

Metropolitan Planning Commission



Staff Reports

March 24, 2016



Metro Planning Commission Meeting of 3/24/2016

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

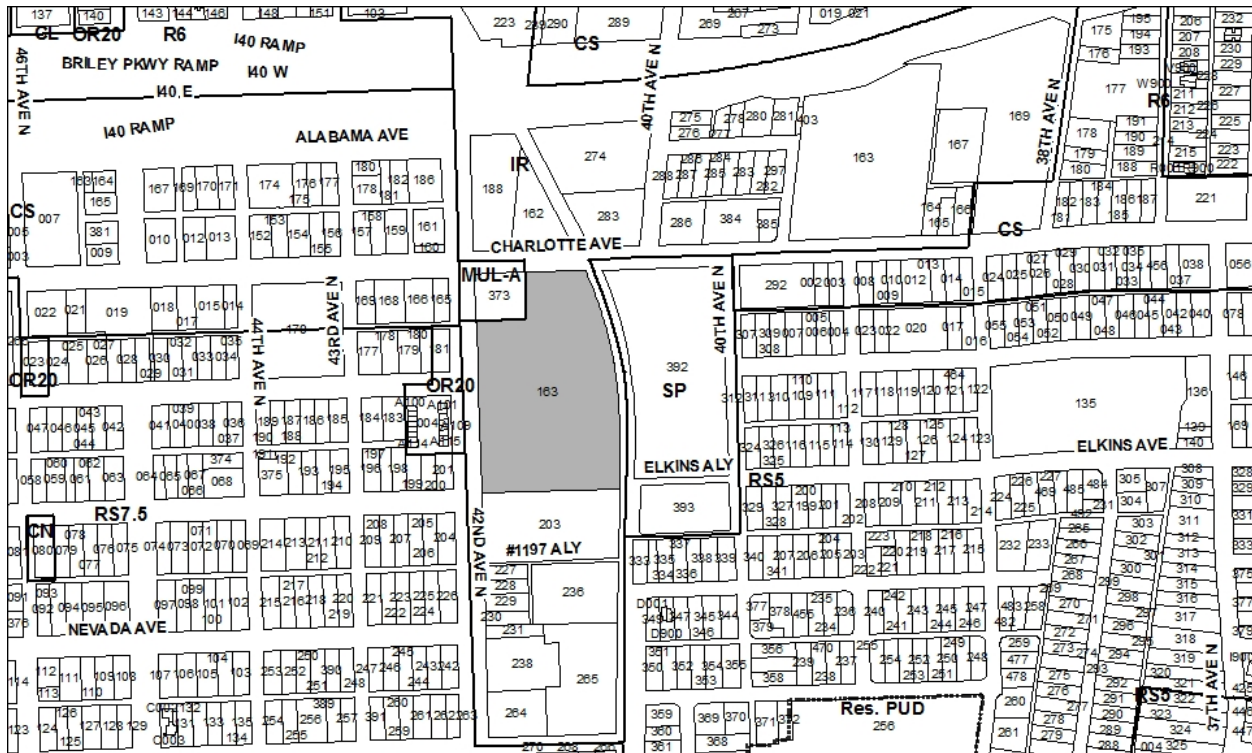


PREVIOUSLY CONSIDERED ITEMS

- **Specific Plans**
- **Zone Changes**
- **Planned Units Developments**
- **Subdivision (Final)**



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2015SP-103-001
MADISON MILL LOFTS
Map 091-16, Parcel(s) 163
07, West Nashville
24 (Kathleen Murphy)



Project No. Specific Plan 2015SP-103-001
Project Name Madison Mill Lofts SP
Council District 24 – Murphy
School District 9 - Frogge
Requested by Fulmer Engineering, LLC, applicant; Thomas Patten, owner.

Deferrals This request was deferred from the December 10, 2015, the January 14, 2016, and the February 11, 2016, Planning Commission meetings.

Staff Reviewer Milligan
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

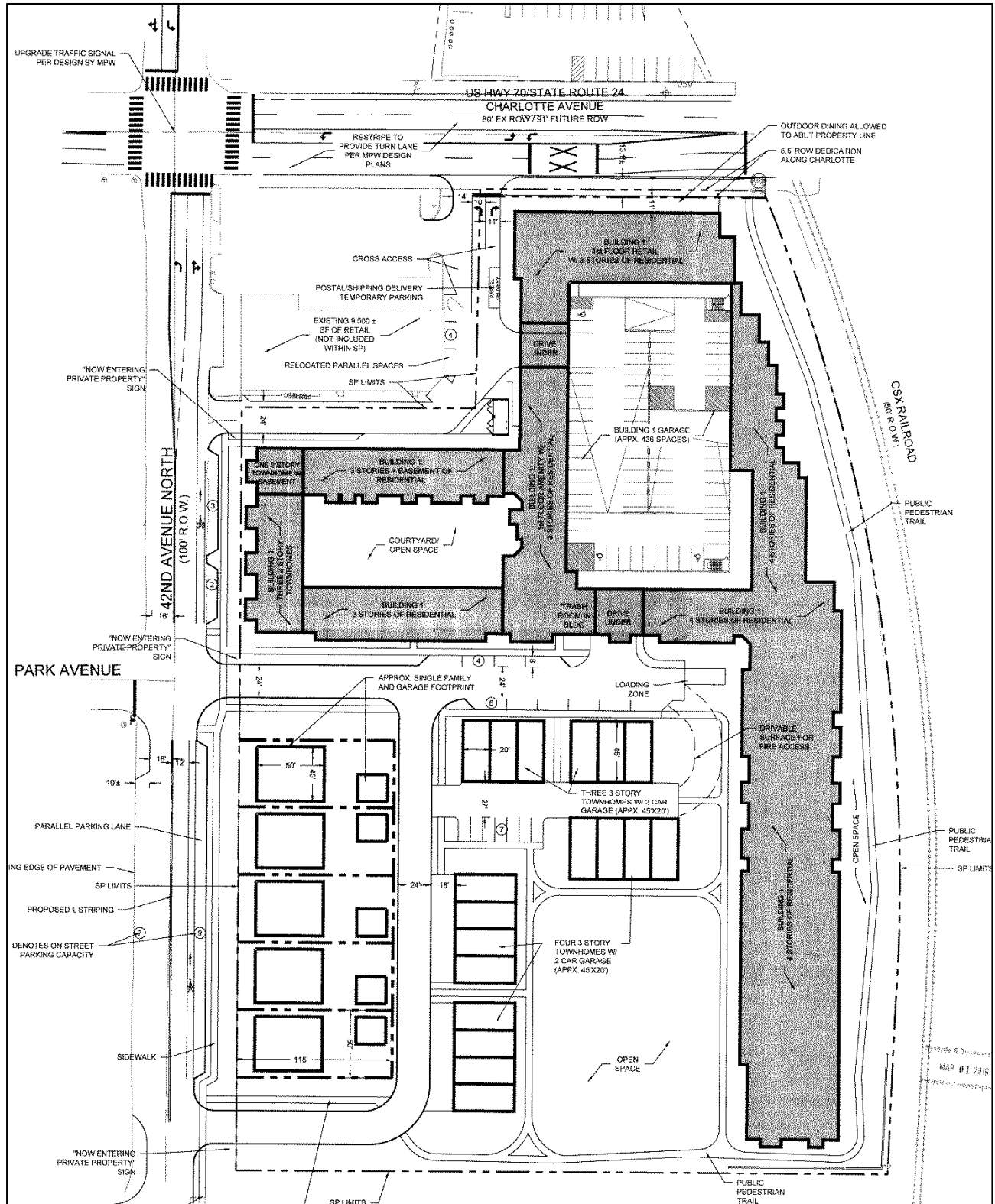
Industrial Restrictive (IR) is intended for a wide range of light manufacturing uses at moderate intensities within enclosed structures.

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.



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Proposed Site Plan



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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



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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.



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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.



Elevation of Buildings looking from 42nd Avenue N



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Elevation along Charlotte Avenue

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.



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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.



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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.



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- 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



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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	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”.

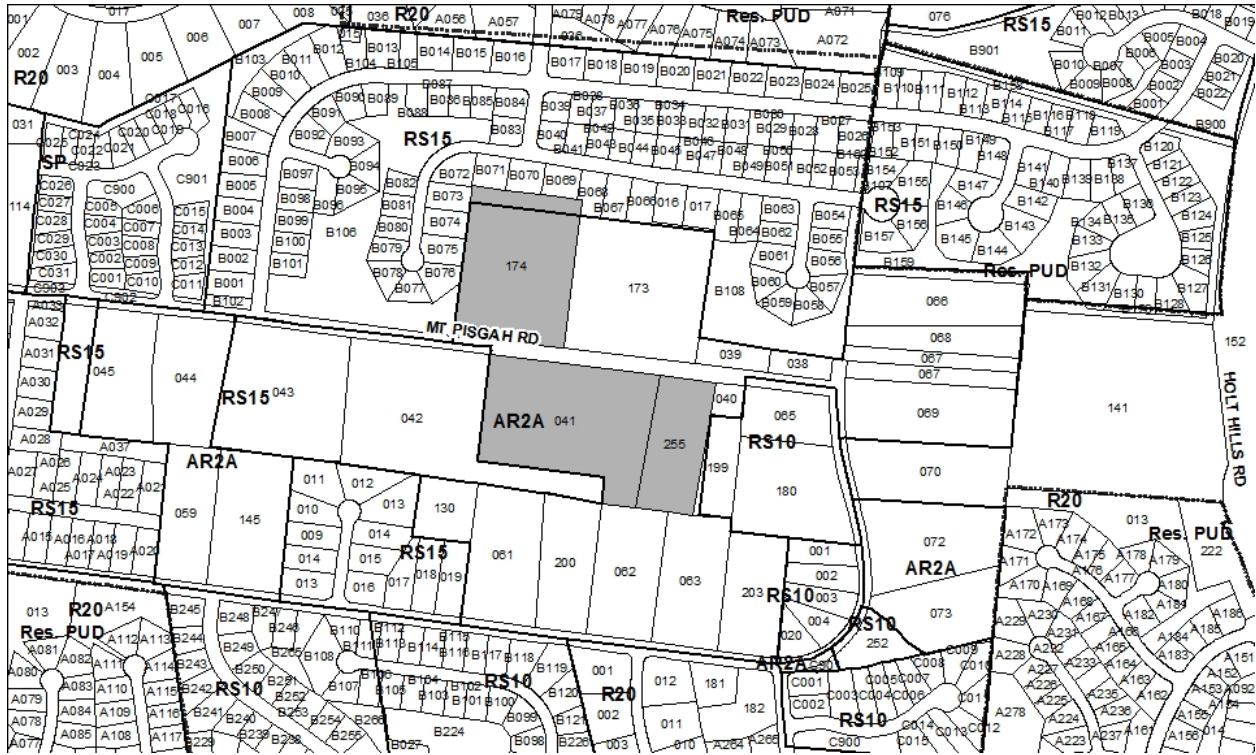


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7. With the final site plan, provide detailed elevations of the single-family residential units consistent with the guidelines adopted for the Park and Elkins Neighborhood Conservation Overlay District.
8. On the corrected set, include the proposed 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.



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2016SP-011-001

MT. PISGAH SP

Map 172, Parcel(s) 041, 174, 255

12, Southeast

04 (Robert Swope)



Project No. Specific Plan 2016SP-011-001
Project Name Mt. Pisgah SP
Council District 4 - Swope
School District 2 - Brannon
Requested by Batson & Associates, applicant; Charles White, owner.

Deferrals This request was deferred from the February 25, 2016, and the March 10, 2016, Planning Commission meetings.

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

APPLICANT REQUEST

Zone change to permit a residential development with up to 31 units.

Preliminary SP

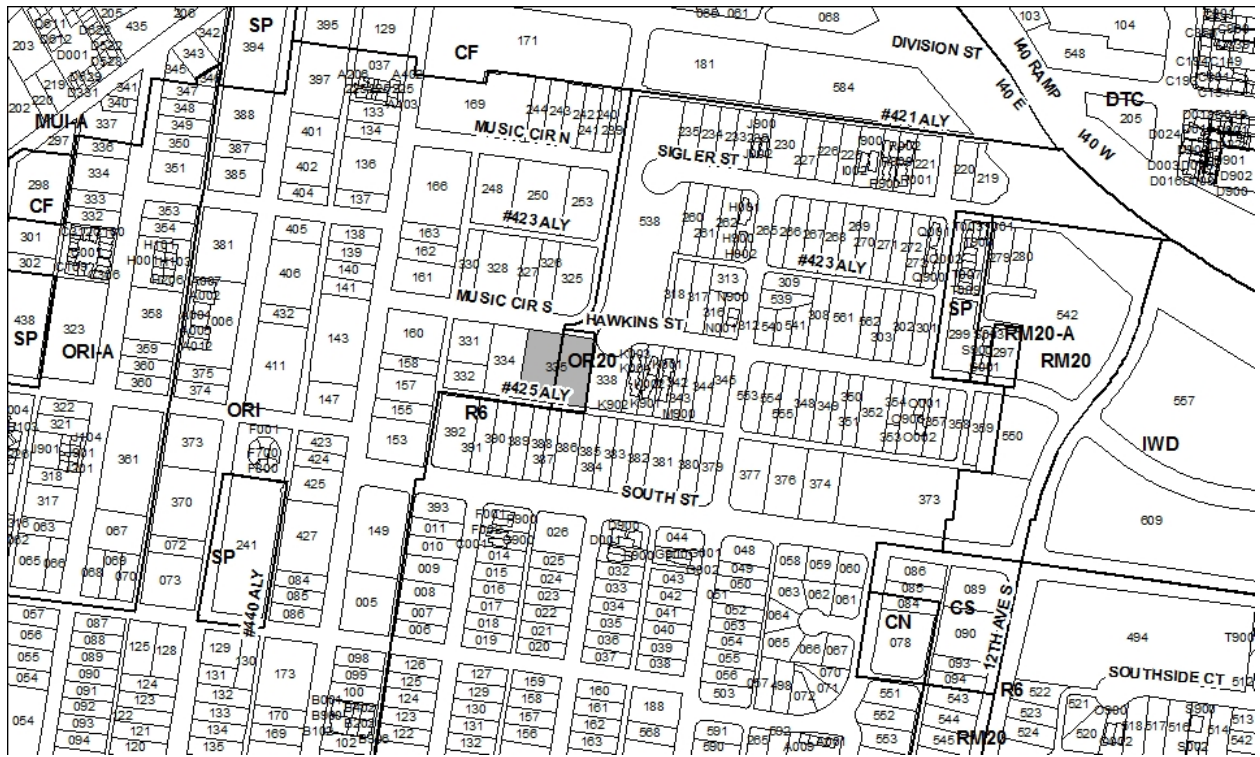
A request to rezone from Agricultural/Residential (AR2a) to Specific Plan-Residential (SP-R) zoning for properties located at Mt. Pisgah Road (unnumbered) and 6000 and 6021 Mt. Pisgah Road, approximately 750 feet west of Christiansted Lane (12.12 acres), to permit 31 single-family lots.

STAFF RECOMMENDATION

Staff recommends deferral to the April 14, 2016, Planning Commission meeting at the request of the applicant.



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2016SP-020-001

ONE MUSIC CIRCLE SOUTH OFFICE

Map 093-13, Parcel(s) 335

10, Green Hills - Midtown

19 (Freddie O'Connell)



Project No. Specific Plan 2016SP-020-001
Project Name One Music Circle South Office
Council District 19 – O’Connell
School District 5 – Kim
Requested by Barge Cauthen & Associates, applicant; Country Music Association, Inc., owner.

Deferrals This request was deferred from the March 10, 2016, Planning Commission meeting.

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

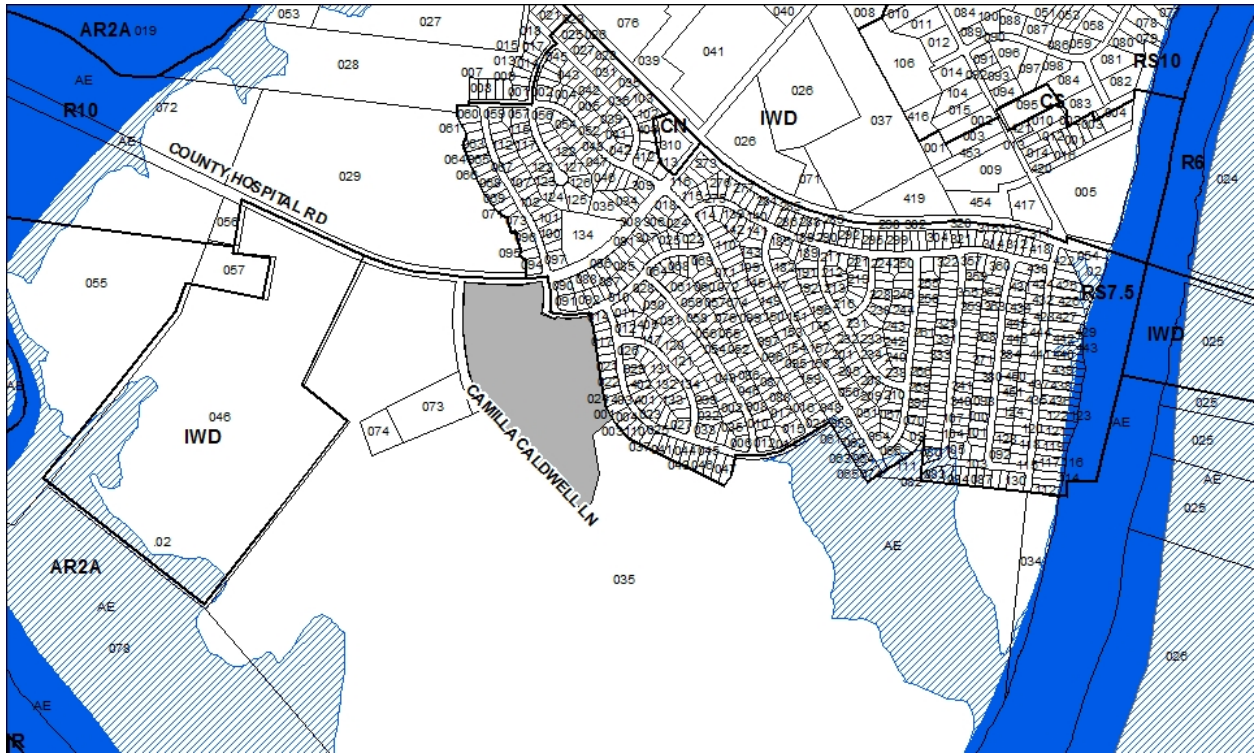
APPLICANT REQUEST
Zone change to permit an office building.

Zone Change
A request to rezone from Office Residential Intensive (ORI) and Office and Residential (OR20) to Specific Plan – Office (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.

STAFF RECOMMENDATION
Staff recommends that the request be deferred to the April 14, 2016, Planning Commission meeting as requested by the applicant.



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2016SP-023-001

BORDEAUX COMMONS SP
Map 080, Part of Parcel(s) 035
03, Bordeaux - Whites Creek
01 (Sharon Hurt)



Project No. Specific Plan 2016SP-023-001
Project Name Bordeaux Commons SP
Council District 1 - Hurt
School District 1 - Gentry
Requested by Dale & Associates, Inc., applicant; Metro Government, owner.

Deferrals This request was deferred from the January 14, 2016, the February 11, 2016, and the March 10, 2016, Planning Commission meetings.

Staff Reviewer Milligan
Staff Recommendation *Defer indefinitely.*

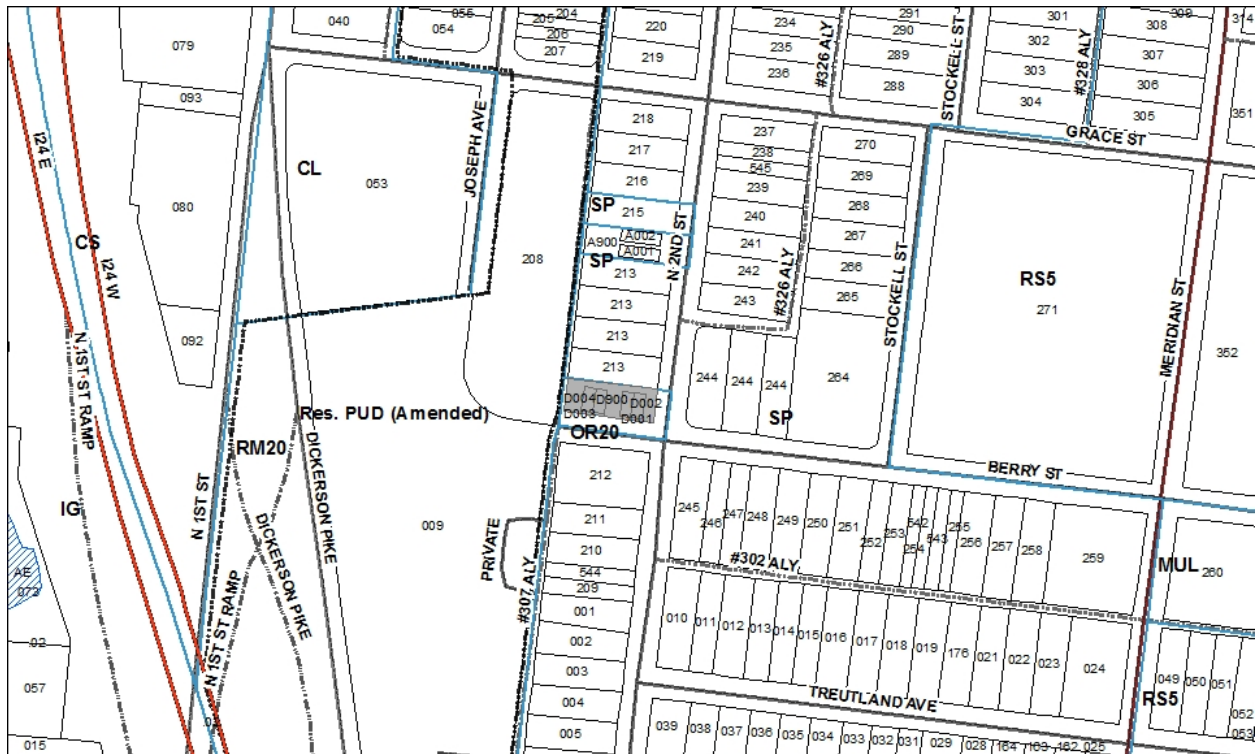
APPLICANT REQUEST
Zone change from AR2a to SP.

Zone Change
A request to rezone from Agricultural/Residential District (AR2A) to Specific Plan (SP) for a portion of property located at 1010 Camilla Lane, south of County Hospital Road and located within the Bordeaux Redevelopment District (22.98 acres).

STAFF RECOMMENDATION
Staff recommends indefinite deferral at the request of the applicant.



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2016Z-023PR-001

Map 082-07-0-D, Parcel(s) 001-004, 900

05, East Nashville

05 (Scott Davis)



Project No.	Zone Change 2016Z-023PR-001
Council District	05 – S. Davis
School District	05 - Kim
Requested by	Councilmember Scott Davis, applicant; East Nashville Holdings, LLC, owner.
 Deferral	 This request was deferred from the March 10, 2016, Planning Commission meeting.
 Staff Reviewer	 Moukaddem
Staff Recommendation	<i>Disapprove.</i>

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



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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.



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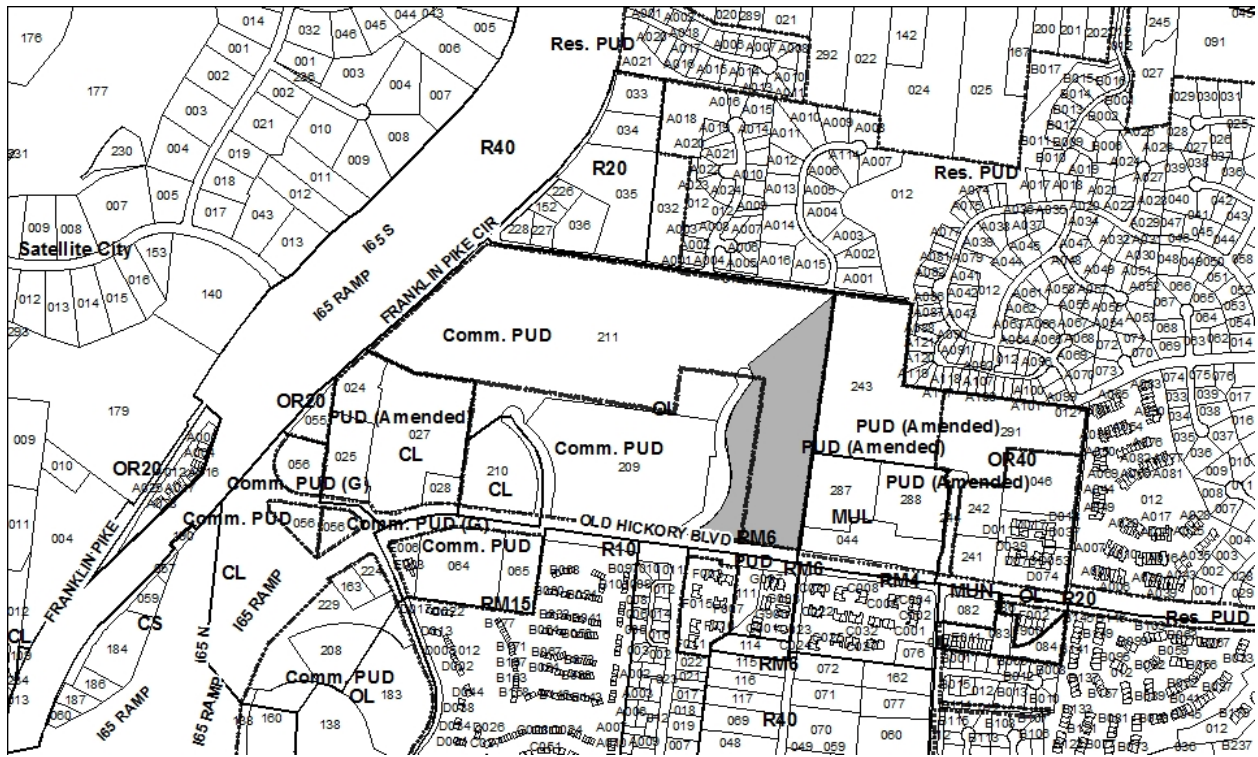
None of the schools have been identified as being over capacity by the Metro School Board. This information is based upon data from the school board last updated November 2015.

STAFF RECOMMENDATION

Staff recommends disapproval as the rezoning is inconsistent with policy.



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85-85P-003

BRENTWOOD COMMONS (HCA)

Map 160, Part of Parcel(s) 211

12, Southeast

04 (Robert Swope)



Project No. **Planned Unit Development 85-85P-003**
Project Name **Brentwood Commons (HCA)**
Council District 4 - Swope
School District 8 - Pierce
Requested by Ragan Smith & Associates, applicant; Southpoint, LLC, owner.

Deferrals This request was deferred from the February 11, 2016, the February 25, 2016, and the March 10, 2016, Planning Commission meetings.

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

APPLICANT REQUEST

Revise a portion of a Planned Unit Development to permit an office development.

Revise PUD

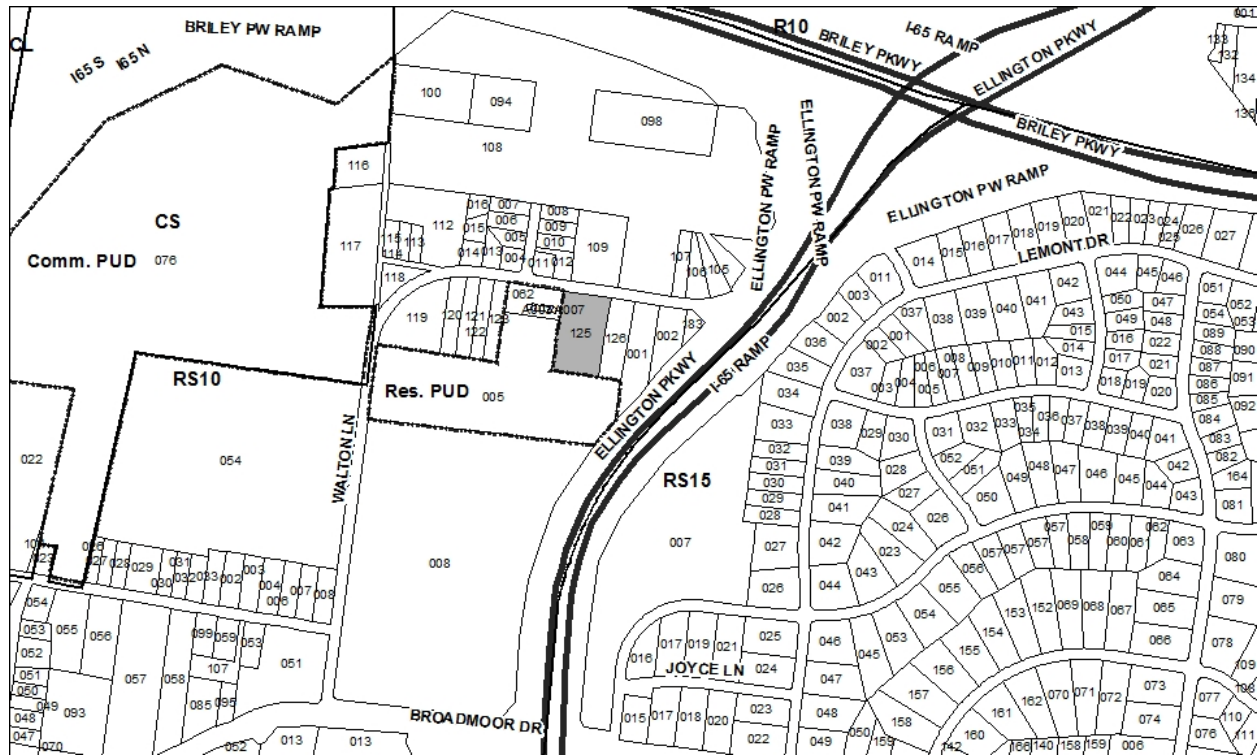
A request to revise the preliminary plan for a portion of the Brentwood Commons Planned Unit Development Overlay District on property located at 2000 American General Way, at the northeast corner of American General Way and Old Hickory Boulevard, zoned Office Limited (OL) (13.59 acres), to permit an office.

STAFF RECOMMENDATION

Staff recommends that the request be deferred to the April 14, 2016, Planning Commission meeting as requested by the applicant.



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2014S-050-001
3335 WALTON LANE
Map 051, Parcel(s) 125
05, East Nashville
08 (Nancy VanReece)



Project No. 2014S-050-001
Project Name 3335 Walton Lane
Council District 8 – VanReece
School District 3 – Speering
Requested by Campbell, McRae & Associates, Inc., applicant;
Southernmost Homes, Inc., owner.

Deferrals This request was deferred from the March 10, 2016, Planning Commission meeting.

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

APPLICANT REQUEST
Create four single-family lots.

Final Plat

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 Single-Family Residential (RS10) (1.58 acres).

STAFF RECOMMENDATION

Staff recommends deferral to the April 14, 2016, Planning Commission meeting as requested by the applicant.



SEE NEXT PAGE

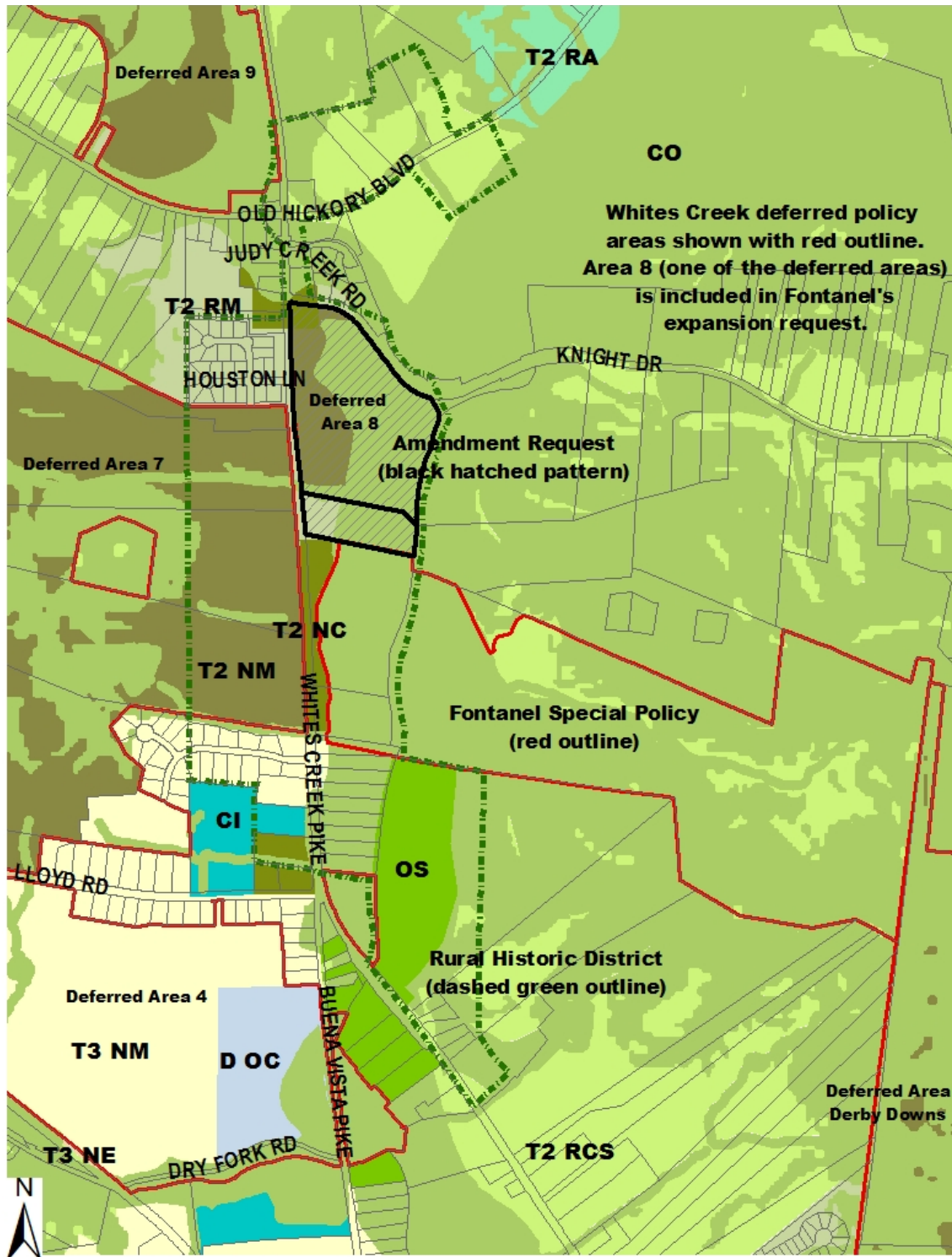


COMMUNITY PLAN POLICY CHANGES and ASSOCIATED CASES

- **Plan Amendments**
- **Specific Plans**



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Whites Creek deferred policy areas shown with red outline. Area 8 (one of the deferred areas) is included in Fontanel's expansion request.

Amendment Request (black hatched pattern)

Fontanel Special Policy (red outline)

Rural Historic District (dashed green outline)

2016CP-003-001
 BORDEAUX–WHITES CREEK COMMUNITY PLAN AMENDMENT
 Map 040, Parcel(s) 093 and 163
 Whites Creek
 03 – Brenda Haywood



Project No.
Project Name

Major Plan Amendment 2016CP-003-001
Bordeaux-Whites Creek Community Plan
Amendment

Associated Case
Council District
School District
Requested by

2019SP-022-011
3 – Haywood
1 – Gentry
EDGE Planning, Landscape Architecture and Urban Design, applicant; Linda Jarrett and Melvin Brown, owners.

Staff Reviewer
Staff Recommendation

McCaig
Defer to the April 28, 2016, Planning Commission meeting.

APPLICANT REQUEST

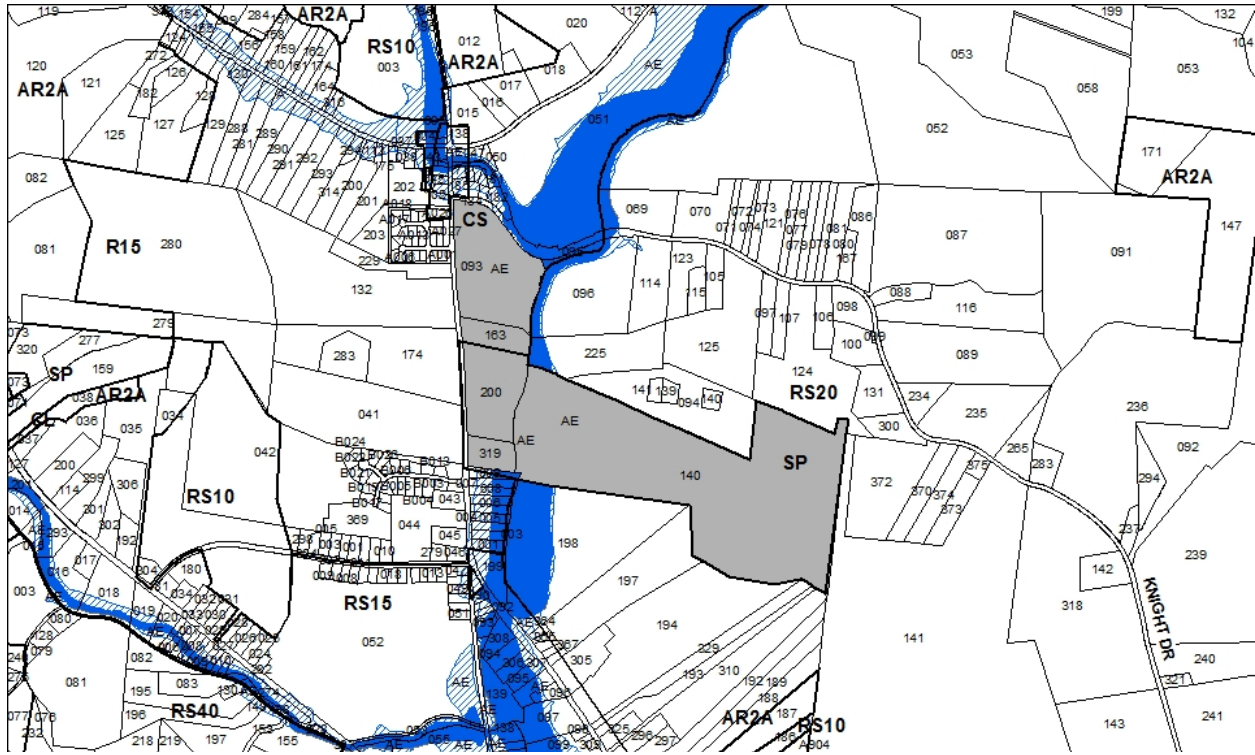
A request to amend the Bordeaux-Whites Creek Community Plan by expanding Special Policy Area 03-T2-CO-01.

STAFF RECOMMENDATION

Staff recommends deferral to the April 28, 2016, Planning Commission meeting as requested by the applicant.



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2009SP-022-011

THE MANSION AT FONTANEL (AMENDMENT)

Map 040, Parcel(s) 093, 163

Map 049, Parcel(s) 200.01, 140, 319

03, Bordeaux – Whites Creek

03 (Brenda Haywood)



Project No.	Zone Change 2009SP-022-011
Project Name	The Mansions at Fontanel (Amendment #5)
Associated Case No.	2016CP-003-001
Council District	3 – Haywood
School District	1 – Gentry
Requested by	EDGE Planning, Landscape Architects, applicant; Fontanel Properties LLC, Linda Jarrett, and Melvin Brown, owners.

Staff Reviewer	Swaggart
Staff Recommendation	<i>Defer to the April 28th, Planning Commission meeting.</i>

APPLICANT REQUEST

Amend SP to add additional land into SP to permit the relocation of previously approved rural resort.

Preliminary SP Amendment

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.

STAFF RECOMMENDATION

Staff recommends deferral to the April 28, 2016, Planning Commission meeting as requested by the applicant.



SEE NEXT PAGE



RECOMMENDATIONS TO METRO COUNCIL

- **Specific Plans**
- **Zone Changes**



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2016SP-018-001
KEYSTONE & VERITAS
Map 133-05, Parcel(s) 017
11, South Nashville
16 (Mike Freeman)



Project No.	Specific Plan 2016SP-018-001
Project Name	Keystone & Veritas
Council District	16 – Freeman
School District	07 – Pinkston
Requested by	Dale & Associates, Inc., applicant; Lex & Co., LLC, owner
Staff Reviewer	Sullivan
Staff Recommendation	<i>Defer to the April 14, 2016, Planning Commission meeting.</i>

APPLICANT REQUEST

Permit a residential development with up to two dwelling units.

Preliminary SP

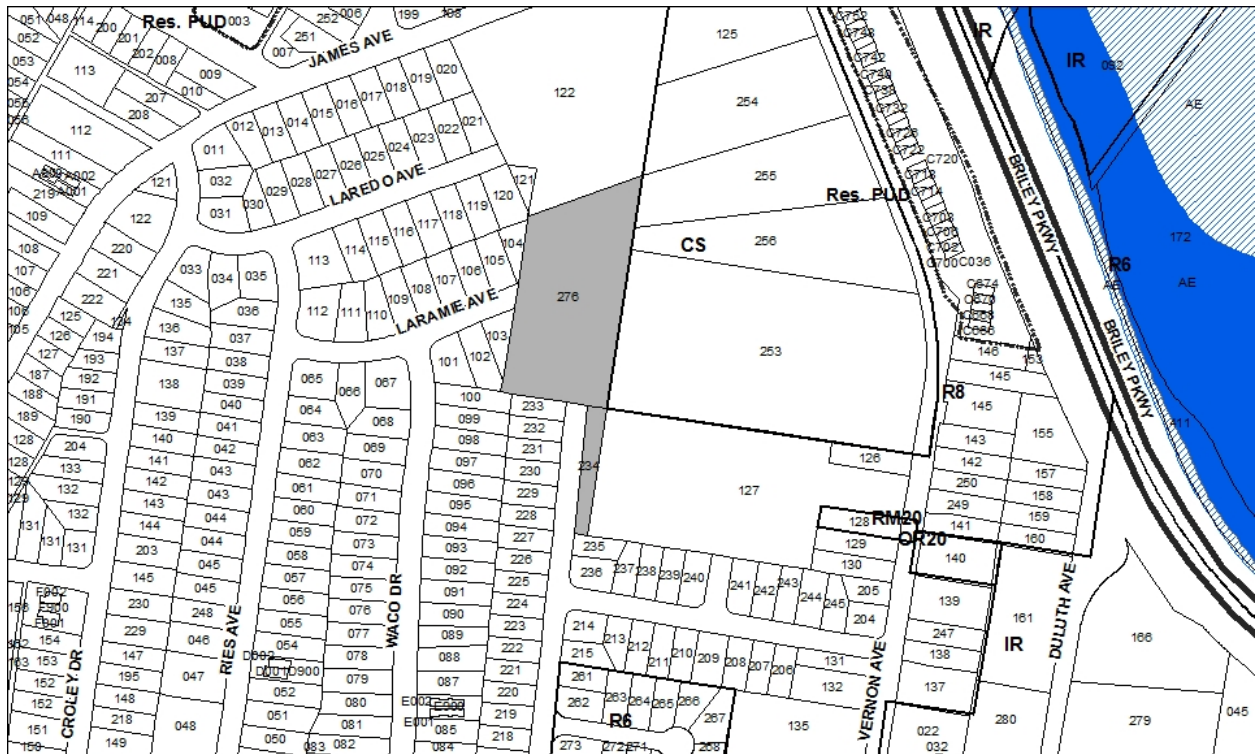
A request to rezone from Single-Family Residential (RS7.5) to Specific Plan- Residential (SP-R) for property located at 500 Veritas Street, at the northwest corner of Keystone Avenue and Veritas Street (0.26 acres), to permit two residential units.

STAFF RECOMMENDATION

Staff recommends deferral to the April 14, 2016, Planning Commission meeting at the request of the applicant.



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2016Z-020PR-001

Map 091-05, Parcel(s) 234, 276

07, West Nashville

20 (Mary Carolyn Roberts)



Project No.	Zone Change 2016Z-020PR-001
Council District	20 – Roberts
School District	9 - Frogge
Requested by	Miken Development, LLC, applicant; TSMPC, LLC, owner.
Staff Reviewer	Birkeland
Staff Recommendation	<i>Disapprove.</i>

APPLICANT REQUEST

Zone change from R8 to RM15-A.

Zone Change

A request to rezone from One and Two-Family Residential (R8) to Multi-Family Residential-Alternative (RM15-A) zoning for properties located at Laramie Avenue (unnumbered) and Nashua Lane (unnumbered), approximately 245 feet east of Waco Drive (3.07 acres).

Existing Zoning

One and Two-Family Residential (R8) requires a minimum 8,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 5.79 dwelling units per acre including 25 percent duplex lots. *R8 would permit a maximum of 16 lots with 4 duplex lots for a total of 20 units.*

Proposed Zoning

Multi-Family Residential-Alternative (RM15-A) is intended for single-family, duplex, and multi-family dwellings at a density of 15 dwelling units per acre and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. *RM15-A would permit a maximum of 46 units.*

CRITICAL PLANNING GOALS

N/A

WEST NASHVILLE COMMUNITY PLAN

T4 Urban Neighborhood Evolving (T4 NE) policy is intended to create and enhance urban neighborhoods that fit in with the general character of existing urban neighborhoods, with opportunities for housing choice and improved pedestrian, bicycle and vehicular connectivity. The resulting development pattern may have higher densities than existing urban neighborhoods and/or smaller lot sizes, with a broader range of housing types providing housing choice. This reflects the scarcity of easily developable land without sensitive environmental features and the cost of developing housing.

Consistent with Policy?

The T4 NE policy is a residential policy intended to enhance urban neighborhoods with opportunities for improved pedestrian, bicycle and vehicular connectivity. The request is not consistent in this location without a design based Specific Plan showing connectivity to adjacent public streets. A design based Specific Plan would help provide appropriate transitions to the existing residential neighborhood in terms for height, setbacks and spacing of the proposed



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residential units. Without proper street connectivity and appropriate transitions to the existing residential neighborhood, this request is inconsistent with the goals of the T4 Urban Neighborhood Evolving Policy.

ANALYSIS

The property properties located at Laramie Avenue (unnumbered) and Nashua Lane (unnumbered) are currently zoned R8. The existing zoning district allows for one and two-family residential uses. Both Laramie Avenue and Nashua Lane dead-end at this site.

The requested zone change of RM15-A zoning would allow multi-family residential uses. Without a design-based Specific Plan, staff cannot assess how this site will provide connectivity from the existing residential neighborhood or future connectivity to the east of the site. The adjacent residential neighborhood is located in a T4 Neighborhood Maintenance policy. A design-based Specific Plan would show how the proposed units would provide a transition in terms of height, setbacks and spacing of units to the adjacent one and two-family neighborhood. A design based Specific Plan would provide for a transition in placement, massing and orientation of buildings along the border of a T4 Neighborhood Maintenance policy. Without proper street connectivity or appropriate transactions to the existing single-family residential neighborhood, this request is inconsistent with the goals of the T4 Urban Neighborhood Evolving 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: **R8**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two- Family Residential* (210)	3.0	5.4 D	20 U	192	15	21

*Based on two two-family lots.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential (220)	3.0	15 U	45 U	300	23	28



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Traffic changes between maximum: **R8 and RM-15A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+ 25	+108	+8	+7

METRO SCHOOL BOARD REPORT

Projected student generation existing R8 district: 2 Elementary 1 Middle 1 High

Projected student generation proposed RM15-A district: 8 Elementary 4 Middle 4 High

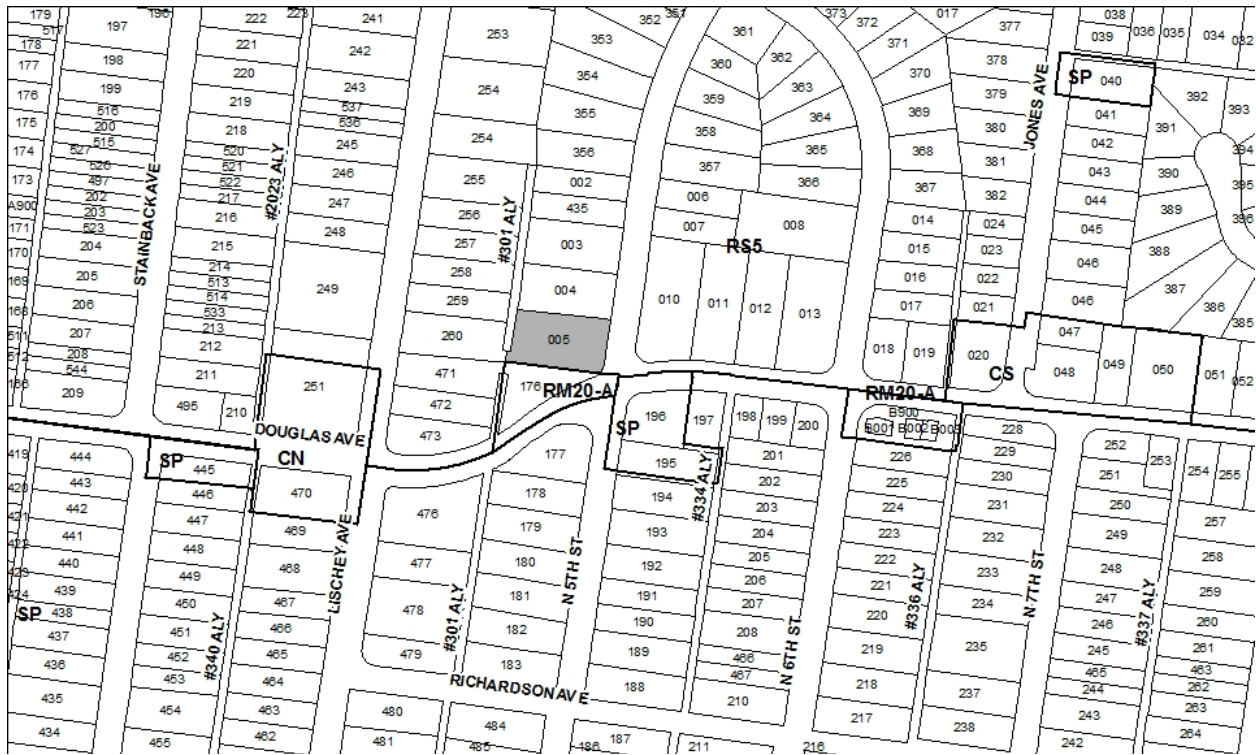
The proposed RM15-A zoning is expected to generate twelve more students than the existing R8 zoning. Students would attend Cockrill Elementary School, McKissack Middle School and Pearl-Cohn High School. None of the schools have been identified as being over capacity by the Metro School Board. This information is based upon data from the school board last updated October 2015.

STAFF RECOMMENDATION

Staff recommends disapproval as the rezoning may not provide an appropriate transition or provide for appropriate connectivity in this area.



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2016Z-025PR-001

Map 071-16, Parcel(s) 005

05, East Nashville

05 (Scott Davis)



Project No.
Council District
School District
Requested by

Zone Change 2016Z-025PR-001
05 – S. Davis
05 - Kim
Allison Patton, applicant and owner.

Staff Reviewer
Staff Recommendation

Moukaddem
Defer to the April 14, 2016, Planning Commission meeting.

APPLICANT REQUEST

Zone change from RS5 to RM20-A.

Zone Change

A request to rezone from Single-Family Residential (RS5) to Multi-Family Residential - Alternative (RM20-A) for property located at 1300 N 5th Street, at the northwest corner of North 5th Street and Douglas Avenue (0.34 acres).

STAFF RECOMMENDATION

Staff recommends deferral to the April 14, 2016, Planning Commission meeting at the request of the applicant.



SEE NEXT PAGE

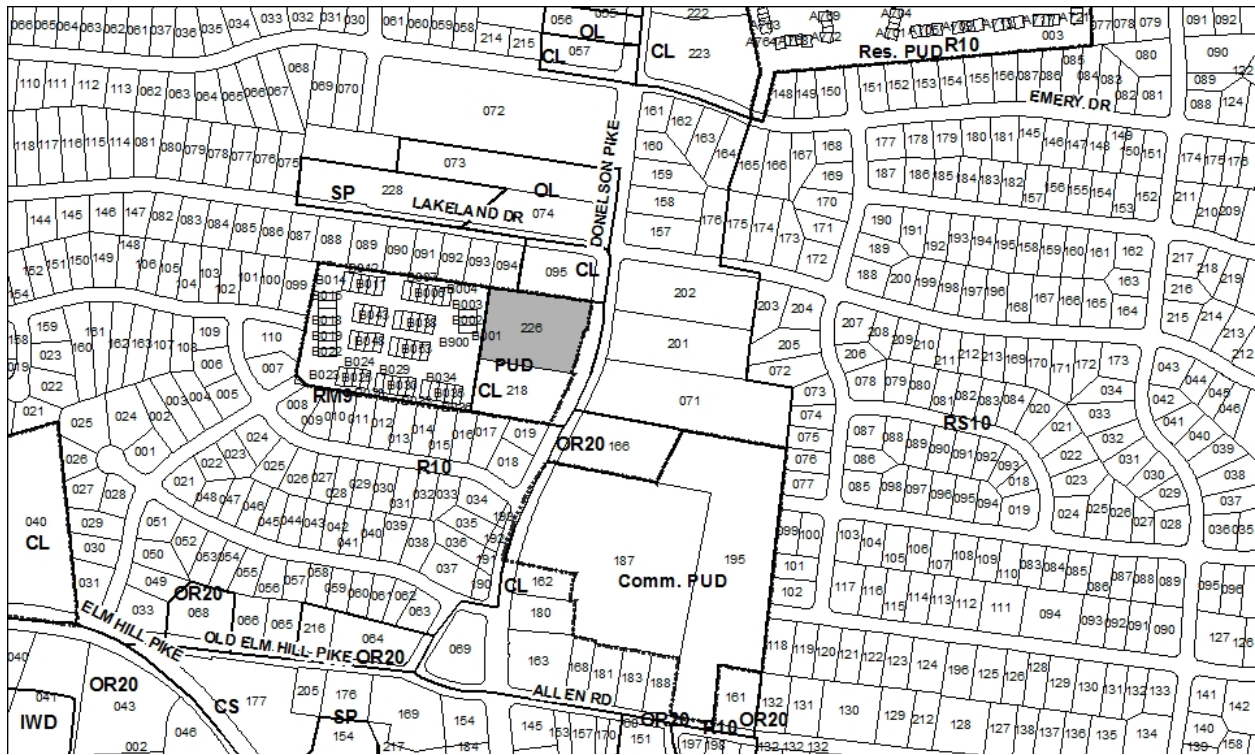


PLANNING COMMISSION ACTIONS

- **Planned Unit Development (Final)**
- **Subdivision (Final)**



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2005P-033-004

WHITLAND CROSSING (BOJANGLES)

Map 096-09, Parcel(s) 226

14, Donelson - Hermitage

15 (Jeff Syracuse)



Project No.	Planned Unit Development 2005P-033-004
Project Name	Whitland Crossing Bojangles
Council District	15 –Syracuse
School District	04 –Shepard
Requested by	Bojangles Restaurant, Inc., applicant; Donelson Spring, LLC, owner.
Staff Reviewer	Sullivan
Staff Recommendation	<i>Approve with conditions.</i>

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

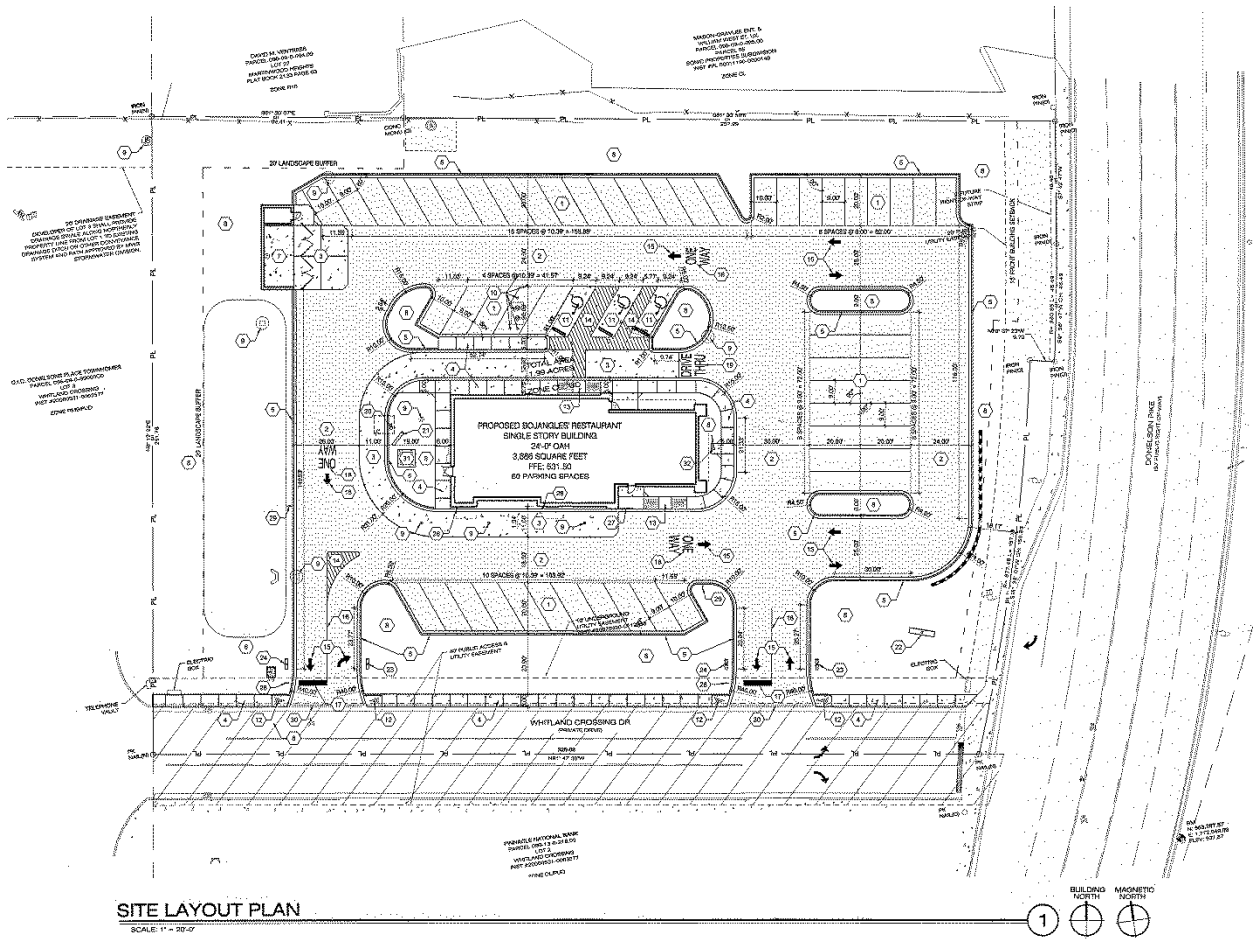
The site is located within the Whitland Crossing PUD, approved in 2006, to permit an 8,000 square-foot restaurant, 5,500 square-foot bank, and 54 multi-family units. The bank and multi-family units are constructed. In 2009, the PUD was amended to permit an 18,900 square-foot office building where the 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.



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Proposed Site Plan



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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.



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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

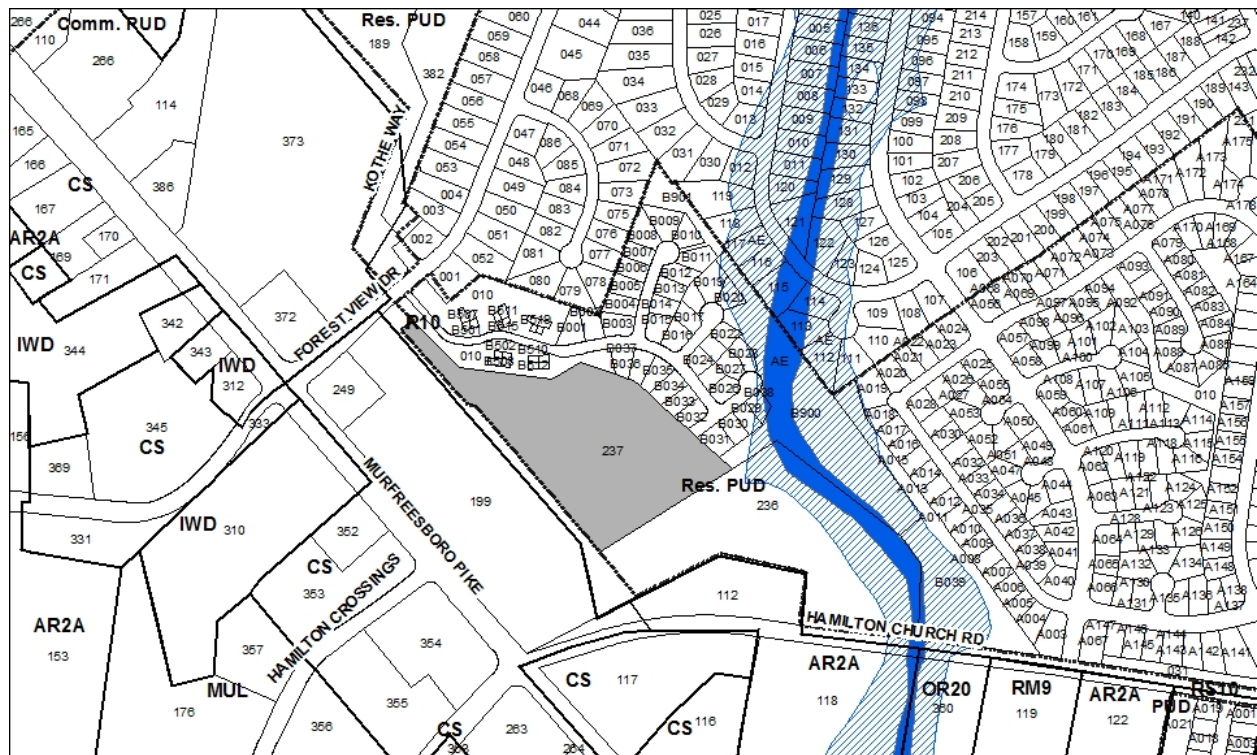
1. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
2. The requirements of the Metro Fire Marshal's 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.



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23-85P-001

FOREST VIEW PARK

Map 150, Parcel(s) 237

13, Antioch – Priest Lake

29 (Karen Y. Johnson)



Project No.	Planned Unit Development 23-85P-001
Project Name	Forest View Park
Council District	29 – K. Johnson
School District	6 - Hunter
Requested by	Crafton Tull, applicant; Kathy Katsaitis & Antonio Darsinos, owners.
Staff Reviewer	Swaggart
Staff Recommendation	<i>Approve with conditions.</i>

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

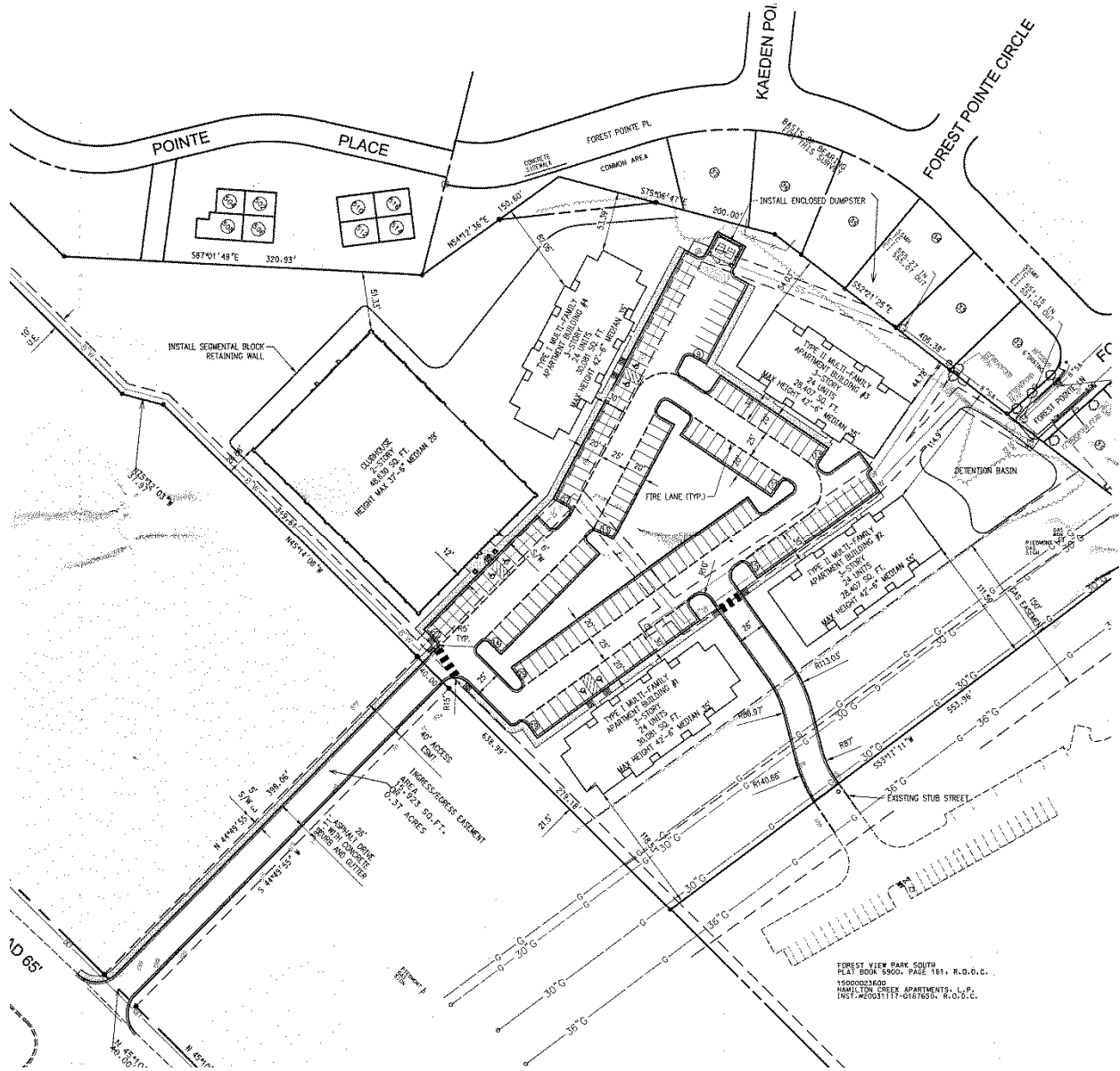
N/A

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



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Proposed Site Plan



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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.

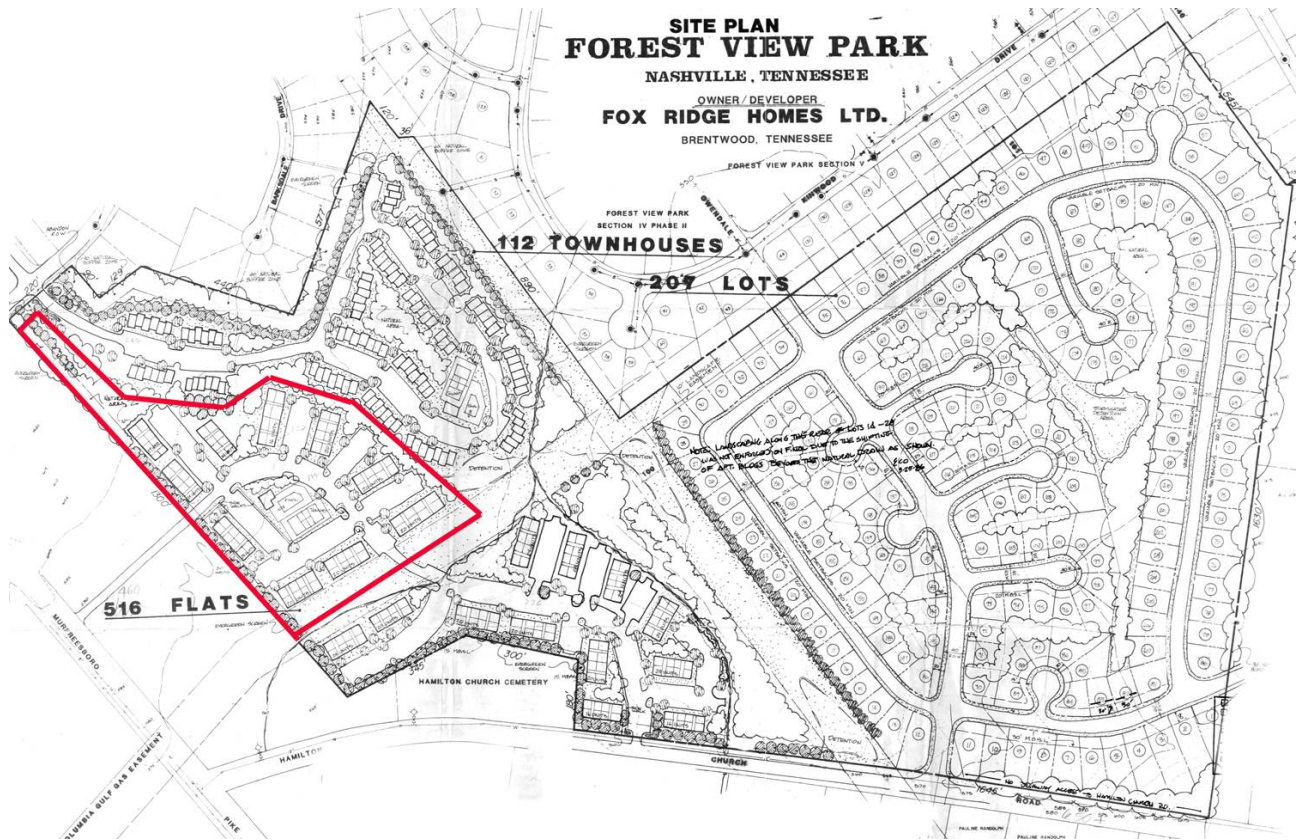
ANALYSIS

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;



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Currently Approved Site Plan



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- 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.



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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.

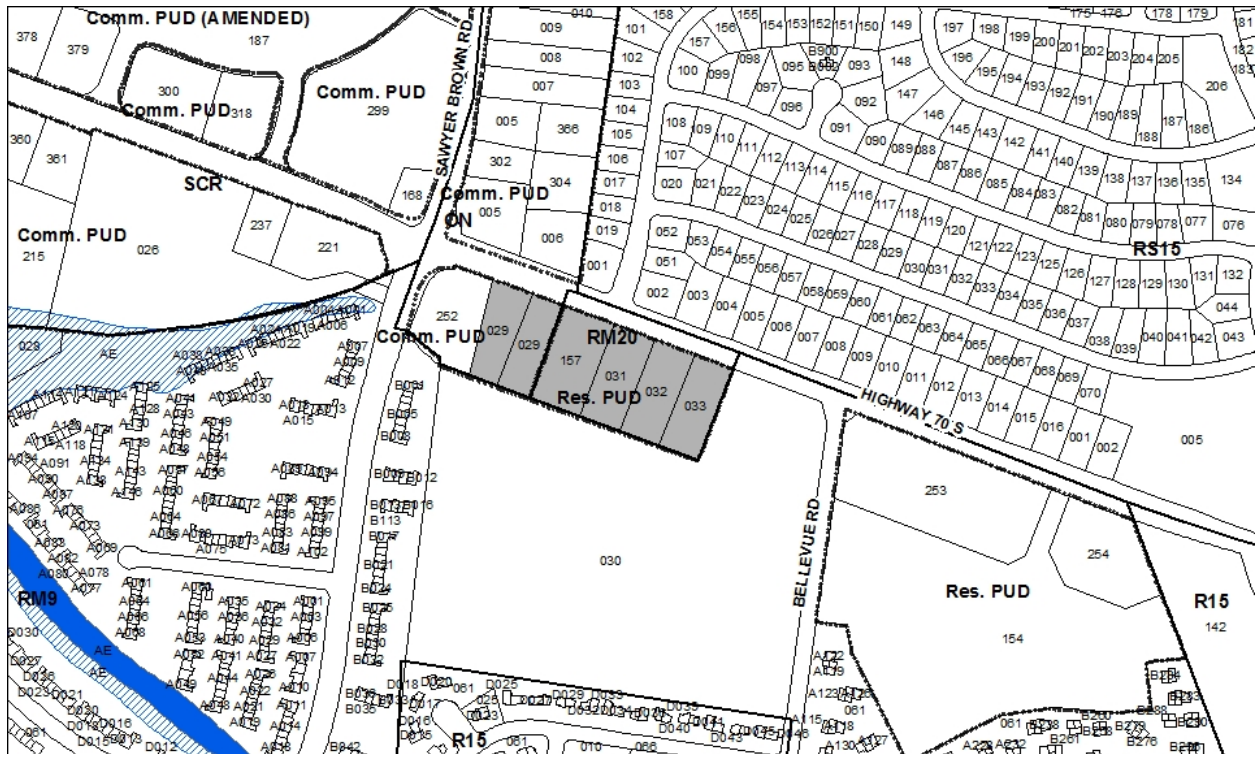


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2. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
3. If the PUD final site plan or final plat indicates that 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.



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94P-025-001

BELLEVUE COMMERCIAL (PERIODIC REVIEW)

Map 142, Parcel(s) 029.02, 029, 031-033, 157

06, Bellevue

22 (Sheri Weiner)



Project No.
Project Name
Council District
School District
Requested by

Planned Unit Development 94P-025-001
Bellevue Commercial (Periodic Review)
22 - Weiner
9 – Frogge
Councilmember Sheri Weiner

Staff Reviewer
Staff Recommendation

Milligan
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

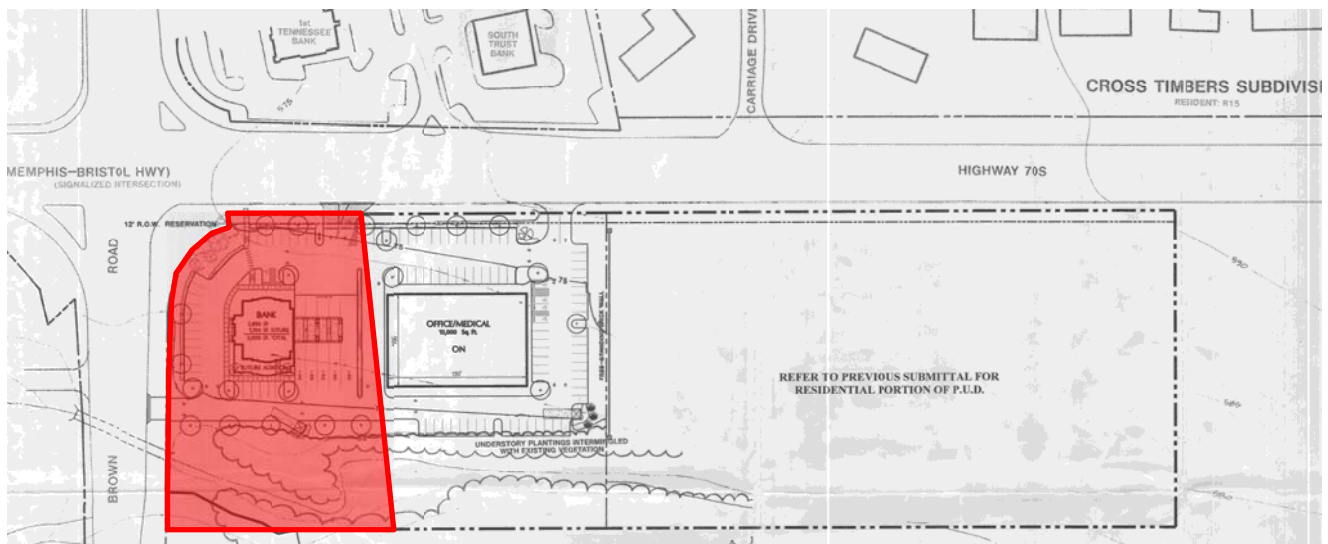
The Bellevue Commercial PUD was originally approved in 1994 for a 5,000 square foot bank, 15,000 square feet of office/medical uses and 104 multi-family units. The bank, located at the corner of Highway 70 S and Sawyer Brown Road, has been constructed. The total PUD contains approximately 8.3 acres of 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).



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Approved Preliminary Site Plan (The PUD boundary is outlined in red. The office portion is west of the dividing line and the residential portion is east of the dividing line).



Revised Preliminary and Final for Office portion (The shaded area is not part of the review).



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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*



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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



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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.

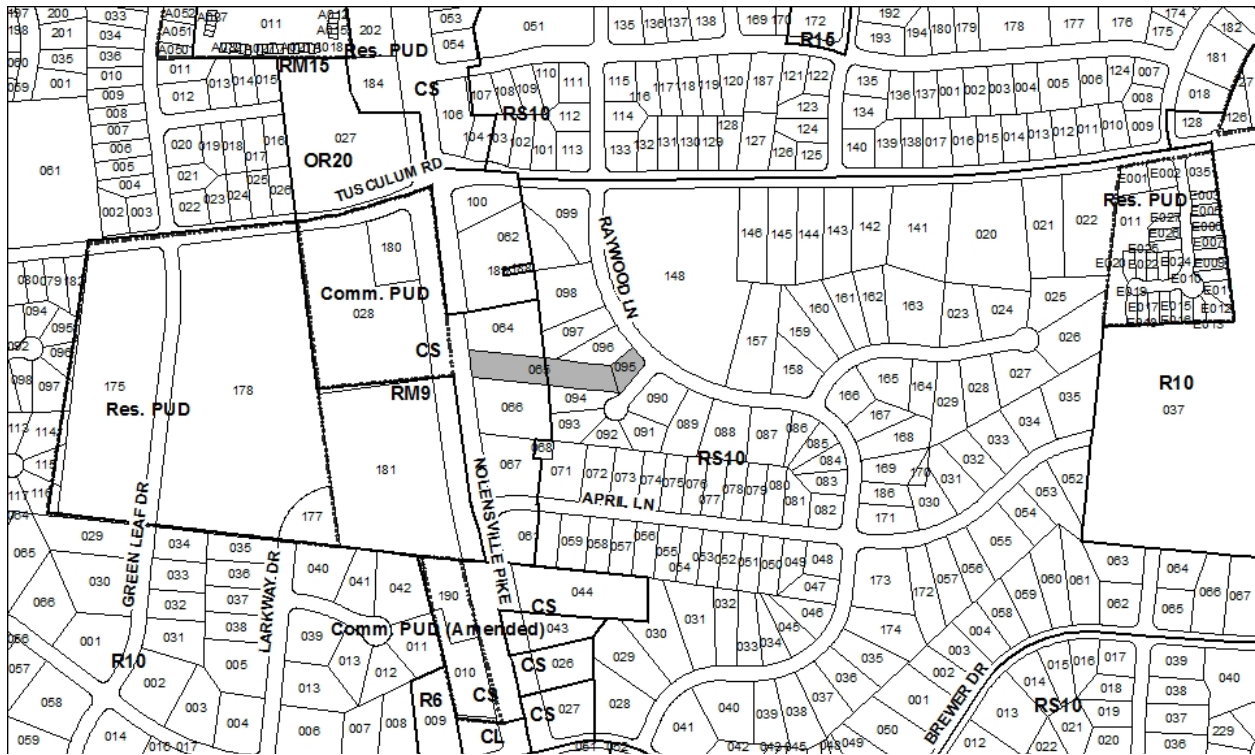
STAFF RECOMMENDATION

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.



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2016S-062-001
NOLAN COURT SUBDIVISION
Map 161-04, Parcel(s) 065
12, Southeast
27 (Davette Blalock)



Project No.	2016S-062-001
Project Name	Nolan Court Subdivision
Council District	27 – Blalock
School District	2 – Brannon
Requested by	HFR Design, Inc., applicant; Nolan Capital, LLC, owner.
Staff Reviewer	Swaggart
Staff Recommendation	<i>Defer to the April 14, 2016, Planning Commission meeting.</i>

APPLICANT REQUEST

Create four lots.

Final Plat

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 Commercial Service (CS) and Single-Family Residential (RS10) (1.35 acres).

STAFF RECOMMENDATION

Staff recommends deferral to the April 14, 2016, Planning Commission meeting as requested by the applicant.