickory Boulevard (6.72 acres), zoned R40, requested by the Metro Historical Commission, applicant, and Metro Government of Nashville and Davidson County, applicant and owner.

**Staff Recommendation: Approve.**

#### **APPLICANT REQUEST**

**Apply Historic Landmark Overlay District.**

##### Historic Landmark Overlay

A request to apply a Historic Landmark Overlay District to property located at Hillsboro Pike (unnumbered), at the southeast corner of Hillsboro Pike and Old Hickory Boulevard (6.72 acres), zoned One and Two-Family Residential (R40).

##### **Existing Zoning**

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

##### **Proposed Zoning**

Historic Landmark Overlay District (HL) A Historic Landmark is a building, structure, site or object, its appurtenances and the property it is located on, of high historical, cultural, architectural or archaeological importance; whose demolition or destruction would constitute an irreplaceable loss to the quality and character of Nashville and Davidson County.

#### **CRITICAL PLANNING GOALS**

- Preserves Historic Resources

The proposed Historic Landmark Overlay District is intended to preserve the historic structure on the property through the implementation of development guidelines by the Metro Historic Zoning Commission and staff.

## **GREEN HILLS- MIDTOWN COMMUNITY PLAN**

### **Current Policy**

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

### Special Policy Area 3

- The quasi rural estate character of the Hillsboro Pike corridor south of Harding Place should be preserved, including the stately homes with generous setbacks, the viewsheds to the surrounding hillsides; and the abundant trees, landscaping and other natural features.
- As part of the character, any reconstruction of Hillsboro Pike should be context sensitive and help define, reinforce and embellish the corridor's quasi rural estate character.

### **Growth and Preservation Concept Map**

Open Space (OS) policy is intended to preserve and enhance existing open space in suburban areas. OS policy includes public parks and may also include private land held in conservation by land trusts and private groups or individuals. Enhancements to existing open space are guided by the *Metropolitan Parks and Greenways Master Plan*.

### Consistent with Policy?

Yes. The policy encourages the protection and preservation of historic features.

## **REQUEST DETAILS**

The Metro Historic Zoning Commission (MHZC) considered this application at its June 17, 2015, meeting and recommended approval. The following background information was provided by the Metro Historical Commission staff:

### **Kellytown Archaeological Site**

The Kellytown site represents a major Mississippian period (AD 1000-1450) Native American town established on a high terrace overlooking the Little Harpeth River. The available radiocarbon dates suggest Kellytown was occupied toward the latter portion of the Mississippian period. This town is one of several previously identified Mississippian period sites within the Little Harpeth River valley. Other sites include Arnold (found in the Meadowlake subdivision), Brentwood Library, Fewkes (Primm Park), and Inglehame Farm (found in the Inglehame Farm subdivision). The distribution of these large Mississippian period towns suggests there was extensive settlement and use of the Little Harpeth River valley some 500 to 700 years. A question that remains to be answered is whether these sites were contemporaneous (occupied at the same time by different native residents), or if a few native groups were moving from town to town within the river valley (possibly due to depletion of important resources such as fertile soils, wood, or game). The presence and distribution of the palisades, structures, burials, and other features uncovered by TDOT provides explicit proof that intact archaeological resources occur within the undeveloped tracts of land southeast of the Old Hickory Blvd/Hillsboro Road intersection.

To be considered as an historic landmark a building, structure, site or object must meet one or more of the following criteria:

1. The historic landmark is associated with an event that has made a significant contribution to local, state or national history;
2. It is associated with the lives of persons significant in local, state or national history; or
3. It embodies the distinctive characteristics of a type, period or method of construction, or that represents the work of a master, or that possesses high artistic value; or
4. It has yielded or may be likely to yield archaeological information important in history or prehistory; or
5. It is listed or is eligible for listing in the National Register of Historic Places.

## **METRO HISTORIC ZONING COMMISSION RECOMMENDATION**

On June 17, 2015, the Metro Historic Zoning Commission recommended approval of the Historic Landmark Overlay.

## **PARKS DEPARTMENT RECOMMENDATION**

**Approve**

## **PUBLIC WORKS RECOMMENDATION**

**Approve with conditions**

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- Comply with Metro Zoning Code for Access and Parking requirements.
- The Historic Overlay shall support and accommodate the future transportation needs indicated in the Major and Collector Street Plan, and transportation projects of Metro Public Works and TDOT.

## **STAFF RECOMMENDATION**

Staff recommends approval of the Historic Landmark Overlay District.

**Resolution No. RS2015-246**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2015HL-008-001 is **Approved. (6-0)**”

**33. 2015HL-009-001**

BL2015-1193\Langster

**OMAN BUILDING HISTORIC LANDMARK OVERLAY**

Map 104-02, Parcel(s) 046

Council District 21 (Edith Taylor Langster)

Staff Reviewer: Carrie Logan

A request to apply a Historic Landmark Overlay District to property located at 511 Oman Street, at the northeast corner of Parthenon Avenue and Oman Street (5.03 acres), zoned IWD and RM20, requested by the Metro Historical Commission, applicant, and Metro Government of Nashville and Davidson County, applicant and owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Apply Historic Landmark Overlay District.**

Historic Landmark Overlay

A request to apply a Historic Landmark Overlay District to property located at 511 Oman Street, at the northeast corner of Parthenon Avenue and Oman Street (5.03 acres), zoned Industrial Warehousing/Distribution (IWD) and Multi-Family (RM20).

**Existing Zoning**

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

Multi-Family Residential (RM20) is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre.

**Proposed Zoning**

Historic Landmark Overlay District (HL) A Historic Landmark is a building, structure, site or object, its appurtenances and the property it is located on, of high historical, cultural, architectural or archaeological importance; whose demolition or destruction would constitute an irreplaceable loss to the quality and character of Nashville and Davidson County.

**CRITICAL PLANNING GOALS**

- Preserves Historic Resources

The proposed Historic Landmark Overlay District is intended to preserve the historic structure on the property through the implementation of development guidelines by the Metro Historic Zoning Commission and staff.

**GREEN HILLS- MIDTOWN COMMUNITY PLAN**

**Current Policy**

T5 Center Open Space (T5 OS) policy is intended to preserve existing open space in T5 Regional, Super Regional, and Center Mixed Use Neighborhood areas. T5 OS policy includes public parks and may also include private land held in conservation by land trusts and private groups or individuals. Enhancements to existing open space are guided by the *Metropolitan Parks and Greenways Master Plan*.

Special Policy 10-T5-OS-01

In this area, the following Special Policies apply. Where the Special Policy is silent, the guidance of the T5 Center Open Space policy applies. Improvements to Centennial Park are guided by the Centennial Park Master Plan.

**Growth and Preservation Concept Map**

Open Space (OS) policy is intended to preserve existing open space in T5 Regional, Super Regional, and Center Mixed Use Neighborhood areas. OS policy includes public parks and may also include private land held in conservation by land trusts and private groups or individuals. Enhancements to existing open space are guided by the *Metropolitan Parks and Greenways Master Plan*.

Special Policy 10-MT-T5-OS-01

In this area, the following Special Policies apply. Where the Special Policy is silent, the guidance of the T5 Center Open Space policy applies. Improvements to Centennial Park are guided by the Centennial Park Master Plan.



Consistent with Policy?

Yes. The policy encourages the protection and preservation of historic features.

**REQUEST DETAILS**

The Metro Historic Zoning Commission (MHZC) considered this application at its June 17, 2015, meeting and recommended approval. The following background information was provided by the Metro Historical Commission staff:

**Oman Building**

511 Oman Street (formerly McMurry Avenue) was constructed in the 1930s by the Crab Orchard Stone Company to serve as the main office of the Oman Construction Company, of which Crab Orchard was a subsidiary. To honor the company name, the building is made entirely of Crab Orchard Stone, including the shingles. This rare Tennessee sandstone comes from the Crab Orchard Mountains and was highly valued for construction in the first part of the 20<sup>th</sup> century. It gained popularity after it was used to construct Scarritt College in Nashville in the 1920s and has since been used for buildings and flagstone across the U.S. and overseas.

The Oman Construction Company dates back to 1877 when John Oman Sr., a Scottish stonemason, came to Nashville. His skills were in high demand; he was a contractor for many buildings and bridges in Nashville and other cities. His most famous work was on the exterior of the St. Thomas Church in New York City. His son, John Oman Jr., founded the Crab Orchard Stone Company in 1929 and would eventually take over all of Oman Construction Company. During the half century that it was run from the 511 Oman St. office, the company would expand to have projects on six different continents. The most notable of these are sponsoring the Oroville Dam in California, helping widen the Panama Canal, and working on a 144 mile stretch of the Trans-Alaska Pipeline from Delta Junction to the Yukon. Ironically, the long list of countries that they worked in includes Oman. The Oman Construction Company would leave the 511 Oman St. location in 1989 and today makes software used by construction companies. It has been used as the office for the Metro Parks since 1990.

To be considered as an historic landmark a building, structure, site or object must meet one or more of the following criteria:

1. The historic landmark is associated with an event that has made a significant contribution to local, state or national history;
2. It is associated with the lives of persons significant in local, state or national history; or
3. It embodies the distinctive characteristics of a type, period or method of construction, or that represents the work of a master, or that possesses high artistic value; or
4. It has yielded or may be likely to yield archaeological information important in history or prehistory; or
5. It is listed or is eligible for listing in the National Register of Historic Places.

**METRO HISTORIC ZONING COMMISSION RECOMMENDATION**

On June 17, 2015, the Metro Historic Zoning Commission recommended approval of the Historic Landmark Overlay.

**PARKS DEPARTMENT RECOMMENDATION**

**Approve**

**PUBLIC WORKS RECOMMENDATION**

**Approve with conditions**

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- Comply with Metro Zoning Code for Access and Parking requirements.
- The Historic Overlay shall support and accommodate the future transportation needs indicated in the Major and Collector Street Plan, and transportation projects of Metro Public Works and TDOT.

**STAFF RECOMMENDATION**

Staff recommends approval of the Historic Landmark Overlay District.

Approve. (6-0), Consent Agenda

**Resolution No. RS2015-247**

**"BE IT RESOLVED by The Metropolitan Planning Commission that 2015HL-009-001 is Approved. (6-0)"**

### 34. 2015HL-010-001

BL2015-1198\Gilmore

#### **BANK STREET HISTORIC LANDMARK OVERLAY**

Council District 19 (Erica Gilmore)

Staff Reviewer: Carrie Logan

A request to apply a Historic Landmark Overlay District to Bank Street, between 1st Ave N and 2nd Ave N, zoned DTC, requested by the Metro Historical Commission, applicant, and Metro Government of Nashville and Davidson County, applicant and owner.

**Staff Recommendation: Approve.**

#### **APPLICANT REQUEST**

**Apply Historic Landmark Overlay District.**

#### Historic Landmark Overlay

A request to apply a Historic Landmark Overlay District to Bank Street, between 1st Ave N and 2nd Ave N, zoned Downtown Code (DTC).

#### **Existing Zoning**

Downtown Code (DTC) is a zoning district category that is intended for high intensity office, retail, restaurant, amusement, and residential use and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards.

#### **Proposed Zoning**

Historic Landmark Overlay District (HL) A Historic Landmark is a building, structure, site or object, its appurtenances and the property it is located on, of high historical, cultural, architectural or archaeological importance; whose demolition or destruction would constitute an irreplaceable loss to the quality and character of Nashville and Davidson County.

#### **CRITICAL PLANNING GOALS**

- Preserves Historic Resources

The proposed Historic Landmark Overlay District is intended to preserve the historic structure on the property through the implementation of development guidelines by the Metro Historic Zoning Commission and staff.

#### **DOWNTOWN COMMUNITY PLAN**

##### **Current Policy**

T6 Second and Broadway (T6 SB) policy is intended to preserve the historic and cultural prominence of the Second Avenue and Broadway corridors by encouraging the adaptive reuse of historic buildings, creating development that is compatible with the general character of existing buildings on the Second and Broadway corridors, and by maintaining the corridors' ability to move vehicular traffic efficiently while accommodating sidewalks, bikeways, and mass transit.

##### **Growth and Preservation Concept Map**

No change proposed.

##### Consistent with Policy?

Yes. The policy encourages the protection and preservation of historic features.

#### **REQUEST DETAILS**

The Metro Historic Zoning Commission (MHZC) considered this application at its June 17, 2015, meeting and recommended approval. The following background information was provided by the Metro Historical Commission staff:

##### **Bank Street**

Bank Street has had several names over the years, the first of which is Clark Alley. Clark Alley is listed in city directories as early as 1856. It is possible that the street even predates that, but few maps exist from that time. In the 1920s there are records of the street being called both Clark Alley and Brandon Court. The most likely explanation for this is that the Brandon Printing Company was the only building on the north side of the street and locals started to refer to the block by that moniker. In the 1930s the street was renamed Clark once more and the street one block north, which was originally a portion of Union Avenue, adopted the name Brandon. Due to the proximity of the booming financial district, often called the "Wall Street of the South," Clark Alley was renamed a final time in 1941 to its current name: Bank Street.

Bank Street is unique in the fact that it is the only street in downtown Nashville that is paved with setts, also known as Belgian Block. Streets paved with setts are often mistaken for cobblestone, but are a separate form of paving.

Cobblestones are round stones in their natural shape with sand and mortar in between, whereas setts are quarried rectangular stones, usually of granite, that fit together much like bricks. Setts are quieter and provide a better grip for horses, making them a more desirable form of paving than cobblestones, and became popular in the 19<sup>th</sup> century.

Famous streets paved with setts include the Red Square in Moscow and the Champ-Élysées, the final stretch of the Tour de France.

As more effective forms of paving came along, many streets paved with setts were redone. Most streets did not have the setts removed, but simply poured asphalt over them, which is why there are times when the asphalt wears down and Belgian Blocks can be seen underneath. However, due to its small size and infrequent usage, Bank Street was never repaved and still remains as it was 150 years ago.

- To be considered as an historic landmark a building, structure, site or object must meet one or more of the following criteria:
1. The historic landmark is associated with an event that has made a significant contribution to local, state or national history;
  2. It is associated with the lives of persons significant in local, state or national history; or
  3. It embodies the distinctive characteristics of a type, period or method of construction, or that represents the work of a master, or that possesses high artistic value; or
  4. It has yielded or may be likely to yield archaeological information important in history or prehistory; or
  5. It is listed or is eligible for listing in the National Register of Historic Places.

#### **METRO HISTORIC ZONING COMMISSION RECOMMENDATION**

On June 17, 2015, the Metro Historic Zoning Commission recommended approval of the Historic Landmark Overlay.

#### **PUBLIC WORKS RECOMMENDATION**

##### **Conditional if approved**

The Historic Overlay shall support and accommodate the utilities within the right-of-way, compliance with the Americans with Disabilities Act, and remain subject to Department of Public Works and Traffic and Parking Commission permits, laws, licenses, and policies.

#### **STAFF RECOMMENDATION**

Staff recommends approval of the Historic Landmark Overlay District.

Approve. (6-0), Consent Agenda

#### **Resolution No. RS2015-248**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2015HL-010-001 is **Approved. (6-0)**”

### **35. 2015HL-011-001**

BL2015-1196\Todd, Mitchell

#### **WARNER PARK EXTENSION HISTORIC LANDMARK OVERLAY**

Map 142, Parcel(s) 119, 131, 133, 289-290

Map 143, Parcel(s) 010, 014, 020, 022-024, 052-055, 070-072

Council District 34 (Carter Todd); 35 (Bo Mitchell)

Staff Reviewer: Carrie Logan

A request to apply a Historic Landmark Overlay District to various properties located along Old Hickory Boulevard, Highway 70 S, Highway 100, and Bellevue Road (536.17 acres), zoned R15, R20, R40, RM4, RS15, and RS20, requested by the Metro Historical Commission, applicant, and Metro Government of Nashville and Davidson County, applicant and owner.

**Staff Recommendation: Approve.**

#### **APPLICANT REQUEST**

**Apply Historic Landmark Overlay District.**

##### Historic Landmark Overlay

A request to apply a Historic Landmark Overlay District to various properties located along Old Hickory Boulevard, Highway 70 S, Highway 100, and Bellevue Road (536.17 acres), zoned One and Two-Family Residential (R15, R20, R40), Multi-Family Residential (RM4), and Single-Family Residential (RS15, RS20).

##### **Existing Zoning**

One and Two-Family Residential (R15) requires a minimum 15,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 3.09 dwelling units per acre including 25 percent duplex lots.

One and Two-Family Residential (R20) requires a minimum 20,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 2.31 dwelling units per acre including 25 percent duplex lots.

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

Multi-Family Residential (RM4) is intended for single-family, duplex, and multi-family dwellings at a density of four dwelling units per acre.

Single-Family Residential (RS15) requires a minimum 15,000 square foot lot and is intended for single-family dwellings at a density of 2.47 dwelling units per acre.

Single-Family Residential (RS20) requires a minimum 20,000 square foot lot and is intended for single-family dwellings at a density of 1.85 dwelling units per acre.

### **Proposed Zoning**

Historic Landmark Overlay District (HL) A Historic Landmark is a building, structure, site or object, its appurtenances and the property it is located on, of high historical, cultural, architectural or archaeological importance; whose demolition or destruction would constitute an irreplaceable loss to the quality and character of Nashville and Davidson County.

### **CRITICAL PLANNING GOALS**

- Preserves Historic Resources

The proposed Historic Landmark Overlay District is intended to preserve the historic structure on the property through the implementation of development guidelines by the Metro Historic Zoning Commission and staff.

### **BELLEVUE COMMUNITY PLAN**

#### **Current Policy**

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

T1 Natural Open Space (T1 OS) policy is intended to preserve existing undisturbed open space in natural areas to remain undeveloped. T1 OS policy includes public parks and preserves, and may also include private land held in conservation by land trusts and private groups or individuals. Enhancements to existing open space are guided by the *Metropolitan Parks and Greenways Master Plan*.

#### **Growth and Preservation Concept Map**

T1 Natural Open Space (T1 OS) policy is intended to preserve existing undisturbed open space in natural areas to remain undeveloped. T1 OS policy includes public parks and preserves, and may also include private land held in conservation by land trusts and private groups or individuals. Enhancements to existing open space are guided by the *Metropolitan Parks and Greenways Master Plan*.

#### Consistent with Policy?

Yes. The policy encourages the protection and preservation of historic features.

### **REQUEST DETAILS**

The Metro Historic Zoning Commission (MHZC) considered this application at its June 17, 2015, meeting and recommended approval. The following background information was provided by the Metro Historical Commission staff:

#### **Warner Parks Extension**

The expansion area is to assure that all of the land known as Warner Parks is included in the current Landmark Overlay. Over the years additional properties have been acquired that now need to be included. The expansion includes The Burch Reserve and the Hill Forest Properties, two of The Friends of Warner Parks' (FWP), most recent acquisition of 448 acres.

The Hill Forest property was purchased in 1910 by H. G. Hill, Sr., who enjoyed its pristine beauty throughout his lifetime, and protected the centuries-old trees found there. A Metro Historical Commission historic marker commemorating Hill and the preservation of the property is located at the entrance, 6811 Hwy 70S. The FWP "Save the Ancient Forest" project to acquire this property and preserve it in perpetuity received the Governor's Environmental Stewardship Award – Natural Heritage Conservation, in 2009. Due to the unique natural integrity and old growth forest, 225 acres were recognized as the Hill Forest Designated State Natural Area through the Tennessee Department of Environment and Conservation in 2010.

Some of the early prior uses of the Burch Reserve and the Hill Forest land included limited agriculture, raising cattle, and a few modest residences/farmhouses. A small cemetery of the Richards family is located on the Burch Reserve near the CSX railroad tracks. With these acquisitions, the total acreage of the Warner Parks is now approximately 3,180 acres.

To be considered as an historic landmark a building, structure, site or object must meet one or more of the following criteria:

1. The historic landmark is associated with an event that has made a significant contribution to local, state or national history;
2. It is associated with the lives of persons significant in local, state or national history; or

3. It embodies the distinctive characteristics of a type, period or method of construction, or that represents the work of a master, or that possesses high artistic value; or
4. It has yielded or may be likely to yield archaeological information important in history or prehistory; or
5. It is listed or is eligible for listing in the National Register of Historic Places.

**METRO HISTORIC ZONING COMMISSION RECOMMENDATION**

On June 17, 2015, the Metro Historic Zoning Commission recommended approval of the Historic Landmark Overlay.

**PARKS DEPARTMENT RECOMMENDATION**

**Approve**

**PUBLIC WORKS RECOMMENDATION**

**Approve with conditions**

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- Comply with Metro Zoning Code for Access and Parking requirements.
- The Historic Overlay shall support and accommodate the future transportation needs indicated in the Major and Collector Street Plan, and transportation projects of Metro Public Works and TDOT.

**STAFF RECOMMENDATION**

Staff recommends approval of the Historic Landmark Overlay District.

Approve. (6-0), Consent Agenda

**Resolution No. RS2015-249**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2015HL-011-001 is **Approved. (6-0)**”

**36. 2015HL-012-001**

BL2015-1199\Gilmore

**BEN WEST LIBRARY BUILDING HISTORIC LANDMARK OVERLAY**

Map 093-05-2, Parcel(s) 001

Council District 19 (Erica S. Gilmore)

Staff Reviewer: Carrie Logan

A request to apply a Historic Landmark Overlay District to property located at 225 Polk Avenue, at the southeast corner of Union Street and Polk Avenue (0.73 acres), zoned DTC, requested by the Metro Historic Zoning Commission and Metro Planning Department, applicants Metro Government of Nashville and Davidson County, owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Apply Historic Landmark Overlay District.**

Historic Landmark Overlay

A request to apply a Historic Landmark Overlay District to property located at 225 Polk Avenue, at the southeast corner of Union Street and Polk Avenue (0.73 acres), zoned Downtown Code (DTC).

**Existing Zoning**

Downtown Code (DTC) is a zoning district category that is intended for high intensity office, retail, restaurant, amusement, and residential use and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards.

**Proposed Zoning**

Historic Landmark Overlay District (HL) A Historic Landmark is a building, structure, site or object, its appurtenances and the property it is located on, of high historical, cultural, architectural or archaeological importance; whose demolition or destruction would constitute an irreplaceable loss to the quality and character of Nashville and Davidson County.

**CRITICAL PLANNING GOALS**

- Preserves Historic Resources

The proposed Historic Landmark Overlay District is intended to preserve the historic structure on the property through the implementation of development guidelines by the Metro Historic Zoning Commission and staff.

## **DOWNTOWN COMMUNITY PLAN**

### **Current Policy**

#### Structure Plan Policy

Downtown Core (DC) policy is intended for the heart of the downtown area and the surrounding area that contains supporting uses. The Downtown Core constitutes the single largest concentration of non-residential development in the city. Offices are the predominant type of development, although the Downtown Core contains a very diverse array of land uses including retail, entertainment, community facilities, government services, and higher density residential.

#### Detailed Policy

Mixed Use (MxU) is intended for buildings that are mixed horizontally and vertically. The latter is preferable in creating a more pedestrian-oriented streetscape. This category allows residential as well as commercial uses. Vertically mixed-use buildings are encouraged to have shopping activities at street level and/or residential above.

### **Growth and Preservation Concept Map**

#### Structure Plan Policy

Civic District (CV) The Civic District, found in Downtown Nashville, contains numerous civic facilities as well as various government offices, retail, service and residential uses. CV policy is intended to recognize the role of particular areas of Downtown as the civic center of the state, region and city, celebrate these areas' civic function and heritage and encourage a vibrant mixture of supporting uses. Strong relationships to surrounding open space networks and neighborhoods are key to successful future development. The unique character and intended development pattern for each CV area, are further defined in the Building Regulating Plans for neighborhoods with CV policy, found in the *Downtown Community Plan: 2007 Update*.

#### Special Policy 09-T6-DN-CORE-01, Core Neighborhood

The Core is the heart of the Downtown business district, the economic engine of the Middle Tennessee region, and a significant economic force in the Southeast. It is the densest neighborhood in Downtown and is intended to accommodate a mix of uses with an emphasis on office in high-rise buildings. The Core has long been characterized by low-rise, mid-rise, and high-rise office buildings, parking structures, surface parking, and services to support the commercial businesses. See accompanying map of the Downtown Neighborhoods.

Recently, construction of residential towers as well as rehabilitation of historic buildings for residential uses has significantly increased the number of people living Downtown and in the Core. While additional retail and services are still needed for Downtown residents and employees, Downtown has welcomed numerous new retail ventures, including restaurants, galleries and shops, and grocery store options. As surface parking lots and other under-utilized land are redeveloped, the activity level of Downtown increases. The overall effect is the transformation of the Downtown from a "nine to five" business center to a "24/7" Downtown.

Within the Core, and primarily within the Historic Core of the Subdistrict, there are a number of historic structures that figure prominently into Nashville's history and are unique building types in the country. The Arcade is one of the few remaining examples of this building type in the United States. Meanwhile, the Core is also home to several historic structures that housed some of the earliest banks and commercial institutions in Nashville. The Arcade and other historic structures in the Core should be preserved and their massing should be utilized as a contextual basis for new and adaptive reuse development in the area. Attention should be given to developing tools that will preserve these buildings within the higher density zoning districts in which they lie. This area is placed in a special policy within the T6 Downtown Core Policy, 09-T6-DN-CORE-01.

Within the Core neighborhood, the Civic Policy is applied to the Downtown Library and the planned Federal Courthouse property. It is expected that the Federal Courthouse will contribute to an active pedestrian environment on Eighth Avenue and Church Street, including front doors on Church Street. The Church Street Park across from the library is placed in T6 Open Space Policy.

#### Consistent with Policy?

Yes. The policy encourages the protection and preservation of historic features.

### **REQUEST DETAILS**

The Metro Historic Zoning Commission (MHZC) considered this application at its June 17, 2015, meeting and recommended approval. The following background information was provided by the Metro Historical Commission staff:

#### **Ben West Library**

In 1965, the New Main Public Library opened on Eighth and Union and was designated the Public Library of Nashville & Davidson County with its formal dedication in January, 1966. This library was designated as the Ben West Library in 1977.

The Ben West Library was design by Bruce I. Crabtree, Jr. of Taylor and Crabtree as a modernist take on the columnar style of the Athens of the South. It was unique for libraries of its time because it not only served as storage for books but it design also considered the user with large windows and cozy reading spaces. Crabtree is known for designing the James K. Polk and Andrew Jackson state office buildings, the Murphy Center for athletics at Middle Tennessee State University, the Tennessee Performing Arts Center and churches, schools and libraries across the state.

To be considered as an historic landmark a building, structure, site or object must meet one or more of the following criteria:

1. The historic landmark is associated with an event that has made a significant contribution to local, state or national history;
2. It is associated with the lives of persons significant in local, state or national history; or
3. It embodies the distinctive characteristics of a type, period or method of construction, or that represents the work of a master, or that possesses high artistic value; or
4. It has yielded or may be likely to yield archaeological information important in history or prehistory; or
5. It is listed or is eligible for listing in the National Register of Historic Places.

#### **METRO HISTORIC ZONING COMMISSION RECOMMENDATION**

On June 17, 2015, the Metro Historic Zoning Commission recommended approval of the Historic Landmark Overlay.

#### **PUBLIC WORKS RECOMMENDATION**

##### **Approve with conditions**

The Historic Overlay shall support and accommodate the future transportation needs indicated in the Major and Collector Street Plan, and transportation projects of Metro Public Works and TDOT.

#### **STAFF RECOMMENDATION**

Staff recommends approval of the Historic Landmark Overlay District.

Approve. (6-0), Consent Agenda

#### **Resolution No. RS2015-250**

**"BE IT RESOLVED** by The Metropolitan Planning Commission that 2015HL-012-001 is **Approved. (6-0)"**

### **37. 2015HL-013-001**

BL2015-1197\Gilmore

#### **BEN WEST MARKET HOUSE HISTORIC LANDMARK OVERLAY**

Map 093-02, Parcel(s) 050

Council District 19 (Erica S. Gilmore)

Staff Reviewer: Carrie Logan

A request to apply a Historic Landmark Overlay District to property located at 408 2nd Avenue North, at the northeast corner of James Robertson Parkway and 2nd Avenue North (2.12 acres), zoned DTC, requested by the Metro Historical Commission, applicant, and Metro Government of Nashville and Davidson County, applicant and owner.

**Staff Recommendation: Approve.**

#### **APPLICANT REQUEST**

**Apply Historic Landmark Overlay District.**

#### Historic Landmark Overlay

A request to apply a Historic Landmark Overlay District to property located at 408 2nd Avenue North, at the northeast corner of James Robertson Parkway and 2nd Avenue North (2.12 acres), zoned Downtown Code (DTC).

#### **Existing Zoning**

Downtown Code (DTC) is a zoning district category that is intended for high intensity office, retail, restaurant, amusement, and residential use and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards.

#### **Proposed Zoning**

Historic Landmark Overlay District (HL) A Historic Landmark is a building, structure, site or object, its appurtenances and the property it is located on, of high historical, cultural, architectural or archaeological importance; whose demolition or destruction would constitute an irreplaceable loss to the quality and character of Nashville and Davidson County.

#### **CRITICAL PLANNING GOALS**

- Preserves Historic Resources

The proposed Historic Landmark Overlay District is intended to preserve the historic structure on the property through the implementation of development guidelines by the Metro Historic Zoning Commission and staff.

## **DOWNTOWN COMMUNITY PLAN**

### **Current Policy**

#### Structure Plan Policy

Civic District (CV) The Civic District, found in Downtown Nashville, contains numerous civic facilities as well as various government offices, retail, service and residential uses. CV policy is intended to recognize the role of particular areas of Downtown as the civic center of the state, region and city, celebrate these areas' civic function and heritage and encourage a vibrant mixture of supporting uses. Strong relationships to surrounding open space networks and neighborhoods are key to successful future development. The unique character and intended development pattern for each CV area, are further defined in the Building Regulating Plans for neighborhoods with CV policy, found in the *Downtown Community Plan: 2007 Update*.

#### Detailed Policy

Civic or Public Benefit (CPB) is intended for various public facilities including schools, libraries, and public service uses.

### **Growth and Preservation Concept Map**

T6 Downtown Civic (T6 CV) policy is intended to preserve and enhance the existing city, regional, and state civic buildings and the overall T6 CV area and create a vibrant mixture of supporting uses. The T6 Downtown Civic District contains numerous civic facilities from the State Capitol and Metro City Hall to courts, museums, and theatres as well as various government offices in buildings ranging from historic buildings to modern skyscrapers. Amidst civic and government buildings are mixed use and residential buildings.

#### James Robertson Neighborhood (09-T6-DN-JR-01)

The James Robertson Neighborhood is located generally between the CSX rail line and James Robertson Parkway to the north, the Cumberland River to the east, Charlotte Avenue and Union Street to the south, and the CSX rail line to the west. See accompanying map of the Downtown Neighborhoods.

The State Capitol Building and its grand lawn and the Metro Courthouse with its Public Square are the most prominent features of this neighborhood. The neighborhood also contains several other State and Metro buildings that are notable for their stature and architecture. The James Robertson neighborhood is home to a substantial amount of underutilized land along with some residential and office development. The James Robertson neighborhood is expected to retain much of its current character in the coming years, however, there is a proposal to move the Sheriff's Office and Police Headquarters from their current locations which could open up land for redevelopment. This move could have significant impact of the neighborhood, and could open up opportunities for new uses, such as more residential development in the heart of downtown. The Community Character Policies for the neighborhood, Downtown Capitol (T6 C) and Open Space (OS) and the goals and objectives listed below, place an emphasis on preserving the James Robertson neighborhood's treasured civic and open space resources, while encouraging redevelopment to offer a mixture of uses.

It is the intent of the plan to reestablish the symmetry of the Capitol Lawn with its twin grand staircases. To this end, efforts should be made to acquire the housing at the foot of the hill for public open space. The importance of the State Capitol as a Nashville and Tennessee landmark also warrants the goal, in this plan, to maintain views of the Capitol from all vantage points. To achieve this, maximum building heights for new construction in the neighborhood are linked to the elevation of the State Capitol at its base.

Refer to the T6 Capitol and the Civic policies that have been applied to the neighborhood for guidance beyond the goals below. The policy can be found in the Community Character Manual.

#### *Goals for the James Robertson Neighborhood*

Preserve and enhance the Capitol Lawn. Maintain the Capitol Lawn in its current condition. New construction is discouraged on the Capitol Lawn. Efforts should be made to secure the use of the land at the northeast foot of the Capitol lawn to make it public open space and reestablish the grand entrance to the Capitol.

Preserve and enhance the State Capitol and State and Metro government buildings.

To ensure the preservation of views of Capitol Hill, building heights shall be a minimum of 25 feet at the street, but shall not exceed mid-rise building heights with an overall

#### Consistent with Policy?

Yes. The policy encourages the protection and preservation of historic features.

### **REQUEST DETAILS**

The Metro Historic Zoning Commission (MHZC) considered this application at its June 17, 2015, meeting and recommended approval. The following background information was provided by the Metro Historical Commission staff:



## Ben West Market House

It's fitting that the old City Market is now a courthouse as the two have always been closely related. The first Market House in Nashville was built in 1802, across the street from a new Courthouse constructed in the same year. Both were replaced by new buildings erected in Public Square in 1828 after falling into disrepair. The new Market House was completed first and was used by the Tennessee Supreme Court for a short amount of time while the Courthouse was being completed. That building would house the market for over a century. It sustained damage in both the 1897 fire and the 1933 tornado before finally being razed in 1937 to make room for the current Courthouse on the south side of James Robertson Parkway. The Ben West Building was also built in 1937, making the two buildings the oldest remnants of Public Square still standing today.

The Ben West Building was designed by Henry C. Hibbs, the same architect who made Peabody College, Scarritt College, and the Fisk University Library. The brick and concrete frame building originally had a copper roof and is known for its iconic dome. The company Foster & Creighton won the bid and began construction in 1936. The City Market opened there the following year and would stay downtown until 1955 when it moved to its current location. The makeup of the City Market is well documented. Dozens of stalls were placed throughout the main floor and dry goods could be found upstairs. The basement consisted of a garage and restaurant for shoppers. If the patrons did not wish to sit and wait for their food, a small café was also location on the main floor. A little out of place from the primarily food-oriented merchandise found there was the City Traffic Department, which was housed on the first floor as well.

After the City Market closed, the Ben West Building became known as the Safety Municipal Building. A large rear addition was constructed in 1956 that housed a fire department and city jail. Interestingly enough, the site of the Ben West Building was originally a police station and Fire Engine Company Number 10, so this new development reclaimed the area's lost past. The addition was torn down somewhere between 1960 and 1980, by which point the building was called the Metro Safety Building and contained the Drug Abuse Center, offices for traffic tickets and violations, and a portion of the General Sessions Court. Over the next twenty years, the building started to take on more and more court responsibilities and was renamed the Ben West Municipal Building in honor of Nashville's mayor from 1951-1963. The building underwent a massive \$6 million renovation from 2006 to 2007 as part of a large-scale plan to improve Nashville's court system. It now houses Chancery Court, Circuit Court, and several Metro Government offices.

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1. The historic landmark is associated with an event that has made a significant contribution to local, state or national history;
2. It is associated with the lives of persons significant in local, state or national history; or
3. It embodies the distinctive characteristics of a type, period or method of construction, or that represents the work of a master, or that possesses high artistic value; or
4. It has yielded or may be likely to yield archaeological information important in history or prehistory; or
5. It is listed or is eligible for listing in the National Register of Historic Places.

### **METRO HISTORIC ZONING COMMISSION RECOMMENDATION**

On June 17, 2015, the Metro Historic Zoning Commission recommended approval of the Historic Landmark Overlay.

### **PUBLIC WORKS RECOMMENDATION**

#### **Approve with conditions**

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- Comply with Metro Zoning Code for Access and Parking requirements.
- The Historic Overlay shall support and accommodate the future transportation needs indicated in the Major and Collector Street Plan, and transportation projects of Metro Public Works and TDOT.

### **STAFF RECOMMENDATION**

Staff recommends approval of the Historic Landmark Overlay District.

Approve. (6-0), Consent Agenda

### **Resolution No. RS2015-251**

**"BE IT RESOLVED** by The Metropolitan Planning Commission that 2015HL-013-001 is **Approved. (6-0)"**

### 38. 2015HL-014-001

BL2015-1200\Gilmore

#### MUNICIPAL AUDITORIUM HISTORIC LANDMARK OVERLAY

Map 093-02, Parcel(s) 013

Council District 19 (Erica S. Gilmore)

Staff Reviewer: Carrie Logan

A request to apply a Historic Landmark Overlay District to property located at 417 4th Avenue N, at the southwest corner of James Robertson Parkway and Gay Street (2.7 acres), zoned DTC, requested by the Metro Historical Commission, applicant, and Metro Government of Nashville and Davidson County, applicant and owner.

**Staff Recommendation: Approve.**

#### APPLICANT REQUEST

**Apply Historic Landmark Overlay District.**

#### Historic Landmark Overlay

A request to apply a Historic Landmark Overlay District to property located at 417 4th Avenue N, at the southwest corner of James Robertson Parkway and Gay Street (2.7 acres), zoned Downtown Code (DTC).

#### Existing Zoning

Downtown Code (DTC) is a zoning district category that is intended for high intensity office, retail, restaurant, amusement, and residential use and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards.

#### Proposed Zoning

Historic Landmark Overlay District (HL) A Historic Landmark is a building, structure, site or object, its appurtenances and the property it is located on, of high historical, cultural, architectural or archaeological importance; whose demolition or destruction would constitute an irreplaceable loss to the quality and character of Nashville and Davidson County.

#### CRITICAL PLANNING GOALS

- Preserves Historic Resources

The proposed Historic Landmark Overlay District is intended to preserve the historic structure on the property through the implementation of development guidelines by the Metro Historic Zoning Commission and staff.

#### DOWNTOWN COMMUNITY PLAN

##### Current Policy

##### Structure Plan Policy

Civic District (CV) The Civic District, found in Downtown Nashville, contains numerous civic facilities as well as various government offices, retail, service and residential uses. CV policy is intended to recognize the role of particular areas of Downtown as the civic center of the state, region and city, celebrate these areas' civic function and heritage and encourage a vibrant mixture of supporting uses. Strong relationships to surrounding open space networks and neighborhoods are key to successful future development. The unique character and intended development pattern for each CV area, are further defined in the Building Regulating Plans for neighborhoods with CV policy, found in the *Downtown Community Plan: 2007 Update*.

##### Detailed Policy

Amusement and Entertainment (AE) is intended for amusement and entertainment uses such as fairgrounds, arenas, stadiums, and zoos.

##### Growth and Preservation Concept Map

T6 Downtown Civic (T6 CV) policy is intended to preserve and enhance the existing city, regional, and state civic buildings and the overall T6 CV area and create a vibrant mixture of supporting uses. The T6 Downtown Civic District contains numerous civic facilities from the State Capitol and Metro City Hall to courts, museums, and theatres as well as various government offices in buildings ranging from historic buildings to modern skyscrapers. Amidst civic and government buildings are mixed use and residential buildings.

##### James Robertson Neighborhood (09-T6-DN-JR-01)

The James Robertson Neighborhood is located generally between the CSX rail line and James Robertson Parkway to the north, the Cumberland River to the east, Charlotte Avenue and Union Street to the south, and the CSX rail line to the west. See accompanying map of the Downtown Neighborhoods.

The State Capitol Building and its grand lawn and the Metro Courthouse with its Public Square are the most prominent features of this neighborhood. The neighborhood also contains several other State and Metro buildings that are notable for their stature and architecture. The James Robertson neighborhood is home to a substantial amount of underutilized land along with some residential and office development. The James Robertson neighborhood is expected to retain much of its current character in

the coming years, however, there is a proposal to move the Sheriff's Office and Police Headquarters from their current locations which could open up land for redevelopment. This move could have significant impact of the neighborhood, and could open up opportunities for new uses, such as more residential development in the heart of downtown. The Community Character Policies for the neighborhood, Downtown Capitol (T6 C) and Open Space (OS) and the goals and objectives listed below, place an emphasis on preserving the James Robertson neighborhood's treasured civic and open space resources, while encouraging redevelopment to offer a mixture of uses.

It is the intent of the plan to reestablish the symmetry of the Capitol Lawn with its twin grand staircases. To this end, efforts should be made to acquire the housing at the foot of the hill for public open space. The importance of the State Capitol as a Nashville and Tennessee landmark also warrants the goal, in this plan, to maintain views of the Capitol from all vantage points. To achieve this, maximum building heights for new construction in the neighborhood are linked to the elevation of the State Capitol at its base.

Refer to the T6 Capitol and the Civic policies that have been applied to the neighborhood for guidance beyond the goals below. The policy can be found in the Community Character Manual.

#### *Goals for the James Robertson Neighborhood*

Preserve and enhance the Capitol Lawn. Maintain the Capitol Lawn in its current condition. New construction is discouraged on the Capitol Lawn. Efforts should be made to secure the use of the land at the northeast foot of the Capitol lawn to make it public open space and reestablish the grand entrance to the Capitol.

Preserve and enhance the State Capitol and State and Metro government buildings.

To ensure the preservation of views of Capitol Hill, building heights shall be a minimum of 25 feet at the street, but shall not exceed mid-rise building heights with an overall

#### Consistent with Policy?

Yes. The policy encourages the protection and preservation of historic features.

#### **REQUEST DETAILS**

The Metro Historic Zoning Commission (MHZC) considered this application at its June 17, 2015, meeting and recommended approval. The following background information was provided by the Metro Historical Commission staff:

#### **Municipal Auditorium**

The history of the Nashville Municipal Auditorium dates back far before the building's construction. Fourth Avenue has long been the home of entertainment, as two theaters have previously occupied the site where the auditorium now stands. The first was the Adelphi Theater/Grand Opera House, which was constructed in 1850. The Adelphi Theater burned to the ground in 1902 and was replaced by the Bijou Theater in 1904. The Bijou Theater was a segregated facility created to provide an entertainment venue for Nashville's African American community.

Talks of creating a convention center in Nashville began in the 1940s. In 1949, construction was authorized by the General Assembly and Nashville's citizens voted in approval of building a convention center. Construction wouldn't begin, however, until 1957 when the old Bijou Theater was torn down to make room for the auditorium. Construction took five years and the Nashville Municipal Auditorium officially opened on October 7, 1962 when it hosted a revival meeting for the Church of Christ.

Since its inception, the Municipal Auditorium has hosted a wide array of athletic and musical events. It has been home to several basketball and hockey teams throughout the years, as well as hosted rodeos and roller derbies. In 1994, the auditorium was the site of the National Gymnastics Championship. Nearly every big name band and musician from the past fifty years has graced its stage at some point. No matter the genre, everyone from Elvis, to the Rolling Stones, to Tim McGraw has been to the Municipal Auditorium. It's also the only place in Tennessee that Michael Jackson ever performed, which he did as a child in the Jackson 5. Concerts and sporting events have become less frequent at the Municipal Auditorium ever since the Bridgestone Arena was constructed in 1996, but still occur. In the summer of 2010, the Municipal Auditorium hosted the Grand Old Opry when the flood caused them to be temporarily relocated.

In 2013, the first floor of the Municipal Auditorium became the home of the Musician's Hall of Fame and Museum. The museum was first opened in 2006, but closed in 2010 when their building was torn down to make room for the Music City Convention Center. The museum boasts a large number of musical instruments, the most famous of which is Jimi Hendrix's guitar. Every year they induct a new class of honorees into the museum that include musicians, producers, and songwriters that have made invaluable contributions to the industry.

- To be considered as an historic landmark a building, structure, site or object must meet one or more of the following criteria:
1. The historic landmark is associated with an event that has made a significant contribution to local, state or national history;
  2. It is associated with the lives of persons significant in local, state or national history; or
  3. It embodies the distinctive characteristics of a type, period or method of construction, or that represents the work of a master, or that possesses high artistic value; or
  4. It has yielded or may be likely to yield archaeological information important in history or prehistory; or
  5. It is listed or is eligible for listing in the National Register of Historic Places.

**METRO HISTORIC ZONING COMMISSION RECOMMENDATION**

On June 17, 2015, the Metro Historic Zoning Commission recommended approval of the Historic Landmark Overlay.

**PUBLIC WORKS RECOMMENDATION**

**Approve with conditions**

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- Comply with Metro Zoning Code for Access and Parking requirements.
- The Historic Overlay shall support and accommodate the future transportation needs indicated in the Major and Collector Street Plan, and transportation projects of Metro Public Works and TDOT.

**STAFF RECOMMENDATION**

Staff recommends approval of the Historic Landmark Overlay District.

Approve. (6-0), Consent Agenda

**Resolution No. RS2015-252**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2015HL-014-001 is **Approved. (6-0)**”

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**J. PLANNING COMMISSION ACTIONS**

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

**Subdivision: Concept Plans**

**39. 2015S-066-001**

**RIVERSIDE DRIVE, SECTION 2**

Map 083-11, Parcel(s) 080

Council District 06 (Peter Westerholm)

Staff Reviewer: Jason Swaggart

A request for concept plan approval to create 18 lots on property located at Riverside Drive (unnumbered), approximately 335 feet north of Paden Drive, zoned R10 (4.44 acres), requested by Chandler Surveying, applicant, Riverside Development, LLC, owner.

**Staff Recommendation: Defer to the July 23, 2015, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2015S-066-001 to the July 23, 2015, Planning Commission meeting. (6-0)**

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**K. OTHER BUSINESS**

**40. Employee contract renewals for Lisa Milligan, Jennifer Higgs, John Broome, David Kline, and Nicholas Lindeman**

Approve (6-0), Consent Agenda

**Resolution No. RS2015-253**

“BE IT RESOLVED by The Metropolitan Planning Commission that the Employee contract renewal for Lisa Milligan, Jennifer Higgs, John Broome, and David Kline is **Approved. (6-0)**”

41. Historic Zoning Commission Report

42a. Board of Parks and Recreation Report

42b. Selection of Greg Adkins as the Planning Commission representative on the Board of Parks and Recreation

Approve (6-0), Consent Agenda

**Resolution No. RS2015-254**

“BE IT RESOLVED by The Metropolitan Planning Commission that the Selection of Greg Adkins as the Planning Commission representative on the Board of Parks and Recreation is **Approved. (6-0)**”

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43. Executive Committee Report

44. Accept the Director's Report and Approve Administrative Items

Approve (6-0), Consent Agenda

**Resolution No. RS2015-255**

“BE IT RESOLVED by The Metropolitan Planning Commission that the Director's Report and Administrative Items are **Approved. (6-0)**”

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45. Legislative Update

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**L. MPC CALENDAR OF UPCOMING MATTERS**

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**June 25, 2015**

MPC Meeting

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

**Location change for the following MPC meeting:**

**July 23, 2015**

4 pm, 1443 12<sup>th</sup> Ave. South, Midtown Hills Police Precinct

**August 13, 2015**

MPC Meeting

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

**Location change for the following MPC meeting:**

**August 27, 2015**

4 pm, 2601 Bransford Avenue, Metropolitan Public Schools Administration Building

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**M. ADJOURNMENT**

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The meeting adjourned at 10:05 p.m.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary



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

Date: June 25, 2015  
To: Metropolitan Nashville-Davidson County Planning Commissioners  
From: Richard C. Bernhardt, FAICP, CNU-A   
Re: Executive Director's Report

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The following items are provided for your information.

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

1. Planning Commission Meeting:
  - a. Attending: McLean; LeQuire; Farr; Blackshear; Hunt; Clifton
  - b. Leaving Early: Haynes (5:00)
  - c. No Response as of distribution time:
  - d. Absent: Adkins; Dalton; Gee
2. Legal Representation – Jon Michael will be attending

**B. Communications**

1. Contributed to a visit of over 130 city leaders arranged by the Charlotte Chamber of Commerce –Cindy Wood, Latisha Birkeland, and Lisa Milligan led tours of downtown, midtown, Sobro, and the Gulch showcasing our growth, and Doug Sloan spoke on land use and downtown development/redevelopment at the tour's first general session.

**C. Community Planning**

**D. Land Development**

1. Reopened interviewing for the open Planner I position in Land Development.

**E. GIS**

1. The Preliminary FEMA floodplain viewer is operational and on the web site and with help of Stormwater sent out letters for people new to the floodplain or floodway in the new maps that will be adopted later this year. We were required to do this by council after the May 2010 flood.
2. Prepared for launch for Cityworks on August 10, 2015.

## **F. Executive Director Comments**

This is my last Planning Commission meeting. As I retire from serving as your Executive Director for the next chapter in my life, it is time to give you and this great community thanks for the opportunity to achieve my life's goals and dreams.

I have been so richly blessed to do what I love most, planning and influencing the development of the community that means so much to me. To live in a neighborhood that reflects all of the greatness of Nashville's heart and spirit is simply another privilege of serving this great city.

I have been honored to have run this race with Linda, my wife of 47 years and best friend, supported by 2 wonderful daughters, Shannon and Ashley and their husbands and now by 5 grandkids that mean the world to me.

I want to thank you for your support, dedication and encouragement in the development of the NashvilleNext plan and for your unanimous adoption on Monday. I believe that your adoption reflected an endorsement of the hours and commitment so many people in our community. This plan presents the communities' vision, aspirations and desires following 3 years of discussion and the active participation of people from all neighborhoods, all segments, all ages, and all ethnicities of this community. It is that participation that I am most proud and I believe that the goals and values of this wonderfully engaged community are incorporated into this document.

Growing up in south Nashville, I developed an early fascination about great places and cities. The more time I spent downtown; the more time I spent looking at Nashville's traditional neighborhoods, the more I realized the built environment and urban design significantly influences the quality of our lives.

At 14, Nashville was my inspiration of what a great city could be. I became convinced that my future was in serving my community as a town planner.

- The Planning Commission gave my 1st professional job, hiring me as a Planning Assistant in the Planning Department right out of Auburn.
- It was the Planning Commission that supported my graduate education at Ohio State.
- It was the Planning Commission that gave me the opportunity to work on Nashville's 1<sup>st</sup> General Plan in the mid 1970's.
- Finally, it was this Planning Commission that opened its arms to welcome me back 15 years ago as the Executive Director of the same agency that provided me that 1<sup>st</sup> job, now 45 years ago, with the freedom to build a great planning staff.

I am deeply in debt to our talented and devoted planning staff, a staff that gives this community every ounce of their expertise, passion and skills. It has been such a privilege to have been able to be engaged in the NashvilleNext General Plan as my final work responsibility.

It continues to be satisfying to see so many of the plans that were so carefully drafted over the past 15 years turn into great walkable, mixed-use neighborhoods providing a positive direction for our future. I

firmly believe tomorrow is very bright for Nashville. I totally agree with Mayor Dean’s statement that for Nashville – “the best is yet to come”.

Nashville is truly built on the best attributes of this country. I am so proud to live somewhere that we work together for the good of all; somewhere we celebrate and take advantage and grow from the strengths of our diversity.

I want to once again thank you for your dedication to Nashville and your personal encouragement and support over these many years as well. It has been an honor and privilege to serve the citizens of Nashville in this position and I give my sincere thanks for the trust placed in me by our staff. I completely believe that I leave the department in capable hands with as high quality a staff as anywhere. Finally, I ask for the continuing support of this caring and engaged community in making Nashville the greatest city in the world.

- J. Planning Commission Workshops** (all include 1.5 hours Planning Commissioners Training credits)
  
- K. APA Training Opportunities Specifically for Planning Commissioners (cosponsored by Lincoln Institute of Land Policy)** (all include 1.5 hours Planning Commissioners Training credits). These programs are designed for planning commissioners; some are also appropriate for planners.
  - 1. Scheduled APA Webinars
  - 2. Nashville Room, 2<sup>nd</sup> floor MOB.
  - 3. All are scheduled from 3:00 – 4:30 pm (except April 20, 2015 meeting)
  - 4. All have 1.5 hours AICP and Planning Commissioner training credit
  
- L. APA Training Opportunities (Planning Commissioners and Staff)**
  - 1. Scheduled APA Webinars
  - 2. Nashville Room, 2<sup>nd</sup> floor MOB.
  - 3. All are scheduled from 3:00 – 4:30 pm
  - 4. All have 1.5 hours AICP and Planning Commissioner training credit

Date	Topic (Live Program and Online Recording )
July 1, 2015	<a href="#">2015 Planning Law Review</a>



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

In accordance with the Rules and Procedures of the Metropolitan Planning Commission, the following applications have been reviewed by staff for conformance with applicable codes and regulations. Applications have been approved on behalf of the Planning Commission or are ready to be approved by the Planning Commission through acceptance and approval of this report. Items presented are items reviewed **through 6/19/2015**.

APPROVALS	# of Applications	Total # of Applications 2015
Specific Plans	1	11
PUDs	0	1
UDOs	0	4
Subdivisions	4	33
Mandatory Referrals	9	74
<b>Total</b>	<b>14</b>	<b>123</b>

<b>SPECIFIC PLANS (finals only): MPC Approval</b> <b>Finding: Final site plan conforms to the approved development plan.</b>						
Date Submitted	Staff Determination		Case #	Project Name	Project Caption	Council District # (CM Name)
1/29/2015	6/8/2015	RECOM APPR	2014SP-015-002	GRAND AVENUE APARTMENTS (FORMERLY MUSIC SQUARE FLATS)	A request for final site plan approval for Grand Avenue Apartments (formerly Music Square Flats) on properties located at 54, 56, 58, 60, 62, and 64 Music Square West, at the northeast corner of Music Square West and Grand Ave (1.43 acres), to permit 229 multifamily residential units, requested by Civil Cite Design Group, applicant; FMF MSW LLC, owners.	19 (Erica S. Gilmore)

<b>URBAN DESIGN OVERLAYS (finals and variances only) : MPC Approval</b> <b>Finding: all design standards of the overlay district and other applicable requirements of the code have been satisfied.</b>						
Date Submitted	Staff Determination		Case #	Project Name	Project Caption	Council District # (CM Name)
NONE						

<b>PLANNED UNIT DEVELOPMENTS (finals and variances only) : MPC Approval</b>						
Date Submitted	Staff Determination		Case #	Project Name	Project Caption	Council District # (CM Name)
NONE						

## MANDATORY REFERRALS: MPC Approval

Date Submitted	Staff Determination		Case #	Project Name	Project Caption	Council District (CM Name)
6/2/2015	6/10/2015	RECOM APPR	2015M-031ES-001	105 BROADWAY EASEMENT	A request to abandon a portion of retained easement rights in a portion of the old Alley #12 previously abandoned under Council Bill 2000-252 on property located at 105 Broadway, requested by Metro Water Services, applicant; MJM Real Estate Investments, LLC, owner.	19 (Erica S. Gilmore)
6/3/2015	6/10/2015	RECOM APPR	2015M-016PR-001	CUSTOM'S HOUSE LEASE AGREEMENT	A request to approve the third amendment to the lease agreement by and between the Metropolitan Government of Nashville and Davidson County and Customs House Associates, requested by the Metro Legal Department, applicant.	19 (Erica S. Gilmore)
6/4/2015	6/16/2015	RECOM APPR	2015M-015AB-001	7TH AVE S & ALLEY #114 ABANDONMENT	A request to abandon a portion of right-of-way of Alley #114 from Lafayette Street northward and a portion of right-of-way on 7th Ave S (easements and utilities to be abandoned) on properties located at Lafayette Street (unnumbered) and 400, 417, 422, and 424 7th Avenue S, requested by Mainland Acquisitions, LLC, applicant; John and Helen Kohl, owners.	19 (Erica S. Gilmore)
6/8/2015	6/16/2015	RECOM APPR	2015M-017AB-001	PRIVATE ALLEY DEDICATION & ACCEPTANCE	A request to rename an alley that was originally recorded as "private alley" to Alley #1420 and accept for maintenance this Alley Right-of-Way located in the rear of property adjacent to Buena Vista Pike, requested by Councilmember Walter Hunt, applicant; various property owners.	03 (Walter Hunt)
6/8/2015	6/16/2015	RECOM APPR	2015M-017PR-001	GBT REALTY	A request to authorize the granting of a permanent landscape and a temporary construction easement to GBT Realty Corp. on certain property owned by the Metropolitan Government, requested by the Metro Finance Department.	17 (Sandra Moore)
6/5/2015	6/16/2015	RECOM APPR	2015M-016AB-001	ALLEY #213 R.O.W ABANDONMENT	A request to abandon a portion of Alley #213 right-of-way between Alley #214 and 9th Avenue N (easements and utilities to be retained) on properties located at 1214 9th Ave N and 9th Ave N (unnumbered) and 801 and 811 Monroe Street, requested by NENR Murfreesboro Road Partnership, applicant; NENR Murfreesboro Road Partnership and Southwood 69, owners.	19 (Erica S. Gilmore)
6/4/2015	6/16/2015	RECOM APPR	2015M-032ES-001	1702 NASSAU STREET AND 1703 ROSA PARKS BOULEVARD	A request to abandon retained easement rights previously abandoned under Council Bill 2005-779 on properties located at 1703 Rosa L. Parks Boulevard and 1702 Nassau Street, requested by Metro Water Services, applicant; Eric Davis, owner.	19 (Erica S. Gilmore)

### MANDATORY REFERRALS: MPC Approval (Continued)

Date Submitted	Staff Determination		Case #	Project Name	Project Caption	Council District (CM Name)
6/8/2015	6/18/2015	RECOM APPR	2015M-014EN-001	1238 MARTIN STREET AERIAL ENCROACHMENT	A request to allow an encroachment comprised of canopies, signage, architectural detail, landscape and site furnishings, balcony overhangs and window garden boxes encroaching the public right-of-way for property located at 1238 Martin Street, requested by Smith Gee Studio, applicant; LVH, LLC, owner.	17 (Sandra Moore)
6/10/2015	6/19/2015	RECOM APPR	2015M-018PR-001	CHERRY STREET PROPERTY ACQUISITION	A request to authorize the Director of Public Property, or his designee, to exercise an option to acquire real property by purchase for use as part of a stormwater improvement project, requested by the Metro Finance Department, applicant; Joe McAllister and Debby Norman, owners.	09 (Bill Pridemore)

### INSTITUTIONAL OVERLAYS (finals and variances only) : MPC Approval

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

Date Submitted	Staff Determination		Case #	Project Name	Project Caption	Council District # (CM Name)
<b>NONE</b>						

### SUBDIVISIONS: Administrative Approval

Date Submitted	Date Approved	Action	Case #	Project Name	Project Caption	Council District (CM Name)
1/28/2015	6/9/2015	APADMIN	2015S-030-001	AUTUMN OAKS, PHASE 9	A request for final plat approval to create 24 lots on properties located at Oakfield Grove (unnumbered), approximately 500 feet east of the intersection of Oakfield Way and Oakfield Grove, zoned R20 and PUD (14.51 acres), requested by Crawford & Cummings, P.C., applicant; Investment Properties, LLC, owner.	31 (Fabian Bedne)
4/15/2015	6/9/2015	APADMIN	2015S-064-001	JAMES N. STANSELL JR. PROPERTY, RESUB LOT 2B	A request for final plat approval to shift lot lines on properties located at 1247 and 1251 Old Hickory Boulevard, approximately 210 feet east of Hickory Springs Road, zoned R40 (0.36 acres), requested by HFR Design, applicant; Babak Sassan, owner.	34 (Carter Todd)

**SUBDIVISIONS: Administrative Approval (continued)**

Date Submitted	Date Approved	Action	Case #	Project Name	Project Caption	Council District (CM Name)
2/24/2015	6/9/2015	APADMIN	2015S-040-001	MCNAIRY WEST NASHVILLE, CONSOLIDATION OF LOTS 303-309 AND LOTS 341-349	A request for final plat approval to create one lot on properties located at 1201, 1211 Laurel Street, 311 12th Avenue South, 1206, 1208, 1214, 1218 Pine Street, at the southwest corner of Laurel Street and 12th Avenue South, zoned DTC (3.09 acres), requested by Donlon Land Surveying, LLC, applicant; Nashville Urban Venutre, LLC, owner.	19 (Erica S. Gilmore)
4/30/2015	6/17/2015	APADMIN	2015S-073-001	LARCHWOOD COMMERCIAL	A request for final plat approval to create two lots on property located at 3220 Blackwood Drive, Blackwood Drive (unnumbered) AND 3411 Percy Priest Drive, approximately 385 northeast of Norwalk Court, zoned CL and PUD (10.3 acres), requested by Chandler Surveying, applicant.; Boat Rack, LLC and MDREA, Inc., owners.	13 (Josh Stites)

**DTC MPC Approval**

**Finding: Final site plan conforms to the provisions of the DTC as conditioned.**

Project Name	Location	Project Summary	Planning Staff	MDHA/DRC/By right	Staff Recommended Conditions
NONE					

Performance Bonds: Administrative Approvals			
Date Approved	Administrative Action	Bond #	Project Name
6/5/2015	Approved New	2015B-020-001	AUTUMN OAKS, PHASE 9
6/11/2015	Approved Release	2004B-074-002	WINDHAVEN SHORES, SECTION 3
6/11/2015	Approved Release	2004B-075-002	WINDHAVEN SHORES, SECTION 4
6/16/2015	Approved New	2015B-017-001	INGLEWOOD PLACE, RESUB OF LOT 210
6/16/2015	Approved New	2015B-023-001	LARCHWOOD COMMERCIAL SUBDIVISION
6/16/2015	Approved New	2015B-009-001	THE RESERVE AT STONE HALL, PHASE 1, SECTION 3A

## Schedule

- A. **Thursday, July 23, 2015** - [MPC Meeting](#); 4 pm, Midtown Hills Police Precinct, 1443 12<sup>th</sup> Avenue South, Nashville, TN 37203
- B. **Thursday, August 13, 2015** - [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- C. **Thursday, August 27, 2015** - [MPC Meeting](#); 4 pm, Metropolitan Nashville Public Schools, Board Room, 2601 Bransford Avenue, Nashville, TN 37204
- D. **Thursday, September 10, 2015** - [MPC Meeting](#); 4 pm, Metropolitan Nashville Public Schools, Board Room, 2601 Bransford Avenue, Nashville, TN 37204
- E. **Thursday, September 24, 2015** - [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- F. **Thursday, October 8, 2015** - [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- G. **Thursday, October 22, 2015** - [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- H. **Thursday, November 12, 2015** - [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- I. **Thursday, December 10, 2015** - [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- J. **Thursday, January 14, 2016** - [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center