

# Metropolitan Planning Commission



## Staff Reports

**May 12, 2016**



## Metro Planning Commission Meeting of 5/12/2016

*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.*

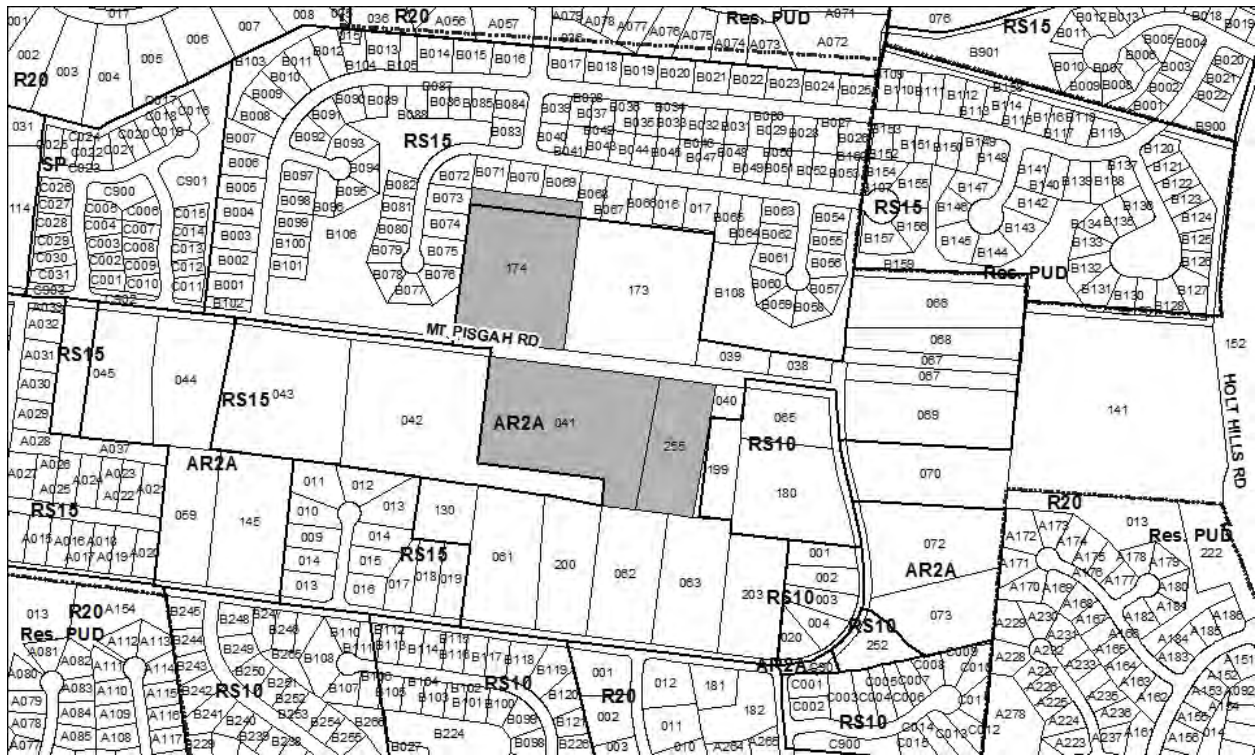


## **PREVIOUSLY CONSIDERED ITEMS**

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



# Metro Planning Commission Meeting of 5/12/2016



**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, the March 10, 2016, the March 24, 2016, the April 14, 2016, and the April 28, 2016, Planning Commission meetings. The public hearing was not held.

**Staff Reviewer** Milligan  
**Staff Recommendation** *Defer to the May 26, 2016, Planning Commission meeting.*

---

**APPLICANT REQUEST**

**Zone change to permit a residential development with up to 39 units.**

Preliminary SP

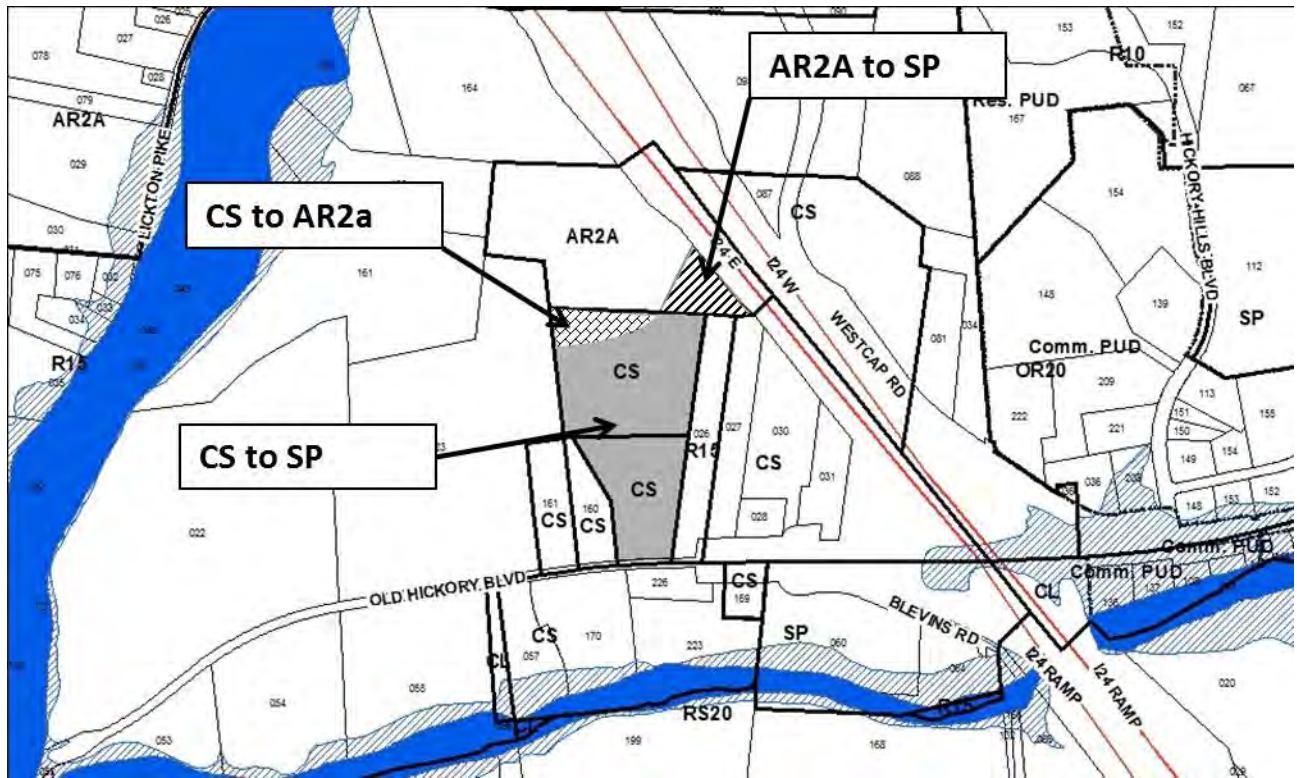
A request to rezone from Agricultural/Residential (AR2a) and Single-Family Residential (RS15) to Specific Plan-Residential (SP-R) zoning for properties located at Mt. Pisgah Road (unnumbered) and 6000 and 6021 Mt. Pisgah Road, approximately 750 feet west of Christiansted Lane (12.12 acres), to permit 39 single-family lots.

**STAFF RECOMMENDATION**

Staff recommends deferral to the May 26, 2016, Planning Commission meeting at the request of the applicant.



# Metro Planning Commission Meeting of 5/12/2016



**2016SP-014-001**

7435 OLD HICKORY BOULEVARD SP

Map 031, Part of Parcel 068

03, Bordeaux - Whites Creek

03 (Brenda Haywood)



**Project No.** **Specific Plan 2016SP-014-001**  
**Project Name** **7435 Old Hickory Boulevard SP**  
**Council District** 3 – Haywood  
**School District** 1 – Gentry  
**Requested by** Dale & Associates, applicant; Anchor Property Holdings, LLC, owner.

**Deferrals** This request was deferred at the request of the applicant from the February 11, 2016, February 25, 2016, March 10, 2016, and the April 14, 2016, Planning Commission meetings. The public hearing was not held.

**Staff Reviewer** Swaggart  
**Staff Recommendation** *Disapprove.*

**APPLICANT REQUEST**

**Zone change to permit commercial uses and an industrial use.**

Zone Change

A request to rezone from Agricultural/Residential (AR2a) (2.47 acres) and Commercial Services (CS) (15.6 acres) to Specific Plan – Commercial (SP-C) zoning (18.07 acres), to permit heavy equipment sales (heavy truck repair), and all uses permitted by the CS zoning district except alternative financial services uses, non-residential drug treatment facilities, a bar or nightclub, and pawnshops and clubs, and CS zoning (1.43 acres) to AR2a zoning for portions of property located at 7435 Old Hickory Boulevard, approximately 635 feet west of Blevins Road.

**Existing Zoning**

Agricultural/Residential (AR2a) requires a minimum lot size of two acres and intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per two acres. The AR2a District is intended to implement the natural conservation or rural land use policies of the general plan.

Commercial Service (CS) is intended for retail, consumer service, financial, restaurant, office, self-storage, light manufacturing and small warehouse uses.

**Proposed Zoning**

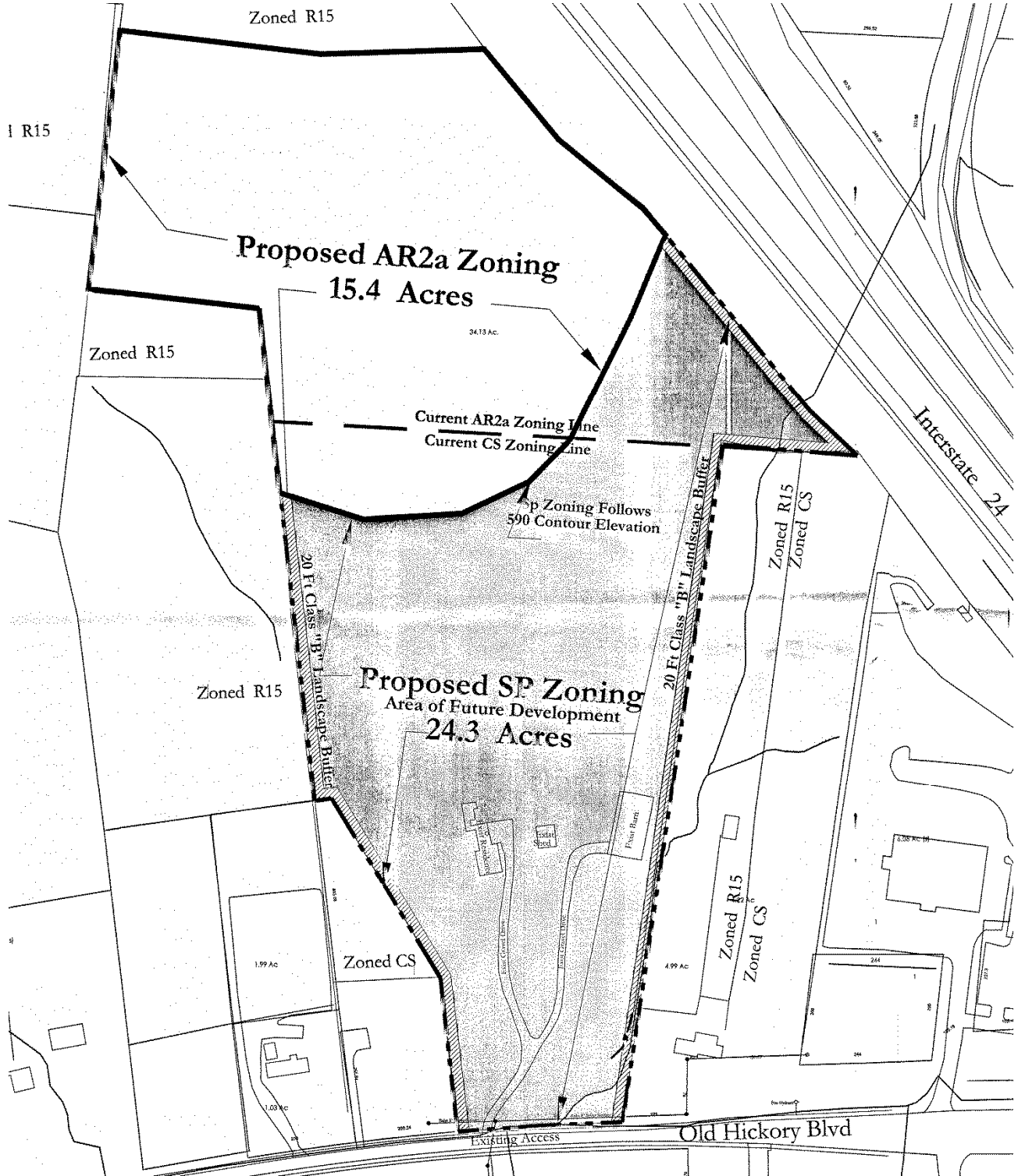
Specific Plan-Commercial (SP-C) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes commercial uses.

Agricultural/Residential (AR2a) requires a minimum lot size of two acres and intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per two acres. The AR2a District is intended to implement the natural conservation or rural land use policies of the general plan.



# Metro Planning Commission Meeting of 5/12/2016

T3



**Proposed Site Plan**





## Metro Planning Commission Meeting of 5/12/2016

### CRITICAL PLANNING GOALS

N/A

### BORDEAUX – WHITES CREEK COMMUNITY PLAN

T3 Suburban Community Center (T3 CC) is intended to enhance and create suburban community centers that are intense mixed use areas. T3 Suburban Community Center areas fit in with the general character of suburban neighborhoods. Infrastructure and transportation networks may be enhanced to improve pedestrian, bicycle and vehicular connectivity. T3 Suburban Community Centers are pedestrian friendly areas, generally located at prominent intersections.

Conservation (CO) policy intended to preserve environmentally sensitive land features through protection and remediation. CO policy applies in all Transect Categories T6 Downtown. CO policy identifies land with sensitive environmental features including, but not limited to, steep slopes, floodway/floodplains, rare or special plant or animal habitats, wetlands and unstable or problem soils. The guidance for preserving or enhancing these features varies with what Transect they are in and whether or not they have already been disturbed.

#### Consistent with Policy?

No. The T3 CC policy does not support industrial uses. The primary intent of this SP is to permit the service and repair of heavy trucks. This is similar to “heavy equipment sales and service” which is listed as an industrial use in the Metro Zoning Code. This use does not meet the policy’s intent to create and/or preserve “suburban community centers”.

### PLAN DETAILS

The existing property impacted by this request is approximately 34.13 acres in size. It is split zoned with approximately 17.1 acres zoned AR2a and approximately 17.03 acres zoned CS. The area of the property subject to this zoning request is approximately 19.5 acres. This includes approximately 1.43 acres proposed to be rezoned from CS to AR2a and approximately 2.47 acres of AR2a and approximately 15.6 acres of CS proposed for SP.

The portion of property proposed for SP is mostly open field which is due to grading that has been done on the site. The grading on the site was done without a permit and is under enforcement by Metro Stormwater. The property owner has also been cited for various other zoning violations including illegal use of the property. The property is currently being used illegally for heavy equipment sales and service and other unknown activities. The intent of the proposed SP is to permit the current illegal use, but it would also prohibit some uses that are permitted in the existing CS zoning district.

#### Site Plan

The proposed SP is regulatory and provides the following standards:

1. Uses within the SP shall be limited to those uses permitted by the CS zoning district excluding cash advance, check cashing, title loan, non residential drug treatment, bar or nightclub, pawnshop and club, and shall allow heavy equipment services (heavy truck repair).
2. There shall be a Class “B” buffer yard located along the entire perimeter of the SP zoning, except along the frontage of Old Hickory Boulevard. This buffer shall be an undisturbed area where all



## Metro Planning Commission Meeting of 5/12/2016

- existing vegetation shall be maintained and supplemented as needed in order to meet the buffer required. The condition shall not prohibit maintenance of the buffer.
3. Any development within the SP shall meet the Major and Collector Street Plan, including ROW dedications and sidewalks, and shall be shown on any final site plans.
  4. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the CS zoning district as of the date of the applicable request or application.
  5. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
  6. 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.
  7. Comply with MPW Traffic Engineer. A TIS is required prior to final SP approval of any phase to determine access points and roadway mitigations.
  8. With final SP, indicate on the plans the solid waste and recycling plans for the site.
  9. Access points for the site are to comply with MPW standards and Metro Codes Section 13.12 and 17.20160-170.
  10. If sidewalks are required with this SP, they are to be per the MCSP and built to meet MPW standards and specifications.
  11. Prior to approval of any final SP, a letter of water and sewer availability shall be submitted and any capacity fees paid.
  12. Heavy equipment repair shall be limited to a maximum of 24,000 square feet of building floor area (2.3% of the total SP land area), all repair must occur within an enclosed building. All buildings in which repair is performed must be setback a minimum of 200 feet, and turned perpendicular to Old Hickory Boulevard and heavily landscaped and screened to be hidden from public street view.
  13. The repair and/or maintenance of heavy construction equipment is not allowed (excavators, skid loaders, dozers, compactors, trenchers, graders, etc.).

### **ANALYSIS**

Staff recommends disapproval as the proposed heavy equipment sales and service use is not consistent with the sites T3 CC land use policy. Heavy equipment sale and service is listed as an industrial use in the Metro Zoning Code. This use does not fit within the policy's intent to create and/or preserve "suburban community centers".

### **FIRE MARSHAL RECOMMENDATION**

N/A

### **STORMWATER RECOMMENDATION**

Ignore

### **PUBLIC WORKS RECOMMENDATION**

#### **Conditions if approved**

- 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.
- With Final SP, indicate on the plans the solid waste and recycling plans for the site.



## Metro Planning Commission Meeting of 5/12/2016

- Access points for the site are to comply with MPW standards and Metro Codes Section 13.12 and 17.20.160/170.
- If sidewalks are required with this SP, they are to be per the MCSP and built to meet MPW standards and specifications.

### **TRAFFIC & PARKING RECOMMENDATION**

#### **Condition if approved**

- Include a note on sheet C1.0 that additional ROW on Old Hickory Blvd. frontage and cross access to adjacent properties may be required at development.

### **WATER SERVICES RECOMMENDATION**

N/A

### **STAFF RECOMMENDATION**

Staff recommends disapproval as the proposed heavy equipment sales and service is not consistent with the T3 CC land use policy.

### **CONDITIONS (if approved)**

1. Uses within the SP shall be limited to those uses permitted by the CS zoning district excluding alternative financial services uses, non-residential drug treatment, bar or nightclub, pawnshop and club, and shall allow heavy equipment services (heavy truck repair).
2. There shall be a Class "B" buffer yard located along the entire perimeter of the SP zoning, except along the frontage of Old Hickory Boulevard. This buffer shall be an undisturbed area where all existing vegetation shall be maintained and supplemented as needed in order to meet the buffer required. The condition shall not prohibit maintenance of the buffer.
3. Any development within the SP shall meet the Major and Collector Street Plan, including ROW dedications and sidewalks, and shall be shown on any final site plans.
4. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the CS zoning as of the date of the applicable request or application.
5. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
6. 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.
7. Comply with MPW Traffic Engineer. A TIS is required prior to final SP approval of any phase to determine access points and roadway mitigations.
8. With final SP, indicate on the plans the solid waste and recycling plans for the site.
9. Access points for the site are to comply with MPW standards and Metro Codes Section 13.12 and 17.20160-170.
10. If sidewalks are required with this SP, they are to be per the MCSP and built to meet MPW standards and specifications.
11. Prior to approval of any final SP, a letter of water and sewer availability shall be submitted and any capacity fees paid.
12. Heavy equipment repair shall be limited to a maximum of 24,000 square feet of building floor area (2.3% of the total SP land area), all repair must occur within an enclosed building. All buildings in which repair is performed must be setback a minimum of 200 feet, and turned



## Metro Planning Commission Meeting of 5/12/2016

perpendicular to Old Hickory Boulevard and heavily landscaped and screened to be hidden from public street view.

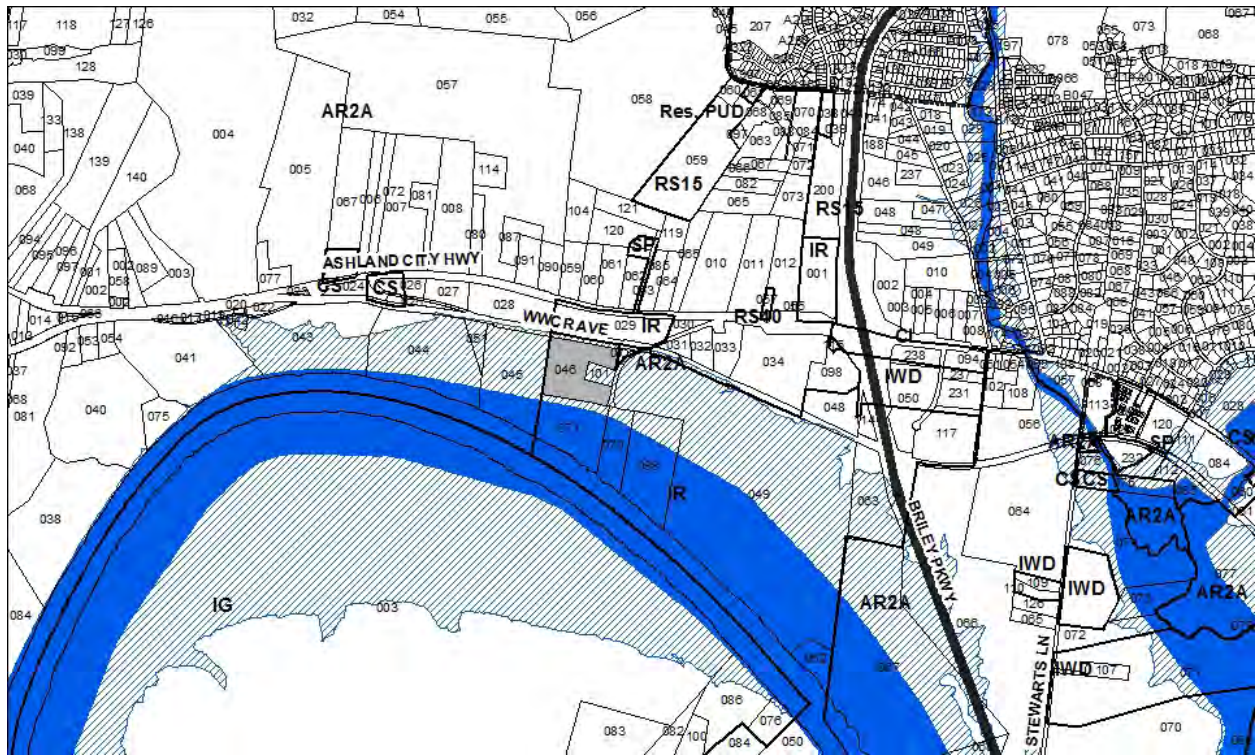
13. Include a note on sheet C1.0 that additional ROW on Old Hickory Blvd. frontage and cross access to adjacent properties may be required at development.
14. The repair and/or maintenance of heavy construction equipment shall not be allowed (excavators, skid loaders, dozers, compactors, trenchers, graders, etc.).
15. 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 CS zoning district as of the date of the applicable request or application. Uses are limited as described in the Council approved plan.
16. 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.
17. 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.
18. 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.



**SEE NEXT PAGE**



# Metro Planning Commission Meeting of 5/12/2016



**2016SP-015-001**  
HAYLEY HARBOR SP  
Map 068, Parcel(s) 046  
03, Bordeaux - Whites Creek  
01 (Sharon Hurt)



**Project No.** Specific Plan 2016SP-015-001  
**Project Name** Haley Harbor SP  
**Council District** 01 - Hurt  
**School District** 01 - Gentry  
**Requested by** Dale & Associates, applicant; Smyrna Ready Mix, LLC, owner.

**Deferrals** This request was deferred from the February 11, 2016, March 10, 2016, and the April 14, 2016, Planning Commission meetings. A public hearing was only held at the March 10, 2016, Planning Commission meeting.

**Staff Reviewer** Birkeland  
**Staff Recommendation** *Defer to the May 26, 2016, Metro Planning Commission meeting.*

---

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

Zone Change

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

**STAFF RECOMMENDATION**

Staff recommends deferral to the May 26, 2016, Planning Commission meeting as requested by the applicant.



# Metro Planning Commission Meeting of 5/12/2016



**2016SP-026-001**  
903 & 905 CURDWOOD SP  
Map 061-10, Parcel(s) 163-164  
05, East Nashville  
08 (Nancy VanReece)





**Project No.** Specific Plan 2016SP-026-001  
**Project Name** 903 & 905 Curdwood SP  
**Council District** 8 – VanReece  
**School District** 3 – Speering  
**Requested by** Dale & Associates, applicant; Justin Hicks D223 LLC, owner.

**Deferrals** This request was deferred from the April 28, 2016, Planning Commission meeting. The public hearing was not held.

**Staff Reviewer** Swaggart  
**Staff Recommendation** Disapprove.

**APPLICANT REQUEST**

**Zone change to permit nine multi-family units.**

Zone Change

A request to rezone from Single-Family Residential (RS7.5) to Specific Plan-Residential (SP-R) zoning for properties located at 903 and 905 Curdwood Boulevard, approximately 880 feet west of the intersection of Burrus Street and Curdwood Blvd (1.47 acres), to permit up to nine residential units.

**Existing Zoning**

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

**Proposed Zoning**

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

**CRITICAL PLANNING GOALS**

N/A

**EAST NASHVILLE COMMUNITY PLAN**

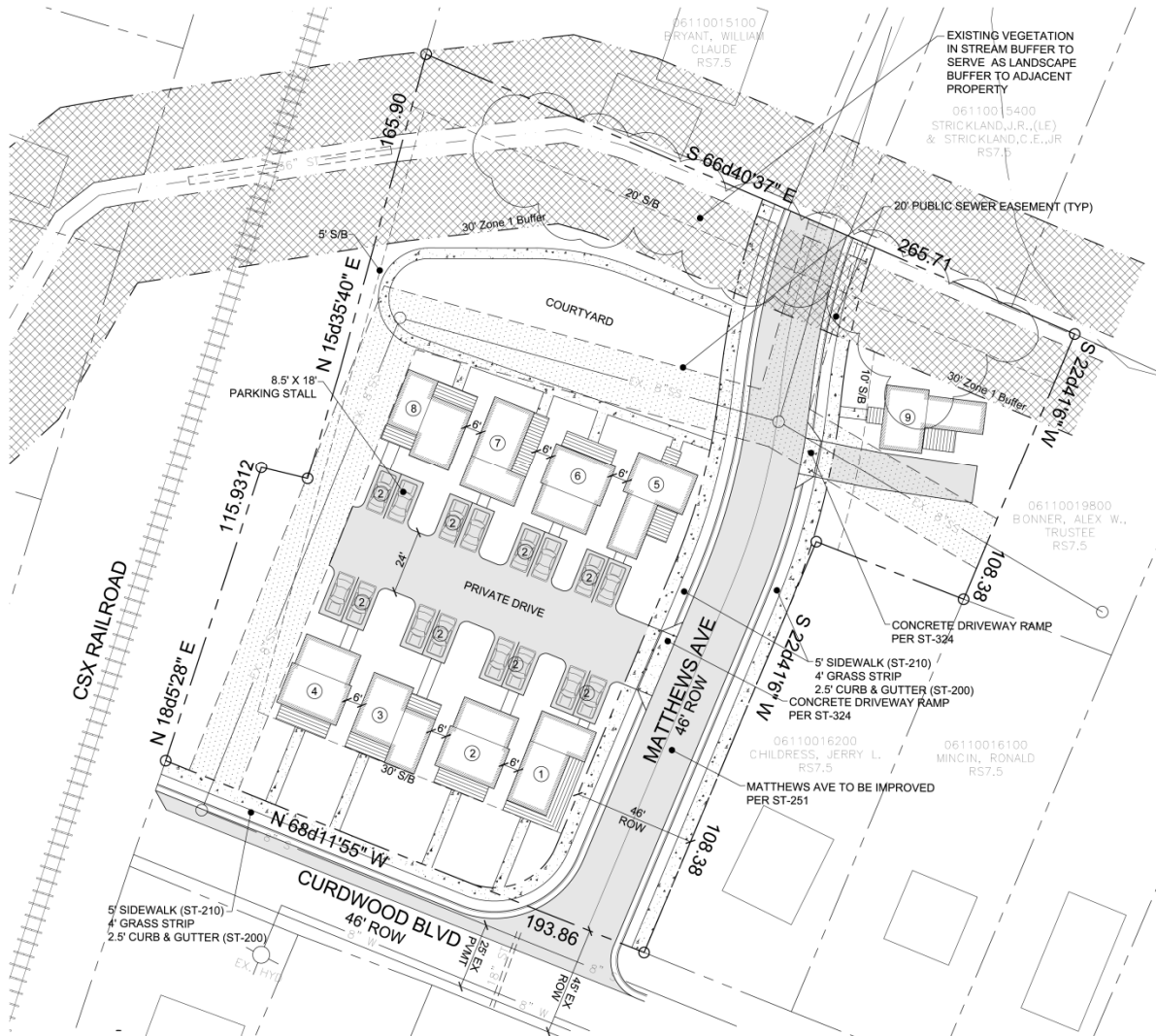
T4 Urban Neighborhood Maintenance (T4 NM) is intended to preserve the general character of existing urban neighborhoods. T4 NM areas will experience some change over time, primarily when buildings are expanded or replaced. When this occurs, efforts should be made to retain the existing character of the. Enhancements may be made to improve pedestrian, bicycle and vehicular connectivity.

Consistent with Policy?

No. While the T4 NM policy can support multi-family residential development, the properties are located in an established single-family residential neighborhood. The properties are not located at a major intersection, or at a location that would provide a transition from a more intense use or zoning



# Metro Planning Commission Meeting of 5/12/2016



**Proposed Site Plan**



## **Metro Planning Commission Meeting of 5/12/2016**

district. Due to the location and Neighborhood Maintenance Land Use Policy for the area, the proposed multi-family residential development is not appropriate.

### **PLAN DETAILS**

The subject properties are located in East Nashville, at the end of Curdwood Boulevard, two blocks west of Gallatin Pike. Each property contains a single-family home.

#### Site Plan

The plan calls for nine multi-family residential units. There are four units shown along Curdwood Boulevard, four units fronting open space at the rear of the site, and one unit located on the east side of the proposed extension of Mathews Avenue. The units located along Curdwood Boulevard are set back approximately 30 feet from Curdwood Boulevard. The plan calls for building elevations to be provided with the final site plan. The plan provides standards for orientation, glazing, materials, porches and raised foundations.

The plan calls for the extension of Mathews Avenue, which would provide a connection to the unbuilt portion of Mathews Avenue to the north of the site. The plan calls for a five foot wide sidewalk and a four foot planting strip along Curdwood Boulevard, and along the proposed extension of Mathews Avenue.

### **ANALYSIS**

Staff recommends disapproval because the proposed SP is not consistent with the area's T4NM land use policy. While the T4 NM policy can support multi-family residential development, the properties are located in an established single-family residential neighborhood. The properties are not located at a major intersection, or at a location that would provide a transition from a more intense use or zoning district. Due to the location, the proposed multi-family residential development is not appropriate.

### **FIRE MARSHAL RECOMMENDATION**

#### **Approved with conditions**

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

### **STORMWATER RECOMMENDATION**

#### **Approved**

### **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.
- Extend the proposed Mathews Avenue pavement section, providing connectivity. Provide a full width pavement overlay to the Mathews Avenue and Virginia Avenue street intersection.

### **TRAFFIC & PARKING RECOMMENDATION**

#### **No Exceptions Taken**



## Metro Planning Commission Meeting of 5/12/2016

Maximum Uses in Existing Zoning District: **RS7.5**

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)	1.47	5.8 D	8 U	102	16	12

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (210)	1.47	-	9 U	114	17	13

Traffic changes between maximum: **RS7.5** and **SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+ 1 U	+12	+1	+1

### WATER SERVICES RECOMMENDATION

#### Approved with conditions

Approved as a Preliminary SP only. Public water and sewer construction plans must be submitted and approved prior to Final SP approval. These approved construction plans must match the Final Site Plan/SP plans. The required capacity fees must also be paid prior to Final Site Plan/SP approval. Trees may not be planted on top of existing public sewer or water mains.

### METRO SCHOOL BOARD REPORT

**Projected student generation existing RS7.5 district: 1 Elementary 1 Middle 1 High**

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

The proposed SP- R zoning district would generate no additional student than what is typically generated under the existing RS7.5 zoning district. Students would attend Hattie Cotton Elementary, Gra-Mar Middle School and Maplewood High School. This information is based upon data from the school board last updated November 2015.

### STAFF RECOMMENDATION

Staff recommends disapproval as the proposed SP is not consistent with the East Nashville Community Plan's T4 NM land use policy.

### CONDITIONS (if approved)

1. Uses in the SP shall be limited to nine residential units.
2. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM9 zoning district as of the date of the applicable request or application.



## Metro Planning Commission Meeting of 5/12/2016

3. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
4. 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.
5. 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.
6. 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.
7. 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.



# Metro Planning Commission Meeting of 5/12/2016



**2016SP-033-001**

LARAMIE AVENUE SP

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

07, West Nashville

20 (Mary Carolyn Roberts)



<b>Project No.</b>	<b>Specific Plan 2016SP-033-001</b>
<b>Project Name</b>	<b>Laramie Avenue SP</b>
<b>Council District</b>	20– Roberts
<b>School District</b>	09 – Fogge
<b>Requested by</b>	Miken Development, LLC, applicant; TSMPC, LLC, owner.

**Deferrals** This request was originally case number 2016Z-020PR-001 and was deferred from the March 24, 2016, Planning Commission meeting. The public hearing was not held.

**Staff Reviewer** Birkeland  
**Staff Recommendation** *Defer to the May 26, 2016, Metro Planning Commission meeting unless recommendations of approval are received from all Metro agencies. If recommendations of approval are received, staff recommends disapproval.*

**APPLICANT REQUEST**  
**Zone change to permit up to 37 residential units.**

Preliminary SP  
 A request to rezone from One and Two-Family Residential (R8) to Specific Plan-Residential (SP-R) zoning, to permit up to 37 residential units, 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.*

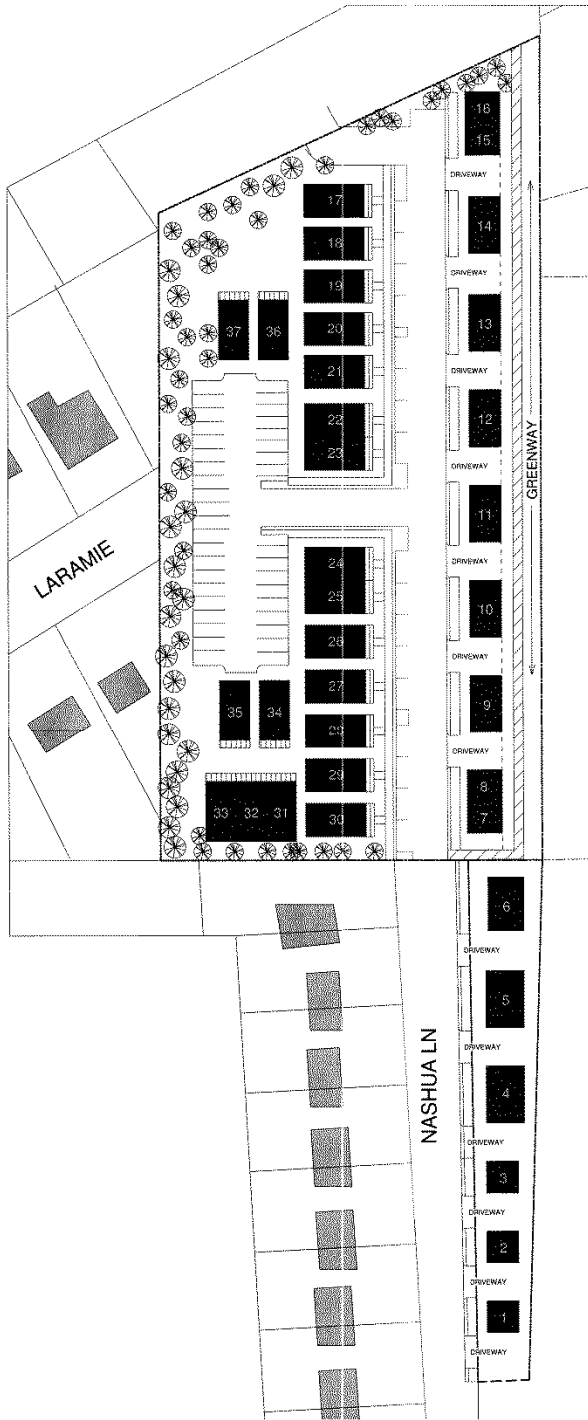
**Proposed Zoning**  
Specific Plan-Residential (SP-R) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes only one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

**CRITICAL PLANNING GOALS**  
 The plan does not create open space as it fails to provide enough details to determine whether or not functional open space is provided for residents. The SP District is intended to implement context sensitive development. The design and placement of buildings and functional and accessible open spaces in each SP district is imperative to furthering critical planning goals.

**WEST NASHVILLE COMMUNITY PLAN**  
T4 Urban Neighborhood Evolving (T4 NE) is intended to create and enhance urban residential neighborhoods that provide more housing choices, improved pedestrian, bicycle and vehicular connectivity, and moderate to high density development patterns with shallow setbacks and minimal



# Metro Planning Commission Meeting of 5/12/2016



**Proposed Site Plan**





## Metro Planning Commission Meeting of 5/12/2016

spacing between buildings. T4 NE areas are served by high levels of connectivity with complete street networks, sidewalks, bikeways and existing or planned mass transit. T4 NE policy may be applied either to undeveloped or substantially under-developed “greenfield” areas or to developed areas where redevelopment and infill produce a different character that includes increased housing diversity and connectivity. Successful infill and redevelopment in existing neighborhoods needs to take into account considerations such as timing and some elements of the existing developed character, such as the street network and block structure and proximity to centers and corridors.

### Consistent with Policy?

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 connectivity to adjacent public streets. The plan does not provide appropriate transitions to the existing residential neighborhood in terms of height, setbacks and spacing of the proposed residential units. Without proper street connectivity and appropriate transitions to the surrounding residential neighborhood, this request is inconsistent with the goals of the T4 Urban Neighborhood Evolving Policy.

### **PLAN DETAILS**

#### History

This request was originally submitted as a zone change request from R8 to RM15-A. Staff recommended disapproval and the applicant deferred the application indefinitely prior to the March 24, 2016, Metro Planning Commission meeting. The applicant has changed the application into a Specific Plan application to permit a maximum of 37 residential units.

#### Site Plan

The 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 proposed plan includes 37 attached and detached residential dwelling units. An accurately scaled plan has not been submitted for staff to be able to fully analyze the proposed site plan. Vehicular access to the site is proposed from Nashua Lane. Parking is provided throughout the site, including a parking lot adjacent to the existing residential structures on Laramie Avenue. It is unclear if units 1-16 will have garages or if the driveway would be used for parking. While the plan proposes a maximum height of two stories, there is no limitation in terms of feet within the two stories.

The proposed SP is not consistent with the T4 Neighborhood Evolving Policy. The proposed design for the site is incompatible and does not provide an appropriate transition between the units and the surrounding T4 Neighborhood Maintenance policy and single family units to the west of the site. The lack of an appropriate transition includes the following:

- The proposed parking lot location is inappropriate located next to the existing single family structures.
- Plan lacks useable open space.
- Lack of elevations of proposed units including design details such as maximum height of units in feet and massing of units.
- Lack of a public street extension of Laramie Avenue



## **Metro Planning Commission Meeting of 5/12/2016**

- Lack of connection to property to the east
- Lack of details regarding a proposed landscape buffer between the single-family neighborhood west of the site and the proposed SP.
- Lack of details on the proposed greenway on the eastern portion of the site.
- Lack of details regarding connection to the property to the north.
- Lack of internal sidewalk connections and lack of details regarding a required public sidewalk along the eastern portion of Nashua Lane.

It is likely that the types of units proposed are not appropriate with the size and shape of the property and the massing and scale of the surrounding existing structures and neighborhood.

### **ANALYSIS**

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. Stormwater, Water Services and Public Works have all returned the plan. Without a properly scaled plan for all agencies to review, staff recommends disapproval

### **FIRE MARSHAL RECOMMENDATION**

#### **Approved with conditions**

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

### **STORMWATER RECOMMENDATION**

#### **Returned**

- Submit full drawing set scaled to size for review. Comments will be sent after the plan is reviewed.

### **WATER SERVICES RECOMMENDATION**

#### **Returned**

- Awaiting submittal of an availability study before the SP can be reviewed. Once this study has been submitted, the applicant will need to address any outstanding issues brought forth by the results of this study. (Capacity fees and public utility extension plans may be required in this case.)

### **PUBLIC WORKS RECOMMENDATION**

#### **Returned**

- Submit full Civil drawings to MPW for review. Additional comments will be forth coming.

### **TRAFFIC AND PARKING RECOMMENDATION**

#### **Returned**

- Submit full Civil drawings to MPW for review. Additional comments will be forth coming.



## Metro Planning Commission Meeting of 5/12/2016

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)	3.07	5.4 D	20 U	192	15	21

\*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential (230)	3.07	-	37 U	233	21	24

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
	3.07	-	+11 U	+41	+6	+3

### METRO SCHOOL BOARD REPORT

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

**Projected student generation proposed SP-R district: 5 Elementary 3 Middle 2 High**

The proposed SP zoning is expected to generate six 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 November 2015.

### STAFF RECOMMENDATION

Staff recommends deferral to the May 26, 2016, Planning Commission meeting, unless recommendations of approval are received from all Metro agencies. If recommendations of approval are received, staff recommends disapproval as the proposed plan does not provide an appropriate transition or provide for appropriate connectivity to the surrounding neighborhood.



# Metro Planning Commission Meeting of 5/12/2016



**2016SP-035-001**

1142 DUNCANWOOD DRIVE SP  
Map 131-04, Parcel(s) 221  
10, Green Hills - Midtown  
25 (Russ Pulley)



**Project No.** Specific Plan 2016SP-035-001  
**Project Name** 1142 Duncanwood Drive SP  
**Council District** 25 - Pulley  
**School District** 08 - Pierce  
**Requested by** Alexander and Benjamin Fordham, applicants & owners.

**Deferral** This request was deferred from the April 28, 2016, Planning Commission meeting. A public hearing was not held.

**Staff Reviewer** Deus  
**Staff Recommendation** *Withdraw.*

---

**APPLICANT REQUEST**  
**Rezone from RS20 to SP-R.**

Preliminary SP

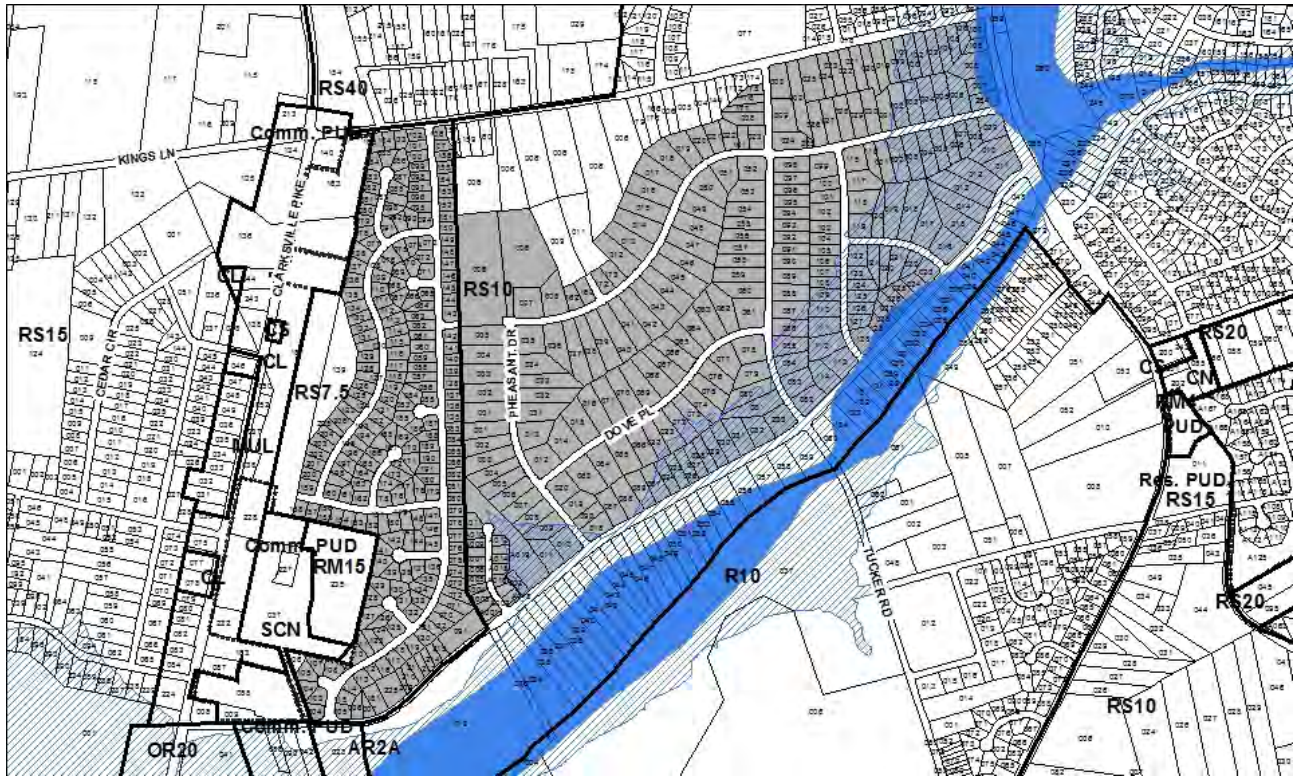
A request to rezone from Single-Family Residential (RS20) to Specific Plan – Residential (SP-R) zoning for property located at 1142 Duncanwood Drive, at the corner of Brookmeade Drive and Duncanwood Drive (0.5 acres), to permit two units.

**STAFF RECOMMENDATION**

Staff recommends the application be withdrawn at the request of the applicant.



# Metro Planning Commission Meeting of 5/12/2016



**2016Z-037PR-001 ~ BL2016-199**  
**HAYNES PARK AREA CONTEXTUAL OVERLAY**  
Map Various, Parcel(s) Various  
03, Bordeaux - Whites Creek  
01 (Sharon W. Hurt)





**Project No.** **Zone Change 2016Z-037PR-001**  
**Council Bill** BL2016-199  
**Council District** 1 - Hurt  
**School District** 1 - Gentry  
**Requested by** Councilmember Sharon Hurt, applicant; various property owners.

**Deferral** This request was deferred from the April 28, 2016, Planning Commission meeting. A public hearing was held.

**Staff Reviewer** Milligan  
**Staff Recommendation** *Reopen the public hearing and approve.*

**APPLICANT REQUEST**  
**Apply a Contextual Overlay District.**

Zone Change

A request to apply the provisions of the Contextual Overlay District to various properties located along Boyce Court, Buena Vista Pike, Charles Court, Dove Place, Dyer Court, East Fairview Drive, Eve Circle, Flicker Drive, Harold Prewett Drive, Haynes Park Court, Haynes Park Drive, Hummingbird Drive, Kings Lane, Kingview Court, Kingsview Drive, Mallard Drive, Pheasant Drive, Tucker Road, West Hamilton Avenue, and Walters Court (231.8 acres).

**Existing Zoning**

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

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.

**Proposed Zoning**

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

**CRITICAL PLANNING GOALS**

N/A

**BORDEAUX-WHITES CREEK COMMUNITY PLAN**

Conservation (CO) is intended to preserve environmentally sensitive land features through protection and remediation. CO policy applies in all Transect Categories except T1 Natural, T5 Center, and T6 Downtown. CO policy identifies land with sensitive environmental features including, but not limited to, steep slopes, floodway/floodplains, rare or special plant or animal habitats, wetlands and unstable or problem soils. The guidance for preserving or enhancing these features varies with what Transect they are in and whether or not they have already been disturbed.



## Metro Planning Commission Meeting of 5/12/2016

Open Space (OS) is intended to preserve and enhance existing open space in the T2 Rural, T3 Suburban, T4 Urban, T5 Center, and T6 Downtown Transect areas. OS policy includes public parks and may also include private land held in conservation easements by land trusts and private groups or individuals.

T3 Suburban Neighborhood Maintenance 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.

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

### Consistent with Policy?

Yes. The Open Space policy areas located within the proposed contextual overlay are properties that were purchased by Metro as flood buyout properties. The Conservation areas are primarily areas located within the floodplain. A small portion of the proposed overlay area is within a T3 Suburban Neighborhood Evolving area but must be included because a complete block face is required for contextual overlays. The majority of the proposed overlay area is within the T3 Suburban Neighborhood Maintenance policy area and the proposed Contextual Overlay is consistent with the policy. The Contextual Overlay would help to preserve the general character of the existing neighborhood with specific standards for new construction that are directly related to the existing residential structures in the area.

### **ANALYSIS**

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

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





## Metro Planning Commission Meeting of 5/12/2016

### CONTEXTUAL OVERLAY STANDARDS

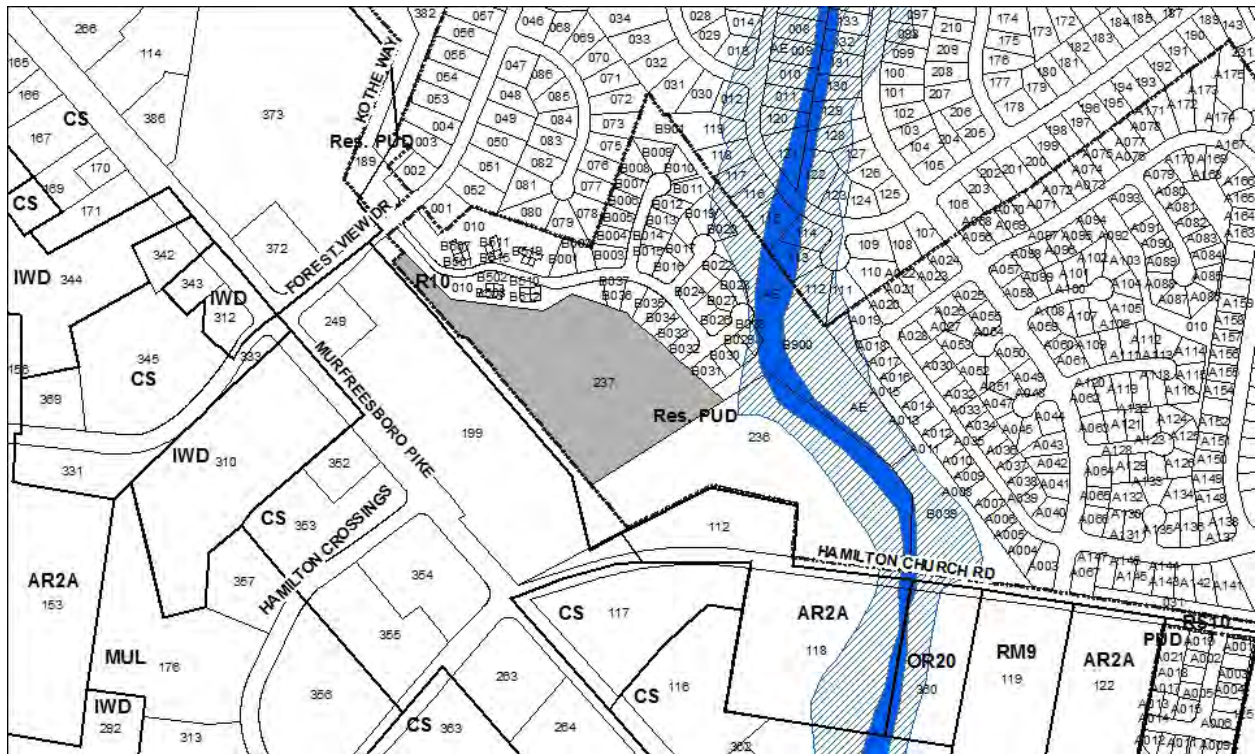
- A. Street setback. The minimum required street setback shall be the average of the street setback of the two developed lots abutting each side of the lot. When one or more of the abutting lots is vacant, the next developed lot on the same block face shall be used. The minimum provided in 17.12.030A and the maximum provided in 17.12.030C.3 shall not apply. Where there is only one abutting lot on the same block face, it shall be used for this calculation. When the subject lot is on a corner, the minimum required street setback shall be calculated and met for each street.
- B. Height.
1. The maximum height, including the foundation, of any primary structure shall not be greater than 35 feet or 125% of the average height of the principal structures on the two lots abutting each side of the lot, whichever is less. When one of the abutting lots is vacant, the next developed lot on the same block face shall be used. Where there is only one abutting lot on the same block face, it shall be used for this calculation. When the subject lot is on a corner, the maximum height shall be calculated for each street and limited to 35 feet or 125% of the average height of the lesser value. When 125% of the average of the abutting structures is less than 27 feet, a maximum height of 1.5 stories in 27 feet shall be permitted.
  2. The maximum height, including the foundation, of any accessory structure shall not be greater than 27 feet.
  3. For the purposes of this section, height shall be measured from grade or, if present, the top of a foundation which shall not exceed three feet above grade, to the roof line.
- C. Maximum building coverage. The maximum building coverage (excluding detached garages and other accessory buildings) shall be a maximum of 150% of the average of the building coverage (excluding detached garages and other accessory buildings) of the two abutting lots on each side. When the abutting lot is vacant, the next developed lot shall be used. Where there is only one abutting lot on the same block face, it shall be used for this calculation. When the subject lot is on a corner, the maximum building coverage shall be calculated and met for each street.
- D. Access and driveways, garages and parking areas.
1. Access and Driveways.
    - a. Where existing, access shall be from an improved alley. Where no improved alley exists, a driveway within the street setback may be permitted.
    - b. For a corner lot, the driveway shall be located within 30 feet of the rear property line.
    - c. Driveways are limited to one driveway ramp per public street frontage.
    - d. Parking, driveways and all other impervious surfaces in the required street setback shall not exceed twelve feet in width.
  2. Garages.
    - a. Detached. The front of any detached garage shall be located behind the rear of the primary structure. The garage door of a detached garage may face the street.
    - b. Attached. The garage door shall face the side or rear property line

### STAFF RECOMMENDATION

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



# Metro Planning Commission Meeting of 5/12/2016



**23-85P-002**

FOREST VIEW PARK PUD (PERIODIC REVIEW)

Map 150, Parcel(s) 237

13, Antioch - Priest Lake

29 (Karen Y. Johnson)



<b>Project No.</b>	<b>Planned Unit Development 23-85P-002</b>
<b>Project Name</b>	<b>Forest View Park (Periodic Review)</b>
<b>Council District</b>	29 – K. Johnson
<b>School District</b>	6 – Hunter
<b>Requested by</b>	Councilmember Karen Johnson.

**Deferrals** This request was deferred from the April 14, 2016, Planning Commission meeting. The public hearing was not held.

<b>Staff Reviewer</b>	Swaggart
<b>Staff Recommendation</b>	<i>Find PUD Active.</i>

---

**APPLICANT REQUEST**  
**Periodic review of a Planned Unit Development.**

Periodic PUD Review

A request for a periodic review for a portion of the Forest View Park Residential Planned Unit Development Overlay District located at Forest View Drive (unnumbered) and located within the Murfreesboro Pike Urban Design Overlay(UDO), approximately 430 feet east of Murfreesboro Pike, zoned One and Two-Family Residential (R10) (7.84 acres), approved for 96 units.

**Existing Zoning**

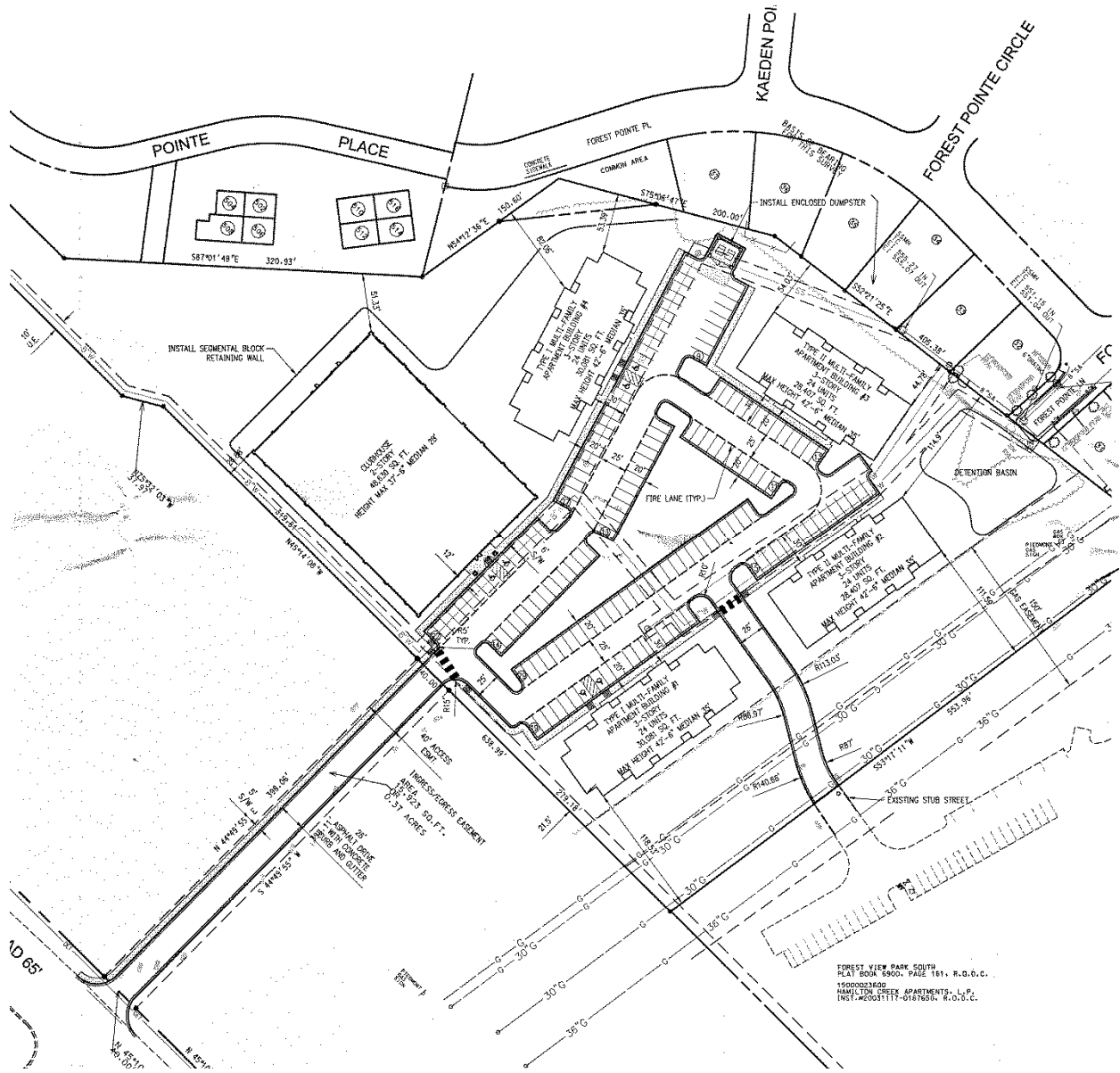
One and Two-Family Residential (R10) requires a minimum 10,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25 percent duplex lots. *R10 would permit a maximum of 34 lots with no duplex lots permitted for a total of 34 units. In this case, the density is controlled by the PUD overlay, which currently permits a maximum of 96 multi-family 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. 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.

Urban Design Overlay (UDO) is intended to allow for the application and implementation of special design standards with the intent of achieving a sense of place by fostering a scale and form of development that emphasizes sensitivity to the pedestrian environment, minimizes intrusion of the automobile into the built environment, and provides for the sensitive placement of open spaces in relationship to building masses, street furniture and landscaping features in a manner otherwise not insured by the application of the conventional bulk, landscaping and parking standards of the Zoning Code.



# Metro Planning Commission Meeting of 5/12/2016



Approved Site Plan



## Metro Planning Commission Meeting of 5/12/2016

### **PUD DETAILS**

The Forest View PUD was approved in 1985. The original PUD included a total of 779 residential units, which consisted of 572 multi-family units (112 townhomes, 460 flats), and 207 single-family lots. Portions of the PUD including the subject site have been revised in the past, and 231 single-family lots and 140 multi-family units have been constructed. This portion of the PUD was last approved for 96 multi-family units, and it 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 disapproved by the Planning Commission. Staff recommended disapproval of the cancellation because the PUD provides an appropriate mixture of residential housing types, and transitions from the commercial area along Murfreesboro Pike to the single-family area to the northeast. On March 24, 2016, the Planning Commission approved a revision to this portion of the PUD to decrease the total number of units on this portion of the PUD from 212 to 96 units.

### **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. A request for the periodic review for the subject portion of the PUD was received on February 18, 2016, from Councilmember Karen Johnson. The 90 day period extends to May 18, 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 Forest View Park 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*



## Metro Planning Commission Meeting of 5/12/2016

*(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 1985. No amendments have been approved for the PUD including the subject portion of the PUD that required Metro Council approval since the initial enactment date.

*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*

The owner/developer has not indicated that any construction has been completed.

*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.*

The owner/developer has not indicated that any construction has been completed.

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.*”

A representative for the owner has provided information to show that this portion of the PUD should be considered active due to the “aggregate of actions” taken by the owner to develop the property.

The owner has been actively working to develop the property utilizing Low Income Housing Tax Credits (LIHTC), which are issued by the U.S. Department of the Treasury, and allocated in Tennessee through the Tennessee Housing Development Agency (THDA). The process is extensive and involves obtaining information verifying development rights, multiple engineering and financial studies, submission of an application, and payment of funds to consultants and others.

A complete list of actions submitted by the owner’s representative is included at the end of this report (Exhibit A). This information details actions that have taken place in excess of the past 12 months. The information also indicates that, within the last 12 months, a total of \$884,069.85 has been spent to develop the PUD, including money spent on engineering and design and a LIHTC award fee.

4/2/15	Reno & Cavanaugh	2015 LIHTC Application		\$ 20.00
4/30/15	Reno & Cavanaugh	Organization Docs SOS filing fees		\$ 1,164.25
6/30/15	Tennessee Housing Development Agency	LIHTC award fee		\$ 68,750.00
9/10/15	Tennessee Secretary of State	Certificate of Authority		\$ 150.00



## Metro Planning Commission Meeting of 5/12/2016

10/1/15	RichSmith Development, LLC	Development fee earned per Development Agreement as of 10/1/15 (1/2 of total)	\$ 222,817.00
10/2/15	Tennessee Secretary of State	Tennessee Filing Fee	\$ 150.00
9/2/15	Impact Environmental	Phase I Environmental Report	\$ 1,800.00
11/5/15	Crafton Tull	Site Plan Design and Construction Documents	\$ 1,075.00
12/2/15	Terracon	Phase II Environmental and Soil Mngt. Plan	\$ 19,025.00
2/3/16	Crafton Tull	Site Plan Design and Construction Documents	\$ 12,157.00
2/16/16	Antonio Darsinos and Kathy Katsaitis	Closing On Land (includes seller costs)	\$ 500,000.00
2/16/16	Sawyer Land Surveying, LLC	Survey	\$ 14,040.00
2/16/16	Davidson County Register of Deeds	Transfer taxes and recording fees	\$ 962.50
2/16/16	Old Republic National Title Insurance Company	Closing Protection Letter	\$ 50.00
2/26/16	Crafton Tull	Site Plan Design and Construction Documents - Including PUD Revision Application	\$ 21,909.10
3/11/16	Reno & Cavanaugh, PLLC	Attorney fees, including for LIHTC process	\$ 20,000.00

**Total      \$ 884,069.85**

### 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.



## Metro Planning Commission Meeting of 5/12/2016

### ANTIOCH-PRIEST LAKE COMMUNITY PLAN

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

#### Consistent with Policy?

Yes. T3 NM policy supports various types of residential building depending on the context, including multi-family, which is permitted under the PUD. The T3 NM policy calls for appropriate transitions between different types of land uses. The plan provides an appropriate transition from the neighboring single-family zoning that is also within the same PUD, to the commercial district along Murfreesboro Pike and is adjacent to an existing multi-family development.

#### **STAFF RECOMMENDATION**

In accordance with the requirements of 17.40.120 H, staff recommends that the Planning Commission find the PUD to be active. While there has been no physical development on the site, ROW acquisitions, or offsite improvements, the owner has given information detailing the steps that have been taken to develop the property. Staff finds that the owner has adequately demonstrated that the PUD is active through the aggregate of actions taken by the owner in the prior 12 months, including \$884,069.85, spent in furtherance of developing the property.

If the Commission determines that the subject portion of the PUD is inactive, then staff recommends that the Commission recommend that Council maintain the PUD and base zoning district as it is consistent with the T3 NM land use policy.





## Metro Planning Commission Meeting of 5/12/2016

**Exhibit A**

RENO & CAVANAUGH PLLC

De

(6)

dkleinfelter@ren

April 5, 2016

**VIA HAND DELIVERY**

Doug Sloan, Executive Director  
Brandon Burnette, Manager, Land Development  
Jason Swaggart, Planner 3  
Metropolitan Nashville/Davidson County Planning Department  
800 Second Avenue South  
Nashville, TN 37219

RE: Periodic Review for Forest View Park Planned Unit Development  
Map 150, Parcel 237  
PUD #23-85-P

Dear Doug, Brandon, and Jason:

My firm represents The Ridge at Antioch, Limited Partnership (the “Owner”) purchased Map 150, Parcel 237 (the “Property”) on February 16, 2016. This letter and documents are submitted in response to the periodic Planned Unit Development review by Councilmember Karen Johnson pursuant to Section 17.40.120 H of the Metro Zoning Ordinance. This letter and the documents demonstrate there is substantial evidence that the aggregate actions taken by the Owner to develop the Property are so extensive and of such a nature that a portion of the PUD should be classified as “active.” If staff or the Commission disagree, it determines that the PUD should be classified as “inactive,” the revised PUD proposal for the property is consistent with the adopted Community Character Policy in the Antioch - Community Plan, and therefore the zoning of the property should remain as it is.

**Determination of Activity**

Although the Owner closed on the Property last month, they have been working to develop the property since 2013. The Owner proposed to build homes on the Property to take advantage of Low Income Housing Tax Credits (“LIHTC”) issued by the U.S. Department of the Treasury and allocated in Tennessee through the Tennessee Housing Development Agency (“THDA”) in order to receive funds under the LIHTC program, a developer must go through an extensive process that involves obtaining multiple engineering and financial studies, submitting a complicated application, and payment of significant funds to consultants and others.

A list of all expenses incurred by the Owner associated with its actions to develop the property is attached to this letter as Exhibit A and will be discussed in more detail below. B to this letter is a list of 38 documents submitted to demonstrate the aggregate of actions

Nashville 424 Church Street, Suite 1750-Nashville, TN 37219-Tel (615) 866 3222-Fax (615) 866 3211

{D0524326.DOC / 3

TN578-108}



## Metro Planning Commission Meeting of 5/12/2016

Doug Sloan  
Brandon Burnette  
Jason Swaggart  
April 5, 2016  
Page 2 of 7

by the Owner in order to develop the Property. The Owner first applied to THDA for an award of tax credits in 2013, but their grant application was not awarded funding. See Exhibit B – Item 1. In January 2015 the Owner again submitted an LIHTC application to THDA and on June 26, 2015, they received a preliminary award of an amount not to exceed \$1,100,000 over 10 years, for a total award of \$11,000,000. See Exhibit B – Item 2.

Not surprisingly, in order to receive such a substantial award of funding, the Owner was required to remit a large sum of money to THDA (approximately \$69,000) and to submit a large number of documents and “jump through hoops” for THDA. The documents listed in Exhibit A, and submitted with this letter, largely reflect the totality of the Owner’s actions that were taken to receive the LIHTC award, including the additional work performed since June 26, 2015. The Owner has also been working since late 2015 to prepare a plan to revise the existing approved preliminary PUD site plan, and on February 11, 2016, a revised PUD application was submitted that proposed reducing the density on the Property from 212 units to 96 units. See Exhibit B – Item 38. That PUD revision application is scheduled to be heard by the Commission on March 24.

In connection with the financing award and the PUD revision application, the Owner has undertaken numerous actions towards development of the Property. I will not repeat every item listed on Exhibit B, but a few items are worth highlighting:

- Phase I and Phase II environmental studies (Items 23 and 24) – The Phase I study indicated the possibility that dumping of household goods and equipment had occurred on the Property in the past. As a result, the Owner was required to order, and has now received, a Phase II study. The Phase II study confirmed that soil with moderate contamination is present on the site and recommended that it be removed during construction in compliance with a site management plan. The Site Management Plan is attached as Exhibit B – Item 25.
- Zoning Letter from Metro Planning (Item 7) – In order to be competitive for an award from THDA, an applicant must demonstrate that the property identified in their application meets the zoning requirements for the proposed housing. The Owner and THDA have operated throughout the THDA application process with the understanding that the existing zoning would not be changed after THDA awarded financing to the Owner.
- Amended and Restated Limited Partnership Agreement (DRAFT) (Item 21) – This document contains the complex negotiated terms under which the investor agrees to provide funds to construct this type project in return for the right to receive annual tax credits for ten years. LIHTC projects typically involve an investor entity who serves as the limited partner for the ownership entity. The lengthy document must address numerous issues per Section 42 of the Internal Revenue Code, THDA regulations, and the business needs of the parties.



## Metro Planning Commission Meeting of 5/12/2016

Doug Sloan  
Brandon Burnette  
Jason Swaggart  
April 5, 2016  
Page 3 of 7

- Survey (Item 29), Geotechnical Engineering Report (Item 28), and Site Plan (Item 30) – Along with the documents related to the environmental studies, these documents reflect the extensive construction planning that has taken for the Property. Most of the previous PUD review cases reviewed by the Planning Commission have not included recent surveys, geotechnical reports, and/or detailed site plans that reflect the current status of the property and proposed development. In addition to the detailed requirements of the LIHTC program, the Owner did significant work to prepare and submit its application to revise the PUD, which was submitted prior to the periodic PUD review request.

I have reviewed three projects where the Commission has determined that a sufficient showing of “aggregate of actions” was provided in order to find that the project was active. The actions undertaken by the Owner for this PUD far exceed the items relied upon for a finding of “activity” in those three projects. The aggregate of actions provision in the Code appears to have been included for exactly this type of project. The Owner has been working to develop the property for at least the past year. Because of the detailed and time-consuming aspects of the LIHTC program, it was not possible for the Owner to begin physical development work on the site, but the Owner clearly has been diligently pursuing development during the prior year as called for under the Code.

The three prior aggregate of actions decisions I was able to identify are:

- Park Preserve – 2002P-003U-03 – December 11, 2008 – This item was one of the first – if not the first – considered by the Commission under 17.40.120 H. Staff recommended a finding of “inactivity” and re-approval of the existing zoning with no amendments or changes. After extensive discussion by the Commission, a motion initially was made to find the PUD inactive. That motion failed, however, and ultimately the Commission found the PUD active “due to the specific and unique aggregate of actions taken by the current non-profit owners.”
- Gaylord Entertainment – 2007SP-014U-14 – April 28, 2011 – This item and the next are Specific Plan districts that were considered under Section 17.40.160 of the Code. That section includes language with respect to the aggregate of actions that is identical to 17.40.120 H. The Commission found that the expenditures required for acquisition of the property, the removal of two houses four years before the hearing, and \$200,000 in fees for engineering and other studies were sufficient for a finding that the SP was active. The item was approved on the Commission’s consent agenda.
- Eurotech Automobile Repair – 2007SP-026U-11 – April 28, 2011 – For this matter, a house on the property was demolished two years prior to the Commission hearing and the owner stated he had been actively seeking financing to develop the property. The SP was



## Metro Planning Commission Meeting of 5/12/2016

Doug Sloan  
Brandon Burnette  
Jason Swaggart  
April 5, 2016  
Page 4 of 7

found by the Commission to be active based on “an aggregate of actions that indicates activity.”

Planning staff also provided me with a list of several other periodic PUD review cases that have been considered by the Commission since 2010.

- Multiple Nashboro Village requests – May 24, 2012 MPC agenda
- Hutton Residential – 2001P-003-001 – February 12, 2015 agenda
- Nashville Highlands – 73-85P – July 23, 2015 agenda
- Dinwiddie Square – 286-84P-001 – March 25, 2010 agenda
- Carrolton Station – 2004P-004-003 – January 14, 2016 agenda

For all of these projects except Carrolton Station, the owner/applicant provided little evidence of an “aggregate of activities.” Accordingly, staff recommended a finding that the PUD had been inactive, which ultimately was the determination made by the Commission. For Carrolton Station, staff and the Commission determined that certain work on infrastructure had occurred on the property. Staff also based its recommendation for finding the PUD active on the aggregate of actions. The aggregate of actions presented for this matter far exceed those that were presented and at least partially relied upon for finding the Carrolton Station PUD to be active.

For the current Property, Exhibit B provides a list of all expenses incurred by the Owner associated with its actions to develop the property. Based at least in part on the zoning letter received from the Planning Department, the Owner paid \$500,000 to acquire the property. In connection with the award of LIHTC funds received from THDA, the Owner was also required to pay the THDA an award reservation fee in the amount of \$68,750. Both of these expenditures are non-refundable and were made in reliance on the existing development rights that when the Owner applied to THDA for the funding and acquired the property. In total, not including \$12,300 that was paid by the Owner in connection with its unsuccessful 2013 LIHTC application, the Owner has incurred almost \$890,000 to acquire the property, engage professionals including engineers and attorneys, and in other expenses to develop the Property.

As noted above, the “aggregate of actions” provision in 17.40.120 H appears intended to apply specifically to situations such as this matter. The Owner has not been dragging its feet and failing to act diligently towards development of the PUD. For almost three years the Owner has sought funding through THDA to develop the property, and as of June 2015, that funding was finally awarded. The actions undertaken by the Owner to obtain the funding and to submit an application to revise the PUD clearly meet the requirements to show that the PUD is, in fact, active in light of the “aggregate of actions . . . taken by the owner of the PUD within the past 12 months to develop the portion of the PUD under review.”



## Metro Planning Commission Meeting of 5/12/2016

Doug Sloan  
Brandon Burnette  
Jason Swaggart  
April 5, 2016  
Page 5 of 7

### Recommendation to Metro Council

If the Commission determines that the portion of the PUD is inactive, the Owner requests that Commission find that the revised PUD plan is consistent with the existing community plan and that the zoning should not be changed.

The Property is located at the southern tip of a large area designated as T3NM Suburban Neighborhood Maintenance (the "Policy") in the Antioch – Priest Lake Community Plan. In addition, the Property is adjacent to a T3 NM Suburban Community Center policy area – a node of current and planned future development at the intersection of the Murfreesboro Pike transit corridor and Hamilton Church Road. The private drive for the proposed revised PUD will serve as a de facto extension of Hamilton Crossings and run through a ten acre parcel that is zoned Commercial Service.

Per the CCM, the Policy is applied to areas that are zoned residential and the primary land use is envisioned to remain primarily residential. The areas "may contain a mixture of building types" and "higher-intensity buildings" should be placed "nearer to . . . centers and corridors." Nashville Next, page III-CCM-171. "Allowing for higher-intensity residential building types in such locations will add value to neighborhoods through the increased ability to support consumer services and existing or planned transit. . . . [T]aller buildings of up to four stories may be found abutting or adjacent to centers and corridors, depending on their surrounding context." Id.

None of the buildings in the proposed revised PUD exceed three stories in height - within the limits normally found within the interior of T3 NM Suburban Neighborhood policy areas and below the heights that are permitted in transition areas within the Policy. The proposed revised PUD is adjacent Community Center policy and will implement the intent of the Policy by providing housing adjacent to consumer services and to bus service on Murfreesboro Pike and any future additional transit provided along that corridor. Three stories is also equal to the height of the homes at Hamilton Creek Apartments – the existing multifamily property adjacent to the southeastern boundary of the Property.

Within the Antioch – Priest Lake Community Plan the Property is also designated on the Growth & Preservation Concept Map as "Transition" area. "These areas provide housing in proximity to transit and commercial services, increasing the likelihood that residents can walk or bike to meet some of their daily needs. These areas also provide a diversity of housing types that are attractive to Nashvillians." Nashville Next (Antioch – Priest Lake Community Plan), page III-APL-27.

In addition to being consistent with the Policy, the existing PUD is also consistent with other elements included in the recently adopted Nashville Next plan. The Property is designated as a "Transition" area targeted for transition and infill. See Nashville Next, page I-158, Figure I-



## Metro Planning Commission Meeting of 5/12/2016

Doug Sloan  
Brandon Burnette  
Jason Swaggart  
April 5, 2016  
Page 6 of 7

68. "Higher density housing that is appropriate along and around corridors and centers to provide a harmonious connection to surrounding neighborhoods." Nashville Next, page I-155.

Under the heading "Abundant Housing," the Nashville Next plan also notes with respect to designated Transition areas:

Areas between neighborhoods and centers or corridors should provide a transition in density and intensity. The transition is accomplished by regulating height and bulk to produce buildings with small to mid-sized footprints. Doing so gives Nashville the opportunity to locate more people close to key amenities, like transit lines and shopping and to add more diverse housing types. These housing types can be built at a lower price than taller buildings with structured parking. Nashville Next, page I-143 (Figure I-65)

Finally, Nashville Next Land Use, Transportation & Infrastructure Goal 6 states: "Nashville uses housing infill along mobility corridors to provide more housing choices that support walking and transit use and to transition gracefully between residential neighborhoods and more intense mixed use and commercial centers and corridors." Nashville Next, page I-166.

All of these factors demonstrate that the existing PUD is consistent with the adopted Community Plan policy and the existing zoning should not be disturbed. In addition, the proposed revised PUD significantly – from 212 homes to 96 homes. This reduces the units per acre from the currently allowed 27 units per acre to 12.25 units per acre. The current 27 units per acre is well within the density levels called for in appropriate locations within the Policy, and reducing the density by more than half should alleviate all possible remaining concerns about the density of the proposed development.

In addition to being completely consistent with the adopted Policy, the proposed homes will provide affordable housing. The homes will be built without the requiring Metro government to provide any incentive payments. No developer is being required to build the affordable homes and no rezoning was sought to increase density. The Owner has been working since 2013 to utilize existing financing programs in order to build a community of homes for the Nashville workforce on property that is zoned for the use.

For the reasons stated above, the Owner respectfully requests that the Commission:

1. Find that the aggregate of actions taken by the Owner in the past year to develop the portion of the PUD under review demonstrate that the PUD has not been inactive, and accordingly that the limitations of Section 17.40.120 H (5) of the Metro Code should be terminated; or



## Metro Planning Commission Meeting of 5/12/2016

Doug Sloan  
Brandon Burnette  
Jason Swaggart  
April 5, 2016  
Page 7 of 7

2. If the Commission finds that the PUD is inactive, then the Owner requests that the Commission find that the revised PUD plan is consistent with the goals, policies, and objectives of the General Plan and direct staff to prepare a report to the Council to continue the implementation of the revised PUD as approved by the Commission and that no rezoning is recommended on the Property.

Thank you very much for your attention to this important matter.

Sincerely,

David L. Kleinfelter  
Reno & Cavanaugh, PLLC

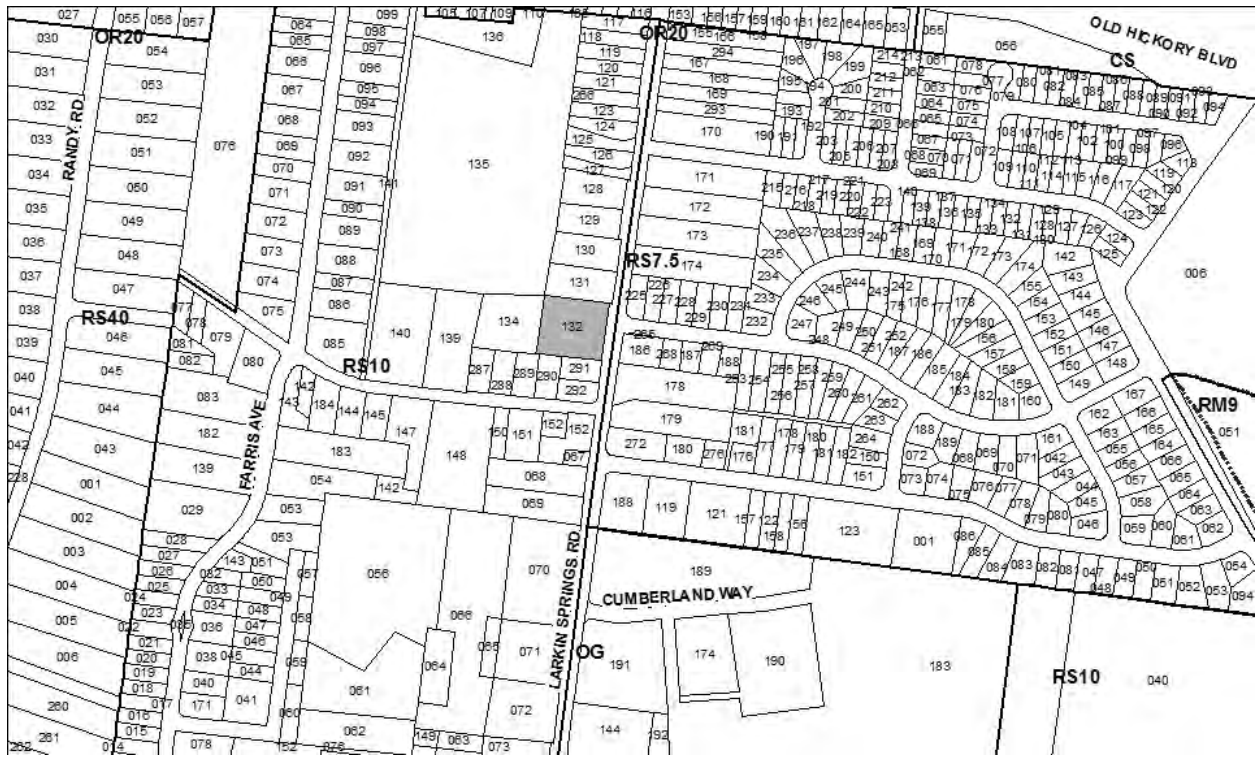
### Attachments

Copy: Danielle Litakaer-Nall, Esq., Ridge at Antioch, Limited Partnership  
(via email & without attachments)





# Metro Planning Commission Meeting of 5/12/2016



**2015S-044-001**

**CHEREL STARKS SUBDIVISION**

Map 043-15, Parcel(s) 132

04, Madison

09 (Bill Pridemore)





**Project No.** 2015S-044-001  
**Project Name** Cherel Starks Subdivison  
**Council District** 9 – Pridemore  
**School District** 2 – Brannon  
**Requested by** Rocky Montoya Surveying, applicant; Terrell Starks, owner.

**Deferrals** This request was deferred from the April 28, 2016, Planning Commission meeting. The public hearing was not held.

**Staff Reviewer** Birkeland  
**Staff Recommendation** *Approve with conditions.*

**APPLICANT REQUEST**

**Create 3 lots.**

Final Plat

A request for final plat approval to create four lots on property located at Larkin Springs Road (unnumbered), on the west side of Larking Springs Road, approximately 150 feet north of New Providence Pass, zoned Single-Family Residential (RS10) (1.13 acres).

**Existing Zoning**

Single-Family Residential (RS10) requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre. *RS10 would permit a maximum of 4 lots.*

**CRITICAL PLANNING GOALS**

N/A

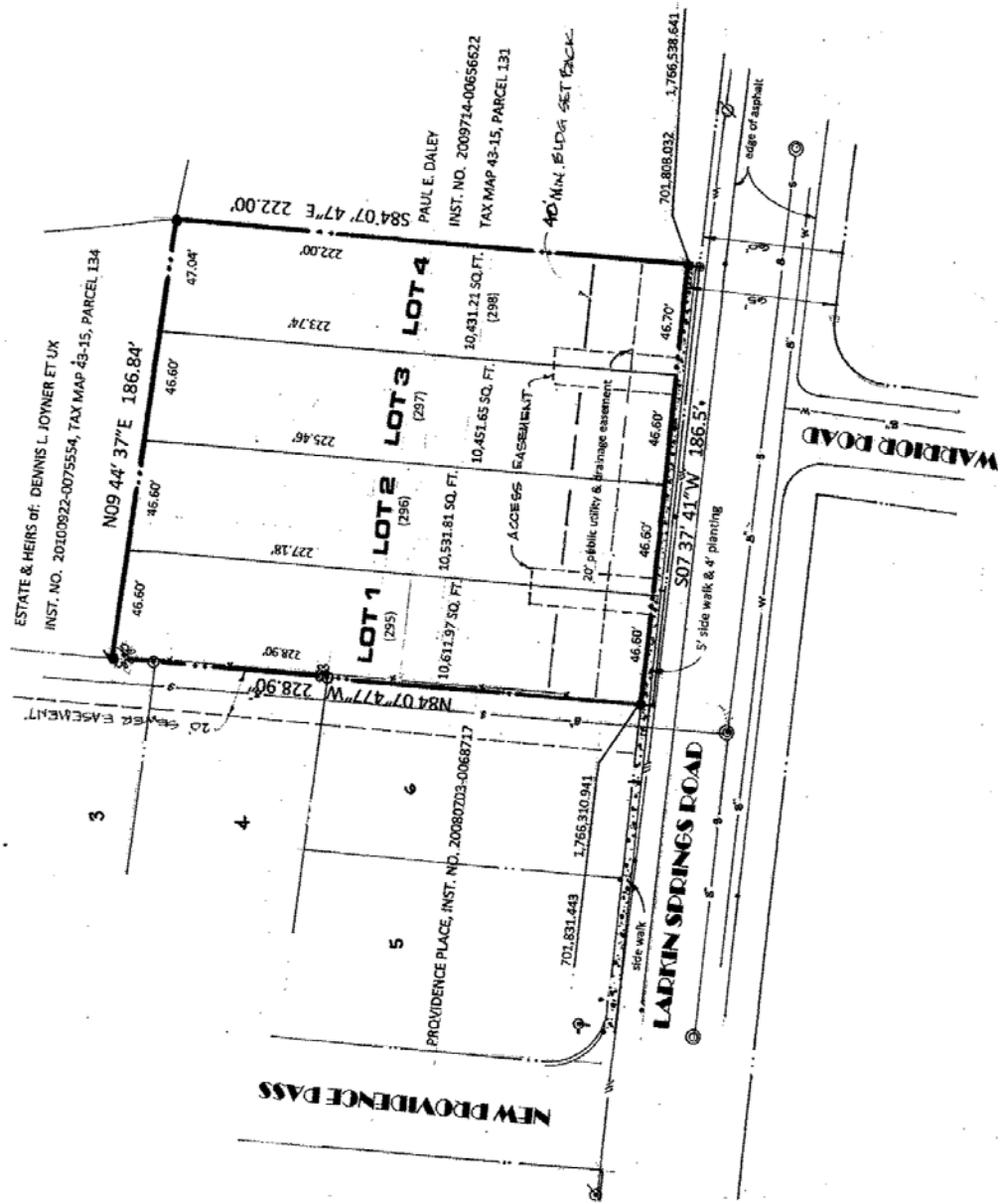
**PLAN DETAILS /STAFF ANALYSIS**

The plan proposes to create four lots from one existing parcel located along Larkin Springs Road. The land use policy for the subject property is T3 Suburban Residential Corridor (T3 RC) and the subdivision is not subject to the compatibility criteria in Section 3-5.2 of the Subdivision Regulations. Larkin Springs Road is a collector street and each lot has less than 50 feet of lot frontage, and combined driveways are required. A join access easement is proposed for Lots 1 and 2 and a joint access easement is proposed for Lots 3 and 4.

The existing sidewalk along Larkin Springs Road ends at Lot 1. The applicant is required to extend the sidewalk along the site’s frontage on Larkin Spring Road. The existing sidewalk is 5 feet in width with a 4 foot plating strip along. Due to the existing sidewalk conditions along Larkin Spring Road, staff recommends that the sidewalk extension continue with a 5 foot sidewalk and a 4 foot planting strip. The sidewalk extension will provide an important pedestrian connection along Larkin Springs Road.



# Metro Planning Commission Meeting of 5/12/2016



Proposed Site Plan



## **Metro Planning Commission Meeting of 5/12/2016**

### **Proposed Subdivision**

The subject property is proposed to be subdivided into four lots with the following areas and street frontages:

- Lot 1: 10,611 Sq. Ft., (0.24 Acres), and 46.60 Ft. of frontage;
- Lot 2: 10,531 Sq. Ft., (0.24 Acres), and 46.60 Ft. of frontage;
- Lot 3: 10,451 Sq. Ft., (0.24 Acres), and 46.60 Ft. of frontage;
- Lot 4: 10,431 Sq. Ft., (0.24 Acres), and 46.70 Ft. of frontage;

### **FIRE MARSHAL RECOMMENDATION**

#### **Approve with conditions**

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

### **STORMWATER RECOMMENDATION**

#### **Approved**

- 1) Surveyor stamp/signature/date
- 2) Correct Access Note - replace "Madison Suburban Utility District" with "Metro Water Services."
- 3) Will be required to meet Infill Regulation requirements.

### **MADISON SUBURBAN UTILITY DISTRICT**

#### **Approved**

### **WATER SERVICES RECOMMENDATION**

#### **Approved**

### **TRAFFIC AND PARKING RECOMMENDATION**

#### **No exception taken**

### **PUBLIC WORKS RECOMMENDATION**

#### **No exception taken**

### **STAFF RECOMMENDATION**

Staff finds that this subdivision meets the Subdivision Regulations; therefore, staff recommends approval with conditions.

### **CONDITIONS**

1. A five foot sidewalk and a four foot planting strip shall be installed along Lots 1- 4.
2. Add the following note to the plat: "No building permit is to be issued on any of the proposed lots until the required sidewalk is constructed per the Department of Public Works specifications." Sidewalk shall be shown and labeled on the plan per Public Works Standards with the required curb and gutter.



# Metro Planning Commission Meeting of 5/12/2016



**2016S-054-001**

THE ORVILLE EARHEART SUBDIVISION, RESUB LOT 1

Map 110, Parcel(s) 180

14, Donelson - Hermitage

12 (Steve Glover)



**Project No.** 2016S-054-001  
**Project Name** The Orville Earheart Subdivision, Resub Lot 1  
**Council District** 12 – Glover  
**School District** 4 – Shepard  
**Requested by** K & A Land Surveying, applicant; Robert E. Lee, owner.

**Deferrals** This request was deferred from the April 14, 2016, and the April 28, 2016, Planning Commission meetings. The public hearing was not held.

**Staff Reviewer** Birkeland  
**Staff Recommendation** *Defer to the May 26, 2016, Metro Planning Commission meeting unless a recommendation of approval is received by Metro Water Services. If a recommendation of approval is received, then staff recommends approval with conditions.*

**APPLICANT REQUEST**

**Create 3 lots.**

Final Plat

A request for final plat approval to create three lots on property located at 4141 Smotherman Lane and Smotherman Lane (unnumbered), approximately 545 feet north of Stewarts Ferry Pike, zoned Single-Family Residential District (RS15) (9.46 acres).

**Existing Zoning**

Single-Family Residential District (RS15) requires a minimum 15,000 square foot lot and is intended for single-family dwellings at a density of 2.47 dwelling units per acre. *RS15 would permit a maximum of 27 lots.*

**CRITICAL PLANNING GOALS**

N/A

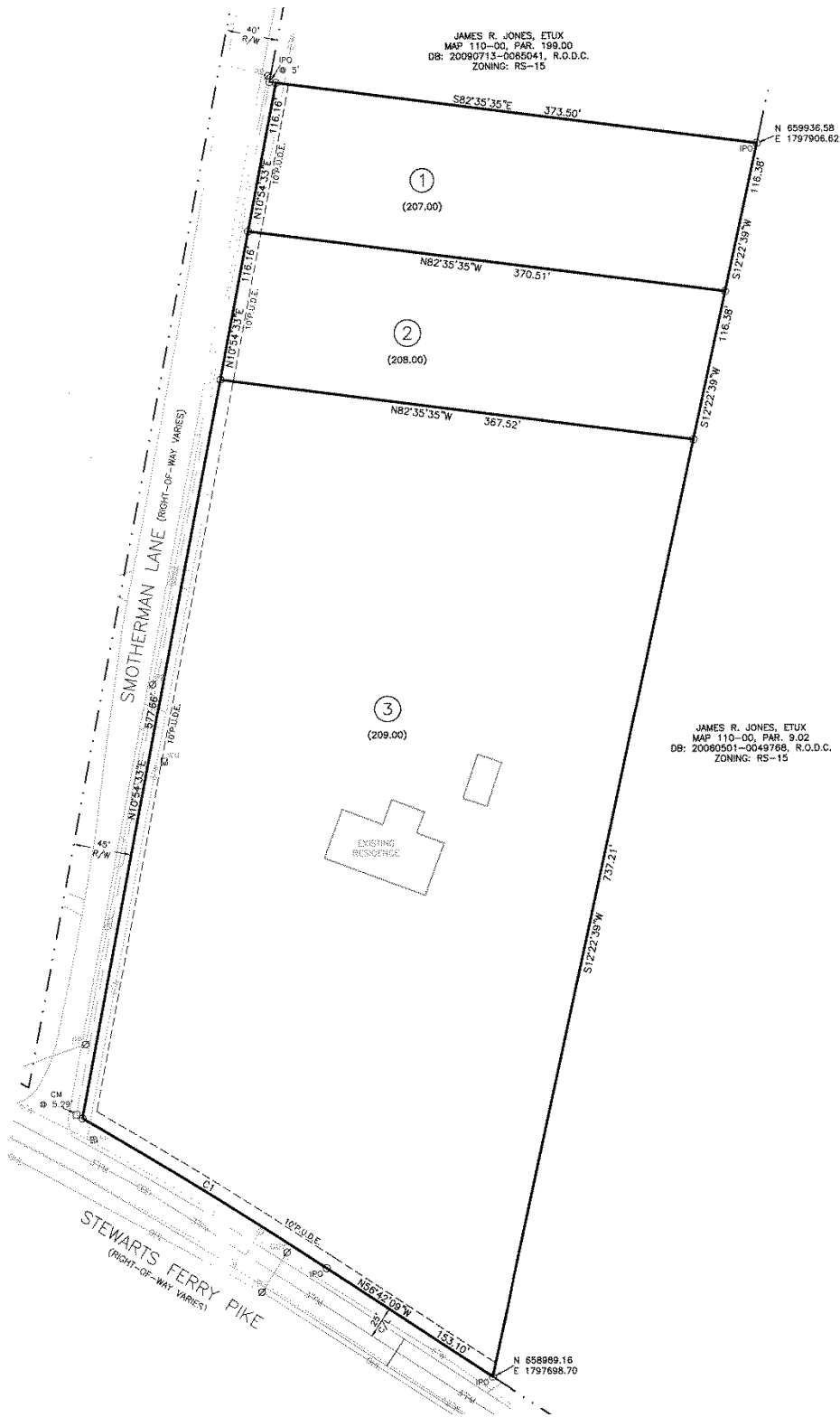
**PLAN DETAILS/STAFF ANALYSIS**

The plan proposes to create three lots from one existing parcel at the corner of Smotherman Lane and Stewarts Ferry Pike. The land use policy for the subject property is T4 Urban Neighborhood Evolving (T4 NE), and the proposed subdivision is not subject to the compatibility criteria in Section 3-5.2 of the Subdivision Regulations.

The existing right-of-way on Smotherman Lane is 40 feet. The plat will dedicate 5 feet of right-of-way along Smotherman as required by the Major and Collector Street Plan for local streets. Sidewalks are not required along Smotherman Lane because the proposed subdivision is located in the General Services District where the Sidewalk Priority Index (SPI) score is less than 20, as established in the Strategic Plan for Sidewalks and Bikeways.



# Metro Planning Commission Meeting of 5/12/2016



**Proposed Site Plan**



## Metro Planning Commission Meeting of 5/12/2016

The subject property is proposed to be subdivided into three lots with the following areas and street frontages:

- Lot 1: 43,130 Sq. Ft., (0.99 Acres), and 116.16 Ft. of frontage;
- Lot 2: 42,784 Sq. Ft., (0.98 Acres), and 116.16 Ft. of frontage;
- Lot 3: 234,779 Sq. Ft., (5.39 Acres), and 577.66 Ft. of frontage;

### Zoning Code

Proposed lots meet the minimum standards of the RS5 zoning district.

### Street Frontage

Proposed lots have frontage on a public street.

### Agency Review

Not all review agencies recommend approval.

### **FIRE MARSHAL RECOMMENDATION** N/A

### **STORMWATER RECOMMENDATION** **Conditions if approved**

- Provide surveyor seal, signature and date.

### **WATER SERVICES RECOMMENDATION** **Returned**

- For the latest re-plat (stamped received March 24, 2016), our original comments still apply: Awaiting submittal and approval of public sewer construction plans, before the plat can be accurately reviewed. These plans consist of both a public sewer force main plan set, and grinder pump maintenance agreements/fees/plan sets. The required capacity fees must be paid prior to final plat approval.

### **TRAFFIC AND PARKING RECOMMENDATION** **No exception taken**

### **PUBLIC WORKS RECOMMENDATION** **Conditions if approved**

- If sidewalks are required by Planning and the applicant chooses to construct rather than pay the in-lieu fee, then they should be shown and labeled on the plan with curb and gutter, 4 foot grass strip or as determined by Public Works, and a minimum 5 foot wide sidewalk unobstructed, and a minimum of 20 feet pavement on the street width. Wider sidewalk, grass strip, and pavement width is required where on-street parking occurs or on a street classification greater than local.
- Sidewalks must be shown fully within the right of way. Show the location of all existing above and below ground features within the right-of-way. Any existing obstructions within the path of travel shall be relocated to provide a minimum of 5 feet of clear access.



## **Metro Planning Commission Meeting of 5/12/2016**

- Construction plans must also be submitted that address any related drainage improvements, grading, utility relocation(s), and tree removal. A permit is required from The Department of Public Works prior to commencing any work within the right-of-way.

### **STAFF RECOMMENDATION**

Staff recommends deferral until the May 26, 2016, Metro Planning Commission meeting unless a recommendation of approval is received by Water Services. If a recommendation of approval is received, then staff recommends approval with conditions.

### **CONDITIONS**

1. Dedicate 0.5 feet of right-of-way along Stewarts Ferry Pike on the plat prior to recordation.





# Metro Planning Commission Meeting of 5/12/2016



**2016S-084-001**

1122 CHESTER AVENUE

Map 072-14, Parcel(s) 084

05, East Nashville

07 (Anthony Davis)



**Project No.** 2016S-084-001  
**Project Name** 1122 Chester Avenue  
**Council District** 07 - A. Davis  
**School District** 05 - Kim  
**Requested by** Dale & Associates, applicant; Urban Dwell Homes, owner.

**Deferrals** This request was deferred from the April 28, 2016, Planning Commission meetings. The public hearing was not held.

**Staff Reviewer** Deus  
**Staff Recommendation** *Defer to the May 26, 2016, Planning Commission meeting, unless a recommendation of approval is received from all agencies. If recommendations of approvals are received, staff recommends approval with conditions.*

**APPLICANT REQUEST**

**Create two lots.**

Final Plat

A request for final plat approval to create two lots on property located at 1122 Chester Avenue, approximately 230 feet west of Chapel Avenue (0.3 acres), zoned One and Two-Family Residential (R6).

**Existing Zoning**

One and Two-Family Residential (R6) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25 percent duplex lots. *R6 would permit a maximum of 2 lots with 2 duplex lots for a total of 4 units.*

**CRITICAL PLANNING GOALS**

N/A

**EAST NASHVILLE COMMUNITY PLAN**

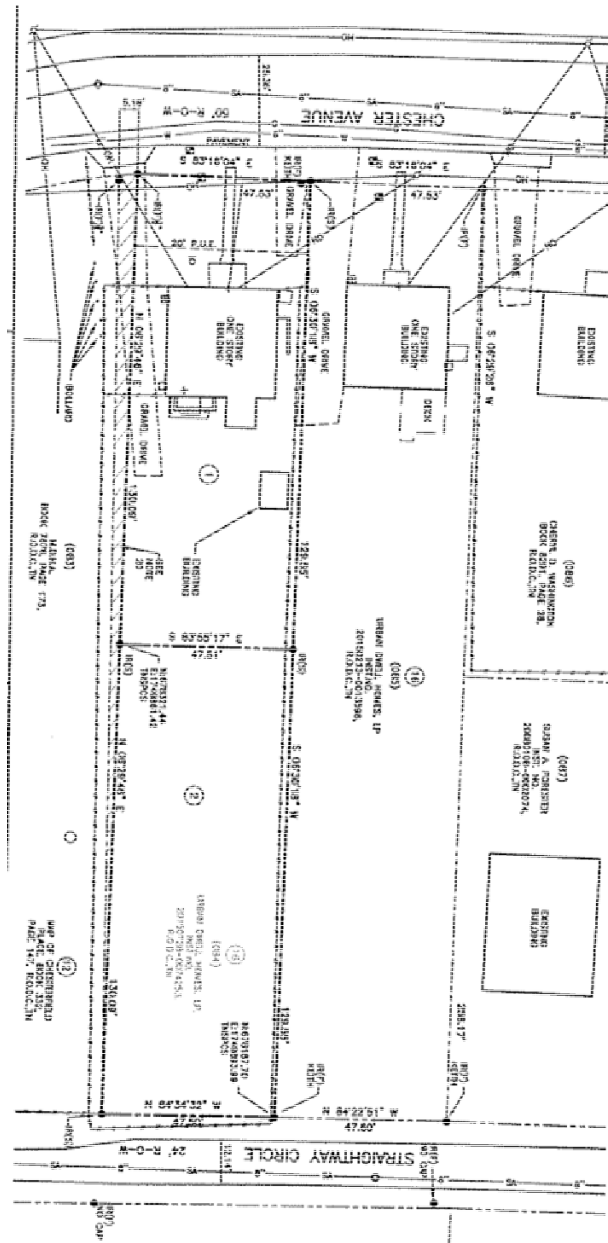
T4 Urban Neighborhood Maintenance (T4 NM) is intended to preserve the general character of existing urban neighborhoods. T4 NM areas will experience some change over time, primarily when buildings are expanded or replaced. When this occurs, efforts should be made to retain the existing character of the. Enhancements may be made to improve pedestrian, bicycle and vehicular connectivity.

**PLAN DETAILS**

This request is for final plat approval to create two lots on property located at 1122 Chester Avenue, where one lot currently exists. This lot has double frontage on Chester Avenue and Straightway Circle; one lot would front Chester Avenue and the other lot would front Straightway Circle. There is an existing structure on the property that is proposed to be removed. Vehicular access would be limited to a 16 foot driveway between the primary structure and street. There are no sidewalks present along Chester Avenue or Straightway Circle.



# Metro Planning Commission Meeting of 5/12/2016



Proposed Subdivision



## Metro Planning Commission Meeting of 5/12/2016

The existing lot is 12,335 square feet (0.28 acres) and is proposed to be subdivided into two lots with the following square footage/ acreage:

- Lot 1: 6,166 SF (0.142 acres)
- Lot 2: 6,166 SF (0.142 acres)

### ANALYSIS

Section 3-5.2 of the Subdivision Regulations establishes criteria for reviewing infill subdivisions and for determining their compatibility in Neighborhood Maintenance policies.

#### Zoning Code

The proposed lots meet the minimum standards of the R6 zoning district.

#### Street Frontage

Lot 1 would front onto Chester Avenue and lot 2 would front onto Straightway Circle; both are public streets.

#### Density

The T4 Urban Neighborhood Maintenance policy no longer includes density limitations.

#### Community Character

1. Lot frontage analysis; the proposed lots must have frontage either equal to or greater than 70% of the average frontage of surrounding parcels or equal to or greater than the surrounding lot with the least amount of frontage, whichever is greater.

In this instance, the lots created must be equal to or greater than 45 feet for the Chester Avenue lot and 47.5 feet for the Straightway Circle. The proposed lots meet lot frontage requirements.

<b>Chester Avenue Frontage</b>	
Proposed Frontage	48 ft.
Minimum Frontage	45 ft.
70% Average	35 ft.

<b>Straightway Circle Frontage</b>	
Proposed Frontage	47.5 ft.
Minimum Frontage	47.5 ft.
70% Average	33 ft.

2. Lot size analysis; the proposed lots must have lot area that is either equal to or greater than 70% of the lot size of the average size of surrounding parcels or equal to or larger than smallest surrounding lot, whichever is greater.

In this instance the proposed lots must equal to or greater than 7,193 SF for the Chester Avenue lot and 6,000 SF for the Straightway Circle lot. The proposed Straightway Circle lot meets lot size requirements; the proposed Chester Avenue lot does not.



## Metro Planning Commission Meeting of 5/12/2016

Chester Avenue Size	
Proposed Size	6,166 SF
Minimum Size	6,051 SF
70% Average	7,193 SF

Straightway Circle Size	
Proposed Size	6,166 SF
Minimum Size	5,946 SF
70% Average	4,226 SF

3. Street setbacks; future structures would have to comply with appropriate street setbacks.

4. Lot orientation; proposed lots are consistent with the surrounding parcels.

### Agency Review

All reviewing agencies have not recommended approval of this application.

### Harmony of Development

If the proposed subdivisions meet subsections a, b, c, and e of this section but fails to meet subsection d, the Planning Commission may consider whether the subdivision can provide harmonious development of the community.

This proposed subdivision does not meet the community character criteria since Lot 1 does not meet square footage requirements.

Staff finds that this proposal would provide for harmonious development along both street frontages. The applicant has agreed to limit the height of future development to two stories in 35 feet, which is consistent with the adjacent properties. The applicant has also agreed to 16 feet driveways between the primary structure and street; this would eliminate parking pads in the street setbacks and enhance the public realm. Sidewalks would also be required. The applicant has indicated they will make a payment in-lieu of construction of the sidewalk.

Currently this is a non-conforming lot as Section 3-4.3 of the current Subdivision Regulations prohibits the creation of attached and detached single-family double frontage lots. Granting this subdivision would eliminate this non-conformity.

### **FIRE MARSHAL RECOMMENDATION**

N/A

### **STORMWATER RECOMMENDATION**

#### **Returned**

- Metro GIS indicates a storm pipe traversing the lot. Show the pipe location, then provide adequate PUDE' widths (see table 6-1, Volume 1 of the Stormwater Management Manual).

### **PUBLIC WORKS RECOMMENDATION**

#### **Conditions if approved**

- If sidewalks are required by Planning and the applicant chooses to construct rather than pay the in-lieu fee, then they should be shown and labeled on the plan with curb and gutter, 4 foot grass strip or as determined by Public Works, and a minimum 5 foot wide sidewalk unobstructed, and a minimum of 20 feet pavement on the street width. Wider sidewalk, grass



## **Metro Planning Commission Meeting of 5/12/2016**

strip, and pavement width is required where on-street parking occurs or on a street classification greater than local.

- Sidewalks must be shown fully within the right of way. Show the location of all existing above and below ground features within the right-of-way. Any existing obstructions within the path of travel shall be relocated to provide a minimum of 5 feet of clear access.
- Construction plans must also be submitted that address any related drainage improvements, grading, utility relocation(s), and tree removal. A permit is required from The Department of Public Works prior to commencing any work within the right-of-way.

### **TRAFFIC AND PARKING RECOMMENDATION**

**No Exception Taken**

### **WATER SERVICES RECOMMENDATION**

**Returned for corrections**

- For the latest re-plat (stamped received April 5, 2016), our original comments still apply: add private water service line easement note to the plat (the note shown on this re-plat is different from our original comments), and pay the required capacity fees.

### **STAFF RECOMMENDATION**

Staff recommends deferral to the May 26, 2016, Planning Commission meeting, unless a recommendation of approval is received from all agencies. If recommendations of approval are received, staff recommends approval with conditions.

### **CONDITIONS**

1. Sidewalks are required along the Chester Avenue and Straightway Circle frontages of the proposed subdivision. Prior to final plat recordation, one of the options must be chosen related to the required sidewalks:
  - a. Submit a bond application and post a bond with the Planning Department,
  - b. Construct sidewalk and have it accepted by Public Works,
  - c. Submit contribution in-lieu of construction to the Planning Department, 2 additional lots will require a \$ 9,212.88 contribution to Pedestrian Benefit Zone 4.
  - d. Construct an equal length of sidewalk within the same Pedestrian Benefit Zone, in a location to be determined in consultation with the Planning Department and the Public Works Department.
  - e. Add the following note to the plat: "No building permit is to be issued on any of the proposed lots until the required sidewalk is constructed per the Department of Public Works specifications." Sidewalk shall be shown and labeled on the plan per Public Works Standards with the required curb and gutter.
2. No parking is permitted between the primary structure and street. Hard surfaces for vehicular access shall be limited to a 16' driveway between the primary structure and the street.
3. Height is limited to two stories in 35 feet.

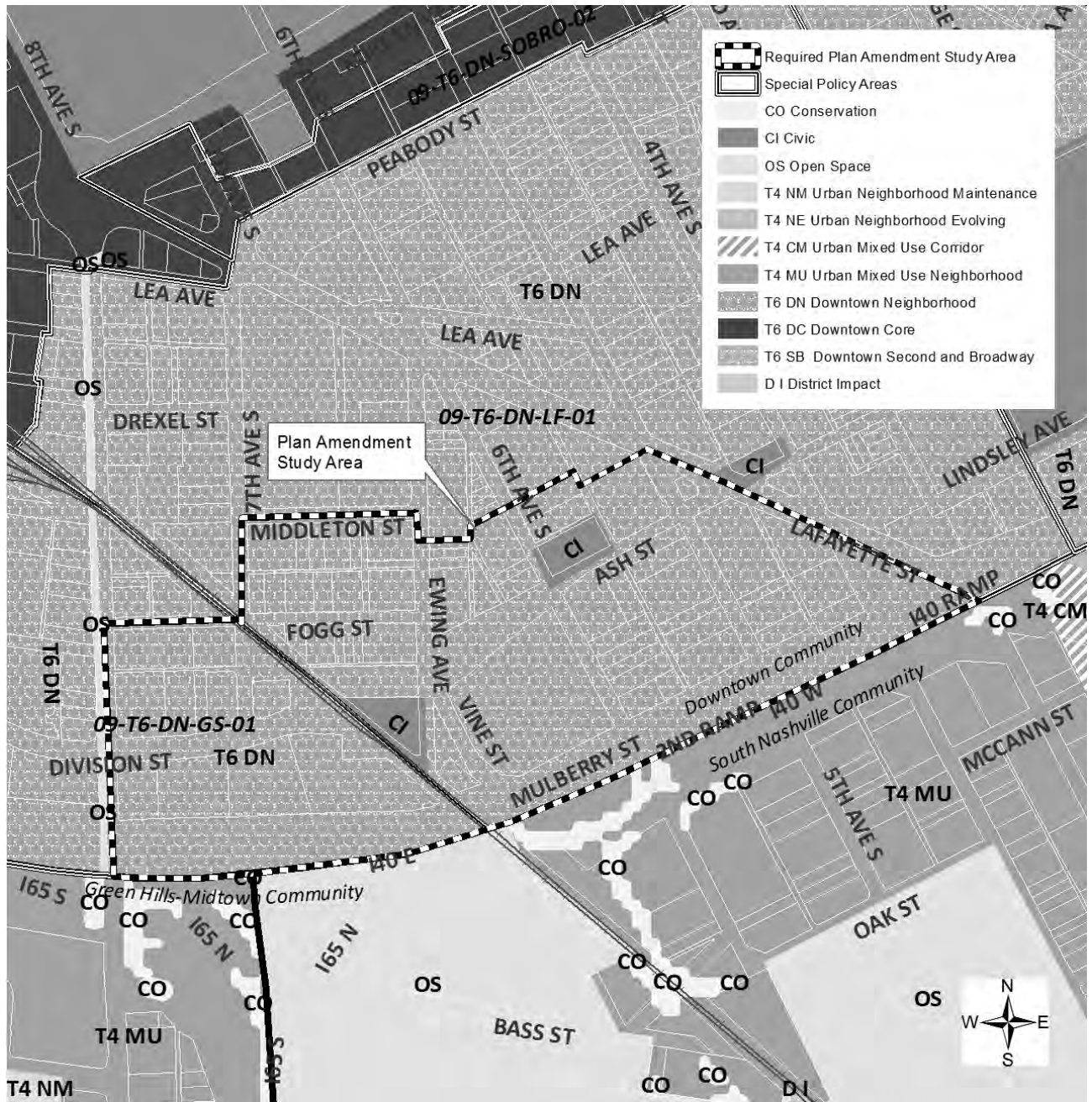


# **COMMUNITY PLAN POLICY CHANGES and ASSOCIATED CASES**

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



# Metro Planning Commission Meeting of 5/12/2016



**2016CP-009-001**  
**DOWNTOWN COMMUNITY PLAN AMENDMENT**  
Map Various, Parcel(s) Various  
09, Downtown  
19 (Freddie O'Connell)





**Project No.** Major Plan Amendment 2016CP-009-001  
**Project Name** Downtown Community Plan  
**Associated Case** 2016SP-030-001  
**Council District** 19 – O’Connell  
**School Districts** 5 – Kim  
**Requested by** Bradley Arant Boult Cummings LLP, applicant;  
CPC 8 to 5 LP, owner.

**Staff Reviewer** Collins  
**Staff Recommendation** *Defer to the June 9, 2016, Planning Commission meeting.*

---

**APPLICANT REQUEST**

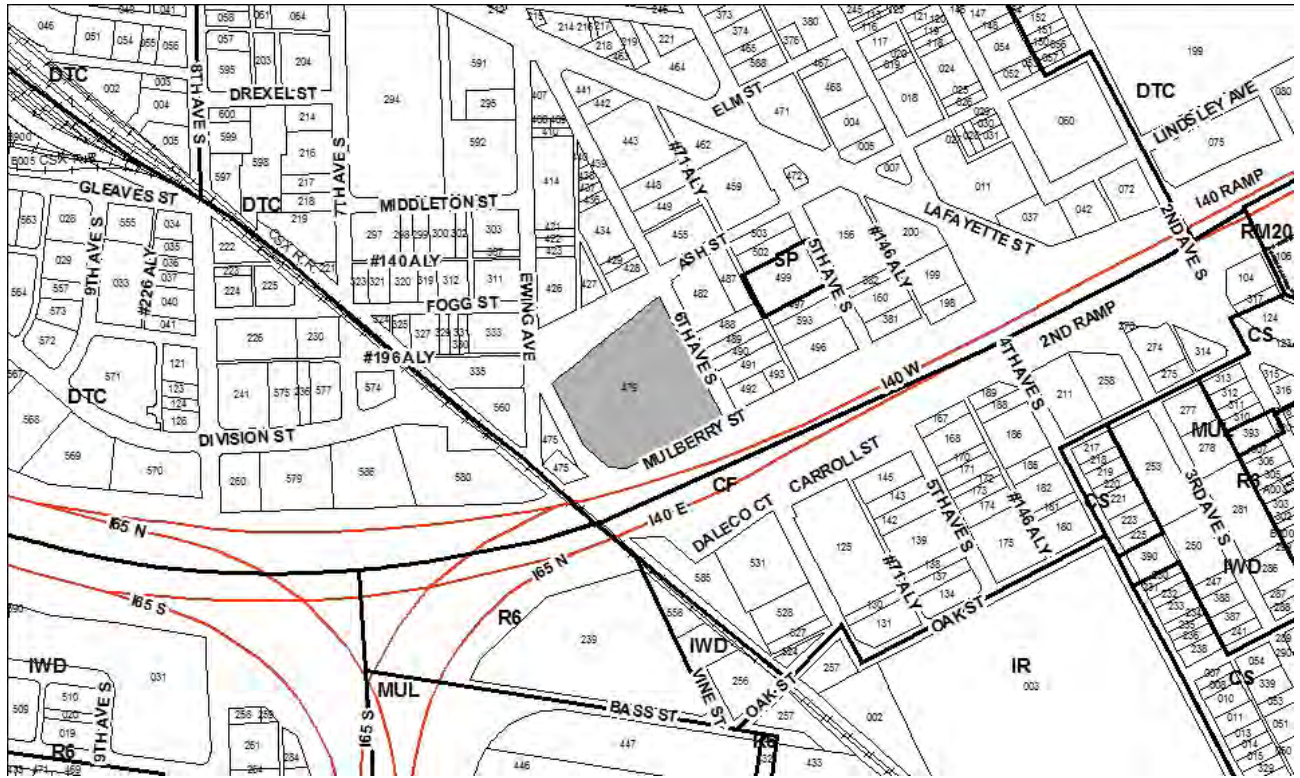
**Amend the Downtown Community Plan Special Policies 09-T6-DN-LF-01 and 09-T6-DN-GS-01 to allow high-rise development in the policy study area.**

**STAFF RECOMMENDATION**

Staff recommends deferral to the June 9, 2016, Planning Commission meeting as requested by the applicant.



# Metro Planning Commission Meeting of 5/12/2016



**2016SP-030-001**  
6TH & DIVISION MIXED USE DEVELOPMENT  
Map 093-14, Parcel(s) 479  
09, Downtown  
19 (Freddie O'Connell)



**Project No.** Specific Plan 2016SP-030-001  
**Project Name** 6th & Division Mixed Use Development  
**Associated Case** 2016CP-009-001  
**Council District** 19 – O’Connell  
**School Districts** 5 – Kim  
**Requested by** Bradley Arant Boulton Cummings LLP, applicant;  
CPC 8 to 5 LP, owner.

**Staff Reviewer** Milligan  
**Staff Recommendation** *Defer to the June 9, 2016, Planning Commission meeting.*

---

**APPLICANT REQUEST**  
**Creat a mixed-use development**

Preliminary SP

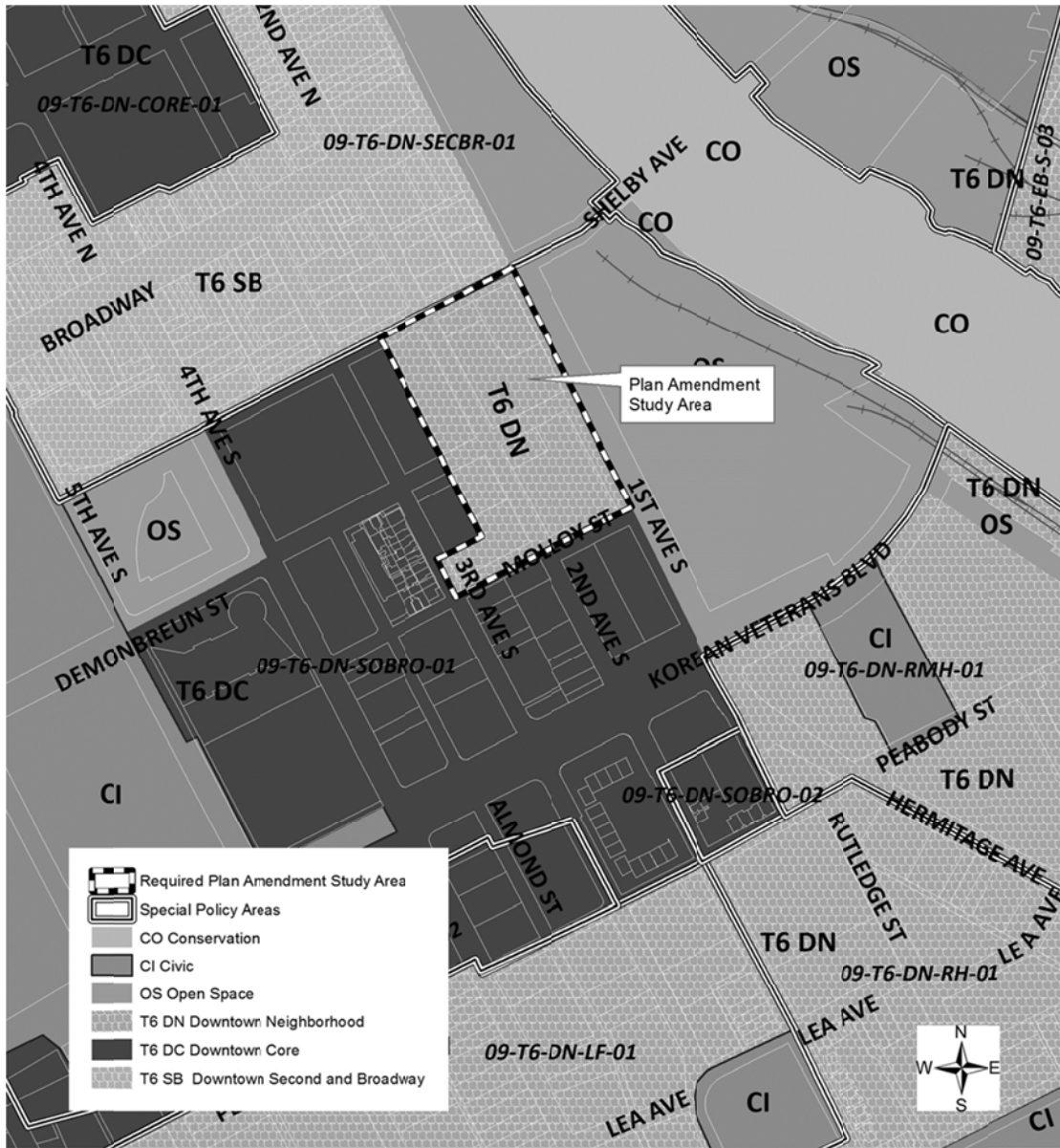
A request to rezone from Downtown Code (DTC) to Specific Plan – Mixed Use (SP-MU) zoning for property located at 825 6th Ave South, at the southwest corner of Ashe Street and 6th Ave. South (3.89 acres), to permit a mixed-use development.

**STAFF RECOMMENDATION**

Staff recommends deferral to the June 9, 2016, Planning Commission meeting as requested by the applicant.



# Metro Planning Commission Meeting of 5/12/2016



## 2016CP-009-002

### DOWNTOWN COMMUNITY PLAN AMENDMENT

Map 093-06-4, Parcel(s) 063, 076, 083, 084, 091, 094, 107

09, Downtown

19 (Freddie O'Connell)



**Project No.** Plan Amendment 2016CP-009-002  
**Project Name** Downtown Community Plan Amendment  
**Associated Case** 2016DTC-001-001  
**Council District** 19 – O’Connell  
**School Districts** 5 – Kim  
**Requested by** Second Avenue Partners, LLC, applicant; Belle Meade Investments, LLC, owner.

**Staff Reviewer** Collins  
**Staff Recommendation** *Defer to the May 26, 2016, Planning Commission meeting.*

---

**APPLICANT REQUEST**

**Amend the Downtown Community Plan Special Policy 09-T6-DN-SOBRO-01 to clarify that high-rise building height in the policy study area is permissible, and to clarify the contextual basis standards relative to historic structures.**

Major Plan Amendment

Request to amend Special Policy 09-T6-DN-SOBRO-01 to clarify that high-rise building height in the policy study area is permissible and to clarify the contextual basis standards relative to historic structures, as requested for properties located at 151 1st Avenue South, 150 and 134 2nd Avenue South, at the northwest corner of 1st Avenue South and Demonbreun Street, (1.74 acres), zoned Downtown Code (DTC).

**STAFF RECOMMENDATION**

Staff recommends deferral to the May 26, 2016, Planning Commission meeting.



# Metro Planning Commission Meeting of 5/12/2016



**2016DTC-001-001**

150 AND 134<sup>ND</sup> AVENUE SOUTH & 151<sup>ST</sup> AVENUE SOUTH

Map 093-06-4, Parcel(s) 076, 083-084

09, Downtown

19 (Freddie O'Connell)



<b>Project No.</b>	<b>DTC Overall Height Modification 2016DTC-001-001</b>
<b>Project Name</b>	<b>151 1<sup>st</sup> Avenue South – SoBro Subdistrict</b>
<b>Associated Case</b>	2016CP-09-002
<b>Council District</b>	19 – O’Connell
<b>School District</b>	5 – Kim
<b>Requested by</b>	Second Avenue Partners, LLC, applicant; Belle Meade Investments, LLC, owner.
<b>Staff Reviewer</b>	Collins
<b>Staff Recommendation</b>	<i>Defer to the May 26, 2016, Planning Commission meeting.</i>

---

**APPLICANT REQUEST**

**Modification to the overall height standards of the Downtown Code (DTC) to allow a 40 story building, within the SoBro Subdistrict.**

Modification to overall height

A request for a modification for overall building height, for property located at 151 1<sup>st</sup> Avenue South, 150 2<sup>nd</sup> Avenue South and 134 2<sup>nd</sup> Avenue South (1.75 acres), zoned Downtown Code (DTC) and within the SoBro subdistrict, to permit a 40 story mixed use development, where 15 stories is permitted by-right and 30 stories is the by-right bonus height maximum.

**STAFF RECOMMENDATION**

Staff recommends deferral to the May 26, 2016, Planning Commission meeting.



**SEE NEXT PAGE**





## **RECOMMENDATIONS TO METRO COUNCIL**

- **Specific Plans**
- **Zone Changes**
- **Urban Design Overlays**
- **Planned Unit Developments (Amendment)**



# Metro Planning Commission Meeting of 5/12/2016



## 2013SP-030-003

PORTER ROAD SP AMENDMENT

Map 072-15, Parcel(s) 237, 356

Map 072-15-0-W, Parcel(s) 001-022, 900

05, East Nashville

07 (Anthony Davis)



<b>Project No.</b>	<b>Specific Plan 2013SP-030-003</b>
<b>Project Name</b>	<b>Porter Road SP Amendment</b>
<b>Council District</b>	07 – A. Davis
<b>School District</b>	05 – Kim
<b>Requested by</b>	Dale & Associates, applicant; 1509 Porter, The Porter Village Partners, owner.
<b>Staff Reviewer</b>	Birkeland
<b>Staff Recommendation</b>	<i>Approve with conditions and disapprove without all conditions.</i>

**APPLICANT REQUEST**

**Amend the Porter Road SP to add parcel 237 and revise the layout to permit a mixed-use development.**

Preliminary SP

A request to amend the Porter Road Specific Plan District for property located at 1509 Porter Road and Porter Road (unnumbered) to add parcel 237 and permit a maximum of 28 residential units and up to 7,400 square feet of commercial use where 28 residential units and up to 6,000 square feet of commercial use were previously approved, approximately 72 feet south of Cahal Avenue, zoned Specific Plan (SP) and One and Two-Family Residential (R6) (0.7 acres).

**Existing Zoning**

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

**Proposed Zoning**

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

**CRITICAL PLANNING GOALS**

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

This proposal meets four critical planning goals. Development in areas with adequate infrastructure is more appropriate than development not served with adequate infrastructure such as roads, water and sewer, because it does not burden Metro with the cost of maintaining new infrastructure. A six foot sidewalk will be added to provide for a safer pedestrian environment and encourage pedestrian activity. The commercial portion of the proposal will provide for additional community





## Metro Planning Commission Meeting of 5/12/2016

conveniences which will help support the existing neighborhood center. A bike lane already exists along Porter Road.

### **EAST NASHVILLE COMMUNITY PLAN**

T4 Urban Neighborhood Center (T4 NC) is intended to preserve, enhance, and create urban neighborhood centers that serve urban neighborhoods that are generally within a 5 minute walk. T4 NC areas are pedestrian friendly areas generally located at intersections of urban streets that contain commercial, mixed use, residential, and institutional land uses. Infrastructure and transportation networks may be enhanced to improve pedestrian, bicycle and vehicular connectivity.

T4 Urban Neighborhood Maintenance (T4 NM) 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?

Yes. The proposed SP is consistent with the T4 Urban Neighborhood Center policy. The plan provides a mixture of uses including various types of residential, office and commercial uses that will provide services along Porter Road and additional housing options for the area. The plan also fosters a pedestrian friendly environment by providing a sidewalk and planting strip, including street trees, along Porter Road and an integrated sidewalk within the development.

### **PLAN DETAILS**

#### History

The Porter Road SP was previously approved in September 2013 for a total of 28 residential units and up to 6,000 square feet of commercial space. The plan proposed two separate mixed-use buildings along Porter Road containing six residential lofts. The remaining 22 residential units were located behind the mixed-use buildings. The Final Site Plan for Phase 1 to permit the 22 residential units was approved in August 2015.

#### Site Plan

The proposed amendment to the Porter Road SP includes the parcel to the north of the site and revises the layout for the mixed-use portion of the site. Access to the northern parking area will be from the private drive in Phase 1. A type "A" landscape bufferyard will be installed along the northern and eastern property to buffer the new parking area. The 22 residential units in Phase 1 that have received final site plan approval will remain the same. The primary access for both Phase 1 and Phase 2 will be from a private drive from Porter Road.

The proposed amendment includes a revised layout for the mixed-use buildings along Porter Road. The plan includes changes to the footprint of each building and square feet for allowed uses. The preliminary SP allowed for a maximum of 6,000 square feet of commercial uses with restaurant uses limited to a maximum of 3,000 square feet. The amendment proposes that non-residential uses shall have a minimum of 2,000 square feet and be limited to a maximum of 7,400 square feet. This allows for flexibility on the site, but still retains a mixed-use element along Porter Road as shown in



## Metro Planning Commission Meeting of 5/12/2016

the preliminary Specific Plan. The proposed amendment still limits residential uses to a total of 28 residential units.

Parking is provided on-site and on-street. The Final SP shall include parking amounts that comply with the Metro Zoning Code based on the total amount of residential units and total non-residential square feet. The proposed plan includes the previously approved six foot sidewalk and four foot planting strip along Porter Road.

### ANALYSIS

The proposed Specific Plan amendment is consistent with the land use policy for the area and is consistent with the approved plan for the Porter Road Specific Plan District. The plan provides for a mixture of uses along Porter Road and will create a pedestrian friendly streetscape.

### FIRE DEPARTMENT RECOMMENDATION

N/A

### STORMWATER RECOMMENDATION

Approve

### WATER SERVICES RECOMMENDATION

Approved with conditions

- Approved as a Preliminary SP Amendment only. The required capacity fees must be paid prior to Final Site Plan/SP approval.

### PUBLIC WORKS RECOMMENDATION

Approved with conditions

- This development will require Public Works approval of detailed construction plans prior to grading the site. Plans must comply with the design regulations established by the Department of Public Works in effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable. Final design and improvements may vary based on actual field conditions.

### TRAFFIC AND PARKING RECOMMENDATION

No exceptions taken

Maximum Uses in Existing Zoning District: R6

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two- Family Residential* (210)	.14	7.26 D	2 U	20	2	3

\*Based on two-family lots



## Metro Planning Commission Meeting of 5/12/2016

Maximum Uses in Existing 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)	10.7	-	6,000 SF	295	12	36

Maximum Uses in Existing 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)	10.7	-	28 U	294	18	34

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)	10.7	-	7,400 SF	355	14	40

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 (220)	10.7	-	28 U	294	18	34

Traffic changes between maximum: **R6, SP-MU and SP-MU**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+40	-	+1

### METRO SCHOOL BOARD REPORT

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

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

The proposed SP amendment will generate no additional students than what previously approved.

### STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.



## Metro Planning Commission Meeting of 5/12/2016

### CONDITIONS

1. Uses shall be limited to a maximum of 28 residential units.
2. Non-residential uses shall include a minimum of 2,000 square feet and up to a maximum of 7,400 square feet.
3. All parking requirements shall meet the UZO standards in section 17.20 of the Metro Zoning Code.
4. Elevations shall be required with the Final Site Plan application.
5. Restaurant uses are limited to a maximum of 3,000 square feet, unless additional parking is provided in compliance with Metro Zoning Code requirements. Additional floor area for restaurant uses shall be reviewed with final site plan and/or use and occupancy permits.
6. Add the following note to the plan: The final site plan/building permit site plan shall depict a minimum 5 foot clear path of travel for pedestrian ways, including public sidewalks, and the location of all existing and proposed obstructions. Prior to the issuance of use and occupancy permits, existing obstructions within the path of travel shall be relocated to provide a minimum of 5 feet of clear access.
7. Permitted signs shall be limited to wall mounted signs, projecting signs, awning signs, window signs and hanging signs. Freestanding ground signs, monument signs, portable signs, roof mounted signs, LED signs and billboards shall not be permitted. A signage program shall be included with the final site plan and must be approved by Planning.
8. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Council approval, the property shall be subject to the standards, regulations and requirements of the MUL zoning district as of the date of the application request or application.
9. A corrected copy of the preliminary SP plan incorporating the conditions of approval by the Metro Council shall be provided to the Planning Commission prior to or with the final site plan application.
10. 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.
11. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

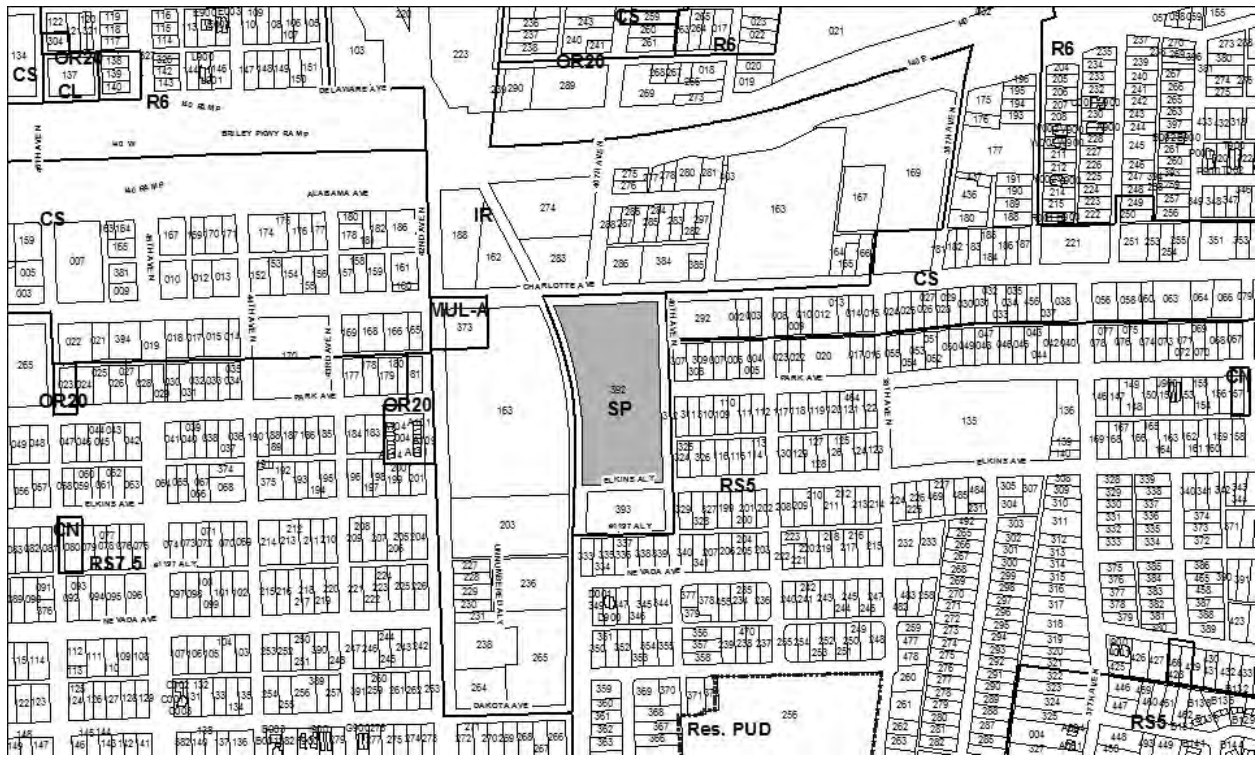




**SEE NEXT PAGE**



# Metro Planning Commission Meeting of 5/12/2016



**2013SP-037-003**

**HILL CENTER SYLVAN HEIGHTS SP AMENDMENT**

Map 091-16, Parcel(s) 392

07, West Nashville

24 (Kathleen Murphy)



<b>Project No.</b>	<b>2013SP-037-003</b>
<b>Project Name</b>	<b>Hill Center Sylvan Heights SP Amendment</b>
<b>Council District</b>	24 - Murphy
<b>School District</b>	05 - Kim; 09 – Frogge
<b>Requested by</b>	Hill Center Sylvan Heights LLC, applicant and owner.
<b>Staff Reviewer</b>	Moukaddem
<b>Staff Recommendation</b>	<i>Approve with conditions and disapprove without all conditions.</i>

**APPLICANT REQUEST**

**Amend the SP as its pertains to parcel 392 to allow uses permitted under MUL-A zoning and liquor sales.**

Preliminary SP

A request to amend the Hill Center Sylvan Heights Specific Plan District for the property located at 610 Sylvan Heights Way, at the southwest corner of the intersection of 40<sup>th</sup> Avenue North and Charlotte Avenue (5.65 acres), zoned Specific Plan-Mixed Use (SP-MU), to allow uses permitted under Mixed Use Limited-Alternative (MUL-A) zoning and liquor sales.

**Existing Zoning**

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

**Proposed Zoning**

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

**History**

The Hill Center at Sylvan Heights SP was originally approved by the Metro Council on January 21<sup>st</sup>, 2014. The final site plan, approved January 26<sup>th</sup>, 2015, includes approximately 7.4 acres on parcels 392 and 393. Only parcel 392 is included in this request. The SP allows for all uses permitted in the Mixed Use Limited-Alternative, MUL-A, zoning district and a mixed-use development of multifamily units and commercial uses in three separate buildings and up to fourteen detached single-family units .

**CRITICAL PLANNING GOALS**

N/A



## Metro Planning Commission Meeting of 5/12/2016

### **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.

T4 Urban Neighborhood Maintenance (T4 NM) 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?

Yes. The amendment to the plan to allow for all uses permitted under MUL-A zoning and liquor sales is consistent with the T4 Urban Mixed Use Corridor policy. This SP placed two buildings containing commercial uses on the ground floors of buildings along the portion of the site included in the Mixed Use Corridor policy. The inclusion of liquor sales is consistent with this policy. Buildings housing residential uses and not containing commercial space are located on the portion of the site included in the Neighborhood Maintenance policy.

### **PLAN DETAILS**

The site is located at 610 Sylvan Heights Way, at the southwest corner of the intersection of 40<sup>th</sup> Avenue North and Charlotte Avenue. The site is approximately 5.65 acres in size and currently contains a mixed-use development. While the SP includes parcels 392 and 393, this amendment applies only to the site on parcel 392.

#### Site Plan

Two buildings on the north side of the site along Charlotte Avenue contain commercial space. The building at the northeast corner is approved for 15, 410 square feet of commercial floor area on the ground floor, with a maximum of sixteen residential units on the second floor. A one story, 5,400 square foot commercial building is approved at the northwest corner of the site. These commercial buildings are in the build-to zone of Charlotte Avenue and 40<sup>th</sup> Avenue North. A four story multi-family building occupies a large portion of the middle of the site, and fourteen single-family residences are located on the southernmost portion of the site. The SP allows uses permitted in the MUL-A district for all commercial spaces.

### **ANALYSIS**

The mixed use nature of the SP encourages walking trips for daily conveniences by proposing commercial uses in an urban form along the Charlotte Avenue corridor within walking distance for the existing and future residential uses. The proposed amendment is consistent with the T4 Urban Mixed Use Corridor policy and provides for an additional supportive use within the SP.



## **Metro Planning Commission Meeting of 5/12/2016**

### **FIRE MARSHAL RECOMMENDATION**

#### **Approved with Conditions**

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

### **PUBLIC WORKS RECOMMENDATION**

#### **No Exception Taken**

### **WATER SERVICES RECOMMENDATION**

#### **Approved**

### **TRAFFIC AND PARKING RECOMMENDATION**

#### **No Exception Taken**

### **STAFF RECOMMENDATION**

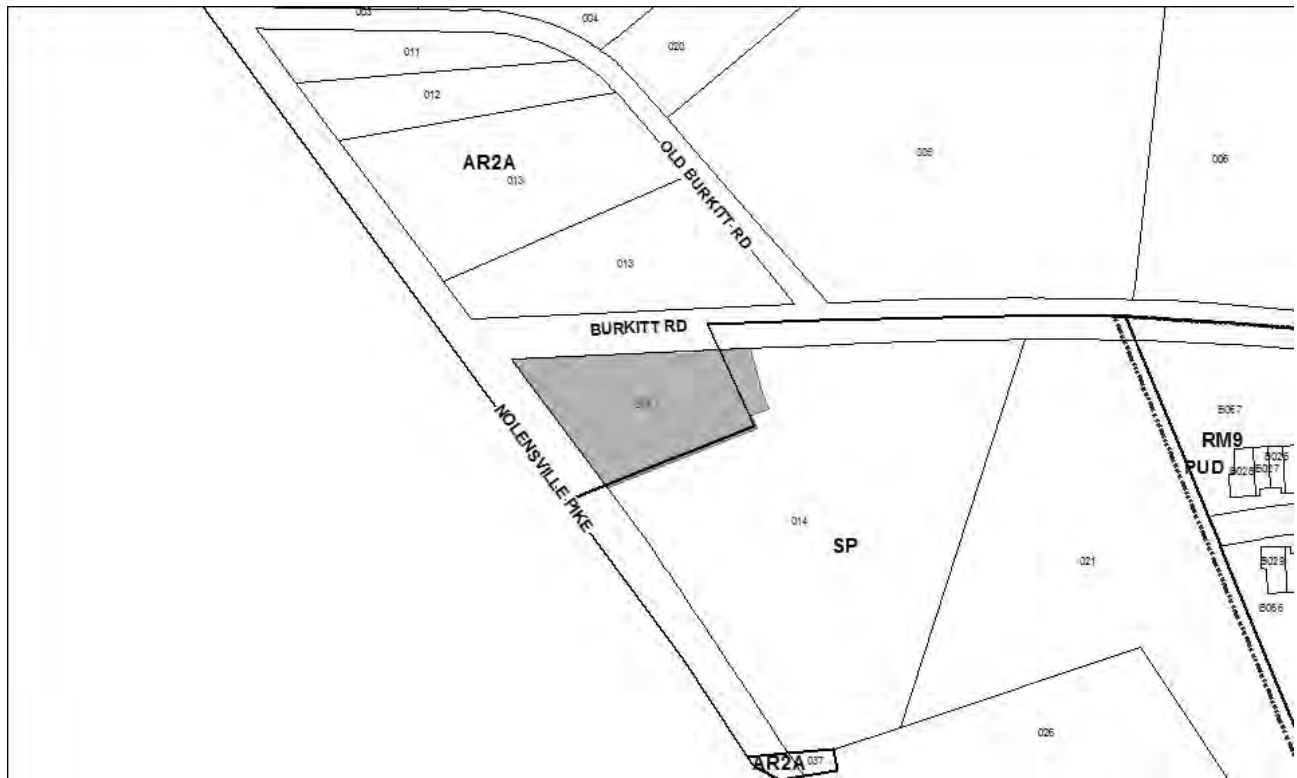
Staff recommends approval with conditions and disapproval without all conditions.

### **CONDITIONS**

1. Uses shall be limited to all uses permitted within MUL-A zoning and liquor sales.
2. All conditions from the approval of the SP as noted in BL2013-628 shall apply.



# Metro Planning Commission Meeting of 5/12/2016



**2016SP-031-001**  
BURKITT ROAD RETAIL SP  
Map 186, Parcel(s) 014  
12, Southeast  
31 (Fabian Bedne)



**Project No.**  
**Project Name**  
**Council District**  
**School District**  
**Requested by**

**Specific Plan 2016SP-031-001**  
**Burkitt Road Retail SP**  
31 – Bedne  
2 – Brannon  
Southeast Venture LLC, applicant; Magnolia Properties, owners.

**Staff Reviewer**  
**Staff Recommendation**

Swaggart  
*Defer to the May 26, 2016, Planning Commission meeting.*

---

**APPLICANT REQUEST**

**Zone change to permit a commercial development.**

Preliminary SP

A request to rezone from Agricultural and Residential (AR2a) to Specific Plan-Commercial (SP-C) for property located at Nolensville Pike (unnumbered), at the southeast corner of the Burkitt Road and Nolensville Pike intersection (1.5 acres), to permit a 10,550 square foot commercial development.

**STAFF RECOMMENDATION**

Staff recommends deferral to the May 26, 2016, Planning Commission meeting as requested by the applicant.



# Metro Planning Commission Meeting of 5/12/2016



**2016SP-032-001**

1623 & 1625 7TH AVENUE NORTH SP  
Map 081-08, Parcel(s) 475-476  
08, North Nashville  
19 (Freddie O'Connell)





<b>Project No.</b>	<b>Specific Plan 2016SP-032-001</b>
<b>Project Name</b>	<b>1623 &amp; 1625 7<sup>th</sup> Avenue North SP</b>
<b>Council District</b>	19 - O'Connell
<b>School District</b>	1 - Gentry
<b>Requested by</b>	Stone & Howorth, PLC, applicant; Regal Homes Co., and Jackstraw Properties, LLC, owners.
<b>Staff Reviewer</b>	Milligan
<b>Staff Recommendation</b>	<i>Approve with conditions and disapprove without all conditions.</i>

**APPLICANT REQUEST**

**Permit a residential development with up to 7 units.**

Preliminary SP

A request to rezone from One and Two-Family Residential (R6) to Specific Plan-Residential (SP-R) zoning for property located at 1623 and 1625 7th Ave North, located at the southwest corner of Garfield Street and 7th Ave North, to permit seven residential units (0.38 acres).

**Existing Zoning**

One and Two-Family Residential (R6) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25 percent duplex lots. *R6 would permit a maximum of 2 lots with 2 duplex lots for a total of 4 units.*

**Proposed Zoning**

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

**CRITICAL PLANNING GOALS**

- Supports Infill Development
- Creates Walkable Neighborhoods

The proposed development meets two 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 improved along Garfield Street to create a better pedestrian environment.

**NORTH NASHVILLE COMMUNITY PLAN**

T4 Urban Neighborhood Evolving (T4 NE) is intended to create and enhance urban residential neighborhoods that provide more housing choices, improved pedestrian, bicycle and vehicular connectivity, and moderate to high density development patterns with shallow setbacks and minimal spacing between buildings. T4 NE areas are served by high levels of connectivity with complete street networks, sidewalks, bikeways and existing or planned mass transit. T4 NE policy may be





## Metro Planning Commission Meeting of 5/12/2016

applied either to undeveloped or substantially under-developed “greenfield” areas or to developed areas where redevelopment and infill produce a different character that includes increased housing diversity and connectivity. Successful infill and redevelopment in existing neighborhoods needs to take into account considerations such as timing and some elements of the existing developed character, such as the street network and block structure and proximity to centers and corridors.

### Consistent with Policy?

Yes. The SP is consistent with the T4 Urban Neighborhood Evolving policy. The proposed development provides additional housing within an existing urban neighborhood. The proposed units will front on both Garfield Street and 7<sup>th</sup> Avenue North with minimal setbacks, creating a strong streetscape and an inviting pedestrian environment.

### **PLAN DETAILS**

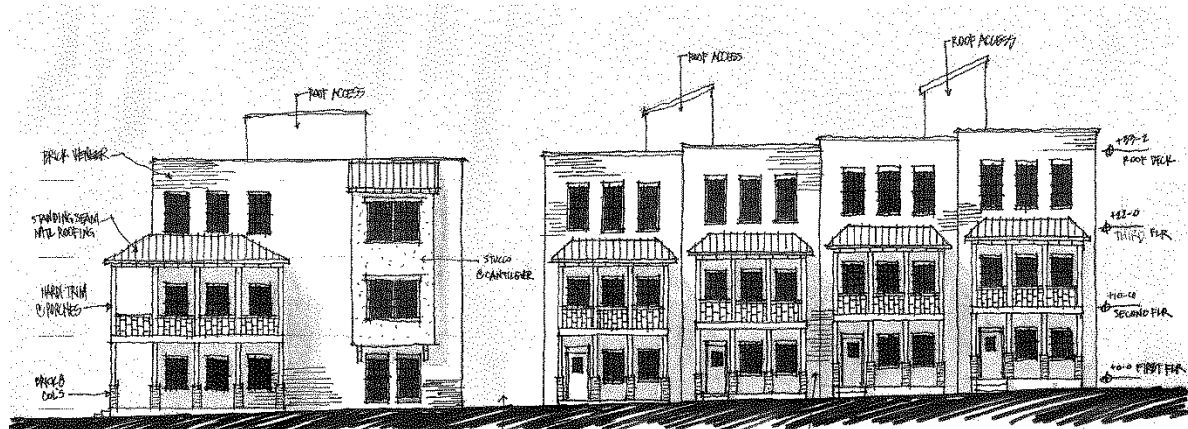
The site is located at 1623 and 1625 7<sup>th</sup> Avenue North, at the intersection of 7<sup>th</sup> Avenue North and Garfield Street. The site is approximately 0.38 acres in size. 1623 7<sup>th</sup> Avenue North is currently in use as a duplex and 1625 7<sup>th</sup> Avenue North is currently vacant.

### Site Plan

The plan proposes up to seven residential dwelling units with four units fronting Garfield Street and three units fronting 7<sup>th</sup> Avenue North. The corner unit will have a wraparound porch that addresses both Garfield Street and 7<sup>th</sup> Avenue North.

Vehicular access for the development is proposed from the existing alley adjacent to the western property line. Each unit includes two garage parking spaces and 4 additional guest spaces are included. Garfield Street is designated as an arterial on the Major and Collector Street plan and sidewalks are being provided consistent with the MCSP requirements. A four foot planting strip and ten foot sidewalk is being provided along Garfield Street. 7<sup>th</sup> Avenue North is a local street with an existing grass strip and sidewalk that will remain.

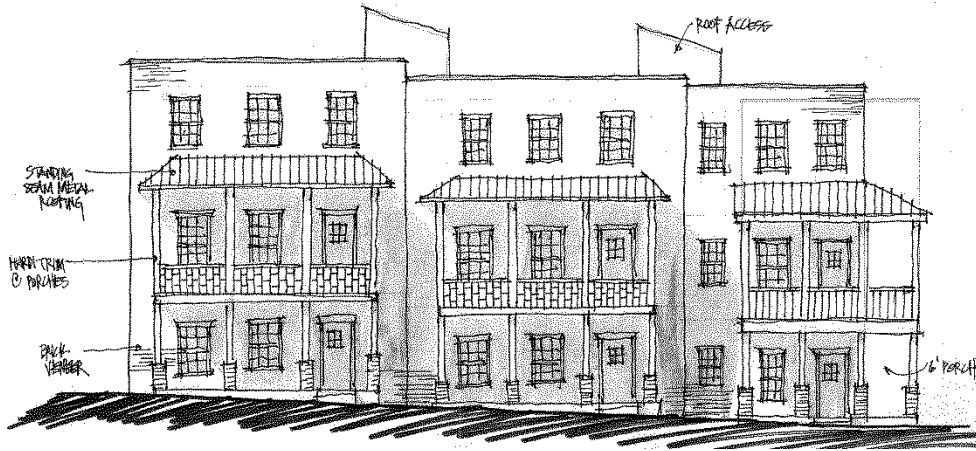
Front elevations have been provided for the units for both the Garfield Street frontage and 7<sup>th</sup> Avenue North frontage. The proposed units have a height of three stories in a maximum of 45 feet, with roof access. The units are proposed to be primarily brick and feature double story porches. A raised foundation a minimum of 18” and a maximum of 36” will also be provided.



Garfield Street elevation



## Metro Planning Commission Meeting of 5/12/2016



7<sup>th</sup> Avenue North elevation

### ANALYSIS

The proposed development provides for an urban development on an infill site. The units front on both Garfield Street and 7<sup>th</sup> Avenue North and create a strong streetscape. A direct sidewalk connection is provided from each unit contributing to the walkability of the area.

### HISTORIC ZONING COMMISSION STAFF RECOMMENDATION

**Approved**

### 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 water and sewer construction plans must be submitted and approved prior to Final SP approval. These approved construction plans must match the Final Site Plan/SP plans. The required capacity fees must also be paid prior to Final Site Plan/SP approval.

### PUBLIC WORKS RECOMMENDATION

**Approved with conditions**

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works, in effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable. Final design may vary based on field conditions.
- ROW dedications are to be recorded prior to building permit signoff by MPW.



## Metro Planning Commission Meeting of 5/12/2016

- Indicate on the plans the installation of an ADA compliant ramp at the intersection of Garfield and 7th.
- Add notation on the plans that the sidewalk, curb and gutter, ramp, etc. are to be per MPW standard details ST-210, ST-200, ST-324, etc.
- Add note that the alley paving is to be per ST-263 paving cross section.

### TRAFFIC AND PARKING RECOMMENDATION

**No exception taken**

Maximum Uses in Existing Zoning District: **R6**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two- Family Residential* (210)	0.38	7.26 D	4 U	39	3	5

\*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential (230)	0.38	-	7 U	53	6	6

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
	0.38	-	+3 U	+14	+3	+1

### METRO SCHOOL BOARD REPORT

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

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

The proposed SP-R zoning district would not generate any additional students than would be generated under the existing R6 zoning.

### STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

### CONDITIONS

1. Permitted land uses shall be limited to up to 7 residential units.
2. Bicycle Parking shall be provided on the final site plan in compliance with Table 17.20.135 of the Metro Zoning Code.
3. 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



## Metro Planning Commission Meeting of 5/12/2016

the RM20-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

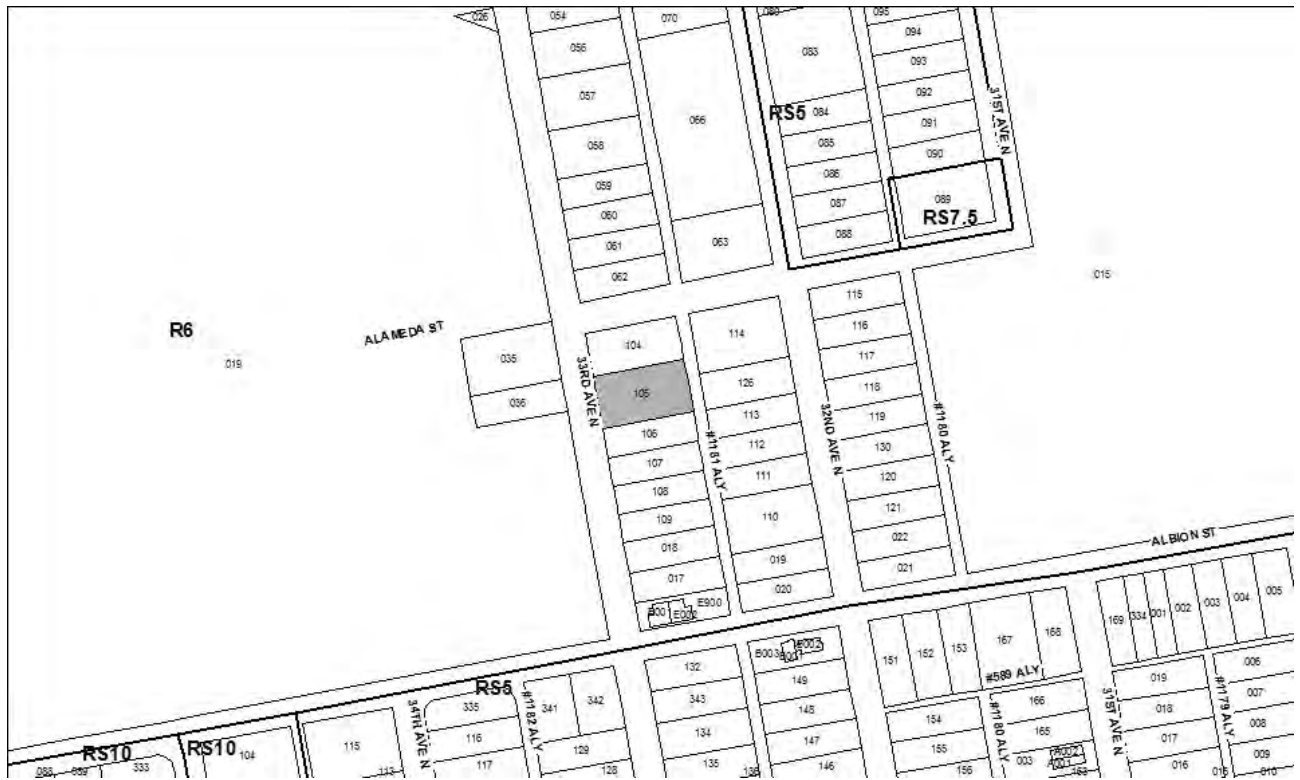
4. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
5. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
6. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
7. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.



**SEE NEXT PAGE**



# Metro Planning Commission Meeting of 5/12/2016



**2016SP-036-001**  
1016 33<sup>RD</sup> AVENUE NORTH SP  
Map 092-01, Parcel(s) 105  
08, North Nashville  
21 (Ed Kindall)





<b>Project No.</b>	<b>Specific Plan 2016SP-036-001</b>
<b>Project Name</b>	<b>1016 33<sup>rd</sup> Avenue North SP</b>
<b>Council District</b>	21 - Kindell
<b>School District</b>	01 - Gentry
<b>Requested by</b>	Joseph Perry and Joyce Page, applicant & owner.
<b>Staff Reviewer</b>	Deus
<b>Staff Recommendation</b>	<i>Disapprove.</i>

**APPLICANT REQUEST**

**Rezone from R6 to SP-R.**

Preliminary SP

A request to rezone from One and Two-Family Residential (R6) to Specific Plan-Residential (SP-R) zoning for property located at 1016 33rd Avenue North, approximately 70 feet south of Alameda Street (0.29 acres), to permit four multi-family units within the existing structure.

**Existing Zoning**

One and Two-Family Residential (R6) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25 percent duplex lots. *R6 would permit a maximum of 2 lots with 2 duplex lots for a total of 4 units.*

**Proposed Zoning**

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

**CRITICAL PLANNING GOALS**

N/A

**NORTH NASHVILLE COMMUNITY PLAN**

T4 Urban Neighborhood Maintenance (T4 NM) 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. This request is not consistent with policy as it does not preserve the existing character of the neighborhood that is predominantly single and two-family residential uses. Allowing four multi-family units would be an inappropriate application of residential intensity.



# Metro Planning Commission Meeting of 5/12/2016

## 1016 33<sup>rd</sup> Avenue North Specific Plan (SP)

Development Summary	
SP Name	1016 33rd Avenue N.
SP Number	2016SP-036-001
Council District	21- Kindall
Map & Parcel	Map 092-01 Parcel 105

Site Data Table	
Site Data	0.29 acres
Existing Zoning	R6
Proposed Zoning	SP-R
Allowable Land Uses	Four residential units.

### Specific Plan (SP) Standards

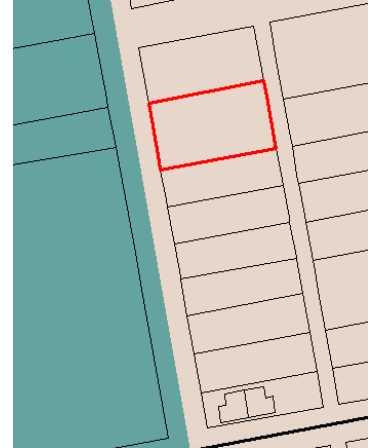
1. Uses within this SP shall be limited to four residential units in the existing structure.
2. In the event this structure was to be demolished, uses permitted by the SP will be those permitted by the R6-A district only.
3. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM15-A zoning district as of the date of the applicable request or application.
4. 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.

### General Plan Consistency Note

The proposed Specific Plan is located within North Nashville (Subarea 08). The proposed SP is located in the following policy area:

- T4 Neighborhood Maintenance

This application is not consistent with policy in this location as it does not preserve the existing character of the neighborhood which is predominantly one and two-family residential.



### **Proposed Site Standards**



## Metro Planning Commission Meeting of 5/12/2016

### ANALYSIS

This property is located at 1016 33<sup>rd</sup> Avenue and is approximately 0.29 acres. There is a currently an illegal quadplex located on this site. The current zoning is R6 which allows for one and two-family residences; two-family uses are permitted with conditions. A zoning request to SP would allow for four multi-family units within the existing structure; this is a regulatory SP.

This neighborhood is zoned for one and two- family residences. Multi-family uses are not permitted under the current zoning and the existing quadplex is not legally non-conforming. In 1988, this property was cited for being used as a triplex, and told to convert the structure into a legal duplex. Granting this application would be an inappropriate application of increased residential intensity, inconsistent with land use policy and extend the life of an existing illegal use.

In the event this structure was to be demolished, uses permitted by the SP will be those permitted by the R6-A district only.

### FIRE MARSHAL RECOMMENDATION

N/A

### PUBLIC WORKS RECOMMENDATION

N/A

### TRAFFIC & PARKING RECOMMENDATION

#### Conditions if approved

- Traffic study may be required at time of development.

Maximum Uses in Existing Zoning District: **R6**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two- Family Residential* (210)	0.29	7.26 D	4 U	39	3	5

\*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (210)	0.29	-	4 U	39	3	5

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
	0.29	-	-	-	-	-



## Metro Planning Commission Meeting of 5/12/2016

### METRO SCHOOL BOARD REPORT

Projected student generation existing <u>R6</u> district	<u>0</u> Elementary	<u>0</u> Middle	<u>0</u> High
Projected student generation proposed <u>SP-R</u> district	<u>0</u> Elementary	<u>0</u> Middle	<u>0</u> High

The proposed SP-R district would generate no more additional students than what is typically generated under the existing R6 district utilizing the Urban Infill Factor. Students would attend Park Avenue Elementary, McKissack Middle School and Pearl-Cohn High School.

This information is based upon data from the school last updated November 2015.

### STAFF RECOMMENDATION

Staff recommends disapproval.

### CONDITIONS (if approved)

1. Uses within this SP shall be limited to four residential units in the existing structure.
2. In the event this structure was to be demolished, uses permitted by the SP will be those permitted by the R6-A district only.
3. 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 RM15-A zoning district as of the date of the applicable request or application.
4. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.



**SEE NEXT PAGE**



# Metro Planning Commission Meeting of 5/12/2016



**2016SP-037-001**

NEELY'S BEND ROAD SP

Map 063-01, Parcel(s) 018

04, Madison

09 (Bill Pridemore)



<b>Project No.</b>	<b>Specific Plan 2016SP-037-001</b>
<b>Project Name</b>	<b>Neely’s Bend Road SP</b>
<b>Council District</b>	9 – Pridemore
<b>School District</b>	3 – Speering
<b>Requested by</b>	Requested by AJ Investments LLC, applicant and owner.
<b>Staff Reviewer</b>	Napier
<b>Staff Recommendation</b>	<i>Approve with conditions and disapprove without all conditions.</i>

**APPLICANT REQUEST**

**Permit up to two single family detached homes.**

Preliminary SP

A request to rezone from Commercial Neighborhood (CN) and RS40 to Specific Plan –Residential (SP-R) zoning for property located at Neely’s Bend Road (unnumbered), at the northeast corner of the intersection of Hudson Road and Neely’s Bend Road (1.92 acres), to permit up to two single-family detached dwelling units.

**Existing Zoning**

Commercial Neighborhood CN is intended for very low intensity retail, office, and consumer service uses which provide for the recurring shopping needs of nearby residential areas.

Single-Family Residential RS40 requires a minimum 40,000 square foot lot and is intended for single-family dwellings at an overall density of 0.93 dwelling units per acre. *Due to the small portion of the property zoned as RS40, no residential units would currently be permitted.*

**Proposed Zoning**

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

**CRITICAL PLANNING GOALS**

N/A

**MADISON COMMUNITY PLAN**

T2 Rural Neighborhood Center (T2 NC) policy is intended to preserve, enhance, and create rural neighborhood centers that fit in with rural character and provide consumer goods and services for surrounding rural communities. T2 NC areas are small-scale pedestrian friendly areas generally located at intersections. They contain commercial, mixed use, residential, and institutional uses.

Consistent with Policy?

Yes. The Rural Neighborhood Center policy allows a variety of residential and non-residential uses and emphasizes rural neighborhood character. Single-family residential uses are appropriate in this policy. Given the surrounding development pattern that consists primarily of single-family homes



# Metro Planning Commission Meeting of 5/12/2016

## Neely's Bend Specific Plan (SP)

Development Summary	
SP Name	Neelys Bend
SP Number	2016SP-037-001
Council District	9

Site Data Table	
Site Data	1.92
Existing Zoning	CN and RS40
Proposed Zoning	SP-R
Allowable Land Uses	Up to two single-family detached units.

### Specific Plan (SP) Standards

1. Uses within this SP shall be limited to two detached dwelling units.
2. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RS30 zoning district as of the date of the applicable require or application.
3. Ownership for units may be divided by a Horizontal Property Regime or a subdivision with a minimum lot size of 30,000 square feet.
4. Height is limited to two stories in 35 feet.
5. No parking is permitted between the primary structure and street. Hard surfaces for vehicular access shall be limited to a 16' driveway between the primary structure and the street.
6. A raised foundation of 18"- 36" is required for all residential structures.
7. EIFS, vinyl siding and untreated wood shall be prohibited.

### General Plan Consistency Note

The proposed Specific Plan is located within the Madison Community Plan (Subarea 4). The proposed SP is located in the following policy areas:

- T2 Rural Neighborhood Center (T3 NC)
- Conservation (CO)

The property is located at the corner of Neely's Bend Road and Hudson Road is approximately 1.92 acres in size. A residential use is appropriate in a neighborhood center policy as neighborhood center policy areas can feature a variety of uses including residential land uses.



### **Proposed Site Standards**





## **Metro Planning Commission Meeting of 5/12/2016**

on lots over one acre in size, the development of two single-family detached units on this property is consistent with the goals of the policy.

### **ANALYSIS**

The property is located at the northeast corner of Hudson Road and Neely's Bend Road. The property is zoned mostly as Commercial Neighborhood with a small portion at the northern and eastern property boundaries zone as RS40. Currently, no residential units would be permitted on this site, as the property does not qualify for Adaptive Residential Development and the RS40 portion of the site is not large enough to permit residential development. The proposed regulatory plan proposes several design standards, including a raised foundation of between 18" and 36", a height limitation of 2 stories to a maximum of 35 feet, and a restriction that no parking will be located between structures and the street. The SP also proposes that the parcel be subdivided into two lots of at least 30,000 square feet in size.

### **FIRE MARSHAL RECOMMENDATION**

N/A

### **STORMWATER RECOMMENDATION**

N/A

### **PUBLIC WORKS RECOMMENDATION**

N/A

### **TRAFFIC AND PARKING**

#### **Conditions if Approved**

- Traffic study may be required at time of development.

### **WATER SERVICES RECOMMENDATION**

N/A

### **STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions as the proposed plan is consistent with the Rural Neighborhood Center policy.

### **CONDITIONS**

1. The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works.
2. This SP shall permit up to two detached dwelling units.
3. 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 the filing of any additional development applications for this property, and in any event no later than 120 days after the effective date of the enacting ordinance. The corrected copy provided to the Planning Department shall include printed copy of the preliminary SP plan and a single PDF that contains the plan and all related SP documents. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the



## Metro Planning Commission Meeting of 5/12/2016

Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.

4. 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.
5. The SP final site plan as approved by the Planning Commission will be used to determine compliance, both in the issuance of permits for construction and field inspection. While minor changes may be allowed, significant deviation from the approved site plans may require reapproval by the Planning Commission and/or Metro Council.



**SEE NEXT PAGE**



# Metro Planning Commission Meeting of 5/12/2016



**2016Z-043PR-001**

Map 070-07, Parcel(s) 020

03, Bordeaux - Whites Creek

02 (DeCosta Hastings)



<b>Project No.</b>	<b>Zone Change 2016Z-043PR-001</b>
<b>Council District</b>	02 - DeCosta-Hastings
<b>School District</b>	01 - Gentry
<b>Requested by</b>	Norma Crow, applicant & owner.
<b>Staff Reviewer</b>	Deus
<b>Staff Recommendation</b>	<i>Approve.</i>

**APPLICANT REQUEST**  
**Rezone from CL to MUL-A.**

Zone Change

A request to rezone from Commercial Limited (CL) to Mixed Use Limited-Alternative (MUL-A) zoning for property located at 1002 West Trinity Lane, at the southwest corner of the intersection of Youngs Lane and West Trinity Lane (1.55 acres).

**Existing Zoning**

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

**Proposed Zoning**

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

**CRITICAL PLANNING GOALS**

- Creates Walkable Neighborhoods
- Supports Infill Development

This request directs development to areas where infrastructure is already existing (i.e. sewer lines, roads) as opposed to areas where there are not adequate public facilities. This reduces the service constraints placed on Metro’s resources. The proposed request would also enhance walkability along a corridor through the orientation of buildings and the enhancement of the pedestrian network.

**BORDEAUX-WHITES CREEK COMMUNITY PLAN**

T3 Suburban Neighborhood Center (T3 NC) is intended to enhance and create suburban neighborhood centers that serve suburban neighborhoods generally within a 5 minute drive. They are pedestrian friendly areas, generally located at intersections of suburban streets that contain commercial, mixed use, residential, and institutional land uses. T3 NC areas are served with well-connected street networks, sidewalks, and mass transit leading to surrounding neighborhoods and open space. Infrastructure and transportation networks may be enhanced to improve pedestrian, bicycle and vehicular connectivity.



# Metro Planning Commission Meeting of 5/12/2016

### Consistent with Policy?

Yes. The proposed zoning district allows for additional uses to be introduced into the neighborhood at a location that is envisioned to redevelop as a neighborhood center with a variety of uses and appropriate design standards.

### **ANALYSIS**

This site is located at 1002 West Trinity Lane and is approximately 1.55 acres. This property is currently zoned Commercial Limited (CL), which permits commercial uses, and is currently vacant.

In the event this property were to redevelop, the MUL-A zoning district would allow for additional uses to be introduced including residential, commercial and office uses. This district also has appropriate design standards consistent with the land use policy that would create walkable neighborhoods through the placement of buildings. The MUL-A district requires a build to zone that would orient future development to address the public realm. The standards would also require future development to occupy the corner of the parcel since this property is located at the intersection of two public streets.

Sidewalks would be required and two rows and a drive aisle would be permitted between any future building and the street, as this site is located outside the UZO, if the property were to redevelop under the proposed Alternative district.

### **FIRE MARSHAL RECOMMENDATION**

N/A

### **PUBLIC WORKS RECOMMENDATION**

N/A

### **TRAFFIC & PARKING RECOMMENDATION**

#### **Conditions if approved**

- Traffic study may be required at time of development.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	1.55	0.6 F	40, 510 SF	1771	40	119

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	1.55	1 F	67,518 SF	5261	123	489



## Metro Planning Commission Meeting of 5/12/2016

Traffic changes between maximum: CL and MUL-A

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
	1.55	-	+27,008 SF	+3,490	+83	+370

### METRO SCHOOL BOARD REPORT

Projected student generation existing CL district      0 Elementary      0 Middle      0 High

Projected student generation proposed MUL-A district   0 Elementary      5 Middle      6 High

The proposed MUL-A district would generate 11 additional students than what is typically generated under the existing CL district. Students would attend Lillard Elementary, Joelton Middle School and Whites Creek High School.

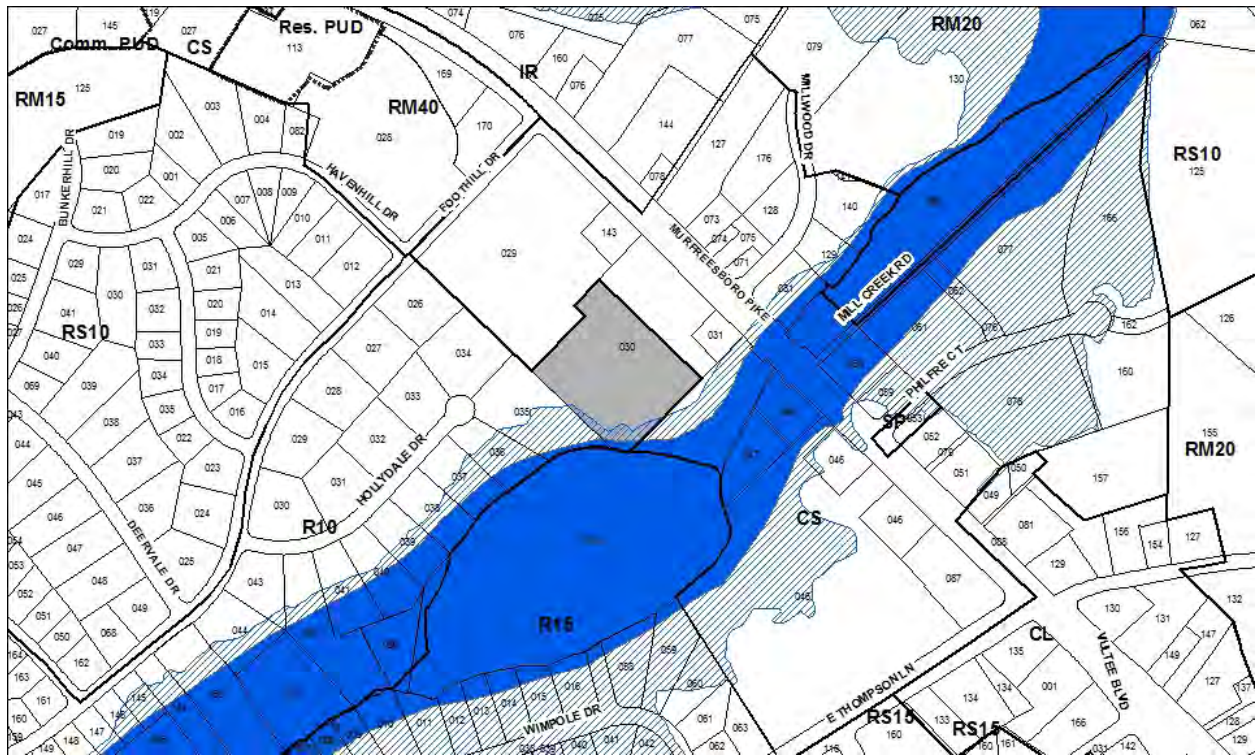
This information is based upon data from the school last updated November 2015.

### STAFF RECOMMENDATION

Staff recommends approval.



# Metro Planning Commission Meeting of 5/12/2016



**2016Z-044PR-001**

Map 106, Part of Parcel(s) 030

11, South Nashville

16 (Mike Freeman)





**Project No.**  
**Council District**  
**School District**  
**Requested by**

**Zone Change 2016Z-044PR-001**  
16 - Freeman  
7 - Pinkston  
Magnolia Title and Escrow, Inc, applicant; The Likes  
Family Trust, owner.

**Staff Reviewer**  
**Staff Recommendation**

Milligan  
*Defer to the June 23, 2016, Planning Commission meeting.*

---

**APPLICANT REQUEST**  
**Zone change from R10 to CS.**

Zone Change

A request to rezone from One and Two-Family Residential (R10) to Commercial Services (CS) zoning for a portion of property located at 981 Murfreesboro Pike, at the southwest side of the intersection of Millwood Drive and Murfreesboro Pike (4.06 acres).

**STAFF RECOMMENDATION**

Staff recommends deferral to the June 23, 2016, Planning Commission meeting at the request of the applicant.



# Metro Planning Commission Meeting of 5/12/2016



**2016Z-046PR-001**

Map 092-10, Parcel(s) 219-221

08, North Nashville

21 (Ed Kindall)



<b>Project No.</b>	<b>Zone Change 2016Z-046PR-001</b>
<b>Council District</b>	21 - Kindell
<b>School District</b>	05 - Kim
<b>Requested by</b>	Littlejohn Engineering & Associates, applicant; Desperado Properties LLC and Max Khazanov, owner.
<b>Staff Reviewer</b>	Deus
<b>Staff Recommendation</b>	<i>Approve.</i>

**APPLICANT REQUEST**  
**Rezone from RS5 to MUL-A.**

Zone Change

A request to rezone from Single-Family Residential (RS5) to Mixed Use Limited-Alternative (MUL-A) zoning for property located at 2701, 2703, and 2705 Clifton Avenue, at the southwest corner of the intersection of Clifton Avenue and 27th Avenue North (0.67 acres).

**Existing Zoning**

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

**Proposed Zoning**

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

**CRITICAL PLANNING GOALS**

- Creates Walkable Neighborhoods
- Supports Infill Development

This request directs development to areas where infrastructure is already existing (i.e. sewer lines, roads) as opposed to areas where there are not adequate public facilities. This reduces the service constraints placed on Metro’s resources. The proposed request would also enhance walkability along a corridor through the orientation of buildings and enhancement of the pedestrian network.

**NORTH 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.

Consistent with Policy?

Yes. The proposed zoning district allows for additional uses to be introduced into a primarily residential neighborhood that is envisioned to redevelop as a mixed-use corridor.



## Metro Planning Commission Meeting of 5/12/2016

### ANALYSIS

This site is located at 2101, 2703, and 2705 Clifton Avenue and is approximately 0.67 acres. These properties are currently zoned RS5 which only permits single-family residences. There is currently a single-family residence present on one of the lots.

In the event these properties were to redevelop, the MUL-A zoning district would allow for additional uses to be introduced such as multi-family, commercial and office. This district also has appropriate design standards consistent with the land use policy that would create walkable neighborhoods through the placement of buildings. The MUL-A district requires a build to zone that would orient future development to address the public realm. The standards would also require future development to occupy the corner of the parcel since these properties are located at the intersection of two public streets.

Sidewalks would be required and vehicular access would be limited to the existing alley (#937), if the property were to redevelop under the proposed Alternative district.

### FIRE MARSHAL RECOMMENDATION

N/A

### PUBLIC WORKS RECOMMENDATION

N/A

### TRAFFIC & PARKING RECOMMENDATION

#### Conditions if approved

- Traffic study may be required at time of development.

Maximum Uses in Existing Zoning District: **RS5**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single- Family Residential (210)	0.67	8.7 D	5 U	48	4	6

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	0.67	1 F	29, 185 SF	1287	31	92

Traffic changes between maximum: **RS5** and **MUL-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
	0.67	-	-	+1,239	+27	+86



## Metro Planning Commission Meeting of 5/12/2016

### METRO SCHOOL BOARD REPORT

Projected student generation existing RS5 district      1 Elementary      0 Middle      0 High  
Projected student generation proposed MUL-A district   0 Elementary      0 Middle      0 High

The proposed MUL-A district would generate fewer additional students than what is typically generated under the existing RS5 district using the Urban Infill Factor. Students would attend Park Avenue Elementary, McKissack Middle School and Pearl-Cohn High School.

This information is based upon data from the school last updated November 2015.

### STAFF RECOMMENDATION

Staff recommends approval.



# Metro Planning Commission Meeting of 5/12/2016



**2016Z-048PR-001**

Map 092-10, Parcel(s) 058, 059, 061-064  
08, North Nashville  
21 (Ed Kindall)



<b>Project No.</b>	<b>Zone Change 2016Z-048PR-001</b>
<b>Council District</b>	21 - Kindall
<b>School District</b>	5 - Kim
<b>Requested by</b>	Gilbert N. Smith, applicant; Gilbert Smith, Charlotte Realty Company, and Crow Mini 6, LLC, owners.
<b>Staff Reviewer</b>	Milligan
<b>Staff Recommendation</b>	<i>Approve.</i>

**APPLICANT REQUEST**

**Zone change from RS5, R6, OL, OG, CS, IWD, and IR to ORI-A.**

Zone Change

A request to rezone from Single-Family Residential (RS5), One and Two-Family Residential (R6), Office Limited (OL), Office General (OG), Commercial Service (CS), Industrial Warehousing/Distribution (IWD), and Industrial Restrictive (IR) to Office/Residential Intensive-Alternative (ORI-A) zoning for properties located at 3100 Charlotte Avenue and 405, 409, 411, 413, and 415 31st Ave N, at the corner of 31st Avenue N and Charlotte Avenue (2.86 acres).

**Existing Zoning**

Single-Family Residential (RS5) requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 7.41 dwelling units per acre. *RS5 would permit a maximum of 1 unit.*

One and Two-Family Residential (R6) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25 percent duplex lots. *R6 would permit a maximum of 8 lots with 2 duplex lots for a total of 10 units.*

Office Limited (OL) is intended for moderate intensity office uses.

Office General (OG) is intended for moderately high intensity office uses.

Commercial Service (CS) is intended for retail, consumer service, financial, restaurant, office, self-storage, light manufacturing and small warehouse uses.

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

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

**Proposed Zoning**

Office/Residential Intensive-Alternative (ORI-A) is intended for high intensity office and/or multi-family residential uses with limited retail opportunities and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards.



# Metro Planning Commission Meeting of 5/12/2016

## CRITICAL PLANNING GOALS

N/A

## NORTH NASHVILLE COMMUNITY PLAN

T5 Center Mixed Use Neighborhood (T5 MU) is intended to preserve, enhance, and create high-intensity urban mixed use neighborhoods with a development pattern that contains a diverse mix of residential and non-residential land uses. T5 MU areas are intended to be among the most intense areas in Davidson County. T5 MU areas include some of Nashville’s major employment centers such as Midtown that represent several sectors of the economy including health care, finance, retail, the music industry, and lodging. T5 MU areas also include locations that are planned to evolve to a similar form and function.

### Consistent with Policy?

Yes. The requested rezoning is consistent with the T5 Mixed Use Neighborhood policy. ORI-A zoning will allow for a high intensity mixed use development and includes appropriate standards in regards to building placement and bulk standards to create attractive streetscapes and pedestrian friendly walkable neighborhoods.

## ANALYSIS

The request is consistent with the T5 Mixed Use Neighborhood policy as the ORI-A zoning supports uses that are encouraged within the policy. The requested zone change will create a cohesive zoning where currently seven zoning districts exist. This increases the redevelopment opportunities of the property and positions the property to better contribute to the development of the center as a mixed use destination. The recently adopted NashvilleNext plan identified Centers and Corridors as being the areas where most future growth should take place. The location of the rezoning along the Charlotte Avenue corridor is an appropriate location for an urban infill project and in keeping with the adopted NashvilleNext plan as the property is located within an identified Tier 1 Center. Additionally, Charlotte Avenue is identified in NashvilleNext as a High Capacity Transit Corridor and features a variety of transportation options which supports additional infill development.

## TRAFFIC AND PARKING RECOMMENDATION

### Approve with conditions

- A traffic study may be required at the time of development.

Maximum Uses in Existing Zoning District: **R6**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two- Family Residential* (210)	1.62	7.26 D	14 U	134	11	15

\*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	0.32	0.75 F	10,454 SF	235	31	31





## Metro Planning Commission Meeting of 5/12/2016

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	0.12	0.8 F	4, 181 SF	116	15	15

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	0.09	0.6 F	2, 352 SF	75	10	10

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	0.13	0.8 F	4, 530 SF	17	2	2

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	0.54	0.6 F	14, 113 SF	51	5	5

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	2.68	3 F	350, 222 SF	3503	512	472

Traffic changes between maximum: **IWD, OG, CS, IR, OL, R6 and ORI-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
	2.68	-	-	+2,875	+438	+394

### METRO SCHOOL BOARD REPORT

**Projected student generation existing RS5 & R6 district: 1 Elementary 1 Middle 1 High**  
**Projected student generation proposed ORI-A district: 5 Elementary 3 Middle 3 High**

The proposed ORI-A zoning district could generate 8 more students than what is typically generated under the existing RS5 and R6 zoning district. Students would attend Park Avenue Elementary School, McKissack Middle School, and Pearh-Cohn High School. All three schools have been



## **Metro Planning Commission Meeting of 5/12/2016**

identified as having additional capacity. This information is based upon data from the school board last updated November 2015.

### **STAFF RECOMMENDATION**

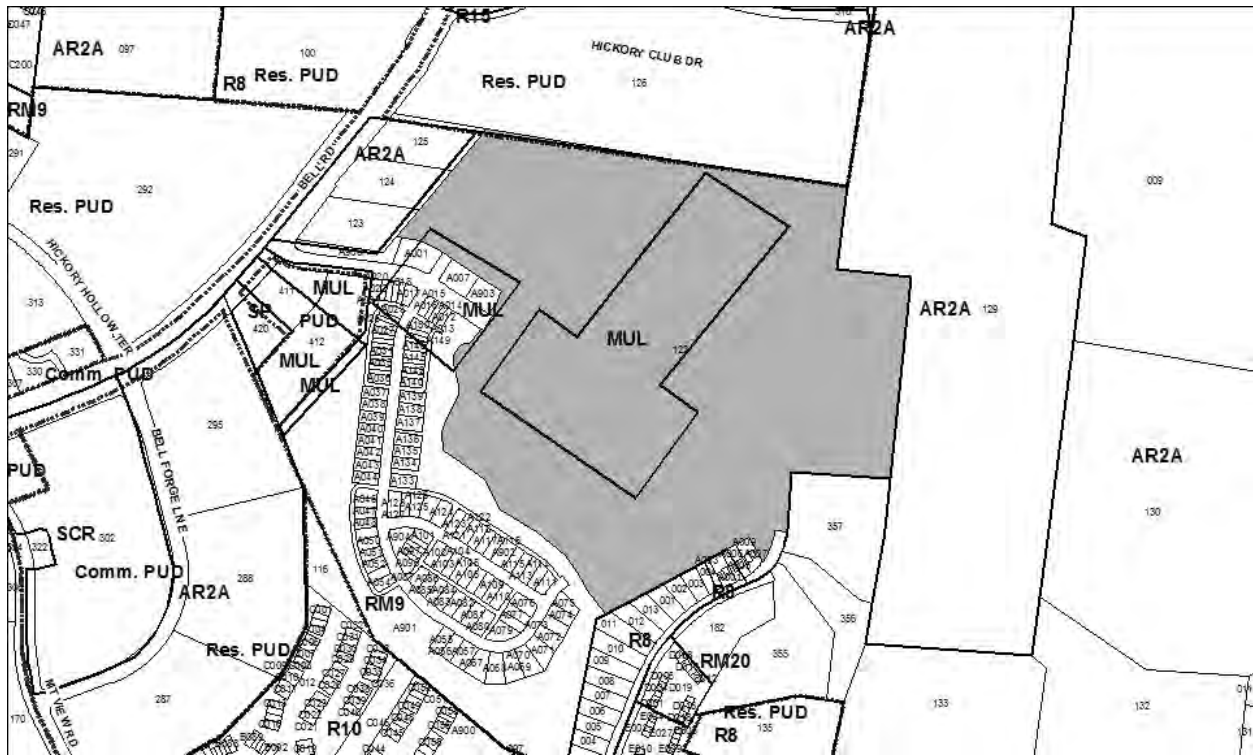
Staff recommends approval.



**SEE NEXT PAGE**



# Metro Planning Commission Meeting of 5/12/2016



**2003UD-003-003**

**RIDGEVIEW URBAN DESIGN OVERLAY (AMENDMENT)**

Map 163, Parcel(s) 122

13, Antioch - Priest Lake

32 (Jacobia Dowell)



<b>Project No.</b>	<b>Urban Design Overlay 2003UD-003-003</b>
<b>Project Name</b>	<b>Ridgeview Urban Design Overlay</b>
<b>Council District</b>	32 – Dowell
<b>School District</b>	6 – Hunter
<b>Requested by</b>	Dale & Associates, applicant; AF PB2, LLC, owner.
<b>Staff Reviewer</b>	Swaggart
<b>Staff Recommendation</b>	<i>Defer or disapprove.</i>

**APPLICANT REQUEST**

**Request to amend a Urban Design Overlay.**

UDO Amendment

A request to amend a portion of the Ridgeview Urban Design Overlay (UDO) District for property located at Bell Road (unnumbered), approximately 500 feet east of Bell Road, zoned Multi-Family Residential (RM9) and Mixed Use Limited (MUL) (63 acres), to permit a mixed residential development consisting of 478 multi-family residential units, an assisted living site and a community education site.

**Existing Zoning**

Multi-Family Residential (RM9) is intended for single-family, duplex, and multi-family dwellings at a density of nine dwelling units per acre. In this event *the UDO limits the number of units to of 936.*

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

Urban Design Overlay (UDO) is intended to allow for the application and implementation of special design standards with the intent of achieving a sense of place by fostering a scale and form of development that emphasizes sensitivity to the pedestrian environment, minimizes intrusion of the automobile into the built environment, and provides for the sensitive placement of open spaces in relationship to building masses, street furniture and landscaping features in a manner otherwise not insured by the application of the conventional bulk, landscaping and parking standards of the Zoning Code.

**CRITICAL PLANNING GOALS**

N/A

**ANTIOCH – PRIEST LAKE COMMUNITY PLAN**

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





## Metro Planning Commission Meeting of 5/12/2016

### Consistent with Policy?

Yes. The plan calls for a mixture of housing types consistent with the T3 NE policy. The plan calls for a design that would foster walkability by providing sidewalks along all streets as well as internally. It includes a central open space as well as other small open spaces which will provide areas for outdoor recreation. The plan also calls for a pathway connecting the new development with the existing development within the UDO, which will provide a pedestrian connection between communities. The plan also calls for a street connection to Baby Ruth Lane which further connects communities, as well as provides more options for vehicular movement in the area.

### **REQUEST DETAILS**

The Ridgeview Urban Design Overlay (UDO) was approved in 2003 for a total of 936 residential units consisting of 256 live/work units, 210 flats, 192 townhomes, 142 patio homes and 136 single-family lots. It also included a mixed-use area. Currently 105 residential units have been approved, consisting of 31 townhomes and 74 single-family lots. Many homes have been constructed and/or are under construction. The area under construction is not included within the amendment area.

### Site Plan

The plan calls for 478 multi-family residential units, an assisted living site and a community education site. The plan breaks down the unit types as follows:

- Townhomes: 44 units
- Multi-Family (age restricted to 55 and up): 110 units
- Community education: 800 students
- Multi-Family: 324 units
- Assisted Living: 200 units

The plan provides architectural notes pertaining to entrances, glazing, material and porches. The plan requires that building elevations be submitted with each final. The architectural conditions are not provided for assisted living units or the community center use.

Unit types are podded into separate areas. The central area includes multi-family flats. The proposed age restricted units are shown adjacent to the central area to the west, and the assisted living units are shown adjacent to the central area to the east. The section of townhomes is shown just west of the age restricted units. The community education facility is centrally located to the south of the central green space and flats.

Primary access into the site is proposed from Bell Road through the existing development. The plan also calls for a street connection to Baby Ruth Lane to the east, and would provide for a future extension of Baby Ruth Lane to the north. The plan calls for sidewalks along all streets. The plan also calls for internal sidewalks throughout connecting units and open space.

The plan calls for a central open space which includes a club house. The plan also calls for other small pocket open space areas.

### **ANALYSIS**

Staff recommends deferral or disapproval of the proposed amendment. While the housing types and layout could be consistent with the Antioch – Priest Lake Community Plan, the proposal lacks detail



## **Metro Planning Commission Meeting of 5/12/2016**

necessary for a UDO. The original UDO includes very detailed standards for the development of the UDO. Standards pertain to architecture, lighting, open space and many other details that would ensure that the UDO is developed in a cohesive manner. It is important to note that zoning cannot place age restrictions on development. The proposed standard requiring that residents be the age of 55 and up must be removed from the site plan. A traffic impact study (TIS) is also necessary, and must be approved by the Metro traffic engineer prior to any approvals.

### **FIRE MARSHAL RECOMMENDATION**

#### **Approve with conditions**

- Fire Code issues will be addressed in the permit phase.

### **STORMWATER RECOMMENDATION**

#### **Approve with conditions**

- Provide a water quality concept plan.
- Provide additional room for detention, if necessary.
- Add Buffer note to plan.

### **PUBLIC WORKS RECOMMENDATION**

#### **Returned for corrections**

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works, in effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable. Final design may vary based on field conditions.
- This development will require Public Works approval of detailed construction plans prior to grading the site. Plans must comply with the design regulations established by the Department of Public Works in effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable. Final design and improvements may vary based on actual field conditions.
- ROW dedications are to be recorded prior to building permit signoff by MPW.
- Submit preliminary grading and center line road profiles to MPW for Eagle View and Baby Ruth.
- Submit roadway cross section, graphically, to MPW.
- Indicate solid waste and recycling plan for the proposed development.

### **TRAFFIC AND PARKING RECOMMENDATION**

#### **Returned for corrections**

A revised TIS will be required prior to UDO amendment approval.

### **WATER SERVICES RECOMMENDATION**

#### **Approved with conditions**

Approved as a Preliminary UDO Amendment only. Public water and 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.





## Metro Planning Commission Meeting of 5/12/2016

### **STAFF RECOMMENDATION**

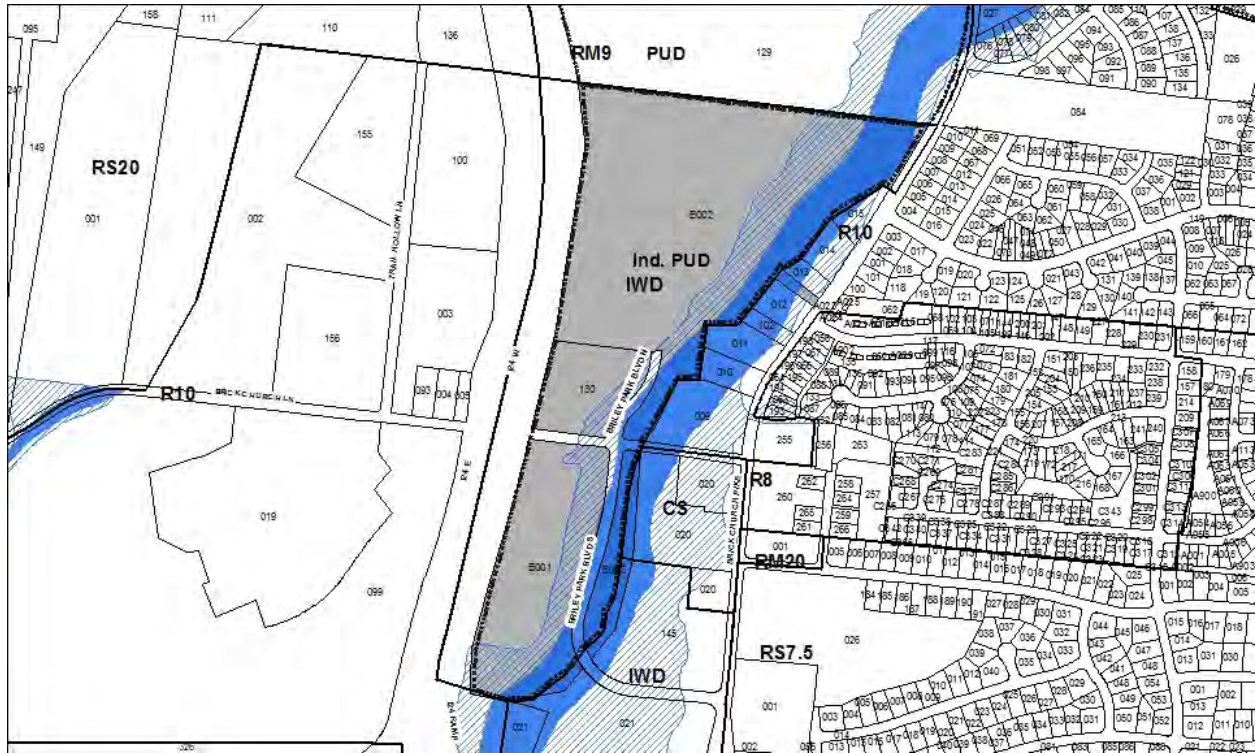
Staff recommends deferral or disapproval. While the proposed plan is generally consistent with the land use policy, the current proposal does not provide adequate standards necessary for a UDO. The plan has also not been approved by Public Works or Traffic in Parking because an updated TIS has not been approved. Deferral would give more time for the applicant to adequately address remaining issues.

### **CONDITIONS (if approved)**

1. Age restrictions shall not be cited on the plan, other documents for the UDO or in any Council legislation.
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. 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.
4. If the UDO 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.



# Metro Planning Commission Meeting of 5/12/2016



**47-86P-001**  
NASHVILLE BUSINESS CENTER  
Map 050, Parcel(s) 130  
Map 050-10-0-B, Parcel(s) 001-003  
02, Parkwood - Union Hill  
03 (Brenda Haywood)



<b>Project No.</b>	<b>Planned Unit Development 47-86P-001</b>
<b>Project Name</b>	<b>Nashville Business Center (Amendment)</b>
<b>Council District</b>	3 – Haywood
<b>School District</b>	1 – Gentry
<b>Requested by</b>	Barge Cauthen & Associates, applicant; Cintas Corporation No. 1 and J. Christopher Brown, owner.
<b>Staff Reviewer</b>	Swaggart
<b>Staff Recommendation</b>	<i>Approve with conditions and disapprove without all conditions.</i>

**APPLICANT REQUEST**  
**Amend PUD.**

Amend PUD

A request to amend a Planned Unit Development located at 3300 Briley Park Boulevard South and 3400 and 3438 Briley Park Boulevard North, and Brick Church Lane (unnumbered), north of Briley Parkway and west of Brick Church Pike (60.3 acres), zoned Industrial Warehousing/Distribution (IWD) to permit a 9,807 square foot building addition to one property within the Planned Unit Development.

**Existing Zoning**

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

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

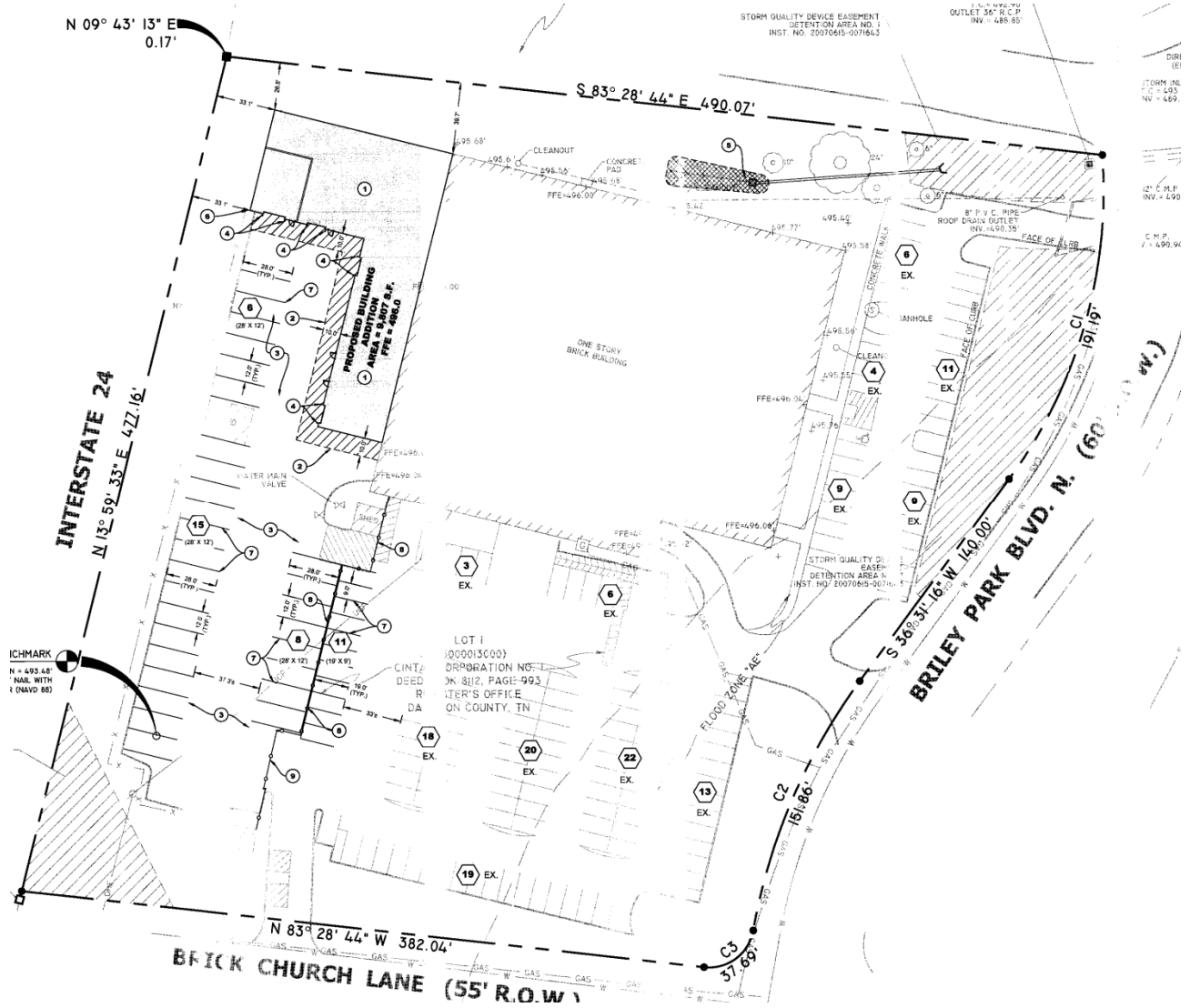
**CRITICAL PLANNING GOALS**  
 N/A

**PARKWOOD-UNION HILL COMMUNITY PLAN**

District Impact (D I) is intended to create and enhance areas that are dominated by one or more activities that have, or can have, a significant, adverse impact on the surrounding area, so that they are strategically located and thoughtfully designed to serve the overall community or region, but not at the expense of the immediate neighbors. Examples of District Impact areas include hazardous industrial operations, mineral extraction and processing, airports and other major transportation terminals, correctional facilities, major utility installations, and landfills.



# Metro Planning Commission Meeting of 5/12/2016



Proposed Site Plan



## Metro Planning Commission Meeting of 5/12/2016

Conservation (CO) is intended to preserve and enhance environmentally sensitive land in all Transect Categories except T1 Natural, T5 Center, and T6 Downtown. CO policy identifies land with sensitive environmental features including, but not limited to, steep slopes, floodway/floodplains, rare or special plant or animal habitats, wetlands and unstable or problem soils. The guidance for preserving or enhancing these features varies with what Transect they area in and whether or not they have already been disturbed.

### Consistent with Policy?

Yes. The existing land use which the Zoning Code classifies as “light manufacturing” is consistent with the D I land use policy. While the D I policy could support more intense industrial uses, the PUD and IWD base zoning district limits development in the PUD to less intense industrial uses. The CO policy recognizes the north fork of Ewing Creek. There are currently stormwater buffers along the creek, and the proposed expansion does not impact the stream buffer.

### **PLAN DETAILS**

The subject PUD is located along the east side of I-24, west of Brick Church Pike. The original PUD was approved by Council in 1986 for 679,000 square feet of light industrial and warehousing uses. The subject PUD has been revised several times since 1986. The existing building on the site where the expansion is proposed is 41,907 square feet in size.

### Site Plan

The plan calls for a 9,807 square foot building addition along the west portion of an existing 41,907 square foot building which would increase the size of the building to 51,714 square feet. The location for the expansion is currently a surface parking lot. The plan does not propose any other changes.

### **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;



## Metro Planning Commission Meeting of 5/12/2016

- c. There is no change in general PUD classification (e.g. residential to any classification of commercial or industrial PUD; any change in general classification of a commercial PUD; or any change in general classification of an industrial PUD);
- d. There is no deviation from special performance criteria, design standards, or other specific requirements made part of the enacting ordinance by the council;
- e. There is no introduction of a new vehicular access point to an existing street, road or thoroughfare not previously designated for access;
- f. There is no increase in the total number of residential dwelling units originally authorized by the enacting ordinance;
- g. There is no change from a PUD approved exclusively for single-family units to another residential structure type;
- h. The total floor area of a commercial or industrial classification of PUD shall not be increased more than ten percent beyond the total floor area last approved by the council;
- i. If originally limited to office activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
- j. If originally limited to office, retail and other general commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to include industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
- k. If originally limited to commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
- l. In the determination of the commission, the nature of the change will have no greater adverse impact on those environmentally sensitive features identified in Chapter 17.28 of this code than would have occurred had the development proceeded in conformance with the previous approval.
- m. In the judgment of the commission, the planned unit development or portion thereof to be modified does not meet the criteria for inactivity of Section 17.40.120.H.4.a.

While staff finds that the request is consistent with the overall concept of the last Council approved plan, the proposal would increase the floor area in the PUD over ten percent of what was last approved by Council. Since the plan would increase the floor area over ten percent of what was last approved by Council, then the request cannot be considered a “minor modification”, and must be approved by Council.



## **Metro Planning Commission Meeting of 5/12/2016**

### **FIRE MARSHAL RECOMMENDATION**

#### **Approve with conditions**

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

### **PUBLIC WORKS RECOMMENDATION**

#### **No exceptions taken**

### **STORMWATER RECOMMENDATION**

#### **Approved**

### **TRAFFIC AND PARKING RECOMMENDATION**

#### **No exceptions taken**

### **WATER SERVICES RECOMMENDATION**

#### **Approve with conditions**

Approved as a Preliminary PUD Amendment only. The required capacity fees must be paid prior to Final Site Plan approval.

### **STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

### **CONDITIONS**

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



**SEE NEXT PAGE**





## **PLANNING COMMISSION ACTIONS**

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



# Metro Planning Commission Meeting of 5/12/2016



**122-85P-001**

230 VENTURE CIRCLE  
Map 070-16, Parcel(s) 009  
08, North Nashville  
02 (DeCosta Hastings)



<b>Project No.</b>	<b>Planned Unit Development 122-85P-001</b>
<b>Project Name</b>	<b>230 Venture Circle</b>
<b>Council District</b>	2 – Hastings
<b>School District</b>	1 – Gentry
<b>Requested by</b>	Fulmer Engineering, applicant for Dede Wallace Institute, owner.
<b>Staff Reviewer</b>	Napier
<b>Staff Recommendation</b>	<i>Defer Indefinitely.</i>

---

**APPLICANT REQUEST**

**Revise the PUD and for final site plan approval to permit the expansion of an existing parking lot.**

Revise Preliminary PUD and Final

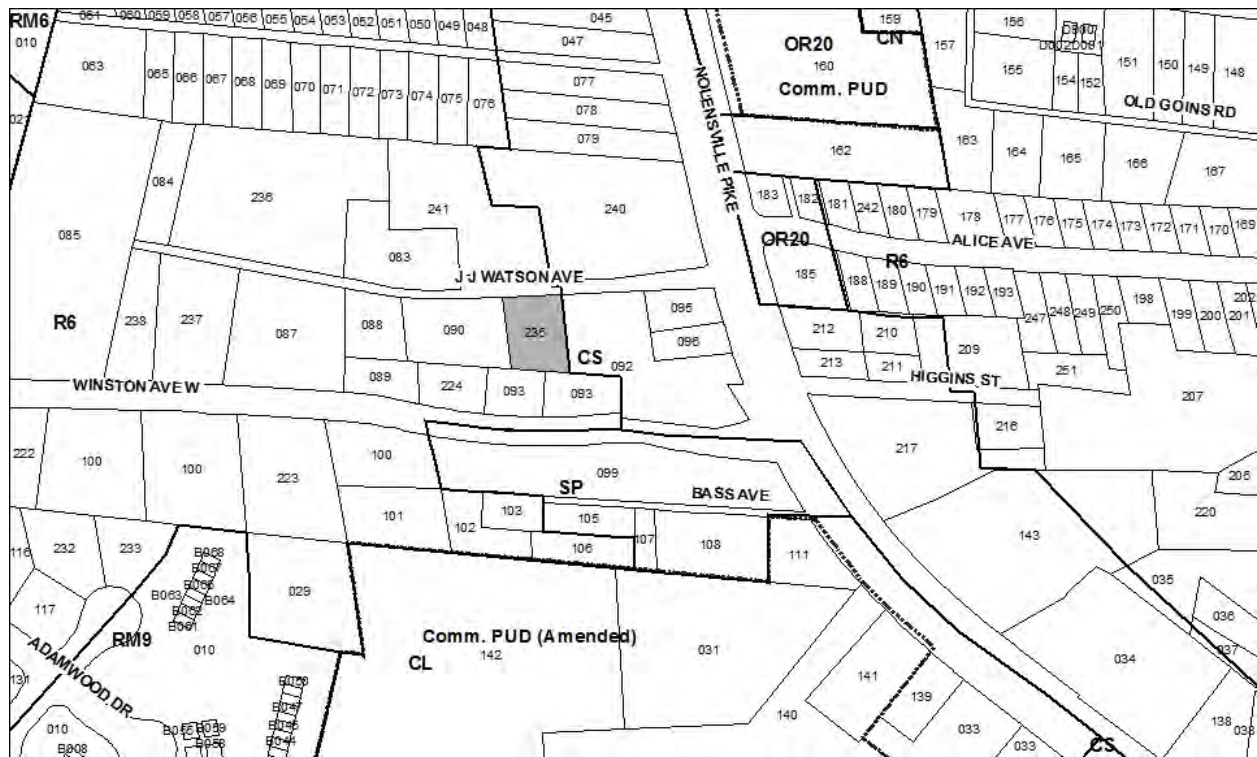
A request to revise the preliminary Planned Unit Development (PUD) and for final site plan approval to allow for additional parking spaces and to relocate the existing dumpster enclosure for property located 230 Venture Circle, approximately 400 east of French Landing Drive (1.26 acres).

**STAFF RECOMMENDATION**

Staff recommends deferring indefinitely as requested by the applicant.



# Metro Planning Commission Meeting of 5/12/2016



**2016S-048-001**

THE ELKINS PROPERTY PLAT

Map 147-07, Parcel(s) 235

12, Southeast

27 (Davette Blalock)



**Project No.**  
**Project Name**  
**Council District**  
**School District**  
**Requested by**

**Subdivision 2016S-048-001**  
**The Elkins Property Plat**  
27 – Blalock  
2 – Brannon  
Stephen D. Elkins, owner., Galyon Northcutt Surveying,  
applicant.

**Staff Reviewer**  
**Staff Recommendation**

Napier  
*Defer to the May 26, 2016, Planning Commission meeting.*

---

**APPLICANT REQUEST**

**Create one lot and grant a variance from sidewalk requirements.**

Final Plat

A request to create one lot and for a variance from the subdivision regulations for sidewalk requirements on property located at J. J. Watson Avenue (unnumbered), approximately 285 feet west of Nolensville Pike, zoned One and Two-Family Residential (R6) (0.30 acres).

**STAFF RECOMMENDATION**

Staff recommends deferral to the May 26, 2016, Planning Commission meeting as requested by the applicant.