



METROPOLITAN PLANNING COMMISSION MINUTES

Thursday, March 24, 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

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
Jeff Haynes
Lillian Blackshear
Jennifer Hagan-Dier
Council Lady Burkley Allen

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

Commissioners Absent: Derrick Dalton, Hunter Gee, Jessica Farr, Stewart Clifton

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

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

Notice to Public

Please remember to turn off your cell phones.

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

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

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

Writing to the Commission

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

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

Speaking to the Commission

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

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

Legal Notice

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



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MEETING AGENDA

A. CALL TO ORDER

The meeting was called to order at 4:04 p.m.

B. ADOPTION OF AGENDA

Chairman McLean moved and Ms. Hagan-Dier seconded the motion to adopt the agenda. (6-0)

C. APPROVAL OF MARCH 10, 2016, MINUTES

Chairman McLean moved and Mr. Haynes seconded the motion to approve the March 10, 2016 minutes. (6-0)

D. RECOGNITION OF COUNCILMEMBERS

Council Lady Weiner spoke in favor of Item 14.

Councilman Scott Davis spoke in favor of Item 5.

E. MUSIC ROW UPDATE

Ms. McCullough presented the Music Row update.

F. ITEMS FOR DEFERRAL / WITHDRAWAL

2. **2016SP-011-001**
MT PISGAH SP
3. **2016SP-020-001**
ONE MUSIC CIRCLE SOUTH OFFICE
4. **2016SP-023-001**
BORDEAUX COMMONS SP
6. **85-85P-003**
BRENTWOOD COMMONS (HCA)
7. **2014S-050-001**
3335 WALTON LANE
- 8a. **2016CP-003-001**
BORDEAUX-WHITES CREEK PLAN AMENDMENT
- 8b. **2009SP-022-011**
THE MANSION AT FONTANEL (AMENDMENT)
9. **2016SP-018-001**
KEYSTONE & VERITAS
10. **2016Z-020PR-001**
11. **2016Z-025PR-001**
15. **2016S-062-001**
NOLAN COURT SUBDIVISION

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

Ms. Blackshear recused herself from Items 3 and 6.

Mr. Haynes recused himself from Item 6.

G. CONSENT AGENDA

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

12. 2005P-033-004

WHITLAND CROSSING (BOJANGLES)

13. 23-85P-001

FOREST VIEW PARK

14. 94P-025-001

BELLEVUE COMMERCIAL PUD (PERIODIC REVIEW)

16. Employee contract renewal for Stephanie McCullough

17. Contract between TDOT and the MPC on behalf of the MPO for federal pass-thru grant funding to carryout federally-required transportation planning activities for fiscal years 2016 and 2017

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

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

H. PREVIOUSLY DEFERRED ITEMS

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

Specific Plans

1. 2015SP-103-001

MADISON MILL LOFTS

Map 091-16, Parcel(s) 163
Council District 24 (Kathleen Murphy)
Staff Reviewer: Lisa Milligan

A request to rezone from IR to SP-MU zoning for property located at 4101 Charlotte Avenue, at the southeast corner of the intersection of Charlotte Avenue and 42nd Avenue N. (7.1 acres), to permit a mixed use development with up to 12,000 square feet of non-residential uses and up to 317 multi-family residential dwelling units and up to 5 single-family dwelling units, requested by Fulmer Engineering, LLC, applicant; Thomas Patten, owner.

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

APPLICANT REQUEST

Permit a mixed-use development with up to 322 residential units and up to 12,000 square feet of non-residential uses.

Preliminary SP

A request to rezone from Industrial Restrictive (IR) to Specific Plan – Mixed Use (SP-MU) for property located at 4101 Charlotte Avenue, at the southeast corner of the intersection of Charlotte Avenue and 42nd Avenue N. (7.1 acres), to permit a mixed use development with up to 12,000 square feet of non-residential uses, up to 317 multi-family residential dwelling units, and up to 5 single-family dwelling units.

History

The Madison Mill SP was initially submitted in October 2015. The SP was scheduled to be considered by the Planning Commission on December 10, 2015, with a plan that included 450 multi-family units, seven single-family lots and up to 10,000 square feet of non-residential uses. The applicant requested a deferral prior to the public hearing. Following the deferral, a revised plan was submitted that included up to 400 multi-family units and up to 10,000 square feet of non-residential uses. A public hearing was held and the revised plan was considered by the Metro Planning Commission on January 14, 2016. The Planning Commission deferred the item at its January 14, 2016, meeting to allow for additional time for the developer to work with the neighborhood and revise the plan.

Existing Zoning

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

Proposed Zoning

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

CRITICAL PLANNING GOALS

- Supports Infill Development
- Creates Walkable Neighborhoods
- Supports a Variety of Transportation Choices
- Promotes Compact Building Design

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. Sidewalks are being provided along Charlotte Avenue and along 42nd Avenue North and create a more pedestrian-friendly and walkable area. Also, the mixture of uses on a single site encourages walking and promotes an active streetscape. The SP proposes additional density in an area adequately served by a variety of transportation choices including streets, a bike lane, sidewalks, and public transit along Charlotte Avenue. The development utilizes structured parking and mixed uses to promote compact building design.

WEST NASHVILLE COMMUNITY PLAN

T4 Urban Mixed Use Corridor (T4 CM) is intended to enhance urban mixed use corridors by encouraging a greater mix of higher density residential and mixed use development along the corridor, placing commercial uses at intersections with residential uses between intersections; creating buildings that are compatible with the general character of urban neighborhoods; and a street design that moves vehicular traffic efficiently while accommodating sidewalks, bikeways, and mass transit.

Special Policy – 07-T4-CM-02 applies to the portion of the property within the T4 CM policy area. The Special Policy addresses several design elements including access, height, connectivity, parking location, and appropriate zoning districts. Based on the Special Policy, no additional access points should be provided along Charlotte Avenue, appropriately wide sidewalks and pedestrian amenities shall be provided, and parking shall be located primarily behind the building. For the property in question, the building height should range from two stories minimum to four stories maximum. Zoning districts in the special policy area are limited to design based zoning districts based on MUL-A, OR20-A, or RM20-A districts.

T4 Urban Neighborhood Maintenance (T4 NM) is intended to preserve the general character of existing urban neighborhoods. T4 NM areas will experience some change over time, primarily when buildings are expanded or replaced. When this occurs, efforts should be made to retain the existing character of the neighborhood. Enhancements may be made to improve pedestrian, bicycle and vehicular connectivity. Areas with adequate infrastructure, access, the ability to form transitions and support existing or proposed mass transit and the viability of consumer business, such as along corridors, are most appropriate for higher density.

Consistent with Policy?

Yes. The proposed SP is consistent with both the T4 Urban Mixed Use Corridor policy and the T4 Urban Neighborhood Maintenance policy. The plan provides for additional residential units in an urban area where said units are appropriate, while also providing a transition to the single-family neighborhood to the west. The mixed use portion of the development is located along Charlotte Avenue within the Mixed Use Corridor policy area. Charlotte Avenue is designated by the Major and Collector Street Plan as an arterial. The land use policy along Charlotte Avenue is a T4 Urban Mixed Use Corridor with a Special Policy calling for heights ranging from a minimum of two stories to a maximum of four stories. The building is proposed at four stories along Charlotte Avenue, including one story of non-residential uses with three stories of residential above, consistent with the goals of the Special Policy.

The additional multi-family uses are located within the T4 Urban Neighborhood Maintenance policy. The plan as proposed is appropriate in that it moves the site away from an incompatible use and closer to the policy, it transitions from the corridor to the neighborhood interior, and it is located along a High Capacity Transit Corridor and within an Infill/Transition area as defined by the NashvilleNext Growth and Preservation Concept Map.

The site is currently zoned for industrial uses and is in use as a limited manufacturing facility. The Community Character Manual gives specific guidance to the redevelopment of non-residential sites within the T4 Urban Neighborhood Maintenance policy, such as this site.

The policy states: Established T4 Urban Neighborhood Maintenance areas may include areas of vacant, underutilized, or land in a nonresidential use that could redevelop. Examples could include large tracts of undeveloped land, an undeveloped farm, a former country club or church, etc. These areas are different from Neighborhood Evolving areas because they are generally smaller and interior to Neighborhood Maintenance areas. Such areas may be developed or redeveloped with a broader mix of housing types than the rest of the Neighborhood Maintenance area subject to appropriate design that transitions in building type, massing, and orientation in order to blend new development into the surround neighborhood. (Page 246, Community Character Manual)

Along Charlotte Avenue and adjacent to the railroad, the building is a maximum height of four stories. Along 42nd Avenue North, closest to Charlotte Avenue and adjacent to the existing commercial building, the height is proposed at two stories at the street, then steps back to three stories as the building transitions away from the single-family neighborhood on the west side of 42nd Avenue North. South of the entrance drive, which aligns with Park Avenue, the plan proposes five single-family homes at two stories. There are three story townhomes proposed behind the single-family homes. The single-family homes will act as a transition to the existing single-family residential neighborhood west of 42nd Avenue North. The heights, as well as a grade change from 42nd Avenue into the site, combine to provide for an appropriate transition of the proposed development into the surrounding neighborhood.

Additionally, the T4 Neighborhood Maintenance policy states that building height, form and orientation fit with the urban character and development pattern of the specific area. Areas along corridors with existing or planned transit are most appropriate for higher densities. Heights in Neighborhood Maintenance areas are generally one to three stories but heights up to four stories may be found abutting or adjacent to corridors. The site is located along the Charlotte Avenue corridor, a corridor with existing transit service, sidewalks, and bike lanes. The tallest portions of the proposed building are located adjacent to the corridor and a four story multi-family building that is under construction on the site east of the railroad tracks.

The Growth and Preservation Concept Plan that was adopted through the NashvilleNext project in June 2015 reflects the desires of the community in regards to how Nashville should grow. The Growth and Preservation Concept Plan identifies Centers and Corridors as being the areas where most future growth should take place. Infill development is encouraged along transit and multi-modal corridors. The Charlotte Pike corridor is identified in the NashvilleNext plan as an immediate need High Capacity Transit Corridor. Increasing density in appropriate locations along the routes will provide for needed riders to make enhanced transit services feasible along the routes. Additionally, the project site is identified in NashvilleNext as an Infill and Transition area because of its proximity to the corridor.

PLAN DETAILS

The site is located at 4101 Charlotte Avenue, on the east side of 42nd Avenue North. The site is approximately 7.1 acres in size and is currently being used as a limited manufacturing facility.

Site Plan

The plan proposes up to 317 multi-family residential dwelling units, up to five single-family residential units, and up to 12,000 square feet of non-residential uses. The multi-family units are made up of 295 stacked flats and 22 townhome units. There are four townhome units attached to the stacked flat building and an additional 18 townhome units located on the southern portion of the site. Within the mixed use building along Charlotte Avenue, a minimum of 7,000 square feet and a maximum of 12,000 square feet of non-residential use fronting Charlotte Avenue is proposed. The remainder of the building is proposed for multi-family residential units.

There is one vehicular access point proposed along Charlotte Avenue and three vehicular access points proposed along 42nd Avenue North. Parking is provided through structured parking within the mixed use building, garage parking for the townhomes and single-family residential units, and a small area of surface parking for guest parking for the single-family and townhome units south of the entrance drive. Parallel parking is proposed along the main interior drive. Sidewalks will be required to be improved along Charlotte Avenue to meet the Major and Collector Street Plan with a four foot planting strip/tree wells, eight foot sidewalk, and four foot frontage zone. Sidewalks are also proposed along 42nd Avenue North to tie in to the existing sidewalk to the south of the property. Internal sidewalks are provided as well as a trail in the open space adjacent to the railroad.

Most of the townhome units and a portion of the multi-family units front the open space creating a centralized amenity area and focal point for the residential units. Additionally, a series of internal publically accessible sidewalks are provided to allow for circulation throughout the site and to Charlotte Avenue.

The developer is proposing that 50% of the exterior facing ground floor multi-family units, excluding courtyard units, will have a stoop with a connection to the adjacent sidewalks. Elevations have been provided as part of the SP.

ANALYSIS

The proposed development provides for an urban development on an infill site. The current industrial zoning and use of the property is inconsistent with the T4 Urban Neighborhood Maintenance policy. With the adoption of NashvilleNext, the T4 Urban Neighborhood Maintenance Policy was updated to include specific guidance in regards to the redevelopment of existing non-residential sites within Neighborhood Maintenance areas, such as the subject property. Page 246 of the policy states "such areas may be developed or redeveloped with a broader mix of housing types than the rest of the Neighborhood Maintenance area subject to appropriate design that transitions in building types, massing, and orientation in order to blend new development into the surrounding neighborhood".

The Neighborhood Maintenance policy indicates that, in general, heights of one to three-stories are most appropriate and that additional height may be found abutting or adjacent to centers and corridors. The proposed height along Charlotte Avenue within the Mixed Use Corridor policy area is four stories, providing for an appropriate height along a major corridor. The project provides for an appropriate transition to the existing single-family neighborhood to the west. The maximum height along 42nd Avenue North is proposed at two stories. The inclusion of single-family homes fronting 42nd Avenue North provides for a transition to the existing single-family residential areas to the west. The single-family units also provide a screen for the multi-family units.

The location of the project along the Charlotte Avenue corridor is an appropriate location for an urban infill project and is keeping with the adopted NashvilleNext plan. The proposed development is moving the site closer to conformance with the policy and removing an industrial use from a residential neighborhood. Charlotte Avenue is identified in NashvilleNext as a High Capacity Transit Corridor and features a variety of transportation options which supports a development of this type. The open space located south of the entrance drive provides for a centralized amenity area for the residents as well as a focal point for the townhome units. Additionally, open space and a publicly accessible trail along the railroad further integrate the proposed development into the neighborhood. The proposed project has been designed in such a way that the tallest portions of the project are located adjacent to the corridor and adjacent to the four story multi-family development that is under construction on the adjacent site to the east providing for an appropriate development form given the scale of existing and proposed developments.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

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

STORMWATER RECOMMENDATION

Approve

WATER SERVICES RECOMMENDATION

Approve with conditions

- Approved as a Preliminary SP only. Public 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. Please update availability study before Final SP stage, to reflect the latest unit counts (this SP proposes less units than the latest availability study). This way, the applicant is not overcharged capacity fees.

PUBLIC WORKS RECOMMENDATION

Approved with conditions

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- Comply with MPW Traffic Engineer
- Prior Final SP, indicate that all driveways are to have MPW standard ST-324 driveway ramps.
- Add note that all improvements that were designed by MPW for Charlotte Ave are to be installed by this project. Coordinate with MPW Project Management to obtain design plans.
- Prior to Final SP approval submit copy of Cross Access Agreement. If Cross Access Agreement cannot be obtained then additional analysis will be required to justify any proposed access to Charlotte.
- Add note that prior to building permit approval applicant must obtain permit for all construction with TDOT ROW on Charlotte.

TRAFFIC AND PARKING RECOMMENDATION

In accordance with the TIS findings, developer shall install the following road and signal improvements.

Charlotte Avenue

- Based on discussions with Metro Public Works representatives, construction plans are in progress, which include restriping Charlotte Avenue between 42nd Avenue North and 40th Avenue North to provide a center turn lane. The plans for improvements also include reconstructing the traffic signal on Charlotte Avenue at 42nd Avenue and restriping the northbound and southbound approaches of 42nd Avenue North to provide dedicated left turn lanes. However, this project is not funded or scheduled for construction by MPW.
- The center turn lane with protected/permissive left turn phasing, as planned, will provide significant improvements for westbound left turns onto 42nd Avenue North. The center left turn lane will also provide improved operations and provide vehicle storage for westbound left turns entering the site access point on Charlotte Avenue.
- Therefore, the developer shall construct these roadway and signal improvements per final MPW construction plans as a condition of SP approval.

42nd Avenue North

- The existing curb-to-curb width of 42nd Avenue North between Charlotte Avenue and Elkins Avenue is extremely wide, but it varies along the length. The right-of-way is approximately 100 feet. One travel lane should be provided in each direction. On-street parallel parking should be provided along the both sides of 42nd Avenue North within the existing pavement width between Park Avenue and Elkins Avenue in order to narrow the travel width to discourage speeding.
- The centerline pavement markings on 42nd Avenue North should be refurbished between Charlotte Avenue and approximately 200 feet south of Dakota Avenue. The excess pavement width between Charlotte Avenue and Elkins Avenue shall be allocated to the travel lane, and bike sharrows pavement markings should be provided. The existing bike sharrows pavement markings should be removed as they are located where on-street parallel parking is recommended. Developer shall apply to T&P staff to allow parallel on-street parking.
- Metro standard 2.5-foot curb and gutter shall be constructed along the project site frontage on 42nd Avenue North.

Charlotte Avenue and 42nd Avenue North

- The intersection and traffic signal modifications per Metro Public Works signal construction plans will provide improvements that will accommodate the projected traffic at the intersection.
- Charlotte Avenue shall be restriped between 42nd Avenue North and 40th Avenue North to provide two lanes in each direction and one center turn lane.
- The northbound and southbound approaches of 42nd Avenue North shall be restriped to provide one left turn lane and one shared through right turn lane.
- The traffic signal shall be reconstructed with mast arm design. The traffic signal design will include protected/permissive left turn signal phasing for the westbound approach of Charlotte Avenue. Permissive signal phasing will be provided for the northbound and southbound approaches. The traffic signal and intersection design shall include pedestrian facilities for each leg of the intersection.

Charlotte Avenue and Shared Commercial Site Access

- Site access at Charlotte Avenue shall be provided by a shared access with the adjacent commercial property.
- The site access drive shall include one entering lane and two exiting lanes. The exiting lanes should be marked as one left turn lane and one right turn lane.
- Stop-sign control shall be provided for the site access drive.
- Construction plans to restripe Charlotte Avenue to provide a center turn lane, will provide a left turn lane for the project traffic entering the site at the shared commercial site access.

42nd Avenue North and Park Avenue/Park Avenue Extended (Private Drive)

- The site access shall be aligned with Park Avenue and include a minimum of one lane in each direction (one entering lane and one exiting lane).
- Stop-sign control shall be provided for the westbound approach of the site access drive.
- Crosswalks shall be provided on the north and south legs crossing 42nd Avenue North.
- ADA compliant curb ramps shall be provided for each corner of the intersection.
- Pedestrian warning signs with supplemental diagonal arrow signs shall be provided at each of the crosswalks.
- The existing vegetation on the west side of 42nd Avenue North between Park Avenue and Elkins Avenue should be trimmed back to improve intersection sight distance for vehicles turning left from Park Avenue and right from Elkins Avenue onto 42nd Avenue North. It appears all of the vegetation is located within the right-of-way.
- The existing vegetation on the west side of 42nd Avenue North between Charlotte Avenue and Park Avenue should be trimmed back to improve intersection sight distance for vehicles turning right from Park Avenue onto 42nd Avenue North. It appears all of the vegetation is located within the right-of-way.

Murphy Road and 42nd Avenue North

- The stop line pavement marking for the southbound approach of 42nd Avenue North at Murphy Road should be refurbished.

42nd Avenue North and Dakota Avenue

- Prior to Final site plan approval, developer shall apply to the T&P operations staff to determine if intersection traffic control should be modified.

Final SP site plan shall include signal construction plans and pavement markings and signage plans. 42nd Ave cross section modification will be determined at final site plan approval. Any trimming or removal of vegetation by developer shall occur only within the public ROW.

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)	7.1	0.60	185,565 SF	661	56	60

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	7.1	-	317 U	2045	160	192

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	7.1	-	5 U	48	4	6

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	7.1	-	12,000 SF	552	17	51

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+1,984	+125	+189

METRO SCHOOL BOARD REPORT

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

Projected student generation proposed SP-MU district: 16 Elementary 8 Middle 7 High

The proposed SP-MU zoning district could generate 31 more students than what is typically generated under the existing IR zoning district. Students would attend Sylvan Park 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 November 2015.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions as the plan meets several critical planning goals and provides for redevelopment of an industrial site in a manner that is more consistent with the land use policy for the area.

CONDITIONS

1. Permitted land uses shall be limited to up to 317 multi-family residential units, up to 5 single-family residential dwelling units, and a minimum of 7,000 square feet and a maximum of 12,000 square feet of retail and restaurant uses.
2. With the final site plan, sidewalks along Charlotte Avenue shall at a minimum meet the Major and Collector Street Plan (4 foot planting strip/tree well; 8 foot sidewalk; 4 foot frontage zone) and sidewalks along 42nd Avenue N shall meet the local street standards (4 foot planting strip; 5 foot sidewalk).
3. On the corrected set, update the parking table to include parking calculations for the maximum permitted non-residential square footage.
4. On the corrected set, add the following note: multi-family residential buildings and townhomes shall have a raised foundation a minimum of 18" and a maximum of 36", except where additional foundation is needed due to topography. Foundations over 36" without pedestrian entrances shall include articulation and landscaping elements
5. On the corrected set, update note 21 to reference the Park and Elkins Neighborhood Conservation Overlay.
6. On the corrected set, revise note 21 in regards to raised foundations to state as follows: For the single-family residential units raised foundations shall be a minimum of 12" and shall not exceed 36".
7. With the final site plan, provide detailed elevations of the single-family residential units consistent with the guidelines adopted for the Park and Elkins Neighborhood Conservation Overlay District.
8. On the corrected set, include the proposed floor area ratio.
9. Prior to the issuance of building permits, a public access easement must be recorded for the labeled Public Pedestrian Trail and open space.
10. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUL-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
11. 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.
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.
14. 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.

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

Ms. Blackshear recused herself.

Ms. Milligan presented the staff recommendation of reopening the public hearing and approving with conditions and disapproving without all conditions.

Vice Chair Adkins re-opened the Public Hearing.

Shawn Henry, 315 Deaderick Street, spoke in favor of the application because it addresses density, traffic, and transition into the neighborhood. The density is reduced by 25%, the number of vehicles on the site has been reduced by almost 20%, and the transition is occurring both north to south and east to west.

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

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

Tom White, 315 Heather Place, spoke in favor of the application as it is consistent with NashvilleNext.

Kurt (last name unclear), 4105 Utah Ave, spoke in favor of the application and noted the density is very well done.

Leigh Sutherland, 4102 Westlawn, spoke in favor of the application as the developer has expressed a desire and willingness to listen to the neighborhood and to heed the concerns of the community.

Taylor Sutherland, 4102 Westlawn, spoke in favor of the application because it will be a substantial improvement and a value to the neighborhood as a whole.

Zach Todd, 4208 Dakota Ave, spoke in favor of the application. Currently it is a derelict seven acre property. The developer has been very willing to work with the neighbors. This will be good for Nashville, Sylvan Park, and the Charlotte corridor.

Davender Sandhu, 220 30th Ave N, spoke in favor of the application.

Whitney Kemp, 5011 Idaho Ave, spoke in opposition to the application due to increased density and traffic concerns.

Mike Montgomery, 4502 Park Ave, spoke in opposition to the application because it will increase the number of residences in the entire Sylvan Park area from 17 to 20%.

Margo Chambers, 3803 Princeton Ave, spoke in opposition to the application.

Peter Brush, 4907 Wyoming Ave, spoke in opposition to the application because it is a Sylvan Park development, not a Charlotte corridor development.

Louise Hardaway, 4408 Wyoming Ave, spoke in opposition due to density and traffic concerns. This is not in compliance with NashvilleNext.

William Mitchell, 4116 Media St, spoke in opposition to the application due to increased traffic concerns.

Cheryl Pickney, 4604 Dakota Ave, spoke in opposition to the application as it does not fit with the character of the neighborhood and the density is too high.

Jeannine Brush, 4907 Wyoming Ave, spoke in opposition to the application as the majority of the traffic comes out onto 42nd.

Marijo Cook, 4303 Elkins Ave, spoke in opposition to the application.

Jim May, 233 54th Ave, spoke in opposition to the application.

Bernard Pickney, 4604 Dakota Ave, spoke in opposition to the application and noted the neighborhood association is overwhelmingly opposed to this plan.

James Trig, 5002 Wyoming Ave, spoke in opposition to the application and is against anything that doesn't involve single family dwellings.

Pat Williams, 4301 Elkins Ave, spoke in opposition to the application due to blasting and traffic concerns.

John Summers, 5000 Wyoming Ave, spoke in opposition to the application due to density and traffic concerns.

Barbara Quinn, 4114 Wyoming Ave, spoke in opposition to the application due to the increase in traffic.

Nick Bailey, 4700 Elkins Ave, spoke in opposition to the application due to increased density.

Kate (last name unclear), 3913 Elkins Ave, spoke in opposition to the application.

Catherine Hayden, 5000 Wyoming Ave, spoke in opposition to the application; 96% of people surveyed were in opposition to this project; it does not comply with NashvilleNext.

Council Lady Murphy spoke in opposition to the application; this proposal does not meet the goals of the general plan.

Vice Chair Adkins closed the Public Hearing.

Mr. Haynes expressed concern with the distance from the southern third of the units to the parking garage; also concerned that the Elkins connection point isn't fully aligned with Elkins across the street. The overall proposed density seems too high.

Ms. Hagan-Dier noted that the density and traffic are her two major concerns.

Council Lady Allen agreed that the southern units are a long way from the parking garage. Traffic also is a concern as it seems to be headed mostly to 42nd.

Council Lady Allen moved and Mr. Haynes seconded the motion to defer indefinitely. (4-1-1) Chairman McLean voted against. Ms. Blackshear recused herself.

The Metropolitan Planning Commission indefinitely deferred 2015SP-103-001. (4-1-1)

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 April 14, 2016, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2016SP-011-001 to the April 14, 2016, Planning Commission meeting. (6-0)

3. 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 April 14, 2016, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2016SP-020-001 to the April 14, 2016, Planning Commission meeting. (5-0-1)

4. 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 indefinitely.

The Metropolitan Planning Commission indefinitely deferred 2016SP-023-001. (6-0)

Zone Changes

5. 2016Z-023PR-001

Map 082-07-0-D, Parcel(s) 001-004, 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, 123, 125, and 127 Berry Street, at the northwest corner of North 2nd Street and Berry Street (0.17 acres), requested by Councilmember Scott Davis, applicant; East Nashville Holdings, LLC, owner.

Staff Recommendation: Disapprove.

APPLICANT REQUEST

Zone change from OR20 to RM40.

Zone Change

A request to rezone from Office/Residential (OR20) to Multi-Family Residential (RM40) zoning for properties located at 121, 121 B, 123, 125, and 127 Berry Street (0.17 acres), at the northwest corner of the North 2nd Street and Berry Street.

Existing Zoning

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

Proposed Zoning

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

CRITICAL PLANNING GOALS

N/A

EAST NASHVILLE COMMUNITY PLAN

T4 Urban Neighborhood Maintenance (T4 NM) policy is intended to preserve the general character of existing urban residential neighborhoods. T4 NM areas will experience some change over time, primarily when buildings are expanded or replaced. When this occurs, efforts should be made to retain the existing character of the neighborhood. T4 NM areas are served by high levels of connectivity with complete street networks, sidewalks, bikeways and existing or planned mass transit. Enhancements may be made to improve pedestrian, bicycle and vehicular connectivity.

Consistent with Policy?

No. The proposed RM40 zoning is inconsistent with the T4 Urban Neighborhood Maintenance policy. This policy is intended to preserve the general character of existing urban neighborhoods. Higher-density zonings within T4 NM policy areas are considered most appropriate along arterial-boulevards or abutting larger neighborhood centers where mass transit viability is most likely and infrastructure is adequate. Even where higher-density zonings may be appropriate, the highest density zoning consistent with T4 Neighborhood Maintenance policy is RM20-A. No provisions for pedestrian-friendly form would be required as the request is not for an alternative district. This rezoning would move the property further away from the goals of the policy.

ANALYSIS

The proposed RM40 zoning is inconsistent with the T4 Urban Neighborhood Maintenance policy as it is too intense for the proposed site and does not offer the pedestrian-friendly standards desired for higher intensity zonings under the 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: **OR20**

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)	0.17	20 U	3 U	20	2	2

Maximum Uses in Proposed 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)	0.17	20 U	6 U	40	4	4

Traffic changes between maximum: **OR20 and RM40**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+ 3 U	+20	+2	+2

METRO SCHOOL BOARD REPORT

Projected student generation existing OR20 district: **2** Elementary **1** Middle **1** High
 Projected student generation proposed RM40 district: **3** Elementary **2** Middle **1** High

The proposed RM40 zoning district could be expected to generate two additional students. Students would attend Caldwell 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 disapproval as the rezoning is inconsistent with policy.

Ms. Moukaddem presented the staff recommendation of disapproval.

Chris Choate, 1824 Tammony Drive, spoke in favor of the application and stated he would never do anything but try to make East Nashville a better place.

Nick Irwin, 808 Stockell St, spoke in favor of the application; this type of development is wanted in the neighborhood.

Brenda Ross, 813 Stockell St, spoke in favor of the application.

Josh Ellis, 1115 N 2nd St, spoke in favor of the application.

Vice Chair Adkins closed the Public Hearing.

Chairman McLean spoke in favor of the project but suggested a deferral to allow for an SP.

Ms. Blackshear spoke in favor of the project but clarified that the commission can't vote to approve if the policy is in conflict with the rezoning.

Ms. Hagan-Dier spoke in favor of the project but stated it doesn't meet policy.

Mr. Haynes moved and Ms. Blackshear seconded the motion to disapprove. (5-1) Council Lady Allen voted against.

Resolution No. RS2016-82

"BE IT RESOLVED by The Metropolitan Planning Commission that 2016Z-023PR-001 is Disapproved. (5-1)

Planned Unit Developments

6. 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 April 14, 2016, Planning Commission meeting.

The Metropolitan Planning Commission deferred 85-85P-003 to the April 14, 2016, Planning Commission meeting. (4-0-2)

Subdivision: Final Plats

7. 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 April 14, 2016, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2014S-050-001 to the April 14, 2016, Planning Commission meeting. (6-0)

I. COMMUNITY PLAN POLICY CHANGES AND ASSOCIATED CASES

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

Community Plan Amendments

8a. 2016CP-003-001

BORDEAUX-WHITES CREEK PLAN AMENDMENT

Map 040, Parcel(s) 093, 163
Council District 03 (Brenda Haywood)
Staff Reviewer: Anita McCaig

A request to amend the Bordeaux-Whites Creek Community Plan by expanding Special Policy Area 03-T2-CO-01 for the Fontanel property to apply to properties located at 4241 Whites Creek Pike and Whites Creek Pike (unnumbered), (31.18 acres), requested by EDGE Planning, Landscape Architecture, and Urban Design, applicant; Linda Jarrett and Melvin Brown, owners (See Also Specific Plan Case No. 2009SP-022-011).

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

The Metropolitan Planning Commission deferred 2016CP-003-001 to the April 28, 2016, Planning Commission meeting. (6-0)

8b. 2009SP-022-011

THE MANSION AT FONTANEL (AMENDMENT)

Map 040, Parcel(s) 093, 163
Map 049, Parcel(s) 200.01, 140, 319
Council District 03 (Brenda Haywood)
Staff Reviewer: Jason Swaggart

A request to amend the Mansion at Fontanel Specific Plan District for properties located at 4105, 4125, 4225, and 4241 Whites Creek Pike, and Whites Creek Pike (unnumbered), approximately 1,000 feet north of Lloyd Road (138.02 acres) and located within the Floodplain Overlay District, and the Whites Creek Historic District to add approximately 31.18 acres into the SP, and to relocate the proposed Rural Resort from the previously approved location to the newly added parcels, requested by EDGE Planning, Landscape Architects, applicant; Fontanel Properties LLC, Linda Jarrett, and Melvin Brown, owners (See also Associated Case # 2016CP-003-001).

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

The Metropolitan Planning Commission deferred 2009SP-022-011 to the April 28, 2016, Planning Commission meeting. (6-0)

J. RECOMMENDATIONS TO METRO COUNCIL

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

Specific Plans

9. 2016SP-018-001

KEYSTONE & VERITAS

Map 133-05, Parcel(s) 017
Council District 16 (Mike Freeman)
Staff Reviewer: Deborah Sullivan

A request to rezone from RS7.5 to SP zoning for property located at 500 Veritas Street, at the northwest corner of Keystone Avenue and Veritas Street (0.26 acres), to permit two residential units, requested by Dale & Associates, applicant; Lex & Co., LLC, owner.

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

The Metropolitan Planning Commission deferred 2016SP-018-001 to the April 14, 2016, Planning Commission meeting. (6-0)

Zone Changes

10. 2016Z-020PR-001

Map 091-05, Parcel(s) 234, 276
Council District 20 (Mary Carolyn Roberts)
Staff Reviewer: Latisha Birkeland

A request to rezone from R8 to RM15-A zoning for properties located at Laramie Avenue (unnumbered) and Nashua Lane (unnumbered), approximately 245 feet east of Waco Drive (3.07 acres), requested by Miken Development, LLC, applicant; TSMPC, LLC, owner.

Staff Recommendation: Defer indefinitely.

The Metropolitan Planning Commission indefinitely deferred 2016Z-020PR-001. (6-0)

11. 2016Z-025PR-001

Map 071-16, Parcel(s) 005
Council District 05 (Scott Davis)
Staff Reviewer: Karimeh Moukaddem

A request to rezone from RS5 to RM20-A zoning for property located at 1300 N 5th Street, at the northwest corner of N 5th Street and Douglas Avenue (0.34 acres), requested by Allison Patton, applicant and owner.

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

The Metropolitan Planning Commission deferred 2016Z-025PR-001 to the April 14, 2016, Planning Commission meeting. (6-0)

K. PLANNING COMMISSION ACTIONS

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

Planned Unit Developments

12. 2005P-033-004

WHITLAND CROSSING (BOJANGLES)

Map 096-09, Parcel(s) 226
Council District 15 (Jeff Syracuse)
Staff Reviewer: Deborah Sullivan

A request to revise the preliminary plan for a portion of the Whitland Crossing Planned Unit Development Overlay located on property at 420 Donelson Pike, approximately 210 feet south of Lakeland Drive (1.99 acres), zoned CL, to permit a 3,886 square foot restaurant, requested by Bojangles Restaurant, Inc., applicant; Donelson Springs LLC, owner.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Revise a portion of the Planned Unit Development to permit a 3,886 square foot restaurant.

Revise PUD

A request to revise the preliminary plan for a portion of Whitland Crossing Planned Unit Development Overlay District for property located at 420 Donelson Pike, approximately 210 feet south of Lakeland Drive, zoned Commercial Limited (CL) (1.99 acres), to permit a 3,886 square-foot restaurant.

Existing Zoning

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

Planned Unit Development Overlay District (PUD) is an alternative zoning process that allows for the development of land in a well-planned and coordinated manner, providing opportunities for more efficient utilization of land than would otherwise be permitted by the conventional zoning provisions of this title.

CRITICAL PLANNING GOALS

N/A

PLAN DETAILS

The site is located within the Whitland Crossing PUD, approved in 2006, to permit an 8,000 square-foot restaurant, 5,500 square-foot bank, and 54 multi-family units. The bank and multi-family units are constructed. In 2009, the PUD was amended to permit an 18,900 square-foot office building where the 8,000 square-foot restaurant was previously approved, which was subsequently revised in 2010 to allow two office buildings totaling 17,220 square feet. The proposed revision is to permit a 3,886 square-foot fast-food restaurant.

Site Plan

The plan calls for a 3,886 square-foot restaurant with drive-thru. The site will be accessed from two points on Whitland Crossing Drive. Right-of-way is proposed to be dedicated along Donelson Pike to accommodate the requirements of the Major and Collector Street Plan, to include a 6 foot planting strip and an 8 foot sidewalk. The proposal includes 57 parking spaces, exceeding the 39 spaces required for the restaurant.

ANALYSIS

Staff finds the proposed revision with the overall concept of the PUD. Staff finds that the proposal is a minor modification.

Section 17.40.120.F permits the Planning Commission to establish the types of changes that require Metro Council concurrence. Staff finds that the request does not meet the threshold for Metro Council concurrence and may be approved by the Planning Commission as a revision to the PUD. Section 17.40.120.F is provided below for review.

F. Changes to a Planned Unit Development District.

1. Modification of Master Development Plan. Applications to modify a master development plan in whole or in part shall be filed with and considered by the planning commission according to the provisions of subsection A of this section. If approved by the commission, the following types of changes shall require concurrence by the metropolitan council in the manner described:
 - a. Land area being added or removed from the planned unit development district shall be approved by the council according to the provisions of Article III of this chapter (Amendments);
 - b. Modification of special performance criteria, design standards, or other requirements specified by the enacting ordinance shall be authorized by council ordinance;
 - c. A change in land use or development type beyond that permitted by the specific underlying zoning district shall be authorized only by council ordinance; or
 - d. An increase in the total number of residential dwelling units above the number last authorized by council ordinance or, for a PUD district enacted by council ordinance after September 1, 2006, an increase in the total number of residential dwelling units above the number last authorized by council ordinance or above the number last authorized by the most recent modification or revision by the planning commission; or
 - e. When a change in the underlying zoning district is associated with a change in the master development plan, council shall concur with the modified master development plan by ordinance.
 - f. Any modification to a master development plan for a planned unit development or portion thereof that meets the criteria for inactivity of Section 17.40.120.H.4.a.

FIRE MARSHAL RECOMMENDATION

Approved with conditions

- Revised plans 3-3-16. Fire Code issues for the structures will be addressed at permit application review.

PUBLIC WORKS RECOMMENDATION

Approved with conditions

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- Prior to building permit submittal revise plans to include a minimum of 6' grass strip, per the MCSP, between the back of curb and the sidewalk. All power poles, signs, fire hydrants, etc. are to be relocated to within the grass strip.
- Indicate ROW dedication to the back of the sidewalk on Donelson.

STORMWATER RECOMMENDATION

Approved with conditions

This project is approved for a preliminary plan only. It is currently under technical review and a final plan will be required for final approval.

WATER SERVICES RECOMMENDATION

Approved with conditions

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

TRAFFIC AND PARKING RECOMMENDATION

Approved with conditions

- Identify bypass lane and queue spaces per metro code 17.20.070

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. 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.
4. With submittal of final site plan, revise plans to include a minimum of a 6' grass strip, per the MCSP, between the back of curb and the sidewalk.

5. The final site plan shall depict a minimum 5-foot clear path of travel for pedestrian ways, including public sidewalks, and the location of any existing and proposed obstructions. Prior to the issuance of use and occupancy permits, existing obstructions with the path of travel shall be relocated to provide a minimum of 5 feet of clear access.

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

Resolution No. RS2016-83

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005P-033-004 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. 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.**
- 4. With submittal of final site plan, revise plans to include a minimum of a 6’ grass strip, per the MCSP, between the back of curb and the sidewalk.**
- 5. The final site plan shall depict a minimum 5-foot clear path of travel for pedestrian ways, including public sidewalks, and the location of any existing and proposed obstructions. Prior to the issuance of use and occupancy permits, existing obstructions with the path of travel shall be relocated to provide a minimum of 5 feet of clear access.**

13. 23-85P-001

FOREST VIEW PARK

Map 150, Parcel(s) 237

Council District 29 (Karen Johnson)

Staff Reviewer: Jason Swaggart

A request to revise the preliminary plan for a portion of the Forest View Park Planned Unit Development Overlay District on property located at Forest View Drive (unnumbered), approximately 430 feet east of Murfreesboro Pike, zoned R10 (7.84 acres), to permit 96 multi-family residential units where 212 units were previously approved, requested by Crafton Tull, applicant; Kathy Katsaitis & Antonio Darsinos, owners.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Revise a portion of a Planned Unit Development to permit 96 multi-family residential units.

Revise PUD

A request to revise the preliminary plan for a portion of the Forest View Park Planned Unit Development Overlay District on property located at Forest View Drive (unnumbered), approximately 430 feet east of Murfreesboro Pike, zoned Single-Family Residential (RS10) (7.84 acres), to permit 96 multi-family residential units where 212 units were previously approved.

Existing Zoning

Single-Family Residential (RS10) requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre. In this case use and density is regulated by the Planned Unit Development Overlay.

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

CRITICAL PLANNING GOALS

N/A

PLAN DETAILS

The site is approximately eight acres in size and is located northeast of the intersection of Murfreesboro Pike and Forest View Drive. The Forest View PUD was approved in 1985. As originally approved, and with subsequent revisions, the PUD promotes a mixture of housing types with density decreasing with distance from Murfreesboro Pike. The original PUD is approximately 86 acres in size and is a combination of single-family and multi-family uses. All of the single-family lots and approximately half of the multi-family dwelling units have been built. This portion of the PUD was last approved for 212 multi-family units and is the last remaining portion of the PUD to be developed. In 2007, this portion of the PUD was requested to be canceled. The

request was not approved. Staff recommended disapproval of the cancelation because the PUD provides an appropriate mixture of residential types and transition from the commercial area along Murfreesboro Pike.

Site Plan

The plan calls for a total of 96 multi-family residential units and a 48,630 square foot clubhouse. The 96 units are distributed among four separate three-story buildings. The proposed clubhouse is two stories, and according to the applicant it would serve as a clubhouse and a gymnasium. The clubhouse portion would be approximately 8,000 square feet and the remainder would be dedicated to indoor basketball courts, a running track and a gymnasium.

Access into the site will be from Murfreesboro Pike to the west and the adjacent multi-residential development to the south. The access to Murfreesboro Pike is provided by an existing access easement which is shown on the original 1985 PUD plan. The property to the south, which will also provide access to the site, is within the same PUD. That portion of the PUD is developed and provides a vehicular connection to the subject property consistent with the original PUD and subsequent revisions.

ANALYSIS

Section 17.40.120.G permits the Planning Commission to approve "minor modifications" under certain conditions.

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.

Staff finds that the request is consistent with Section 17.40.120.G. Since the proposed plan is consistent with the overall concept of the Council approved plan, and is consistent with zoning requirements, then staff is recommending that the revision be approved with conditions.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

- Previously approved. Decreasing # of units

PUBLIC WORKS RECOMMENDATION

Approve with conditions

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

TRAFFIC & PARKING RECOMMENDATION

Approve with conditions

In accordance with the findings of the TIS, the Developer shall install the following roadway improvements.

1. Developer shall construct a road intersecting with Murfreesboro Pk opposite Hamilton Crossing to provide access to the apartments. Road shall be designed to allow cross access to the commercial zoned property between Murfreesboro Pk and the apartment parcel. The road shall have a minimum of 3 lane cross section along the commercial property with 2 exiting lanes and 1 entering lane at Murfreesboro Pk. intersection. A sidewalk from the apartments to Murfreesboro Pk shall be constructed.
2. Developer shall construct a road connecting proposed apartments with Hamilton Creek Apartments drive accessing Hamilton Church Rd.
3. Developer shall design signal modification plans for the intersection of Morris Gentry Blvd /Forest view Dr. and Murfreesboro Pk and install pedestrian signals and associated infrastructure per ADA and MUTCD standards on the east and south legs of the intersection. Developer shall submit plans to MPW traffic engineer for approval and install ped signals when directed by MPW traffic engineer.
4. Developer shall design signal modification plans for the intersection of Hamilton Church and Murfreesboro Pk and install pedestrian signals and associated infrastructure per ADA and MUTCD standards and submit to MPW traffic engineer for approval. Developer install ped improvements at a minimum on 2 legs of the intersection when directed by Metro traffic engineer or make pedestrian improvement monetary contribution (to be determined) for Metro intersection improvement construction project.
5. Developer shall provide road construction plans, signal modification plans or alternate contribution and signage and pavement marking plans with construction documents.
6. Adequate sight distance shall be provided at intersection of new road and Murfreesboro Pk. No walls, signage or vegetation shall restrict sight distance.

STORMWATER RECOMMENDATION

Approved

WATER SERVICES RECOMMENDATION

Approved with conditions

Approved as a Preliminary only. Public water construction plans for any proposed fire hydrants 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/PUD approval.

STAFF RECOMMENDATION

Staff recommends approval with conditions as the proposed revision is consistent with the Council approved PUD plan and Zoning Code requirements.

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. RS2016-84

"BE IT RESOLVED by The Metropolitan Planning Commission that 23-85P-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.

14. 94P-025-001

BELLEVUE COMMERCIAL PUD (PERIODIC REVIEW)

Map 142, Parcel(s) 029.02, 029, 031-033, 157
Council District 22 (Sheri Weiner)
Staff Reviewer: Lisa Milligan

A request for a periodic review for a portion of the Bellevue Commercial Planned Unit Development Overlay District located at 7477, 7483, 7487, 7501, 7505, and 7513 Highway 70 S, approximately 245 feet east of Sawyer Brown Road, zoned ON and RM20 (6.67 acres), requested by Councilmember Sheri Weiner, applicant; various property owners.

Staff Recommendation: Find the PUD to be inactive and advise Council to cancel the PUD, maintain the ON zoning for the office portion of the PUD, and rezone the residential portion of the PUD to RS40.

APPLICANT REQUEST

Periodic review of a Planned Unit Development.

Periodic PUD Review

A request for a periodic review for a portion of the Bellevue Commercial Planned Unit Development Overlay District located at 7477, 7483, 7487, 7501, 7505, and 7513 Highway 70 S, approximately 245 feet east of Sawyer Brown Road, zoned Office Neighborhood (ON) and Multi-Family Residential (RM20) (6.41 acres).

Existing Zoning

Office Neighborhood (ON) is intended for low intensity office uses.

Multi-Family Residential (RM20) is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre. *RM20 would permit a maximum of 96 units.*

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

PUD DETAILS

The Bellevue Commercial PUD was originally approved in 1994 for a 5,000 square foot bank, 15,000 square feet of office/medical uses and 104 multi-family units. The bank, located at the corner of Highway 70 S and Sawyer Brown Road, has been constructed. The total PUD contains approximately 8.3 acres of land and site developed with a bank is 1.63 acres. The remaining 6.67 acres, for which the review has been requested, remains undeveloped. The approved PUD would permit a 15,000 square foot office/medical use on the remaining commercial portion (1.87 acres) and 104 multi-family units on the residential portion (4.8 acres).

The boundary of the PUD extends from Sawyer Brown Road east along Highway 70 S. The site is relatively flat with a stream along the southern edge of the property. The stream is indicated as being preserved on the current plan.

PERIODIC PUD REVIEW

Section 17.40.120 H of the Metro Zoning Ordinance authorizes the Planning Commission, a councilmember, or the property owner of the area to be reviewed to request the Metropolitan Planning Commission to review any Planned Unit Development (PUD) overlay district, or portion thereof, to determine whether the PUD is "inactive," and if so, to recommend to the Council what action should be taken with respect to the PUD. The Commission determines whether the PUD is "inactive" by examining whether development activity has occurred within six years from the date of the initial enactment, subsequent amendment, or re-approval by the Metro Council. If the Planning Commission determines the PUD to be inactive, the Commission is required to recommend legislation to the Council to re-approve, amend, or cancel the PUD.

Timeline for Planning Commission Action

The Zoning Code requires that, within 90 days from the initiation of its review, the Planning Commission must hold a public hearing to make a determination of activity, and if necessary, make a recommendation to the Council. The review was requested by Councilmember Sheri Weiner on February 4, 2016. The 90 day period extends to May 4, 2016. If the Planning Commission does not make a determination within 90 days from the initiation of a review, it is considered to be a recommendation to re-approve by ordinance the existing PUD overlay district without alteration.

Classification of the PUD (Active or Inactive)

Under 17.40.120 H., the Commission is first required to determine whether the portion of the Bellevue Commercial PUD requested for periodic review is active or inactive by examining whether development activity has occurred within six years from the date of the initial enactment, subsequent amendment, or re-approval by the Metro Council.

Section 17.40.120 H.3.a. of the Metro Code requires the Planning Commission to make three findings in order to determine whether a PUD has been active or inactive:

i. Six or more years have elapsed since the latter of

(1) The effective date of the initial enacting ordinance of the PUD,

(2) The effective date of any ordinance approving an amendment to the PUD,

(3) The effective date of any ordinance re-approving or amending a PUD after it has been reviewed and decided in accordance with subsection 5.a. or b. of this section, or

(4) The deadline for action by the metropolitan council in accordance with subsection 5.d. of this section, and

The initial enacting ordinance for the PUD became effective in 1994. No amendments have been approved for the PUD.

ii. Construction has not begun on the portion of the PUD under review; construction shall mean physical improvements such as, but not limited to, water and sewer lines, footings, and/or foundations developed on the portion of the PUD under review; clearing, grading, the storage of building materials, or the placement of temporary structures shall not constitute beginning construction, and

No construction has taken place on the portion of the PUD under review.

iii. Neither right-of-way acquisition from a third party nor construction has begun on off-site improvement(s) required to be constructed by the metropolitan council as a condition of the PUD approval.

No right-of-way acquisition has taken place and no off-site improvements have been constructed.

Section 17.40.120 H.3.a. states that the Commission “*may also take into consideration the aggregate of actions, if any, taken by the owner of the PUD within the prior 12 months to develop the portion of the PUD under review.*”

Planning Staff has contacted all owners of the portion of the PUD under review for information as to activity that has taken place to develop the PUD. No information has been provided.

Planning Commission Recommendation to Metro Council

If the Planning Commission determines the PUD to be active, then no further action is required. If the Commission determines the PUD to be inactive, then the Commission is required to recommend legislation to the Council to re-approve, amend, or cancel the PUD.

With respect to the legislation to be recommended to the Metro Council, the Planning Commission is directed by the Code to take two distinct steps.

First, the Commission is to determine whether the “*existing PUD is consistent with the goals, policies, and objectives of the General Plan and any applicable specific redevelopment, historic, neighborhood, or community plans.*”

Second, the Commission is to recommend the legislation, and include, as required:

(a) The appropriate base zoning district(s), if different from current base zoning, to retain and implement the PUD overlay district as it exists.

(b) Any amendment(s) to the inactive PUD's master development plan and base zoning district(s) to reflect existing conditions and circumstances, including the land use policies of the general plan and the zoning of properties in the area.

(c) Base zoning district(s) consistent with the adopted general plan, should the PUD overlay district be recommended for cancellation.

BELLEVUE COMMUNITY PLAN

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

Transition (TR) is intended to preserve, enhance, and create areas that can serve as transitions between higher intensity uses or major thoroughfares and lower density residential neighborhoods while providing opportunities for small scale offices and/or residential development. Housing in TR areas can include a mix of types and is especially appropriate for “missing middle” housing types with small to medium-sized footprints.

Suburban Neighborhood Maintenance (T3 NM) is intended to preserve the general character of developed suburban residential neighborhoods. T3 NM areas will experience some change over time, primarily when buildings are expanded or replaced. When this occurs, efforts should be made to retain the existing character of the neighborhood. T3 NM areas have an established development pattern consisting of low to moderate density residential development and institutional land uses. Enhancements may be made to improve pedestrian, bicycle and vehicular connectivity.

Consistent with Policy?

The approved office portion of the PUD is within the Transition policy area. The plan is consistent with the policy and provides for a transition from the more intense commercial areas to the west to the residential areas to the east. The multi-family residential portion of the PUD is covered by the T3 Suburban Neighborhood Maintenance policy. This policy is intended to preserve the general character of suburban residential neighborhoods. The approved plan has buildings that are pulled back off of Highway 70 S with parking located between the buildings and the highway creating an environment that is not pedestrian friendly and does not create an attractive streetscape.

STAFF RECOMMENDATION

In accordance with the requirements of 17.40.120 H, staff recommends that the Planning Commission find the portion of the PUD under review to be inactive. No development has taken place within this portion of the PUD and no activity has taken by the owners to reapprove or commence development of the PUD.

If the Commission finds the PUD inactive, then staff recommends that the Commission recommend that Council cancel the PUD. Staff recommends that the Commission recommend that the portion of the property with Transition policy remain as ON and that the Neighborhood Maintenance portion of the property be rezoned to RS40 which allows for single-family residential uses on lots with a minimum lot size of 40,000 square feet. For the properties within the Neighborhood Maintenance policy, if a cohesive plan to rezone to an SP is presented in the future that includes appropriate transitions, coordinated access, and compatible uses, it may be appropriate given the surrounding development pattern. This existing PUD plan does not provide these design elements.

Find the PUD to be inactive and advise Council to cancel the PUD, maintain the ON zoning for the office portion of the PUD, and rezone the residential portion of the PUD to RS40. (6-0), Consent Agenda

Resolution No. RS2016-85

“BE IT RESOLVED by The Metropolitan Planning Commission that 94P-025-001 is **Inactive and advises Council to cancel the PUD, maintain the ON zoning for the office portion of the PUD, and rezone the residential portion of the PUD to RS40. (6-0)**”

Subdivision: Final Plats

15. 2016S-062-001

NOLAN COURT SUBDIVISION

Map 161-04, Parcel(s) 065

Council District 27 (Davette Blalock)

Staff Reviewer: Jason Swaggart

A request for final plat approval to create four lots on properties located at 5114 Nolensville Pike and Raywood Lane (unnumbered), approximately 440 feet north of April Lane, zoned CS and RS10 (1.35 acres), requested by HFR Design, Inc., applicant; Nolan Capital, LLC, owner.

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

The Metropolitan Planning Commission deferred 2016S-062-001 to the April 14, 2016, Planning Commission meeting. (6-0)

L. OTHER BUSINESS

16. Employee contract renewal for Stephanie McCullough

Approve (6-0), Consent Agenda

Resolution No. RS2016-86

“BE IT RESOLVED by The Metropolitan Planning Commission that the Employee contract renewal for Stephanie McCullough is **Approved. (6-0)**”

17. Contract between TDOT and the MPC on behalf of the MPO for federal pass-thru grant funding to carryout federally-required transportation planning activities for fiscal years 2016 and 2017

Approve (6-0), Consent Agenda

Resolution No. RS2016-87

“BE IT RESOLVED by The Metropolitan Planning Commission that the Contract between TDOT and the MPC on behalf of the MPO for federal pass-thru grant funding to carryout federally-required transportation planning activities for fiscal years 2016 and 2017 is **Approved. (6-0)**”

18. Historic Zoning Commission Report

19. Board of Parks and Recreation Report

20. Executive Committee Report

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

Approve (6-0), Consent Agenda

Resolution No. RS2016-88

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

22. Legislative Update

M. MPC CALENDAR OF UPCOMING MATTERS

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

May 12, 2016

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

N. ADJOURNMENT

The meeting adjourned at 6:09 p.m.

Chairman

Secretary



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

Date: March 24, 2016

To: Metropolitan Nashville-Davidson County Planning Commissioners

From: J. Douglas Sloan III

Re: Executive Director's Report

The following items are provided for your information.

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

1. Planning Commission Meeting:
 - a. Attending: Haynes; McLean; Hagan-Dier; Blackshear; Adkins; Allen; Clifton (if necessary)
 - b. Not Attending: Gee; Dalton; Farr
2. Legal Representation – Emily Lamb will be attending

B. Executive Office

1. On March 14th, Brandon Burnette moved from Senior Planner to become the Land Development Division Manager, and Carrie Logan became the Assistant Director of Special Projects. These changes will allow the department to work more efficiently on special projects like Inclusionary Housing and other citywide initiatives while still maintaining a high level of proficiency in Land Development.
2. We are creating a new and updated Neighborhoods map, in cooperation with the Mayor's Office of Neighborhoods.
3. Our outreach to Metro Schools will continue next Monday, when five teachers from McKissack Middle School will shadow our planners for a day. We will continue to be a resource for them as they prepare their lesson plans this summer, and after school opens in the fall. A similar visit from Stratford teachers will be scheduled later this spring.

C. Community Plans/Design Studio

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

D. Land Development

1. Interviews will begin soon for the open Planner III position.

E. GIS

1. New Parcel Viewer will be released for testing next week.
2. Cityworks will go live on April 11.

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 03/14/2016**.

APPROVALS	# of Applics	# of Applics '16
Specific Plans	3	11
PUDs	0	2
UDOs	0	2
Subdivisions	7	22
Mandatory Referrals	7	30
Grand Total	17	67

SPECIFIC PLANS (finals only): MPC Approval
Finding: Final site plan conforms to the approved development plan.

Date Submitted	Staff Determination		Case #	Project Name	Project Caption	Council District # (CM Name)
9/9/2015 14:27	3/8/2016	RECOM APPR	2015SP-017-002	PILLOW STREET COTTAGES (FINAL)	A request for final site plan approval for properties located at 1318 and 1322 Pillow Street, at the northeast corner of Pillow Street and Merritt Avenue, (0.62 acres), to permit 14 residential units, requested by Lukens Engineering Consultants, applicant; Ewing Holdings, LLC, owner.	17 (Colby Sledge)
12/22/2015 15:33	3/14/2016	APADMIN	2016S-029-001	ORIENTAL GOLF CLUB, RESUB LOT 48	A request for final plat approval to shift lot lines between properties located at 1111 Graybar Lane and Grandview Drive (unnumbered), approximately 490 feet east of Granny White Pike, zoned R10 (0.89 acres), requested by James Terry & Associates, applicant; Kelvin Pennington, etux, and O.I.C 1108 Grandview Cottages, owners.	25 (Russ Pulley)
10/29/2015 11:54	3/14/2016	APADMIN	2015SP-034-002	THE ROW @ MERIDIAN, FINAL	A request for final site plan approval for property located at 1901 Meridian Street, approximately 170 feet south of East Trinity Lane, (0.48 acres), to permit up to 8 residential units, requested by Dean Design Group, LLC, applicant; Capital Homes, LP, owner.	05 (Scott Davis)

URBAN DESIGN OVERLAYS (finals and variances only) : MPC Approval
Finding: all design standards of the overlay district and other applicable requirements of the code have been satisfied.

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

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

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

MANDATORY REFERRALS: MPC Approval

Date Submitted	Staff Determination	Case #	Project Name	Project Caption	Council District (CM Name)
2/18/2016 9:09	3/1/2016 RECOM APPR	2016M-007AB-001	TAYLOR STREET ROW AND EASEMENT ABANDONMENT	A request to abandon a portion of "unimproved" Taylor Street right-of-way and easement from Adams Street eastward to its terminus at the Cumberland River, requested by Littlejohn an S&ME Company, applicant; Nashville Wholesale Moulding, Inc. and Cumberland River Development, Inc., owners.	19 (Freddie O'Connell)
2/18/2016 9:32	3/1/2016 RECOM APPR	2016M-011EN-001	506 CHURCH STREET LOFTS AERIAL ENCROACHMENT	A request to allow an encroachment comprised of a double-faced illuminated projecting blade sign encroaching the public right-of-way for property located at 506 Church Street, requested by Powell Construction Studio, applicant; 506 Church Partners, LLC, owner.	19 (Freddie O'Connell)
2/19/2016 15:16	3/1/2016 RECOM APPR	2016M-008AB-001	CHERON ROAD ABANDONMENT	A request to abandon a portion of Cheron Road right-of-way from Briarville Road right-of-way westward approximately 182 feet to the southwest corner of Map 51, Parcel 54 (easements and utilities to be maintained), requested by William B. Geiger, applicant and owner.	08 (Nancy VanReece)
2/26/2016 14:33	3/3/2016 RECOM APPR	2016M-009PR-001	CITY ROAD CHAPEL UNITED METHODIST CHURCH LEASE AGREEMENT	A request to approve a lease agreement between The Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Social Services/Metropolitan Homelessness Commission and City Road Chapel United Methodist Church for the use of additional office space, requested by the Metro Finance Department.	07 (Anthony Davis)
9/24/2015 15:04	3/3/2016 RECOM APPR	2015M-026EN-001	MADISON AVENUE, LLC AERIAL AND UNDERGROUND ENCROACHMENT	A request to allow aerial and underground encroachments comprised of building over Alley 505, building over a section of sidewalk on 3rd Avenue North, and parking under Alley 505 encroaching the public right-of-way for properties located at 200 and 206 Madison Street and 1212 and 1214 3rd Avenue North, requested by Delray GP at Madison Avenue, LLC, applicant; GP Luxury, LLC and Volpar, Inc., owners.	19 (Freddie O'Connell)
2/25/2016 11:08	3/7/2016 RECOM APPR	2016M-008PR-001	PROPERTY DISPOSITION 2016	A request to declare surplus and approve the disposition of certain parcels of real property in accordance with BL2015-45, requested by the Metro Department of Finance, Public Property, applicant; Metro Government, owner.	17 (Colby Sledge) 19 (Freddie O'Connell) 20 (Mary Carolyn Roberts) 21 (Ed Kindall) 25 (Russ Pulley)

MANDATORY REFERRALS: MPC Approval (cont.)

3/2/2016 11:27	3/9/2016	RECOM APPR	2016M-010PR-001	GREYHOUND ALTERNATIVE LEASE AGREEMENT	A request to amend Ordinance No. BL2016-127 to authorize the entry into an alternative license agreement for a fixed term with Greyhound Lines in addition to the other options authorized in that ordinance, requested by the Metro Department of Law, applicant.	19 (Freddie O'Connell)
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INSTITUTIONAL OVERLAYS (finals and variances only) : MPC Approval

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

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

SUBDIVISIONS: Administrative Approval

Date Submitted	Date Approved	Action	Case #	Project Name	Project Caption	Council District (CM Name)
10/1/2015	2/18/2016	APADMIN	2015S-162-001	CONSOLIDATION PLAT OF 417 RUSSELL STREET, 412 & 418 WOODLAND STREET	A request for final plat approval to create one lot on properties located at 417 Russell Street, and 412 and 418 Woodland Street, at the southwest corner of Woodland Street and S 5th street, zoned CS (2.2 acres), requested by Cherry Land Surveying, applicant; and Nashville 1st Church of the Nazarene, owner.	06 (Brett Withers)
11/12/2015 12:03	3/2/2016	RECOM APPR	2016S-006-001	C.W. WALLER'S, RESUB LOT 7	A request to create two lots on property located at 920 Elvira Avenue, approximately 600 feet west of Anderson Place, zoned R6 (0.52 acres), requested by Clint Elliott, applicant, Maurine Michele Hall, owner.	05 (Scott Davis)
11/12/2015 11:45	3/2/2016	APADMIN	2016S-004-001	KENNEDY & GRAVES, RESUB LOT 57	A request for final plat approval to create two lots on property located at 1335 McAlpine Avenue, approximately 225 feet west of Murray Place, zoned RS10 (0.72 acres), requested by Clint Elliott, applicant; George Norman, owner.	07 (Anthony Davis)
2/4/2016 14:20	3/8/2016	RECOM APPR	2016S-005A-001	Parcel 3, William Morris Proffitt Subdivision, remove the reserve status	A request to remove the reserve status on property located at 521 Baxter Lane, approximately 400 feet west of Overton Road, zoned R40 and RS40 (2.11 acres), requested by Chris and Stephanie Gill, applicants, Jess and Carol Andrews, owners.	26 (Jeremy Elrod)
1/28/2016 11:11	3/10/2016	APADMIN	2016S-045-001	HERITAGE HILLS, PHASE 2	A request for final plat approval to create one lot and dedicate right-of-way on part of property located at Lebanon Pike (unnumbered), at the current terminus of Rehna Drive (3.97 acres), zoned RM6, requested by Terry & Associates, applicant; Ole South/Craighead Joint Venture, owner.	11 (Larry Hagar)

SUBDIVISIONS: Administrative Approval (cont.)

2/4/2016 16:06	3/11/2016	RECOM APPR	2016S-051-001	MCNAIRY'S PLAN OF WEST NASHVILLE, RESUB LOT 189, 191 & PART OF 193	A request for final plat approval to create two lots on properties located at 1512, 1514, and 1516 Demonbreun Street, and located within the Arts Center Redevelopment District, approximately 340 feet west of 14th Ave S, zoned SP (0.89 acres), requested by Crawford & Cummings, P.C., applicant; ECG Demonbreun, LLC, owner.	19 (Freddie O'Connell)
6/11/2015 9:13	3/14/2016	APADMIN	2015S-094-001	E.J. CHILDER'S SUBDIVISION OF J.H. AMBROSE TRACT, RESUB PART OF LOT J	A request for final plat approval to create two lots on property located at 3204 Anderson Place, approximately 165 feet north of Elvira Avenue, zoned R6 (0.35 acres), requested by Dale and Associates, applicant; Dan Zumwalt, owner.	05 (Scott Davis)

Performance Bonds: Administrative Approvals

Date Approved	Administrative Action	Bond #	Project Name
3/2/16	Approved Extension	2006B-035-008	ENCHANTED HILLS, ADDITION 1
3/4/16	Approved New	2015B-051-001	CONSOLIDATION PLAT OF 417 RUSSELL STREET, 412 & 418 WOODLAND STREET
3/7/16	Approved Release	2009B-011-009	JORDAN RIDGE AT EATON'S CREEK, PHASE 9

Schedule

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