



# METROPOLITAN PLANNING COMMISSION MINUTES

**Thursday, August 14, 2014**

**4:00 pm Regular Meeting**

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

## **MISSION STATEMENT**

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

**Commissioners Present:**

Jim McLean, Chair  
Greg Adkins, Vice Chair  
Stewart Clifton  
Derrick Dalton  
Jeff Haynes  
Jessica Farr  
Councilmember Walter Hunt

**Staff Present:**

Rick Bernhardt, Executive Director  
Doug Sloan, Deputy Director  
Kelly Adams, Administrative Services Officer III  
Craig Owensby, Public Information Officer  
Kathryn Withers, Planning Manager II  
Cindy Wood, Planner III  
Carrie Logan, Planner III  
Jason Swaggart, Planner II  
Michael Briggs, Planner II  
Stephanie McCullough, Planner II  
Melissa Sajid, Planner II  
Latisha Birkeland, Planner II  
Lisa Milligan, Planner II  
Peggy Deaner, Administrative Services Officer II

Commissioners Absent: Hunter Gee, Lillian Blackshear, Andree LeQuire

**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

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**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](http://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](http://www.nashville.gov/calendar) for a broadcast schedule.

## Writing to the Commission

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

Mailing Address: Metro Planning Department, 800 2nd Avenue South, P.O. Box 196300, Nashville, TN 37219-6300  
Fax: (615) 862-7130  
E-mail: [planningstaff@nashville.gov](mailto: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](http://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](http://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](http://www.nashville.gov/mpc/pdfs/main/rules_and_procedures.pdf)

## Legal Notice

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



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# MEETING AGENDA

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## A. CALL TO ORDER

The meeting was called to order at 4:04 p.m.

## B. ADOPTION OF AGENDA

Mr. Clifton moved and Mr. Haynes seconded the motion to adopt the agenda. (6-0)

## C. APPROVAL OF JULY 24, 2014, MINUTES

Mr. Clifton moved and Councilmember Hunt seconded the motion to approve the July 24, 2014 minutes. (6-0)

## D. RECOGNITION OF COUNCILMEMBERS

Council Lady Weiner spoke in support of indefinite deferral of Item 3.

## E. NASHVILLENEXT UPDATE

Mr. Briggs presented the NashvilleNext Update.

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## F. ITEMS FOR DEFERRAL / WITHDRAWAL

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2. **2014SP-041-001**  
1212 HAWKINS STREET

4. **2014Z-044PR-001**

5. **2014S-151-001**  
JAMES BURNS, RESUB

6a. **2014CP-007-005**  
WEST NASHVILLE PLAN AMENDMENT

6b. **2014Z-048PR-001**

Mr. Clifton moved and Ms. Farr seconded the motion to approve the Deferred Items. (6-0)

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## G. CONSENT AGENDA

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**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.

3. **2013Z-008PR-001**

7. **2011SP-009-005**  
ONE C1TY (AMENDMENT # 2)

8. **2014SP-058-001**  
1032 MAYNOR AVENUE

9. **2014SP-059-001**  
1035 WEST EASTLAND

**10. 2014NL-003-001**

COWBOY JACK MUSIC STUDIO

**11. 2004P-013-005**

MILL CREEK TOWNE CENTRE (LOT 1B REVISION)

**12. 2004P-036-004**

NASHVILLE WEST SHOPPING CENTER

**13. 84-85P-001**

BILTMORE COMMERCIAL (TRI STAR SERVICES)

**15. New employee contracts for Haryono Prawiranata and Jennifer Nalbantyan**

**16. Employee contract renewal for Michael Briggs**

**20. Accept the Director's Report and Approve Administrative Items**

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

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## H. PREVIOUSLY DEFERRED ITEMS

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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.

### Specific Plans

#### 1. 2013SP-048-001

##### **HILLWOOD COURT AT NASHVILLE WEST**

Map 102-11, Parcel(s) 016-017

Council District 23 (Emily Evans)

Staff Reviewer: Jason Swaggart

A request to rezone from R40 and RS40 to SP-MR zoning for properties located at 6809 and 6813 Charlotte Pike, at the southwest corner of Charlotte Pike and Old Charlotte Pike, (3.07 Acres), to permit up to 40 dwelling units, requested by Dale and Associates, applicant; Charles Melvin and Edwinna Neely and Lola Bryant, William and Smith Hill et al., owners.

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

##### **APPLICANT REQUEST**

**Preliminary SP to permit 40 residential dwellings.**

##### Preliminary SP

A request to rezone from One and Two Family Residential (RS40) and Two-Family Residential (R40) to Specific Plan – Mixed Residential (SP-MR) zoning for properties located at 6809 and 6813 Charlotte Pike, at the southwest corner of Charlotte Pike and Old Charlotte Pike, (3.07 Acres), to permit up to 40 dwelling units.

##### **Existing Zoning**

One and Two-Family Residential (RS40) requires a minimum 40,000 square foot lot and is intended for single-family dwellings at a density of .93 dwelling units per acre. *RS40 would permit a maximum of one lot on approximately 1.75 acres.*

Two-Family Residential (R40) requires a minimum 40,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 1.16 dwelling units per acre including 25 percent duplex lots. *R40 would permit a maximum of one duplex lot for a total of two units on approximately 0.98 acres.*

##### **Proposed Zoning**

Specific Plan-Mixed Residential (SP-MR) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes a mixture of housing types which include units that front on streets as well as units that front onto open space.

##### **CRITICAL PLANNING GOALS**

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

This area is served by adequate infrastructure. Development in areas with adequate infrastructure is more appropriate than development not served with adequate infrastructure such as roads, water and sewer, because it does not burden Metro with the cost of maintaining new infrastructure. The request provides an additional housing option in the area and within the proposed development itself. Additional housing options are important to serve a wide range of people with different housing needs. The plan provides active open space and a sufficient sidewalk network connecting all parts of the development, which foster active living and supports walkable neighborhoods. Higher density areas typically foster walkability and better public transportation because housing, work and conveniences are located within a smaller area, making them more assessable by foot and or public transportation. This site is directly across from the Nashville West Shopping Center, which will provide goods and services for future residents.

##### **WEST NASHVILLE COMMUNITY PLAN**

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

### Special Policy Area (Infill Area 03)

The special policy recognizes areas along Charlotte Pike across from and in proximity to the Nashville West Shopping Center. The policy supports more intense residential infill development along Charlotte Pike. Any residential development should provide an adequate transition from the more intense Charlotte Pike corridor to the single-family residential areas off of the corridor.

### Consistent with Policy?

Yes. The proposed SP is consistent with the T3 NM policy as well as the special policy that applies to the site. The proposal provides for a more intense residential development pattern along Charlotte Pike. It also provides a transition from Charlotte Pike to the back of the site by providing detached units at the rear of the site, adjacent to the single-family lots directly south of the site. The proposal includes Manor homes that are intended to look like large single-family homes. The special policy specifically recommends this housing type.

### **PLAN DETAILS**

The subject site is approximately 3.07 acres in size and consists of three individual properties. The site is located on the south side of Charlotte Pike between W. Hillwood Drive and Templeton Drive, directly across from Nashville West. The site is zoned for residential-uses and consists of three single-family homes. There are numerous trees on the site and there is also a historic rock wall located along a portion of the site along Charlotte Pike.

### Site Plan

The plan calls for 40 residential units. Unit-types consist of 18 manor units, ten attached townhome units and 12 detached cottage units. The 18 manor style units are distributed between three separate buildings located along Charlotte Pike. The townhomes and cottage units front onto a central green. The manor homes are oriented towards Charlotte.

Primary access is proposed from Charlotte via a private drive located along the western property line. A private alley joins the drive providing access to the rear of all the units. There is also a 20' wide emergency access point along the eastern property line connecting Charlotte Pike to the private alley. Sidewalks are located throughout the development. The plan also calls for a new eight foot wide sidewalk and six foot grass strip along Charlotte.

A total 80 parking stalls are shown on the plan and includes surface, street and garage spaces. All cottage and townhome units include a two car garage. Garages are attached and detached.

Landscaping is shown throughout the development. Courtyards are landscaped and street trees are also proposed along the new public streets. The plan calls for some of the existing trees located along Charlotte Pike to be preserved through placement within tree-wells along the proposed sidewalk. A fifty foot wide landscape buffer is proposed along the southern property line.

### **ANALYSIS**

The SP is consistent with the site's land use policies, and it also meets several critical planning goals. Higher density residential is appropriate at this site because it is adjacent to Charlotte Pike which is a very busy corridor and directly across from the Nashville West Shopping Center. Because of the intensity of development across the street and along the Charlotte Pike corridor, single-family residential is less appropriate. The proposed SP provides for higher density residential which is more appropriate adjacent to Charlotte Pike. The plan also provides a transition from the intense mixed-use corridor to the single-family area south of the site.

### **STORMWATER RECOMMENDATION**

#### **Approved with conditions**

- A pipe network will be required along Charlotte Pike.
- All site discharges shall be to adequate conveyances.

### **PUBLIC WORKS RECOMMENDATION**

#### **Conditions if approved**

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- Comply with conditions of MPW Traffic Engineer.
- All utilities are to be moved outside of the proposed sidewalk on Charlotte Pk.
- ROW must be dedicated prior to building permit signoff.
- Provide adequate sight distance at access driveway. Construct additional EB travel lane with transitions per AASHTO and MUTCD standards along Charlotte Pk frontage.

Maximum Uses in Existing Zoning District: **R40**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential (210)	0.98	1.08 D	2 U*	20	2	3

\*Based on one two-family lot.

Maximum Uses in Existing Zoning District: **RS40**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	1.75	1.08 D	1 U	10	1	2

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	2.73	-	40 U	366	24	40

Traffic changes between maximum: R40 and RS40 and proposed SP-MR

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+ 37 U	+336	+21	+35

**WATER SERVICES RECOMMENDATION**

**Approved as preliminary only**

Applicant must acquire construction plan approval by Final SP/Plat stage. Applicant must submit a revised availability study by Final SP stage, as they have decreased the number of residential units from the original availability study (63 last revision, 40 now proposed). Applicant must also pay the required capacity fees by Final SP/Plat Stage. (The revised availability study will probably reduce the required capacity fee amount)."

**METRO SCHOOL BOARD REPORT**

Projected student generation existing RS40/R40 district: 0 Elementary 0 Middle 0 High

Projected student generation proposed SP-MR district: 2 Elementary 2 Middle 1 High

The proposed SP-MR zoning district could generate 5 additional students. Students would attend Gower Elementary School, H.G. Hill Middle School, and Hillwood High School. H.G. Hill Middle School is identified as being over capacity and there is no additional capacity for Middle school students within the cluster. This information is based upon data from the school board last updated September 2012.

**Fiscal Liability**

The fiscal liability of 2 new middle school students is \$52,000 (2 X \$26,000 per student). This is only for information purposes to show the potential impact of this proposal, it is not a staff condition of approval.

**STAFF RECOMMENDATION**

Staff recommends that the request be approved with conditions and disapproved without all conditions.

**CONDITIONS**

1. Permitted land uses shall be limited to 40 residential units.
2. Final architectural plans must be approved by the Planning Department prior to final site plan approval. The Plans must be consistent with the Community Plan's Land Use policies.
3. Ownership for units may be divided by a Horizontal Property Regime or a subdivision with a minimum lot size of 1,000 square feet.
4. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Council approval, the property shall be subject to the standards, regulations and requirements of the RM20 zoning district as of the date of the applicable request or application.
5. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no later than 120 days after the effective date of the enacting ordinance. The corrected copy provided to the Planning Department shall

include printed copy of the preliminary SP plan and a single PDF that contains the plan and all related SP documents. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.

6. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

7. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Chairman McLean recused himself from Item 1.

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

Tom White, 36 Old Club Court, spoke in favor of the application and noted that it is consistent with the policy and give needed additional housing options.

Roy Dale spoke in favor of the application and noted that this is the appropriate place for infill development.

Keith Covington, 12041 Villa Place, spoke in favor of the application and stated that this is an appropriate transition.

**Mr. Dalton arrived at 4:36 p.m.**

Pat Waggoner, 5198 Regent Drive, spoke in favor of the application and stated that it meets the needs of the community.

Pete Prosser, 4931 Danby Drive, spoke in favor of the application and noted that this design is smart growth in line with what Nashville needs.

Jack Canady, 6817 Charlotte Pike, spoke in favor of the application and noted that this will help the neighborhood keep feeding the shopping center across the street.

Donna Ackerman, 4203 Belmont Blvd, spoke in favor of the application and stated that Nashville needs more good homes at affordable prices.

Doug Pierce (neighborhood representative), 748 Adkisson Lane, spoke in opposition to the application and requested deferral or disapproval due to the lack of a community meeting on this project and concern over consistency with the 2009 West Nashville Community Plan.

Tom Baker, 6811 Fleetwood Drive, spoke in opposition to the application and noted that the density is too high to be a transitional use.

Lisa (last name unclear), 972 Davidson Drive, spoke in opposition to the application due to the high density, increased traffic, and safety concerns.

Bill Morton, 745 Adkisson Lane, spoke in favor of the application due to the high density.

Keith Newcomb, 604 Georgetown Drive, spoke in opposition to the application and noted that a community meeting has not been held on this project.

Tom White clarified that this does meet policy based on staff analysis.

Council Lady Evans spoke in favor of the application.

**Vice Chair Adkins closed the Public Hearing.**

Mr. Clifton expressed surprise at the density increase from two to 40 and stated that this is not completely ready for a vote. While in favor of the direction of the project, we may not have the right plan just yet.

Councilmember Hunt spoke in favor of the application.

Ms. Farr stated that she feels the application is appropriate relative to what is across the street and the goals for NashvilleNext.



Mr. Dalton recused himself from the discussion and vote due to his late arrival.

Mr. Haynes expressed concern with how the density increase from two to 40 will affect the traffic turning west on to Charlotte. He also inquired how pedestrians will safely cross the street.

Tom White noted that they will agree to conduct a traffic impact study as a condition if requested.

Mr. Haynes stated that if this is going to be the first development to open up density along Charlotte, we don't want people getting in their cars to go across the street and making traffic worse. This may be too great of an increase in density to move this forward; more time may be needed to study this.

Mr. Clifton asked Council Lady Evans if she would support a deferral.

Council Lady Evans stated that it is important to get this right and would agree to a deferral if that would be the best course of action.

**Mr. Haynes moved and Mr. Clifton seconded the motion to defer to the September 11, 2014 Planning Commission Meeting. (5-0-2) Chairman McLean and Mr. Dalton recused themselves.**

#### **Resolution No. RS2014-202**

**"BE IT RESOLVED** by The Metropolitan Planning Commission that 2013SP-048-001 is **Deferred to the September 11, 2014, Planning Commission meeting. (5-0-2)**

## **2. 2014SP-041-001**

### **1212 HAWKINS STREET**

Map 093-13, Parcel(s) 276-277, 299

Council District 19 (Erica S. Gilmore)

Staff Reviewer: Jason Swaggart

A request to rezone from RM20 to SP-R zoning for properties located at 1212 Hawkins Street and 1119 and 1121 Sigler Street, approximately 330 feet west of 12th Avenue South, (0.71 acres), to permit up to 45 multifamily units, requested by Barge Cauthen & Associates, applicant; Gulchetto Enterprises, Inc., owner.

**Staff Recommendation: Defer to the August 28, 2014, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2014SP-041-001 to the August 28, 2014, Planning Commission meeting. (6-0)**

## **Zone Changes**

## **3. 2013Z-008PR-001**

BL2013-392 / WEINER

Map 128, Parcel(s) 045

Council District 22 (Sheri Weiner)

Staff Reviewer: Jason Swaggart

A request to rezone from SP to RS80 zoning for property located at Sawyer Brown Road (unnumbered), approximately 540 feet north of Meadow Lane Drive (39.09 acres), requested by the Metro Planning Department and Councilmember Sheri Weiner, applicants; Community Bank & Trust, owner.

**Staff Recommendation: Approve.**

**The Metropolitan Planning Commission deferred indefinitely 2013Z-008PR-001. (6-0)**

#### 4. 2014Z-044PR-001

Map 114, Parcel(s) 119, 124  
Council District 22 (Sheri Weiner)  
Staff Reviewer: Latisha Birkeland

A request to rezone from R15 to MUL and RM15-A zoning for properties located at 645 Old Hickory Boulevard and 7461 Charlotte Pike, approximately 880 feet east of Sawyer Brown Road (30.51 acres), requested by Dale & Associates, Inc. applicant; Agape Fellowship Church, owner.

**Staff Recommendation: Defer to the September 11, 2014, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2014Z-044PR-001 to the September 11, 2014, Planning Commission meeting. (6-0)**

### **Subdivision: Final Plats**

#### 5. 2014S-151-001

**JAMES BURNS, RESUB**  
Map 082-04, Parcel(s) 368  
Council District 05 (Scott Davis)  
Staff Reviewer: Melissa Sajid

A request for final plat approval to create six lots within the Greenwood Neighborhood Conservation Overlay District on property located at 909 Manila Avenue, approximately 235 feet east of Sharpe Avenue (1.36 acres), zoned RS5, requested by Campbell, McRae & Associates Surveying, Inc., applicant; D.J. Robertson et ux, owners.

**Staff Recommendation: Defer Indefinitely.**

**The Metropolitan Planning Commission deferred indefinitely 2014S-151-001. (6-0)**

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## **I. COMMUNITY PLAN POLICY CHANGES AND ASSOCIATED CASES**

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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).

### **Community Plan Amendments**

#### 6a. 2014CP-007-005

**WEST NASHVILLE PLAN AMENDMENT**  
Map 091-12, Parcel(s) 016  
Council District 20 (Buddy Baker)  
Staff Reviewer: Cynthia Wood

A request to amend the West Nashville Community Plan: 2009 Update by changing the Community Character Policy from a District Industrial Policy to an Urban Mixed Use Neighborhood policy for property located at 800 44th Avenue North, approximately 140 feet south of Illinois Avenue (1.66 acres), requested by Toni Rothfuss, owner.

**Staff Recommendation: Defer indefinitely.**

**The Metropolitan Planning Commission deferred indefinitely 2014CP-007-005. (6-0)**

#### 6b. 2014Z-048PR-001

BL2014-857\Baker  
Map 091-12, Parcel(s) 016  
Council District 20 (Buddy Baker)  
Staff Reviewer: Latisha Birkeland

A request to rezone from IR to MUL-A zoning for property located at 800 44th Avenue North, approximately 140 feet south of Illinois Avenue (1.66 acres), requested by Toni Rothfuss, owner.

**Staff Recommendation: Defer indefinitely.**

**The Metropolitan Planning Commission deferred indefinitely 2014Z-048PR-001. (6-0)**

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## J. RECOMMENDATIONS TO METRO COUNCIL

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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.

### **Specific Plans**

#### **7. 2011SP-009-005**

##### **ONE C1TY (AMENDMENT # 2)**

Map 092-14, Parcel(s) 039, 079, 083-085, 094, 095, 097-102

Council District 21 (Edith Taylor Langster)

Staff Reviewer: Jason Swaggart

A request to amend the ONE C1TY Specific Plan district for properties located at 1 City Avenue, 5 City Boulevard, 6 City Boulevard, 28th Avenue unnumbered and Charlotte Avenue unnumbered, southwest of the intersection of 28th Avenue and Charlotte Avenue (19.09 Acres), to increase the maximum number of residential units allowed within the SP district, requested by Civil Site Design Group PLLC, applicant; Nashcam, L.P., owner.

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

##### **APPLICANT REQUEST**

**SP amendment to increase the permitted residential units from 300 to 600.**

##### SP Amendment

A request to amend the ONE C1TY Specific Plan district for properties located at 1 City Avenue, 5 City Boulevard, 6 City Boulevard, 28th Avenue unnumbered and Charlotte Avenue unnumbered, southwest of the intersection of 28th Avenue and Charlotte Avenue (19.09 Acres), to increase the maximum number of residential units allowed within the SP.

##### **Existing Zoning**

Specific Plan-Mixed Use (SP-MU) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan.

##### **CRITICAL PLANNING GOALS**

N/A

##### **GREEN HILLS-MIDTOWN COMMUNITY PLAN**

Urban Mixed-Use Neighborhood (T5 MU) policy is intended to preserve and enhance urban mixed use neighborhoods that are characterized by a development pattern that contains a diverse mix of residential and non-residential land uses, and that are envisioned to remain or develop in a mixed use pattern. T5 MU areas are intended to be among the most intense areas in Davidson County. T5 MU areas include the County's major employment centers, representing several sectors of the economy including health care, finance, retail, the music industry, and lodging.

##### Consistent with Policy?

Yes. The proposed amendment will increase the permitted density for residential. The plan will continue to permit an intense mixture of uses including office, retail, restaurants and other nonresidential uses.

##### **PLAN DETAILS**

The ONE C1TY Specific Plan was approved by Metro Council on May 20, 2011. It is located near the intersection of Charlotte Pike and the new 28<sup>th</sup> Avenue Connector. Prior to the SP being adopted, the site was zoned for office/residential (ORI) and industrial (IR). Most of the structures on the site have been demolished. A final site plan for an office building (phase 1) has been approved and site development has commenced. Council recently approved an amendment that increased the maximum height to 15 stories and permitted additional uses.

The primary intent of the proposed amendment is to increase the permitted number of residential units. The current SP is approved for 300 residential units. This amendment would increase the max number of units to 600. Other minor changes include the following:

1. Revising the build-to zone along Charlotte to 15' – 25' (currently 20' to 30');
2. Revising the build-to zone along 28<sup>th</sup> to 20' – 30' (currently 30' – 40');
3. Increasing the building setback for additional height above seven stores or 105' from ten feet to 15 feet.

##### **FIRE MARSHAL'S OFFICE**

N/A

## **PUBLIC WORKS RECOMMENDATION**

### **Approve with conditions**

1. The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
2. Prior to Final SP, revise preliminary to indicate the previously approved road construction plans.
3. Comply with the conditions of the MPW Traffic Engineer. A focused TIS may be required if increased building height results in increased SP square footage.

## **TRAFFIC AND PARKING RECOMMENDATION**

### **Returned**

Submit trip comparison table with previous approved land use trips in order to determine if an updated TIS is required.

## **STORMWATER RECOMMENDATION**

### **Approved**

Grading plans will need to be approved prior to final SP approval.

## **WATER SERVICES**

### **Returned**

Submit updated availability request.

## **STAFF RECOMMENDATION**

Staff recommends deferral to the August 28, 2014, Planning Commission meeting if recommendations of approval are not received from Traffic and Parking and Water Services. If recommendations of approval are received, staff recommends approval with conditions and disapproval without all conditions.

## **CONDITIONS**

Requirements specified in BL2011-891 not specifically being amended under this application shall remain in effect.

Approved (6-0), Consent Agenda

### **Resolution No. RS2014-203**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2011SP-009-005 is **Approved with conditions and disapproved without all conditions. (6-0)**

### **CONDITIONS**

**Requirements specified in BL2011-891 not specifically being amended under this application shall remain in effect.**

## **8. 2014SP-058-001**

### **1032 MAYNOR AVENUE**

Map 072-06, Parcel(s) 374

Council District 05 (Scott Davis)

Staff Reviewer: Melissa Sajid

A request to rezone from OL to SP-R zoning for property located at 1032 Maynor Avenue, approximately 240 feet west of Gallatin Pike, (0.48 Acres), to permit up to six attached residential dwelling units, requested by Dale & Associates, applicant; The Catholic Diocese of Nashville, owner.

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

### **APPLICANT REQUEST**

**Permit six attached residential dwelling units.**

#### Preliminary SP

A request to rezone from Office Limited (OL) to Specific Plan-Residential (SP-R) zoning for property located at 1032 Maynor Avenue, approximately 240 feet west of Gallatin Pike, (0.48 Acres), to permit up to six attached residential dwelling units.

#### **Existing Zoning**

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

#### **Proposed Zoning**

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

### **CRITICAL PLANNING GOALS**

- Supports Infill Development
- Supports a Variety of Transportation Choices

The proposed SP provides a transition between the commercial along Gallatin Pike and the residential uses to the west. Also, the SP creates an opportunity for infill housing. In addition, the site is served by an existing transit route that runs along Gallatin Pike, which will be supported by the additional density proposed by the SP.

#### **EAST NASHVILLE COMMUNITY PLAN**

Urban Neighborhood Maintenance (T4 NM) is intended to preserve the general character of urban neighborhoods as characterized by their development pattern, building form, land use and associated public realm. T4 NM areas will experience some change over time, primarily when buildings are expanded or replaced. When this occurs, efforts should be made to retain the existing character of the neighborhood, in terms of its development pattern, building form, land use and the public realm. Where not present, enhancements are made to improve pedestrian, bicycle and vehicular connectivity.

#### Consistent with Policy?

The proposed SP moves the area closer to the goals of the policy. The Urban Neighborhood Maintenance policy is intended to preserve the character of the existing neighborhood. The subject property is situated between single-family residential and commercial uses, and the proposed SP provides a transition between the two uses. Also, the rezoning request is a site plan based district that encourages flexibility in design so that the result is well suited to the subject property and the neighborhood.

#### **PLAN DETAILS**

The site is located near the southwest corner of the intersection of Gallatin Pike and Maynor Avenue. Currently a paved parking area and fencing are located on the site. Surrounding zoning is MUL-A, R6 and RS7.5, and the area is characterized by a mixture of uses. Access to the site is from Maynor Avenue.

#### Site Plan

The plan proposes six attached residential units. The maximum height of the units will be 30' measured to the ridge of the roofline. Landscape buffers are proposed along the perimeter.

The overall site layout includes four units that front on Maynor Avenue and two interior units that front onto open space. The units facing Maynor Avenue will have front facades on that street frontage and include tuck under garages located at the rear of the units. The interior units also include garages with rear access. Architectural images have not been included with the preliminary SP. The SP, however, includes notes that address design considerations for the SP. The design conditions address doorway placement, glazing, window orientation and porches. Also, EIFS and vinyl siding will not be permitted as building materials. Building elevations will be submitted and reviewed with the final SP site plan.

The units along Maynor Avenue include one parking space located in tuck under garages and the interior units include two spaces in each garage. Four additional parking spaces are provided parallel to the private driveway serving the development. The SP is in proximity to an existing transit line that runs along Gallatin Pike. The SP proposes a sidewalk along Maynor Avenue. In addition, sidewalks are provided interior to the site and connect to the proposed public sidewalk on Maynor Avenue. Stormwater areas are designated along the Maynor Avenue street frontage, and the landscaping plan included with the SP indicates that these areas are to be landscaped.

#### **ANALYSIS**

The proposed SP moves the area closer to the goals of the policy and meets two critical planning goals. Therefore, staff recommends approval with conditions and disapproval without all conditions.

#### **FIRE MARSHAL RECOMMENDATION**

**N/A**

#### **STORMWATER RECOMMENDATION**

**Conditional if approved**

- Storm infrastructure along Maynor Avenue will be required.

#### **TRAFFIC & PARKING RECOMMENDATION**

**No exception taken**

#### **WATER SERVICES RECOMMENDATION**

**Approved**

- Approved as Preliminary SP.
- Applicant will be required to submit construction plans and pay capacity fees before the Final SP will be approved.

#### **PUBLIC WORKS RECOMMENDATION**

**Approved with conditions**

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- Prior to Final SP, straighten driveway to remove the curve in the driveway.
- Prior to Final SP, widen driveway to 22' minimum width to facilitate 2 way travel.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	0.48	0.75 F	15,681 SF	321	43	97

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	0.48	-	6 U	40	4	4

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-281	-39	-93

**SCHOOL BOARD REPORT**

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

Projected student generation proposed **SP-R** district: 1 Elementary 0 Middle 0 High

The proposed **SP-R** zoning district would generate one more student than what is typically generated under the existing **OL** district. Students would attend Hattie Cotton Elementary School, Gra-Mar Middle School, and Maplewood High School. Hattie Cotton Elementary School has been identified as over capacity. There is capacity within the cluster for elementary school students. This information is based upon data from the school board last updated September 2013.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all condition.

**CONDITIONS**

1. Uses within the **SP** shall be limited to six residential units.
2. For any development standards, regulations and requirements not specifically shown on the **SP** plan and/or included as a condition of Council approval, the property shall be subject to the standards, regulations and requirements of the **RM15** zoning district as of the date of the applicable request or application.
3. A corrected copy of the preliminary **SP** plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
4. Minor modifications to the preliminary **SP** plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
5. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Approved (6-0), Consent Agenda

**Resolution No. RS2014-204**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2014SP-058-001 is **Approved with conditions and disapproved without all conditions. (6-0)**

**CONDITIONS**

1. **Uses within the **SP** shall be limited to six residential units.**
2. **For any development standards, regulations and requirements not specifically shown on the **SP** plan and/or included as a condition of Council approval, the property shall be subject to the standards, regulations and requirements of the **RM15** zoning district as of the date of the applicable request or application.**
3. **A corrected copy of the preliminary **SP** plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.**
4. **Minor modifications to the preliminary **SP** plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except**

through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.  
**5. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.**

## 9. 2014SP-059-001

### 1035 WEST EASTLAND

Map 083-05, Parcel(s) 096

Council District 05 (Scott Davis)

Staff Reviewer: Latisha Birkeland

A request to rezone from Office/Residential (OR20) to Specific Plan – Mixed Use (SP-MU) zoning for property located at 1035 West Eastland Avenue, at the corner of W. Eastland Avenue and Bailey Street (0.8 Acres), to permit up to 65 units and a maximum commercial square footage of 8,000 square feet, requested by Hastings Architecture Associates and the Metro Planning Department, applicants; Christopher and Carter Dawson, owners.

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

### APPLICANT REQUEST

**Preliminary SP to permit a mixed use development.**

#### Preliminary SP

A request to rezone from Office/Residential (OR20) to Specific Plan – Mixed Use (SP-MU) zoning for property located at 1035 West Eastland, at the corner of W. Eastland and Bailey Street (0.8 Acres), to permit up to 65 units and a maximum commercial square footage of 8,000 square feet.

#### **Existing Zoning**

Office/Residential (OR20) is intended for office and/or multi-family residential units at up to 20 dwelling units per acre. *OR20 would permit a maximum of 16 units.*

#### **Proposed Zoning**

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

### CRITICAL PLANNING GOALS

- Creates Walkable Neighborhoods
- Supports a Variety of Transportation Choices

This area is located in the East Nashville and is served by adequate infrastructure. The site is within walking distance to Gallatin Pike, an active corridor, providing retail and services. Bus service is located along Gallatin Pike and bus stops are within walking distance of the subject properties.

### EAST NASHVILLE COMMUNITY PLAN

T4 Urban Community Center (T4 CC) policy is intended to preserve, enhance, and create urban community centers encouraging their development and redevelopment as intense mixed use areas that are compatible with the general character of urban neighborhoods as characterized by the service area, development pattern, building form, land use, and associated public realm. Where not present, enhance infrastructure and transportation networks to improve pedestrian, bicycle and vehicular connectivity. T4 Urban Community Centers are pedestrian friendly areas, generally located at intersections of prominent urban streets. T4 Urban Community Centers serve urban communities within a 5 minute drive or a 5 to 10 minute walk.

#### Consistent with Policy?

Yes. The SP would permit residential uses and a variety of commercial uses consistent with the T4 CC land use policy. The proposed mixed use development limits the scale of non-residential uses so that they are accessory to the residential use, which will complement the adjacent neighborhoods.

### PLAN DETAILS

The proposed SP is regulatory in nature. The SP will permit residential and commercial uses based on the land uses allowed in the MUL-A zoning district. Uses along Baily Street are limited to residential. The ground floor on West Eastland will be active with residential and/or commercial uses. The proposed SP includes up to 65 units and a maximum commercial square footage of 8,000 square feet. The site, approximately 0.8 acre, is located at the corner of West Eastland and Bailey Street, and is currently used is a paved parking lot.

Development Standards

The proposed SP permits buildings to be a maximum of four stories in 48 feet. The building will occupy the corner of the parcel at the intersection of West Eastland and Bailey Street. The minimum build-to-zone is 3-15 feet on West Eastland and 5-15 on Bailey Street.

The maximum FAR and ISR is as follows:

Max FAR: 1.5  
Max ISR: 0.9

The preliminary SP will comply with the Major and Collector Street Plan and other Metro Public Works standards for auto and pedestrian infrastructure. Cross sections for the minimum standards for sidewalks, street tree planting areas, stoops / porches have been provided along Bailey Street and West Eastland.

Parking/Access

As proposed the required number of parking spaces will be consistent with current requirements stipulated in the Metro Zoning Code. If shared parking is used, access agreements shall be required with any final site plan. Access into the site will be permitted from West Eastland and from the alley. Pedestrian access to the parking area will be from Bailey Street and West Eastland. Access locations will be determined with any final site plan and would be subject to Public Works approval.

**ANALYSIS**

The SP provides a preliminary site plan and provides a development plan with the necessary conditions that will be used to regulate future development within the SP boundary. The SP is consistent with T4 CC land use polices. The proposed SP is consistent with the land use polices and staff recommends approval with conditions.

**FIRE MARSHAL’S OFFICE**

N/A

**PUBLIC WORKS RECOMMENDATION**

**Approve with conditions**

- The developer’s final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- Prior to the approval of the building permit dedicate ROW to the back of the proposed sidewalks and +/- 4 along the alley.
- An access easement should be coordinated with the adjoining owner for the parking deck prior to building permit submittal.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- Traffic Study may be required at the time of development, contact MPW Traffic Engineer to confirm.

**STORMWATER RECOMMENDATION**

**Approved with conditions**

- Development of this site may require the construction of off-site stormwater improvements.

**WATER RECOMMENDATION**

**Approved**

- Approved as Preliminary SP/ Will need to pay required Capacity fees before FINAL SP stage.

Maximum Uses in Existing Zoning District: **OR20**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	0.8	20 D	16 U	107	9	10

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	0.8	-	65 U	518	36	54



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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	0.8	-	8,000 SF	380	14	41

Traffic changes between maximum: **OR20** and proposed **SP-MU**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+791	+41	+85

**METRO SCHOOL BOARD REPORT**

Projected student generation existing OR20 district: 2 Elementary 1 Middle 1 High

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

The proposed SP-MU zoning district would generate no more students than what is typically generated under the existing OR20 zoning district using the urban infill factor. Students would attend Hattie Cotton Elementary School, Gra-Mar Middle School, and Maplewood High School. Hattie Cotton Elementary School is over capacity. There is capacity within the cluster for additional elementary students. This information is based upon data from the school board last updated September 2013.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all staff conditions.

**CONDITIONS**

1. Uses shall be limited to the uses specified in the Council approved SP document. No other uses shall be permitted without Council approval.
2. Street-facing facades shall be articulated in a manner consistent with the illustrative examples shown on pages 13-16 of the Specific Plan document. Tools for articulation will include at least one of the following but preferably all: changes in plane, material, or finish. Unarticulated massing shall not exceed 40' in width. In addition, the building facade cannot exceed 60' in width without a change in plane or vertical break.
3. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUL-A zoning district as of the date of the applicable request or application.
4. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
5. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
6. Where non-residential and residential uses are allowed along West Eastland Avenue, as depicted on page four of the development standards, the height shall be limited to 52 feet. Where only residential uses are allowed along Bailey Street, as depicted on page four of the development standards, the height shall be limited to 48 feet.

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

Councilman Scott Davis spoke in favor of the application.

Joni Priest with Hastings Architecture spoke in favor of the application.

Bob Borzak, 1503 Woodland Street, spoke in opposition to the application and noted that the intersection needs to be improved before this project becomes fully operational.

Brett Withers, 1113 Granada Ave, spoke in opposition to the application and noted that while it is a good project, the neighbors would like the councilmember to continue talking to them about the future improvements to the intersection.

Joni Priest stated that Hastings can't fix problems that are not part of or adjacent to their property but they are certainly open to conversations regarding the intersection improvements.

Vice Chairman Adkins closed the Public Hearing.

Ms. Farr spoke in favor of the application.

Chairman McLean moved and Councilmember Hunt seconded the motion to approve with conditions and disapprove without all conditions. (7-0)

#### Resolution No. RS2014-205

"BE IT RESOLVED by The Metropolitan Planning Commission that 2014SP-059-001 is **Approved with conditions and disapproved without all conditions. (7-0)**

#### **CONDITIONS**

1. Uses shall be limited to the uses specified in the Council approved SP document. No other uses shall be permitted without Council approval.
2. Street-facing facades shall be articulated in a manner consistent with the illustrative examples shown on pages 13-16 of the Specific Plan document. Tools for articulation will include at least one of the following but preferably all: changes in plane, material, or finish. Unarticulated massing shall not exceed 40' in width. In addition, the building facade cannot exceed 60' in width without a change in plane or vertical break.
3. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUL-A zoning district as of the date of the applicable request or application.
4. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
5. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
6. Where non-residential and residential uses are allowed along West Eastland Avenue, as depicted on page four of the development standards, the height shall be limited to 52 feet. Where only residential uses are allowed along Bailey Street, as depicted on page four of the development standards, the height shall be limited to 48 feet.

## Neighborhood Landmark Overlays

### **10. 2014NL-003-001**

#### **COWBOY JACK MUSIC STUDIO**

Map 117-08, Parcel(s) 104  
Council District 25 (Sean McGuire)  
Staff Reviewer: Jason Swaggart

A request to apply a Neighborhood Landmark Overlay District to property located at 3405 Belmont Boulevard, approximately 260 feet south of Stokes Lane, (1.53 acres), zoned R10, requested by The Addison Group, LLC, applicant; Jack Music, Inc., owner.

**Staff Recommendation: Approve.**

#### **APPLICANT REQUEST**

**Apply a Neighborhood Landmark Overlay District.**

#### Neighborhood Landmark Overlay District

A request to apply a Neighborhood Landmark Overlay District to property located at 3405 Belmont Boulevard, approximately 260 feet south of Stokes Lane, (1.53 acres), zoned One and Two-Family Residential (R10).

#### **Existing Zoning**

One and Two-Family Residential (R10) requires a minimum 10,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25 percent duplex lots. *R10 would permit a maximum of 6 lots, permitting one duplex for a total of 7 units.*

#### **Proposed Overlay**

Neighborhood Landmark Overlay District (NLOD) is intended to preserve and protect landmark features whose demolition or destruction would constitute an irreplaceable loss to the quality and character of the neighborhood or community.

#### **CRITICAL PLANNING GOALS**

N/A

## PROPERTY HISTORY

The property is located on west side of Belmont Boulevard, just south of I-440. There is a home on the site that has been converted into a recording. The site contains numerous large trees and a small stream runs across the property near the northern property boundary.

The subject site is a recording studio that was operated by "Cowboy" Jack Clement since 1969. The following information is provided by the applicant:

The subject property is best known for being the music production studio owned and operated by music icon "Cowboy" Jack Clement, who sadly passed away in August of 2013. Jack Clement was known for his involvement on a global scale as a songwriter, producer, recording studio pioneer, publisher, artist and executive. Mr. Clement, over the course of his 82 year life, has been tied to such legends as Elvis Presley, Louis Armstrong, U2, George Jones, and Johnny Cash, many of which had the pleasure of working with Mr. Clement in this very studio.

## CRITERIA FOR CONSIDERATION

Under Section 17.36.420 of the Zoning Code, a neighborhood landmark is defined as a feature that "has historical, cultural, architectural, civic, neighborhood, or archaeological value and/or importance; whose demolition or destruction would constitute an irreplaceable loss to the quality and character of a neighborhood." Neighborhood features are defined as buildings, structures, objects, sites and areas of historic, cultural, civic, neighborhood, or architectural value and/or importance. To be eligible for application of the Neighborhood Landmark Overlay District, a property must meet one or more of the criteria set out in 17.36.420, which are as follows:

1. It is recognized as a significant element in the neighborhood and/or community;
2. It embodies characteristics that distinguish it from other features in the neighborhood and/or community.
3. Rezoning the property on which the feature exists to a general zoning district inconsistent with surrounding or adjacent properties such as, office, commercial, mixed-use, shopping center, or industrial zoning district would significantly impact the neighborhood and/or community;
4. Retaining the feature is important in maintaining the cohesive and traditional neighborhood fabric;
5. Retaining the feature will help to preserve the variety of buildings and structures historically present within the neighborhood recognizing such features may be differentiated by age, function and architectural style in the neighborhood and/or community;
6. Retaining the feature will help to reinforce the neighborhood and/or community's traditional and unique character.

Section 17.40.160 of the Zoning Code requires that Neighborhood Landmarks meet the following six criteria:

1. The feature is a critical component of the neighborhood context and structure.
2. Retention of the feature is necessary to preserve and enhance the character of the neighborhood.
3. The only reason to consider the application of the Neighborhood Landmark is to protect and preserve the identified feature.
4. There is acknowledgement on the part of the property owner that absent the retention of the feature, the base zoning district is proper and appropriate and destruction or removal of the feature is justification for and will remove the Neighborhood Landmark designation and return the district to the base zoning district prior to the application of the district.
5. It is in the community's and neighborhood's best interest to allow the consideration of an appropriate Neighborhood Landmark Plan as a means of preserving the designated feature.
6. All other provisions of this section have been followed.

The applicant has provided the following information regarding the above six criteria:

Per 17.40.160 of the Municipal Code (Neighborhood Landmark district), we believe that the subject property meets the following criteria to be considered a "Neighborhood Landmark". The demolition or destruction of this property would constitute an irreplaceable loss not only to the neighborhood, but to the overall music community.

- *The feature is a critical component of the neighborhood context and structure.* The subject property, because of its association to music legend Jack Clement and its contribution as a studio, is a critical component to the Belmont neighborhood.
- *It embodies characteristics that distinguish itself from other features in the neighborhood and/or community.* The property has many unique features, one of which is its large size (1.53 total acres) for a property so close to the Urban Core. The other is its uniqueness as a music studio. The studio, which also served as the personal residence for Jack Clement for years, is almost 6,000 sf, contains multiple recording and production rooms, has an on-site swimming pool, and contains a large number of mature trees. The property is unique to the neighborhood, while still having a character and feel that reflects positively on the Belmont area.
- *Retaining the feature is important in maintaining the cohesive and traditional neighborhood fabric.* The subject property is zoned RS10, which allows for 10,000 sf minimum lots. Because of the resurgence of residential infill development and the thriving real estate market in Nashville, developers are aggressively acquiring properties in existing neighborhoods and subdividing to max development potential. Because of the property's unique 1.53 acre size (in a well-established, flourishing Nashville neighborhood, the property runs the risk of being acquired and subdivided under its current zoning. In this unique occurrence, the purchaser is looking to preserve the property 'AS IS' and continue its use as a studio. Rezoning the property to

"Neighborhood Landmark" would not only preserve an iconic feature, but eliminate the potential to be demolished and subdivided.

• *Retaining the feature will help to reinforce the neighborhood and/or community's traditional and unique character.* Because of Jack Clement's extensive involvement in the music community and because of his long list of iconic colleagues, friends, and visitors, the property and studio have been witness to a long list of irreplaceable events in not only Nashville's history, but music history worldwide.

**ANALYSIS**

The proposed NLO is intended to protect a structure that is unique and has hosted activities at the core of Nashville's culture. Designation would potentially allow a use that has taken place on this property for numerous years. This recording studio was founded and operated by Jack Clement, a very important person in the world of country music and the music in general. Preserving the building provides an incentive to maintain the existing home and property in its current state, which helps maintain the existing character of the area. The NLO would also potentially preserve an important recording studio that is quintessentially Nashville.

**FIREMARSHAL'S OFFICE**

N/A

**PUBLIC WORKS**

**Approved with conditions**

• The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.

**STORMWATER**

Approved

**WATER SERVICES**

N/A

**STAFF RECOMMENDATION**

Staff recommends approval of the Neighborhood Landmark District. Staff finds that the proposed district meets the criteria for consideration found in the Zoning Code. However, as with all Neighborhood Landmark Overlay requests, the community must also recognize the importance of retaining the feature.

Approved (6-0), Consent Agenda

**Resolution No. RS2014-206**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2014NL-003-001 is **Approved. (6-0)**"

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**K. PLANNING COMMISSION ACTIONS**

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

**Planned Unit Developments: final site plans**

**11. 2004P-013-005**

**MILL CREEK TOWNE CENTRE (LOT 1B REVISION)**

Map 181, Parcel(s) 259

Council District 31 (Fabian Bedne)

Staff Reviewer: Melissa Sajid

A request to revise the preliminary plan and for final site plan approval for a portion of the Mill Creek Towne Centre Commercial Planned Unit Development Overlay District for property located at 7909 Concord Hills Drive, approximately 300 feet north of Nolensville Pike, zoned SCC, (0.5 acres), to permit the development of a 10,000 square foot medical office and retail building where a 1,500 square foot restaurant was previously approved, requested by Wamble & Associates, PLLC, applicant; Legg Investments-Nolensville, LLC, owner.

**Staff Recommendation: Approve with conditions.**

## APPLICANT REQUEST

### Revise preliminary plan and final site plan approval for Lot 1B of the Mill Creek Towne Centre PUD.

#### Revise Preliminary PUD and Final

A request to revise the preliminary plan and for final site plan approval for a portion of the Mill Creek Towne Centre Commercial Planned Unit Development Overlay District for property located at 7909 Concord Hills Drive, approximately 300 feet north of Nolensville Pike, zoned Shopping Center Community (SCC), (0.5 acres), to permit the development of a 10,000 square foot medical office and retail building where a 1,500 square foot restaurant was previously approved.

#### **Existing Zoning**

Shopping Center Community (SCC) is intended for moderate intensity retail, office, restaurant, and consumer service uses for a wide market area.

#### **CRITICAL PLANNING GOALS**

N/A

#### **REQUEST DETAILS**

The subject property is located on Concord Hills Drive north of Nolensville Pike in Brentwood. Surrounding zoning includes SCC, MUL, RM9 and PUD. The zoning of the property is SCC and PUD overlay.

#### **ANALYSIS**

The Mill Creek Towne Centre PUD is located along the east side of Nolensville Pike, north of Pettus Road. The entire PUD was approved by Council in 2004 for 45 single-family lots, 248 townhomes, and 217,619 square feet of retail, restaurant, and gas station uses. Since the last Council approval, the Planning Commission has approved several revisions. The last revision, which increased the total permitted non-residential development to 218,213 square feet, was approved in March 2013.

While this request proposes an additional 8,500 square feet, the Zoning Code permits the Planning Commission to approve increases in floor area from what was approved by Council, as long as any increase does not exceed ten percent of the last Council approval. A total of 239,380 square feet of floor area is permitted without requiring Council approval. With the proposed 10,000 square foot medical office/retail building on Lot 1B, the overall total area for non-residential development in the PUD is 226,713 square feet.

No changes are being proposed that conflict with the concept of the Council approved plan. The changes in use and design proposed for Lot 1B are consistent with the concept of the PUD. In addition, the increase in overall building area does not exceed 10% of the area last approved by Council. Consequently, staff finds that the proposed revision is a minor modification.

Section 17.40.120.G permits the Planning Commission to approve "minor modifications" under certain conditions. Staff finds that the request is consistent with all the requirements of Section 17.40.120.G, and is provided below for review.

G. Status of Earlier Planned Unit Developments (PUDs). The following provisions shall apply to a planned unit development (PUD) approved under the authority of a previous zoning code and remaining a part of the official zoning map upon the enactment of this title.

1. The planned unit development (PUD) shall be recognized by this title according to the master development plan and its associated conditions specified in the PUD ordinance last approved by the metropolitan council prior to the effective date of the ordinance codified in this title.
2. The planning commission may consider and approve minor modifications to a previously approved planned unit development subject to the following limitations. All other modifications shall be considered by the planning commission as an amendment to the previously approved planned unit development and shall be referred back to the council for approval according to the procedures of Section 17.40.120(A)(5). That portion of a planned unit development master plan being amended by the council shall adhere to all provisions of this code:
  - a. In the judgment of the commission, the change does not alter the basic development concept of the PUD;
  - b. The boundary of the planned unit development overlay district is not expanded;
  - c. There is no change in general PUD classification (e.g. residential to any classification of commercial or industrial PUD; any change in general classification of a commercial PUD; or any change in general classification of an industrial PUD);
  - d. There is no deviation from special performance criteria, design standards, or other specific requirements made part of the enacting ordinance by the council;
  - e. There is no introduction of a new vehicular access point to an existing street, road or thoroughfare not previously designated for access;
  - f. There is no increase in the total number of residential dwelling units originally authorized by the enacting ordinance;
  - g. There is no change from a PUD approved exclusively for single-family units to another residential structure type;
  - h. The total floor area of a commercial or industrial classification of PUD shall not be increased more than ten percent beyond the total floor area last approved by the council;
  - i. If originally limited to office activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council

through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.

j. If originally limited to office, retail and other general commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to include industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.

k. If originally limited to commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.

l. In the determination of the commission, the nature of the change will have no greater adverse impact on those environmentally sensitive features identified in Chapter 17.28 of this code than would have occurred had the development proceeded in conformance with the previous approval.

m. In the judgment of the commission, the planned unit development or portion thereof to be modified does not meet the criteria for inactivity of Section 17.40.120.H.4.a.

The proposal is for a revision to the preliminary plan and for final site plan approval for a 10,000 square foot medical office and retail building on Lot 1B. Lot 1B is located near the intersection of Nolensville Pike and Concord Hills Drive just north of First Tennessee Bank. Townhomes that are also part of the Mill Creek Towne Centre PUD are located directly north of Lot 1B.

The site plan for Lot 1B includes a medical office/retail building in three floors. The lower level utilizes site topography to create a parking level located under the building that is accessed from a previously approved driveway, to an adjacent site. A new curb cut is proposed from Concord Hills Drive to provide access to surface level parking on the main level. Both the main and upper floor levels include 5,000 square feet for a total of 10,000 square feet of gross floor area. The building is 33' 7" in height; however, since the lower level is located at a lower grade compared to the townhomes to the north, the proposed building will not be taller than the existing townhomes.

The final site plan is consistent with the Zoning Code requirements for both parking and landscaping. A Type "A" buffer is required between the site and the townhomes to the north, but the plan proposes a "C-5" which is denser than an "A" buffer and also includes a masonry wall.

As the proposed revision keeps with the overall intent of the PUD and the final site plan is consistent with the Zoning Code, planning staff recommends approval of the request.

#### **FIRE MARSHAL RECOMMENDATION**

**Approved**

#### **STORMWATER RECOMMENDATION**

**Approve with conditions**

1. Cite on the erosion control sheet that this site drains to a 303D listed stream.
2. Design the erosion control measures to the 5 year event (because it is listed).
3. Add the following note to plans: "Contractor to provide an area for concrete wash down and equipment fueling in accordance with Metro CP-10 and CP-13, respectively. Contractor to coordinate exact location with NPDES department during preconstruction meeting. Grading Permittee to include BMP's designed to control site wastes such as discarded building materials, chemicals, litter, and sanitary wastes that may cause adverse impacts to water quality. The location of and / or notes referring to said BMP's shall be shown on the EPSC Plan."
4. Consider revising Pipe D4 to D5 from underneath the building. May need cross section / profile showing the location of the pipe with respect to the building levels.
5. Provide a deeper sump for D1 (or raise the elevation of the spot shot at the curb entrance).

#### **PUBLIC WORKS RECOMMENDATION**

**Approve with conditions**

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

#### **TRAFFIC & PARKING RECOMMENDATION**

**No exception taken**

#### **WATER SERVICES RECOMMENDATION**

**Approved**

#### **STAFF RECOMMENDATION**

Staff recommends approval with conditions.

## CONDITIONS

1. Comply with all Stormwater conditions.
2. 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.
3. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
4. 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.
5. 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.
6. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
7. 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.
8. 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 reapproval by the Planning Commission and/or Metro Council.

Approved (6-0), Consent Agenda

### Resolution No. RS2014-207

"BE IT RESOLVED by The Metropolitan Planning Commission that 2004P-013-005 is **Approved with conditions. (6-0)**

#### **CONDITIONS**

1. **Comply with all Stormwater conditions.**
2. **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.**
3. **The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.**
4. **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.**
5. **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.**
6. **The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.**
7. **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.**
8. **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 reapproval by the Planning Commission and/or Metro Council.**

## 12. 2004P-036-004

### **NASHVILLE WEST SHOPPING CENTER**

Map 102, Parcel(s) 097

Council District 20 (Buddy Baker)

Staff Reviewer: Latisha Birkeland

A request to revise the preliminary plan and for final site plan approval for a portion of the Nashville West Commercial Planned Unit Development Overlay District for property located at 6704 Charlotte Pike, opposite Brook Hollow Road, zoned SCR, (2.06 acres), to permit the development of a 5,000 square foot retail building and a 3,710 square foot restaurant where 12,000 square feet of retail and restaurant uses were previously approved, requested by Littlejohn Engineering Associates, applicant; Nashville West Shopping Center, LLC, owner.

**Staff Recommendation: Approve with conditions.**

#### **APPLICANT REQUEST**

**Revise a portion of a Planned Unit Development and for final site plan to permit retail and restaurant.**

#### Revise Preliminary PUD and Final Site Plan

A request to revise the preliminary and for final site plan approval for a portion of the Nashville West Commercial Planned Unit Development Overlay District for property located at 6704 Charlotte Pike, opposite Brook Hollow Road, zoned Shopping Center

Regional (SCR) (2.06 acres), to permit the development of 5,000 square feet retail building and a 3,710 square foot of restaurant where 12,000 square feet of retail and restaurant uses were previously approved.

### **Existing Zoning**

Shopping Center Regional (SCR) is intended for high intensity retail, office, and consumer service uses for a regional market area.

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

### **PLAN HISTORY**

The Council approved the original preliminary plan in 2005 for 474,484 square feet of retail, restaurant, office use and 24 residential units. The Planning Commission approved revisions in 2005, 2007, 2008 and 2009 to allow increases in the commercial floor area and the removal of 24 multi-family units. In 2005, the building was located along the east side of Parcel 97 and the parking was located behind the building. In 2009, the building was approved to move to the west side of the lot and parking was located in front of the building.

### **SITE PLAN**

The proposed revision adjusts the building location and size on Parcel 97. The new location of proposed building is in the middle of the lot, closer to the entrance road on the east side. The revision reduces the approved 12,000 square feet of retail and restaurant uses to a 5,000 square foot retail building and a 3,710 square foot restaurant. The proposed plan also separates the original building into two buildings, designating one building for each use.

The plan maintains the same access points along east and north side of Parcel 97 and includes one ingress/egress drive to the neighboring property to the west. Sidewalks will be established along the east and north side of Parcel 97. Parking has been provided around each building, located in the front, side and rear of the buildings. A landscape buffer has been provided along the west side of the subject parcel.

### **ANALYSIS**

The relocation of the buildings to the middle of Parcel 97 helps frame the street, creating a more pedestrian scaled environment than a building along the rear of the parcel. The proposed relocation of the buildings moves the plan closer to the intent of the original PUD plan.

Section 17.40.120.G permits the Planning Commission to approve "minor modifications" under certain conditions. Staff is recommending that the request be approved with conditions because the request is consistent with all the requirements of Section 17.40.120.G, and is provided below for review.

G. Status of Earlier Planned Unit Developments (PUDs). The following provisions shall apply to a planned unit development (PUD) approved under the authority of a previous zoning code and remaining a part of the official zoning map upon the enactment of this title.

1. The planned unit development (PUD) shall be recognized by this title according to the master development plan and its associated conditions specified in the PUD ordinance last approved by the metropolitan council prior to the effective date of the ordinance codified in this title.
2. The planning commission may consider and approve minor modifications to a previously approved planned unit development subject to the following limitations. All other modifications shall be considered by the planning commission as an amendment to the previously approved planned unit development and shall be referred back to the council for approval according to the procedures of Section 17.40.120(A)(5). That portion of a planned unit development master plan being amended by the council shall adhere to all provisions of this code:
  - a. In the judgment of the commission, the change does not alter the basic development concept of the PUD;
  - b. The boundary of the planned unit development overlay district is not expanded;
  - c. There is no change in general PUD classification (e.g. residential to any classification of commercial or industrial PUD; any change in general classification of a commercial PUD; or any change in general classification of an industrial PUD);
  - d. There is no deviation from special performance criteria, design standards, or other specific requirements made part of the enacting ordinance by the council;
  - e. There is no introduction of a new vehicular access point to an existing street, road or thoroughfare not previously designated for access;
  - f. There is no increase in the total number of residential dwelling units originally authorized by the enacting ordinance;
  - g. There is no change from a PUD approved exclusively for single-family units to another residential structure type;
  - h. The total floor area of a commercial or industrial classification of PUD shall not be increased more than ten percent beyond the total floor area last approved by the council;



- i. If originally limited to office activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
- j. If originally limited to office, retail and other general commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to include industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
- k. If originally limited to commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.

**FIRE MARSHAL RECOMMENDATION**

N/A

**STORMWATER RECOMMENDATION**

Approved

**WATER RECOMMENDATION**

Approved

- Approved (Any fees that are owed will have to be paid before permits can be issued)

**PUBLIC WORKS RECOMMENDATION**

Approved with conditions

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- Coordinate joint use driveway with adjoining property owner.
- Pavement markings and signage shall be per MUTCD standards.

**TRAFFIC & PARKING**

No table was prepared because this request is not anticipated to generate significant additional traffic.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions.

**CONDITIONS**

1. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
2. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
3. Prior to 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.

Approved (6-0), Consent Agenda

**Resolution No. RS2014-208**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2004P-036-004 is **Approved with conditions. (6-0)**

**CONDITIONS**

1. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
2. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
3. Prior to 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.

### 13. 84-85P-001

#### **BILTMORE COMMERCIAL (TRI STAR SERVICES)**

Map 140, Parcel(s) 076

Council District 35 (Bo Mitchell)

Staff Reviewer: Jason Swaggart

A request to revise the preliminary plan and for final site plan approval for a portion of the Biltmore Commercial Planned Unit Development Overlay District for property located at 8020 McCrory Lane, at the southeast corner of McCrory Lane and Newsom Station Road, zoned CL, (2.02 acres), to permit the development of a 4,800 square foot automobile convenience facility, requested by Barge Cauthen & Associates, applicant; Tri Star Energy, LLC, owner.

**Staff Recommendation: Approve with conditions.**

#### **APPLICANT REQUEST**

**Revise a portion of a Planned Unit Development and final site plan to permit the development of an automobile convenience facility.**

#### Revise Preliminary PUD and Final Site Plan

A request to revise the preliminary plan and for final site plan approval for a portion of the Biltmore Commercial Planned Unit Development Overlay District for property located at 8020 McCrory Lane, at the southeast corner of McCrory Lane and Newsom Station Road, zoned Commercial Limited (CL), (2.02 acres), to permit the development of a 4,800 square foot automobile convenience facility.

#### **Existing Zoning**

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

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

#### **CRITICAL PLANNING GOALS**

N/A

#### **PLAN DETAILS**

The subject site is located on the east side of McCrory Lane between Newsome Station Road to the North and I-40 to the south. The site is vacant and contains no environmentally sensitive areas.

The original PUD was approved in 1985. It includes lands on the north and south side of I-40, and is approved for commercial as well as residential. The subject site is approved for a variety of commercial uses.

#### Site Plan

The plan calls for a 4,800 square foot automobile convenience facility with six fuel pumps. Access into the site is provided from one drive off of McCrory Lane and two drives off Newsome Station Road.

#### **ANALYSIS**

Staff recommends approval with conditions. The request is consistent with the overall concept of the Council approved plan. The proposed automobile convenience use is permitted within the CL base zoning district and is consistent with the Service Station use identified on the Council approved site plan. Since the proposed revision is consistent with the overall concept of the Council approved PUD plan and does not propose any changes requiring Council approval then finds that the proposed changes to the previous plan for this site is a minor modification.

Section 17.40.120.G permits the Planning Commission to approve "minor modifications" under certain conditions. Staff finds that the request is consistent with all the requirements of Section 17.40.120.G, and is provided below for review.

G. Status of Earlier Planned Unit Developments (PUDs). The following provisions shall apply to a planned unit development (PUD) approved under the authority of a previous zoning code and remaining a part of the official zoning map upon the enactment of this title.

1. The planned unit development (PUD) shall be recognized by this title according to the master development plan and its associated conditions specified in the PUD ordinance last approved by the metropolitan council prior to the effective date of the ordinance codified in this title.
2. The planning commission may consider and approve minor modifications to a previously approved planned unit development subject to the following limitations. All other modifications shall be considered by the planning commission as an amendment to the previously approved planned unit development and shall be referred back to the council for approval according to the procedures of Section 17.40.120(A)(5). That portion of a planned unit development master plan being amended by the council shall adhere to all provisions of this code:
  - a. In the judgment of the commission, the change does not alter the basic development concept of the PUD;
  - b. The boundary of the planned unit development overlay district is not expanded;
  - c. There is no change in general PUD classification (e.g. residential to any classification of commercial or industrial PUD; any change in general classification of a commercial PUD; or any change in general classification of an industrial PUD);
  - d. There is no deviation from special performance criteria, design standards, or other specific requirements made part of the enacting ordinance by the council;
  - e. There is no introduction of a new vehicular access point to an existing street, road or thoroughfare not previously designated for access;
  - f. There is no increase in the total number of residential dwelling units originally authorized by the enacting ordinance;
  - g. There is no change from a PUD approved exclusively for single-family units to another residential structure type;
  - h. The total floor area of a commercial or industrial classification of PUD shall not be increased more than ten percent beyond the total floor area last approved by the council;
  - i. If originally limited to office activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
  - j. If originally limited to office, retail and other general commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to include industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
  - k. If originally limited to commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
  - l. In the determination of the commission, the nature of the change will have no greater adverse impact on those environmentally sensitive features identified in Chapter 17.28 of this code than would have occurred had the development proceeded in conformance with the previous approval.
  - m. In the judgment of the commission, the planned unit development or portion thereof to be modified does not meet the criteria for inactivity of Section 17.40.120.H.4.a.

#### **FIRE MARSHAL'S OFFICE**

N/A

#### **STORMWATER RECOMMENDATION**

##### **Approved with Conditions**

Plan Information and Fees:

1. Pay Plan Review Fee and Grading Permit Fee, Total Cost = \$1,380.00.
2. Provide the correct NOC information and TDEC Tracking Number (Sheet C2.1).

Erosion Protection & Sediment Control (EPSC) Measures

3. The plan set needs to contain two EPSC sheets. Phase 1 for existing conditions and Phase 2 for proposed.
4. Silt fence needs to be shown on contour or with J hooks on contour. All area drains need inlet protection.

Water Quantity / Quality

5. The calculations cannot be checked because the drainage and bypass areas are incorrect.
6. Clarify how the water enters the bioretention pond.
7. The use of multiple symbols to label the same structure is redundant and confusing.

## **PUBLIC WORKS RECOMMENDATION**

### **Conditions if approved**

Prior to any work within the public right-of-way, permitting is required through the Department of Public Works, including ramp or driveway connections, sidewalk construction, excavations, encroachments, or other activities. With final construction plans, show ST-324 detail for approved driveway ramps.

## **WATER SERVICES**

### **Approved**

## **STAFF RECOMMENDATION**

Staff recommends that the request be approved with conditions. The proposed request is minor in nature and is not inconsistent with the concept of the PUD plan approved by Council.

## **CONDITIONS**

1. Comply with all Stormwater requirements.
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 Traffic Engineering Sections of the Metro Department of Public Works for all improvements within public rights of way.
3. 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.
4. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
5. 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.
6. 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 reapproval by the Planning Commission and/or Metro Council.
7. 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.

Approved with conditions (6-0), Consent Agenda

### **Resolution No. RS2014-209**

"BE IT RESOLVED by The Metropolitan Planning Commission that 84-85P-001 is **Approved with conditions. (6-0)**

#### **CONDITIONS**

1. **Comply with all Stormwater requirements.**
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 Traffic Engineering Sections of the Metro Department of Public Works for all improvements within public rights of way.**
3. **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.**
4. **The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.**
5. **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.**
6. **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 reapproval by the Planning Commission and/or Metro Council.**
7. **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.**

# **Neighborhood Landmark Overlays: final site plans**

## **14. 2014NL-002-002**

### **SIMPKINS GROCERY (FINAL)**

Map 083-14, Parcel(s) 300

Council District 06 (Peter Westerholm)

Staff Reviewer: Melissa Sajid

A request for approval of a Neighborhood Landmark Development Plan for property located at 1627 Shelby Avenue, at the northwest corner of Shelby Avenue and South 17th Street (0.11 acres), zoned R6, to permit a single-family residence and up to 733 square feet for retail use, requested by Andrew Clancey, applicant; Kris and Eliot Houser, owners.

**Staff Recommendation: Approve with conditions.**

### **APPLICANT REQUEST**

**Neighborhood Landmark Development Plan to permit retail and residential uses.**

#### Neighborhood Landmark Development Plan

A request for approval of a Neighborhood Landmark Development Plan for property located at 1627 Shelby Avenue, at the northwest corner of Shelby Avenue and South 17th Street (0.11 acres), zoned One and Two-Family Residential (R6), to permit a single-family residence and up to 733 square feet for retail use.

#### **Existing Zoning**

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

Neighborhood Landmark Overlay District (NLOD) is intended to preserve and protect landmark features whose demolition or destruction would constitute an irreplaceable loss to the quality and character of the neighborhood or community.

#### **HISTORY**

On March 27, 2014, the Planning Commission recommended that Council approve the Neighborhood Landmark Overlay District. Council subsequently approved the overlay on June 17, 2014.

The property located at 1627 Shelby Avenue was purchased by Sallie W. Simpkins in March of 1922. As early as 1930 she was operating a grocery store on the property with her daughter Thelma working there as a clerk. Norman Robinson started to manage the store in 1931, and continued to do so throughout the 1940s into the 1950s, although the property stayed in Thelma's hands until she sold it in 1979. The building is unique in the predominantly residential area because it includes a residence attached to a traditional storefront. The structure is a historically significant element in the neighborhood.

#### **PLAN DETAILS**

The establishment of the Neighborhood Landmark District requires the approval of Council. The development plan, to implement the overlay district, requires the approval of the Planning Commission only.

The development plan proposes to use the existing structure for single-family residential and retail uses. The majority of the floor space is to be used for the residence; the proposed retail area within the building is limited to 733 square feet. The site also includes an existing 380 square foot garage that is to be used for onsite parking. The plan proposes to replicate the vintage signage that characterized the exterior façades during the 1950s.

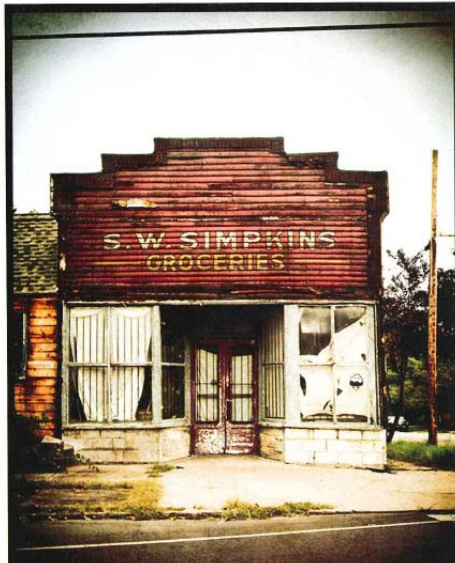
#### Parking

The existing garage and driveway located off South 17<sup>th</sup> Street provide four onsite parking spaces, and an additional three parking spaces are available on-street in front of the premises. One on-street space is located on Shelby Avenue and two spaces are located on South 17<sup>th</sup> Street. A total of seven parking spaces are shown on the plan.

The Zoning Code requires two spaces for the single-family residential use; these required spaces are provided in the garage onsite. For properties located within the Urban Zoning Overlay, the first 2,000 square feet for retail use is exempt from the parking requirement. Therefore, no parking spaces are required by the Zoning Code for the retail use. However, two onsite and three on-street spaces are available for that use.

#### Signage

The plan proposes to replicate the historic S W Simpkins storefront signage as well as the Coca Cola signage that was located on the building in the 1950s. Images for this signage are included below. No exterior signage is proposed for the retail use. Low wattage accent lighting is proposed to be located above the vintage signs.



#### Other Details

The proposed hours of operation for the retail use are 11 AM to 8 PM. The retail use is proposed to be open to the public on Tuesday and Thursday through Saturday. The plan no longer includes special events.

#### **ANALYSIS**

The single-family residential use is permitted by right under the current R6 zoning. Staff finds that the proposed retail use is limited enough in scale that it is unlikely that it will generate negative impacts to the neighborhood. The applicant has demonstrated that sufficient parking is available onsite and along the street immediately adjacent to the site. In addition, no exterior signage is proposed for the retail use, other than the historic signage. Therefore, staff recommends approval of the development with conditions and disapproval without all conditions.

#### **HISTORIC ZONING RECOMMENDATION**

**Approved**

#### **PUBLIC WORKS RECOMMENDATION**

**Approved with conditions**

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

#### **STORMWATER RECOMMENDATION**

**Approved**

#### **WATER SERVICES RECOMMENDATION**

**Approved**

#### **STAFF RECOMMENDATION**

Staff recommends approval of the proposed development plan.

#### **CONDITIONS**

1. Uses shall be limited to a single-family residence and 733 square feet of retail.
2. Exterior signage for the retail use, other than replicating the historic signage, shall be prohibited.

Ms. Sajid presented the staff recommendation of approval with conditions.

Kris Houser spoke in favor of the application.

Eliot Houser spoke in favor of the application and stated that there will not be a tremendous parking or traffic impact.

August 14, 2014 Meeting

Lauren Citron, 1627 Shelby Ave, spoke in favor of the application.

Eric Adler, 407 W Meade, spoke in favor of the application.

Zev Goering, 1621 Electric Ave, spoke in favor of the application and noted that people need a walkable community – restaurants, stores, bars, etc.

Brennan Warren, 1519 Woodland Street, spoke in favor of the application and stated that he moved to East Nashville for this very reason.

Nicole Turner, 926 Riverside, spoke in favor of the application and noted that she moved to East Nashville because of the unique opportunities offered.

Christopher Pennington spoke in favor of the application.

Chi Chi from Old Hickory spoke in favor of the application and stated that this would be an asset to the community.

Sharon Emerson, 1610 Eastland Ave, spoke in favor of the application especially since the days and times are limited.

Elizabeth Smith, 1800 Russell Street, spoke in opposition to the application and noted that the neighbors do not support retail in this location.

Carol Norton, 801 Boscobel St, spoke in opposition to the application.

Lisa Bastarache, 1626 Shelby, spoke in opposition to the application and noted that this seems like a back door effort to transform a residential property into a commercial one without going through the proper channels.

Kris Mumford, 406 S 17<sup>th</sup> Street, spoke in opposition to the application and stated that the neighborhood is not in support of this.

Robert Herb, 1506 Village Court, spoke in opposition to the application.

Edwin Wilmore, 1626 Shelby, spoke in opposition to the application.

Garrett Davis, 1625 Shelby Ave, spoke in opposition to the application and noted that this would do more harm than good for the neighborhood.

Shannon Casey, 1622 Shelby Ave, spoke in opposition to the application and stated that all streets in East Nashville are not appropriate for retail development.

Lauren Davis, 1625 Shelby Ave, spoke in opposition to the application.

M. L. Sandoz, 1808 Fatherland, spoke in opposition to the application and stated that this is not fair to the neighbors.

Brett Withers, 1113 Granada Ave, spoke in opposition to the application.

Harold Loren, 1622 Shelby Ave, spoke in opposition to the application.

Bob Borzak, 1503 Woodland St, spoke in opposition to the application.

Kris Houser again spoke in support and clarified that that parking and traffic issues have been addressed.

**Vice Chair Adkins closed the Public Hearing.**

Councilmember Westerholm spoke in favor of the application.

Chairman McLean spoke in favor of the application and noted that it seems appropriate, especially considering the limited hours of operation.

Mr. Haynes spoke in favor of the application and stated that it is an appropriate use in an appropriate location.

Ms. Farr spoke in favor of the application.

**Chairman McLean moved and Mr. Haynes seconded the motion to approve with conditions. (7-0)**

**Resolution No. RS2014-210**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2014NL-002-002 is **Approved with conditions. (7-0)**  
**CONDITIONS**  
**1. Uses shall be limited to a single-family residence and 733 square feet of retail.**  
**2. Exterior signage for the retail use, other than replicating the historic signage, shall be prohibited.**

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**L. OTHER BUSINESS**

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15. New employee contracts for Haryono Prawiranata and Jennifer Nalbantyan

Approved (6-0), Consent Agenda

**Resolution No. RS2014-211**

"BE IT RESOLVED by The Metropolitan Planning Commission that the new employee contracts for Haryono Prawiranata and Jennifer Nalbantyan are **Approved. (6-0)**

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16. Employee contract renewal for Michael Briggs

Approved (6-0), Consent Agenda

**Resolution No. RS2014-212**

"BE IT RESOLVED by The Metropolitan Planning Commission that the employee contract renewal for Michael Briggs is **Approved. (6-0)**

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17. Historic Zoning Commission Report

18. Board of Parks and Recreation Report

19. Executive Committee Report

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

Approved (6-0), Consent Agenda

**Resolution No. RS2014-213**

"BE IT RESOLVED by The Metropolitan Planning Commission that the Director's Report and Approve Administrative Items are **Approved. (6-0)**

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21. Legislative Update

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**M. MPC CALENDAR OF UPCOMING MATTERS**

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**August 28, 2014**

MPC Meeting

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

**September 11, 2014**

MPC Meeting

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

**September 25, 2014**

MPC Meeting

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

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**Location change for the following MPC meeting:**

October 23, 2014

Metropolitan Public Schools Administration Building  
2601 Bransford Avenue

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## **N. ADJOURNMENT**

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The meeting adjourned at 6:45 p.m.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary




**METROPOLITAN GOVERNMENT  
OF NASHVILLE AND DAVIDSON COUNTY**

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

Date: August 14, 2014

To: Metropolitan Nashville-Davidson County Planning Commissioners

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

Re: Executive Director's Report

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The following items are provided for your information.

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

1. Attending: McLean; Clifton; Adkins; Hunt; Dalton; Blackshear; Farr; Haynes
2. Leaving Early:
3. Absent: Gee; LeQuire
4. Legal Representation – Susan Jones will be attending

**B. August 14, 2014 MPC meeting NashvilleNext MPC Topic**

1. Natural Resources and Hazard Adaption & Economic and Workforce Development Resource Team Goals, Policies and Findings (Briggs & Claxton)
2. Upcoming –
  - a. August 28, 2014 - Work Session on NN - Preliminary Results of Phase 4 Outreach and Initial Thoughts on the Preferred Future, 2:30pm, Nashville Room
  - b. August 28, 2014 MPC – Community Input (Capehart)
  - c. September 25, 2014 - Work Session on NN - Draft of Preferred Future and Impact on Community Plans, 2:30pm, Nashville Room

**C. Planning Commission Meetings**

1. Due to a conflict with the Election Commission:
  - a. October 23, 2014 – 4:00 pm; Metropolitan Public Schools Administration Building, 2601 Bransford Avenue, Nashville TN

**D. Employee News**

1. We are still looking for the following:
  - a. Vacant Positions
    - i. Planner II in Land Development
    - ii. Mobility Planner for Community Plans
    - iii. Urban Designer for the Design Studio with an architectural background.

## **E. Communications**

1. A video of Gabe Klein's ULI breakfast presentation on Transit and Mobility is now online at <http://youtu.be/yg13C-hjJ-E>. A video of his NashvilleNext presentation at Municipal Auditorium is at (address to come) and will include representative samples of table discussions.

## **F. Community Planning**

1. Final background checks are underway regarding a candidate for the Planner II in the Design Studio.
2. Tifinie Capehart will be a presenter at the TAPA/ TRB conference in Nashville on Friday, August 29 about the Use of Social Media in NashvilleNext.

## **G. Land Development**

1. New hire, Jennifer Nalbantyan, Planner I starts on Monday, August 25<sup>th</sup>.

## **H. GIS**

1. New hire, Kevin McLemore, CAD/GIS Analyst I starts on Monday, Aug 18th.

## **I. Executive Director Presentations**

1. July 30, 2014, Bordeaux-Whites Creek Rural Character Discussion on defining Rural development, meeting 2 of 5
2. August 13, 2014, Bordeaux-Whites Creek Rural Character Discussion reviewing the definition of rural and initial mapping, meeting 3 of 5

## **J. NashvilleNext**

### **1. Presentations and Meetings**

- a. 08/05/2014 - Transportation and Mobility Community Conversation was held with over 100 people in attendance.
- b. NashvilleNext Lounges are underway. Completed ones (through August 10, 2014) since the last report include:
  - i. 7/21/2014 Harding Place YMCA ( 12 in attendance)
  - ii. 7/22/2014 Blakemore United Methodist Church ( 5 in attendance)
  - iii. 7/24/2014 Lenox Village Peacock Ballroom ( 11 in attendance)
  - iv. 7/28/2014 Coleman Community Center ( 21 in attendance)
  - v. 7/29/2014 Hermitage Community Center ( 12 in attendance)
  - vi. 7/31/2014 Easley Community Center (Rose Park) ( 4 in attendance)
  - vii. 8/04/2014 West Nashville Police Precinct ( 13 in attendance)
  - viii. 8/07/2014 Hadley Park Community Center ( 23 in attendance)
  - ix. 8/08/2014 Donelson Farmer's Market Location (more than 150 surveys distributed)
  - x. 8/11/2014 East Park Community Center (20 in attendance)
  - xi. 8/12/2014 Farmers Market (Lunch time) (51 in attendance)

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

### **Be Nashville**

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

### **Foster Strong Neighborhoods**

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

### **Expand Accessibility**

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

### **Create Economic Prosperity**

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

### **Advance Education**

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

- Nashville's excellent colleges and universities are community assets and tremendous resources for the community that add to its prestige.

### **Champion the Environment**

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

### **Ensure Equity for All**

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

### **3. NashvilleNext Overall Schedule**

- a. Making Policy Decisions (Spring/Fall 2014)
  - i. Community Engagement on Scenario Options
  - ii. Resource Teams and Steering Committee develop policy options
  - iii. Community engagement on policy options
- b. Creating and Adopting the Plan (Fall 2014/Summer 2015)
  - i. Community Vision
  - ii. Policies and Actions
  - iii. Preferred Alternative
  - iv. Community Plan Updates
  - v. Implementation Schedule
  - vi. Planning Commission Adoption

### **4. NashvilleNext Key Activities:**

- a. Phase 3 (of 5) of the process is completed with over 10,000 participants.
- b. The alternative futures evaluation and comment period is underway
- c. List of special projects underway include:
  - i. The Airport Employment Center Master Design
  - ii. Identification of Downtown open space network
  - iii. Examining the potential use for the Missing Middle housing typology
- d. Coordinating with MTA and Nashville GreenPrint (tree canopy master plan) as they begin their master planning efforts.

**5. Resource Teams:**

- a. NashvilleNext Resource Teams have moved into Phase 2 (of 3) of their process. The purpose of this Phase is to develop goals and policies for each plan element and as impacted by the scenario alternatives. As of Thursday, May 22, 2014, all Resource Teams have met to review and assess the alternative futures.

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

**1. NashvilleNext Community Conservations**

- a. September, 2014 Economic and Workforce Development

**2. NashvilleNext Futures Review Community Festivals**

**3. NashvilleNext Future Open Lounges**

<b>Tentative Date</b>	<b>Time</b>	<b>Venue / Location</b>
8/16/2014	9 - 11 am	Beaman Park Nature Center (W -Sat's. only)
8/18/2014	5 - 7 pm	Old Hickory Community Center
8/21/2014	5 - 7 pm	Hartman Park Community Center
8/25/2014	5 - 7 pm	Paradise Ridge Community Center
8/27/2014	5 - 7 pm	Madison Library (W)
9/4/2014	5 - 7 pm	Madison Police Precinct
9/8/2014	5 - 7 pm	MT Zion Church
9/9/2014	5 - 7 pm	Goodlettsville City Hall

**4. NashvilleNext Special Studies**

- a. **Gentrification Analysis and Recommendations** – Work is underway with Ms. Amie Thurber, Ms. Jyoti Gupta, Dr. James C. Fraser and Dr. Doug Perkins of Vanderbilt University on issues and recommendations related to gentrification in Nashville. The recommendations will be considered in the NashvilleNext policy and action phase.
- b. **Jefferson Street Economic Analysis** - Identification of inner-city commercial districts comparable to Jefferson Street in other cities that have achieved sustained economic revitalization. Analysis of public policies, private investments, and other public- private interventions that was instrumental to the successful revitalization. Focus of the study is to identify cases, interventions and factors that

lead to revitalization without gentrification-related displacement of existing residents and small businesses. The case studies will include identification of programs beyond the typical public sector approaches of land acquisition, rezoning, and streetscape improvements. We have received the final report. Vanderbilt (Dr. Doug Perkins and Karl Jones) and TSU (Dr. David Patchett)

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

**B. APA Training Opportunities**

4. Scheduled APA Webinars
5. Nashville Room, 2<sup>nd</sup> floor MOB.
6. All are scheduled from 3:00 – 4:30 pm
7. All have 1.5 hours AICP and Planning Commissioner training credit

Date	Topic (Live Program and Online Recording )

**Administrative Approved Items and  
Staff Reviewed Items Recommended for approval by the Metropolitan Planning Commission**

In accordance with the Rules and Procedures of the Metropolitan Planning Commission, the following applications have been reviewed by staff and approved on behalf of the Planning Commission or are ready to be approved by the Planning Commission through acceptance and approval of this report. Items presented are items reviewed **through 08/08/2014**.

APPROVALS	# of Applications	Total # of Applications 2014
Specific Plans	6	21
PUDs	0	3
UDOs	0	1
Subdivisions	11	89
Mandatory Referrals	1	90
<b>Grand Total</b>	<b>18</b>	<b>204</b>

SPECIFIC PLANS (finals only): MPC Approval						
Date Submitted	Staff Determination		Case #	Project Name	Project Caption	Council District # (CM Name)
5/15/2014	7/23/2014	Recommend Approval	2008SP-035-002	1201 DEMONBREUN	A request for final site plan approval and a minor modification to the active use liner requirement for property located within the 1201 Demonbreun Specific Plan district and within the Arts Center Redevelopment District at Demonbreun Street (unnumbered), at the corner of 12th Avenue South and Demonbreun Street (1.5 acres), to permit a 15-story mixed-use building, requested by Hastings Architecture Associates, LLC, applicant; Demonbreun Gateway Partners, owner.	19 (Erica S. Gilmore)
1/30/2014	7/23/2014	Recommend Approval	2012SP-013-002	STEPHENS VILLAGE WEST (FINAL, BULK GRADING)	A request for final site plan approval for a portion of the Stephens Village West Specific Plan district for property located at 5948 Pasquo Road, at the southwest corner of Pasquo Road and Highway 100 (16.11 acres), to permit bulk grading only for a portion of the SP district, requested by Ragan-Smith Associates, Inc., applicant; W.E. Stephens, Jr., owner.	35 (Bo Mitchell)
5/20/2014	7/29/2014	Recommend Approval	2013SP-041-002	THE POST AT RAIL STATION (FINAL)	A request for final site plan approval for properties located at 6030 and 6034 Sedberry Road, at the southwest corner of Sedberry Road and Old Harding Pike, zoned SP (1.34 acres), to permit eight single-family detached units, requested by Dale & Associates, applicant; West End Circle Properties, owner.	23 (Emily Evans)



**SPECIFIC PLANS (finals only): MPC Approval (continued)**

4/10/2014	7/30/2014	Recommend Approval	2013SP-032-002	731 DOUGLAS (FINAL)	A request for final site plan approval for properties located at 719, 723 and 731 Douglas Avenue, at the northwest corner of Douglas Avenue and Montgomery Avenue, zoned SP (2.04 acres), to permit 29 residential units and office space, requested by Dale & Associates, applicant; D220, LLC, owner.	05 (Scott Davis)
5/1/2014	8/1/2014	Recommend Approval	2013SP-040-002	EASTLAND COURT (FINAL)	A request for final site plan approval for properties located at 700 and 704 Porter Road and 2009 Eastland Avenue, approximately 200 feet south of Franklin Avenue, zoned SP (0.66 acres), to permit 11 single-family detached units, requested by Dale & Associates, applicant; Benjamin and Violicia Coman, owners.	06 (Peter Westerholm)
2/3/2014	8/5/2014	Recommend Approval	2014SP-011-002	NASHVILLE BALLETT	A request for final site plan approval for properties located within the Nashville Ballet Specific Plan District at 3622, 3622B, 3624, 3626, 3628, and 3632 Redmon Street and at Normandy Circle (unnumbered), approximately 260 feet east of 37th Avenue North (4.72 Acres), to permit a mixture of uses, requested by Ingram Civil Engineering, applicant; Nashville Ballet, owner.	24 (Jason Holleman)

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

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

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

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

## SUBDIVISIONS: Administrative Approval

Date Submitted	Date Approved	Action	Case #	Project Name	Project Caption	Council District (CM Name)
5/19/2014	7/19/2014	Approval	2014S-122-001	META GALE'S, RESUB LOTS 4 & 5	A request for final plat approval to shift lot lines between properties located at 812 Knox Avenue, approximately 200 feet east of 9th Avenue South, zoned R8 (0.26 acres), requested by Campbell, McRae & Associates Surveying, Inc., applicant; Magness Group, Inc., owner.	17 (Sandra Moore)
6/11/2014	7/22/2014	Approval	2014S-139-001	SUGAR VALLEY PLACE, SEC 3	A request for final plat approval to create 17 lots and an open space within the Sugar Valley Place Specific Plan District on a portion of property located at Nolensville Pike (unnumbered), on the south side of Sunnywood Drive and partially located within the Floodplain Overlay District (3.502 acres), zoned SP, requested by Anderson, Delk, Epps & Associates, applicant; SAF Properties, LLC, owner.	31 (Fabian Bedne)
7/15/2014	7/25/2014	Approval	2014S-167A-001	CREST MEADE, LOT 83 SETBACK AMENDMENT	A request to amend the recorded front setback along Alfred Drive from 50 feet to 45 feet for property located at 1220 Alfred Drive, at the southeast corner of Alfred Drive and Clematis Drive (0.85 acres), zoned RS15, requested by Michael and Shirley Romeo, owners.	23 (Emily Evans)
10/24/2013	7/27/2014	Approval	2013S-207-001	ANDREW CASTLEMAN LANDS, CONSOLIDATION LOTS 1 & 2	A request for final plat approval to create one lot within the Green Hills Urban Design Overlay District on properties located at 2033, 4000 and 4002 Hillsboro Pike and 2035 Richard Jones Road, at the southeast corner of Richard Jones Road and Hillsboro Pike, (2.69 acres), zoned SCR, requested by Green Hills Mixed Use, LLC, owner; Wilson & Associates, P.C., surveyor.	25 (Sean McGuire)
6/12/2014	7/29/2014	Approval	2014S-148-001	DAN LEECH, RESUB LOT 16	A request for final plat approval to create two lots on property located at 1515 Jewel Street, approximately 220 feet south of Oneida Avenue, zoned RS5 (0.28 acres), requested by Dale & Associates, applicant; Brenda and Farris Young, owners.	05 (Scott Davis)
6/11/2014	7/30/2014	Approval	2014S-140-001	BURKITT VILLAGE, PH 5, SEC 1	A request for final plat approval to create 26 lots within the Burkitt Village Specific Plan District on property located at Burkitt Road (unnumbered), approximately 6,250 feet east of Nolensville Pike (4.991 acres), zoned SP, requested by Anderson, Delk, Epps & Associates, applicant; Y & H Tennessee Partnership, G.P., owner.	31 (Fabian Bedne)

### SUBDIVISIONS: Administrative Approval (continued)

6/11/2014	7/30/2014	Approval	2014S-141-001	BURKITT VILLAGE, PH 1, SEC 2	A request for final plat approval to create 38 lots within the Burkitt Village Specific Plan District on property located at Kirkwall Drive (unnumbered), approximately 6,250 feet east of Nolensville Pike (9.709 acres), zoned SP, requested by Anderson, Delk, Epps & Associates, applicant; Regent Homes, LLC, owner.	31 (Fabian Bedne)
5/15/2014	8/4/2014	Approval	2014S-120-001	TULIP RESERVE, RESUB LOTS 7 & 8	A request for final plat approval to shift lot lines between properties located at 2204 and 2208 Jennifer Court, approximately 335 feet west of Tulip Grove Road, zoned RS15 (0.4 acres), requested by Wamble & Associates, PLLC, applicant; George Dunn and James Temple and Mi Jones, owners.	12 (Steve Glover)
9/26/2012	8/5/2014	Approval	2012S-141-001	INTERSTATE PARK, RESUB LOTS 11 & 12	A request for final plat approval to consolidate two lots into one lot and to revise Public Utility and Drainage Easements and Sanitary Sewer Easements on properties located at 336 and 345 Hill Avenue, approximately 1,100 feet south of Murfreesboro Pike (1.62 acres), zoned IR, requested by Ebon Falcon, LLC, owner; HFR Design, applicant.	17 (Sandra Moore)
5/14/2014	8/6/2014	Approval	2014S-112-001	CHARLES GANN PROPERTY, FIRST REVISION	A request for final plat approval to shift lot lines between properties located at 201 and 227 Anthony Street, approximately 650 feet north of Old Hickory Boulevard, zoned RS20 (1.06 acres), requested by Daniels & Associates, Inc., applicant; The Calligan Family Limited Partnership and Robert and Rejane DeJaeger, owners.	11 (Megan Barry)
7/14/2014	8/6/2014	Approval	2014S-164A-001	HUDGIN ACRES ESTATES, LOT 9 AMENDMENT	A request to amend a previously recorded plat to modify the septic field location for property located at 1984 Tinnin Road, approximately 800 feet west of Gaylmore Drive (1.16 acres), zoned RS40, requested by Richard Brown et ux, owners.	10 (Doug Pardue)

### MANDATORY REFERRALS: MPC Approval

Date Submitted	Staff Determination	Case #	Project Name	Project Caption	Council District (CM Name)
7/17/2014	7/29/2014	2014M-044ES-001	INGA STREET STORMWATER IMPROVEMENT PROJECT	A request to negotiate and accept permanent and temporary easements for the Inga Street Stormwater Improvement Project on sixteen properties located along Inga Street, Carolyn Avenue and Cahal Avenue, (Project No. 14-SWC-210), requested by Metro Water Services, applicant; various property owners.	5 (Scott Davis)

## Performance Bonds: Administrative Approvals

<b>Date Approved</b>	<b>Administrative Action</b>	<b>Bond #</b>	<b>Project Name</b>
7/18/2014	Approved New	2014B-025-001	VOCE, PHASE 1A
7/18/2014	Approved New	2014B-022-001	MAXEY'S ADDITION, RESUB. LOTS 14 & 15
7/22/2014	Approved New	2014B-023-001	ANDREW CASTLEMAN LANDS, CONSOLIDATION LOTS 1 & 2
7/24/2014	Approved Extension/Reduction	2013B-008-002	BURKITT VILLAGE, PHASE 1, SECTION 1
7/28/2014	Approved Extension	2007B-051-007	HERMITAGE COMMONS
7/29/2014	Approved New	2014B-019-001	HIGH POINT, PHASE 2, SECTION 2
7/30/2014	Approved Extension	2011B-006-004	TULIP GROVE POINTE, SECTION 2
7/30/2014	Approved Extension	2008B-025-010	RIVENDELL WOODS, PHASE 1, SECTION 2
7/30/2014	Approved Extension	2010B-001-005	RIVENDELL WOODS, PHASE 2, SECTION 1
7/30/2014	Approved Extension	2006B-036-007	ROEHRIG ESTATES
7/31/2014	Approved Extension/Reduction	2012B-022-003	AVONDALE PARK, PHASE 1, SECTION 1B

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## Upcoming Calendar of Events

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- A. **Tuesday; August 26, 2014** - [NashvilleNext Steering Committee](#) (Jim McLean; Jeff Haynes; Andree LeQuire)
- B. **Thursday, August 28, 2014** – [MPC Work Session](#), 2:30pm, 800 2<sup>nd</sup> Ave. South, Metro Office Building, Nashville Room
- C. **Thursday, August 28, 2014** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- D. **Thursday, September 11, 2014** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- E. **Tuesday; September 23, 2014** - [NashvilleNext Steering Committee](#) (Jim McLean; Jeff Haynes; Andree LeQuire)
- F. **Thursday, September 25, 2014** – [MPC Work Session](#), 2:30pm, 800 2<sup>nd</sup> Ave South, Metro Office Building, Nashville Room
- G. **Thursday, September 25, 2014** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- H. **Thursday, October 9, 2014** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- I. **Thursday, October 23, 2014** - [MPC Meeting](#); 4pm, **Metropolitan Public Schools Administration Building, 2601 Bransford Avenue, Nashville TN**
- J. **Tuesday; October 28, 2014** - [NashvilleNext Steering Committee](#) (Jim McLean; Jeff Haynes; Andree LeQuire)
- K. **Thursday, November 13, 2014** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- L. **Tuesday; November 25, 2014** - [NashvilleNext Steering Committee](#) (Jim McLean; Jeff Haynes; Andree LeQuire)
- M. **Thursday, December 11, 2014** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- N. **Tuesday; December 23, 2014** - [NashvilleNext Steering Committee](#) (Jim McLean; Jeff Haynes; Andree LeQuire)
- O. **Thursday, January 8, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- P. **Tuesday; January 27, 2015** - [NashvilleNext Steering Committee](#) (Jim McLean; Jeff Haynes; Andree LeQuire)