



# METROPOLITAN PLANNING COMMISSION MINUTES

**Thursday, March 10, 2016**

**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**

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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  
Greg Adkins, Vice Chair  
Hunter Gee  
Jeff Haynes  
Stewart Clifton  
Jessica Farr  
Council Lady Burkely Allen

Staff Present:  
Doug Sloan, Executive Director  
Bob Leeman, Deputy Director  
Kelly Adams, Administrative Services Officer III  
Kathryn Withers, Planning Manager II  
Carrie Logan, Planning Manager II  
Brandon Burnette, Planner III  
Jason Swaggart, Planner III  
Lisa Milligan, Planner III  
Andrew Collins, Planner II  
Stephanie McCullough, Planner II  
Latisha Birkeland, Planner II  
Patrick Napier, Planner II  
Debbie Sullivan, Planner II  
Karimeh Moukaddem, Planner I  
Alex Deus, Planner I  
Craig Owensby, Public Information Officer  
Emily Lamb, Legal

Commissioners Absent: Derrick Dalton, Jennifer Hagan-Dier, Lillian Blackshear

### **J. Douglas Sloan III**

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.**



The Planning Department does not discriminate on the basis of race, color, national origin, gender, gender identity, sexual orientation, age, religion, creed or disability in admission to, access to, or operations of its programs, services, or activities. Discrimination against any person in recruitment, examination, appointment, training, promotion, retention, discipline or any other employment practices because of non-merit factors shall be prohibited. For ADA inquiries, contact Josie Bass, ADA Compliance Coordinator, at (615) 862-7150 or [josie.bass@nashville.gov](mailto:josie.bass@nashville.gov). For Title VI inquiries, contact Melody Fowler-Green, executive director of Human Relations at (615) 880-3374. For all employment-related ADA inquiries, call David Sinor at (615) 862-6735 or e-mail [david.sinor@nashville.gov](mailto:david.sinor@nashville.gov).

# MEETING AGENDA

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## A. CALL TO ORDER

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

## B. ADOPTION OF AGENDA

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

## C. APPROVAL OF FEBRUARY 25, 2016, MINUTES

Chairman McLean moved and Council Lady Allen seconded the motion to approve the February 25, 2016 minutes. (6-0)

## D. RECOGNITION OF COUNCILMEMBERS

Council Lady VanReece spoke in favor of Item 16.

## E. NASHVILLENEXT UPDATE

NashvilleNext was moved to the next meeting due to time constraints.

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## F. ITEMS FOR DEFERRAL / WITHDRAWAL

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### 2. 2016SP-011-001

MT PISGAH SP

### 3. 2016SP-014-001

7435 OLD HICKORY BLVD SP

### 5. 2016SP-023-001

BORDEAUX COMMONS SP

### 6a. 2005P-008-007

HARPETH VILLAGE (PUD AMENDMENT)

### 6b. 2015Z-096PR-001

### 8. 85-85P-003

BRENTWOOD COMMONS (HCA)

### 9a. 2016CP-007-002

WEST NASHVILLE COMMUNITY PLAN AMENDMENT

### 9b. 2016SP-019-001

R. MANUEL CENTENNIAL SP

### 12. 2016SP-020-001

ONE MUSIC CIRCLE SOUTH OFFICE

### 15. 2016Z-023PR-001

### 19. 2014S-050-001

3335 WALTON LANE

Mr. Haynes recused himself from Item 8.

Mr. Gee recused himself from Item 2.

Chairman McLean moved and Mr. Clifton seconded the motion to approve the deferred items. (6-0)

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## **G. 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.

**7. 2016Z-018PR-001**

**10. 2015SP-005-003**

**BEAMAN & TURNER PROPERTIES (AMENDMENT)**

**11. 2016SP-012-001**

**THE PRESERVE: SLEEP INN/MAINSTAY SUITES**

**14. 2016Z-022PR-001**

**16. 2016Z-024PR-001**

**17. 70-81P-001**

**EYE CARE PLUS ADDITION**

**18. 2016S-044-001**

**869 WEST TRINITY LANE**

**20. Employee contract amendment for Carrie Logan and Brandon Burnette**

**21. Certification of Bonus Height Compliance for Lifeway at Capitol View**

**22. Certification of Bonus Height Compliance for 6th Avenue South and Lea Avenue**

**26. Accept the Director's Report and Approve Administrative Items**

Mr. Haynes recused himself from Item 21.

Mr. Adkins recused himself from Item 11.

Mr. Clifton moved and Council Lady Allen seconded the motion to approve the Consent Agenda. (6-0)

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## H. 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 H. Community Plan Policy Changes and Associated Cases.

### **Specific Plans**

#### **1. 2016SP-008-001**

##### **OLD BURKITT ROAD SP**

Map 186, Parcel(s) 004

Council District 31 (Fabian Bedne)

Staff Reviewer: Jason Swaggart

A request to rezone from AR2a to SP-R zoning for property located at 7224 Old Burkitt Road, approximately 300 feet east of Nolensville Pike (23.08 acres), to permit 99 single-family lots, requested by Smith Gee Studio, applicant; Life Community Church, owner.

**Staff Recommendation: Reopen the public hearing and approve with conditions and disapprove without all conditions.**

##### **APPLICANT REQUEST**

**Zone change to permit up to 99 single-family lots.**

##### Preliminary SP

A request to rezone from Agricultural and Residential (AR2a) to Specific Plan – Residential (SP-R) zoning for property located at 7224 Old Burkitt Road, approximately 300 feet east of Nolensville Pike (23.08 acres), to permit up to 99 single-family lots.

##### **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. *AR2a would permit a maximum of 11 lots with two duplex lots for a total of 13 units.*

##### **Proposed Zoning**

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

##### **CRITICAL PLANNING GOALS**

- Creates Walkable Neighborhoods
- Provides a Range of Housing Choices

As proposed, the plan provides sidewalks along all streets. Sidewalks provide for safe pedestrian movement throughout the development. The plan also calls for active open space which is accessible by sidewalk. The plan calls for street connections to adjacent properties that are undeveloped. This will provide for other opportunities for future vehicular as well as pedestrian connections between future neighborhoods. The plan provides a range of housing options including alley loaded and front loaded lots. Alley loaded lots also enhance the pedestrian realm by reducing the number of driveways along the sidewalk.

##### **SOUTHEAST COMMUNITY PLAN**

Conservation (CO) 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.

Suburban Neighborhood Evolving (T3 NE) is intended to create suburban neighborhoods that provide more opportunities for housing choice and improved pedestrian, bicycle and vehicular connectivity. The resulting development pattern will have higher densities than many existing suburban neighborhoods and/or smaller lot sizes, with a broader range of housing types providing housing choice. This reflects the scarcity of easily developable land without sensitive environmental features and the cost of developing housing. These are challenges that were not faced when the original suburban neighborhoods were built.

### Consistent with Policy?

Yes. As proposed, the plan provides for a walkable suburban neighborhood consistent with the T3 NE policy. The plan calls for a mixture of housing types, including front and alley loaded lots. The plan provides sidewalks along all streets. It also provides active open space. GIS indicates that there is a stream that ends near the northeast property line. The small section of CO policy on the site recognizes this stream. If Stormwater determines that this is actually a stream, then it would need to be buffered consistent with the CO policy.

### **REQUEST DETAILS**

The site is located along the north side of Old Burkitt Road. The site is approximately 23 acres in size. The site is undeveloped and consists mostly of dense vegetation including mature tree stands. Old Burkitt Road which would provide access into the proposed development is substandard and the pavement is approximately 14 feet wide.

### Site Plan

The plan calls for 99 single-family lots. It includes 47 alley loaded lots and 52 front loaded lots. As proposed, the minimum lot width for alley loaded lots is 40 feet. The plan calls for the following bulk standards:

- Minimum lot size (front loaded): 5,500 square feet;
- Minimum lot size (alley loaded): 4,400 square feet;
- Minimum lot width (alley loaded): 40 feet;
- Minimum lot width (front loaded): 50 feet;
- Minimum lot depth: 110 feet;
- Minimum setbacks:
  - Front: 10 feet;
  - Rear: 5 feet (alley); 20 feet (non-alley);
  - Side: 5 feet;
- Minimum garage setback:
  - Street loaded: 20 feet from street;
  - 10 feet from front façade (excluding porch)"
  - Alley loaded: 5 feet.
- Max height: 3 stories in 40 feet.

The plan provides general lot layout standards as well as architectural standards. Lot layout standards pertain to, but are not limited to, the location of garages, and architectural standards pertain to, but are not limited to, primary entrance requirements, glazing, minimum floor elevations and materials.

All front loaded lots are limited to one driveway curb cut. The plan calls for future public roadway extensions to neighboring properties. As proposed, three stubs are shown to the west, and three are provided to the east.

The plan calls for approximately 5.5 acres of open space, including active open space. The plan calls for a 10 foot wide buffer along the perimeter of the site.

### **ANALYSIS**

As proposed the request is consistent with the CO and T3 NE land use policies, and meets several critical planning goals. Staff is recommending that the request be approved with conditions and disapproved without all conditions.

### **FIRE MARSHAL RECOMMENDATION**

#### **Approved with conditions**

Reviewed Revised plans showing the 2nd means. Advised to verify the radius on the turns. The 2nd means shown does not meet the requirements. IFC 2012, appendix D107. Development is required to have 2 approved Fire Apparatus Roads or the homes will be required to be sprinklered.

### **STORMWATER RECOMMENDATION**

#### **Approved with conditions**

- Add Preliminary Note to plans: Drawing is for illustration purposes to indicate the basic premise of the development, as it pertains to Stormwater approval / comments only. The final lot count and details of the plan shall be governed by the appropriate stormwater regulations at the time of final application.

### **PUBLIC WORKS RECOMMENDATION**

#### **Conditions if approved**

1. The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
2. The site access must be realigned at Old Burkitt Rd to intersect at an angle between 75 and 90 degrees.
3. Comply with the conditions of the MPW Traffic Engineer.

**TRAFFIC AND PARKING RECOMMENDATION**

**Conditions if approved**

1. Old Burkitt Road shall be widened between Nolensville Road and Burkitt Road. The approved gas station and retail SP has not submitted construction plans for the realignment of Old Burkitt Rd at Burkitt Rd. Therefore, Old Burkitt SP shall design and construct the realignment section of Old Burkitt Rd if the realignment has not been constructed prior to use and occupancy permit. The x-section of Old Burkitt Rd shall be a minimum of 23ft of pavement with curb and gutter. Developer shall submit construction plans including signage and striping plans prior to final SP approval. Old Burkitt Rd. shall be constructed with a minimum of 2 travel lanes with 2 exiting lanes with 100 ft of storage at the intersection with Nolensville Pk. Additional ROW may be required. Old Burkitt Rd shall be constructed between Nolensville Pk and Burkitt Rd prior to use and occupancy permit. Developer shall submit construction plans prior to final SP approval.
2. A southbound left turn lane shall be provided on Nolensville Road at Old Burkitt Road. This turn lane should include at least 100 feet of storage and should be designed and constructed according to AASHTO standards. Additional queue analysis shall be submitted to determine appropriate left turn lane storage length due to the significant SB LTL pk hr queue at the signalized intersection of Burkitt Rd and Nolensville Pk. Developer shall submit construction plans prior to final SP approval.
3. Developer shall construct a NB right turn lane on Nolensville Pk at Old Burkitt Rd with appropriate queue storage. Developer shall submit construction plans prior to final SP approval. The analyses conducted for the purposes of this study indicate that the intersection of Old Burkitt Road and the project access will operate acceptably with a one-lane approach on each leg of the intersection. However, since the project will have only one access, it should be constructed to include one entering lane and two exiting lanes, striped as separate left and right turn lanes. Main access road shall be constructed with a minimum of 3 lane cross section with a minimum of 100ft storage with transition per AASHTO standards.
4. In conjunction with the preparation of final construction documents for the proposed project, sight triangles should be provided to identify the sight distance which will be available at the project access. These sight triangles were developed based on guidelines that are included in A Policy on Geometric Design of Highways and Streets, which is published by the American Association of State Highway and Transportation Officials (AASHTO) and commonly known as The Green Book. Specifically, The Green Book indicates that for a speed of 30 mph, the minimum stopping sight distance is 200 feet. This is the distance that a motorist on Old Burkitt Road will need to come to a stop if a vehicle turning from the project creates a conflict. Also, based on The Green Book, the minimum intersection sight distance is 335 feet. This is the distance that motorists exiting the project will need to safely complete turns onto Old Burkitt Road. A sight distance exhibit with plan and profile shall be submitted prior to final SP approval.
5. The analyses conducted for the purposes of this study indicate that the intersection of Nolensville Road and Burkitt Road operates at poor Level of Service now and will continue to operate poorly under background conditions and total projected conditions with the build-out of the proposed project. Also, additional analyses indicate that this intersection would operate at acceptable Levels of Service during the peak hours if a northbound right turn lane were constructed on Nolensville Road and the existing traffic signal were modified to include right turn overlap signal phases for northbound and westbound motorists. In particular, the signal timings should be optimized to ensure that the westbound queues on Burkitt Road do not routinely extend beyond the realigned Old Burkitt Road and the access for Burkitt Place Commons.
6. Developer shall construct a NB right turn lane on Nolensville Pk at Burkitt Rd prior to Old Burkitt Rd SP use and occupancy. Additional analysis will be required to determine appropriate right turn lane storage length and transition per AASHTO standards. Developer shall submit a signal modification plan per the TIS to MPW traffic engineer and install signal improvements when directed by MPW traffic engineer.
7. Due to the widening of Old Burkitt Rd by developer and anticipated redistributed traffic to Old Burkitt Rd instead of traveling thru the signalized intersection, additional traffic analysis shall be required to determine if a right turn lane on Burkitt Rd at the realigned Old Burkitt Rd is warranted. If warranted, developer shall construct right turn lane on Burkitt Rd with appropriate storage and transition.
8. Prior to final SP approval, a signage, pavement marking, and traffic control plan shall be submitted for internal streets in subdivision.

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)	23.08	0.5 D	11 U	106	9	12

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	23.08	-	99 U	1145	88	118

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+ 88 U	+1,039	+79	+106

**WATER SERVICES RECOMMENDATION**

**Approved with conditions**

Approved as a Preliminary SP only. Public water and sewer construction plans must be submitted and approved prior to Final SP approval. These approved construction plans must match the Final Site Plan/SP plans. The required capacity fees must also be paid prior to Final Site Plan/SP approval.

**METRO SCHOOL BOARD REPORT**

**Projected student generation existing AR2a district: 2 Elementary 2 Middle 1 High**

**Projected student generation proposed SP-R district: 15 Elementary 13 Middle 11 High**

The proposed SP-R would generate 34 additional students. Students would attend Maxwell Elementary School, Marshall Middle School and Cane Ridge High School. There is capacity for additional elementary and middle school students, but there is no additional capacity for high school students. There is also no additional capacity for additional high school students within an adjacent high school cluster. This information is based upon data from the school board last updated in November 2015.

**Fiscal Liability**

The fiscal liability of 11 new high school students is \$396,000 (11 X \$36,000 per student). This is only for information purposes to show the potential impact of this proposal, it is not a staff condition of approval.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions, as the proposed, the SP plan is consistent with the Southeast Community Plan and meets two critical planning goals.

**CONDITIONS**

1. Uses are limited to a maximum of 99 single-family lots.
2. A total of 47% of the lots within the SP shall be alley loaded.
3. The proposed 10 foot wide open space buffer shall provide a vegetation density consistent with the Standard A-3 landscape buffer yard as specified in Figure 17.24.240A of the Metro Zoning Code.
4. Garage doors shall be recessed at least ten feet from the front façade. For measurement purposes, a porch shall not be considered a façade.
5. Old Burkitt Road shall be widened between Nolensville Road and Burkitt Road. The approved gas station and retail SP has not submitted construction plans for the realignment of Old Burkitt Rd at Burkitt Rd. Therefore, Old Burkitt SP shall design and construct the realignment section of Old Burkitt Rd if the realignment has not been constructed prior to use and occupancy permit. The x-section of Old Burkitt Rd shall be a minimum of 23ft of pavement with curb and gutter. Developer shall submit construction plans including signage and striping plans prior to final SP approval. Old Burkitt Rd. shall be constructed with a minimum of 2 travel lanes with 2 exiting lanes with 100 ft of storage at the intersection with Nolensville Pk. Additional ROW may be required. Old Burkitt Rd shall be constructed between Nolensville Pk and Burkitt Rd prior to use and occupancy permit. Developer shall submit construction plans prior to final SP approval.
6. A southbound left turn lane shall be provided on Nolensville Road at Old Burkitt Road. This turn lane should include at least 100 feet of storage and should be designed and constructed according to AASHTO standards. Additional queue analysis shall be submitted to determine appropriate left turn lane storage length due to the significant SB LTL pk hr queue at the signalized intersection of Burkitt Rd and Nolensville Pk. Developer shall submit construction plans prior to final SP approval.
7. Developer shall construct a NB right turn lane on Nolensville Pk at Old Burkitt Rd with appropriate queue storage. Developer shall submit construction plans prior to final SP approval. The analyses conducted for the purposes of this study indicate that the intersection of Old Burkitt Road and the project access will operate acceptably with a one-lane approach on each leg of the intersection. However, since the project will have only one access, it should be constructed to include one entering lane and two exiting lanes, striped as separate left and right turn lanes. Main access road shall be constructed with a minimum of 3 lane cross section with a minimum of 100ft storage with transition per AASHTO standards.
8. In conjunction with the preparation of final construction documents for the proposed project, sight triangles should be provided to identify the sight distance which will be available at the project access. These sight triangles were developed based on guidelines that are included in A Policy on Geometric Design of Highways and Streets, which is published by the American Association of State Highway and Transportation Officials (AASHTO) and commonly known as The Green Book. Specifically, The Green Book indicates that for a speed of 30 mph, the minimum stopping sight distance is 200 feet. This is the distance that a motorist on Old Burkitt Road will need to come to a stop if a vehicle turning from the project creates a conflict. Also, based on The Green Book, the minimum intersection sight distance is 335 feet. This is the distance that motorists exiting the project will need to safely complete turns onto Old Burkitt Road. A sight distance exhibit with plan and profile shall be submitted prior to final SP approval.



9. The analyses conducted for the purposes of this study indicate that the intersection of Nolensville Road and Burkitt Road operates at poor Level of Service now and will continue to operate poorly under background conditions and total projected conditions with the build-out of the proposed project. Also, additional analyses indicate that this intersection would operate at acceptable Levels of Service during the peak hours if a northbound right turn lane were constructed on Nolensville Road and the existing traffic signal were modified to include right turn overlap signal phases for northbound and westbound motorists. In particular, the signal timings should be optimized to ensure that the westbound queues on Burkitt Road do not routinely extend beyond the realigned Old Burkitt Road and the access for Burkitt Place Commons.
10. Developer shall construct a NB right turn lane on Nolensville Pk at Burkitt Rd prior to Old Burkitt Rd SP use and occupancy. Additional analysis will be required to determine appropriate right turn lane storage length and transition per AASHTO standards. Developer shall submit a signal modification plan per the TIS to MPW traffic engineer and install signal improvements when directed by MPW traffic engineer.
11. Due to the widening of Old Burkitt Rd by developer and anticipated redistributed traffic to Old Burkitt Rd instead of traveling thru the signalized intersection, additional traffic analysis shall be required to determine if a right turn lane on Burkitt Rd at the realigned Old Burkitt Rd is warranted. If warranted, developer shall construct right turn lane on Burkitt Rd with appropriate storage and transition.
12. Prior to final SP approval, a signage, pavement marking, and traffic control plan shall be submitted for internal streets in subdivision.
13. Sidewalks shall be installed along the entire Old Burkitt Road frontage from Nolensville Pike to Burkitt Road along one or both sides of Old Burkitt Road. The design of sidewalks and street cross sections shall be determined with the final site plan by Public Works and Planning. All off-site improvements shall be bonded with the first final plat.
14. 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 RS3.75 zoning district as of the date of the applicable request or application.
15. 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.
16. Add the following note to the plan: The final site plan shall depict a minimum 5 foot clear path of travel for pedestrian ways, including public sidewalks, and the location of all existing and proposed obstructions. Prior to the issuance of use and occupancy permits, existing obstructions within the path of travel shall be relocated to provide a minimum of 5 feet of clear access.
17. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
18. 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.
19. 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. Gee recused himself from Item 1 and stepped out of the room.

Mr. Swaggart presented the staff recommendation of reopening the public hearing, approving with conditions and disapproving without all conditions.

The applicant explained that the traffic impact study was presented to Public Works, Public Works submitted their comments to staff on March 3, but he was not notified about the additional conditions until an hour and a half prior to this meeting. They have not had a lot of time to digest some of the offsite improvement comments that were listed in the additional conditions, specifically numbers 7, 9, 10, and 11, so they would like to work through these items in detail with the traffic engineer.

#### **Vice Chair Adkins closed the Public Hearing.**

Ms. Farr spoke in favor of approval with conditions except conditions 7, 9, 10, and 11 which will be worked out with Public Works.

Council Lady Allen stated that it's important to do this in a way that continues to include a good solution for the traffic.

Ms. Farr asked for clarification on the Fire Marshall's condition.

**Chairman McLean moved and Mr. Clifton seconded the motion to approve with conditions except conditions 7, 9, 10, and 11 to be worked out with Public Works prior to third reading in Council, and disapprove without all other conditions. (6-0-1) Mr. Gee recused himself.**

Mr. Gee stepped back in the room.

## **Resolution No. RS2016-69**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2016SP-008-001 is **Approved with conditions, except conditions 7, 9, 10, and 11 to be worked out with Public Works prior to third reading in Council, and disapprove without all other conditions. (6-0-1)**”

### **CONDITIONS**

1. Uses are limited to a maximum of 99 single-family lots.
2. A total of 47% of the lots within the SP shall be alley loaded.
3. The proposed 10 foot wide open space buffer shall provide a vegetation density consistent with the Standard A-3 landscape buffer yard as specified in Figure 17.24.240A of the Metro Zoning Code.
4. Garage doors shall be recessed at least ten feet from the front façade. For measurement purposes, a porch shall not be considered a façade.
5. Old Burkitt Road shall be widened between Nolensville Road and Burkitt Road. The approved gas station and retail SP has not submitted construction plans for the realignment of Old Burkitt Rd at Burkitt Rd. Therefore, Old Burkitt SP shall design and construct the realignment section of Old Burkitt Rd if the realignment has not been constructed prior to use and occupancy permit. The x-section of Old Burkitt Rd shall be a minimum of 23ft of pavement with curb and gutter. Developer shall submit construction plans including signage and striping plans prior to final SP approval. Old Burkitt Rd. shall be constructed with a minimum of 2 travel lanes with 2 exiting lanes with 100 ft of storage at the intersection with Nolensville Pk. Additional ROW may be required. Old Burkitt Rd shall be constructed between Nolensville Pk and Burkitt Rd prior to use and occupancy permit. Developer shall submit construction plans prior to final SP approval.
6. A southbound left turn lane shall be provided on Nolensville Road at Old Burkitt Road. This turn lane should include at least 100 feet of storage and should be designed and constructed according to AASHTO standards. Additional queue analysis shall be submitted to determine appropriate left turn lane storage length due to the significant SB LTL pk hr queue at the signalized intersection of Burkitt Rd and Nolensville Pk. Developer shall submit construction plans prior to final SP approval.
7. Developer shall construct a NB right turn lane on Nolensville Pk at Old Burkitt Rd with appropriate queue storage. Developer shall submit construction plans prior to final SP approval. The analyses conducted for the purposes of this study indicate that the intersection of Old Burkitt Road and the project access will operate acceptably with a one-lane approach on each leg of the intersection. However, since the project will have only one access, it should be constructed to include one entering lane and two exiting lanes, striped as separate left and right turn lanes. Main access road shall be constructed with a minimum of 3 lane cross section with a minimum of 100ft storage with transition per AASHTO standards.
8. In conjunction with the preparation of final construction documents for the proposed project, sight triangles should be provided to identify the sight distance which will be available at the project access. These sight triangles were developed based on guidelines that are included in A Policy on Geometric Design of Highways and Streets, which is published by the American Association of State Highway and Transportation Officials (AASHTO) and commonly known as The Green Book. Specifically, The Green Book indicates that for a speed of 30 mph, the minimum stopping sight distance is 200 feet. This is the distance that a motorist on Old Burkitt Road will need to come to a stop if a vehicle turning from the project creates a conflict. Also, based on The Green Book, the minimum intersection sight distance is 335 feet. This is the distance that motorists exiting the project will need to safely complete turns onto Old Burkitt Road. A sight distance exhibit with plan and profile shall be submitted prior to final SP approval.
9. The analyses conducted for the purposes of this study indicate that the intersection of Nolensville Road and Burkitt Road operates at poor Level of Service now and will continue to operate poorly under background conditions and total projected conditions with the build-out of the proposed project. Also, additional analyses indicate that this intersection would operate at acceptable Levels of Service during the peak hours if a northbound right turn lane were constructed on Nolensville Road and the existing traffic signal were modified to include right turn overlap signal phases for northbound and westbound motorists. In particular, the signal timings should be optimized to ensure that the westbound queues on Burkitt Road do not routinely extend beyond the realigned Old Burkitt Road and the access for Burkitt Place Commons.
10. Developer shall construct a NB right turn lane on Nolensville Pk at Burkitt Rd prior to Old Burkitt Rd SP use and occupancy. Additional analysis will be required to determine appropriate right turn lane storage length and transition per AASHTO standards. Developer shall submit a signal modification plan per the TIS to MPW traffic engineer and install signal improvements when directed by MPW traffic engineer.
11. Due to the widening of Old Burkitt Rd by developer and anticipated redistributed traffic to Old Burkitt Rd instead of traveling thru the signalized intersection, additional traffic analysis shall be required to determine if a right turn lane on Burkitt Rd at the realigned Old Burkitt Rd is warranted. If warranted, developer shall construct right turn lane on Burkitt Rd with appropriate storage and transition.
12. Prior to final SP approval, a signage, pavement marking, and traffic control plan shall be submitted for internal streets in subdivision.
13. Sidewalks shall be installed along the entire Old Burkitt Road frontage from Nolensville Pike to Burkitt Road along one or both sides of Old Burkitt Road. The design of sidewalks and street cross sections shall be determined with the final site plan by Public Works and Planning. All off-site improvements shall be bonded with the first final plat.

14. 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 RS3.75 zoning district as of the date of the applicable request or application.

15. 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.

16. Add the following note to the plan: The final site plan shall depict a minimum 5 foot clear path of travel for pedestrian ways, including public sidewalks, and the location of all existing and proposed obstructions. Prior to the issuance of use and occupancy permits, existing obstructions within the path of travel shall be relocated to provide a minimum of 5 feet of clear access.

17. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.

18. 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.

19. 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.

## 2. 2016SP-011-001

### MT PISGAH SP

Map 172, Parcel(s) 041, 174, 255  
Council District 04 (Robert Swope)  
Staff Reviewer: Lisa Milligan

A request to rezone from AR2a to SP-R zoning for properties located at Mt. Pisgah Road (unnumbered) and 6000 and 6021 Mt. Pisgah Road, approximately 750 feet west of Christiansted Lane (12.12 acres), to permit 31 single family lots, requested by Batson & Associates, applicant; Charles White, owner.

**Staff Recommendation: Defer to the March 24, 2016, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2016SP-011-001 to the March 24, 2016, Planning Commission meeting. (5-0-1)**

## 3. 2016SP-014-001

### 7435 OLD HICKORY BLVD SP

Map 031, Parcel(s) 068  
Council District 03 (Brenda Haywood)  
Staff Reviewer: Jason Swaggart

A request to rezone from AR2a and CS to SP-C zoning and CS to AR2a zoning for portions for portions of property located at 7435 Old Hickory Boulevard, approximately 635 feet west of Blevins Road (25.95 acres), to permit heavy equipment sales, and service, and all uses permitted by the CS zoning district except cash advance, check cashing, title loan, non-residential drug treatment facilities, a bar or nightclub, and pawnshops and clubs, requested by Dale & Associates, applicant; Anchor Property Holdings, LLC, owner.

**Staff Recommendation: Defer to the April 14, 2016, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2016SP-014-001 to the April 14, 2016, Planning Commission meeting. (6-0)**

## 4. 2016SP-015-001

### HAYLEY HARBOR SP

Map 068, Parcel(s) 046  
Council District 01 (Sharon Hurt)  
Staff Reviewer: Latisha Birkeland

A request to rezone from IR to SP-IND zoning for property located at Amy Lynn Drive (unnumbered), approximately 1,100 feet west of Jennie Brown Lane (14.3 acres), to permit all uses under IR zoning except: automotive convenience, liquor sales, pawnshop, sex club, after hours establishment, and adult entertainment; and to permit concrete batch plant; manufacturing of concrete, tile, and brick; associated outdoor storage of river transported materials and goods, requested by Dale and Associates, applicant; Smyrna Ready Mix, LLC, owner.

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

**APPLICANT REQUEST**  
**Rezone from IR to SP-IND.**

Zone Change

A request to rezone from Industrial Restrictive (IR) to Specific Plan-Industrial (SP-IND) zoning for property located at Amy Lynn Drive (unnumbered), approximately 1,100 feet west of Jennie Brown Lane (14.3 acres), to permit all uses under IR zoning except: automotive convenience, liquor sales, pawnshop, sex club, after hours establishment, and adult entertainment; and to permit a concrete plant; manufacturing of concrete, tile, and brick; associated outdoor storage of river transported materials and goods.

**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-Industrial (SP-IND) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes industrial uses.

**CRITICAL PLANNING GOALS**

N/A

**BORDEAUX – WHITES CREEK COMMUNITY PLAN**

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. Industrial development associated with conservation districts may be appropriate in the floodplain along the Cumberland River, given the unique role that it plays in Nashville and Davidson County's economy as a working river with flood control measures. In such cases, consideration should be given to the surrounding Community Character Policies, and Industrial Policy may be applied in lieu of Conservation Policy.

Occasionally, industrial buildings may be found in floodplain sites along the Cumberland River, which has a higher measure of flood control than other river in Davidson County and has a history of industrial businesses that need to be along the river. This site is already zoned for industrial uses and the proposed SP permits one additional use and removes several uses that are currently allowed.

**ANALYSIS**

The property is located at Amy Lynn Drive (unnumbered) on approximately 14.61 acres. The site is one of several parcels currently zoned IR which permits light industrial uses, and is currently being used as open storage.

The proposed SP would allow uses such as a concrete plant; manufacturing of concrete, tile, and brick; associated outdoor storage of river transported materials and goods, which is not allowed under the current IR zoning. A concrete plant would permit the production of concrete that uses a manufacturing process involving the mixing of a number of aggregates, sand, water, cement, and/or other components. This use also includes the stockpiling of bulk materials required for the process and the storage of the required equipment used in the operation.

The SP has proposed limiting uses that are permitted with conditions in the IR zoning district. Automotive convenience, liquor sales, pawnshop, sex club, after hours establishment, and adult entertainment uses would be prohibited on this site. All bulk regulations such as maximum allowable height, FAR, and ISR would be the same under the proposed regulatory SP as it is under the current IR zoning.

A 50 foot wide landscape buffer yard shall be located along the western property line. The buffer yard will be an undisturbed area where all existing vegetation shall be maintained to meet the standards of the "D-1" type landscape buffer yard. A greenway conservation easement will be dedicated along the northern property line, adjacent to the railroad.

**FIRE MARSHAL RECOMMENDATION**

N/A

**WATER SERVICES RECOMMENDATION**

N/A

**STORMWATER RECOMMENDATION**

Ignore

**PUBLIC WORKS RECOMMENDATION**

Approve with conditions

- 1) The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- 2) Comply with MPW Traffic Engineer

**TRAFFIC & PARKING RECOMMENDATION**

Conditions if approved

1) Revise # 3. standard as follows:

Prior to FINAL SP approval, a TIS shall be submitted to identify all required roadway improvements to mitigate traffic impact of this project on the area public roads.

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)	14.61	0.6 F	381, 846 SF	1360	115	123

Maximum Uses in Proposed Zoning District: SP-I

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	14.61	0.6 F	381, 846 SF	1360	115	123

Traffic changes between maximum: IR and SP-I

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

**METRO SCHOOL BOARD REPORT**

The Metro School Board report was not generated because the proposed zone change would not generate students.

**STAFF RECOMMENDATION**

Industrial uses are consistent with the T2 Conservation Policy along the Cumberland River; therefore staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

- 1. Uses within this SP shall permit all uses under IR zoning except: automotive convenience, liquor sales, pawnshop, sex club, after hours establishment, and adult entertainment; and to permit concrete batch plant; manufacturing of concrete, tile, and brick; associated outdoor storage of river transported materials and goods.
- 2. A 50 foot wide type "D" landscape buffer yard shall be installed and/or maintained along the entire western property line.
- 3. Prior to final SP approval, a TIS shall be submitted to identify all required roadway improvements to mitigate traffic impact of this project on the area public roads.
- 4. A Dedicated Conservation Greenway Public Access Trail Easement Area shall be depicted and labeled along the northern property line with the final site plan and dedicated prior to permit approval.
- 5. Add the following note to the plan: The final site plan shall depict a minimum 5 foot clear path of travel for pedestrian ways, including public sidewalks, and the location of all existing and proposed obstructions. Prior to the issuance of use and occupancy permits, existing obstructions within the path of travel shall be relocated to provide a minimum of 5 feet of clear access.
- 6. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the IR zoning district as of the date of the applicable request or application.

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. Birkeland presented that staff recommendation of approval with conditions and disapproval without all conditions.

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

**Ms. Farr arrived at 4:20 p.m.**

George Hayes, 1478 County Hospital Road, spoke in favor of the application.

Ruby Baker, 3222 Leawood Dr, spoke in opposition to the application; she has not been invited to any community meetings to express her concerns. She would like to see a condition added that would restrict the use of County Hospital Road in order to preserve the neighborhood.

Jeff Stewart, 1457 Snell Blvd, spoke in opposition to the application unless conditions are added to limit County Hospital Road.

Brenda Venson, 4609 Lila Lane, spoke in opposition to the application due to increased traffic, noise, congestion, and dust.

Jonathan Hall, 100 Queens Lane, spoke in opposition to the application and requested that a traffic impact study and an environmental impact study be completed.

Roy Dale asked for approval and explained that a traffic impact study will be completed prior to final approval.

Council Lady Hurt requested a deferral to allow the community to meet specifically on this project to discuss the multiple concerns and conditions.

**Vice Chair Adkins closed the Public Hearing.**

Roy Dale asked for a recommendation instead of a deferral because there have already been numerous community meetings and several deferrals.

Mr. Gee asked to hear from Public Works from a truck/traffic impact perspective.

Jonathan Honeycutt, Metro Public Works, explained that at this time it is only a regulatory SP. Once a plan is submitted and the uses are determined, the truck/traffic impact will be evaluated at that time.

Council Lady Allen asked if limitations could be placed on the hours of operations.

Mr. Clifton spoke in favor of a deferral.

Council Lady Hurt requested a deferral in order to go back, discuss, and come up with something that will be beneficial for all concerned.

**Mr. Clifton moved and Council Lady Allen seconded the motion to defer to the April 14, 2016 Planning Commission meeting. (6-0-1) Ms. Farr abstained.**

**The Metropolitan Planning Commission deferred 2016SP-015-001 to the April 14, 2016, Planning Commission meeting. (6-0-1)**

**5. 2016SP-023-001**

**BORDEAUX COMMONS SP**

Map 080, Part of Parcel(s) 035  
Council District 01 (Sharon W. Hurt)  
Staff Reviewer: Lisa Milligan

A request to rezone from AR2a to SP-MU zoning for a portion of property located at 1010 Camilla Caldwell Lane, south of County Hospital Road and located within the Bordeaux Redevelopment District (22.98 acres), to permit all uses under MUL zoning except: Car Washes, Cash Advance, Check Cashing, Title Loan, Hotels, Motels, Nightclubs, Pawn Shops, Drive In Restaurants, Standalone Surface Parking Lots, Wholesale Sales, Mobile Storage, Waste Treatment, and Outdoor Live Performances; and to permit Community Gardens, and Hospitals, requested by Dale and Associates, applicant; Metropolitan Government, owner.

**Staff Recommendation: Defer to the March 24, 2016, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2016SP-023-001 to the March 24, 2016, Planning Commission meeting. (6-0)**

## Zone Changes

### 6a. 2005P-008-007

#### **HARPETH VILLAGE (PUD AMENDMENT)**

Map 156, Parcel(s) 112

Map 156-05-0-A, Parcel(s) 900-901

Council District 35 (Dave Rosenberg)

Staff Reviewer: Jason Swaggart

A request to amend the Harpeth Village Planned Unit Development for property located at 7725 Old Harding Pike and Temple Road (unnumbered), at the northeast corner of Temple Road and Old Harding Pike (12.08 acres), to add property into the overlay to permit 25 multifamily units, zoned RS40 and proposed for RM6, requested by Batson and Associates, applicant; Trendmark Construction, LLC, owner. (See also Zone Change Case No. 2015Z-096PR-001).

**Staff Recommendation: Defer to the April 28, 2016, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2005P-008-007 to the April 28, 2016, Planning Commission meeting. (6-0)**

### 6b. 2015Z-096PR-001

Map 156, Parcel(s) 112

Council District 35 (Dave Rosenberg)

Staff Reviewer: Jason Swaggart

A request to rezone from RS40 to RM6 zoning for property located at 7725 Old Harding Pike, approximately 345 feet north of Temple Road (5.06 acres), requested by Trendmark Construction, LLC, owner and applicant. (See Also Planned Unit Development Case No. 2005P-008-007).

**Staff Recommendation: Defer to the April 28, 2016, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2015Z-096PR-001 to the April 28, 2016, Planning Commission meeting. (6-0)**

### 7. 2016Z-018PR-001

Map 105-03, Parcel(s) 037

Council District 17 (Colby Sledge)

Staff Reviewer: Karimeh Moukaddem

A request to rezone from R6 to MUL-A zoning for property located at 1117 3rd Avenue South, approximately 200 feet north of Chestnut Street (0.10 acres), requested by Saunders Properties, LLC, applicant and owner.

**Staff Recommendation: Approve.**

#### **APPLICANT REQUEST**

**Zone change from R6 to MUL-A.**

#### Zone Change

A request to rezone from One and Two-Family Residential (R6) to Mixed Use Limited-Alternative (MUL-A) zoning for property located at 1117 3<sup>rd</sup> Avenue South, approximately 200 feet north of Chestnut Street (0.10 acres).

#### **Existing Zoning**

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

#### **Proposed Zoning**

Mixed-Use Limited-Alternative (MUL-A) is intended for a moderate intensity mixture of residential, retail, restaurant, and office uses and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards.

#### **CRITICAL PLANNING GOALS**

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

This request creates an opportunity for urban development that reuses brown and gray fields, filling in gaps in areas served by existing infrastructure. Locating development in areas served by existing, adequate infrastructure does not burden Metro with the cost of upgrading or building new infrastructure. The proposed rezoning to MUL-A on this site would complement the mixed-use zoning present along this street and foster an environment that allows someone to drive to one location on this street, but once there park and meet all needs on foot. Additionally, higher densities foster walkability and better public transportation. A complete sidewalk network connects the site to existing transit routes along 4<sup>th</sup> Avenue South, 2<sup>nd</sup> Avenue South, and Chestnut Street. MUL-A bulk standards are designed to promote an appropriate pedestrian streetscape through building orientations and by requiring that parking be located at the rear or side of buildings.

**SOUTH NASHVILLE COMMUNITY PLAN**

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 variety of housing along with mixed, use, commercial, institutional, and even light industrial development. T4 MU areas are served by high levels of connectivity with complete street networks, sidewalks, bikeways and existing or planned mass transit.

Consistent with Policy?

Yes. The rezoning to MUL-A is consistent with the T4 Urban Mixed Use Neighborhood (T4 MU) Policy and is appropriate given the site’s location in an urban area. The rezoning would encourage the mix of uses promoted under this policy, and apply design standards appropriate for a pedestrian-oriented streetscape. Permitted uses under MUL-A zoning include residential, retail, restaurant, and office uses. The proposed mixed-use zoning would complement the variety of uses present and encouraged under the T4 Urban Mixed Use Neighborhood Policy.

**FIRE MARSHAL RECOMMENDATION**

N/A

**PUBLIC WORKS RECOMMENDATION**

N/A

**TRAFFIC AND PARKING RECOMMENDATION**

**Conditions if approved**

- Traffic study may be required at time of development.

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)	0.10	7.26 D	-	-	-	-

\*Based on two two-family lots.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	0.10	-	4,356 SF	225	11	32

Traffic changes between maximum: **R6** and **MUL-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+225	+11	+32



**METRO SCHOOL BOARD REPORT**

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

**Projected student generation proposed MUL-A district: 1 Elementary 0 Middle 0 High**

The proposed MUL-A zoning district could be expected to generate one additional student. Students would attend Whitsitt Elementary School, Wright Middle School, and Glencliff High School. None of the schools have been identified as being over capacity by the Metro School Board. This information is based upon data from the school board last updated November 2015.

**STAFF RECOMMENDATION**

Staff recommends approval as the proposed rezoning is consistent with the policy and supports several critical planning goals.

Approve. (6-0), Consent Agenda

**Resolution No. RS2016-70**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2016Z-018PR-001 is **Approved. (6-0)**”

**Planned Unit Developments**

**8. 85-85P-003**

**BRENTWOOD COMMONS (HCA)**

Map 160, Part of Parcel(s) 211  
Council District 04 (Robert Swope)  
Staff Reviewer: Jason Swaggart

A request to revise the preliminary plan for a portion of the Brentwood Commons Planned Unit Development Overlay District on property located at 2000 American General Way, at the northeast corner of American General Way and Old Hickory Boulevard, zoned OL (13.59 acres), to permit an office development, requested by Ragan Smith & Associates, applicant; Southpoint, LLC, owner.

**Staff Recommendation: Defer to the March 24, 2016, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 85-85P-003 to the March 24, 2016, Planning Commission meeting. (5-0-1)**

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

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

**Community Plan Amendments**

**9a. 2016CP-007-002**

**WEST NASHVILLE COMMUNITY PLAN AMENDMENT**

Map 091, Parcel(s) 009-010  
Council District 20 (Mary Carolyn Roberts)  
Staff Reviewer: Cynthia Wood

A request to amend the West Nashville Community Plan by changing the Community Character Policy from D District Industrial to T4 Urban Mixed Use Neighborhood for properties located at 1640 54th Avenue North and 54th Avenue North (unnumbered), approximately 475 feet north Centennial Boulevard (19.09 acres), requested by Southeast Venture, LLC, applicant; R. Manuel Centennial, G.P. and M.R. Centennial Trust, owners. (See also Specific Plan, Case No. 2016SP-019-001).

**Staff Recommendation: Defer to the April 14, 2016, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2016CP-007-002 to the April 14, 2016, Planning Commission meeting. (6-0)**

## 9b. 2016SP-019-001

### R. MANUEL CENTENNIAL SP

Map 091, Parcel(s) 009-010  
Council District 20 (Mary Carolyn Roberts)  
Staff Reviewer: Lisa Milligan

A request to rezone from IR to SP-R zoning for property located at 1640 54th Avenue North and 54th Avenue North (unnumbered), approximately 475 feet north of Centennial Boulevard (19.09 acres), to permit a residential development with up to 394 multi-family units, requested by Southeast Venture, LLC, applicant; R. Manuel Centennial GP, owner. (See also Community Plan Case No. 2016CP-007-002).

**Staff Recommendation: Defer to the April 14, 2016, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2016SP-019-001 to the April 14, 2016, Planning Commission meeting. (6-0)**

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## J. 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.

### Specific Plans

#### 10. 2015SP-005-003

##### BEAMAN & TURNER PROPERTIES (AMENDMENT)

Map 163, Parcel(s) 341  
Map 174, Parcel(s) 021, 024.01, 023, 059, 061, 062, 213, 218, 219, 232-233  
Council District 32 (Jacobia Dowell)  
Staff Reviewer: Lisa Milligan

A request to amend the Beaman & Turner Properties Specific Plan District for properties located at 5430, 5438, 5446, and 5448 Cane Ridge Road and Cane Ridge Road (unnumbered), 4001 Cane Ridge Parkway, and 3135 Old Franklin Road, west of Interstate 24 (301.43 acres) to add approximately 13.8 acres into the SP, requested by Century Farms, LLC, applicant; Century Farms, LLC and CHS Realty Holdings III, LLC, owners.

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

##### APPLICANT REQUEST

**Amend the SP to add property into the residential subdistrict.**

##### Preliminary SP

A request to amend the Beaman & Turner Properties Specific Plan District for properties located at 5430, 5438, 5446, and 5448 Cane Ridge Road and Cane Ridge Road (unnumbered), 4001 Cane Ridge Parkway, and 3135 Old Franklin Road, west of Interstate 24 (300 acres) to add approximately 13.8 acres into the Specific Plan (SP) for multi-family residential development.

##### Existing 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.

##### 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.

##### History

The Beaman & Turner Properties SP was approved in February 2015. The plan as approved included approximately 286 acres. The SP includes a mixture of uses in a variety of subdistricts. The subdistrict include: Residential, Retail, Neighborhood Transition, Office Concentration, and Mixed Use. Each subdistrict includes specific regulations in regards to setbacks, build-to zones, height, permitted uses, parking, signage, building types, architectural standards, etc. The approved plan included a maximum of 1,300 multi-family residential dwelling units.

## **CRITICAL PLANNING GOALS**

- Provides a Range of Housing Choices
- Preserves Sensitive Environmental Features
- Creates Walkable Neighborhoods

The proposed SP supports several critical planning goals. A range of housing choices is being provided within the development. Sidewalks and pedestrian paths are being provided throughout the development to create a walkable, pedestrian friendly environment. Sensitive environmental features, including streams, are being preserved in open space. The plan also works with the natural topography of the land.

## **SOUTHEAST COMMUNITY PLAN**

Conservation (CO) is intended to preserve environmentally sensitive land features through protection and remediation. CO policy applies 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 are in and whether or not they have already been disturbed.

District Destination Retail (D DR) is intended to enhance and create Districts where large footprint, auto-centric retail and complementary uses that may draw from regional or multi-state trade areas are predominant. D DR areas have one or more large footprint retail uses that are typically surrounded by large surface parking lots. Primary supportive land uses include retail, restaurant, hotel, and entertainment. Such supportive uses may be integrated or separate from the large footprint establishment. The large footprint uses provide major positive economic impacts by drawing from very large trade areas that often extend into other states and draw customers who may stay in the Nashville area for extended periods of time. Office and high density residential are complementary supportive uses that can help to provide transitions in scale and intensity to surrounding Community Character Policy areas.

T3 Suburban Neighborhood Evolving (T3 NE) is intended to create and enhance suburban residential neighborhoods with more housing choices, improved pedestrian, bicycle and vehicular connectivity, and moderate density development patterns with moderate setbacks and spacing between buildings. T3 NE policy may be applied either to undeveloped or substantially under-developed "greenfield" areas or to developed areas where redevelopment and infill produce a different character that includes increased housing diversity and connectivity. Successful infill and redevelopment in existing neighborhoods needs to take into account considerations such as timing and some elements of the existing developed character, such as the street network, block structure, and proximity to centers and corridors. T3 NE areas are developed with creative thinking in environmentally sensitive building and site development techniques to balance the increased growth and density with its impact on area streams and rivers.

### Consistent with Policy?

Yes. The previously approved portion of the SP is within the District Destination Retail policy area. The area proposed to be added to the SP is within the T3 Suburban Neighborhood Evolving policy area. The area proposed to be added is proposed to be added to the Residential Subdistrict. The proposal is consistent with the standards of the Residential Subdistrict as well as the T3NE policy by providing for additional housing options within the suburban residential neighborhood. Pedestrian facilities are proposed to increase walkability and connectivity within the larger neighborhood. Additionally, sensitive environmental features are being preserved and utilized to enhance the proposed development.

## **PLAN DETAILS**

The site is located west of Interstate 24, east of Cane Ridge Road and north of Old Franklin Road. The approved Beaman & Turner Properties SP is approximately 286 acres in size. The proposed properties to be added are approximately 13.8 acres in size for an overall SP of approximately 300 acres.

### Site Plan

The plan proposes to add 13.8 acres to the existing Residential Subdistrict along Cane Ridge Road near the proposed new parkway to be constructed from Cane Ridge Road through the site. At the time of approval, the SP allowed for a maximum of 1,300 residential dwelling units. With this amendment, the overall number of residential units is staying at the previously approved level.

The Residential Subdistrict provides for a variety of residential housing types including stacked flats, townhouses, and other residential building types. The portion of the Residential Subdistrict south of the proposed new parkway fronting Cane Ridge Road, which includes the land being added to the SP, is indicated as including stacked flat units. The layout shows one building fronting on proposed open space, which includes a stream. The remaining two buildings are proposed to orient Cane Ridge Road. However, parking is proposed between the building closest to the parkway and Cane Ridge Road. Staff is recommending that a detailed landscaping plan be provided with the final site plan to provide appropriate screening of the parking lot from Cane Ridge Road.

Vehicular access is to be provided from the new parkway to the site. Parking is provided in surface lots located around the

proposed buildings. Sidewalks are provided along Cane Ridge Road and along the new parkway. Internal sidewalks are provided throughout along the private drives.

Open space is provided primarily along the creek on the eastern edge of the Residential Subdistrict. A series of trails are proposed throughout the SP within the extensive open space network.

#### **ANALYSIS**

The proposed development is consistent with the T3 Suburban Neighborhood Evolving policy as it provides a range of housing options within the existing suburban neighborhood. The plan also provides for pedestrian connectivity and preservation of sensitive environmental features.

#### **FIRE MARSHAL RECOMMENDATION**

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

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

#### **STORMWATER RECOMMENDATION**

##### **Approved**

#### **WATER SERVICES RECOMMENDATION**

##### **Approved**

- Approved as an Amended Preliminary SP only. Public water and sewer construction plans must be submitted and approved prior to Final SP approval. These approved construction plans must match the Final Site Plan/SP plans. The required capacity fees must also be paid prior to Final Site Plan/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 the conditions of approval for the Preliminary SP (2015SP-005-001)

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

##### **Conditions if approved**

- A focused TIS may be required at development of added parcels.
- Adequate sight distance shall be provided at access drive.
- Additional ROW and roadway improvements along Cane Ridge Rd. frontage may be required.
- Adequate access to the SP internal road network may be required prior to development.

No traffic table was prepared as the development is not expected to generate additional traffic from the previously approved SP.

#### **METRO SCHOOL BOARD REPORT**

**Projected student generation existing SP-MU district: 134 Elementary 107 Middle 88 High**  
**Projected student generation proposed SP-MU district: 134 Elementary 107 Middle 88 High**

The proposed SP-MU will generate the same number of students as the existing SP-MU. Students would attend A.Z. Kelley Elementary School, Marshall Middle School, and Cane Ridge High School.

Cane Ridge High School has been identified as over capacity and there is no capacity within the cluster or adjacent clusters for high school students. This information is based upon data from the school board last update November 2015.

#### **School Site Dedication**

Due to the potential impact of this development on the public school system, the applicant is required by Planning Commission policy to offer for dedication a school site in compliance with the standards of Section 17.16.040 for middle schools with a capacity of 800 students.

This land dedication requirement is proportional to the development's student generation potential. Such site shall be in accordance with the site condition and location criteria of the Metropolitan Board of Education and shall be within the Cane Ridge High School cluster. The Board of Education may decline such dedication if it finds that a site is not needed or desired. No final plat for development of any residential uses on the site shall be approved until a school site has been dedicated to the Metro Board of Education or the Board has acted to relieve the applicant of this requirement. However, failure of the Board of Education to act prior to final plat consideration and approval by the Metropolitan Planning Commission in accordance with its schedule and requirements shall constitute a waiver of this requirement by the Board of Education.

#### **STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions as the proposal is generally consistent with the T3 Suburban Neighborhood Evolving policy.

## CONDITIONS

1. Permitted land uses shall be as follows:

- Residential Subdistrict limited to up to 500 multi-family residential units.
- Retail subdistrict limited to uses allowed in SCR, excluding Alternative Financial Services.
- Neighborhood Transition Subdistrict limited to up to 500 multi-family residential units and all other uses allowed in MUL, excluding Alternative Financial Services.
- Office Concentration Subdistrict limited to uses allowed in MUI, excluding Alternative Financial Services.
- Mixed Use Subdistrict limited to up to 300 multi-family residential units and all other uses allowed in MUI, excluding Alternative Financial Services.

2. All Public Facades shall also be Pedestrian Entrance Facades.

3. Add the following condition to the Residential Subdistrict: Raised foundations a minimum of 18" and a maximum of 36" are required for all residential buildings. Exceptions may be allowed for stacked flat buildings when significant grades exist and must be reviewed with the submittal of a final site plan.

4. With submittal of final site plan for any residential units fronting Cane Ridge Road, a detailed landscaping plan providing an appropriate buffer between Cane Ridge Road and any parking located in front of structures shall be provided.

5. Requirements specified in BL2015-1037 not specifically being amended with this ordinance shall remain in effect.

6. Due to the potential impact of this development on the public school system, the applicant is required by Planning Commission policy to offer for dedication a school site in compliance with the standards of Section 17.16.040 for middle schools with a capacity of 800 students. The school site does not have to be on the subject property.

7. All final site plans shall be reviewed by Metro agencies and approved by the Planning Commission or Department in accordance with Section 17.40.170 of the Zoning Code. All roadway plans shall be consistent with the Complete Streets Executive Order and should incorporate NACTO guidelines where possible.

8. Add the following note to the plan/plat: The final site plan/building permit site plan shall depict a minimum 5 foot clear path of travel for pedestrian ways, including public sidewalks, and the location of all existing and proposed obstructions. Prior to the issuance of use and occupancy permits, existing obstructions within the path of travel shall be relocated to provide a minimum of 5 feet of clear access.

9. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM20 zoning district for the Residential Subdistrict, SCR district for the Retail Subdistrict, MUL district for the Neighborhood Transition Subdistrict, MUI district for the Office Concentration Subdistrict and Mixed Use Subdistrict, as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

10. 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.

11. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.

12. 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.

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

Approve with conditions and disapprove without all conditions. (6-0), Consent Agenda

### **Resolution No. RS2016-71**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2015SP-005-003 is **Approved with conditions and disapproved without all conditions. (6-0)**"

## **CONDITIONS**

**1. Permitted land uses shall be as follows:**

- **Residential Subdistrict limited to up to 500 multi-family residential units.**
- **Retail subdistrict limited to uses allowed in SCR, excluding Alternative Financial Services.**
- **Neighborhood Transition Subdistrict limited to up to 500 multi-family residential units and all other uses allowed in MUL, excluding Alternative Financial Services.**
- **Office Concentration Subdistrict limited to uses allowed in MUI, excluding Alternative Financial Services.**
- **Mixed Use Subdistrict limited to up to 300 multi-family residential units and all other uses allowed in MUI, excluding Alternative Financial Services.**

**2. All Public Facades shall also be Pedestrian Entrance Facades.**

**3. Add the following condition to the Residential Subdistrict: Raised foundations a minimum of 18" and a maximum of 36" are required for all residential buildings. Exceptions may be allowed for stacked flat buildings when significant grades exist and must be reviewed with the submittal of a final site plan.**

4. With submittal of final site plan for any residential units fronting Cane Ridge Road, a detailed landscaping plan providing an appropriate buffer between Cane Ridge Road and any parking located in front of structures shall be provided.
5. Requirements specified in BL2015-1037 not specifically being amended with this ordinance shall remain in effect.
6. Due to the potential impact of this development on the public school system, the applicant is required by Planning Commission policy to offer for dedication a school site in compliance with the standards of Section 17.16.040 for middle schools with a capacity of 800 students. The school site does not have to be on the subject property.
7. All final site plans shall be reviewed by Metro agencies and approved by the Planning Commission or Department in accordance with Section 17.40.170 of the Zoning Code. All roadway plans shall be consistent with the Complete Streets Executive Order and should incorporate NACTO guidelines where possible.
8. Add the following note to the plan/plat: The final site plan/building permit site plan shall depict a minimum 5 foot clear path of travel for pedestrian ways, including public sidewalks, and the location of all existing and proposed obstructions. Prior to the issuance of use and occupancy permits, existing obstructions within the path of travel shall be relocated to provide a minimum of 5 feet of clear access.
9. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM20 zoning district for the Residential Subdistrict, SCR district for the Retail Subdistrict, MUL district for the Neighborhood Transition Subdistrict, MUI district for the Office Concentration Subdistrict and Mixed Use Subdistrict, as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
10. 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.
11. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
12. 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.
13. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

## 11. 2016SP-012-001

### THE PRESERVE: SLEEP INN/MAINSTAY SUITES

Map 107, Part of Parcel(s) 180  
Council District 15 (Jeff Syracuse)  
Staff Reviewer: Latisha Birkeland

A request to rezone from IWD to SP-C zoning for a portion of property located at 2535 Perimeter Place Drive, approximately 1,350 feet south of Royal Parkway (3.6 acres), to permit a 3-story hotel, requested by Barge, Cauthen & Associates, applicant; Corporate Investors Partnership V, LLC, owner.

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

#### APPLICANT REQUEST

**Preliminary SP to permit a 3-story hotel development.**

##### Preliminary SP

A request to rezone from Industrial Warehousing/Distribution (IWD) to Specific Plan-Commercial (SP-C) zoning for a portion of property located at 2535 Perimeter Place Drive, approximately 1,350 feet south of Royal Parkway (3.6 acres), to permit a 3-story hotel.

#### Existing Zoning

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

#### Proposed Zoning

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

#### CRITICAL PLANNING GOALS

- Preserves environmental features

The proposed plan minimizes impacts on sensitive environmental features by properly working within the confines of the site to avoid steep slopes. Furthermore dense vegetation that is located on the steep slope will be preserved.

## **SOUTHEAST COMMUNITY PLAN**

D Employment Center (D EC) is intended to preserve, create, and enhance concentrations of employment that are often in a campus-like setting. A mixture of office, commercial, and even light industrial uses are present, but are not necessarily vertically mixed. Complementary uses are also present and are encouraged as secondary and supportive to the primary function of D Employment Center areas as places of intense economic activity featuring large numbers of jobs. Daily convenience retail, restaurants, and services for the employees and medium to high density residential are appropriate secondary and supportive uses within the D Employment Center Area. These uses may also be found in mixed use areas close to the D Employment Center area. In general, secondary and supportive uses do not occupy more than about quarter of the land in any given D Employment Center area in order to protect its primary function of providing intense concentrations of jobs.

Conservation (CO) 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 plan is consistent with the District Employment Center Policy. The policy supports commercial uses, including hotels, as they contribute to an active employment center. The location of the proposed hotel minimizes the impact to sensitive environmental features located along the northern property line. The proposed plan provides pedestrian connectivity within the site and external to the site.

## **PLAN DETAILS**

The entire parcel is 22 acres in size and is located on Perimeter Place Drive, east of Century Boulevard. The proposed SP includes only a portion of the 22 acres parcel. The proposed hotel will occupy 3.6 acres, located along the southeastern portion of the parcel. The properties surrounding the site are commercially and industrially zoned and include commercial and distribution uses.

### Site Plan

The plan proposes a 3-story hotel, with a maximum of 81 rooms. The proposed hotel building will be located on the rear portion of the 22-acre parcel. The parcel has Conservation Policy and steep slopes along the northern property lines. By locating the proposed building and parking in the rear portion of the property, the plan preserves the sensitive environmental features of the site.

The maximum building height would be limited to a maximum of 46 feet in 3 stories. The plan proposes 91 surface parking spaces, meeting the Metro Zoning Code parking requirements.

Access to the proposed hotel will be provided by a new public road extending from Perimeter Place Drive to the private drive for the proposed hotel. The plan proposes a five foot wide sidewalk and four foot planting strip along Perimeter Place Drive and along the proposed public road to the hotel. A five foot sidewalk and four foot planting strip shall be installed along the private drive that connects the public road to the hotel to provide a full connection to Perimeter Place Drive.

## **ANALYSIS**

The plan is consistent with the land use policy and preserves the sensitive environmental features of the site. The plan proposes a hotel option within the area which is supported by the D Employment Center Policy. Sidewalks will be provided to create a walkable site and provide an important connection to Perimeter Place Drive, creating a pedestrian-orientated environment also supported by the D Employment Center.

## **FIRE MARSHAL RECOMMENDATION**

### **Approved with conditions**

- Two Fire Dept Access points are required per the 2012 IFC Appendix DS 104 for commercial buildings exceeding 30' or 3 stories. Fire Code issues for the structures will be addressed at permit application review.

## **STORMWATER RECOMMENDATION**

### **Approved**

## **WATER SERVICES RECOMMENDATION**

### **Approved with conditions**

- Approved as a Preliminary SP only. The required capacity fees must be paid prior to Final Site Plan/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.
- Prior to issuance of building permits the ROW is to be dedicated.

- The proposed public road must comply with MPW and AASHTO design standards prior to Final SP approval, may require modifications to the preliminary SP.
- Prior to the Final SP approval by MPW a temporary construction easement and a permanent maintenance easement is to be recorded along the southwest portion of the proposed retaining wall. If these easements cannot be obtained then a revised road layout will be required indicating all construction and long term maintenance can occur from properties under control by this development.

**TRAFFIC AND PARKING RECOMMENDATION**

**Conditions is approved**

- A TIS is required prior to final SP approval. Provide adequate sight distance at road intersection with Perimeter Place Dr.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	2.8	0.8 F	97. 574 SF	348	30	32

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Hotel (310)	2.8	-	81 Rooms	759	37	44

Traffic changes between maximum: **IWD** and **SP-C**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+411	+7	+12

**METRO SCHOOL BOARD REPORT**

The Metro School Board report was not generated because the proposed zone change would not generate students.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

1. Principle land uses shall be limited to a hotel with up to 81 rooms.
2. The maximum height of the building is limited to 3 stories in 46 feet.
3. A 5 foot sidewalk and a 4 foot planting strip shall be installed along the private drive.
4. Pedestrian connections shall be included from the private drive extending to the parking lot and building
5. Elevations shall be included with the final site plan.
6. Public right-of-way shall be dedicated by plat and bonded prior to issuance of building permit.
7. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the ORI zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
8. This approval does not include any signs. There shall be no pole or billboard signs, changeable LED, video signs or similar signs allowing automatic changeable messages. All other signs shall meet the ORI zoning requirements.
9. 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.
10. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
11. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.



12. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
13. Add the following note to the plan: The final site plan shall depict a minimum 5 foot clear path of travel for pedestrian ways, including public sidewalks, and the location of all existing and proposed obstructions. Prior to the issuance of use and occupancy permits, existing obstructions within the path of travel shall be relocated to provide a minimum of 5 feet of clear access.

Approve with conditions and disapprove without all conditions. (5-0-1), Consent Agenda

**Resolution No. RS2016-72**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2016SP-012-001 is **Approved with conditions and disapproved without all conditions. (5-0-1)**”

**CONDITIONS**

1. Principle land uses shall be limited to a hotel with up to 81 rooms.
2. The maximum height of the building is limited to 3 stories in 46 feet.
3. A 5 foot sidewalk and a 4 foot planting strip shall be installed along the private drive.
4. Pedestrian connections shall be included from the private drive extending to the parking lot and building
5. Elevations shall be included with the final site plan.
6. Public right-of-way shall be dedicated by plat and bonded prior to issuance of building permit.
7. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the ORI zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
8. This approval does not include any signs. There shall be no pole or billboard signs, changeable LED, video signs or similar signs allowing automatic changeable messages. All other signs shall meet the ORI zoning requirements.
9. 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.
10. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
11. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
12. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
13. Add the following note to the plan: The final site plan shall depict a minimum 5 foot clear path of travel for pedestrian ways, including public sidewalks, and the location of all existing and proposed obstructions. Prior to the issuance of use and occupancy permits, existing obstructions within the path of travel shall be relocated to provide a minimum of 5 feet of clear access.

**12. 2016SP-020-001**

**ONE MUSIC CIRCLE SOUTH OFFICE**

Map 093-13, Parcel(s) 335

Council District 19 (Freddie O'Connell)

Staff Reviewer: Jason Swaggart

A request to rezone from ORI and OR20 to SP-O zoning for property located at 1 Music Circle S., approximately 450 feet east of Music Square E (0.90 acres), to permit a 120,000 square foot office building, requested by Barge Cauthen & Associates, applicant; Country Music Association, Inc., owner.

**Staff Recommendation: Defer to the March 24, 2016, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2016SP-020-001 to the March 24, 2016, Planning Commission meeting. (6-0)**

### 13. 2016SP-022-001

#### 1710 BELCOURT APARTMENTS

Map 104-08, Parcel(s) 266

Council District 18 (Burkley Allen)

Staff Reviewer: Brandon Burnette

A request to rezone from RM40 to SP-R zoning for property located at 1710 Belcourt Avenue, at the southeast corner of Wedgewood Avenue and 18th Avenue South (0.66 acres), to permit a 76 unit multi-family development, requested by Littlejohn Engineering Associates, applicant; GTOM, Belcourt, LLC, owner.

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

#### APPLICANT REQUEST

**Permit a multi-family development with up to 76 units.**

#### Preliminary SP

A request to rezone from Multi-Family Residential (RM40) to Specific Plan – Residential (SP-R) zoning for property located at 1710 Belcourt Avenue, at the southeast corner of Wedgewood Avenue and 18<sup>th</sup> Avenue South (0.66 acres), to permit a 76 unit multi-family development.

#### Existing Zoning

Multi-family Residential (RM40) is intended for single-family, duplex and multi-family dwellings at a density of 40 dwelling units per acres. *RM40 would permit a maximum of 26 units.*

#### Proposed Zoning

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

#### CRITICAL PLANNING GOALS

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

The proposed development meets several critical planning goals. Development in areas with adequate infrastructure is more appropriate than development in areas 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 proposes development on an infill site. Improved sidewalks complying with the Major and Collector Street Plan are being provided along 18<sup>th</sup> Avenue South and Belcourt Avenue to create a more pedestrian friendly and walkable area. Transit service is present along Wedgewood Avenue, and the additional density provided by this development could support this transportation choice by generating bus riders.

#### GREEN HILLS-MIDTOWN COMMUNITY PLAN

T4 Neighborhood Evolving (T4 NE) is intended to create and enhance urban residential neighborhoods that provide more housing choices, improved pedestrian, bicycle and vehicular connectivity, and moderate to high density development patterns with shallow setbacks and minimal spacing between buildings. T4 NE areas are served by high levels of connectivity with complete street networks, sidewalks, bikeways and existing or planned mass transit. T4 NE policy may be applied either to undeveloped or substantially under-developed “greenfield” areas or to developed areas where redevelopment and infill produce a different character that includes increased housing diversity and connectivity. Successful infill and redevelopment in existing neighborhoods needs to take into account considerations such as timing and some elements of the existing developed character, such as the street network and block structure and proximity to centers and corridors.

#### Consistent with Policy?

Yes. The proposed plan is consistent with the T4 NE Policy. The policy supports all types of residential uses and recognizes that development patterns may change over time. The T4 Neighborhood Evolving policy indicates that building heights are generally one to three stories and in limited instances heights may go up to five stories. Consideration of taller heights is based on several factors, including the following:

- Adequate infrastructure, such as appropriately sized water and sewer service, complete streets, and streets and sidewalks that are adequately wide to support the increased height without the building overshadowing the street or degrading the pedestrian environment;
- Access to major transportation networks;
- Opportunities for higher connectivity;
- The ability to form transitions from adjacent higher-intensity development to the lower-scale neighborhood interior;
- Ability to support and access to existing or planned transit;
- Ability to support the viability of nearby consumer businesses; and,

- Ability to provide affordable or workforce housing as defined in the Glossary of this document.

The plan proposes a four-story building along Wedgewood Avenue with underground parking accessed from Belcourt Avenue. As the grade of the site falls from Wedgewood Avenue toward Belcourt Avenue, the structure consists of a fifth story at the south end of the site, providing for underground parking. The area is served by adequate infrastructure, including existing water and sewer service, and an existing sidewalk network along Wedgewood Avenue that includes an eight foot grass planting strip and an eight foot wide sidewalk that both comply with the Major and Collector Street Plan. Wedgewood Avenue at this location has an existing right-of-way of approximately 85 feet and contains four travel lanes, which will allow for additional height without overshadowing the street or degrading from the pedestrian experience. A Metro Transit Authority line is present along Wedgewood Avenue, and the additional density provided by this development may create additional rider demand. While the adjacent properties also fall within T4 Urban Neighborhood Evolving Policy, T4 Urban Mixed Use Neighborhood Policy exists approximately 400 feet west of the site. The additional height will create additional consumers to support the nearby businesses that exist in the Hillsboro Village area and will enhance the long-term viability of those businesses. Given the topography of the site, the presence of adequate infrastructure and a transit route, and the nearby commercial area, the proposed height is consistent with the policy and meets the criteria for additional height.

## **PLAN DETAILS**

The site is located at 1710 Belcourt Avenue, at the southeast corner of Wedgewood Avenue and 18<sup>th</sup> Avenue South. The site is approximately 0.66 acres in size and currently contains a nursing home. The site has frontage along three public streets and the grade of the site falls from north to south, with the low point of the site being the Belcourt Avenue frontage.

### Site Plan

The plan proposes a four to five-story structure containing up to 76 units. The plan consists of one building, with access to the building from Belcourt Avenue to a sub-grade parking garage. Along Wedgewood Avenue, the building is four stories to a maximum height of 54 feet, measured to the top of the parapet. As the site falls from north to south, the maximum height of the building at the corner of Belcourt Avenue and 18<sup>th</sup> Avenue South increases to 56 feet.

An eight foot sidewalk and eight foot planting strip, which complies with the Major and Collector Street Plan, currently exist along the Wedgewood Avenue frontage. A four foot planting strip and six foot sidewalk that complies with local street standards is proposed along both 18<sup>th</sup> Avenue South and Belcourt Avenue. Right-of-way to accommodate the enhanced sidewalks along 18<sup>th</sup> Avenue South and Belcourt Avenue will be dedicated.

Elevations have been provided for the proposed structure. Stoops are provided for units along both Wedgewood Avenue and 18<sup>th</sup> Avenue South and balconies are provided along all frontages on upper-level units. An internal amenity deck is provided within the site for residents and includes fire pits and grill stations.

## **ANALYSIS**

The proposed plan is consistent with the goals of the T4 Neighborhood Evolving Land use policy. The proposed development also meets the criteria for additional height within the policy. The topography of the site along with the presence of a transit line and nearby Mixed Use Policy allows the site to meet the criteria for additional height.

## **FIRE MARSHAL RECOMMENDATION**

### **Approve with conditions**

- Fire Code issues for the structures will be addressed at permit application review. Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building.

## **STORMWATER RECOMMENDATION**

### **Approved with Conditions**

- The final SP shall have the complete FEMA number.

## **WATER SERVICES RECOMMENDATION**

### **Approve with conditions**

- Approved as a Preliminary SP only. Public water construction plans for the proposed public fire hydrant must be submitted and approved prior to Final SP approval. These approved construction plans must match the Final Site Plan/SP plans. The required capacity fees must also be paid prior to Final Site Plan/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 the conditions of the MPW Traffic Engineer

## **TRAFFIC AND PARKING RECOMMENDATION**

### **Conditional if Approved**

In accordance with TAS findings, developer shall construct the following roadway improvements.

Wedgewood Ave

- Prior to final site plan approval, Developer shall work with MPW and Planning to determine if additional ROW dedication along Wedgewood Ave frontage for future construction of a center left turn lane is required.

18th Avenue South and Belcourt Avenue

- Install pedestrian crosswalk pavement markings on the east leg of the intersection. An ADA-compliant detectable warning mat should be provided for the existing pedestrian curb ramp on the southeast corner of the intersection.
- Remove the existing bulb-out on the northeast corner of the intersection and reconstruct the corner with the inclusion of a pedestrian curb ramp and an ADA-compliant detectable warning mat.

Belcourt Avenue

- Remove the existing pedestrian crosswalk pavement markings across Belcourt Avenue that are located approximately 100 feet east of 18th Avenue South.
- Remove the existing “Pedestrian” warning signs on the north and south sides of Belcourt Avenue, which are located approximately 100 feet east of 18th Avenue South.
- Restrict on-street parking on the north side of Belcourt Avenue for approximately 25 feet west of the site access. A “No Parking Any Time” (R7-1) sign should be provided approximately 25 feet west of the site access.
- Developer shall apply to T&P staff to modify traffic signage and parking restrictions.

Site Access

- The site access drive should be designed to include sufficient width for one entering travel lane and one exiting travel lane. A minimum of 24 feet is recommended.
- Look for pedestrian warning signage should be provided internal to the parking deck visible to vehicles exiting the parking deck onto Belcourt Avenue

Maximum Uses in Existing Zoning District: **RM40**

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)	0.66	40 U	26 U	173	14	17

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)	0.66	-	76 U	506	39	48

Traffic changes between maximum: **RM40 and SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+ 50	+333	+25	+31

**METRO SCHOOL BOARD REPORT**

Projected student generation existing RM40 district: 0 Elementary 0 Middle 0 High

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

The proposed SP-R zoning district could generate no more additional students than what is typically generated under the existing RM40 zoning district utilizing the Urban Infill Factor. Students would attend Eakin Elementary School, West End Middle School, and Hillsboro High School. All three schools have been identified as having additional capacity. This information is based upon data from the school board last updated in November 2015.

## STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions as the plan meets several critical planning goals and is consistent with the land use policy for the area.

## CONDITIONS

1. Permitted land uses shall be limited to 76 multi-family units.
2. A detailed landscaping plan providing street trees along Wedgewood Avenue, 18<sup>th</sup> Avenue South and Belcourt Avenue frontages shall be provided with the submittal of the final site plan.
3. Prior to final site plan approval, Developer shall work with MPW and Planning to determine if additional right-of-way dedication along Wedgewood Avenue frontage for future construction of a center left turn lane is required.
4. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM40-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
5. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
6. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
7. Add the following note to the plan: The final site plan shall depict a minimum 5 foot clear path of travel for pedestrian ways, including public sidewalks, and the location of all existing and proposed obstructions. Prior to the issuance of use and occupancy permits, existing obstructions within the path of travel shall be relocated to provide a minimum of 5 feet of clear access.
8. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
9. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

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

Chairman McLean left the meeting at 5:16 p.m.

Tracy Ford, applicant, spoke in favor of the application and noted they've had several community meetings and will continue to have several more.

Ben Owen, applicant, spoke in favor of the application; they want to provide accommodation in Hillsboro Village that isn't there currently.

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

Pam Linn, 1406 Beechwood Ave, spoke in opposition to the application due to increased traffic concerns.

Roger Moore, 1611 18<sup>th</sup> Ave S, spoke in opposition to the application due to increased density and traffic concerns.

Ben Owen explained that they accept all conditions of the traffic impact study.

Vice Chair Adkins closed the Public Hearing.

Mr. Clifton spoke in opposition and stated that he's not quite ready for this yet.

Mr. Gee spoke in favor of the application and noted opportunity to address some of the infrastructure issues in the neighborhood.

Council Lady Allen expressed agreement in moving this forward with the understanding that there are some other things that can be done to make the traffic work better than what we anticipate now. She committed to hold additional community meetings in the future and defer at the council level if necessary.

Ms. Farr stated that while she understands the neighbors' concerns, she trusts the council lady to shepherd this through with the best interests of her neighbors in mind.

Mr. Clifton appreciates the different types of housing and the diversity of housing styles in the area, but this is a dramatic increase in traffic.

Mr. Adkins stated that this provides options in an area where there is not a lot of stock. If stock isn't provided, the market will go up.

Mr. Gee explained if we are going to be serious about transit, we have to build the critical mass, the inventory. The best way to affect the affordability is to build lots of housing.

**Mr. Gee moved and Ms. Farr seconded the motion to approve with conditions and disapprove without all conditions. (5-1) Mr. Clifton voted against.**

### **Resolution No. RS2016-73**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2016SP-022-001 is **Approved with conditions and disapproved without all conditions. (5-1)**"

#### **CONDITIONS**

- 1. Permitted land uses shall be limited to 76 multi-family units.**
- 2. A detailed landscaping plan providing street trees along Wedgewood Avenue, 18<sup>th</sup> Avenue South and Belcourt Avenue frontages shall be provided with the submittal of the final site plan.**
- 3. Prior to final site plan approval, Developer shall work with MPW and Planning to determine if additional right-of-way dedication along Wedgewood Avenue frontage for future construction of a center left turn lane is required.**
- 4. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM40-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.**
- 5. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.**
- 6. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.**
- 7. Add the following note to the plan: The final site plan shall depict a minimum 5 foot clear path of travel for pedestrian ways, including public sidewalks, and the location of all existing and proposed obstructions. Prior to the issuance of use and occupancy permits, existing obstructions within the path of travel shall be relocated to provide a minimum of 5 feet of clear access.**
- 8. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.**
- 9. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.**

## **Zone Changes**

### **14. 2016Z-022PR-001**

Map 163, Part of Parcel(s) 066.01  
Council District 32 (Jacobia Dowell)  
Staff Reviewer: Patrick Napier

A request to rezone from AR2a to MUL zoning for a portion of property located at 5140 Hickory Hollow Parkway, approximately 3,225 feet west of Bell Road (2.19 acres), requested by Everest Investments, GP, applicant and owner.

**Staff Recommendation: Approve.**

#### **APPLICANT REQUEST**

**Zone change from AR2a to MUL**

#### **Zone Change**

A request to rezone from Agricultural/Residential (AR2a) to Mixed Use Limited (MUL) zoning for a portion of property located at 5140 Hickory Hollow Parkway, approximately 3,225 feet west of Bell Road (2.19 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. *AR2a would permit a maximum of 1 lot with one duplex for a total of 1 dwelling unit.*

**Proposed Zoning**

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

**CRITICAL PLANNING GOALS**

N/A

**ANTIOCH-PRIEST LAKE COMMUNITY PLAN**

**Current Policy**

T4 Urban Community Center (T4 CC) is intended to enhance and create urban community centers that contain commercial, mixed use, and institutional land uses, with residential land uses in mixed use buildings or serving as a transition to adjoining Community Character Policies. T4 Urban Community Centers serve urban communities generally within a 5 minute drive or a 5 to 10 minute walk. T4 CC areas are pedestrian friendly areas, generally located at intersections of prominent urban streets. Infrastructure and transportation networks may be enhanced to improve pedestrian, bicycle and vehicular connectivity.

Conservation (CO) is intended to preserve environmentally sensitive land features through protection and remediation. CO policy applies 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 are in and whether or not they have already been disturbed.

Consistent with Policy?

Yes. The proposed MUL district allows uses that are consistent with the T4 Urban Community Center Policy. In this location, MUL is an appropriate zoning district since it is located adjacent to Interstate 24. Properties to the north of the site are also included in the Urban Community Center policy. However, the front portions of those sites are encumbered by steep slope and are included in areas of Conservation policy. As those properties are rezoned and redeveloped, deeper setbacks will be required due to natural constrains. The requested MUL zone change, with its deeper required setbacks, will provide an appropriate transition to properties to the north as they redevelop.

**ANALYSIS**

The MUL zoning district provides an opportunity for various residential uses as well as retail services, which would serve the nearby single and multi-family neighborhoods. Due to the sites isolated location adjacent to an interstate, MUL is appropriate in this instance. An increase in traffic has been projected with this request based upon the increased Floor Area Ratio allowed by the MUL district, however, Traffic and Parking has indicated that a Traffic Improvement Study may be required at time of permit review.

**FIRE MARSHAL RECOMMENDATION**

N/A

**PUBLIC WORKS RECOMMENDATION**

N/A

**WATER SERVICES RECOMMENDATION**

N/A

**STORMWATER RECOMMENDATION**

N/A

**TRAFFIC AND PARKING RECOMMENDATION**

**Conditions of Approval**

- 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)	2.19	0.5 D	1 U	10	1	2

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	2.19	1 F	95, 396 SF	6587	150	617

Traffic changes between maximum: **AR2a and MUL**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+6,577	+149	+615

**STAFF RECOMMENDATION**

Staff recommends approval as the request is consistent with policy.

Approve. (6-0), Consent Agenda

**Resolution No. RS2016-74**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2016Z-022PR-001 is **Approved. (6-0)**”

**15. 2016Z-023PR-001**

Map 082-07-0-D, Parcel(s) 003-004, 900  
 Council District 05 (Scott Davis)  
 Staff Reviewer: Karimeh Moukaddem

A request to rezone from OR20 to RM40 zoning for properties located at 121, 121 B, and 123 Berry Street, at the northwest corner of N 2nd Street and Berry Street (0.17 acres), requested by Councilmember Scott Davis, applicant; East Nashville Holdings, LLC, owner.

**Staff Recommendation: Defer to the March 24, 2016, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2016Z-016-001 to the March 24, 2016, Planning Commission meeting. (6-0)**

**16. 2016Z-024PR-001**

Map 061-14, Parcel(s) 005  
 Council District 08 (Nancy VanReece)  
 Staff Reviewer: Karimeh Moukaddem

A request to rezone from RS15 to RM15-A zoning for property located at 3806 Hutson Avenue, approximately 160 feet north of Hart Lane (0.96 acres), requested by AJ Investments, LLC, applicant and owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from RS15 to RM15-A.**

Zone Change

A request to rezone from Single-Family Residential (RS15) to Residential Multi-Family-Alternative (RM15-A) for property located at 3806 Hutson Avenue, approximately 160 feet north of Hart Lane (0.96 acres).

**Existing Zoning**

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

**Proposed Zoning**

Residential Multi-Family-Alternative (RM15-A) is intended for single-family, duplex, and multi-family dwellings at a density of 15 dwelling units per acre and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. *RM15-A would permit a maximum of fourteen units.*



**CRITICAL PLANNING GOALS**

- Supports Infill Development

This request creates an opportunity for urban development that reuses brown and gray fields, filling in gaps in areas served by existing infrastructure. Locating development in areas served by existing, adequate infrastructure does not burden Metro with the cost of upgrading or building new infrastructure.

**EAST NASHVILLE COMMUNITY PLAN**

T3 Suburban Neighborhood Evolving (T3 NE) is intended to create and enhance suburban residential neighborhoods with more housing choices, improved pedestrian, bicycle and vehicular connectivity, and moderate density development patterns with moderate setbacks and spacing between buildings. T3 NE policy may be applied either to undeveloped or substantially underdeveloped “greenfield” areas or to developed areas where redevelopment and infill produce a different character that includes increased housing diversity and connectivity. Successful infill and redevelopment in existing neighborhoods needs to take into account considerations such as timing and some elements of the existing developed character, such as the street network, block structure, and proximity to centers and corridors. T3 NE areas are developed with creative thinking in environmentally sensitive building and site development techniques to balance the increased growth and density with its impact on area streams and rivers.

Consistent with Policy?

Yes. The rezoning to RM15-A is consistent with the T3 Suburban Neighborhood Evolving (T3 NE) Policy and is appropriate given the sites location. This rezoning would increase housing choice in an area that has limited multi-family housing. T3 Suburban Neighborhood Evolving Policy encourages redevelopment and infill developments that create housing diversity within the neighborhood.

**ANALYSIS**

Staff recommends approval of this request as the proposed rezoning is consistent with the T3 Suburban Neighborhood Evolving (T3 NE) Policy. The bulk standards of the RM15-A district are consistent with the design principles of the T3 Suburban Neighborhood Policy and include shallow setbacks from the street that enhance the pedestrian realm. This rezoning request offers potential for infill development to occur in a way that would enhance the pedestrian streetscape.

**FIRE MARSHAL RECOMMENDATION**

N/A

**PUBLIC WORKS RECOMMENDATION**

N/A

**TRAFFIC AND PARKING RECOMMENDATION**

- Traffic study may be required at time of development.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single- Family Residential (210)	0.96	2.9 D	2 U	20	2	3

Maximum Uses in Proposed Zoning District: **RM15-A**

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)	0.96	15 U	14 U	94	8	9

Traffic changes between maximum: **RS15 and RM15-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+ 12 U	+74	+6	+6

**METRO SCHOOL BOARD REPORT**

Projected student generation existing RS15 district: 0 Elementary 0 Middle 0 High  
Projected student generation proposed RM15-A district: 2 Elementary 1 Middle 1 High

The proposed RM15-A zoning district could be expected to generate three additional students. Students would attend Hattie Cotton Elementary School, Gra-Mar Middle School, and Maplewood High School. None of the schools have been identified as being over capacity by the Metro School Board. This information is based upon data from the school board last updated November 2015.

**STAFF RECOMMENDATION**

Staff recommends approval as the proposed rezoning is consistent with the T3 Suburban Neighborhood Evolving Policy.

Approve. (6-0), Consent Agenda

**Resolution No. RS2016-75**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2016Z-024PR-001 is **Approved. (6-0)**”

**K. PLANNING COMMISSION ACTIONS**

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

**Planned Unit Developments: final site plans**

**17. 70-81P-001**

**EYE CARE PLUS ADDITION**

Map 163, Parcel(s) 322  
Council District 32 (Jacobia Dowell)  
Staff Reviewer: Deborah Sullivan

A request to revise the preliminary plan and for final site plan approval for a portion of the Bell Forge Park Commercial Planned Unit Development Overlay District for property located at 5323 Mt. View Road, approximately 340 feet north of Bell Forge Lane E., zoned AR2a (0.34 acres), to permit a 1,650 square foot addition to an existing 4,000 square foot medical office building, requested by Martin Engineering & Surveying, LLC, applicant; Eye Care Properties, LLC, owner.

**Staff Recommendation: Approve with conditions.**

**APPLICANT REQUEST**

**Revise a portion of the commercial Planned Unit Development to permit a 1,650 square foot addition to an existing medical office.**

Revise PUD

A request to revise the preliminary plan and for final site plan approval for a portion of the Bell Forge Commercial Park Planned Unit Development Overlay District for property located at 5323 Mt. View Road, approximately 340 feet north of Bell Forge Lane E., zoned Agricultural/Residential District (AR2A) (0.34 acres), to permit a 1,650 square-foot addition to an existing 4,000 square-foot medical office building.

**Existing Zoning**

Agricultural/Residential District (AR2A) is intended to implement the natural conservation or rural land use policies of the general plan.

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.

**CRITICAL PLANNING GOALS**

N/A

**PLAN DETAILS**

The site is developed and contains a 4,000 square-foot medical office building and is adjacent to a shopping center. The site is located within the Bell Forge Commercial Park PUD, which was approved in 1981 for a variety of commercial uses. The PUD was revised in 2006 to allow for a religious institution.

### Site Plan

The plan calls for an expansion of 1,650 square feet on the south side of an existing medical office building. The expansion will eliminate six parking spaces, but a shared parking agreement with the shopping center exists vehicular access to the building is not changing. The applicant proposes a connection from Mt. View Road to the building via a five-foot sidewalk. Additionally, five compact Japanese Holly 5-gallon plants will be added to the east of the expansion, where no previous landscaping existed.

### **ANALYSIS**

The request to add 1,650 square feet is consistent with the approved PUD plan. 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, permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
  - k. If originally limited to commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
  - l. In the determination of the commission, the nature of the change will have no greater adverse impact on those environmentally sensitive features identified in Chapter 17.28 of this code than would have occurred had the development proceeded in conformance with the previous approval.
  - m. In the judgment of the commission, the planned unit development or portion thereof to be modified does not meet the criteria for inactivity of Section 17.40.120.H.4.a.

### **FIRE MARSHAL RECOMMENDATION**

#### **Approved with conditions**

- Fire code issues for the structure will be addressed at permit application review.

### **PUBLIC WORKS RECOMMENDATION**

#### **Approved with conditions**

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- Use existing solid waste and recycling container(s) on site.

### **STORMWATER RECOMMENDATION**

#### **Approved**

**WATER SERVICES RECOMMENDATION**

**Approved with conditions**

As all our previous issues have been addressed on the latest Final Site Plan revision (stamped received 2/16/16), MWS recommends approval, on the following condition:

- Approval does not apply to private water and sewer line design. Plans for these must be submitted and approved through a separate review process with Metro Water Permits, before their construction may begin.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approved with conditions**

- Angle parking spaces near building addition to allow adequate back-up space.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions.

**CONDITIONS**

1. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
2. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
3. 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.
4. Prior to or with any additional development applications for this property, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan.

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

**Resolution No. RS2016-76**

“BE IT RESOLVED by The Metropolitan Planning Commission that 70-81P-001 is **Approved with conditions. (6-0)**”

**CONDITIONS**

1. **This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.**
2. **The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.**
3. **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.**
4. **Prior to or with any additional development applications for this property, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan.**

**Subdivision: Concept Plans**

**18. 2016S-044-001**

**869 WEST TRINITY LANE**

Map 070-03, Parcel(s) 006

Map 070-07, Parcel(s) 007, 060-063

Council District 02 (DeCosta Hastings)

Staff Reviewer: Alex Deus

A request for concept plan approval to create 66 lots on properties located at Day Street (unnumbered), Overall Street (unnumbered), 869 and 1005 W. Trinity Lane and W. Trinity Lane (unnumbered), approximately 440 feet east of Old Buena Vista Road (22.64 acres), zoned RS20 and RS7.5, requested by Civil Site Design Group, PLLC, applicant; Trinity Lane Realty, LLC and Tara Bhikia, owners.

**Staff Recommendation: Approve the variance request and approve the concept plan with conditions.**

**APPLICANT REQUEST**

**Create 66 clustered single-family lots.**

### Concept Plan

A request for concept plan approval to create 66 lots on properties located at Day Street (unnumbered), Overall Street (unnumbered), 869 and 1005 W. Trinity Lane and W. Trinity Lane (unnumbered), approximately 440 feet east of Old Buena Vista Road (22.64 acres), zoned Single-Family Residential (RS20) and Single-Family Residential (RS7.5).

### **Existing Zoning**

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. *RS7.5 would permit a maximum of 123 units.*

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. *RS20 would permit a maximum of 4 units.*

### **CRITICAL PLANNING GOALS**

- Preserves Sensitive Environmental Features
- Creates Open Space
- Creates Walkable Neighborhoods

The cluster lot option allows for the creation of open space and the preservation of natural resources. There are two streams located on the site that are preserved and open spaces are being created; steep slopes are minimally disturbed. The cluster lot option also requires active open space which this plan provides. Sidewalks are proposed along all streets creating a walkable neighborhood.

### **BORDEUAX WHITES CREEK COMMUNITY PLAN**

T3 Suburban Neighborhood Evolving (T3 NE) is intended to create suburban neighborhoods that provide more opportunities for housing choice and improved pedestrian, bicycle and vehicular connectivity. The resulting development pattern will have higher densities than many existing suburban neighborhoods and/or smaller lot sizes, with a broader range of housing types providing housing choice. This reflects the scarcity of easily developable land without sensitive environmental features and the cost of developing housing. These are challenges that were not faced when the original suburban neighborhoods were built.

### **PLAN DETAILS**

The site plan proposes 66 single-family residential lots. The primary entrance to the subdivision would come from West Trinity Lane (proposed Road A) and connect to proposed Road B. Road B is stubbed to the property line on the western portion of the site allowing for future connectivity. On the eastern side, Road B provides a connection to Walker Lane, which was previously a dead end street. All proposed streets have sidewalks built to local street standards.

Appropriate buffer yards are provided along the northwestern and eastern property lines. There are two streams located on this site; one is located on the western portion of the site and the other in the center of the site. There is a pavilion proposed adjacent to the central stream. A 100-foot wide TVA easement traverses the properties.

### **ANALYSIS**

The cluster lot option in the Zoning Code allows for flexibility of design, the creation of open space and the preservation of natural features in single-family (RS) and one and two-family (R) zoning districts. In exchange, lots are allowed to contain less land area than what is normally required by the base zoning district. The minimum lot area within a cluster subdivision can be reduced down to two smaller base zone districts. With this plan, the applicant is proposing to cluster the parcels zoned RS7.5 to RS3.75, although the smallest lots of this plan are generally around 5,000 square feet. The parcel zoned RS20 contains lots clustered to RS10.

In cluster lot subdivisions a minimum of 15 percent of each phase of the development shall be open space. This concept plan meets these requirements in each of the two phases. Developers are also required to install recreational facilities within a portion of the open space. The applicant has proposed a pavilion along the stream buffer located in the center of the site.

The Zoning Code requires that perimeter lots abutting a conventional R or RS zoning district that are clustered to zoning districts have a standard C landscape buffer yard located within the common open space. The plan meets this requirement.

The Subdivision Regulations require the use of an interconnected street system to disperse traffic and provide maximum alternatives for access. This application achieves this requirement as it provides a connection to Walker Lane; this provides connectivity to West Trinity Lane for the subdivision to the north of this site. The western terminus of Road B extends to the property line, providing for future connectivity to Old Buena Vista Road.

The Subdivision Regulations also requires that sidewalks be provided along new subdivision streets. The concept plan provides five foot sidewalks on both sides of proposed streets. An eight foot sidewalk and a four foot planting strip have been proposed along West Trinity Lane, consistent with the Major and Collector Street Plan.

Section 3-9.2(i).2 requires that the maximum length of dead end streets with turnarounds shall be 750 feet. The applicant does not meet this requirement along the western portion of proposed Road B and is requesting a variance from this section of the

Subdivision Regulations. As proposed, the length of Road B from its intersection with Road A extends 1,200 feet, 450 feet greater than what is permitted.

**Variance Request**

The applicant has indicated that Section 3-9.2(i).2 creates two hardships. The first is that the configuration of the site does not allow the applicant the opportunity to create additional street networks within the proposed development and the second being that the lack of stub-roads surrounding this portion of the site does not allow connectivity, as properties to the north have already been developed. The applicant has indicated that if they were forced to comply with this provision they would be unable to develop a large portion of the property. Additionally, the applicant is proposing to stub Road B to the western property line allowing for a potential future connection to Old Buena Vista Pike.

**Variance Standards**

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

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

Staff recommends approval of the variance request for the maximum length of a dead end street as this requests meets the requirements for a variance stated in the Subdivision Regulations. This site is uniquely configured as it is surrounded by developed subdivisions to the north where there are no opportunities for connections. There are also environmental constraints that would prevent the applicant from creating additional street networks on this site. Given the proposal to stub Road B to provide for future connectivity to Old Buena Vista Road, granting of this variance would be appropriate.

**FIRE MARSHAL RECOMMENDATION**

**Approve with conditions**

- 2nd means of ingress/egress for the subdivision was provided. Fire Code issues for the structures will be addressed at permit application review.

**STORMWATER RECOMMENDATION**

**Approve**

**PUBLIC WORKS RECOMMENDATION**

**Conditions if approved**

- This development will require Public Works approval of detailed construction plans prior to grading the site. Plans must comply with the design regulations established by the Department of Public Works. Final design and improvements may vary based on actual field conditions.

**TRAFFIC & PARKING RECOMMENDATION**

**Conditions if approved**

- Provide adequate sight distance at access road at West Trinity Lane.
- An access study is required prior to final subdivision approval.

**WATER SERVICES RECOMMENDATION**

**Approve with conditions**

- Approved as a Concept Plan only. Public water and sewer construction plans must be submitted and approved prior to Final Site Plan/Development Plan approval. These approved construction plans must match the Final Site Plan/Development Plan. The required capacity fees must also be paid prior to Final Site Plan/Development Plan Approval.

**STAFF RECOMMENDATION**

Staff recommends approval of the variance request and approval of the concept plan with conditions.

**CONDITIONS**

1. Provide 8 foot sidewalk and 4 foot planting strip along West Trinity Lane.
2. Add the following note to the plan: The final site plan/building permit site plan shall depict a minimum 5 foot clear path of travel for pedestrian ways, including public sidewalks, and the location of all existing and proposed obstructions. Prior to the

issuance of use and occupancy permits, existing obstructions within the path of travel shall be relocated to provide a minimum of 5 feet of clear access.

3. Add the following note to the plan: No parking is permitted between the primary structure and street. Hard surfaces for vehicular access shall be limited to a 16' driveway between the primary structure and the street.

Approve the variance request and approve the concept plan with conditions. (6-0), Consent Agenda

**Resolution No. RS2016-77**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2016S-044-001 is **Approved for the variance request and approved the concept plan with conditions. (6-0)**"

**CONDITIONS**

1. Provide 8 foot sidewalk and 4 foot planting strip along West Trinity Lane.

2. Add the following note to the plan: The final site plan/building permit site plan shall depict a minimum 5 foot clear path of travel for pedestrian ways, including public sidewalks, and the location of all existing and proposed obstructions. Prior to the issuance of use and occupancy permits, existing obstructions within the path of travel shall be relocated to provide a minimum of 5 feet of clear access.

3. Add the following note to the plan: No parking is permitted between the primary structure and street. Hard surfaces for vehicular access shall be limited to a 16' driveway between the primary structure and the street.

## **Subdivision: Final Plats**

### **19. 2014S-050-001**

**3335 WALTON LANE**

Map 051, Parcel(s) 125

Council District 08 (Nancy VanReece)

Staff Reviewer: Jason Swaggart

A request for final plat approval to create four lots on property located at 3335 Walton Lane, approximately 600 feet west of Ellington Parkway, zoned RS10 (1.58 acres), requested by Campbell, McRae & Associates, Inc., applicant; Southernmost Homes, Inc., owner.

**Staff Recommendation: Defer to the March 24, 2016, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2014S-050-001 to the March 24, 2016, Planning Commission meeting. (6-0)**

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## **L. OTHER BUSINESS**

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### 20. Employee contract amendment for Carrie Logan and Brandon Burnette

Approve (6-0), Consent Agenda

**Resolution No. RS2016-78**

"BE IT RESOLVED by The Metropolitan Planning Commission that the Employee contract amendment for Carrie Logan and Brandon Burnette is **Approved. (6-0)**"

### 21. Certification of Bonus Height Compliance for Lifeway at Capitol View

**Staff Recommendation: Approve Certification of Compliance with conditions.**

**BACKGROUND**

The Downtown Code requires Planning Commission certification of compliance with the provisions of the Bonus Height Program (when those provisions are utilized for a development), before building permits can be issued.

**APPLICANT REQUEST**

Certification of compliance with the Downtown Codes (DTC's) Bonus Height Program (BHP) for LifeWay at Capitol View development located at the block bounded by Jo Johnston Avenue, 11<sup>th</sup> Avenue North, Clinton Street, and Interstate 40, in the Gulch North Subdistrict of the DTC. The applicant has utilized the Underground Parking and Pervious Surface provisions to allow two additional stories of bonus height, bringing the total height of the project to nine stories (seven stories by-right, and two stories via the BHP), per the Downtown Code.

## ANALYSIS

The DTC Bonus Height Program allows bonus height to be permitted if certain public benefit uses are met. The public benefits being provided in exchange for bonus height are:

### Underground Parking

- The number of square feet of Bonus Height shall be equal to the number of square feet in Underground Parking. The additional square footage may be used to the Bonus Height Maximum as determined on the BHP Chart.

### Pervious Surface

- The number of square feet of Bonus Height shall be twice that of the number of square feet of Pervious Surface. The additional square footage may be used to the Bonus Height Maximum as determined on the BHP Chart.

The Bonus Height Program Chart (BHP) allows up to two bonus stories for each category: Underground Parking and Pervious Surface. Approximately 43,600 SF of Underground Parking is provided, resulting in a bonus square footage of 43,600 SF (Underground Parking SF x 1). Approximately 8,600 SF of Pervious Surface is proposed, resulting in a bonus square footage of 17,200 SF (Pervious Surface SF x 2). The derived bonus square footage totals 60,800 SF, and is being used towards two bonus stories totaling 60,000 SF (30,000 SF each).

This utilization is compliant with the DTC Bonus Height Program. Per the Downtown Code, the remaining un-used bonus square footage would be eligible for the BHP transfer of development rights, upon the project receiving its final certificate of occupancy.

## STAFF RECOMMENDATION

*Approve Certification of Compliance with conditions.* Staff recommends the Certification of Compliance with the DTC's Bonus Height Program provisions with the following condition:

### CONDITIONS

1. Final permit drawings shall include the minimum bonus square footages as described herein, in order to achieve the additional stories of bonus height as proposed.

Approve with conditions. (5-0-1), Consent Agenda

### **Resolution No. RS2016-79**

"BE IT RESOLVED by The Metropolitan Planning Commission that the Certification of Bonus Height Compliance for Lifeway at Capitol View is **Approved with conditions. (5-0-1)**"

### CONDITIONS

1. Final permit drawings shall include the minimum bonus square footages as described herein, in order to achieve the additional stories of bonus height as proposed.

## 22. Certification of Bonus Height Compliance for 6th Avenue South and Lea Avenue

**Staff Recommendation: Approve Certification of Compliance with conditions.**

### BACKGROUND

**The Downtown Code requires Planning Commission certification of compliance with the provisions of the Bonus Height Program (when those provisions are utilized for a development), before building permits can be issued.**

### APPLICANT REQUEST

Certification of compliance with the Downtown Codes (DTC's) Bonus Height Program (BHP) for Sixth and Lea multi-family and mixed use development located at 516 6<sup>th</sup> Avenue South and 512 Lea Avenue, in the Lafayette Subdistrict of the DTC. The applicant has utilized the Upper Level Garage Liner, Underground Parking, and Public Parking provisions to allow two additional stories of bonus height, bringing the total height of the project to 10 stories (eight stories by-right, and two stories via the BHP), per the Downtown Code.

### ANALYSIS

The project previously obtained Certification of Bonus Height Compliance for one story on 4/9/2015. However, redesign of the project necessitates the proposed Bonus Height is certified for compliance based upon the current proposed design. The DTC Bonus Height Program allows bonus height to be permitted if certain public benefit uses are met. The public benefits being provided in exchange for bonus height are:

### Upper Level Garage Liner

- The number of square feet of Bonus Height shall be twice that of the number of square feet in Garage Liners. The additional square footage may be used to the Bonus Height Maximum as determined on the BHP Chart.



Underground Parking

- The number of square feet of Bonus Height shall be equal to the number of square feet in Underground Parking. The additional square footage may be used to the Bonus Height Maximum as determined on the BHP Chart.

Public Parking

- The number of square feet of Bonus Height shall be twice that of the number of square feet in Public Parking. The additional square footage may be used to the Bonus Height Maximum as determined on the BHP Chart.
- Public Parking shall be clearly marked as public, and shall be accessible to the public, at all hours that the garage is open, for the lifetime of the building.

The Bonus Height Program Chart (BHP) allows up to two bonus stories for the Upper Level Garage Liners and Underground Parking category, and the Public Parking category. Approximately 10,960 SF of Upper Level Garage Liners (along the 6<sup>th</sup> Avenue South frontage) is provided, resulting in a bonus square footage of 21,920 SF (Upper Level Garage Liner SF x 2). Approximately 23,338 SF of Underground Parking is provided, resulting in a bonus square footage of 23,338 SF (Underground Parking SF x 1). Approximately 17,770 SF of Public Parking is proposed, resulting in a bonus square footage of 35,540 SF (Public Parking SF x 2). The derived bonus square footage totals 80,798 SF, and is being used towards two bonus stories totaling 60,222 SF.

This utilization is compliant with the DTC Bonus Height Program. Per the Downtown Code, the remaining un-used bonus square footage would be eligible for the BHP transfer of development rights, upon the project receiving its final certificate of occupancy.

**STAFF RECOMMENDATION**

*Approve Certification of Compliance with conditions.* Staff recommends the Certification of Compliance with the DTC’s Bonus Height Program provisions with the following conditions:

**CONDITIONS**

1. Final permit drawings shall include the minimum bonus square footages as described herein, in order to achieve the additional stories of bonus height as proposed.
2. Prior to building permit issuance, a binding commitment must be recorded with the Register of Deeds to ensure the Public Parking is provided for the lifetime of the building, as required by the DTC Bonus Height Program.

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

**Resolution No. RS2016-80**

“BE IT RESOLVED by The Metropolitan Planning Commission that the Certification of Bonus Height Compliance for 6th Avenue South and Lea Avenue is **Approved with conditions. (6-0)**”

**CONDITIONS**

1. Final permit drawings shall include the minimum bonus square footages as described herein, in order to achieve the additional stories of bonus height as proposed.
2. Prior to building permit issuance, a binding commitment must be recorded with the Register of Deeds to ensure the Public Parking is provided for the lifetime of the building, as required by the DTC Bonus Height Program.

23. Historic Zoning Commission Report

24. Board of Parks and Recreation Report

25. Executive Committee Report

26. Accept the Director's Report and Approve Administrative Items

Approve (6-0), Consent Agenda

**Resolution No. RS2016-81**

“BE IT RESOLVED by The Metropolitan Planning Commission that the Director’s Report and Administrative Items are **Approved. (6-0)**”

27. Legislative Update

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## **M. MPC CALENDAR OF UPCOMING MATTERS**

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**March 10, 2016**

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

**March 21, 2016**

MPC Workshop on Inclusionary Housing

5:30pm – 7:30pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center

**March 24, 2016**

MPC Workshop on Capital Improvements Budget

2:30pm – 3:30pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center

**March 24, 2016**

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

**April 14, 2016**

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

**April 28, 2016**

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

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## **N. ADJOURNMENT**

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The meeting adjourned at 5:55 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: March 10, 2016  
To: Metropolitan Nashville-Davidson County Planning Commissioners  
From: J. Douglas Sloan III  
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: Allen; Farr; McLean; Adkins
  - b. Leaving Early: Haynes (6pm); Gee (5:30p)
  - c. Not Attending: Hagan-Dier; Blackshear; Dalton
2. Legal Representation – Emily Lamb will be attending

**B. Executive Office**

1. We continue to build alliances with Metro Schools. This week, we met with McKissack Middle School. Several of their teachers will be visiting us during their planning time this spring and learning about the Community Plans process so they can incorporate planning concepts in their lesson plans for this fall.

**C. Community Plans/Design Studio**

1. We are continuing to interview for the open Planner II position.

**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 02/29/2016**.

<b>APPROVALS</b>	<b># of Applics</b>	<b># of Applics '16</b>
Specific Plans	0	8
PUDs	0	2
UDOs	1	2
Subdivisions	3	15
Mandatory Referrals	3	23
<b>Grand Total</b>	7	50

<b>SPECIFIC PLANS (finals only): MPC Approval</b>						
<b>Finding: Final site plan conforms to the approved development plan.</b>						
<b>Date Submitted</b>	<b>Staff Determination</b>		<b>Case #</b>	<b>Project Name</b>	<b>Project Caption</b>	<b>Council District # (CM Name)</b>
<b>NONE</b>						

<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>						
<b>Date Submitted</b>	<b>Staff Determination</b>		<b>Case #</b>	<b>Project Name</b>	<b>Project Caption</b>	<b>Council District # (CM Name)</b>
10/16/2015 14:26	2/22/2016	APADMIN	2004UD-002-008	VILLAGES OF RIVERWOOD PHASE 5	A request for final site plan for a portion of the Villages of Riverwood Urban Design Overlay located at Hoggett Ford Road (unnumbered), at the terminus of Stonewater Drive (23.55 acres), to permit 90 dwelling units, zoned RM9, requested by Ragan-Smith-Associates Inc., applicant; Beazer Homes Corp., owner.	14 (Kevin Rhoten)

<b>PLANNED UNIT DEVELOPMENTS (finals and variances only) : MPC Approval</b>						
<b>Date Submitted</b>	<b>Staff Determination</b>		<b>Case #</b>	<b>Project Name</b>	<b>Project Caption</b>	<b>Council District # (CM Name)</b>
<b>NONE</b>						

### MANDATORY REFERRALS: MPC Approval

Date Submitted	Staff Determination		Case #	Project Name	Project Caption	Council District (CM Name)
2/11/2016 10:34	2/18/2016	RECOM APPR	2016M-006PR-001	THIRD AMENDMENT TO DOMESTIC VIOLENCE PROGRAM LEASE AGREEMENT	A request to approve the third amendment to the lease agreement between The Metropolitan Government of Nashville and Davidson County and Greensboro I, L.P., extending the term and amending the rent and the auxiliary parking provisions for the Domestic Violence Program, requested by the Metro Finance Department.	19 (Freddie O'Connell)
2/11/2016 13:47	2/18/2016	RECOM APPR	2016M-001SR-001	ROSECLIFF DRIVE STREET RENAMING	A request to rename a portion of "unimproved" Rosecliff Drive to Colbert Drive from Rosebank Avenue westward to the terminus, requested by Metro Public Works, applicant; Joule, LLC and Metro Government Nashville Electric Power Board; owners.	07 (Anthony Davis)
2/11/2016 13:04	2/18/2016	RECOM APPR	2016M-007PR-001	NORTH GULCH PROPERTY DONATION	A request to authorizing The Metropolitan Government of Nashville and Davidson County to enter a participation agreement for the construction of public infrastructure improvements and to accept a donation of real property for park purposes in the North Gulch area, requested by the Metro Legal Department.	19 (Freddie O'Connell)

### 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)
4/10/2015 8:35	2/18/2016	RECOM APPR	2014S-170-002	EARHART ROAD (DEVELOPMENT PLAN)	A request for final site plan approval to create 49 clustered lots and open space on properties located at 3110, 3112 and 3114 Earhart Road and at 5545 Chestnutwood Trail, approximately 230 feet south of Interstate 40, zoned RS15 (20.01 acres), requested by Diamond Corp., owner; Dale & Associates, applicant.	12 (Steve Glover)
12/31/2015 10:49	2/22/2016	RECOM APPR	2016S-030-001	CLARK PLACE, REVISION LOTS 1 & 2	A request for final plat approval to dedicate right-of-way for Alley #116 on properties located at 201 8th Ave South and 805 Demonbreun Street, at the southwest corner of Demonbreun Street and 8th Avenue South, zoned DTC and located within the Arts Center Redevelopment District (3.59 acres), requested by Ragan-Smith & Associates, applicant; 8th & Demonbreun Hotel LP, owner.	19 (Freddie O'Connell)

### SUBDIVISIONS: Administrative Approval (cont.)

11/10/2015 14:35	2/25/2016	APADMIN	2016S-003-001	PLAN OF CHARLOTTE PARK, RESUB LOTS 1288 & 1289	A request for final plat approval to shift lot lines between lots located at 6537 Thunderbird Drive, approximately 200 feet west of I-40, zoned R10 (0.63 acres), requested by DBS & Associates Engineering, Inc., applicant, Kurio Properties, owner.	20 (Mary Carolyn Roberts)
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### Performance Bonds: Administrative Approvals

Date Approved	Administrative Action	Bond #	Project Name
2/23/16	Approved Extension	2014B-024-004	RIVER OAKS
2/25/16	Approved Extension	2013B-022-003	THE GROVE AT CANE RIDGE, PHASE 3
2/18/16	Approved Extension	2011B-001-006	VILLAGES OF RIVERWOOD, PHASE 3A, SECTION 1
2/24/16	Approved New	2016B-004-001	PADDOCK AT GRANDVIEW
2/23/16	Approved Extension	2011B-018-005	AARONS CRESS, PHASE 1A
2/23/16	Approved Extension	2011B-019-005	AARONS CRESS, PHASE 1B

#### Schedule

- A. **Thursday, March 10, 2016** - [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- B. **Thursday, March 24, 2016** - [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- C. **Thursday, April 14, 2016** - [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- D. **Thursday, April 28, 2016** - [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- E. **Thursday, May 12, 2016** - [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- F. **Thursday, May 26, 2016** - [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- G. **Thursday, June 9, 2016** - [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- H. **Thursday, June 23, 2016** - [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- I. **Thursday, July 28, 2016** - [MPC Meeting](#); 4pm, Metro Nashville Public Schools, Board Room, 2601 Bransford Avenue
- J. **Thursday, August 11, 2016** - [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- K. **Thursday, August 25, 2016** - [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- L. **Thursday, September 8, 2016** - [MPC Meeting](#); 4 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center