

Metropolitan Planning Commission



Staff Reports

April 11, 2013



Metro Planning Commission Meeting of 4/11/2013

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



Metro Planning Commission Meeting of 4/11/2013



2013SP-009-001
CAHAL CORNERS
Map 072-14, Parcel(s) 266-267
East Nashville Community Plan
7 – Anthony Davis



Metro Planning Commission Meeting of 4/11/2013

Item #1

Project No.	Zone Change 2013SP-009-001
Project Name	Cahal Corners SP
Council District	7 – A. Davis
School District	5 – Kim
Requested by	Builder Ventures, LLC, owner and applicant
Staff Reviewer	Johnson
Staff Recommendation	<i>Defer to the April 25, 2013, Planning Commission meeting</i>

APPLICANT REQUEST

Preliminary SP for 10 detached multi-family dwellings

Preliminary SP

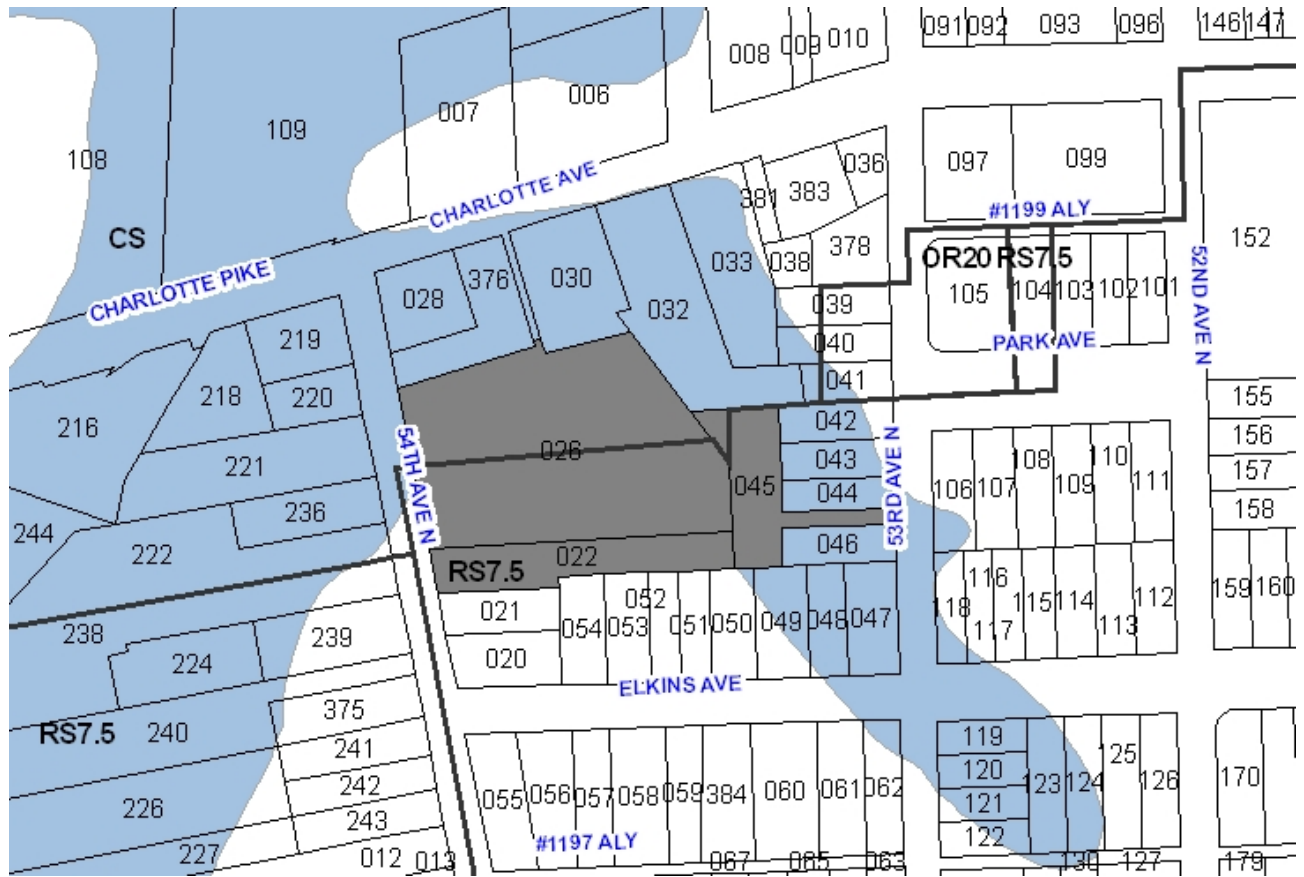
A request to rezone from R6 to SP-MR zoning for properties located at 1621 and 1623 Cahal Avenue, approximately 225 feet west of Scott Avenue (1.32 acres), to permit up to 10 residential units.

STAFF RECOMMENDATION

Staff recommends deferral to the April 25, 2013, Planning Commission meeting. The applicant requests this deferral to permit additional time to meet with surrounding community members and revise the SP design.



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2013SP-016-001

RICHLAND PARK

Map 091-15, Parcel(s) 022, 026, 045

West Nashville Community Plan

24 - Jason Holleman



Project No.	Zone Change 2013SP-016-001
Project Name	Richland Park SP
Council District	20 – Holleman
School District	1 – Gentry
Requested by	Dean Design Group, applicant and David Helton, McClurkan Memorial Church of the Nazarene and Adelaide Lawrence, owners
Staff Reviewer	Cuthbertson
Staff Recommendation	<i>Defer to the April 25, 2013, Planning Commission meeting</i>

APPLICANT REQUEST

Permit a 40 unit detached residential development

Preliminary SP

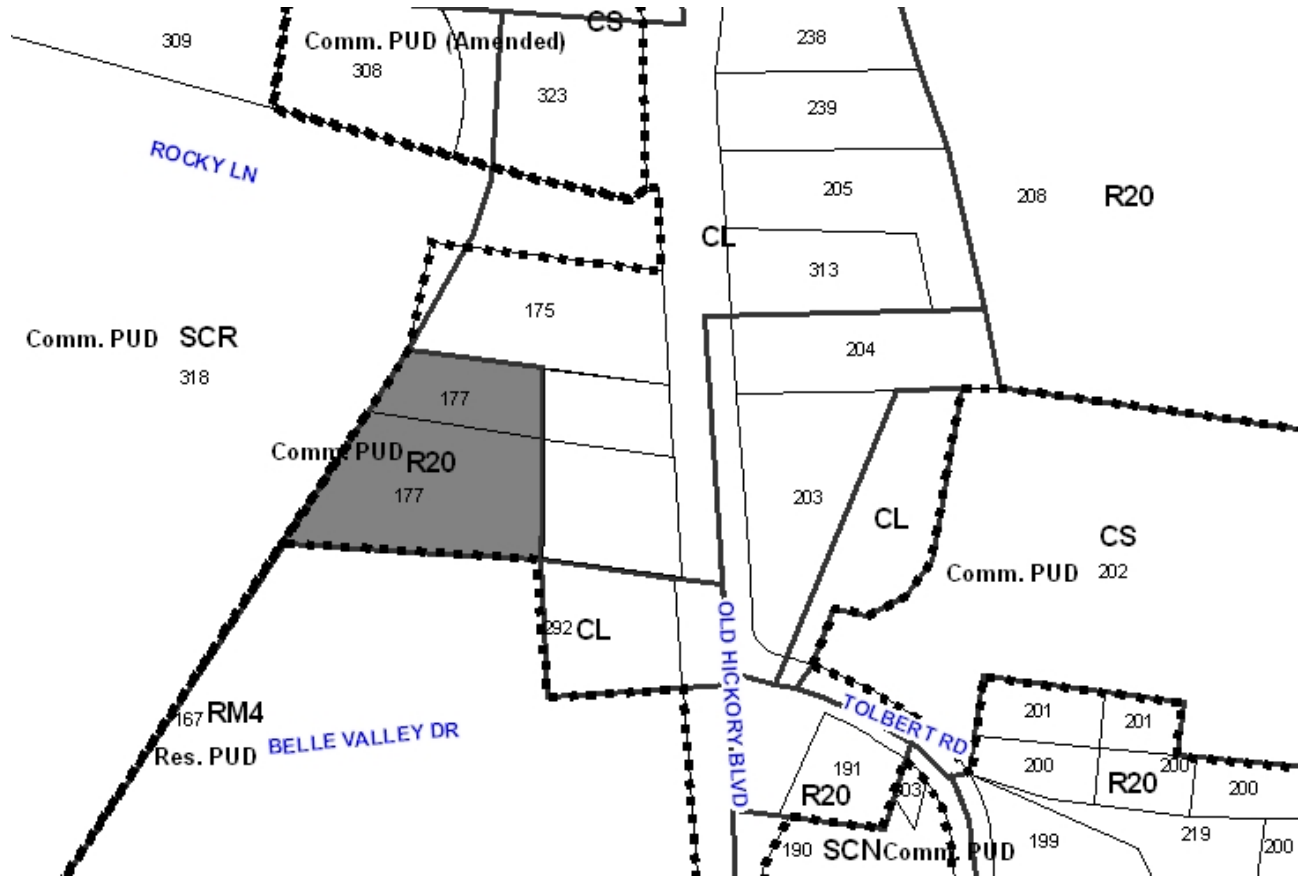
A request to rezone from CS and RS7.5 to SP-R zoning for properties located 332 and 322 54th Avenue North and 323 53rd Avenue North, approximately 400 feet south of Charlotte Avenue (3.12 acres), to permit up to 40 residential units.

STAFF RECOMMENDATION

Staff recommends deferral of this item to the April 25, 2013, Planning Commission meeting to permit additional time for the applicant to revise site design details.



Metro Planning Commission Meeting of 4/11/2013



2013Z-011PR-001
611 OLD HICKORY BOULEVARD
Map 114, Part of Parcel(s) 177.02, 177
Bellevue Community Plan
22 - Sheri Weiner



Project No.	Zone Change 2013Z-011PR-001
Council District	22 – Weiner
School District	9 – Frogge
Requested by	McBride Dale Clarion, applicant, Frank D. Williams et ux, owners
Staff Reviewer	Logan
Staff Recommendation	<i>Approve</i>

APPLICANT REQUEST

Rezone from R20 to CL

Zone Change

A request to rezone from One and Two Family Residential (R20) to Commercial Limited (CL) zoning for a portion of properties located at 611 Old Hickory Boulevard, approximately 1,025 feet south of Interstate 40 (1.06 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% duplex lots.

Proposed Zoning

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

CRITICAL PLANNING GOALS

N/A

BELLEVUE COMMUNITY PLAN

T3 Suburban Mixed Use Corridor (T3 CM) policy is intended to enhance suburban mixed use corridors by encouraging a greater mix of higher density residential and mixed use development along the corridor, placing commercial uses at intersections with residential uses between intersections; creating buildings that are compatible with the general character of suburban neighborhoods; and a street design that moves vehicular traffic efficiently while accommodating sidewalks, bikeways, and mass transit.

Consistent with Policy?

Yes. The proposed Commercial Limited district permits uses that provide convenient services for surrounding uses. Providing ancillary commercial uses is consistent with the intent of the land use policy. Additionally, this request is to rezone the back parts of two parcels to match the portions along Old Hickory Boulevard, which are already zoned CL, and matches the zoning pattern along Old Hickory Boulevard, which is predominately CL or CS. Lastly, the CL district at this location could allow Adaptive Residential Development, which makes the district more consistent with policy.



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PUBLIC WORKS RECOMMENDATION

Traffic study may be required at time of development.

Maximum Uses in Existing Zoning District: **R20**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Attached/Detached (210)	1.059	2.31 D	4 U*	39	3	5

*Based on two duplex lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Retail (814)	1.059	0.6 F	27,678 SF	1222	30	88

Traffic changes between maximum: **R20** and proposed **CL**

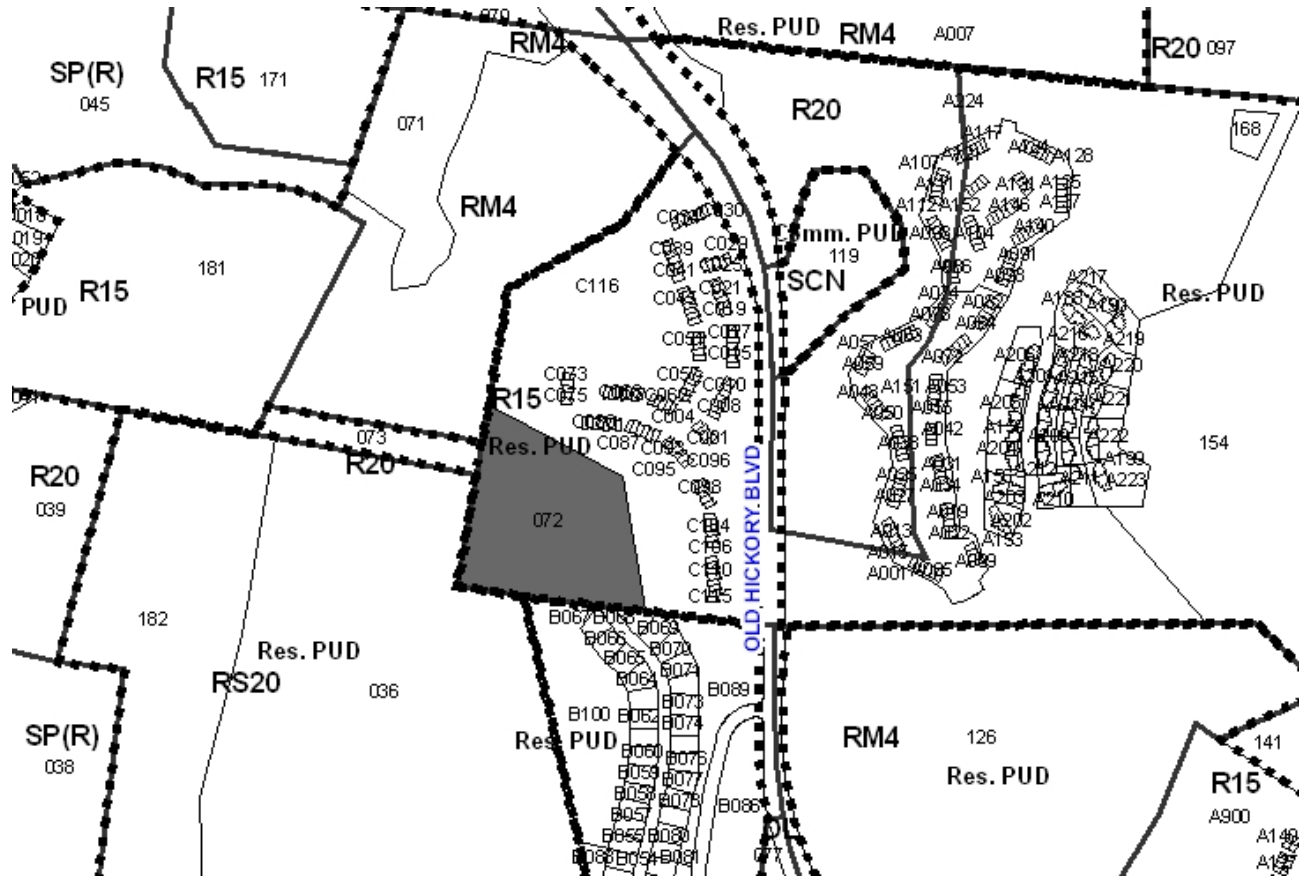
Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+1183	+27	+83

STAFF RECOMMENDATION

Staff recommends that the request be approved. The proposed CL zoning district is consistent with policy and the zoning for the remainder of the parcels and is consistent with the predominant zoning pattern in this area.



Metro Planning Commission Meeting of 4/11/2013



97P-027-001
WOODBURY, PH 2
Map 128, Parcel(s) 072
Bellevue Community Plan
22 - Sheri Weiner



Project No.	Planned Unit Development 97P-027-001
Project Name	Woodbury, Phase 2
Council District	22 – Weiner
School District	9 – Frogge
Requested by	Dewaal & Associates, applicant for Greater Middle Tennessee Development Partnership, owner.
Staff Reviewer	Swaggart
Staff Recommendation	<i>Approve amended preliminary plan with conditions</i>

APPLICANT REQUEST

Amend preliminary for a portion of a Planned Unit Development.

Planned Unit Development – Amendment to preliminary

A request to amend the preliminary plan for a portion of the Woodbury Residential Planned Unit Development Overlay District located at Woodbury Falls Drive (unnumbered), approximately 460 feet west of Old Hickory Boulevard, zoned R15 (7.96 acres), to permit 19 single-family lots where 11 single-family lots were previously approved.

Existing Zoning

One and Two-Family Residential (R15) requires a minimum 15,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 3.09 dwelling units per acre including 25 percent duplex lots. *R15 would permit a maximum of 24 lots including 6 duplex lots for a total of 30 units. The PUD Overlay currently limits the development to 11 single-family lots.*

CRITICAL PLANNING GOALS

N/A

REQUEST DETAILS

The applicant requests approval for an amendment to the preliminary plan which requires Council approval. This request is considered an amendment because the request increases the overall density within the development beyond what was originally approved by Council.

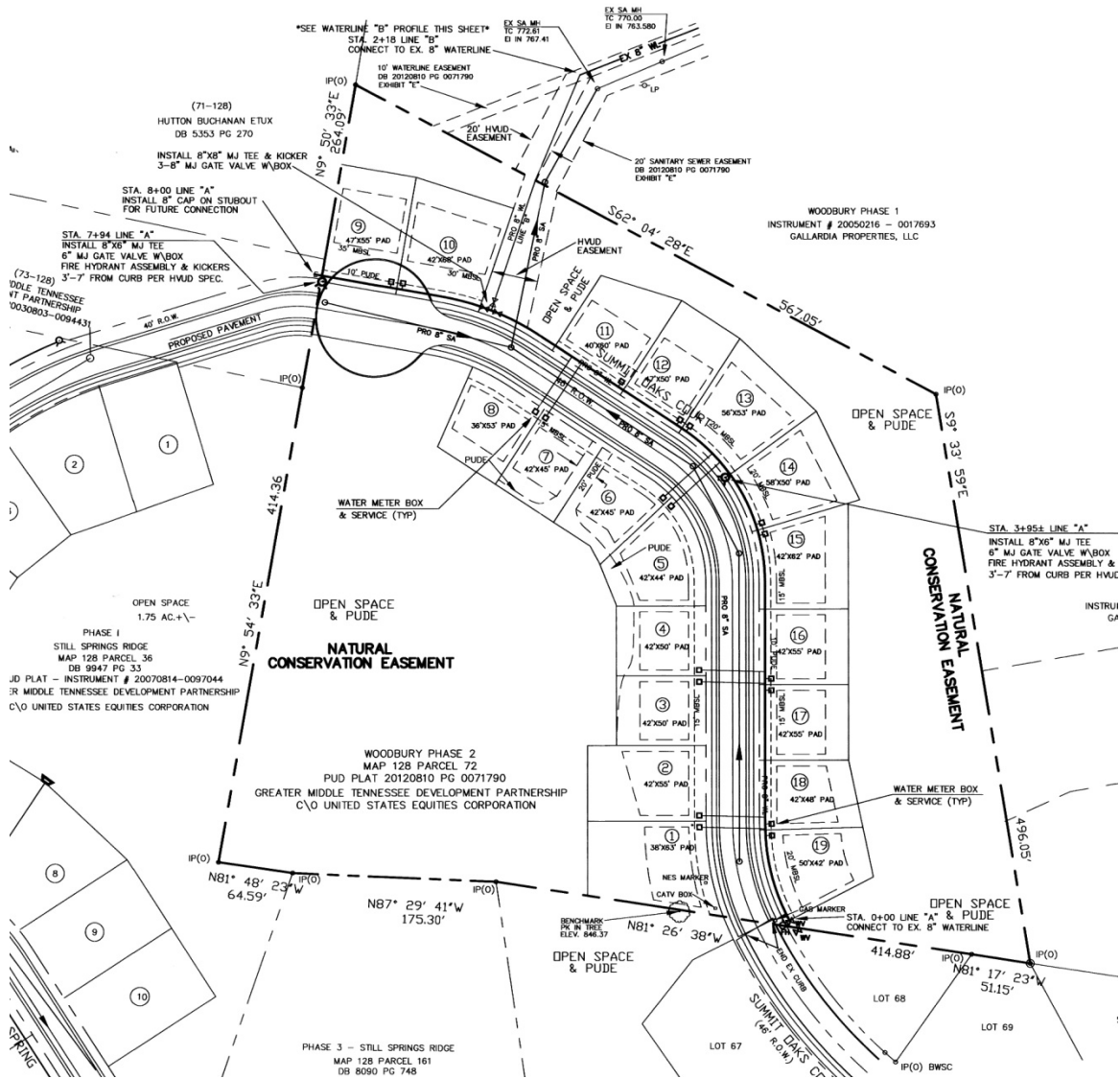
The subject site is located within the Woodbury Planned Unit Development (PUD). The PUD was originally adopted by the Metro Council in 1997, for 115 multi-family units and 11 single-family lots. The section that includes multi-family is developed. A final site plan has been approved for the 11 single-family lots and the site has been graded, but no lots have been platted. The subject section sits above the multi-family portion of the development and has no access to the multi-family section.

Site Plan

The plan calls for 19 single-family cluster lots. The site is approximately 7.96 acres in size so the density is approximately 2.3 units per acre. The largest lot is 7,794 square feet and the smallest lot is 4,620 square feet, which is also the minimum lot size. With the exception of lots 5, 6, 13, and 14 all lots are critical and will require critical lot plans be approved prior to the issuance of any building permits.



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Proposed PUD Plan



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All lots are located along a continuation of Summit Oaks Court to the south, which accesses Old Hickory Boulevard. The plan also provides for a connection to the neighboring property to the west, which is within the Still Springs Ridge PUD. The Council approved preliminary plan for Still Springs Ridge also includes the connection. A sidewalk is provided along both sides of the roadway extension.

Out of the 7.96 acres, approximately 4.6 acres (57.9%) is in open space. A majority of the open space will be within a Stormwater Natural Conservation Easement. The development is utilizing Stormwater's Low Impact Development (LID) manual. LID is a voluntary site design approach that utilizes green infrastructure to meet a development site's post development stormwater runoff water quality requirements. The Stormwater Natural Conservation Easement is required by the LID manual.

ANALYSIS

The property contains steep slopes and problems soils. This property is within the Bellevue Community Plan, which was adopted in 2012. The land use policy is Conservation (CO), which is intended to protect environmentally sensitive features such as steep slopes and problem soils. When the original plan was approved in 1997, the policy was Natural Conservation (NC). The NC policy was also intended to protect environmentally sensitive features. The NC policy also supported development with a maximum density of four units an acre in valleys and accessible ridges that did not require significant removal of the natural vegetation and hillsides. Staff found that the 1997 plan was consistent with the NC land use policy and recommended approval. Since that approval, a final site plan has been approved and the site was subsequently graded.

The intent of the current CO policy is similar to the previous NC policy in that they both are intended to preserve areas with significant environmentally sensitive features. Also, similar to the previous NC policy, the CO policy does not prohibit all development within its boundaries. While the current CO policy would *not* support a rezoning to the current R15, R20 or RS20, it could support a SP or PUD with a density similar to the 2.3 units per acre density for this proposal. As proposed, the plan would permit a slightly higher density than what was previously approved (1.3 units an acre); however, the applicant has demonstrated that the plan does not require much more grading than what has already been done on the site and it will not cut into the existing tree line. It also stays off the problem soils consistent with the currently approved plan. The development is also utilizing Stormwater's LID Manual which is more sensitive to the site and requires that the open space be protected and placed within a Stormwater Natural Conservation Easement.

Staff is recommending approval of both requests with conditions. Staff's recommendation is based on the following:

1. The request meets all zoning code requirements;
2. The land use policy could support this proposal;
3. The proposal is consistent with the overall concept of the original plan;
4. The plan preserves approximately 58 percent of the site;
5. The plan will not require much more grading than what has already taken place on the site; and
6. The plan utilizes Stormwater's LID manual and requires that the open space be preserved within a Stormwater Natural Conservation Easement.

STORMWATER RECOMMENDATION

Approved



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PUBLIC WORKS RECOMMENDATION

No Exceptions Taken

STAFF RECOMMENDATION

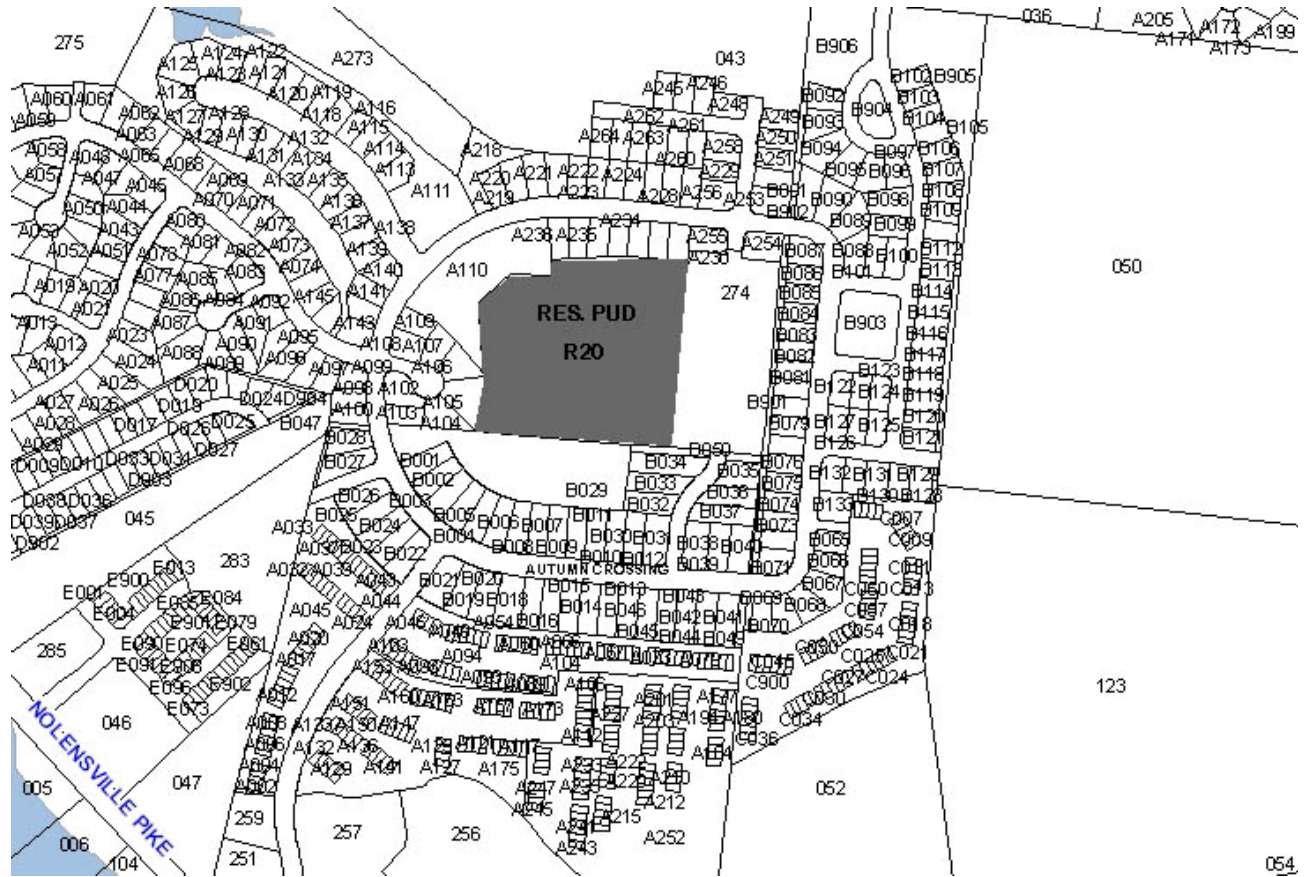
Staff recommends that the proposed amendment to the preliminary plan be approved with conditions.

CONDITIONS

1. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
2. Prior to any additional development applications for this property, and in no event later than 120 days after the effective date of the enacting ordinance, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan. If a corrected copy of the preliminary PUD plan incorporating the conditions of approval therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the preliminary PUD plan shall be presented to the Metro Council as an amendment to this PUD ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.
3. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.



Metro Planning Commission Meeting of 4/11/2013



88P-009-002

AUTUMN OAKS, PH 10B

Map 181, Part of Parcel(s) 274

Southeast Community Plan

31 - Fabian Bedne



Project No.	Planned Unit Development 88P-009-002
Project Name	Autumn Oaks, PH 10B
Associate Case	88P-009-001 Autumn Oaks PH 10A
Council District	31 – Bedne
School District	2 – Brannon
Requested by	Civil Site Design Group, applicant, Investment Properties, LLC, owner
Staff Reviewer	Diaz-Barriga
Staff Recommendation	<i>Approve with conditions</i>

APPLICANT REQUEST

Final site plan for portion of PUD

Final PUD approval

A request for final PUD approval for a portion of the Autumn Oaks Planned Unit Development Overlay District on a portion of property located at Autumn Crossing Way (unnumbered), at the terminus of Oakfield Grove (8.12 acres), to permit 32 single-family lots, zoned One and Two Family Residential (R20).

Existing Zoning

Autumn Oaks Planned Unit Development – Last approved by Council in 1988 for 354 single-family lots. This portion of the PUD was revised in 2011 to break Phase 10 into two sections (Phase 10A & 10B) with no changes to the total number of lots. This portion of the revised PUD was previously approved for 32 single-family lots.

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.

CRITICAL PLANNING GOALS

N/A

PLAN DETAILS

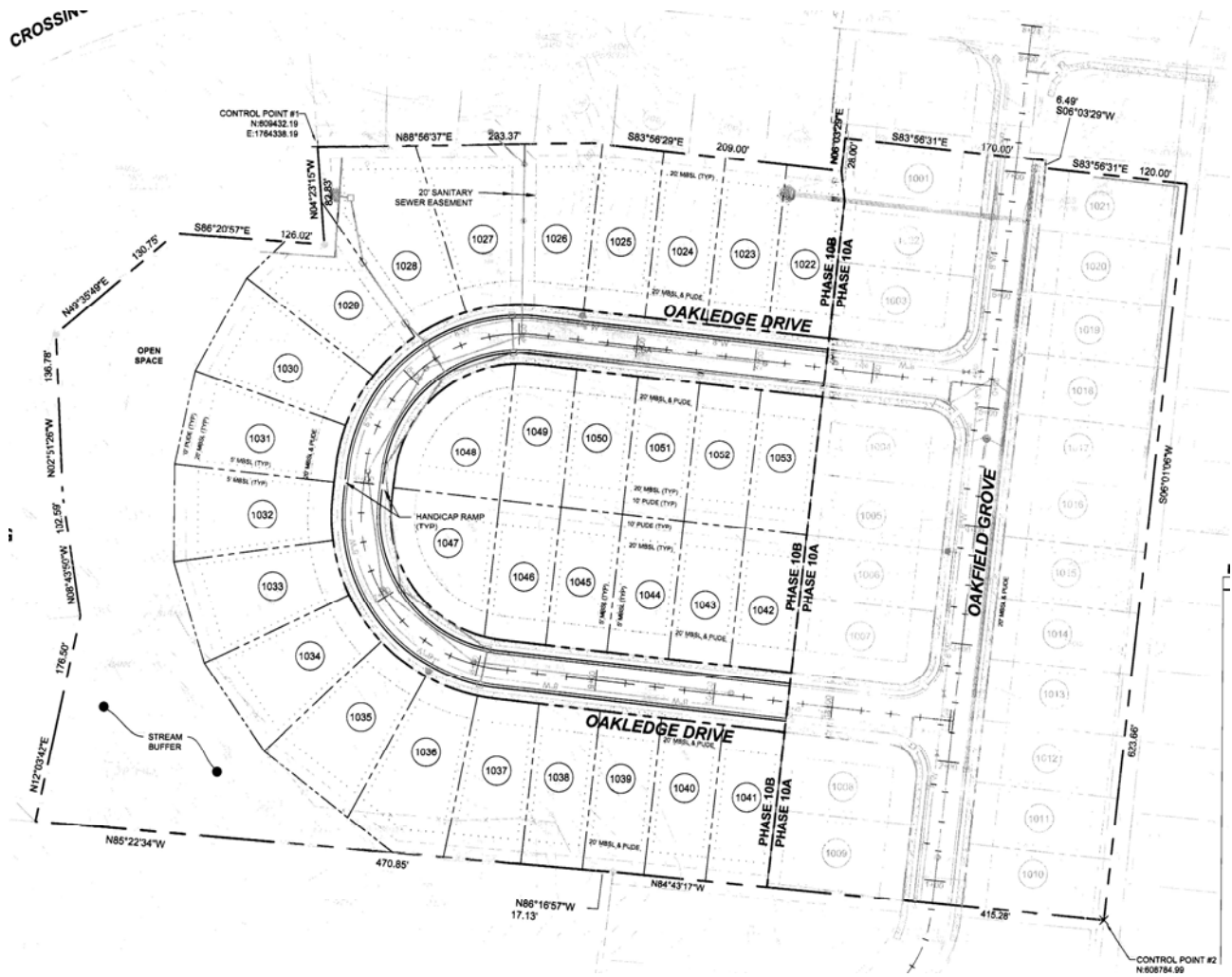
The Autumn Oaks Planned Unit Development was approved by Council for 354 single-family units with Ordinance O88-259. The plan has been revised several times to shift phasing limits, but the total unit count for the PUD has remained consistent. Most recently, Phase 10A received final site plan approval. Phases 1-8 also have also received final site plan approval.

Normally, Final Site Plans are reviewed and approved administratively as prescribed in the MPC Rules and Procedures, however, the Planning Commission is reviewing this request for final site plan approval because of a MPC policy established on May 6, 2009, in regards to performance bond policies. Specifically, this policy states that:

“The Planning Department will not administratively approve any applications, including those for bonds, final plats, UDOs, SPs, and PUDs, for any development within the same UDO, SP, or PUD as another phase with a breached performance agreement with expired



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Proposed PUD Plan



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security. This is applied where the breach has occurred by the same developer, or by a separate developer.”

In this case, Metro has made a demand on the surety company for Phase 8B of the Autumn Oaks Planned Unit Development.

Timeline of Events:

- 2009: Bond policy established
- 2011: Phase 10A receives final site plan approval
- 2012: Metro makes a demand on the surety company for Phase 8B, turns file over to Legal
- 2013: Application for final site plan for Phase 10B is submitted

In addition to the demand on the surety company, Metro placed a hold on the two remaining properties within Phase 8B without permits. A hold was also placed on all other undeveloped portions of this PUD.

Staff has determined that Phase 10B is not dependent on Phase 8B for infrastructure or roadway connections. Staff has also determined that the developers and owners of Phase 8B are in no way connected to the developers and owners of Phase 10B.

ANALYSIS

The final site plan for Phase 10B of the Autumn Oaks PUD is consistent with the preliminary PUD plan approved in 2011. It makes no changes to the number of approved lots, and makes only one minor change to the size of a lot, to absorb an awkward corner in the open space boundary. This section of the PUD maintains the minimum 15% of required open space, both for the phase and for the overall PUD. This final site plan also makes minor adjustments to the approved preliminary grading plan.

Phase 10B is adjacent to phases 3, 7, and 10A, but is dependent only on Phase 10A for vehicular access out of the subdivision. Phase 3 and phase 7 have both been constructed and completed. Phase 10A has received approval for final site plan, and has been issued a stormwater grading permit in 2011. Phase 10A was approved for final plat recording on February 15, 2013.

The developer of Phase 10B is the same developer of 10A, so this company has incentive to complete the necessary roadways in Phase 10A to allow access for Phase 10B. Phases 10A and 10B are owned by a different developer than the phase for which Metro made the demand on the surety company, and there seems to be no connections between the two companies. Phase 10B is not dependent on the incomplete infrastructure in Phase 8B.

FIRE MARSHAL RECOMMENDATION

APPROVED

- 1,000 gpm @ 20 psi required, 2,000 gpm @ 20 psi provided per Ryan Lovelace, PE. This subdivision has submitted engineering data that supports the approval for construction of homes up to 3,600 sq. ft. Any home over 3,600 sq. ft. will require an independent permit review by the Fire Marshal's Office.



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STORMWATER RECOMMENDATION

CONDITIONAL APPROVAL

- If recorded maintenance agreement did not contain a Long Term Maintenance Plan, provide a revised maintenance agreement document (with void and vacate clause) and recording fees.
- Provide a revised Project Fee Worksheet (no need for triple fee), then provide both fees.
- For the diversion swales / sediment traps, show grading. Add matting to swale.
- For the storm pipes calculations, double check the drainage map (near the 1044, 1045, 1050, 1051, and the 0.86 acres offsite basin) and reduce spread to 8' or less. Also, provide details of both ditch sections (also see comment 5).
- Show sufficient PUDE's outside ROW's (see lots 1028 / 1029 and ditches).
- Extend rear ditch line behind lot 1038 (existing channel not observed).
- Add note to plans stating that existing pond slopes are to be re-graded.

PUBLIC WORKS RECOMMENDATION

NO EXCEPTION TAKEN

- 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.

STAFF RECOMMENDATION

Staff recommends approval with conditions of the final PUD application. This final PUD plan is consistent with the most recently approved revision to the preliminary plan. It is not dependent on the portion of the PUD with incomplete infrastructure. Additionally, this phase is owned by a different developer than the phase with incomplete infrastructure.

CONDITIONS

1. The final plat for Phase 10A shall be recorded prior to Phase 10B.
2. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
3. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metro Department of Public Works for all improvements within public rights of way.
4. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
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. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metro Planning Commission.



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7. The PUD final site plan as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans may require re-approval by the Planning Commission and/or Metro Council.

8. A corrected copy of the PUD final site plan incorporating the conditions of approval by the Planning Commission shall be provided to the Planning Department prior to the issuance of any permit for this property, and in any event no later than 120 days after the date of conditional approval by the Planning Commission. Failure to submit a corrected copy of the final PUD site plan within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.



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2013S-046-001

COUNTRY CLUB ESTATES, RESUB LOTS 15 & 16

Map 072-04, Parcel(s) 229

East Nashville Community Plan

7 - Anthony Davis



Project No.	Subdivision 2013S-046-001
Project Name	Country Club Estates
Council District	07 – A. Davis
School District	03 – Speering
Requested by	Campbell, McRae & Associates Surveying, Inc., applicant, Pantheon Development Partners, owner
Staff Reviewer	Cuthbertson
Staff Recommendation	<i>Defer to the April 25, 2013, Planning Commission meeting</i>

APPLICANT REQUEST

Final subdivision plat to create four lots

Final Plat

A request for final plat approval to create four lots on property located at 1801 McGavock Pike, at the northeast corner of McGavock Pike and Ardee Avenue, zoned RS7.5 (0.87 acres).

STAFF RECOMMENDATION

As requested by the applicant, staff recommends deferral of this request to the April 25, 2013, Planning Commission meeting.