



METROPOLITAN PLANNING COMMISSION MINUTES

Thursday, April 10, 2014

4:00 pm Regular Meeting

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

MISSION STATEMENT

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

Commissioners Present:

Jim McLean, Chair
Stewart Clifton, Vice Chair
Derrick Dalton
Lillian Blackshear
Phil Ponder
Jeff Haynes
Greg Adkins
Councilmember Walter Hunt

Staff Present:

Rick Bernhardt, Executive Director
Jennifer Carlat, Assistant Planning Director
Kelly Adams, Administrative Services Officer III
Craig Owensby, Public Information Officer
Bob Leeman, Planning Manager II
Carrie Logan, Planner III
Anita McCaig, Planner III
Duane Cuthbertson, Planner II
Tifinie Capehart, Planner II
Melissa Sajid, Planner II

Commissioners Absent: Hunter Gee, Andree LeQuire

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

Metro Planning Department of Nashville and Davidson County
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Notice to Public

Please remember to turn off your cell phones.

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

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

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

Writing to the Commission

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

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

Speaking to the Commission

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

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

Legal Notice

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



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MEETING AGENDA

A. CALL TO ORDER

The meeting was called to order at 4:00 p.m.

B. ADOPTION OF AGENDA

Mr. Ponder moved and Councilmember Hunt seconded the motion to adopt the agenda. (6-0)

C. APPROVAL OF MARCH 27, 2014 MINUTES

Mr. Ponder moved and Mr. Adkins seconded the motion to approve the March 27, 2014 minutes. (6-0)

D. RECOGNITION OF COUNCILMEMBERS

E. NASHVILLENEXT UPDATE

Ms. Capehart presented the Nashville Next Update.

Mr. Clifton arrived at 4:02 p.m.

F. ITEMS FOR DEFERRAL / WITHDRAWAL

3. 2014S-036-001

1132 TULIP GROVE ROAD

Mr. Clifton moved and Mr. Haynes seconded the motion to approve the deferred item. (7-0)

G. CONSENT AGENDA

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

1. 2014CP-000-001

LUPA TRANSLATION TO CCM POLICIES

6. 2014Z-010TX-001

CONTEXTUAL OVERLAY DISTRICT

8. 2014SP-020-001

FOUNTAINS GERMANTOWN

9. 2014SP-021-001

1007 & 1009 NORTH 5TH STREET

10. 2014Z-023PR-001

11. 2005P-008-005

HARPETH VALLEY (TIRE DISCOUNTER'S AMENDMENT)

12. 2014S-044-001

FORTE PROPERTY

13. 2014S-049-001

H.G. MCNABB, RESUB LOT 31

14. Contract between the Nashville-Davidson County Metropolitan Planning Commission on behalf of the Nashville Area MPO and Gresham, Smith and Partners for Professional Services related to the Conduct of the State Route 109 Access Management Study.

15. Employee contract renewal for Brandon Burnette.

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

Ms. Blackshear recused herself from Item 10 and Item 13 on the consent agenda.

Mr. Clifton moved and Mr. Ponder seconded the motion to approve the Consent Agenda. (6-0-1)

H. PREVIOUSLY DEFERRED ITEMS

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

Community Plan Amendments

1. 2014CP-000-001

LUPA TRANSLATION TO CCM POLICIES

Various Council Districts

Staff Reviewer: Anita Mccaig

A request to amend the Bordeaux-Whites Creek Community Plan: 2003 Update, Donelson-Hermitage-Old Hickory Community Plan: 2004 Update, Downtown Community Plan: 2007 Update, East Nashville Community Plan: 2006 Update, Green Hills-Midtown Community Plan: 2005 Update, Joelton Community Plan: 2003 Update, Parkwood-Union Hill Community Plan: 2006 Update, South Nashville Community Plan: 2007 Update and the Southeast Community Plan: 2004 Update by translating LUPA (Land Use Policy Application) land use policies to CCM (Community Character Manual) land use policies, requested by the Metro Planning Department, applicant.

Staff Recommendation: Approve; will become effective with any new application made for the June 12, 2014, filing deadline.

APPLICANT REQUEST

Amend the land use policy in nine community plans from LUPA policies to CCM policies.

Functional Plan Amendment

A request to amend the Bordeaux-Whites Creek Community Plan: 2003 Update; Donelson-Hermitage-Old Hickory Community Plan: 2004 Update; Downtown Community Plan: 2007 Update; East Nashville Community Plan: 2006 Update; Green Hills-Midtown Community Plan: 2005 Update; Joelton Community Plan: 2003 Update; Parkwood-Union Hill Community Plan: 2006 Update; South Nashville Community Plan: 2007 Update; and Southeast Community Plan: 2004 Update by translating LUPA (Land Use Policy Application) land use policies to CCM (Community Character Manual) land use policies.

AMENDING NINE OLDER COMMUNITY PLANS USING LUPA POLICIES

Current Policies

Policies defined in the Land Use Policy Application (LUPA) manual.

Proposed Policies

Policies defined in the Community Character Manual (CCM).

Both documents are found on the Metro Planning web site – www.nashville.gov/mpc under “Community Planning and Design” and “CCM”.

BACKGROUND

The land use policies used in the nine, older community plans are from the Land Use Policy Application (LUPA) manual, originally adopted in 1992 and subsequently updated in 2007 and 2012. The LUPA manual began to be phased out with the adoption of the Community Character Manual (CCM) in 2008. Since that time, five community plans have been updated using the policies in the CCM. There have also been several plan amendments to the nine remaining community plans that replaced LUPA policies with CCM policies. The types of development broadly envisioned for the nine community plans that still use LUPA policies are restricted by the continued use of those policies because they do not offer the same level of policy guidance that is found in the CCM.

During the Countywide General Plan Update (NashvilleNext), Planning staff have not been updating Community Plans. However, in the fall of 2012, Metro Planning staff began preparing a translation of the older LUPA policies in the nine community plans to their closest counterpart in CCM policies. It is important to note that this is a direct translation with no changes in substance. For example, there are no policies changing from residential to commercial or from commercial to industrial.

The translation is being undertaken for two reasons – as the NashvilleNext process has been underway, growth and development in Nashville have not stopped. The translation of the LUPA policies to CCM policies ensures that all of the communities are using the same policy language to guide development and during NashvilleNext. Meanwhile, the translation ensures that when conversations on future growth, development and preservation occur during the NashvilleNext process, it is easier to talk about these topics because all of the communities will be using the same (CCM) policies; essentially the communities will all be using the same “language” for talking about the future.

COMMUNITY PARTICIPATION

The CCM Policy Translation Maps were publicized and introduced at the *Be the Next Mayor* NashvilleNext Community Meetings, a series of six community meetings held in July of 2013. Three additional countywide meetings were held in February of 2014 to close out the public hearing input on the maps.

Between the two sessions of community meetings, the CCM Policy Translation Maps were posted on the NashvilleNext website in July of 2013 and remain posted with opportunities to provide public comment through the web interface. The department has continued to publicize the translation process through its webpage and frequent emails to the public. Staff has continued to field calls and emails with questions pertaining to the process and to policy changes for certain areas and properties.

Staff held a work session with the Planning Commissioners on March 4, 2014. Staff also reached out individually to each Councilmember to explain the process and discuss changes in policies in their districts. On April 2, 2014, staff held an additional open house focused on discussion with developers.

ANALYSIS

The adoption and use of the CCM represents the evolution in the community's understanding of community planning. LUPA focuses primarily on land use and density. Over time, the community's understanding of desirable development has come to place more emphasis on the form, character and context of development – massing, orientation and scale of buildings, setbacks and spacing, location of access and parking, etc. Meanwhile, the community's commitment to preserving Nashville/Davidson County's diversity of development and sense of place in rural, suburban and urban areas has grown. LUPA does not provide adequate guidance on how to preserve or create community character through form, nor does it create significant distinctions between rural, suburban or urban development. The time has come for the LUPA manual to be retired.

The translation does not apply to the five community plans that have already been updated with CCM policies. They remain as they are. Also, any areas of the older community plans that have been amended to CCM policies remain unchanged in the translation. With the older nine community plans, any areas with additional design guidance such as Special Policies or Detailed Design Plans are included in the translation so as not to lose the direction provided by these policy documents.

As noted above, this is a strict translation of LUPA policies to the equivalent CCM policies. In order to create uniformity in policy application across the fourteen community plans, two approaches have been included with the translation:

- Although the transect is discussed and included in each of the older nine community plans, LUPA policies are not broken down by transect category like CCM policies. As part of the translation, any areas that were placed in the Suburban transect category, but lack access to sewer infrastructure, have been moved to the Rural transect category. For example, if an area was in Suburban Residential Low Medium density policy and lacks access to sewer, the translation places the area in Rural Neighborhood Maintenance policy.
- The second approach is applying Conservation policy to all floodplain areas as defined by the Floodplain Overlay Zoning District (100-year floodplain). The exception to this is in the Downtown Community Plan, which does not include any Conservation policy.

As stated above, this translation includes no substantive changes. There will, however, be a time and process during NashvilleNext to discuss substantive changes. In the coming months, staff will work with the community on any areas in the county where policies need to be refined and/or changed based on the NashvilleNext preferred growth and preservation scenario discussion. As previously noted, the key factor in determining the new CCM policy was finding the equivalent category in the existing LUPA policy. At the developer oriented open house held on April 2, 2014 to discuss the transition to the CCM policies, a development professional indicated concern that there could be policies translated in error. In order to ensure the most transparent transition of policy, staff is recommending that the equivalent CCM policy be used at this time and after the CCM policy has been adopted, if staff finds that a policy has been translated in error, staff will work with property owners in pursuing the correct policy category. Staff recommends that, for a period of one year ending in June 12, 2015, the Planning Department co-sponsor plan amendments in these situations.

STAFF RECOMMENDATION

Approve; will become effective with any new application made for the June 12, 2014, filing deadline. Staff further recommends that the Planning Department co-sponsor plan amendments in areas where staff finds that the policy was translated in error, ending June 12, 2015. The translated CCM policies provide more detailed guidance than the LUPA policies. Translating the LUPA policies into CCM policies through this amendment is needed for consistency across Nashville/Davidson County. The translation allows all communities to be guided by the same policy language for daily development review and as the NashvilleNext General Plan update process moves forward.

Approve; will become effective with any new application made for the June 12, 2014, filing deadline (7-0), Consent Agenda

Resolution No. RS2014-90

“BE IT RESOLVED by The Metropolitan Planning Commission that 2014CP-000-001 is **Approved, ; will become effective with any new application made for the June 12, 2014, filing deadline. (7-0)**

See clarification Memo for Item #1 at the end of the April 10, 2014 minutes.

Planned Unit Developments

2. 74-79P-009

BL2012-302 / JOHNSON

NASHBORO VILLAGE (SITE 15)

Map 135, Parcel(s) 418

Council District 29 (Karen Y. Johnson)

Staff Reviewer: Jason Swaggart

A request to amend a portion of the Nashboro Village Planned Unit Development Overlay District for property located at Nashboro Boulevard (unnumbered), at the southwest corner of Nashboro Boulevard and Flintlock Court, zoned R10 (3.46 acres), to permit neighborhood retail uses not to exceed one story, where 23,375 square feet of commercial uses were previously approved, requested by Councilmember Karen Johnson, Thati, Yoga N. et ux & Reddy Chandrasekhar et ux, owner. **Staff Recommendation: Disapprove as submitted; Approve with amendments in a Substitute Bill.**

APPLICANT REQUEST

Amend Site 15 of the Nashboro Village PUD

PUD Amendment

A request to amend Ordinance No. O83-1230, to add conditions to a portion of the Nashboro Village Planned Unit Development Overlay District for property located at Nashboro Boulevard (unnumbered), at the southwest corner of Nashboro Boulevard and Flintlock Court, zoned One and Two Family Residential (R10) (3.46 acres), to permit neighborhood retail uses not to exceed one story, where 23,375 square feet of commercial uses were previously approved.

Deferrals

The Planning Commission deferred this request from the March 27, 2014, meeting. Previously the request was deferred indefinitely at the November 8, 2012, meeting. The bill was deferred indefinitely at Council on January 8, 2012. On February 21, 2014, the bill was placed back on the April 1, 2014, agenda for second reading.

Existing Zoning

Site 15 is zoned One and Two-Family Residential (R10) with a Planned Unit Development (PUD) Overlay District. This portion of the PUD overlay allows neighborhood commercial uses. The PUD was approved under COMZO which defined Neighborhood commercial in a PUD as uses “intended to provide for unobtrusive, small convenience shopping in close proximity to or within residential areas.”

Proposed Zoning

With the amendment to the PUD, the height of retail uses will be limited to one story, certain uses will be prohibited, buffering will be required from the adjacent residential development, and building orientation and parking location will be specified.

CRITICAL PLANNING GOALS

N/A

ANTIOCH/PRIEST LAKE COMMUNITY PLAN

T3 Suburban Neighborhood Center (T3 NC) policy is intended to enhance and create suburban neighborhood centers that are compatible with the general character of suburban neighborhoods as characterized by the service area, development pattern, building form, land use, and associated public realm. Where not present, enhance infrastructure and transportation networks to improve pedestrian, bicycle and vehicular connectivity. T3 Suburban Neighborhood Centers are pedestrian friendly areas, generally located at intersections of suburban streets that contain commercial, mixed use, civic and public benefit land uses, with residential present only in mixed use buildings. T3 Suburban Neighborhood Centers serve suburban neighborhoods within a 5 minute drive.

Special Policy 13-T3-NC-04

The existing zoning as applied to this property provides specific zoning entitlements. Any development of this property requires review and approval of a final development plan to ensure consistency with the existing entitlements and conditions prior to obtaining building permits. Development plans may be approved directly or as a revised plan if the proposed development plan is consistent with the approved general development concept and relevant conditions of the existing zoning. In cases where the

development plan is not consistent with the approved general development concept and conditions of the existing zoning, an amendment requiring approval by the Metro Council is required. In cases requiring an amendment to the existing zoning conditions, the specific and special land use policies in the Antioch – Priest Lake Community Plan will provide guidance in the review of that amendment.

Below are the special policies that apply to this policy area. Where the Special Policy is silent, the guidance of the T3 Suburban Neighborhood Center policy applies.

Appropriate Land Uses:

Limit land uses to neighborhood retail.

Design Principles:

Building Form (Mass, Orientation, Placement)

- Buildings should not exceed 1 story in height.

- To encourage a pedestrian friendly streetscape, buildings should frame Nashboro Village or Flintlock Court. Where buildings cannot frame the street, other features such as courtyards, patio spaces, and out-door dining areas should frame the street.

Connectivity (Pedestrian and Bicycle)

- Sidewalks and crosswalks should be provided at the intersection of Flintlock Court and Nashboro Village Boulevard to help pedestrians travel safely to and from the center. Additional pedestrian connections may be warranted to facilitate convenient access to and from the commercial center.

Landscaping and Lighting

- A landscape buffer should be provided along the adjacent townhome development.

- Lighting should be pedestrian scaled and projected downward.

Parking

- With exceptional design, one row of parking may be located in front of the building. To create a traditional neighborhood center character, this parking is encouraged to be designed as parallel parking. The remainder of parking should be located behind or beside the building. Where appropriate, ample landscaping should be provided to buffer the view of parking from the street.

Consistency with Policy

While the proposed amendment is generally consistent with the special policy, it does place restrictions on certain uses that would typically be found in a Neighborhood Center. In developing the special policy, staff worked with the Councilmember, the community and the property owners. The changes are consistent with the policy and are described below.

BACKGROUND

Site 15 is part of the Nashboro Village PUD, which is located between Murfreesboro Pike and Bell Road south of Smith Springs Road in the Antioch area of Davidson County. The PUD was originally approved by the Metro Council in 1979, for a range of housing types, commercial uses, recreational facilities and a day care center. The PUD is divided into 28 development sites and these have been developed in phases over time. Portions of the PUD have been revised and the master plan has been updated a number of times. The main recreational facilities include a golf course, which is the central feature of the PUD, and a tennis facility. There are four sites, including this site that remains undeveloped.

Site 15 was originally approved for 40 stacked flat units and 21 townhouse units. In 1983, the PUD was revised. The commercial development originally proposed for Site 24 across Nashboro Village Boulevard from Site 15 was replaced with 64 stacked flat units. The 23,375 square feet of neighborhood commercial that was previously on Site 24 was moved to Site 15. The previous Zoning Code, COMZO which this PUD was approved under defined Neighborhood commercial in a PUD as uses "intended to provide for unobtrusive, small convenience shopping in close proximity to or within residential areas."

In March 2012, the Councilmember initiated a PUD review of this site and it was found to be inactive. The Planning Commission recommended that Site 15 remain as approved as it was consistent with the policy in place. Further, it was recommended that, when an application is received to develop this portion of the PUD, the Planning Commission direct staff to work with the applicant to ensure that the development will contribute to the overall PUD by providing neighborhood services at an appropriate scale and design that also contributes to the walkability of the area. In the recent update of the Antioch-Priest Lake Community Plan, the special policy for this site incorporated the Planning Commission recommendation.

PROPOSED PUD AMENDMENT

The proposed text amendment is intended to prohibit certain uses on Site 15. It also would provide some design guidelines for new development. As proposed the bill would prohibit:

- a. Adult entertainment including adult bookstore, adult video store, and adult theater
- b. Pawn shop
- c. Flea market and auction house
- d. Transient lodging
- e. Warehousing and storage
- f. Automobile convenience
- g. Liquor store

- h. Bar
- i. Beer and cigarette market
- j. Grocery store
- k. Convenience drive-in market
- l. Automobile repair

Design guidelines in the bill relate to height, streetscape, sidewalks, parking, buffering and building materials.

STAFF RECOMMENDED REVISIONS

As noted above, the proposed amendment is generally consistent with the special policy in place. With that said, *staff does not support prohibiting retail uses since retail is an appropriate neighborhood service.* As written, the amendment would prohibit retail uses. This is due to the fact that several of the uses listed in the bill are not defined in the Zoning Code. This includes “Beer and cigarette market”, “Grocery Store” and “Convenience drive-in market” The Zoning Administrator has indicated that since these uses are considered retail, then it would be interpreted that all retail uses would be prohibited. Other uses in the bill that would be prohibited and are not defined in the Zoning Code include “Flea market and auction house” and Transient lodging.”

Staff is recommending disapproval of the bill as written but approval with amendments. Following are sections of the bill where staff has recommended revisions. The staff recommended revisions to the bill are shown in **bold and underlined** for additions and ~~strikethrough~~ for deletions.

Caption

It has been determined that the maximum floor area permitted on Site 15 is 23,375 square feet.

An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of The Metropolitan Government of Nashville and Davidson County, by amending Ordinance No. O83-1230 to add conditions to a property within the Nashboro Village Planned Unit Development Overlay District ~~for a portion of~~ property located at Nashboro Boulevard (unnumbered), at the southwest corner of Nashboro Boulevard and Flintlock Court, zoned R10 (3.46 acres), to permit neighborhood retail uses not to exceed one story, where ~~27,600~~ **23,375** square feet of commercial uses was previously approved, all of which is described herein (Proposal No. 74-79P-009).

Section 3

1. Uses contained in the commercial development shall be those typically considered to be “neighborhood retail.” The following uses shall be prohibited (~~strikethroughs should be removed from the Bill and bold and underlined should be added to the bill~~):

- a. Adult entertainment including adult bookstore, adult video store, and adult theater
- b. Pawn shop
- ~~e. Flea market and auction house~~
- ~~d. Transient lodging~~
- e. Warehousing and storage
- f. Automobile convenience
- g. Liquor store
- h. **Bar or Nightclub**
- ~~i. Beer and cigarette market~~
- ~~j. Grocery store~~
- ~~k. Convenience drive-in market~~
- l. Automobile repair
- m. **Automobile parking**
- n. **Automobile sales, new**
- o. **Automobile sales, used**
- p. **Automobile services**
- q. **Carwash**

4. Where possible, parking should be located behind or adjacent to the buildings. **One row of parking may be permitted in front if it is demonstrated that the pedestrian-friendly streetscape is not impacted through appropriate, reasonable and properly-located pedestrian connections between the sidewalk and the building.**

5. The commercial center shall be buffered from the adjacent townhome development with ample landscaping **in the form of a Landscape Buffer Yard C.**

6. Buildings shall have accented entrance features and perimeter pedestrian ways **interconnected with existing pedestrian walkways where present. Walkways should be** improved with landscaping to enhance both the building and walking area.

7. Buildings shall be constructed of quality materials, **including brick, stone, cementitious siding,** for reduced maintenance and shall be designed to be compatible with surrounding development. **EIFS shall be prohibited.** Exterior finishes shall be in character with existing Nashboro Village finishes ~~or with other top quality commercial developments in the vicinity.~~

STAFF RECOMMENDATION

Staff recommends disapproval as submitted and approval with revisions in a new substitute bill.

ORDINANCE NO. BL2012-302

An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of The Metropolitan Government of Nashville and Davidson County, by amending a portion of the Nashboro Village Planned Unit Development Overlay District for a portion of property located at Nashboro Boulevard (unnumbered), at the southwest corner of Nashboro Boulevard and Flintlock Court, zoned R10 (3.46 acres), to permit neighborhood retail uses not to exceed one story, where 27,600 square feet of commercial uses was previously approved, all of which is described herein (Proposal No. 74-79P-009).

BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY: Section 1. That Title 17 of the Code of Laws of The Metropolitan Government of Nashville and Davidson County, is hereby amended by changing the Official Zoning Map for Metropolitan Nashville and Davidson County, which is made a part of Title 17 by reference, as follows:

By amending a portion of the Nashboro Village Planned Unit Development Overlay District for a portion of property located at Nashboro Boulevard (unnumbered), at the southwest corner of Nashboro Boulevard and Flintlock Court, zoned R10 (3.46 acres), to permit neighborhood retail uses not to exceed one story, where 27,600 square feet of commercial uses was previously approved, being a portion of Property Parcel No. 418 as designated on Map 135-00 of the Official Property Identification Maps of The Metropolitan Government of Nashville and Davidson County, all of which is described by lines, words and figures on the plan that was duly considered by the Metropolitan Planning Commission, and which is on file with the Metropolitan Planning Department and made a part of this ordinance as though copied herein.

Section 2. Be it further enacted, that the Metropolitan Clerk is hereby authorized and directed, upon the enactment and approval of this Ordinance, to cause the change to be made on Map 135 of said Official Zoning Map for Metropolitan Nashville and Davidson County, as set out in Section 1 of this ordinance, and to make notation thereon of reference to the date of passage and approval of this amendatory Ordinance.

Section 3. Be it further enacted, that the following conditions shall be completed or satisfied, as specifically required:

1. Uses contained in the commercial development shall be those typically considered to be "neighborhood retail." The following uses shall be prohibited:

- a. Adult entertainment including adult bookstore, adult video store, and adult theater
- b. Pawn shop
- c. Flea market and auction house
- d. Transient lodging
- e. Warehousing and storage
- f. Automobile convenience
- g. Liquor store
- h. Bar
- i. Beer and cigarette market
- j. Grocery store
- k. Convenience drive-in market
- l. Automobile repair

2. Building heights shall not exceed one story.

3. The development shall create a pedestrian-friendly streetscape. Buildings should either frame Nashboro Boulevard or Flintlock Court or, if not possible, other features such as courtyards, patios, outdoor dining or landscaping shall frame the street. Sidewalks and crosswalks should be provided at the intersection of Nashboro and Flintlock Court to encourage pedestrian access and safety with preferably no traffic signal at this location.

4. Where possible, parking should be located behind or adjacent to the buildings.

5. The commercial center shall be buffered from the adjacent townhome development with ample landscaping.

6. Buildings shall have accented entrance features and perimeter pedestrian ways improved with landscaping to enhance both the building and walking area.

7. Buildings shall be constructed of quality materials for reduced maintenance and shall be designed to be compatible with surrounding development. Exterior finishes shall be in character with existing Nashboro Village finishes or with top quality commercial developments in the vicinity.

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

Sponsored by: Karen Johnson

Mr. Leeman presented the staff recommendation of disapproval as submitted but approval with amendments in a Substitute Bill.

Council Lady Karen Johnson spoke in favor of the application and asked for approval.

Carla Snodgrass, 1037 Flintlock Court, spoke in favor of the application.

Neal Urfer, 2556 Somerset Drive, spoke in opposition due to traffic concerns. He also stated that any type of commercial property would be a detriment to the neighborhood and a safety issue.

Jamie Hollin, representing property owners, stated that his clients have no interest in developing the property in a commercial sense and they shouldn't have their property rights taken away without any say in the matter.

Rhoda Eisenhower, 2440 Ravine Drive, spoke in opposition and stated that she wants to keep the open, green space.

Council Lady Johnson again asked for approval and stated that everyone is in agreement that the property remain as is and that nothing is built.

Chairman McLean closed the Public Hearing.

Mr. Ponder spoke in favor of staff recommendation.

Mr. Clifton spoke in favor of staff recommendation.

Mr. Clifton moved and Mr. Adkins seconded the motion to disapprove as submitted and approve with amendments in a Substitute Bill as recommended by Planning Dept. Staff. (7-0)

Resolution No. RS2014-91

"BE IT RESOLVED by The Metropolitan Planning Commission that 74-79P-009 is Disapproved as submitted; approved with amendments in a Substitute Bill as recommended by Planning Dept. Staff. (7-0)

Subdivision: Concept Plans

3. 2014S-036-001

1132 TULIP GROVE ROAD

Map 086, Parcel(s) 272

Council District 12 (Steve Glover)

Staff Reviewer: Jason Swaggart

A request for concept plan approval to create 19 clustered single-family lots on property located at 1132 Tulip Grove Road, approximately 1,300 feet north of Rockwood Drive, zoned RS7.5 (8.3 acres), requested by Charles P. Ewin, owner; Civil Site Design Group, applicant.

Staff Recommendation: Defer to the May 8, 2014, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2014S-036-001 to the May 8, 2014, Planning Commission meeting. 7-0

I. COMMUNITY PLAN POLICY CHANGES AND ASSOCIATED CASES

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

No Cases on this Agenda

J. RECOMMENDATIONS TO METRO COUNCIL

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

Zoning Text Amendments

4. 2014Z-007TX-002

DETACHED ACCESSORY DWELLING UNITS

Staff Reviewer: Carrie Logan

A request to amend Chapters 17.04, 17.08 and 17.16 of the Metropolitan Code pertaining to the definition of and conditions for detached accessory dwelling units, requested by the Metro Planning Department, applicant.

Staff Recommendation: Approve

APPLICANT REQUEST

To modify the definition and standards of detached accessory dwelling units.

Text Amendment

A request to amend Chapters 17.04, 17.08 and 17.16 of the Metropolitan Code pertaining to the definition of and conditions for detached accessory dwelling units.

PROPOSED TEXT

The proposed text is included at the end of this report.

NOTE: This text amendment does not include detached accessory dwelling units in Single-Family Residential (RS) districts. Staff will continue to evaluate options for including detached accessory dwellings units in Single-Family Districts.

ANALYSIS

The Planning Commission recently approved changes to the infill section of the Subdivision Regulations. These changes require proposed lots in existing neighborhoods to be compatible with surrounding lots, while allowing more flexibility in areas planned for growth.

In conjunction with the changes to the Subdivision Regulations, staff has prepared a series of text amendments to modify what can be built on existing and proposed residential lots throughout Nashville/Davidson County. These text amendments balance the goals of accommodating additional growth and maintaining existing neighborhoods by requiring compatible infill development.

The proposed changes to detached accessory dwelling units allow an additional housing type in neighborhoods in areas zoned One and Two-Family Residential (R districts).

Detached accessory dwelling units are already permitted with conditions on properties that are zoned One and Two-Family Residential (R districts) and within a historic overlay district or an Urban Design Overlay with development standards for detached accessory dwellings. This text amendment modifies the conditions related to detached accessory dwelling units and would also permit with conditions a detached accessory dwelling unit on any lot that is zoned One and Two-Family Residential (R districts) and abuts an improved alley or is over 15,000 square feet.

Detached accessory dwelling units can only be added to a lot with a single-family house; one lot cannot contain a duplex and accessory dwelling units. The detached accessory dwelling cannot be divided from the property ownership of the principal dwelling. The detached accessory dwelling shall be owned by the same person as the principal structure and one of the two dwellings shall be owner-occupied.

The living space for a detached accessory dwelling unit is limited to 700 square feet, but the footprint of the structure can be up to 750 square feet on lots less than 10,000 square feet or 1,000 square feet on lots 10,000 square feet or more.

COMMUNITY OUTREACH

Staff distributed the several drafts of the proposed text amendment, received feedback through a web form, email, phone calls and meetings, and made revisions based on feedback.

- February 11, 2014: Drafts posted on the Planning Department webpage with web forms for comments/questions.
- February 14, 2014: Distributed in Development Dispatch to 1714 email addresses. 220 readers followed the link to the front page.

- February 21, 2014: Distributed in Development Dispatch to 1937 email addresses. 73 readers followed the link to the front page.
- March 16, 2014: Revised drafts sent to Vice Mayor Neighbors and all Members of Metro Council and posted on the Planning Department webpage.
- March 27, 2014: Revised drafts posted on the Planning Department webpage.
- March 28, 2014: Revised drafts distributed in Development Dispatch to 2112 addresses. 124 readers followed the link to the front page.
- March 31, 2014: Meeting with Metro Council.

STAFF RECOMMENDATION

Staff recommends approval.

PROPOSED TEXT

17.04.060 (Definitions of general terms)

"Accessory dwelling, detached," also referred to as detached accessory dwelling, means a detached dwelling unit separate from the principal **single-family** structure on a lot located within a historic overlay district, within any urban design overlay with development standards for detached accessory dwellings, **on any lot with an improved alley abutting the rear or side property line or on any lot over 15,000 square feet.** The dwelling shall be clearly subordinate in size, height, and purpose to the principal structure, it shall be located on the same lot as the principal structure, but may be served by separate utility meter(s) and is detached from the principal structure. A detached accessory dwelling can be an independent structure or it can be a dwelling unit above a garage, or it can be attached to a workshop or other accessory structure on the same lot as the principal structure.

17.16.030.F Accessory Dwelling, Detached. A detached self-sufficient dwelling unit shall be allowed accessory to a principal structure subject to the following standards:

1. Applicability.
 - a. While the following conditions listed below apply to a detached accessory dwelling they do not counter-act or over-ride the applicable life safety standards found in the code editions adopted by the Metropolitan Government of Nashville.
 - b. No **additional** accessory structure shall exceed two hundred square feet when there is a detached accessory dwelling on the lot.
2. Lot Area. The lot area on which the detached accessory dwelling is to be placed shall comply with Table 17.12.020A.
- ~~3. Density. A detached accessory dwelling is not allowed if the maximum number of dwelling units permitted for the lot has been met.~~
- 4 3. Ownership.
 - a. No more than one detached accessory dwelling shall be permitted on a single lot in conjunction with the principal structure.
 - b. The detached accessory dwelling cannot be divided from the property ownership of the principal dwelling.
 - c. The detached accessory dwelling shall be owned by the same person as the principal structure and one of the two dwellings shall be owner-occupied.
- ~~5 4. Setbacks. The setbacks for a detached accessory dwelling shall meet the setbacks found in Section 17.12.040.E. for accessory buildings.~~
- ~~6 5. Site Requirements.

 - a. A detached accessory dwelling may only be located **behind the principal structure** in the established rear yard. The detached accessory dwelling is to be subordinate to the principal structure and therefore shall be placed to the rear of the lot.
 - b. There shall be a minimum separation of ten feet between the principal structure and the detached accessory dwelling.~~
- ~~7 6. Driveway Access.

 - a. On lots with no alley access, the lot shall have no more than one curb-cut from a **any** public street for driveway access to the principal structure as well as the detached accessory dwelling.
 - b. **On lots with alley access, any additional access shall be from the alley and no new curb cuts shall be provided from public streets.**
 - ~~b c. Parking accessed from a **any** public street shall be limited to one driveway for the lot with a maximum width of twelve feet.~~
 - ~~e. If the detached accessory dwelling is part of a garage and an alley exists to the rear of the lot, the garage shall be alley-loaded and no curb-cut provided from the front of the lot.~~~~
- ~~8 7. Bulk and Massing.

 - a. The living space of a detached accessory dwelling shall not exceed seven hundred square feet.
 - b. **On lots less than 10,000 square feet, the footprint of a single-story detached accessory dwelling shall not exceed seven hundred fifty square feet. or fifty percent of the first floor area of the principal structure, whichever is less.**~~

c. ~~The footprint of a two-story detached accessory dwelling shall not exceed five hundred fifty square feet or forty percent of the first floor area of the principal structure, whichever is less. On lots 10,000 square feet or greater, the footprint of a detached accessory dwelling shall not exceed one thousand square feet. -~~

d. The detached accessory dwelling shall maintain a proportional mass, size, and height to ensure it is not taller than the principal structure on the lot. The detached accessory dwelling height shall not exceed the height of the principal structure as measured to the eave line, with a maximum eave height of ten feet for single-story and seventeen feet for two-story detached accessory dwellings.

e. The roof ridge line of the detached accessory dwelling must be less than the primary structure and shall not exceed twenty-five ~~seven~~ feet in height.

9 8. Design Standards.

~~a. Detached accessory dwellings with a second story dwelling unit shall enclose the stairs interior to the structure and properly fire rate them per the applicable life safety standards found in the code editions adopted by the Metropolitan Government of Nashville.~~

~~b. a.~~ The detached accessory dwelling shall be of similar style, design and material color as used for the principal structure and shall use similar architectural characteristics, including roof form and pitch, to the existing principal structure.

~~e b.~~ The detached accessory dwelling may have dormers that relate to the style and proportion of windows on the detached accessory dwelling and shall be subordinate to the roof slope by covering no more than fifty percent of the roof.

~~d c.~~ Detached accessory dwellings may have dormers that are setback a minimum of two feet from the exterior wall.

40 9. Historic Properties.

a. Metro Historic Zoning Commission Action. Any existing or proposed detached accessory dwelling in a historic overlay district shall comply with the adopted regulations and guidelines of the applicable historic overlay.

b. Detached accessory dwellings with a second story dwelling unit shall enclose the stairs interior to the structure and properly fire rate them per the applicable life safety standards found in the code editions adopted by the Metropolitan Government of Nashville.

~~11 10.~~ Restrictive Covenant. Prior to the issuance of a permit, an instrument shall be prepared and recorded with the register's office covenanting that the detached accessory dwelling is being established accessory to a principal structure and may only be used under the conditions listed above.

Ms. Logan presented the staff recommendation of approval.

Brett Withers, 1113 Granada Ave, spoke in favor of approval.

Charlotte Cooper, 3409 Trimble Road, spoke in opposition and noted that the text doesn't specify that it is only for R zoned property; the language is too vague.

Margo Chambers, 3803 Princeton Ave, spoke in opposition and noted that development space is not left for cars.

Lester Smith, 3618 Trimble Road, spoke in opposition and asked how the validity of family members only will be enforced.

Terry Bear, 323 Forest Park spoke in opposition and noted that this will take up too much square footage and people will not have back yards anymore.

Glen Chandler, address inaudible, spoke in opposition due to concerns with decreasing property values.

Beth O'Shea, 4305 Wallace Lane, spoke in opposition and requested that the language of the text be more specific in order to avoid unintended consequences.

Bernard Pickney, 4604 Dakota Ave, spoke in opposition and noted that the amendment language makes no reference to the fact that it does not apply to RS districts.

John Summers, 5000 Wyoming Ave, spoke in opposition based on the lack of clear, specific language stating that it does not apply to RS districts.

Chairman McLean closed the Public Hearing.

Mr. Ponder asked for clarification on the historic overlay.

Ms. Logan clarified that any structure within a historic overlay will have to meet the design guidelines for that historic overlay.

Mr. Ponder inquired if the language needs to specifically state RS.

Ms. Logan noted that it is specified in another area of the code.

Mr. Adkins spoke in support and stated that this type of housing is important for the city as it grows.

Mr. Adkins moved and Mr. Ponder seconded the motion to approve. (7-0)
Resolution No. RS2014-92

“BE IT RESOLVED by The Metropolitan Planning Commission that 2014Z-007TX-002 is **Approved. (7-0)**”

5. 2014Z-009TX-001

TWO-FAMILY DWELLINGS

Staff Reviewer: Carrie Logan

A request to amend Chapters 17.04, 17.12 and 17.16 of the Metropolitan Code pertaining to two-family dwellings, requested by the Metro Planning Department, applicant.

Staff Recommendation: Approve

APPLICANT REQUEST

To modify the definition and standards of two-family dwellings.

Text Amendment

A request to amend Chapters 17.04, 17.12 and 17.16 of the Metropolitan Code pertaining to two-family dwellings.

PROPOSED TEXT

The proposed text is included at the end of this report.

ANALYSIS

The Planning Commission recently approved changes to the infill section of the Subdivision Regulations. These changes require proposed lots in existing neighborhoods to be compatible with surrounding lots, while allowing more flexibility in areas planned for growth.

In conjunction with the changes to the Subdivision Regulations, staff has prepared a series of text amendments to modify what can be built on existing and proposed residential lots throughout Nashville/Davidson County. These text amendments balance the goals of accommodating additional growth and maintaining existing neighborhoods by requiring compatible infill development.

Currently, detached two-family units are permitted only outside the Urban Zoning Overlay and on redeveloped, nonconforming lots within the Urban Zoning Overlay. Most two-family structures within the Urban Zoning Overlay are required to be “connected by not less than eight feet of continuous floor, roof and walls.” This definition has resulted in two-family developments that are largely detached, but connected with an unsightly connector.

This text amendment would require two-family units to be either attached in a more traditional sense or detached, with no connector requirement. Additionally, requirements would limit the height of detached units to 1.5 times the width of the structure, which would prevent very skinny, very tall detached two-family units.

COMMUNITY OUTREACH

Staff distributed the several drafts of the proposed text amendment, received feedback through a web form, email, phone calls and meetings, and made revisions based on feedback.

- February 11, 2014: Drafts posted on the Planning Department webpage with web forms for comments/questions.
- February 14, 2014: Distributed in Development Dispatch to 1714 email addresses. 220 readers followed the link to the front page.
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- March 27, 2014: Revised drafts posted on the Planning Department webpage.
- March 28, 2014: Revised drafts distributed in Development Dispatch to 2112 addresses. 124 readers followed the link to the front page.

- March 31, 2014: Meeting with Metro Council.

STAFF RECOMMENDATION

Staff recommends approval.

PROPOSED TEXT

17.04.060 (Definitions of general terms)

"Two-family" means:

- 1) ~~Two attached dwelling units forming a single structure connected by not less than eight feet of continuous floor, roof and walls that share the floor of a unit with the ceiling of another unit or a common wall from grade to eave at the front façade which continues for eighty percent (80%) of the common side or 20 feet, whichever is greater;~~ or
- 2) ~~Two detached dwelling units on a single lot which are separated by at least six feet. Two detached dwelling units separated by at least ten feet. Notwithstanding the foregoing, two detached dwelling units within a historic zoning overlay district shall not be permitted, and two detached dwelling units within the urban zoning overlay shall not be permitted unless the current use is legally non-conforming in an RS zoning district within the urban zoning overlay, but not within a historic zoning overlay. When two detached dwelling units are constructed on a single lot within the R zoning district, such lot may only be subdivided if the resulting lots are limited to single family use.~~
- 3) **In historic zoning overlays, the manner or existence of attachment shall be determined by the Metro Historic Zoning Commission.**

Insert **Note 4** under Table 17.12.020A

In addition to the height restrictions in 17.12.060, the height of two detached dwelling units on a single lot cannot exceed a ratio of 1.0 horizontal to 1.5 vertical for each structure. Maximum height shall be measured from the natural grade. The natural grade shall be determined based on the average elevation of most exterior corners of the front facade, to the ridge. Natural grade is the base ground elevation prior to grading. The appropriate height shall be determined by the Metro Historic Zoning Commission for properties within a historic overlay.

Delete the following phrase from 17.16.030D

~~Two-Family Dwellings. In the AG, AR2a, R80, R40, R30, R15, R10, R8 and R6 districts, two-family dwellings in a single residential structure may be permitted on any lot provided:~~

Ms. Logan presented the staff recommendation of approval.

Brett Withers, 1113 Granada, spoke in favor of this as a first step measure.

Mike Kenner spoke in favor and noted that this will generate more tax revenue for Nashville.

Mr. Dalton arrived at 5:19 p.m.

John Brittle, 5474 Franklin Pike Circle, spoke in favor of staff recommendation.

Robin Zeigler, Historic Zoning Commission, spoke in favor of staff recommendation.

Charlotte Cooper, 3409 Trimble Road, spoke in opposition and noted that this could have a negative impact on the character of existing neighborhoods.

Terry Bear, 323 Forest Park, spoke in opposition to staff recommendation.

Margo Chambers, 3803 Princeton Ave, spoke in opposition due to concerns with auto gridlock which will reduce tax revenue and frustrate citizens.

John Summers, 5000 Wyoming Ave, spoke in opposition and noted that this is hurting, not helping, affordable housing.

Beth O'Shea, 4305 Wallace Lane, spoke in opposition and noted safety concerns for children due to increased density.

Chairman McLean closed the Public Hearing.

Mr. Adkins spoke in favor of staff recommendation and noted that density is not a bad word.

Mr. Clifton spoke in favor of staff recommendation.

Councilmember Hunt moved and Mr. Adkins seconded the motion to approve. (7-0-1) Mr. Dalton recused himself from the vote.

Resolution No. RS2014-93

“BE IT RESOLVED by The Metropolitan Planning Commission that 2014Z-009TX-001 is **Approved. (7-0)**”

6. 2014Z-010TX-001

CONTEXTUAL OVERLAY DISTRICT

Staff Reviewer: Carrie Logan

A request to amend Chapters 17.36 and 17.40 of the Metropolitan Code pertaining to creating a contextual overlay district, requested by the Metro Planning Department, applicant.

Staff Recommendation: Approve Contextual Overlay and fee resolution.

APPLICANT REQUEST

Create a new overlay district called the contextual overlay.

Text Amendment A request to amend Chapters 17.36 and 17.40 of the Metropolitan Code pertaining to creating a contextual overlay district.

PROPOSED TEXT

The text of the proposed overlay is included at the end of this report.

ANALYSIS

The Planning Commission recently approved changes to the infill section of the Subdivision Regulations. These changes require proposed lots in existing neighborhoods to be compatible with surrounding lots, while allowing more flexibility in areas planned for growth.

In conjunction with the changes to the Subdivision Regulations, staff has prepared a series of text amendments to modify what can be built on existing and proposed residential lots throughout Nashville/Davidson County. These text amendments balance the goals of accommodating additional growth and maintaining existing neighborhoods by requiring compatible infill development.

The Planning Department frequently receives requests for Urban Design Overlays for residential neighborhoods. The Contextual Overlay is a series of design standards and contextual measurements that would be adopted for a specific area, in place of a UDO. This text amendment creates the overlay. Application of the overlay to neighborhoods would be required to go through the rezoning process, like other overlays. This overlay is for areas with consistent character that the neighborhood desires to maintain, not areas that are expected to evolve. It is more appropriate to apply it in an area with a Maintenance policy as opposed to an Evolving policy area.

Contextual standards

The contextual standards are based on the two structures abutting each side of a proposed structure, for a total of four structures. When one of the abutting lots is vacant, the structure on the next lot is used.

- Front setback: Requires the front setback to be the average of the structures.
- Height: Requires the height to be within 125% of average of the structures, limited to 35 feet.
- Building coverage: Requires the building coverage to be within 150% of average of the structures

Design standards

- Requires alley access where an improved alley exists.
- Requires garage doors to face side or rear property lines, unless the garage is detached and recessed from the primary structure.
- Does not allow vehicle parking in the front setback.

The Zoning Code requires that the Planning Commission develop fee schedules for Metro Council consideration. Staff recommends that the fee for the Contextual Overlay be set at \$800. Because this is an overlay that would be implemented by neighborhoods, the proposed fee is less than other rezoning fees. This text amendment does include a fee waiver for an application by a Councilmember.

COMMUNITY OUTREACH

Staff distributed the several drafts of the proposed text amendment, received feedback through a web form, email, phone calls and meetings, and made revisions based on feedback.

- February 11, 2014: Drafts posted on the Planning Department webpage with web forms for comments/questions.
- February 14, 2014: Distributed in Development Dispatch to 1714 email addresses. 220 readers followed the link to the front page.
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- March 27, 2014: Revised drafts posted on the Planning Department webpage.
- March 28, 2014: Revised drafts distributed in Development Dispatch to 2112 addresses. 124 readers followed the link to the front page.
- March 31, 2014: Meeting with Metro Council.

Staff recommends approval of the Contextual Overlay and the fee resolution.

PROPOSED TEXT

Article XIII. Contextual Overlay District

17.36.450- Purpose and intent.

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.

17.36.460 - Overlay designation.

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

17.36.470 - Design guidelines.

A. Street setback. The minimum required street setback shall be the average of the street setback of the two developed lots abutting either 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 either 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.
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 is defined as the average building height, as measured from grade at the front of the principal structure to top of the ridge.

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 either 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. Driveways shall be twelve feet or less 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.

3. Parking areas. No parking areas are permitted in the required street setback as established in Section 17.36.470A, except in the driveway.

17.36.480 - Permitted land uses.

The range of land uses permitted within a contextual overlay district shall be those afforded by the underlying zoning district(s) as established by the zoning district land use table of Section 17.08.030.

17.36.490 - Variation of conventional standards.

The contextual overlay district varies the conventional standards of the underlying zoning district(s) as established in Chapter 17.12, Sections 17.12.020 through 17.12.060; the parking, loading and access standards of Chapter 17.20; and the nonconforming lot area requirements of Section 17.40.670.

17.40.161 – Contextual overlay district.

A. Application for a Contextual Overlay District. Lots included in a district must be contiguous and continuous throughout the residential portion of a complete block face(s).

B. Historic Overlay District. A contextual overlay shall not be applied in an adopted historic overlay district. Adoption of a historic overlay district shall supersede an adopted contextual overlay and only the requirements of the historic overlay district shall apply.

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

D. Council Consideration. The metropolitan council shall consider an ordinance establishing a contextual overlay district according to the procedures of Article III of this chapter (Amendments). All property owners within and proximate to a proposed contextual overlay district shall be notified according to the procedures of Article XV of this chapter.

E. Final Site Plan Approval. For property located within a contextual overlay district, a final site plan application shall be submitted for review and approval by the Zoning Administrator in a manner consistent with the procedures of Section 17.40.170A. The applicant is required to submit all necessary information to the Zoning Administrator and to certify the accuracy of the submitted information.

F. Modifications to Design Standards Not Permitted. Contextual Overlay Districts shall be adopted with the standards outlined in 17.36.470 (Design guidelines). Modifications to these standards shall not be permitted.

G. Changes to a Contextual Overlay District Boundary. A proposed change in the geographic boundary of a contextual overlay district on the official zoning map shall be considered by the council according to the procedures of Article III of this chapter (Amendments).

Amendment to 17.40.740.C.4

4. Applying the urban design overlay district, historic preservation district, neighborhood conservation district, ~~or~~ urban zoning overlay district, **or contextual overlay district** as provided in Chapter 17.36.

Ms. Logan presented the staff recommendation of approval of contextual overlay and fee resolution.

Brett Withers, 1113 Granada Ave, spoke in favor of staff recommendation.

John Brittle, 5474 Franklin Pike Circle, spoke in opposition and noted that, outside of historic districts, other limitations aren't needed.

Chairman McLean closed the Public Hearing.

Mr. Clifton spoke in favor of staff recommendation and noted that this offers an additional tool.

Mr. Haynes moved and Mr. Adkins seconded the motion to approve Contextual Overlay and fee resolution. (8-0)

Resolution No. RS2014-94

“BE IT RESOLVED by The Metropolitan Planning Commission that 2014Z-010TX-001 is **Approve the Contextual Overlay and fee resolution. (7-0)**

Specific Plans

7. 2013SP-042-001

HILDALE DRIVE

Map 117-09, Parcel(s) 136
Council District 25 (Sean McGuire)
Staff Reviewer: Carrie Logan

A request to rezone from R20 to SP-R zoning for property located at 3505 Hilldale Drive, approximately 800 feet south of Wimbledon Road (0.94 acres), to permit up to three detached residential dwelling units, requested by LVH, LLC, applicant; W. Fleming and Gilbert Smith, owners.

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

APPLICANT REQUEST

Preliminary SP to permit up to three residential units.

Preliminary SP

A request to rezone from One and Two-Family Residential (R20) to Specific Plan- Residential (SP-R) zoning for property located at 3505 Hilldale Drive, approximately 800 feet south of Wimbledon Road (0.94 acres), to permit up to three detached residential dwelling units.

Existing Zoning

One and Two-Family Residential (R20) requires a minimum 20,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 2.31 dwelling units per acre including 25 percent duplex lots. *R20 would permit a maximum of 1 lot for a total of 2 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

GREEN HILLS – MIDTOWN COMMUNITY PLAN

Residential Low Medium (RLM) policy is intended to accommodate residential development within a density range of two to four dwelling units per acre. The predominant development type is single-family homes, although some townhomes and other forms of attached housing may be appropriate.

Consistent with Policy?

At 3.2 units/acre, the proposed SP is consistent with RLM policy.

PLAN DETAILS

The site is located south of Wimbledon Road, fronting Hilldale Drive. The property is currently eligible for a two-family dwelling. This SP would allow three detached dwellings.

A portion of Hilldale Drive was abandoned in 2007, which prohibits a connection to Valley Brook Place. Hilldale Drive will be extended slightly and a turnaround will be provided.

Site Plan

The plan proposes three detached residential units. All three units share an access drive and front onto a common open space. The maximum height of the units will be three stories in 36' to the ridge.

The development is buffered from the property to the west by an A-3 landscape buffer, which is a minimum of 5 feet wide and includes an opaque fence. Standards for the courtyard facades are included in the SP and EIFS and vinyl siding are prohibited.

ANALYSIS

The proposed SP is consistent with the Residential Low Medium land use policy, shares access for all three units and includes a common open space. Staff recommends approval of the SP with conditions and disapproval without all conditions.

FIRE MARSHAL RECOMMENDATION

N/A

- While the Fire Dept. does not reject subdivisions with frontage on a paved access road the applicant needs to be aware of Fire Dept. access requirements for building on these lots.
- No part of any building shall be more than 500 ft from a fire hydrant via an approved hard surface road. Metro Ordinance 095-1541 Sec: 1568.020 B
- All fire department access roads shall be 20 feet minimum width and shall have an unobstructed vertical clearance of 13.6 ft., unless approved for one way traffic which may not be less than 14 ft.
- All dead end roads over 150 ft. in length require a 100 ft. diameter turnaround, this includes temporary turnarounds. Temporary T-type turnarounds that last no more than one year shall be approved by the Fire Marshal's Office.
- Fire department access roads shall be provided such that any portion of the facility or any portion of an exterior wall of the first story of a non sprinklered building is located not more than 150 ft (46 m) from fire department access roads.

STORMWATER RECOMMENDATION

Approve with conditions

- An adequate downstream structure system shall be provided for the site outfall.

WATER SERVICES RECOMMENDATION

Approve as a Preliminary SP only. If required, construction plans must be approved before Final SP stage. Capacity fees must be paid prior to Final SP/Final Plat stages.

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.
- All easements must be recorded prior to sign off on building permit.

Because this SP would only permit one unit more than the current zoning, a traffic table was not prepared.

SCHOOL BOARD REPORT

Because this SP would only permit one unit more than the current zoning, it is not anticipated to generate any more students than what is typically generated under the existing R20 district. Students would attend Julia Green Elementary School, Moore Middle School, and Hillsboro High School. This information is based upon data from the school board last updated September 2013.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Uses within the SP shall be limited to a maximum of three residential units.
2. 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 RS7.5 zoning district as of the date of the applicable request or application.
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 or with final site plan application.
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 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. Add the following note to plan: Ownership for units may be divided by a Horizontal Property Regime or a subdivision with a minimum lot size of 7,300 square feet.

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

Mr. Haynes and Ms. Blackshear left the room at 6:02 p.m.

Brent Craig, 5209 Nevada Ave, spoke in favor of the application.

Shawn Henry, 315 Deaderick Street, spoke in favor of the application and noted that Hilldale currently is a dead end street with no turnaround. This SP will allow the public safety improvement to occur, which does not and would not exist without this SP. Mr. Henry noted that this will only add one home on a dead end street; it is consistent with land use policy and the community plan.

Laura Buntin, 3303 Wimbledon Road, spoke in opposition to the application due to concerns with increased traffic, decreased property values, no adequate space for cars to park, and it is not in character with the rest of the neighborhood.

Charlie Howorth, 3300 Wimbledon Road, spoke in opposition to the application and noted that Hilldale doesn't need to be extended.

Louie Buntin, 3303 Wimbledon Road, spoke in opposition and expressed concerns with a snowball effect if Hilldale is expanded.

Ellen Tanner, 3301 Wimbledon Road, spoke in opposition and stated that the street is very narrow, two cars aren't able to pass each other.

Fran Linley, 3401 Wimbledon Road, spoke in opposition and stated that she'd like to see the wildlife and open space preserved.

Mary Francois, 3705 Wimbledon Road, spoke in opposition to the application due to storm water concerns.

Andrea Campon, 3703 Hilldale, spoke in opposition to the application due to storm water concerns.

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

Shawn Henry clarified that the concerns of the neighbors are exactly why this SP should be addressed because this SP addresses those concerns. Mr. Henry also noted that Hilldale will not be extended; it will simply be a turnaround.

Chairman McLean closed the Public Hearing.

Mr. Clifton stated that an SP can be overused and he is not sure that this is ready for a vote at this time.

Mr. Dalton spoke in opposition and noted that this is not in character with the rest of the neighborhood.

Mr. Clifton moved and Mr. Dalton seconded the motion to disapprove. (3-3) Chairman McLean, Councilmember Hunt, and Mr. Ponder voted against the motion.

Mr. Ponder moved and Councilmember Hunt seconded the motion to approve. (3-3) Mr. Adkins, Mr. Dalton, and Mr. Clifton voted against.

The motion to approve failed therefore the item is disapproved.

Mr. Haynes returned at 6:32 p.m.

The motion to approve failed therefore the item was disapproved.

Resolution No. RS2014-95

"BE IT RESOLVED by The Metropolitan Planning Commission that 2013SP-042-001 is Disapproved. The motion to approve failed, therefore the item was disapproved. (3-3)

8. 2014SP-020-001

FOUNTAINS GERMANTOWN

Map 082-09, Parcel (s) 104, 105, 111, 112, 113

Council District 19 (Erica Gilmore)

Staff Reviewer: Melissa Sajid

A request to rezone from IR to SP-MU zoning for properties located at 302 Taylor Street, 1408 and 1410 4th Avenue North and 1401 and 1403 3rd Avenue North, south of Van Buren Street and located within the Germantown Historic Preservation District and the Phillips-Jackson Street Redevelopment District (2.43 Acres), to permit up to 249 multifamily dwelling units and all uses permitted by the MUL-A zoning district, requested by Civil Site Design Group, PLLC, applicant; R.D. Herbert & Sons, Co., owner.

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

APPLICANT REQUEST

Preliminary SP to permit up to 249 multi-family units and all uses permitted by the MUL-A zoning district.

Preliminary SP

A request to rezone from Industrial Restrictive (IR) to Specific Plan-Mixed Use (SP-MU) zoning for properties located at 302 Taylor Street, 1408 and 1410 4th Avenue North and 1401 and 1403 3rd Avenue North, south of Van Buren Street and located within the Germantown Historic Preservation District and the Phillips-Jackson Street Redevelopment District (2.43 Acres), to permit up to 249 multi-family dwelling units, and all uses permitted by the MUL-A zoning district.

Existing Zoning

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

Proposed Zoning

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

CRITICAL PLANNING GOALS

- Supports a Variety of Transportation Choices
- Supports Infill Development
- Promotes Compact Building Design
- Provides a Range of Housing Choices
- Promotes Walkable Neighborhoods

The proposed SP-MU promotes walkable neighborhoods by requiring building placement and design elements that create a streetscape that enhances the pedestrian experience. The SP also expands the range of housing choices in the area and encourages compact building design by building up rather than out. Existing infrastructure is available to the subject property which supports infill development. In addition, the site is served by an existing sidewalk network as well as a transit route that runs along 3rd Avenue North, which will be supported by the additional density proposed by the SP.

NORTH NASHVILLE COMMUNITY PLAN

Existing Policy

Urban Mixed Use Neighborhood (T4 MU) policy is intended to preserve, enhance, and create urban, mixed use neighborhoods characterized by a development pattern that contains a diverse mix of residential and nonresidential land uses, and that are envisioned to remain or develop in a mixed use pattern. T4 MU areas are areas intended to be mixed use in nature with the presence of commercial and even light industrial uses, but also a significant amount of moderate to high density residential development.

Consistent with Policy?

Yes. The proposed SP is consistent with the existing policy. The Urban Mixed Use Neighborhood policy encourages a mixture of uses, including moderate to high density residential. Also, the rezoning request is a site plan based district that encourages flexibility in design so that the result is well suited to the subject property and the surrounding area.

PLAN DETAILS

The site includes five parcels. Three parcels front 3rd Avenue North between Van Buren Street and Taylor Street, and the remaining two parcels have frontage on 4th Avenue North, also between Van Buren Street and Taylor Street. The existing structure located on the parcels fronting 3rd Avenue North and the existing parking lot located on the parcels fronting 4th Avenue North are proposed to be removed. Surrounding zoning includes IR, MUN and SP-MU, and the area is characterized by a variety of land uses.

Site Plan

The plan proposes 249 multi-family residential units. The request does not include any specific commercial or office uses at this time; however, the applicant requests to allow all uses permitted in the MUL-A zoning district to allow for future flexibility. Two buildings are proposed on the site. Building A encompasses all of the parcels fronting 3rd Avenue North while the smaller Building B is proposed on the parcels with frontage on 4th Avenue North. The maximum height of the Building A will be five stories in 75' to the top of the roof while Building B will be a maximum of three stories. Primary vehicular access to the site is from 3rd Avenue North with pedestrian access points at all other street fronts. A 3rd level pedestrian walkway is proposed to connect both buildings across the existing improved alley.

Inspirational architectural images were included with the SP and illustrate the applicant's intention to incorporate elements commonly found on the industrial buildings that are prominent in the area. The entire site is located in the Germantown Historic Preservation District, and the parcels with frontage on 4th Avenue North are in the Phillips Jackson Redevelopment District. Therefore, Historic Zoning Commission must approve building elevations for both buildings, and the smaller building with frontage on 4th Avenue North must also be approved by MDHA. Since both buildings must undergo additional levels of review, Planning staff has not required elevations to be included with the preliminary SP; however, elevations will be required with the final SP site plan.

The SP includes standards intended to enhance the pedestrian landscape at this location. Build-to zones are proposed along 3rd Avenue North, Van Buren Street and Taylor Street, and the proposed minimum building frontage along public streets is 80%. Also, a minimum of 45% of ground floor units will include a porch or stoop that has direct access to the sidewalk network. These elements, along with significant glazing (minimum of 25%) as depicted in the inspirational architectural images, encourage street-level transparency and a rhythmic building appearance that helps to create a positive pedestrian experience.

In addition, the site is located near existing public transit infrastructure that will be supported by the increased density proposed by the SP. The site is directly adjacent to an existing transit line that runs along 3rd Avenue North, and MTA stops are located in close proximity to the site. One stop is directly in front of the building, and another is at the corner of 3rd Avenue North and Taylor Street. The SP also proposes multiple sidewalk connections that will tie into the extensive network that already exists in the area.

ANALYSIS

The proposed SP is consistent with the Urban Mixed Use Neighborhood land use policy, and the plan meets five critical planning goals. Staff recommends approval with conditions and disapproval without all conditions.

FIRE MARSHAL RECOMMENDATION

N/A

STORMWATER RECOMMENDATION

Approve with a condition

- The sheet flow system on 3rd will need to be approved by Metro Stormwater / Metro Public Works. If an adequate system is not made, then a traditional storm system will be required.

TRAFFIC & PARKING RECOMMENDATION

Approve with conditions

- A TIS shall be submitted prior to Final SP approval. Developer shall construct any - off site roadway improvements with Final SP plan. Roadway improvements will be in accordance with the TIS findings and conditions. Building design may be impacted.

WATER SERVICES RECOMMENDATION

Approve as a preliminary SP only. Applicant must pay capacity fees by Final SP or Final Plat stage.

HISTORIC ZONING RECOMMENDATION

Approve

MDHA RECOMMENDATION

Approve

PUBLIC WORKS RECOMMENDATION

Approve with conditions

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

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)	2.43	0.6 F	61,158 SF	218	19	20

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	2.43	-	249 U	1633	126	155

Traffic changes between maximum: **IR** and proposed **SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-		+1415	+107	+135

SCHOOL BOARD REPORT

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

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

The proposed SP-MU zoning district could generate three more students than what is typically generated under the existing IR district. Students would attend Buena Vista Elementary School, John Early Middle School and Pearl-Cohn High School. John Early Middle School has been identified as over capacity. There is capacity within the cluster for a middle school student. This information is based upon data from the school board last updated September 2013.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

- Uses within the SP shall be limited to up to 249 multi-family units and all uses permitted in the MUL-A district.
- Non-residential floor area ratio shall be limited to 0.25 for the entire site.
- 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-A zoning district as of the date of the applicable request or application.
- Architectural elevations shall be submitted with the final SP site plan.
- In order to achieve the goal of adding eyes on the street, the minimum glazing for street façades shall be 25%, distributed throughout the front facades. Planning, MHZC and MDHA staff shall determine if this goal has been met with the final site plan application.
- In order to achieve the goal of an interactive pedestrian experience, a minimum of 45% of total ground floor units throughout the front facades shall have a porch or stoop with direct access to the sidewalk. Planning, MHZC and MDHA staff shall determine if this goal has been met with the final site plan application.
- A TIS shall be submitted prior to Final SP approval. Developer shall construct any - off site roadway improvements with Final SP plan. Roadway improvements will be in accordance with the TIS findings and conditions. Building design may be impacted.
- The sheet flow system on 3rd shall be approved by Metro Stormwater / Metro Public Works. If an adequate system is not made, then a traditional storm system will be required.
- 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.
- 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.
- 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.

Resolution No. RS2014-96

"BE IT RESOLVED by The Metropolitan Planning Commission that 2014SP-020-001 is **Approved with conditions and disapproved without all conditions. (7-0)**

CONDITIONS

1. Uses within the SP shall be limited to up to 249 multi-family units and all uses permitted in the MUL-A district.
2. Non-residential floor area ratio shall be limited to 0.25 for the entire site.
3. 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-A zoning district as of the date of the applicable request or application.
4. Architectural elevations shall be submitted with the final SP site plan.
5. In order to achieve the goal of adding eyes on the street, the minimum glazing for street façades shall be 25%, distributed throughout the front facades. Planning, MHZC and MDHA staff shall determine if this goal has been met with the final site plan application.
6. In order to achieve the goal of an interactive pedestrian experience, a minimum of 45% of total ground floor units throughout the front facades shall have a porch or stoop with direct access to the sidewalk. Planning, MHZC and MDHA staff shall determine if this goal has been met with the final site plan application.
7. A TIS shall be submitted prior to Final SP approval. Developer shall construct any - off site roadway improvements with Final SP plan. Roadway improvements will be in accordance with the TIS findings and conditions. Building design may be impacted.
8. The sheet flow system on 3rd shall be approved by Metro Stormwater / Metro Public Works. If an adequate system is not made, then a traditional storm system will be required.
9. 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.
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.

9. 2014SP-021-001

1007 & 1009 NORTH 5TH STREET

Map 082-04, Parcel(s) 091-092

Council District 05 (Scott Davis)

Staff Reviewer: Duane Cuthbertson

A request to rezone from RS5 to SP-R zoning for properties located at 1007 and 1009 N. 5th Street, approximately 185 feet north of Vernon Winfrey Avenue (0.36 acres), to permit up to 4 detached single-family dwelling units, requested by Tina and Terrence Harris, owners.

Staff Recommendation: Approve preliminary SP with conditions and disapprove without all conditions.

APPLICANT REQUEST

Zone change from RS5 to SP-R.

Zone Change

A request to rezone from Single-Family Residential (RS5) to Specific Plan-Residential (SP-R) zoning for properties located at 1007 and 1009 N. 5th Street, approximately 185 feet north of Vernon Winfrey Avenue (0.36 Acres), to permit up to four detached single-family dwelling units.

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 3 units.*

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

CRITICAL PLANNING GOALS

- Supports Infill Development

The SP permits additional residential units in an area that is served by adequate infrastructure. Development in areas with adequate infrastructure is more appropriate than development not served with adequate infrastructure, such as substandard roads, water and sewer, because it does not burden Metro with the cost of upgrading or building new infrastructure. The SP permits additional density in a redeveloping neighborhood. The additional density supports the viability of nearby developing commercial corridors.

EAST NASHVILLE COMMUNITY PLAN

Structure Plan Policy

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

Detailed Policy

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

Consistent with Policy?

Yes. The proposed SP would permit two detached homes on each lot, which is consistent with the overall intent of the policy. While two-units would be on a single lot, the proposed SP requires that they be detached in order to keep the appearance of single-family homes and would permit the lot to be subdivided as long as each lot has 3,000 square feet.

PLAN DETAILS

The subject site consists of 0.36 acres (15,681 SF). It is located on the east side of N. 5th street in East Nashville.

Site Plan

The SP consists of a regulatory document and site plan that will regulate any future development on the site. The SP is intended to permit single-family or two-family detached residential. The plan provides the following requirements:

1. Permitted uses include single or two-family residential (detached).
2. Any two-family units shall be detached.
3. A minimum six foot separation is required between units and is subject to all Building and Fire Code requirements.
4. The minimum side setback shall be three feet.
5. The minimum rear setback shall be 20 feet.
6. The front setback shall be consistent with Section 17.12.030, Street setbacks.
7. No structure shall be more than three stories and shall be limited to a maximum height of 22 feet at the front setback and 35 feet total. Building elevations for all street facades shall be provided with the final site plan. Each of the four proposed street facades shall have a distinct design and composition. The following standards shall be met:
 - a. Building facades fronting a street shall provide a minimum of one principal entrance (doorway) and a minimum of 25% glazing.
 - b. Windows shall be vertically oriented at a ratio of 2:1 or greater.
 - c. EIFS and vinyl siding shall be prohibited.
 - d. Finished ground floors and porches shall be elevated a minimum of 30 inches from the abutting ground elevation.
 - e. Porches shall provide a minimum of six feet of depth.
8. Vehicular access shall be from the alley and no driveways and parking shall be permitted onto North 5th Street.
9. Ownership for units may be divided by a Horizontal Property Regime or a subdivision with a minimum lot size of 3,000 square feet.
10. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval the property shall be subject to the standards, regulations and requirements of the RS3.75 zoning district as of the date of the applicable request or application.
11. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

ANALYSIS

This SP would permit residential development consistent with the land use policy. The SP also supports infill development which is a Critical Planning Goal. The SP would also permit that the units be subdivided in the future.

Since this will be a small development that will not require any new infrastructure, staff has included a condition of approval that would permit the final site plan to be waived. If waived, planning staff would review any development with the building permit application only.

STORMWATER RECOMMENDATION

Approved with conditions

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

PUBLIC WORKS RECOMMENDATION

No Exceptions Taken

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

WATER SERVICES RECOMMENDATION

Approved

METRO SCHOOL BOARD REPORT

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

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

STAFF RECOMMENDATION

Staff recommends that the proposed preliminary SP zoning be approved with conditions and disapproved without all conditions.

CONDITIONS

1. Permitted uses include single or two-family residential (detached).
2. Any two-family units shall be detached.
3. A minimum six foot separation is required between units and is subject to all Building and Fire Code requirements.
4. The minimum side setback shall be three feet.
5. The minimum rear setback shall be 20 feet.
6. The front setback shall be consistent with Section 17.12.030, Street setbacks.
7. No structure shall be more than three stories and shall be limited to a maximum height of 22 feet at the front setback and 35 feet total. Building elevations for all street facades shall be provided with the final site plan. Each of the four proposed street facades shall have a distinct design and composition. The following standards shall be met:
 - a. Building facades fronting a street shall provide a minimum of one principal entrance (doorway) and a minimum of 25% glazing.
 - b. Windows shall be vertically oriented at a ratio of 2:1 or greater.
 - c. EIFS and vinyl siding shall be prohibited.
 - d. Finished ground floors and porches shall be elevated a minimum of 30 inches from the abutting ground elevation.
 - e. Porches shall provide a minimum of six feet of depth.
8. Vehicular access and parking shall be from the alley and no driveways shall be permitted onto North 5th Street and no parking in the front yard.
9. Ownership for units may be divided by a Horizontal Property Regime or a subdivision with a minimum lot size of 3,000 square feet.
10. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval the property shall be subject to the standards, regulations and requirements of the RS3.75 zoning district as of the date of the applicable request or application.
11. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Approve preliminary SP with conditions and disapprove without all conditions (7-0), Consent Agenda

Resolution No. RS2014-97

"BE IT RESOLVED by The Metropolitan Planning Commission that 2014SP-021-001 is Approved the preliminary SP with conditions and disapprove without all conditions. (7-0)

CONDITIONS

1. **Permitted uses include single or two-family residential (detached).**
2. **Any two-family units shall be detached.**
3. **A minimum six foot separation is required between units and is subject to all Building and Fire Code requirements.**
4. **The minimum side setback shall be three feet.**

5. The minimum rear setback shall be 20 feet.
6. The front setback shall be consistent with Section 17.12.030, Street setbacks.
7. No structure shall be more than three stories and shall be limited to a maximum height of 22 feet at the front setback and 35 feet total. Building elevations for all street facades shall be provided with the final site plan. Each of the four proposed street facades shall have a distinct design and composition. The following standards shall be met:
 - a. Building facades fronting a street shall provide a minimum of one principal entrance (doorway) and a minimum of 25% glazing.
 - b. Windows shall be vertically oriented at a ratio of 2:1 or greater.
 - c. EIFS and vinyl siding shall be prohibited.
 - d. Finished ground floors and porches shall be elevated a minimum of 30 inches from the abutting ground elevation.
 - e. Porches shall provide a minimum of six feet of depth.
8. Vehicular access and parking shall be from the alley and no driveways shall be permitted onto North 5th Street and no parking in the front yard.
9. Ownership for units may be divided by a Horizontal Property Regime or a subdivision with a minimum lot size of 3,000 square feet.
10. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval the property shall be subject to the standards, regulations and requirements of the RS3.75 zoning district as of the date of the applicable request or application.
11. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Zone Changes

10. 2014Z-023PR-001

Map 091-06, Parcel(s) 023
 Council District 20 (Buddy Baker)
 Staff Reviewer: Jason Swaggart

A request to rezone from CN to MUN-A zoning for property located at 5916 Morrow Road, at the northeast corner of Morrow Road and 60th Avenue North (0.16 Acres), requested by Dale & Associates, applicant; Larry Daniels, owner.

Staff Recommendation: Approve

APPLICANT REQUEST

Zone change from CN to MUN-A.

Zone Change

A request to rezone from Commercial Neighborhood (CN) to Mixed-Use Neighborhood – A (MUN-A) zoning for property located at 5916 Morrow Road, at the northeast corner of Morrow Road and 60th Avenue North (0.16 Acres).

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.

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

CRITICAL PLANNING GOALS

N/A

WEST NASHVILLE COMMUNITY PLAN

Existing Policy

Urban Neighborhood Center (T4 NC) policy is intended to preserve, enhance, and create urban neighborhood centers that are compatible with the general character of urban neighborhoods as characterized by the service area, development pattern, building form, land use, and associated public realm. Where not present, enhance infrastructure and transportation networks to improve pedestrian, bicycle and vehicular connectivity. T4 Urban Neighborhood Centers are pedestrian friendly areas generally located at intersections of urban streets that contain commercial, mixed use, civic and public benefit land uses, with residential only present in mixed use buildings. T4 Urban Neighborhood Centers serve urban neighborhoods within a 5 minute walk.

Consistent with Policy?

Yes. The proposed MUN-A is consistent with the T4 NC land use policy. The existing CN district does not permit building placement closer to the street, consistent with the urban form that the policy intends. The MUN-A district permits shallower setbacks, requires parking to be behind or beside buildings and that primary access be located on the street.

FIRE MARSHAL RECOMMENDATION

N/A

STORMWATER RECOMMENDATION

Ignore

PUBLIC WORKS RECOMMENDATION

N/A

* Traffic study may be required at time of development.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	0.16	0.25 F	6,969 SF	336	13	39

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	0.16	0.6 F	16,727 SF	754	21	62

Traffic changes between maximum: **CN** and proposed **MUN-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+ 9,758 SF	+418	+8	+23

METRO PUBLIC SCHOOLS REPORT

This request would not generate additional students. This information is based upon data from the school board last updated September 2013.

STAFF RECOMMENDATION

Approve as the proposed MUN-A district is consistent with the West Nashville Community Plan's land use policy.

Approved (6-0-1), Consent Agenda

Resolution No. RS2014-98

"BE IT RESOLVED by The Metropolitan Planning Commission that 2014Z-023PR-001 is **Approved. (6-0-1)**"

Planned Unit Developments**11. 2005P-008-005****HARPETH VALLEY (TIRE DISCOUNTER'S AMENDMENT)**

Map 156-09-0-A, Parcel(s) 012

Council District 35 (Bo Mitchell)

Staff Reviewer: Duane Cuthbertson

A request to amend the Harpeth Village Commercial Planned Unit Development Overlay District on property located at 8002 Highway 100, approximately 280 feet west of Temple Road, zoned CL (1.12 acres), to permit the construction of a 7,000 square foot automobile service facility where a 3,150 square foot automobile convenience facility with 6 fuel islands and an automatic car wash was previously approved, requested by Waller, Lansden, Dortch & Davis, LLP, applicant; Publix Super Markets, Inc., owner.

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

APPLICANT REQUEST

Amendment of the Harpeth Village Commercial Planned Unit Development Overlay District to permit an Automobile Services use.

Amend PUD

A request to amend the Harpeth Village Commercial Planned Unit Development Overlay District for property located at 8002 Highway 100, approximately 280 feet west of Temple Road, zoned Commercial Limited (CL) (1.12 acres), to permit the construction of a 7,000 square foot automobile service facility where a 3,150 square foot automobile convenience facility with 6 fuel islands and an automatic car wash was previously approved.

Existing Zoning

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

CRITICAL PLANNING GOALS

N/A

BELLEVUE COMMUNITY PLAN

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

Community Center (CC) is intended for dense, predominantly commercial areas at the edge of a neighborhood, which either sits at the intersection of two major thoroughfares or extends along a major thoroughfare. This area tends to mirror the commercial edge of another neighborhood forming and serving as a "town center" of activity for a group of neighborhoods. Appropriate uses within CC areas include single- and multi-family residential, offices, commercial retail and services, and public benefit uses. An Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms to the intent of the policy.

Consistent with Policy?

Yes. The PUD was originally approved in 2005 and amended in 2007. The Conservation policy was established as part of the Bellevue community plan in 2011 to reflect the existing floodplain across the site. The proposed development complies with the original PUD's limitation on FAR and ISR and development of the site is required to meet all Stormwater requirements related to development in the floodplain.

The base zoning for the subject property is CL and the proposed use is a permitted use in that zoning district. The proposed plan will enhance the Highway 100 corridor.

History

The Harpeth Village PUD was approved by Council in 2005 to permit 74 townhomes, 26,700 square feet of office/library use and 87,900 square feet of retail/restaurant/bank uses. The PUD was amended in 2007 to permit 101,677 square feet of retail/restaurant/bank uses and 20,000 square feet of office use as well as to allow for a new ingress/egress along Highway 100. The PUD establishes a commercial shopping center with specific building design and landscape standards and limits signage to building and monument signs. The approved PUD established a list of uses that are prohibited from the shopping center, including most automobile related uses. An Automobile Convenience use (Publix gas station) proposing six fuel islands and an automatic car wash was approved for the site as a revision to the PUD in 2008.

REQUEST DETAILS

The subject property is an out-parcel of the Harpeth Village shopping center located between Highway 100 and Old Harding Pike on either side of Temple Road. The site is on the south side of the PUD, in front of a Publix grocery store, and fronts Highway 100. Commercial development, including a bank and restaurants, are situated along Highway 100 to the west. A restaurant use was recently approved for the vacant out-parcel to the east. Highway 100 in front of the site contains over 150 feet of right-of-way. A vegetated stream is situated along Highway 100 and separates the site from the roadway.

The requested PUD amendment will add Automobile Services as a permitted use on this out-parcel only. The request does not propose the use on any other portion of the PUD.

The proposed building will be setback 68 feet from the Highway 100 right-of-way. Garage bay doors will be located on the east and west facades of the building while the primary pedestrian entrance to the customer sales and retail area will be located near the southwest corner of the building closer to Highway 100. The storefront windows for the customer area will wrap around the southwest corner of the building and extend across 1/3 of the south façade. Circular windows have been added to the south façade to ensure an appropriate building orientation to Highway 100.

Consistent with the originally approved PUD, all vehicular access to the site will be internal to the shopping center. No new access to the site is proposed from Highway 100 or the abutting driveway. Adequate landscaping will be provided around the perimeter of the site and the required scenic highway landscape buffer will be established along Highway 100. The existing

sidewalk along Highway 100 will be expanded from 5 feet to 8 feet wide to better accommodate the planned multi-use trail proposed to run along Highway 100. The existing sidewalk extension into the shopping center will be maintained along the west side of the site.

The building materials will be consistent with the PUD's original intent to provide traditional character and will contain a mixture of brick and glass, including the proposed garage bay doors.

While signage details are not included in this PUD plan, a note is provided on the plan indicating that ground signage will be limited to monument signs.

ANALYSIS

The request to add Automobile Services use to this site within the PUD will not alter the intent of the PUD. The proposed use is permitted by the CL base zoning.

The site will be developed so that any impact from automobile related uses will be mitigated. The site will be enhanced and the intent of the PUD will be preserved by the building's orientation and materials, access and sidewalk improvements, proposed landscaping on the site and limitation on signage. The proposed automobile services use will be conducted inside the proposed building further limiting the impact of the use on the site and the surrounding area.

FIRE MARSHAL RECOMMENDATION

N/A

STORMWATER RECOMMENDATION

Condition of Approval

- Water quality structure to be located under proposed paved area.

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.
- The pedestrian easement listed on the plans, has it been recorded? If so, indicate plat or instrument number. If not, record prior to building permit approval.
- Coordinate the sidewalk "widening" with MPW inspector. The additional 3 feet width must be ADA compliant with the existing 5 foot sidewalk.

STAFF RECOMMENDATION

Staff recommends approval of the PUD amendment with conditions and disapproval without all conditions.

CONDITIONS

1. All Automobile Services related uses shall be conducted within a building.
2. There shall be no pole signs allowed, and all free standing signs shall be monument type not to exceed five feet in height. Changeable LED, video signs or similar signs allowing automatic changeable messages shall be prohibited. All other signs shall meet the base zoning requirements, and must be approved by the Metro Department of Codes Administration.
3. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
4. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.

All conditions, except the exclusion of Automobile Services, from BL2007-1340 shall still be required.

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

James Weaver, 511 Union Street, spoke in favor of the application.

Chris Graffagnino, 408 Trace Park Circle, spoke in opposition to the application due to concerns with increased noise pollution.

Dr. Scott Frasier, 5621 Trace Side Drive, spoke in opposition to the application due to concerns with increased noise pollution.

Margo Chambers, 3803 Princeton Ave, spoke in opposition to the application and stated that this goes against the transit plan.

James Weaver clarified that all work is done with the bay doors down and the lug removers are battery powered, not air powered.

Chairman McLean closed the Public Hearing.

Mr. Clifton moved and Mr. Ponder seconded the motion to approve with conditions and disapprove without all conditions.

Ms. Blackshear returned.

Mr. Clifton moved and Mr. Ponder seconded the motion to approve with conditions and disapprove without all conditions. (7-0)

Resolution No. RS2014-99

"BE IT RESOLVED by The Metropolitan Planning Commission that 2005P-008-005 is **Approved with conditions and disapproved without all conditions.** (6-0-1)

CONDITIONS

1. All Automobile Services related uses shall be conducted within a building.
 2. There shall be no pole signs allowed, and all free standing signs shall be monument type not to exceed five feet in height. Changeable LED, video signs or similar signs allowing automatic changeable messages shall be prohibited. All other signs shall meet the base zoning requirements, and must be approved by the Metro Department of Codes Administration.
 3. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
 4. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.
- All conditions, except the exclusion of Automobile Services, from BL2007-1340 shall still be required.

K. PLANNING COMMISSION ACTIONS

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

Subdivision: Concept Plans

12. 2014S-044-001

FORTE PROPERTY

Map 128, Parcel(s) 073, P/O 036
Council District 22 (Sheri Weiner)
Staff Reviewer: Jason Swaggart

A request for concept plan approval to create one lot and extend Summit Oaks Court on property located at Old Hickory Boulevard (unnumbered), approximately 1,850 feet north of Still Spring Hollow Drive, zoned R20 (2.72 acres), requested by Greater Middle Tennessee Development Partnership, owner; DeWaal & Associates, Inc., applicant.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Create one lot and dedicate right-of-way.

Concept Plan

A request for concept plan approval to create one lot and extend Summit Oaks Court on property located at Old Hickory Boulevard (unnumbered), approximately 1,850 feet north of Still Spring Hollow Drive, zoned One and Two-Family Residential (R20) (2.72 acres).

Existing Zoning

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

CRITICAL PLANNING GOALS

N/A

PLAN DETAILS

This request is to create one lot and dedicate ROW. The approximately 2.72 acre property is located to the west of Old Hickory Boulevard in the Bellevue area. The property lies between the Woodbury PUD to the east and the Still Springs Ridge PUD to the south. The proposed lot is approximately 2 acres and will have access from the proposed new street.

ANALYSIS

The ROW will provide the needed connection that is shown on the Council approved preliminary plan for the Still Springs Ridge PUD that was approved by the Planning Commission in 2007, and the Council approved plan for the Woodbury PUD that was approved in 2013. A final site plan for Woodbury has also been approved.

FIRE MARSHAL RECOMMENDATION

N/A

STORMWATER RECOMMENDATION

Approve

PUBLIC WORKS RECOMMENDATION

Approve with conditions

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- Prior to final plat indicate the complete area to be dedicated in ROW.

HARPETH VALLEY UTILITY DISTRICT RECOMMENDATION

Approve

STAFF RECOMMENDATION

Staff recommends that the request be approved with conditions.

CONDITIONS

1. The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
2. Prior to final plat indicate the complete area to be dedicated in ROW.
3. Pursuant to 2-3.4.e of the Metro Subdivision Regulations, because this application has received conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to any application for a final plat, and in no event more than 30 days after the date of conditional approval by the Planning Commission.

Approved with conditions (7-0), Consent Agenda

Resolution No. RS2014-100

"BE IT RESOLVED by The Metropolitan Planning Commission that 2014S-044-001 is **Approved with conditions. (7-0)**

CONDITIONS

1. **The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.**
2. **Prior to final plat indicate the complete area to be dedicated in ROW.**
3. **Pursuant to 2-3.4.e of the Metro Subdivision Regulations, because this application has received conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to any application for a final plat, and in no event more than 30 days after the date of conditional approval by the Planning Commission.**

Subdivision: Final Plats

13. 2014S-049-001

H.G. MCNABB, RESUB LOT 31
Map 133-01, Parcel(s) 029
Council District 16 (Tony Tenpenny)
Staff Reviewer: Melissa Sajid

A request for final plat approval to create two lots and an exception to the shared access requirement for property located at 3200 Harlin Drive, approximately 2,090 feet west of Nolensville Pike, zoned RS7.5 (0.37 acres), requested by Benchmark Surveying, applicant; Anna Harwood, owner.

Staff Recommendation: Approve

APPLICANT REQUEST

Create two lots and grant an exception from the shared access requirement.

Final Plat

A request for final plat approval to create two lots and an exception to the shared access requirement for property located at 3200 Harlin Drive, approximately 2,090 feet west of Nolensville Pike, zoned Single-Family Residential (RS7.5) (0.37 acres)

CRITICAL PLANNING GOALS

N/A

PLAN DETAILS

The proposed final plat is for a two lot infill subdivision for property located at 3200 Harlin Drive. The existing lot is 15,874 square feet and has 95.06 feet of frontage on Harlin Drive and is proposed to be subdivided into two lots with the following areas and street frontages:

- Lot 31A: 7621 Sq. Ft., (0.17 Acres), and 45.53 Ft. of frontage;
- Lot 31B: 8253 Sq. Ft., (0.19 Acres), and 49.53 Ft. of frontage.

The plan indicates that the existing house and gravel driveway on Lot 31B are to remain. The existing driveway is located to the south of the existing house, and Lot 31A is located to the north of the existing house. Therefore, the applicant asserts that existing driveway cannot serve as shared access between the two lots.

ANALYSIS

Infill Compatibility

Section 3-5.3 of the Subdivision Regulations outlines the criteria for reviewing infill subdivisions located within the Neighborhood General policy area. Staff reviewed the final plat against the following criteria as required by the Subdivision Regulations:

- A. Zoning Code: Both lots meet the minimum standards of the RS7.5 zoning district.
- B. Street Frontage: Both lots have frontage on a public street.
- C. Agency Review: All review agencies recommend approval.
- D. Special Policy: The subject property falls under the Single-Family Detached special policy. The applicant plans to keep the existing single-family detached structure on Lot 31B. Also, current zoning on the property only permits single-family residential. Therefore, the proposed subdivision meets the special policy.

Exception Request

Section 3-5.5 of the Subdivision Regulations requires infill lots to have rear or side access via an improved alley. Where no improved alley exists and the proposed lots have street frontages less than 50 feet in width, these lots shall be accessed via a shared drive. This subdivision creates two single family lots, both with less than 50 feet of street frontage. Section 3-5.5 also states that the Planning Commission may grant an exception if existing conditions prevent shared drive access. The applicant requests that the Planning Commission grant an exception to the shared access requirement, citing the location of the existing driveway that is to be retained along with the existing house as the condition that prevents shared access.

Staff recommends approval with a condition that if the existing house is removed, then the lots shall only have access via a shared driveway and an access easement be added to the plat prior to recordation.

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.
- If sidewalks are required, then they should be shown on the plan per Public Works standards with the required curb and gutter and grass strip.

TRAFFIC AND PARKING RECOMMENDATION

No exception taken

STORMWATER RECOMMENDATION

Approve

WATER SERVICES RECOMMENDATION

Approve

STAFF RECOMMENDATION

Staff recommends approval of the subdivision and the requested exception with a condition.

CONDITION

1. Add the following note: If the existing house on Lot 31B is removed, shared drive access only shall be provided to Lots 31A and 31B.
2. The driveway for Lot 31A shall be located adjacent to the southern property line and include an access easement for Lot 31B. Prior to recordation, show the access easement on the plat.

Approved (6-0-1), Consent Agenda

Resolution No. RS2014-101

"BE IT RESOLVED by The Metropolitan Planning Commission that 2014S-049-001 is **Approved. 6-0-1.**

L. OTHER BUSINESS

14. Contract between the Nashville-Davidson County Metropolitan Planning Commission on behalf of the Nashville Area MPO and Gresham, Smith and Partners for Professional Services related to the Conduct of the State Route 109 Access Management Study.

Approved (7-0), Consent Agenda

Resolution No. RS2014-102

"BE IT RESOLVED by The Metropolitan Planning Commission that the contract between the Nashville-Davidson County Metropolitan Planning Commission on behalf of the Nashville Area MP and Gresham, Smith and Partners for Professional Services related to the Conduct of the State Route 109 Access Management Study is **Approved. (7-0)**

15. Employee contract renewal for Brandon Burnette.

Approved (7-0), Consent Agenda

Resolution No. RS2014-103

"BE IT RESOLVED by The Metropolitan Planning Commission that the employee contract renewal for Brandon Burnette is **Approved. (7-0)**

16. Historic Zoning Commission Report
17. Board of Parks and Recreation Report
18. Executive Committee Report
19. Accept the Director's Report and Approve Administrative Items

Approved (7-0), Consent Agenda

Resolution No. RS2014-104

"BE IT RESOLVED by The Metropolitan Planning Commission that the Director's Report and Administrative Items are **Approved. (7-0)**

20. Legislative Update

M. MPC CALENDAR OF UPCOMING MATTERS

April 24, 2014

MPC Meeting

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

May 8, 2014

MPC Meeting

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

May 22, 2014

MPC Meeting

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

N. ADJOURNMENT

The meeting adjourned at 6:49 p.m.

Chairman

Secretary



**METROPOLITAN GOVERNMENT
OF NASHVILLE AND DAVIDSON COUNTY**

Planning Department
Metro Office Building, 2nd Floor
800 Second Avenue South
Nashville, Tennessee 37219

Date: April 10, 2014

To: Metropolitan Nashville-Davidson County Planning Commissioners

From: Richard C. Bernhardt, FAICP, CNU-A

Re: Executive Director's Report

The following items are provided for your information.

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

1. Attending: McLean; Clifton; Dalton; Blackshear; Haynes; Hunt; Ponder; Adkins
2. Leaving Early: None
3. Absent: Gee; LeQuire

B. April 10, 2014 MPC meeting NashvilleNext MPC Topic

1. Engagement Plan for Scenario Review and Discussion (Capehart)

C. Planning Commission Meetings

1. Due to a conflict with the Election Commission:
 - a. April 24th meeting will begin at 5:30 pm in order to keep it at the Sonny West Conference Center.
 - b. July 24, 2014 – 4:00 pm; MDHA Training Center, 1419 Rosa Parks Blvd; Nashville, TN 37208.
 - c. October 23, 2014 – 4:00 pm; MDHA Training Center, 1419 Rosa Parks Blvd; Nashville, TN 37208.

D. Employee News

1. We are still looking for the following:
 - a. New Employee
 - i. Land Development Division - Latisha Birkeland will begin April 14, 2014
 - b. Vacant Positions
 - i. Planner 2 in Land Development
 - ii. Planner 3 for the Design Studio with an architectural and urban design background.

E. Communications

1. Met with representative of the Lindsley Avenue Church of Christ to discuss their building update and community outreach.

F. Community Planning

G. Land Development

H. GIS

1. We have finalized a contract with ESRI for us to use City Engine. This will enable us to develop visual simulations of proposed development to first use it with the NashvilleNext scenarios.

I. Executive Director Presentations

1. Wednesday, April 9, 2014, Nashville Area Independent School Business Officers

J. NashvilleNext

1. Presentations and Meetings

- a. Saturday, April 19, 2014, Skyline Subdivision Neighborhood Watch, Skyline Hospital

2. **Guiding Principles** – They have been vetted and in final Draft Stage. They will form the basis for next stages. **These are the second DRAFT version**

Be Nashville

- Nashvillians lift one another up and help people help themselves.
- Our culture celebrates creativity, respect for history, and optimism for the future.
- Nashville's welcoming nature represents the best of Southern hospitality and celebrates our cultural and economic diversity, bringing new and old Nashvillians together.

Foster Strong Neighborhoods

- Neighborhoods are the building blocks of our community: they are where we live, work, shop and gather as a community.
- Our neighborhoods are healthy, safe, and affordable – friendly to pedestrians, with vibrant parks, welcoming libraries, accessible shopping and employment, valued and protected natural and historic features, and strong schools.
- Our neighborhoods offer Nashvillians choice in where and how to live, including rural, suburban, urban, and downtown options. They grow with us as we move into the future.

Expand Accessibility

- Nashville is accessible, allowing all Nashvillians to come together to work, to play, to learn, and to create community and contribute to civic life, regardless of background or ability.
- Nashville has a complete and efficient transportation system, adding transit, walking, and biking options to our existing road network.
- Nashvillians have genuine access to employment and educational opportunities, online capabilities, civic representation, nature and recreation, and government services.

Create Economic Prosperity

- Nashville's economy is diverse, dynamic and open. It benefits from our culture of arts, creativity and entrepreneurialism.

- Our strong workforce and quality of life make Nashville competitive in the evolving international economy.
- Nashville’s success is based on promoting opportunities for growth and success for individuals from all communities in all sizes and kinds of businesses.
- To provide a foundation for future growth and prosperity, Nashville meets its infrastructure needs in an environmentally responsible way.

Advance Education

- Nashville recognizes that education is a lifelong endeavor; it is how we prepare our children for tomorrow’s challenges, and how all Nashvillians remain able to successfully participate in the workforce and civic life. Life-long learning also benefits from the community’s investment in continuing education, retraining opportunities and literacy.
- Nashvillians support children and families by ensuring quality PK-12 education for all through support from neighborhoods, businesses, institutions, non-profits, individuals, and governments.
- Nashville’s excellent colleges and universities are community assets and tremendous resources for the community that add to its prestige.

Champion the Environment

- Nashville has unique natural environments of breath-taking beauty, exceptional parks and greenways, abundant water and agricultural land that supports local food production. The natural landscapes of Nashville – from the Cumberland River to the steep slopes in the west and the lush tree canopy – are part of our identity.
- We protect these landscapes because they contribute to our health and quality of life and provide a competitive advantage to Nashville.
- Nashville enables sustainable living through transportation options, housing choices, economic and social diversity and thoughtful design of buildings and infrastructure.

Ensure Equity for All

- Nashville is stronger because we value diversity in all its forms and welcome all Nashvillians, regardless of age, race, ethnicity, ability or limitation, income, gender, sexual orientation, where you were born or where you live.
- Ensuring equity has been and continues to be central to Nashville’s culture. As Nashville changes, we remain committed to removing unjust differences.
- We are vigilant in protecting human rights for all to ensure that all are engaged in decision making and share in the city’s growth, prosperity and quality of life.

3. NashvilleNext Overall Schedule

- a. Mapping Future Growth and Preservation (Currently - Spring 2014)
 - i. Community Engagement on Growth Mapping
 - ii. Scenario Development
 - iii. Initial Policy Option Development
- b. Making Policy Decisions (Spring/Fall 2014)
 - i. Community Engagement on Scenario Options

- ii. Resource Teams and Steering Committee develop policy options
- iii. Community engagement on policy options
- c. Creating and Adopting the Plan (Fall 2014/Summer 2015)
 - i. Community Vision
 - ii. Policies and Actions
 - iii. Preferred Alternative
 - iv. Implementation Schedule
 - v. Planning Commission Adoption

4. NashvilleNext Key Activities:

- a. Phase 3 (of 5) of the process is completed with over 10,000 participants.
- b. Developing the alternative development scenarios and policy implications based on community input through the priority and growth mapping exercises.
- c. Steering Committee has begun the review of the Resource Teams Goals and Policies.
- d. The launch of the ‘Go To Meeting’ component of the Scenario community engagement will begin this week.
- e. Scenarios are being processed in CommunityViz.
- f. Schedule is shifting to begin phase 4 in June, though we may unveil the scenarios at the Healthy Nashville summit on May 16.
- g. List of special projects underway include:
 - i. The Airport Employment Center Master Design
 - ii. Identification of Downtown open space network
 - iii. Examining the potential use for the Missing Middle housing typology
- h. Coordinating with MTA and Nashville GreenPrint (tree canopy master plan) as they begin their master planning efforts.

5. Resource Teams:

- a. NashvilleNext Resource Teams have moved into Phase 2 (of 3) of their process. The purpose of this Phase is to develop goals and policies for each plan element and as impacted by the scenario alternatives. The scenarios and policies will be reviewed by the public starting in June.
- b.

Resource Team - Phase 2	1 st	2 nd	3 rd	4 th
Economic/Workforce Development	●	●	○	○
Arts, Culture, & Creativity	●	●	○	○
Natural Resources/Hazard Adaptation	●	●	●	○
Education & Youth	●	●	○	○
Housing	●	●	○	○
Health, Livability, & Built Environment	●	●	●	○
Land Use, Transportation, & Infrastructure (different schedule)	○	○	○	○

6. NashvilleNext Special Studies

- a. **Gentrification Analysis and Recommendations** – Work is underway with Ms. Amie Thurber, Ms. Jyoti Gupta, Dr. James C. Fraser and Dr. Doug Perkins of Vanderbilt University on issues and recommendations related to gentrification in Nashville. The recommendations will be considered in the NashvilleNext policy and action phase.
- b. **Suburban Retrofit** – In conjunction with the National Association of Realtors will provide real life retrofit examples to make suburban areas more sustainable. The study began with field visits in February 7-9, 2014. Study situations include:
 - i. Bellevue – the south side of Highway 70S, across from the Bellevue Mall.
 - Make a There There: Overly deep retail parcel that has been subdivided and layered without parcels into a sprawling mess with fronts facing backs, no sense of place, reduced visibility, and likely run-off issues/Install an urban framework that enables parcels to be reinhabited and redeveloped with a sense of place that restores the social capital lost from the dead mall, connect to the green space, connect to the neighborhood.
 - ii. Bellevue – the “civic center” at Bellevue Middle School, the new library and Red Caboose Park.
 - Make a There There: Although adjacent to one another, the public facilities do not relate to each other spatially or invite synergistic sharing of parking or other facilities/create a civic center that is greater than the sum of its parts.
 - iii. Bordeaux – the Kroger on Clarksville Pike at West Hamilton Avenue.
 - Expand Affordability and Livability? Dead big box: failed/failing retail in a declining neighborhood/possible exploration of missing middle housing types, community-serving uses, linkage of affordable housing to affordable transportation?
 - iv. Antioch – The Crossings extension to Cane Ridge High School.
 - Driving Change on Corridors: Establishing a new Corridor? New Infill and Connectivity? Create a place from an employment center and older suburban independent mixed uses.
 - v. South Nashville – the abandoned Kmart at Harding Place and Nolensville Road.
 - Driving Change on Corridors - Intersection quadrant: auto-oriented retail surrounding intersection, but disconnected from each other and from adjacent neighborhoods/new urban framework to improve connectivity around the intersection and into the neighborhoods
 - vi. South Nashville – the abandoned Lowe’s on Nolensville at Cotton Lane.
 - Driving Change on Corridors – dead big box: deep retail parcels with limited visibility/urban framework to increase connectivity and establish better transitions from the residential areas to the corridor.
 - vii. Old Hickory Village – the town center (This is an old factory town, project boundaries could be expanded further).
 - Make a There There: underperforming town center/ catalysts for revitalization.
 - viii. North Nashville – West Trinity Lane at I-65 Highway.
 - Adjacent commercial/industrial: ad hoc uses, odd shaped lots with little relationship to adjacent corridors or neighborhoods/urban framework to support better connectivity and transitions.

- ix. Wedgewood Area - I-65 –properties east of I-65, and bordered by the RR tracks, from the Adventure Science Center south to the Craighead St. area.
 - Highway Adjacent Commercial/industrial: isolated wedge of diverse but disconnected uses/transitions from highway to neighborhoods
- x. The Nations - Centennial Blvd. and 51st Ave., industrial/warehousing properties.
 - Border Vacuum: underused industrial properties blighting abutting residential neighborhood/catalysts for reinhabitation, connection to waterfront?
- xi. Nashville State Community College – The school property on White Bridge Pike.
 - Make a There There: suburban campus w vast parking lots/urban framework for growth into a more walkable, urban, mixed-use campus? Also consider a complete redevelopment!
- xii. Woodbine Commercial Corridor –Nolensville Pike “Main St.” area abutting the Woodbine residential neighborhood, and industrial property along RR.
 - Make a There There: Main Street that's missing teeth/urban infill, possible introduction of "missing middle" housing types, identify catalysts for redevelopment
- xiii. If teams are available:
 - (1) Churches (large and small) - several locations and scales (also abandoned, in- use, re-purposed) examples Charlotte Ave, and White Bridge Pike area.
 - (a) Total redevelopment
 - (b) Diversification by adding additional uses inc. housing, social services, etc. (2)
 - Bellevue – Commercial frontage serving off highway multi-family pockets - several locations and scales
 - (3) mall retrofit

That grant, provided through the Greater Nashville Association of Realtors and matched by a similar contribution from the Metropolitan Planning Commission, will fund research by a key team of urban planners and strategists from Georgia Tech University, led by Professor Ellen Dunham-Jones, a nationally recognized expert in urban retrofitting. The University of Tennessee design studio, under the direction of T. K. Davis, will also be part of this effort.

- c. **Jefferson Street Economic Analysis** - Identification of inner-city commercial districts comparable to Jefferson Street in other cities that have achieved sustained economic revitalization. Analysis of public policies, private investments, and other public- private interventions that was instrumental to the successful revitalization. Focus of the study is to identify cases, interventions and factors that lead to revitalization without gentrification-related displacement of existing residents and small businesses. The case studies will include identification of programs beyond the typical public sector approaches of land acquisition, rezoning, and streetscape improvements. We have received a copy of the final draft for review. Vanderbilt (Dr. Doug Perkins and Karl Jones) and TSU (Dr. David Patchett)

K. Planning Commission Workshops (all include 1.5 hours Planning Commissioners Training credits)

L. APA Training Opportunities

1. Scheduled APA Webinars
2. Nashville Room, 2nd floor MOB.
3. All are scheduled from 3:00 – 4:30 pm
4. All have 1.5 hours AICP and Planning Commissioner training credit

Date	Topic (Live Program and Online Recording)
May 14, 2014	Jane Jacob's Legacy and New Urbanism
June 4, 2014	Introducing New Density to the Neighborhood
June 25, 2014	2014 Planning Law Review

Administrative Items

In accordance with the Rules and Procedures of the Metropolitan Planning Commission, the following applications have been reviewed by staff and are ready to be approved by the Planning Commission through acceptance and approval of this report or otherwise approved on behalf of the Planning Commission through 04/04/2014.

APPROVALS	# of Applications	Total # of Applications 2014
Specific Plans	1	8
PUDs	0	1
UDOs	0	1
Subdivisions	5	44
Mandatory Referrals	5	48
Grand Total	11	102

SPECIFIC PLANS (finals only): MPC Approval

Date Submitted	Staff Determination		Case #	Project Name	Project Caption	Council District # (CM Name)
9/12/2013 15:45	3/27/2014	APADMIN	2012SP-032-002	NASHVILLE WEST END (FINAL)	A request for final site plan approval for properties within the Nashville West End Specific Plan district located at 204 and 208 21st Avenue South, and 2003, 2005, 2007, and 2009 Division Street, at the northeast corner of Grand Avenue and 21st Avenue South (2.03 acres), to permit a 17-story, 570,453 square foot mixed-use building containing a hotel, multifamily residential, office, restaurant, and retail uses, requested by Littlejohn Engineering Associates, applicant; LaGasse Family Partners, LLC, owner.	19 (Erica S. Gilmore)

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

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

URBAN DESIGN OVERLAYS (finals and variances only) : MPC Approval

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

MANDATORY REFERRALS: MPC Approval

Date Submitted	Staff Determination	Case #	Project Name	Project Caption	Council District # (CM Name)
3/18/2014	3/26/2014 APADMIN	2014M-020ES-001	5300 KENTUCKY AVENUE ABANDONMENT OF EASEMENT RIGHTS	A request to abandon retained easement rights in a portion of the former right-of-way of 53rd Avenue North (closed via Council Ordinance O75-1262) on property located at 5300 Kentucky Avenue, requested by Metro Water Services, applicant; Jesus is the Answer Full Gospel Church, Inc., owner.	20 (Buddy Baker)
3/21/2014	3/26/2014 APADMIN	2014M-021ES-001	28TH AVENUE NORTH & CHARLOTTE PIKE EASEMENT ABANDONMENT	A request to abandon approximately 447 linear feet of existing 8" sanitary sewer main and the existing easement, to construct approximately 178 linear feet of 8" sanitary sewer main and to relocate approximately 20 linear feet of 6" water main on properties located at 415 27th Avenue North and at 27th Avenue North (unnumbered) and 28th Avenue North (unnumbered), (Project Nos. 14-SL-25 and 14-WL-19), requested by Metro Water Services, applicant; Ashley-Tompkins Real Estate Partnership and Plainsman Group, LLC, owners.	21 (Edith Taylor Langster)
3/19/2014	3/31/2014 APADMIN	2014M-014PR-001	INTERGOVERNMENTAL AGREEMENT WITH TDOT FOR EXCESS LAND	A request to approve and authorize the execution of an Intergovernmental Agreement between the Metropolitan Government and the State of Tennessee, by and through the Tennessee Department of Transportation, and authorizing execution of a related quitclaim deed for any property interests the Metropolitan Government may have in some unused remnant right-of-way adjacent to Old Hickory Boulevard, and accepting consideration for same in the amount of \$36,750.00, requested by the Metro Public Works Department and the Metro Department of Finance, applicants.	14 (James Bruce Stanley)
3/19/2014	3/31/2014 APADMIN	2014M-002SR-001	HARPETH TRACE SUMMIT PRIVATE DRIVE	A request to name a private drive accessing the Harpeth Trace Condominiums "Harpeth Trace Summit" (currently addressed as Harpeth Trace Drive, Apt. #) from its intersection with Harpeth Trace Drive until its terminus, requested by the Harpeth Trace Condominium HOA and Councilmember Emily Evans, applicants.	23 (Emily Evans)
3/21/2014	3/31/2014 APADMIN	2013M-033PR-002	PARKWAY TOWERS LEASE AGREEMENT AMENDMENT	A request to approve the first amendment to the lease agreement between The Metropolitan Government and the Parkway Towers, LLC, for office space in the Parkway Towers located at 404 James Robertson Parkway, for use by several Metro agencies, requested by the Metropolitan Department of Finance, applicant.	19 (Erica Gilmore)

SUBDIVISIONS: Administrative Approval

Date Submitted	Date Approved	Action	Case #	Project Name	Project Caption	Council District # (CM Name)
9/23/2013	3/21/2014	APADMIN	2013S-186-001	MEDICAL MART, RESUB LOT 1	A request for final plat approval to create two lots on property located at 2500 Charlotte Avenue, at the northeast corner of Charlotte Avenue and 26th Avenue North, zoned MUI-A (14.7 acres), requested by HCA Realty, Inc., owner; Gresham Smith and Partners, applicant.	21 (Edith Taylor Langster)
11/26/2013	3/26/2014	APADMIN	2014S-004-001	923 GALE LANE	A request for final plat approval to create two lots on property located at 923 Gale Lane, approximately 370 feet east of Craig Avenue, zoned R10 (0.75 Acres), requested by Dale and Associates, applicant; Province Builders, LLC., owner.	17 (Sandra Moore)
2/13/2014	3/27/2014	APADMIN	2014S-046-001	E.B. JOHNSON SR. SUBDIVISION, RESUB LOT 21	A request for final plat approval to shift lot lines and create two lots on properties located at 68 Nance Lane and 69 Parris Avenue, approximately 1,000 feet south of Murfreesboro Pike, zoned ORI-A (0.58 acres), requested by Littlejohn Engineering Associates, applicant; Trevecca Nazarene University, owner.	17 (Sandra Moore)
11/21/2013	4/1/2014	APADMIN	2013S-234-001	SNEED ESTATES, RESUB LOT 32	A request for final plat approval to create two lots on property located at 4240 Wallace Lane, at the northeast corner of Wallace Lane and Colewood Drive, zoned RS20 (0.92 Acres), requested by Jeffrey A. Leopard, applicant; Paul D. Miller, owner.	34 (Carter Todd)
1/28/2014	4/1/2014	APADMIN	2014S-031-001	STOKES TRACT, RESUB LOTS 1 & 2	A request for final plat approval to shift lot lines between two lots located at 2708 and 2712 Wortham Avenue, at the southeast corner of Wortham Avenue and Springdale Drive, (1.06 acres), zoned R10 and RS10, requested by Campbell, McRae & Associates Surveying, Inc., applicant; Scott Chambers, owner.	25 (Sean McGuire)

Performance Bonds: Administrative Approvals

Date Approved	Administrative Action	Bond #	Project Name
3/21/2014	Approved Release	2012B-027-003	METRO CENTER AUTO FACILITY, PHASE 1, 1ST REVISION
3/21/2014	Approved New	2014B-005-001	TULIP GROVE POINTE, SECTION 3
3/25/2014	Approved Release	2008B-010-008	SHOPPES OF DOVER GLEN, 2ND REVISION
3/27/2014	Approved Extension/Reduction	2012B-031-002	DUNCANWOOD RESERVE
3/28/2014	Approved New	2014B-007-001	AUTUMN OAKS, PHASE 10B
3/28/2014	Approved Extension	2007B-056-005	CATO BASS SUBDIVISION
3/28/2014	Approved New	2014B-009-001	SUGAR VALLEY PLACE, SECTION 1
3/31/2014	Approved Release	2010B-023-004	HIGH POINT, PHASE 1, SECTION 1
4/1/2014	Approved New	2014B-011-001	ADDITION TO INDIAN CREEK, PHASE 3, SECTION 1
4/1/2014	Approved Release	2010B-030-004	RESERVE AT STONE HALL, PHASE 1, SECTION 1B
4/1/2014	Approved Extension	2010B-002-007	RIVERBRIDGE, PHASE 2, SECTION 2
4/1/2014	Approved Extension	2007B-077-009	RIVERBRIDGE, PHASE 2, SECTION 1
4/2/2014	Approved Release	2008B-016-008	RESERVE AT STONE HALL, PHASE 1, SECTION 1A, 1ST REVISION
4/2/2014	Approved Release	2011B-022-003	WEST END VILLAGE



**METROPOLITAN GOVERNMENT
OF NASHVILLE AND DAVIDSON COUNTY**

Planning Department
800 Second Avenue South
P.O. Box 196300
Nashville, Tennessee 37219-6300

April 21, 2014

To: Planning Commissioners
From: Richard C. Bernhardt, FAICP, CNU-A *RCB*
Re: LUPA Policies to CCM Policies Translation

At the April 10, 2014, Planning Commission meeting, staff presented Item #1, Land Use Policy Application (LUPA) Policies to Community Character Manual (CCM) Policies Translation, on the consent agenda with the following recommendation:

Approve; will become effective with any new application made for the June 12, 2014, filing deadline.

In reviewing development applications, staff has determined that clarification to this motion is needed. I recommend that the Planning Commission clarify the motion for Item #1 by incorporating this memo into the approval of the minutes for the April 10, 2014, Planning Commission meeting with an updated motion:

Approve; effective June 12, 2014. However, any applicant filing for a land development review requiring a consistency determination with these amended community plans may choose to be reviewed under either the new CCM designation or the previous LUPA designation if the application is complete and filed before the filing deadline at 12:00 p.m. on June 12, 2014.