



METROPOLITAN PLANNING COMMISSION

DRAFT MINUTES

Tuesday, April 24, 2012

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
Hunter Gee, Vice Chair
Greg Adkins
Stewart Clifton
Judy Cummings
Derrick Dalton
Councilmember Phil Claiborne
Andree LeQuire

Staff Present:

Rick Bernhardt, Executive Director
Ann Hammond, Assistant Executive Director
Doug Sloan, Assistant Executive Director
Kelly Adams, Administrative Services Officer III
Craig Owensby, Public Information Officer
Dennis Corrieri, Planning Technician I
Bob Leeman, Planning Manager II
Brenda Bernards, Planner III
Joni Priest, Planner III
Jason Swaggart, Planner II
Greg Johnson, Planner II
Brian Sexton, Planner I

Commissioners Absent:

Jeff Haynes
Phil Ponder

Richard C. Bernhardt, FAICP, CNU-A

Secretary and Executive Director, Metro Planning Commission

Metro Planning Department of Nashville and Davidson County
800 2nd Avenue South P.O. Box 196300 Nashville, TN 37219-6300
p: (615) 862-7190; f: (615) 862-7130

Notice to Public

Please remember to turn off your cell phones.

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

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

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

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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April 24, 2012 Meeting

Consent = Consent Agenda
Closed = Public Hearing was previously held and closed
Defer = Applicant requests to defer 1 or 2 meetings

Defer Indef = Applicant requests to defer indefinitely
Open = Public hearing is to be held
Withdraw = Applicant requests to withdraw application

MEETING AGENDA

A. CALL TO ORDER

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

B. ADOPTION OF AGENDA

Councilman Claiborne moved and Mr. Gee seconded the motion to adopt the revised agenda. (7-0)

C. APPROVAL OF APRIL 12, 2012 MINUTES

Councilmember Claiborne moved and Mr. Gee seconded the motion to approve the April 12, 2012 minutes. (7-0)

D. RECOGNITION OF COUNCILMEMBERS

Councilman Scott Davis asked for a deferral on Item 7.

Councilman Baker spoke in support of Item 5.

Council Lady Allen spoke in support of Item 8.

E. ITEMS FOR DEFERRAL / WITHDRAWAL

No Cases on this Agenda

F. 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. **2011Z-002TX-002**
DOWNTOWN CODE SIGNAGE COMPLIANCE
2. **2006SP-112G-12**
CONCORD PLACE
3. **2007SP-176U-11**
SOUTHCREST CLINIC
4. **2008SP-007U-10**
RANSOM SCHOOL
9. **2012NHC-001-001**
BELMONT-HILLSBORO NEIGHBORHOOD CONSERVATION OVERLAY DISTRICT
10. Resolution authorizing the expenditure of \$3,300 from the Advance Planning and Research Fund for Metro Planning staff and Metro Planning Commission training on the General Plan Update.
11. Planning Department Social Media Policy
12. Adoption of a Fee Change Resolution for certain Planned Unit Development applications.

Mr. Gee moved and Councilman Claiborne seconded the motion to approve the Consent Agenda. (7-0)

G. 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.

No Cases on this Agenda

H. 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

I. 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

1. 2011Z-002TX-002 DOWNTOWN CODE SIGNAGE COMPLIANCE Staff Reviewer: Joni Priest

A request to amend the Metro Zoning Code, Section 17.37 (Downtown Code) by amending on page 15 under the Signage Compliance deadline the phrase "June 30, 2012. On July 1, 2012" to "June 30, 2013. On July 1, 2013", requested by Metro Planning Department.

Staff Recommendation: APPROVE

APPLICANT REQUEST

Amend the dates associated with signage compliance within the Downtown Code.

Text Amendment

A request to amend the Metro Zoning Code, Section 17.37 (Downtown Code) by amending on page 15 under the Signage Compliance deadline the phrase "June 30, 2012. On July 1, 2012" to "June 30, 2013. On July 1, 2013".

PURPOSE

This text amendment revises the date that Downtown Code (DTC) Sign Standards will apply to all property within the DTC zoning district.

The existing regulations stipulate all properties within the DTC district boundary that were not zoned CC prior to the adoption of the DTC shall be regulated by the sign standards of the CF (Core Frame) zoning district until June 30, 2012. Then, on July 1, 2012, the sign standards of the DTC zoning district shall apply to all properties zone DTC.

The amendment will revise the date that the current standards expire from June 30, 2012 to June 30, 2013, and the date that the new standards are effective from July 1, 2012 to July 1, 2013.

BACKGROUND

During the process of adopting the Downtown Code in late 2009 and early 2010, stakeholders asked that signage regulations be removed from the proposed DTC standards and studied separately. Many stakeholders felt the sign standards proposed for all of the DTC area, those of the former CC district, were too limiting given the diversity of development types within the Downtown area. Planning staff agreed, and as a compromise, the DTC was written so that the new sign regulations would not take effect for 18 months to allow for a study of signage in the Downtown area. The intent of this study was to generate new sign standards, appropriately calibrated to the diversity of Downtown, that would be written and amended into the Zoning Code.

ANALYSIS

The Metropolitan Planning Commission hired a consulting group to conduct a study of the existing signage and signage regulations in Downtown Nashville. The consultants produced a comprehensive sign code for implementation in the Downtown Code (DTC) district with

the intent that these new standards would be amended into the Zoning Code in place of the existing standards. Although there was much community involvement through the process and the consultants revised the draft based on input received from stakeholders, there has not been community consensus on the new standards.

The proposed amendment will extend the deadline for twelve months to June 30, 2013. The new standards would apply on July 01, 2013. The twelve month extension should give the community time to reach consensus on new sign regulations to be adopted by the Metro Council.

STAFF RECOMMENDATION

Staff recommends approval.

Approved (7-0), Consent Agenda

Resolution No. RS2012-75

“BE IT RESOLVED by The Metropolitan Planning Commission that 2011Z-002TX-002 is **APPROVED. (7-0)**”

Specific Plans

2. 2006SP-112G-12

CONCORD PLACE

Map 181-11-0-B, Parcel(s) 065-070, 074-129, 131-133, 900, 901, 903-907

Map 181-11-0-C, Parcel(s) 001-031, 033-050, 052-055, 057-064, 900

Council District 31 (Fabian Bedne)

Staff Reviewer: Brian Sexton

The periodic review of an approved Specific Plan (MR) district known as "Concord Place", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code (Review of a Development Plan), for various properties located along Autumn Crossing Way, Carissa Drive, Coralberry Drive, Greylock Road, Lacebark Drive, Little Gem Drive and Rossi Road (28.99 acres), approved for 69 single-family lots and 64 multifamily units via Council Bill BL2006-1285 effective on January 19, 2007, and amended via Council Bill 2007-110 adopted on March 18, 2008, review initiated by the Metro Planning Department.

Staff Recommendation: FIND THE SP COMPLETE

APPLICANT REQUEST

Four year SP review to determine activity.

SP Review

The periodic review of an approved Specific Plan – Mixed Residential (MR) district known as "Concord Place", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code (Review of a Development Plan), for various properties located along Autumn Crossing Way, Carissa Drive, Coralberry Drive, Greylock Road, Lacebark Drive, Little Gem Drive and Rossi Road (28.99 acres), approved for 69 single-family lots and 64 multifamily units via Council Bill BL2006-1285 adopted on January 16, 2007, and amended via Council Bill 2007-110 adopted on March 18, 2008.

Zoning Code Requirement

Section 17.40.106.I of the Zoning Code requires that a SP district be reviewed four years from the date of Council approval and every four years after until the development has been deemed complete by the Planning Commission.

Each development within a SP District is to be reviewed in order to determine if the project is complete or actively under development to implement the approved development concept. If the review determines that the project is complete or actively under development, then no further review is necessary at this time. If the review determines that the project is inactive then the Planning Commission is to determine if its continuation as an SP District is appropriate.

DETAILS OF THE SP DISTRICT

The SP was approved for 61 single-family lots and 64 multi-family units. Staff visited the site in March 2012. The SP is completely built out. The streets and all other infrastructure are in place.

STAFF RECOMMENDATION

Staff recommends that the Concord Place SP be found to be complete.

Resolution No. RS2012-76

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006SP-112G-12 is **FOUND TO BE COMPLETE. (7-0)**”

3. 2007SP-176U-11

SOUTHCREST CLINIC

Map 119-10, Parcel(s) 093

Council District 16 (Tony Tenpenny)

Staff Reviewer: Brian Sexton

The periodic review of an approved Specific Plan (O) district known as "Southcrest Clinic", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code (Review of a Development Plan), for property located at 90 Thompson Lane (0.37 acres), approved for a medical office building via Council Bill BL2008-144 adopted on March 18, 2008, review initiated by the Metro Planning Department.

Staff Recommendation: FIND THE SP INACTIVE and direct staff to prepare a report to the Council to continue the implementation of the development plan as adopted and that no rezoning is recommended on this property.

APPLICANT REQUEST

Four year SP review to determine activity

SP Review

The periodic review of an approved Specific Plan – Office (O) district known as "Southcrest Clinic", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code (Review of a Development Plan), for property located at 90 Thompson Lane (0.37 acres), approved for construction of a medical office building via Council Bill BL2008-144 adopted on March 18, 2008.

Zoning Code Requirement

Section 17.40.106.I of the Zoning Code requires that a SP district be reviewed four years from the date of Council approval and every four years after until the development has been deemed complete by the Planning Commission.

Each development within a SP District is to be reviewed in order to determine if the project is complete or actively under development to implement the approved development concept. If the review determines that the project is complete or actively under development, then no further review is necessary at this time. If the review determines that the project is inactive then the Planning Commission is to determine if its continuation as an SP District is appropriate.

DETAILS OF THE SP DISTRICT

The SP was approved to convert an existing residence to a medical office. It is the applicant's intention to retrofit the existing residence unless the cost is the same or greater than the construction of a new building. If the cost is the same or greater, then the applicant may opt to construct a new building. Both the retrofitted existing building and a new building would be required to comply with the requirements of the approved SP district.

SPECIFIC PLAN REVIEW

Staff conducted a site visit in March 2012. The building on the property had not been converted to a medical office. A letter was sent to the property owner of record requesting details that could demonstrate that the SP was active. The owner did not respond to the letter. As no documentation of activity was submitted, the staff preliminary assessment of inactivity remains in place.

FINDING OF INACTIVITY

When the assessment of an SP is that it is inactive, staff is required to prepare a report for the Planning Commission with recommendations for Council action including:

1. An analysis of the SP district's consistency with the General Plan and compatibility with the existing character of the community and whether the SP should remain on the property, or
2. Whether any amendments to the approved SP district are necessary, or
3. To what other type of district the property should be rezoned.

If the Planning Commission agrees with the staff assessment, staff will prepare a written report of the Commission's determination to Council with a recommendation on the following:

1. The appropriateness of the continued implementation of the development plan or phase(s) as adopted, based on current conditions and circumstances; and
2. Any recommendation to amend the development plan or individual phase(s) to properly reflect existing conditions and circumstances, and the appropriate base zoning classification(s) should the SP district be removed, in whole or in part, from the property.

Permits on Hold

Section 17.40.106.I.1 of the Zoning Code requires that once the review of an SP with a preliminary assessment of inactivity is initiated, no new permits, grading or building, are to be issued during the course of the review. For purposes of satisfying this requirement, a hold shall be placed on all properties within the SP on the date the staff recommendation is mailed to the Planning Commission so that no new permits will be issued during the review.

ANALYSIS

Consistency with the General Plan

The SP is consistent with the Special Policy Area #3 of the South Nashville Community Plan, which recommends residential, community services, and offices uses within the Neighborhood General Policy. The SP was approved for a medical office use.

Amendments/Rezoning

As the SP is consistent with the special policy South Nashville Community Plan, the SP remains appropriate for the site and area. There are no amendments to the plan proposed and no new zoning district is proposed for the property.

Recommendation to Council

If the Planning Commission agrees with the staff assessment, staff will prepare a written report of the Commission's determination to Council to continue the implementation of the development plan as adopted and that no rezoning is required on this property.

STAFF RECOMMENDATION

Staff recommends that the Southcrest Clinic SP be found to be inactive and that the Planning Commission direct staff to prepare a report to the Council to continue the implementation of the development plan as adopted and that no rezoning is recommended on this property.

Find the SP Inactive and direct staff to prepare a report to the Council to continue the implementation of the development plan as adopted and that no rezoning is recommended on this property. (7-0), Consent Agenda

Resolution No. RS2012-77

"BE IT RESOLVED by The Metropolitan Planning Commission that 2007SP-176U-11 is **FOUND TO BE INACTIVE; and direct staff to prepare a report to the Council to continue the implementation of the development plan as adopted and that no rezoning is recommended on this property. (7-0)"**

4. 2008SP-007U-10

RANSOM SCHOOL

Map 104-10, Parcel(s) 047

Council District 18 (Burkley Allen)

Staff Reviewer: Brenda Bernards

The periodic review of an approved Specific Plan (MR) district known as "Ransom School", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code (Review of a Development Plan), for property located at 3501 Byron Avenue and within the Elmington Place Neighborhood Conservation Overlay and the I-440 Impact Overlay (1.99 acres), approved for the conversion of the former Ransom Elementary School building and site into a residential development not to exceed 11 dwelling units via Council Bill BL2008-149 adopted on March 18, 2008, review initiated by the Metro Planning Department.

Staff Recommendation: FIND THE SP ACTIVE

APPLICANT REQUEST

Four year SP review to determine activity

SP Review

The periodic review of an approved Specific Plan – Mixed Residential (MR) district known as "Ransom School", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code (Review of a Development Plan), for property located at 3501 Byron Avenue and within the Elmington Place Neighborhood Conservation Overlay and the I-440 Impact Overlay (1.99 acres), approved for the conversion of the former Ransom Elementary School building and site into a residential development not to exceed 11 dwelling units via Council Bill BL2008-149 adopted on March 18, 2008.

Zoning Code Requirement

Section 17.40.106.I of the Zoning Code requires the review of each SP District four years from the date of Council approval and every four years after until the development has been deemed complete by the Planning Commission.

Development within each SP District is to be reviewed in order to determine if the project is complete or actively under development to implement the approved development concept. If the review determines that the project is complete or actively under development, then no further review is necessary at this time. If the review determines that the project is inactive then the Planning Commission is to

determine if its continuation as an SP district is appropriate.

DETAILS OF THE SP DISTRICT

The Ransom School SP was approved to allow for the conversion of the former Ransom Elementary School building into 11 residential units or, if the building could not be reused, to permit 11 single-family residential units. Staff visited the site in March 2012. The former school was in the process of being demolished as it was determined that the conversion of the school, or portions of the school, to residential uses was not economically viable.

In addition to the work on site, the property owner has developed site plans and elevations in order to submit a final site plan for this SP. The preliminary SP was regulatory in nature, and the final site plan will require Planning Commission approval.

STAFF RECOMMENDATION

Staff recommends that the Ransom School SP be found to be active.

Find the SP Active (7-0), Consent Agenda

Resolution No. RS2012-78

“BE IT RESOLVED by The Metropolitan Planning Commission that 2008SP-007U-10 is **FOUND TO BE ACTIVE. (7-0)**”

Zone Changes

5. 2012Z-004PR-002

200, 202, 204 & 206 OCEOLA AVENUE

Map 103-02, Parcel(s) 032-035

Council District 20 (Buddy Baker)

Staff Reviewer: Jason Swaggart

A request to rezone from the R6 to OL district properties located at 200, 202, 204 and 206 Oceola Avenue, at the northeast corner of Oceola Avenue and Burgess Avenue (0.91 acres), requested by DHJ Associates, Paul and Michele Somers, and Somers Properties LLC, owners.

Staff Recommendation: APPROVE and direct staff to initiate a policy amendment; disapprove without policy amendment

APPLICANT REQUEST

Rezone from residential to office

Zone Change

A request to rezone from One and Two Family Residential (R6) to Office Limited (OL) district properties located at 200, 202, 204 and 206 Oceola Avenue, at the northeast corner of Oceola Avenue and Burgess Avenue (0.91 acres).

Existing Zoning

R6 requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25% duplex lots.

Proposed Zoning

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

HISTORY and UPDATE

A zone change (2012SP-004PR-001) for the subject properties was heard at the February 23, 2012, Planning Commission meeting. The request was for Commercial Service (CS). Staff recommended disapproval, and the Planning Commission recommended that Council disapprove the request. The associated Council Bill, BL2012-104, was deferred indefinitely and a new bill (BL2012-125) was filed for Mixed Use Limited (MUL). The bill for MUL was passed on first reading and referred back to the Planning Commission; however, it was subsequently withdrawn. A new bill (BL2012-143) has now been filed for OL and is reflected in this report and recommendation.

CRITICAL PLANNING GOALS

N/A

WEST NASHVILLE COMMUNITY PLAN

Suburban Neighborhood Evolving (T3 NE) policy is intended to create suburban neighborhoods that are compatible with the general character of classic suburban neighborhoods as characterized by their building form, land use and associated public realm, with opportunities for housing choice and improved pedestrian, bicycle and vehicular connectivity. The resulting development pattern will have higher densities than classic suburban neighborhoods and/or smaller lot sizes, with a broader range of housing types providing housing choice. This reflects the scarcity of easily developable land (without sensitive environmental features) and the cost of developing housing - challenges that were not faced when the original classic, suburban neighborhoods were built.

Consistent with Policy?

No. The Suburban Neighborhood Evolving policy is a residential policy. The proposed OL zoning district permits moderately intense office development and is not consistent with the residential policy. While the policy does not support the proposed zoning district, the properties location would make it suitable for transitional uses such as the uses permitted by the OL zoning district. The subject properties are bounded on two sides (north and east) by commercial uses and mixed-use policies. The remaining sides of the site are mostly zoned for residential. The mixed-use policy along White Bridge Road permits a variety of intense residential and non-residential uses. The subject properties could be used as a transitional area between the more intense area along White Bridge Road and the residential area along Ocoola. Staff could support a special transitional policy for the subject properties. If the Planning Commission directs staff to change the policy from T3-NE to a special transitional policy, then staff could support the proposed OL zoning district. Staff is recommending that if the Commission agrees that a special transitional policy is appropriate, then this zone change to OL can be recommended for approval with direction to staff to initiate a housekeeping policy amendment that would be brought back to the Commission at a later date for approval.

PUBLIC WORKS RECOMMENDATION

- Traffic study may be required at time of development

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.91	7.71 D	7 L	67	6	8

Typical Uses in Proposed Zoning District: **OL**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	0.91	0.117 F	4,637 SF	126	17	17

Traffic changes between typical: **R6** and proposed **OL**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+59	+11	+9

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.91	7.71 D	7 L	67	6	8

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	0.91	0.75 F	29,729 SF	525	72	113

Traffic changes between maximum: **R6** and proposed **OL**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+458	+66	+105

STAFF RECOMMENDATION

Staff recommends that the request for OL be approved if the Planning Commission finds that a special transitional policy is appropriate at this location and that the Commission direct staff to amend the existing T3 Neighborhood Evolving policy to a transitional policy that would support the proposed zoning district. If the Planning Commission does not find that a transition policy is appropriate at this location and does not direct staff to amend the policy then staff recommends that the request be disapproved.

Mr. Swaggart presented the staff recommendation of approval.

Shawn Henry, 315 Deaderick Street, spoke in support of staff recommendation and noted that the issues raised have been addressed.

Carl Dreifuss, 5633 Oceola Avenue, spoke in support of staff recommendation.

David Cotton, 209 Oceola Avenue, spoke against staff recommendation and noted that this zoning allows for a lot of businesses that can have a negative effect on a residential neighborhood.

Shawn Henry stated that financial institutions would not be allowed in OL zoning and asked for approval.

Dr. Cummings moved and Councilmember Claiborne seconded the motion to close the Public Hearing. (7-0)

Councilmember Claiborne stated that this seems to be a practical way to allow the property owners to develop the property with little intrusion to the character of the neighborhood.

Mr. Swaggart clarified that financial institutions and similar uses such as check cashing are allowed in OL zoning.

Dr. Cummings noted that if financial institutions are allowed, then she would have a hard time supporting the proposal due to the long hours those businesses keep.

Mr. Clifton expressed concerns with the possible financial uses that are similar to retail uses.

Mr. Gee expressed agreement with Mr. Clifton.

Mr. Dalton also expressed agreement with Mr. Clifton and noted that he is in support of this in general, but does have concerns with the effect of financial institutions on the neighborhood.

Ms. LeQuire inquired if MUN zoning was considered.

Mr. Swaggart clarified that MUN was considered, but it does not allow parking.

Councilmember Claiborne noted that in order for this property owner to be able to develop the land, he has to have some way to rezone. The solution is to go back and do an SP and look at the allowed uses and let the Councilmember and the property owner pick options that are acceptable to the neighborhood and develop it that way.

Mr. Bernhardt stated that a better solution might be to do a text amendment to remove financial institutions from OL zoning, instead of going to an SP.

Mr. Clifton noted that an SP cost money over time; is an SP realistic for this property?

Mr. Bernhardt clarified that in this case there would be no additional expense for the applicant.

Mr. Clifton moved and Mr. Dalton seconded the motion to disapprove rezoning to OL and approve a rezoning to SP that permits all uses of the OL zoning district except financial related uses and directed staff to initiate a housekeeping amendment to the land use policy. (7-0)

Resolution No. RS2012-79

“BE IT RESOLVED by The Metropolitan Planning Commission that 2012Z-004PR-002 is **DISAPPROVED FOR OL ZONING, APPROVED FOR SP ZONING THAT PERMITS ALL USES OF THE OL ZONING DISTRICT EXCEPT FINANCIAL RELATED USES AND DIRECT STAFF TO INITIATE A HOUSEKEEPING AMENDMENT TO THE LAND USE POLICY. (7-0)**

6a. 2012Z-007PR-001

PERCY PRIEST DRIVE

Map 097-13, Part of Parcel(s) 034

Council District 13 (Josh Stites)

Staff Reviewer: Jason Swaggart

A request to rezone from the CL to CS district for a portion of property located at Percy Priest Drive (unnumbered), approximately 1,075 feet west of Bell Road (3.6 acres), requested by Klobber Engineering Services, applicant, for MDREA, Inc., owner. (See also Planned Unit Development Overlay Proposal No. 155-74P-004).

Staff Recommendation: DISAPPROVE

APPLICANT REQUEST

Rezone property from CL to CS and amend PUD overlay.

Zone Change

A request to rezone from the Commercial Limited (CL) to Commercial Service (CS) district for a portion of property located at Percy Priest Drive (unnumbered), approximately 1,075 feet west of Bell Road (3.6 acres).

PUD Amendment

A request to amend a portion of the Larchwood Commercial Planned Unit Development Overlay District located on a portion of property at Percy Priest Drive (unnumbered), approximately 1,075 feet west of Bell Road (3.6 acres), zoned Commercial-Limited (CL) and proposed for Commercial-Services (CS), to permit the development of a self-storage facility (enclosed boat storage).

Existing Zoning

Commercial Limited (CL) is intended for retail, consumer service, financial, restaurant, and office uses. *While the property is zoned CL it is also within a PUD overlay and development is limited to the approved PUD plan.*

Proposed Zoning

Commercial Service (CS) is intended for retail, consumer service, financial, restaurant, office, self-storage, light manufacturing and small warehouse uses. *The area proposed for CS is currently within a PUD overlay, which the applicant has requested to be amended to permit the self-storage use.*

CRITICAL PLANNING GOALS

N/A

DONELSON – HERMITAGE COMMUNITY PLAN

Commercial Mixed-Use Concentration (CMC) policy is intended to include Medium High to High density residential, all types of retail trade (except regional shopping malls), highway-oriented commercial services, offices, and research activities and other appropriate uses with these locational characteristics.

Consistent with Policy?

Yes, the proposed CS zoning district and proposed "boat storage facility" (self-storage facility) is considered a commercial use and is supported by the land use policy.

PUD Overlay History

The Larchwood Commercial PUD Overlay District was originally approved by Metro Council in 1974. Since the original approval, the plan has been amended and revised numerous times. A majority of the PUD is developed. This portion of the PUD is part of a larger undeveloped property. The preliminary plan was last approved for a 19,200 SF, a two story motel, and a 15,400 square foot, two-story office building. The westernmost portion of the property, which is directly adjacent to an existing residential area, is approved for the office building.

PLAN DETAILS

The intent of this request is to rezone the property to permit a boat storage facility. Since the property is within a PUD overlay, then the overlay must also be amended. The request is for an approximately 3.6 acre portion of property. The property is undeveloped and consists of mostly level open field with some wooded areas located along the western property line.

Site Plan

The plan calls for a boat storage facility which is classified as self-storage under the Zoning Code. As proposed, the development will be completed in two phases. The first phase will consist of 48 storage units and the second will consist of 52 storage units for a total of 100 total storage units. Storage units consist of single story buildings.

Access is proposed from Percy Priest Drive and a sidewalk is shown along the properties frontage. A "C" class buffer yard is shown along the western property line adjacent a R10 residential zoning district. In addition to the buffer yard the plan also proposes to leave the existing tree line and vegetation along the western property line.

ANALYSIS

While the uses could be supported by the policy, the proposed use and the nature of the proposed use is not consistent with the concept of the original PUD. The overlay district is intended to provide a comprehensive plan for development. The subject site is part of the remaining piece of property not currently developed within the PUD. The subject site is approved for office uses which are intended to provide a transition from the more commercial area east of the subject area to the residential area immediately adjacent to this site. While the proposed use is not intense and could provide an appropriate transition, the community has anticipated uses that could benefit their neighborhood and are permitted under the current PUD. Permitting this change in use could set a precedent for

future changes in the PUD which could move it further away from the original Council approved concept and more importantly from what is currently on the ground.

As proposed the plan encroaches into areas shown for parking on the currently approved plan for buildings five and six. This is not an issue, but it is important to note that this could require a revision to the currently approved plan for building five and six. It is also important to note that a revised plan addressing zoning issues was submitted just prior to this report being finalized. The revised plan has not been reviewed by the other departments. The revised plans shows “chip and seal” within areas classified as drive aisles. While the plan identifies areas with “chip and seal” it may not be permitted at final site plan if the zoning administrator does not approve of its use.

Staff recommends that both requests be disapproved. While the proposed CS district and proposed use could be appropriate under the land use policy, the proposed amendment to the PUD is not consistent with the original Council approved concept or the existing build out of the PUD.

STORMWATER RECOMMENDATION

Zone Change Request

- No comments

PUD Request

- Approved

PUBLIC WORKS RECOMMENDATION

Zone Change Request

- Traffic study may be required at time of development

PUD Request

- If sidewalks are required, then they should be shown on the plan per Public Works standards with the required curb and gutter, and be built or bonded prior to issuance of the grading permit.
- Indicate solid waste plan – dumpster and recycling container locations. (Dumpster/ recycling container locations will be required for MPW sign off on building permit.)
- Locate driveway out of restricted truck area on Percy Priest Dr. or request truck restriction modification from Traffic and Parking commission.
- Install pavement markings for 2 exit lanes with a minimum of 100ft of storage with transition per MUTCD standards on Percy Priest Dr at Stewarts Ferry Pk.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Veterinarian Clinic (1191)	1.68	-	3,300 SF*	NA	14	16

*Regulated by PUD Overlay

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (934)	1.68	-	4,000 SF*	1985	198	136

*Regulated by PUD Overlay

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Boat Storage Facility (151)	3.36	-	100 Spots*	25	2	2

Per proposed PUD Amendment 155-74P-004

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
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-	-	-	-	-1960	-210	-150
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STAFF RECOMMENDATION

Staff recommends that both requests be disapproved. While the proposed CS district and proposed use could be appropriate under the land use policy the proposed amendment to the PUD is not consistent with the original Council approved concept or the existing build out of the PUD.

CONDITIONS (if approved)

1. The proposed self-storage facility use shall be limited to boat storage as shown on the approved preliminary site plan. Any change in use or type of storage shall be approved by Metro Council.
2. If sidewalks are required, then they should be shown on the plan per Public Works standards with the required curb and gutter, and be built or bonded prior to issuance of the grading permit.
3. Indicate solid waste plan – dumpster and recycling container locations. (Dumpster/ recycling container locations will be required for MPW sign off on building permit.)
4. Locate driveway out of restricted truck area on Percy Priest Dr. or request truck restriction modification from Traffic and Parking commission.
5. Any final site plan shall meet all zoning requirements.
6. Install pavement markings for 2 exit lanes with a minimum of 100ft of storage with transition per MUTCD standards on Percy Priest Dr at Stewarts Ferry Pike. The Metro Traffic Engineer may modify this requirement or remove it if it is determined during the review of the final site plan that it needs to be modified or is not warranted.
7. Any final site plan shall meet all Metro Public Works and Metro Stormwater requirements.
8. There shall be no pole signs allowed, and all ground 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.
9. 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.
10. 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.
11. 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.

Mr. Swaggart presented the staff recommendation of disapproval.

Tom White, 315 Deaderick Street, representing applicant, stated that this is an excellent transitional use and requested approval of both the zone change and the PUD amendment.

Mr. Adkins arrived at 4:54 p.m.

Jason Pagget, applicant, noted that he received 56 signatures out of 60 residences that he visited stating support. There will be minimal traffic impact; has done everything requested by the Planning Staff regarding landscaping, etc.

Gene King, 753 Fitzpatrick Road, spoke in support of the proposal.

Eric Rubash, 764 Fitzpatrick Road, spoke in support of the proposal.

Judy Garrison Stickney, 763 Fitzpatrick Road, spoke in support of the proposal.

Beverly Shivas, 805 Ember Lake Drive, spoke against the proposal.

Becky Holtzclaw, 800 Norwalk Drive, spoke against the proposal.

Sandra Patton, 3117 Neville Valley Drive, spoke against the proposal.

Councilman Claiborne moved and Mr. Gee seconded the motion to close the Public Hearing. (8-0)

Councilman Claiborne noted that he was undecided at that time.

Dr. Cummings inquired if future expansion would include subdividing.

Mr. Swaggart clarified that the applicant will have to provide a subdivision plat.

Mr. Clifton noted that he was undecided at this time.

Mr. Gee stated that he understands and appreciates the neighbor's frustrations, but noted that this is consistent with policy as well as a less intense use from a traffic perspective. Mr. Gee inquired if there are specific landscaping requirements for Percy Priest Drive and stated that he would be in support of approving the application with the recommendation for the applicant to work with the community on screening the building more than what is shown in the drawing.

Mr. Dalton asked for clarification on surrounding zoning.

Mr. Gee left at 5:33 p.m.

Mr. Adkins stated that landscaping on Percy Priest Drive would be very helpful as well as brick.

Ms. LeQuire stated that she would be in support with the recommendations of limiting it to a one story height and also adding more landscaping to Percy Priest Drive.

Councilmember Claiborne moved and Mr. Adkins seconded the motion to approve the proposal. (7-0)

Resolution No. RS2012-80

"BE IT RESOLVED by The Metropolitan Planning Commission that 2012Z-007PR-001 is APPROVED. (7-0)"

6b. 155-74P-004

LARCHWOOD (THE BOAT RACK)

Map 097-13, Part of Parcel(s) 034

Council District 13 (Josh Stites)

Staff Reviewer: Jason Swaggart

A request to amend a portion of the Larchwood Commercial Planned Unit Development Overlay District located on a portion of property at Percy Priest Drive (unnumbered), approximately 1,075 feet west of Bell Road (3.6 acres), zoned CL and proposed for CS, to permit the development of a self-storage facility (enclosed boat storage), requested by Klober Engineering Services, applicant, for MDREA Inc., owner. (See also Zone Change Proposal No. 2012Z-007PR-001).

Staff Recommendation: DISAPPROVE

Item 6a and 6b were heard together. (see discussion from Item 6a)

Mr. Swaggart presented the staff recommendation of disapproval.

Councilmember Claiborne moved and Mr. Adkins seconded the motion to approve with conditions including the conditions that building are limited to one-story with a maximum height of 18 feet and that the applicant develop a landscape and irrigation plan that will achieve the screening of buildings along Percy Priest Drive within three years of opening the facility. The plan shall be reviewed and approved by the Urban Forester and Planning Department as to its appropriateness and ability to reasonably screen the buildings within three years of planting. (7-0).

Resolution No. RS2012-81

"BE IT RESOLVED by The Metropolitan Planning Commission that 155-74P-004 is APPROVED WITH CONDITIONS, including the conditions that building are limited to one-story with a maximum height of 18 feet and that the applicant develop a landscape and irrigation plan that will achieve the screening of buildings along Percy Priest Drive within three years of opening the facility. The plan shall be reviewed and approved by the Urban Forester and Planning Department as to its appropriateness and ability to reasonably screen the buildings within three years of planting. (7-0)"

1. The proposed self-storage facility use shall be limited to boat storage as shown on the approved preliminary site plan. Any change in use or type of storage shall be approved by Metro Council.
2. Sidewalks shall be shown on the plan per Public Works standards with the required curb and gutter, and be built or

bonded prior to issuance of the grading permit.

3. Indicate solid waste plan – dumpster and recycling container locations. (Dumpster/ recycling container locations will be required for MPW sign off on building permit.)
4. Locate driveway out of restricted truck area on Percy Priest Dr. or request truck restriction modification from Traffic and Parking commission.
5. Any final site plan shall meet all zoning requirements.
6. Install pavement markings for 2 exit lanes with a minimum of 100ft of storage with transition per MUTCD standards on Percy Priest Dr at Stewarts Ferry Pike. The Metro Traffic Engineer may modify this requirement or remove it if it is determined during the review of the final site plan that it needs to be modified or is not warranted.
7. Any final site plan shall meet all Metro Public Works and Metro Stormwater requirements.
8. There shall be no pole signs allowed, and all ground 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.
9. 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.
10. 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.
11. 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.

7. 2012Z-010PR-001

18 FERN AVENUE

Map 071-14, Parcel(s) 317
Council District 05 (Scott Davis)
Staff Reviewer: Greg Johnson

A request to rezone from the RS5 to R6 district property located at 18 Fern Avenue, approximately 225 feet east of Whites Creek Pike (0.14 acres), requested by LaShaunda Bryant, owner.

Mr. Clifton moved and Dr. Cummings seconded the motion to defer to the May 24, 2012 Planning Commission meeting. (7-0)

Resolution No. RS2012-82

“BE IT RESOLVED by The Metropolitan Planning Commission that 2012Z-010PR-001 is DEFERRED to the MAY 24, 2012 Planning Commission Meeting. (7-0)”

8. 2012Z-009PR-001

CEDAR LANE

Map 117-03, Parcel(s) 036-039, 041, 042, 051-056, 144
Map 117-04, Parcel(s) 209-214, 219-222, 311-324
Council District 18 (Burkley Allen)
Staff Reviewer: Brenda Bernards

A request to rezone from R8 to RS7.5 zoning for various properties along Cedar Lane (16.97 acres) between I-440 and Hawthorne Place, requested by Councilmember Burkley Allen, applicant, various property owners.

Staff Recommendation: APPROVE

APPLICANT REQUEST

Zone change from R8 to RS7.5

Zone Change

A request to rezone from One and Two Family Residential (R8) to Single-Family Residential (RS7.5) zoning for various properties along Cedar Lane (16.97 acres) between I-440 and Hawthorne Place.

Existing Zoning

R8 requires a minimum 8,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 5.79 dwelling units per acre including 25% duplex lots.

Proposed Zoning

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

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?

While the permitted density of the proposed RS7.5 zoning exceeds the two to four dwelling units per acre range of the RLM policy, the proposed zoning will be closer to the recommended density of the RLM policy than the current R8 zoning district.

According to Metro land use data, there are five duplex residential uses within the zone change area that would become non-conforming uses under the proposed RS7.5 zoning. According to section 17.40.650 of the Zoning Code, which outlines procedures for continuing non-conforming land uses, these non-conforming uses would be permitted to continue under the proposed zoning.

PUBLIC WORKS RECOMMENDATION

No exception taken

Because the proposed zoning classification will generate fewer vehicle trips than the current zoning classification, a traffic table was not generated.

METRO SCHOOL BOARD REPORT

Projected student generation

As this request represents a downzoning, no additional students will be generated with this action.

STAFF RECOMMENDATION

Staff recommends approval of the proposed RS7.5 zoning district because its permitted density is more consistent with the RLM policy than the permitted density of the current R8 district.

Council Lady Allen spoke in support of staff recommendation.

Dr. Cummings moved and Councilmember Claiborne seconded the motion to close the Public Hearing. (7-0)

Dr. Cummings moved and Councilmember Claiborne seconded the motion to approve. (7-0)

Resolution No. RS2012-83

“BE IT RESOLVED by The Metropolitan Planning Commission that 2012Z-009PR-001 is APPROVED. (7-0)”

Neighborhood Conservation Overlays

9. 2012NHC-001-001

BELMONT-HILLSBORO NEIGHBORHOOD CONSERVATION OVERLAY DISTRICT

Map 105-13, Parcel(s) 073-078, 086-094, 425, 431-433

Map 105-13-0-J, Parcel(s) 001-004, 900-901
Map 117-03, Parcel(s) 036-039, 041, 042, 051-056, 144
Map 117-04, Parcel(s) 209-214, 219-222, 311-323
Map 117-08, Parcel(s) 193-199, 201, 202, 212-216, 219-221, 278
Map 117-08-0-L, Parcel(s) 001-004, 900
Council District 18 (Burkley Allen)
Staff Reviewer: Brenda Bernards

A request to apply the provisions of the Belmont-Hillsboro Neighborhood Conservation Overlay District to properties and right-of-way located along Cedar Lane, Gale Lane and Linden Avenue (33.95 acres), zoned R8, RM20 and CS and partially requested for RS7.5, requested by Councilmember Burkley Allen, applicant, various property owners.

Staff Recommendation: APPROVE

APPLICANT REQUEST

Extend the Belmont-Hillsboro NCO to Cedar Lane, Gale Lane and Linden Avenue

Zone Change

A request to apply the provisions of the Belmont-Hillsboro Neighborhood Conservation Overlay District to properties and right-of-way located along Cedar Lane, Gale Lane and Linden Avenue (33.95 acres), zoned One and Two Family Residential (R8), Multi-Family Residential (RM20) and Commercial-Service (CS) and partially requested for Single-Family Residential (RS7.5).

Existing Zoning

R8 requires a minimum 8,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 5.79 dwelling units per acre including 25% duplex lots.

RM20 is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre.

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

CRITICAL PLANNING GOALS

Preserves Historic Resources

The preservation of historic resources contributes to a community's identity. Historic buildings are a visual reminder of the community's past. The history of a site may educate the public regarding important historic events or a community's cultural identity. Preserving historic resources is also closely tied to creating sustainable communities. Reusing existing structures conserves resources and also focuses development in areas with existing infrastructure.

GREEN HILLS/MIDTOWN COMMUNITY PLAN

Cedar Lane Policies

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.

Residential High (RH) policy is intended for new and existing residential development with densities above twenty dwelling units per acre. Any multi-family housing type is generally appropriate to achieve this density. The most common residential type will generally be mid or high-rise structures.

Gale Lane 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

Linden Avenue Policies

12th Avenue South DNDP

General Policies:

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

Neighborhood Center (NC) is intended for small, intense areas that may contain multiple functions and are intended to act as local centers of activity. Ideally, a neighborhood center is a "walk-to" area within a five minute walk of the surrounding neighborhood it serves. The key types of uses intended within NC areas are those that meet daily convenience needs and/or provide a place to gather and socialize.

Detailed Policies

Single-Family Detached in Neighborhood General (SFD in NG) is intended for single family housing that varies based on the size of the lot. Detached houses are single units on a single lot.

Mixed Housing in Neighborhood General (MH in NG) is intended for single family and multi-family housing that varies on the size of the lot and the placement of the building on the lot. Housing units may be attached or detached, but are not encouraged to be randomly placed. Generally, the character should be compatible to the existing character of the majority of the street.

Mixed-Use in Neighborhood Center (MxU in NC) is intended for buildings that are mixed horizontally and vertically. The latter is preferable in creating a more pedestrian-oriented streetscape. This category allows residential as well as commercial uses. Vertically mixed-use buildings are encouraged to have shopping activities at street level and/or residential above.

Consistent with Policy?

Yes. The proposed Belmont-Hillsboro Neighborhood Conservation Overlay extension does not change the base zoning. Further, the proposed overlay will serve to preserve the distinctive character of this area.

PROPOSED OVERLAY DISTRICT

Section 17.36.120 of the Metro Zoning Ordinance recognizes Neighborhood Conservation Districts, along with Historic Preservation Districts and Historic Landmarks, as "Historic Districts." These are defined as geographical areas which possess a significant concentration, linkage or continuity of sites, buildings, structures or objects which are united by past events or aesthetically by plan or physical development, and that meet one or more of the following criteria:

1. The district is associated with an event that has made a significant contribution to local, state or national history; or
2. It includes structures associated with the lives of persons significant in local, state or national history; or
3. It contains structures or groups of structures that embody the distinctive characteristics of a type, period or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
4. It has yielded or may be likely to yield archaeological information important in history or prehistory; or
5. It is listed or is eligible for listing in the National Register of Historic Places.

The Metro Historic Zoning Commission will review any new construction including additions, demolitions, or relocation of structures.

METRO HISTORIC COMMISSION RECOMMENDATION

This matter is scheduled to go before the Metro Historical Zoning Commission on April 18, 2012. As there will not be a decision prior to the mailing of the staff report, staff is recommending that this proposed overlay be approved if it is approved by the Historical Zoning Commission.

Historical Zoning Commission Staff Recommendation:

Background

In the 19th century, the area that would become Belmont-Hillsboro was part of the estates of Adelia Acklen (Belmont) and Colonel A. B. Montgomery. The oldest sections of the neighborhood were subdivided in 1890 and 1891. In 1901, the Belmont Land Company secured a franchise to operate a street railway line along Belmont Boulevard, accelerating the development of the area as a "street car suburb". Development would continue for several decades, with some of the more southerly portions of the neighborhood developed about 1940.

Changes in tastes over this span of time resulted in recognizable changes in architectural styles. The mix of bungalows, cottages, American foursquares and Tudors are common, though you will find examples of the prairie, eclectic revival and more contemporary styles as well. The neighborhood became the home of a large middle-class population, reflecting the average American lifestyle from 1890 to 1940.

Following World War II, the neighborhood suffered a decline common to many older neighborhoods as cars replaced the street cars and the suburbs of Nashville continued an outward march. Declining property values, division of what had been single-family homes into multiple rental units, and lack of building maintenance presented the neighborhood with many problems.

Beginning in the 1970s, residents and new arrivals came to recognize the value of classic homes in close proximity to urban features such as 3 universities, parks, hospitals, shopping facilities and major transportation corridors. A large portion of the neighborhood is listed in the National Register of Historic Places.

Analysis and Findings

The properties considered for the Neighborhood Conservation Zoning Overlay consists of 33.95 acres zoned R8, RM20 and CS.

Neighborhood representatives went door-to-door in the proposed expansion areas to answer questions and notify owners about the potential designation. Councilmember Burkley Allen scheduled an informational meeting for April 16, 2012 at the time of writing this recommendation. Notice of Public Hearings for the Planning Commission and Metro Council were mailed on April 6, 2012 and signs were posted on April 6, 2012. The Metro Planning Commission's public hearing will take place on April 24, 2012 at 4 p.m. The Metro

Council's public hearing will take place on May 1, 2012 at 6 p.m. All the typical meeting notifications were followed for the Metro Historic Zoning Commission meeting.

The 1200 and 1400 blocks of Linden Avenue (the 1300s are skipped in the numbering of the buildings) are located to the east of Belmont Boulevard and includes the only area of Linden between Belmont Boulevard and 12th Avenue that is not currently in the overlay. The area includes some new homes but mainly Colonial Revival and Craftsman style bungalows constructed between the first half of the 20th century. Of the 21 buildings being considered, 9 of them are noted as non-contributing (57% contributing) to the historic character of the neighborhood. There were no accessory structures noted as contributing. Of the three extensions, this area is undergoing the most change with 3 buildings under construction and 2 buildings having been constructed within the last 10 years. There are three 1980s buildings close to the commercial area of 12th Avenue.

The 1400 and 1500 blocks of Gale Lane are to the east of Belmont Boulevard and dead end into I-440 right-of-way property. The homes are Colonial Revival and Craftsman style bungalows constructed in the first half of the 20th century. There were no accessory structures noted as contributing. Of the 19 buildings being considered, 6 of them are identified as non-contributing (68% contributing) to the historic character of the neighborhood.

The portion of Cedar Lane under consideration is approximately from Hawthorne west to I-440 right-of-way property. It represents later development for the neighborhood with Colonial Revival and Neo-Tudor homes constructed mainly between 1920 and 1945. Of the 35 properties proposed for the overlay, only 13 are considered non-contributing (63% contributing) to the historic character of the neighborhood. Several of the non-contributing buildings are ones that were constructed in the same period as the contributing buildings but have been greatly altered. Although their individual original form may no longer be evident, they remain sympathetic to the historic character of the neighborhood. Unlike much of the greater Belmont-Hillsboro neighborhood, most of these homes have driveways with basement level garages on the rear or the rear side.

All three proposed extensions meet section 17.36.120.A.3 as they contain a significant amount of architecturally important buildings that embody the distinctive characteristics of their type and period.

Staff suggests the Commission recommend to Metro Council that Belmont Hillsboro Neighborhood Conservation Zoning Overlay be expanded to include approximately the 1200 and 1400 blocks of Linden Avenue, 1400 and 1500 blocks of Gale Lane and the 1900 and 2000 blocks of Cedar Lane and recommends that the Commission adopt the current design guidelines for the additional properties, for all three extensions if approved by Metro Council.

METRO SCHOOL BOARD REPORT

Projected student generation As this request to apply a Neighborhood Conservation Overlay does not change the underlying zone district, no new students will be generated with this action.

STAFF RECOMMENDATION

Staff recommends approval if the Metro Historical Zoning Commission recommends approval. The request is consistent with the applicable land use policies and the intent of Section 17.36.120 of the Metro Zoning Code.

Approved (7-0), Consent Agenda

Resolution No. RS2012-84

"BE IT RESOLVED by The Metropolitan Planning Commission that 2012NHC-001-001 is **APPROVED. (7-0)**"

J. PLANNING COMMISSION ACTIONS

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

No Cases on this Agenda

K. OTHER BUSINESS

- 10.** Resolution authorizing the expenditure of \$3,300 from the Advance Planning and Research Fund for Metro Planning staff and Metro Planning Commission training on the General Plan Update.
Approved (7-0), Consent Agenda

Resolution No. RS2012-85

"BE IT RESOLVED by The Metropolitan Planning Commission that Resolution authorizing the expenditure of \$3,300 from the Advance Planning and Research Fund for Metro Planning staff and Metro Planning Commission training on the General Plan Update is **APPROVED. (7-0)**"

11.



METROPOLITAN GOVERNMENT
OF NASHVILLE AND DAVIDSON COUNTY
Planning Department

MEMO

To: Planning Commissioners
From: Doug Sloan
Date: April 23, 2012

Cc: Rick Bernhardt, Executive Director; Ann Hammond, Assistant Executive Director

Re: Proposed Social Media Policy

The Planning Department's use of social media, particularly Facebook and Twitter, is increasing as we move forward with the Antioch Community Plan Update and toward the updated General Plan. User comments gathered through Facebook can be useful in determining public attitudes and opinions; allowing external users to post on the Department's Facebook page, however, also leaves us open to what might best be described as disruptive posts which detract from our core goal of gathering and sharing information relative to our planning activities. A few such posts have already been made, and have been removed by staff.

Metro's social-media policy, http://www.nashville.gov/mc/executive/bp_013.htm, does not address that issue. The MPO has, however, dealt with similar issues and formed a policy which we believe would give us better control of external posts while not interfering with Metro's established policy. The draft policy below is essentially the same as the MPO's, with only names and minor procedural details altered.

A quick summary: Planning Department staff will monitor the site. We welcome public discussion of relevant issues; user comments will not be edited, but inappropriate comments, as defined below, will be deleted. Users must stay on topic and post under their own names.

PLANNING DEPARTMENT SOCIAL MEDIA POLICY

Metropolitan Planning Department social media channels provide an opportunity for sharing & discussing information about relevant programs and activities. Comments/opinions expressed by users of social media channels (Facebook, Twitter, YouTube, Flickr, LinkedIn) are theirs alone and do not reflect the opinions of the Planning Department or its employees. All public comments are reviewed & screened in accordance with the below policy. We encourage members of the public to submit their questions, comments, and concerns, but please note that all Planning Department social media channels are moderated online discussion sites, not a public forum.

EXTERNAL USER GUIDELINES

- We do not allow graphic, obscene, explicit, racial or otherwise discriminatory comments or submissions, nor do we allow comments that are abusive, hateful or intended to defame anyone or any organization.
- We do not allow solicitations or advertisements. This includes promotion or endorsement of any financial, commercial or non-governmental agency. Similarly, we do not allow attempts to defame or defraud any financial, commercial or non-governmental agency.
- We do not allow comments that suggest or encourage illegal activity.
- Planning Department social media channels are not open to comments promoting or opposing any person campaigning for election to a political office or promoting or opposing any ballot proposition.
- All Planning Department social media authors and public commentators shall be clearly identified. Anonymous blog postings shall not be allowed. Personal responsibility for comments is assumed, (username & any information provided).
- We review all comments and reserve the right to discard messages containing inappropriate content.
- Appearance of external links does not constitute any official endorsement on behalf of the Planning Department.

Comments will not be edited by the Planning Department or its staff. However, only comments that comply with this use policy will be approved for posting. The use of vulgar, offensive, defamatory (personal attacks), threatening or harassing language is prohibited, and comments or user accounts therein are subject to removal.

Public comments on Planning Department-generated content should be limited to comments related to the posted topic. Planning Department social media channels are not the proper place to express opinions or beliefs **not directly related** to subjects/areas in which the Planning Department conducts its business. If comments left on our social media postings are **constructive**, we view those posts as an opportunity to discuss, clear up misunderstandings, or otherwise work through whatever issues the person is having.

We encourage comments on content shared via our social media channels, as all viewpoints are welcome, but citizen participation must be constructive. We reserve the right to make editorial decisions regarding submitted comments, including but not limited to removal of comments.

The content of each Planning Department social media channel is owned by and the sole responsibility of the Planning Department (producer and user of the channel).

Documents and articles submitted to a Planning Department social media channel or blog shall be moderated by an authorized and trained moderator (namely, the Planning Department's public information officer or a designee).

Communications made through e-mail and messaging systems within social media channels will in no way constitute a legal or official notice or comment to the Planning Department (or any official or employee of Planning Department) for any purpose. For example, a post, comment, Tweet, or Facebook IN-mail which asks the Planning Department to provide public records will not be considered a public records request until it is sent through the proper channels.

Comments on plans & work programs **to be entered into the public record** shall be submitted through traditional means, or the formal planning process.

Inquiries specific to a Planning Department project or program should be submitted directly to the appropriate manager or planner.

As social media is a fast-evolving means of public interface, this policy statement is subject to amendment or modification at any time to ensure its continued use is consistent with its intended purpose as a limited forum. Questions or concerns regarding the Planning Department presence in various social media channels should be directed to the Department's public information officer at (615)862-7192 or craig.owensby@nashville.gov

Approved (7-0), Consent Agenda

Resolution No. RS2012-86

"BE IT RESOLVED by The Metropolitan Planning Commission that the Social Media Policy is **APPROVED. (7-0)**"

12.



METROPOLITAN GOVERNMENT
OF NASHVILLE AND DAVIDSON COUNTY
Planning Department

MEMO

To: Planning Commissioners
From: Bob Leeman, Land Development Manager
Metropolitan Planning Department
Date: April 17, 2012
Cc: Rick Bernhardt, Executive Director; Ann Hammond, Assistant Executive Director;
Doug Sloan, Assistant Executive Director; Councilmember Peter Westerholm
Re: Fee Change Resolution for certain PUD Applications

At the request of Councilmember Westerholm, Planning Staff has drafted a Resolution for Council's consideration to lower certain PUD application fees.

The new fee will change the fee for certain PUD cancellation applications from \$1,975 to \$200. This will only affect the fee for cancelling PUDs that were adopted for the primary purpose of obtaining a beer permit. As you may recall, the Council changed the procedures for this so that a PUD is no longer required. There are only 11 PUDs that were adopted for this reason. With 11 "Beer" PUDs, if all 11 came in for a PUD cancellation, the difference in revenue would be: $\$21,725 - \$2,200 = \$19,525$.

Reducing the fee for this type of cancellation will allow a PUD to be removed if it is no longer needed. It will also allow the owner of a property with a PUD to be able to make changes to their property through the building permitting process at Codes without the need to submit a revised site plan to the Planning Department for the PUD.

In discussing this with Metro Legal they indicated that any expansion of the building after the PUD is removed would then have to go through the new public hearing process for a new beer permit at Council.

The \$200 fee represents the amount of staff time (staff report, public notice preparation, etc.) associated with the review of these types of PUD cancellations. This fee is in line with the overall fee structure and there are no policy issues with this fee change. Staff recommends approval of this proposed resolution.

A resolution to establish a new application fee for certain Planned Unit Development applications (Proposal No.2012OT-002-001).

WHEREAS, pursuant to the authority of Section 17.40.760.C of the Metropolitan Code of Laws, the Metropolitan Planning Department has developed for the Metropolitan Council's consideration a new application fee for certain Planned Unit Development (PUD) applications, the adoption of which may be accomplished by resolution; and

WHEREAS, Section 7.08.090.E. of the Metropolitan Code provides that any restaurant possessing a valid license for the on-premise sale and consumption of wine or other alcoholic beverages, issued by the state alcoholic beverage commission, shall be exempt from the minimum distance requirements set forth in Section 7.08.090.A.1, provided a public hearing is held by the Metropolitan Council, after which the Metropolitan Council adopts a resolution with twenty-one (21) affirmative votes, approving the restaurant's exemption from said minimum distance requirements; and

WHEREAS, with the Metropolitan Council's adoption of Council Bill BL2010-714, a restaurant no longer needs to apply for a "beer" PUD, or for the Metropolitan Council to adopt a "beer" PUD, in order to be exempt from the minimum distance requirements of Section 7.08.090.A.1; and

WHEREAS, the Metropolitan Council has adopted 11 "beer" PUDs between 2003 to 2010 where some of the restaurants previously approved as a "beer" PUD may now desire to cancel the "beer" PUD, and said cancellation would require an application fee of \$1,975.00; and

WHEREAS, the Metropolitan Planning Department finds the standard PUD cancellation fee should not apply to a "beer" PUD since the required staff time is minimal to review and analyze such a request; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. The Metropolitan Planning Department application fee for canceling a PUD shall be reduced from \$1,975.00 to \$200.00 where the primary stated purpose of the PUD was to obtain a restaurant's exemption to the beer distance requirements set forth in Section 7.08.090.A.1 of the Metropolitan Code.

Approved (7-0), Consent Agenda

Resolution No. RS2012-87

"BE IT RESOLVED by The Metropolitan Planning Commission that the Fee Change Resolution for certain PUD Applications is APPROVED. (7-0)"

13. Historic Zoning Commission Report
14. Board of Parks and Recreation Report
15. Executive Committee Report
16. Executive Director Report
17. Legislative Update

L. MPC CALENDAR OF UPCOMING MATTERS

April 24, 2012

MPC Meeting

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

May 3, 2012

Community Meeting

6pm, Lakeshore Christian Church, 5434 Bell Forge Lane

Topic: Antioch-Priest Lake Community Plan Transportation

May 10, 2012

MPC Meeting

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

May 17, 2012

Community Meeting

6pm, Lakeshore Christian Church, 5434 Bell Forge Lane

Topic: Antioch-Priest Lake Community Plan Update: Housing & Open Space

May 24, 2012

MPC Meeting

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

M. ADJOURNMENT

The meeting was adjourned at 5:45 p.m.