

Metropolitan Planning Commission



Staff Reports

August 14, 2014



Metro Planning Commission Meeting of 8/14/2014

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

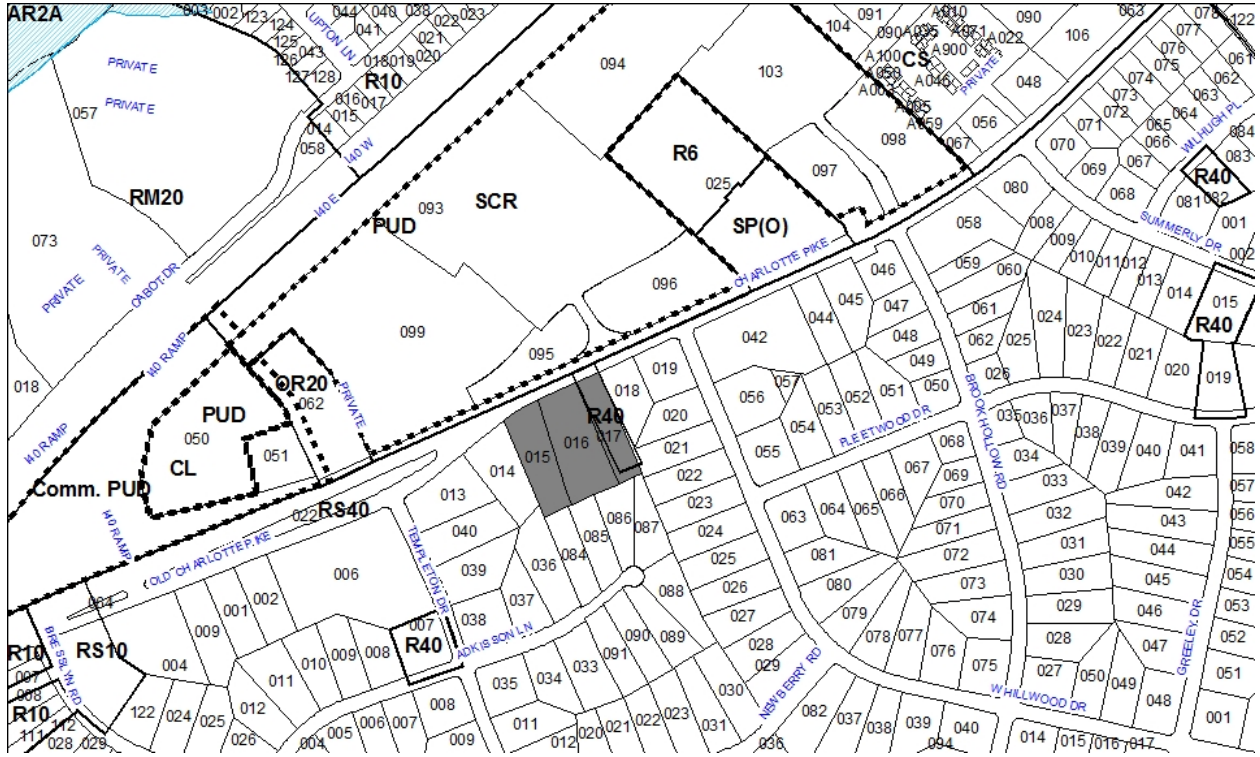


PREVIOUSLY DEFERRED ITEMS

- **Community Plan Amendments**
- **Specific Plans**
- **Zone Changes**



Metro Planning Commission Meeting of 8/14/2014



2013SP-048-001
HILLWOOD COURT AT NASHVILLE WEST
Map 102-11, Parcel(s) 015-017
West Nashville
23 - Emily Evans



Project No. Zone Change 2013SP-048-001
Project Name Hillwood Court at Nashville West
Council District 23 – Evans
School District 9 – Frogge
Requested by Dale and Associates, applicant; Charles Melvin and Edwinna Neely and Lola Bryant, William and Smith Hill et al, owners.

Deferral This application was deferred at the February 13, 2014, Planning Commission at the request of the applicant. The site area and total unit count has been decreased.

Staff Reviewer Swaggart
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

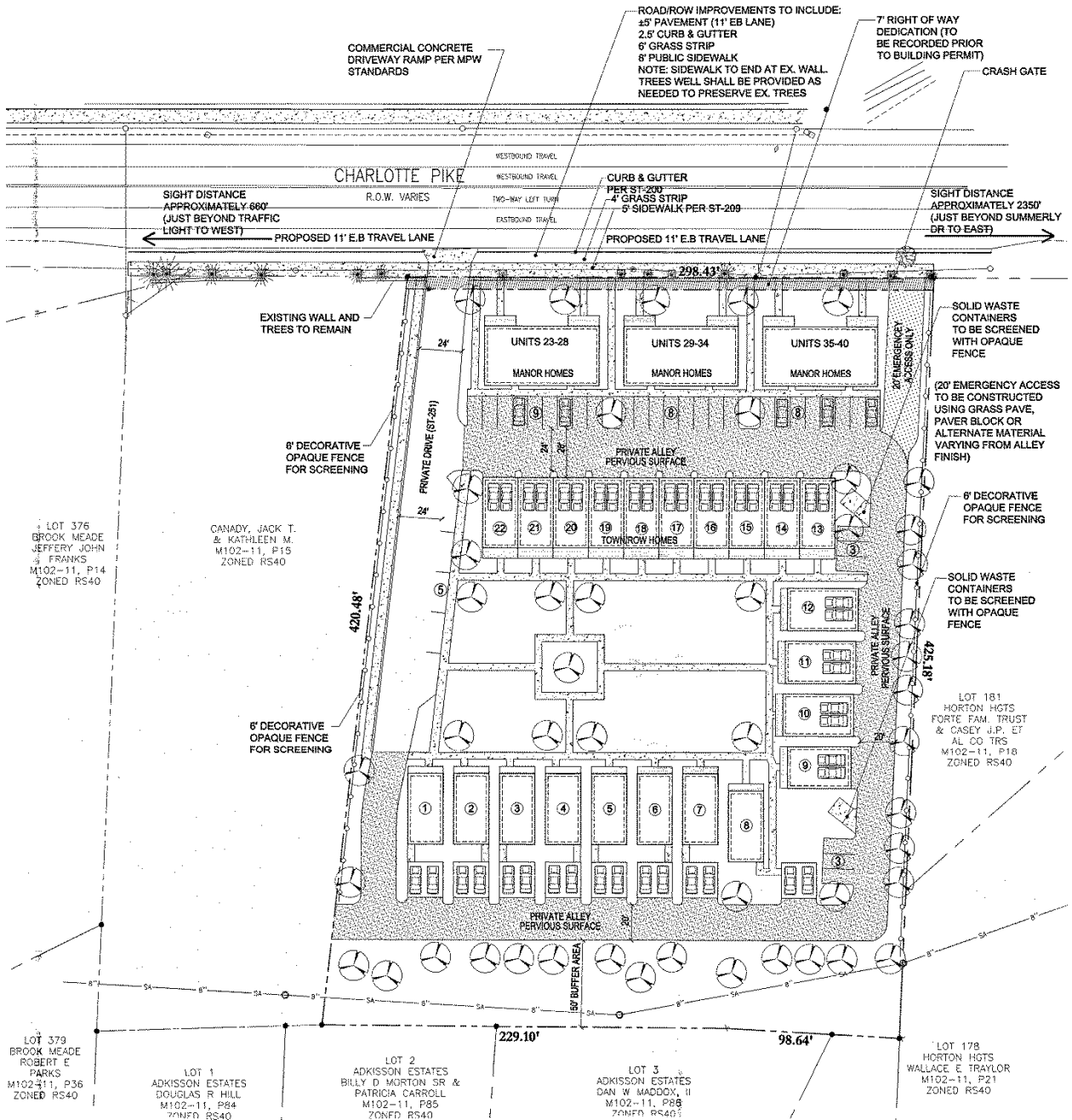
Specific Plan-Mixed Residential (SP-MR) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes a mixture of housing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



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Proposed Site Plan



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- 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



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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.



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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 RECOMMENDAION

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.



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STAFF RECOMMENDATION

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

CONDITIONS

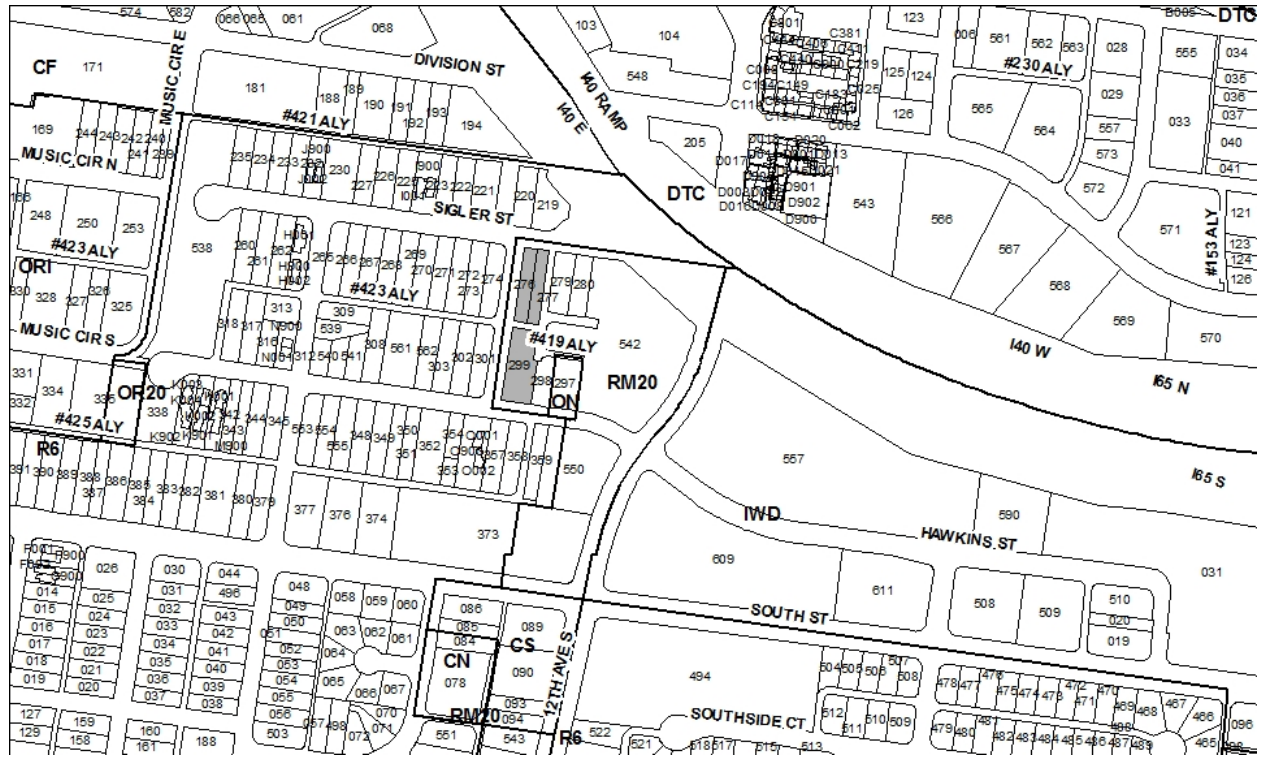
1. Permitted land uses shall be limited to 40 residential units.
2. Final architectural plans must be approved by the Planning Department prior to final site plan approval. The Plans must be consistent with the Community Plan's Land Use policies.
3. Ownership for units may be divided by a Horizontal 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.



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2014SP-041-001
1212 HAWKINS STREET
Map 093-13, Parcel(s) 276-277, 299
10, Green Hills - Midtown
19 (Erica S. Gilmore)



Project No. Zone Change 2014SP-041-001
Project Name 1212 Hawkins Street
Council District 19 – Gilmore
School District 5 – Kim
Requested by Barge Cauthen & Associates, applicant; Gulchetto Enterprises, Inc., owner.

Deferrals This request was deferred at the June 12, 2014, and from the July 24, 2014, Planning Commission meeting at the request of the applicant.

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

APPLICANT REQUEST

Preliminary SP to permit 45 residential units.

Preliminary SP

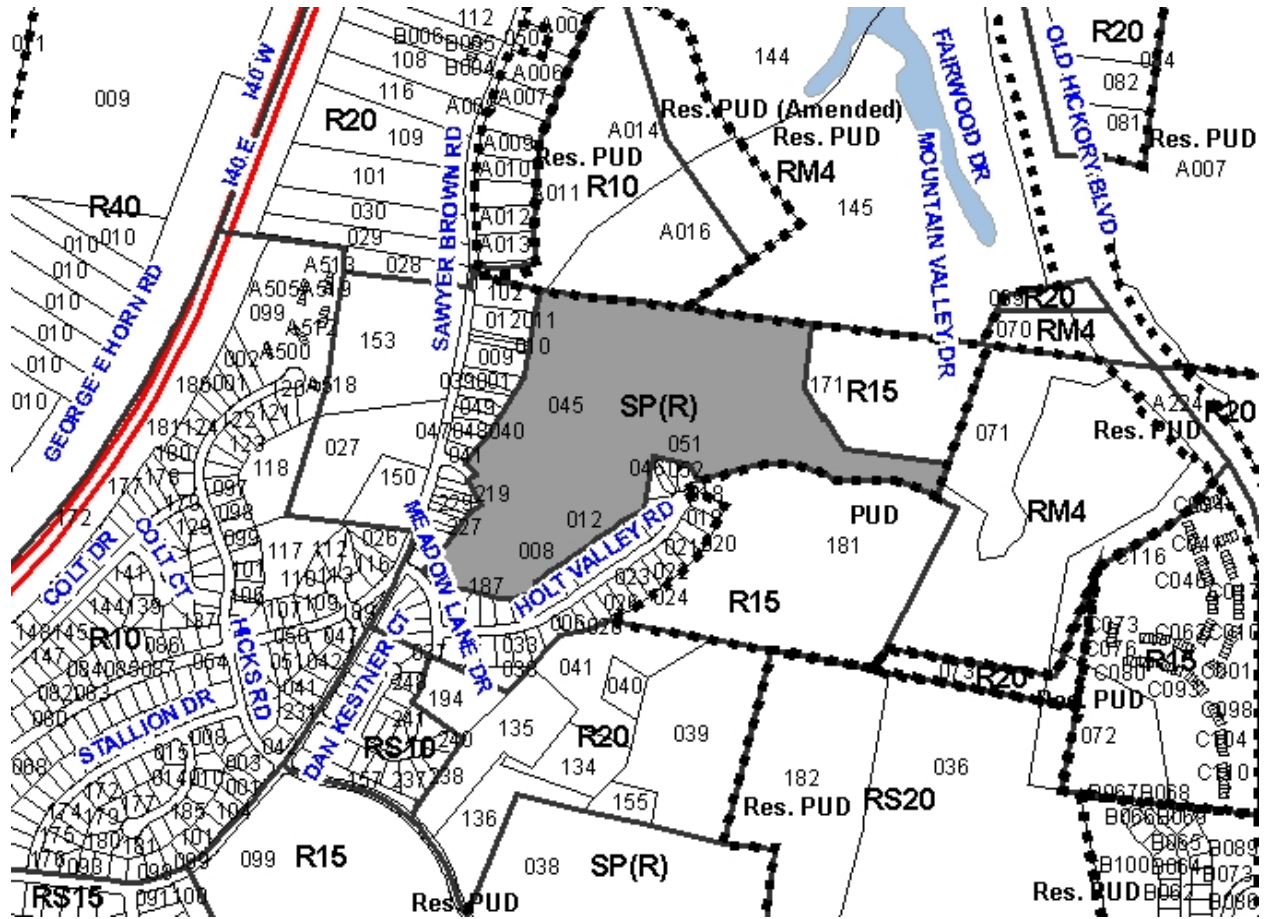
A request to rezone from Multi-Family Residential (RM20) to Specific Plan - Residential (SP-R) zoning for properties located at 1212 Hawkins Street and 1119 and 1121 Sigler Street, approximately 330 feet west of 12th Avenue South, (0.71 acres), to permit up to 45 multifamily units.

STAFF RECOMMENDATION

Staff recommends deferral to the August 28, 2014, Planning Commission meeting at the request of the applicant.



Metro Planning Commission Meeting of 8/14/2014



2013Z-008PR-001 ~ BL2013-392
 SAWYER BROWN ROAD (UNNUMBERED)
 Map 128, Parcel(s) 045
 06, Bellevue
 22 (Sheri Weiner)



Project No. Zone Change 2013Z-008PR-001
Council Bill No. BL2013-392
Council District 22 – Weiner
School District 9 – Frogge
Requested by Councilmember Sheri Weiner, applicant; Community Bank & Trust, owner.

Deferrals This request was deferred from the May 22, 2014, Commission meeting. The Council Public Hearing has been deferred to September 9, 2014.

Staff Reviewer Swaggart
Staff Recommendation Approve

APPLICANT REQUEST
Zone change from SP to RS80.

Zone Change

A request to rezone from Specific Plan (SP) to Single-Family Residential (RS80) zoning for property located at Sawyer Brown Road (unnumbered), approximately 540 feet north of Meadow Lane Drive (39.09 acres).

Existing 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 that includes 130 townhomes.

Proposed Zoning

Single-Family Residential (RS80) requires a minimum 80,000 square foot lot and is intended for single-family dwellings at a density of .46 dwelling units per acre. *RS80 would permit a maximum of 21 units.*

History

The Bluffs on Sawyer Brown SP is approved for 130 townhouse units in 18 buildings that range from four to seven units each. The buildings line a private street that includes sidewalks on one side. There is a small community open space area proposed in the north portion of the development. Much of the site is within open space, about 40 percent of which is undisturbed.

This property contains steep slopes and problem soils. Most of the property has a slope of over 25 percent. While the development is proposed for the ridgeline, there is grading proposed on some of the steep slopes. Almost all of the grading for the proposed development is within problem soils. This property contains both Bodine-Sulfura, which is prone to movement, and Dellrose Cherty Silt Loam, which is weak, has a lot of fine pores and is quite crumbly.

The applicant had a preliminary geotechnical analysis performed to insure the feasibility of the proposal. This plan was modified to indicate placement of roadways and buildings with grading to



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stable soils and placement of engineered fill. Prior to any construction, a detailed geotechnical report was to be submitted with final SP plans.

In 2012 a periodic review was conducted on the SP. Between the time the SP was originally approved and the periodic review, the land use policy changed. The land use policy was Residential Low Medium (RLM) when the SP was approved but was changed to Conservation in the Bellevue Community Plan update that occurred in 2012. On November 8, 2012, the Planning Commission found the SP inactive and directed staff to prepare a report to Council to recommend that the property be rezoned to RS80.

CRITICAL PLANNING GOALS

N/A

WEST NASHVILLE COMMUNITY PLAN

Land Use Policy

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

Consistent with Policy?

Yes. The proposed RS80 zoning district permits single-family residential only at a very low density.

PUBLIC WORKS RECOMMENDATION

A traffic study may be required at time of development.

* No traffic table was prepared because the proposed district will not generate additional traffic.

STAFF RECOMMENDATION

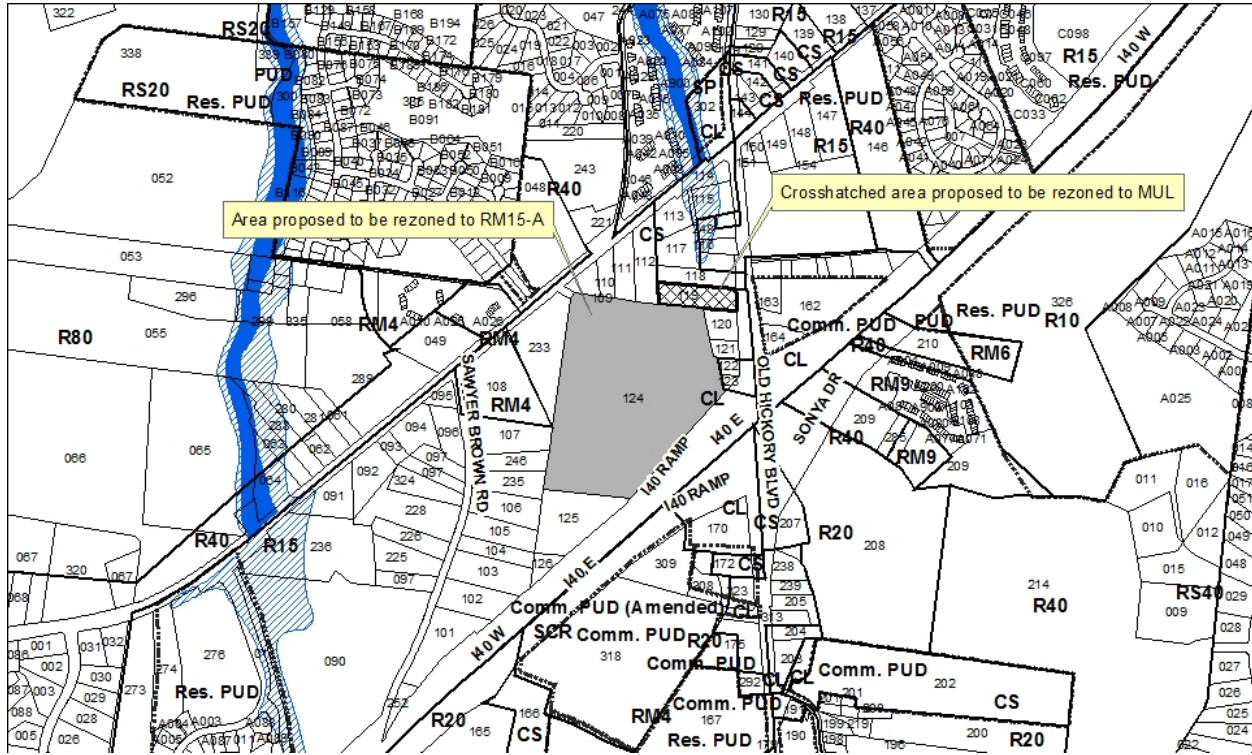
Staff recommends that the request be approved since it is consistent with the property's Conservation land use policy.



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2014Z-044PR-001

Map 114, Parcel(s) 119, 124

06, Bellevue

22 (Sheri Weiner)



Project No.	Zone Change 2014Z-044PR-001
Council District	22 - Weiner
School District	9 - Frogge
Requested by	Dale and Associates, Inc. applicant; Agape Fellowship Church, owner.
Staff Reviewer	Birkeland
Staff Recommendation	<i>Defer to the August 28, 2014, Planning Commission meeting.</i>

APPLICANT REQUEST

Zone change from R15 to MUL and RM15-A.

Zone Change

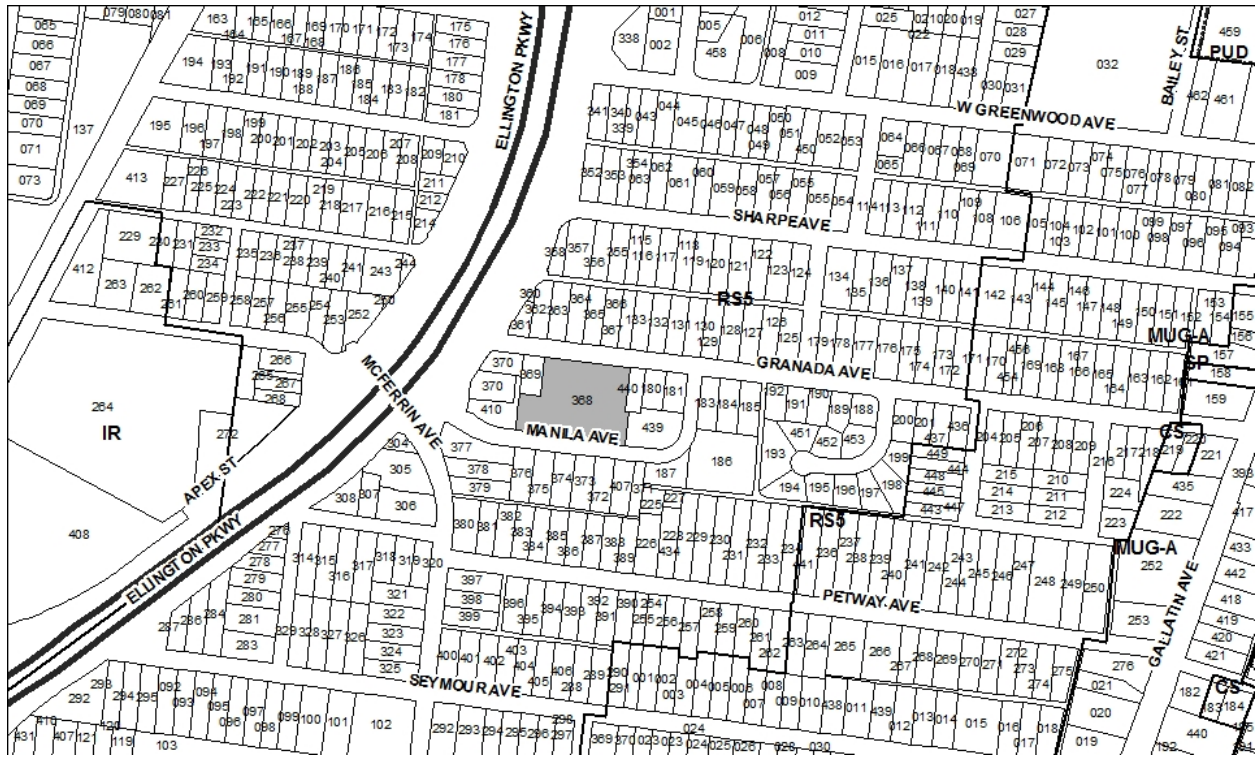
A request to rezone from R15 to MUL (approximately 2.23 acres) and RM15-A (approximately 28 acres) for property located at 645 Old Hickory Blvd. and 7461 Charlotte Pike, east of Sawyer Brown Road (approximately a total 30.51 acres).

STAFF RECOMMENDATION

Staff recommends deferral to the August 28, 2014, Planning Commission meeting at the request of the applicant.



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2014S-151-001
JAMES BURNS, RESUB
Map 082-04, Parcel(s) 368
05, East Nashville
05 (Scott Davis)



Project No. 2014S-151-001
Project Name James Burns, Resub
Council District 5 – S. Davis
School District 5 – Kim
Requested by Campbell, McRae & Associates Surveying, Inc., applicant;
D.J. Robertson, owner.

Staff Reviewer Sajid
Staff Recommendation *Defer indefinitely.*

APPLICANT REQUEST

Create six lots.

Final Plat

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 Single-Family Residential (RS5).

STAFF RECOMMENDATION

Staff recommends indefinite deferral at the request of the applicant.



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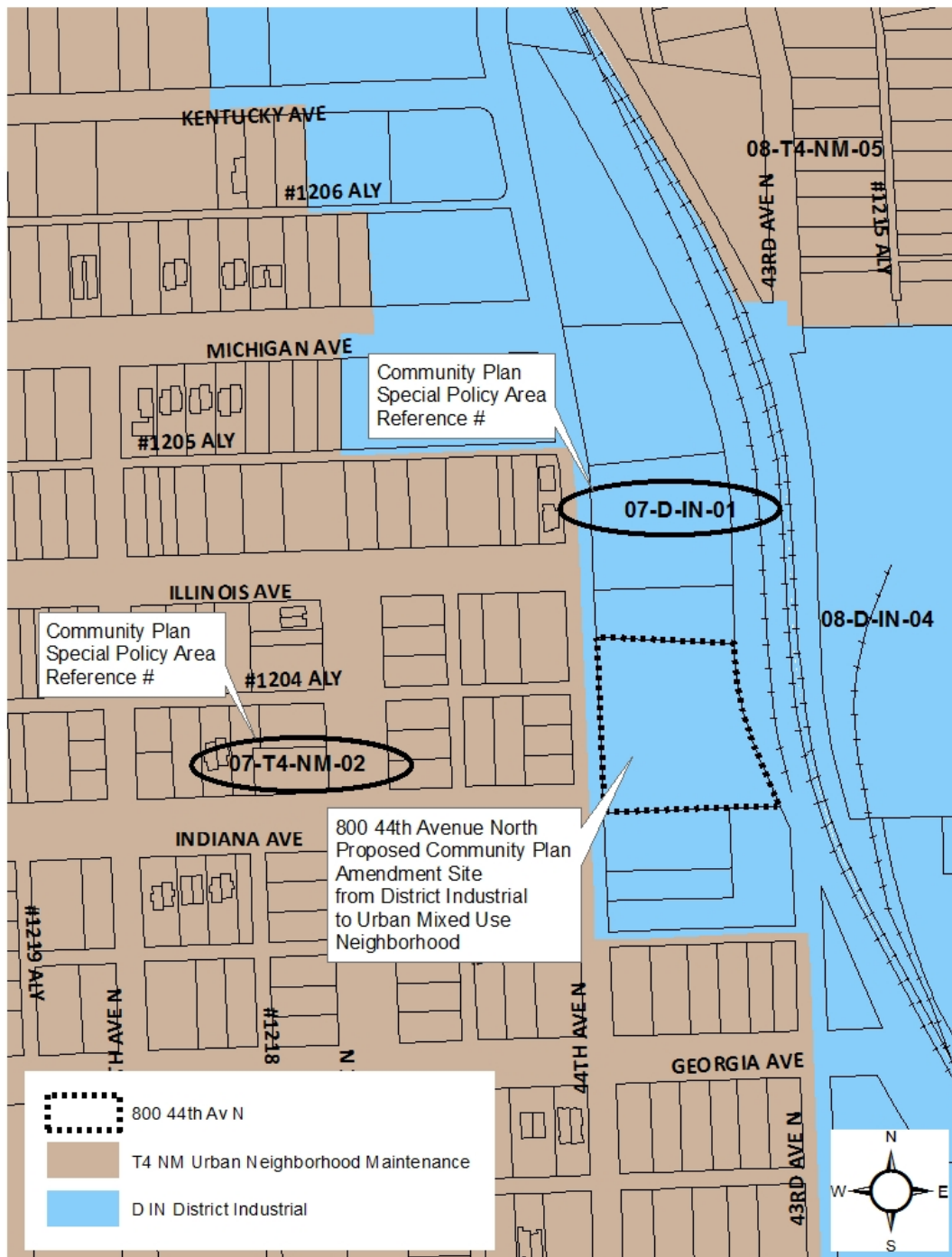


COMMUNITY PLAN POLICY CHANGES and ASSOCIATED CASE

- **Plan Amendment**
- **Specific Plan**



Metro Planning Commission Meeting of 8/14/2014



2014CP-011-001
WEST NASHVILLE COMMUNITY PLAN AMENDMENT
800 44TH Avenue North, Map 91-12 Parcel 16
West Nashville
20- Buddy Baker



Project No.	Minor Plan Amendment 2014CP-007-005
Project Name	West Nashville Community Plan: 2009 Update – 800 44th Avenue North
Associated Case	2014Z-048PR-001
Council District	20 – Baker
School Districts	1 – Gentry
Requested by	Toni Rothfuss, owner
Staff Reviewer	Wood
Staff Recommendation	<i>Approve</i>

APPLICANT REQUEST

Change the community character policy from District Industrial to Urban Mixed Use Neighborhood.

Minor Plan Amendment

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).

CRITICAL PLANNING GOALS

- **Creates Walkable Neighborhoods**

The Urban Mixed Use Neighborhood policy will allow for a mix of uses that is broader than the uses supported by the District Industrial policy, including a variety of housing types and vertical mixed use. This will help create a more walkable environment than exists today. The zone changes that will be made to implement the new policy will result in new sidewalks as redevelopment of the area continues over time. The zoning districts used to implement the new policy place an emphasis on building and site design that supports walkability, such as making strong connections between main entrances and sidewalks, minimizing the prominence of parking facilities, and orienting buildings towards the sidewalk.

- **Provides a Range of Housing Choices**

The Urban Mixed Use Neighborhood policy will support multifamily and vertical mixed use development that will add housing options to the surrounding Nations neighborhood, which contains primarily single and two family housing.

- **Supports Infill Development**

The Urban Mixed Use Neighborhood policy will foster new development and redevelopment in an urban infill location where much of the needed infrastructure is in place and other infrastructure, such as sidewalks, can be made as zone changes occur to implement the new policy.



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- **Promotes Compact Building Design**

The Urban Mixed Use Neighborhood policy will support building up rather than out and mixing uses either horizontally in close proximity to each other or vertically within the same building.

WEST NASHVILLE COMMUNITY PLAN

CURRENT POLICY

District Industrial (D IN) is intended to preserve, enhance, and create Industrial Districts in appropriate locations. The policy creates and enhances areas that are dominated by one or more industrial activities, so that they are strategically located and thoughtfully designed to serve the overall community or region, but not at the expense of the immediate neighbors. Types of uses in D IN areas include non-hazardous manufacturing, distribution centers and mixed business parks containing compatible industrial and non-industrial uses. Uses that support the main activity and contribute to the vitality of the D IN are also found.

Proposed Policy

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

BACKGROUND

The property at 800 44th Avenue North is located between 44th Avenue North on the west and railroad tracks on the east. It is part of a narrow, linear area of industrial development that extends from Delaware Avenue, which serves as a frontage road to I-40, to Tennessee Avenue. The area then adjoins a much larger industrial area along Centennial Boulevard and the Cumberland River. The development along 44th Avenue North is generally of a lighter industrial character than the development along Centennial Boulevard and the Cumberland River.

The Nations Neighborhood that 44th Avenue North is a part of has seen a recent upsurge in residential and commercial development activity, and the character of 44th Avenue North has already begun to change. New housing has been built on the opposite side of 44th Avenue North from the industrial area, including three new houses directly across from the subject property that were constructed under OR20 zoning.

COMMUNITY PARTICIPATION

Public Hearing Notices were mailed out to property owners within 600 feet of the site on August 1st. The neighborhood associations that cover the Nations and Tomorrow's Hope neighborhood were also notified. A copy of the notice was also placed on the Planning Department website.

ANALYSIS

In addition to furthering the Critical Planning Goals listed earlier in the staff report, amending the policy to Urban Mixed Use Neighborhood will accomplish two ends that will benefit both the east and west sides of 44th Avenue North and the Nations neighborhood as a whole. The new policy will



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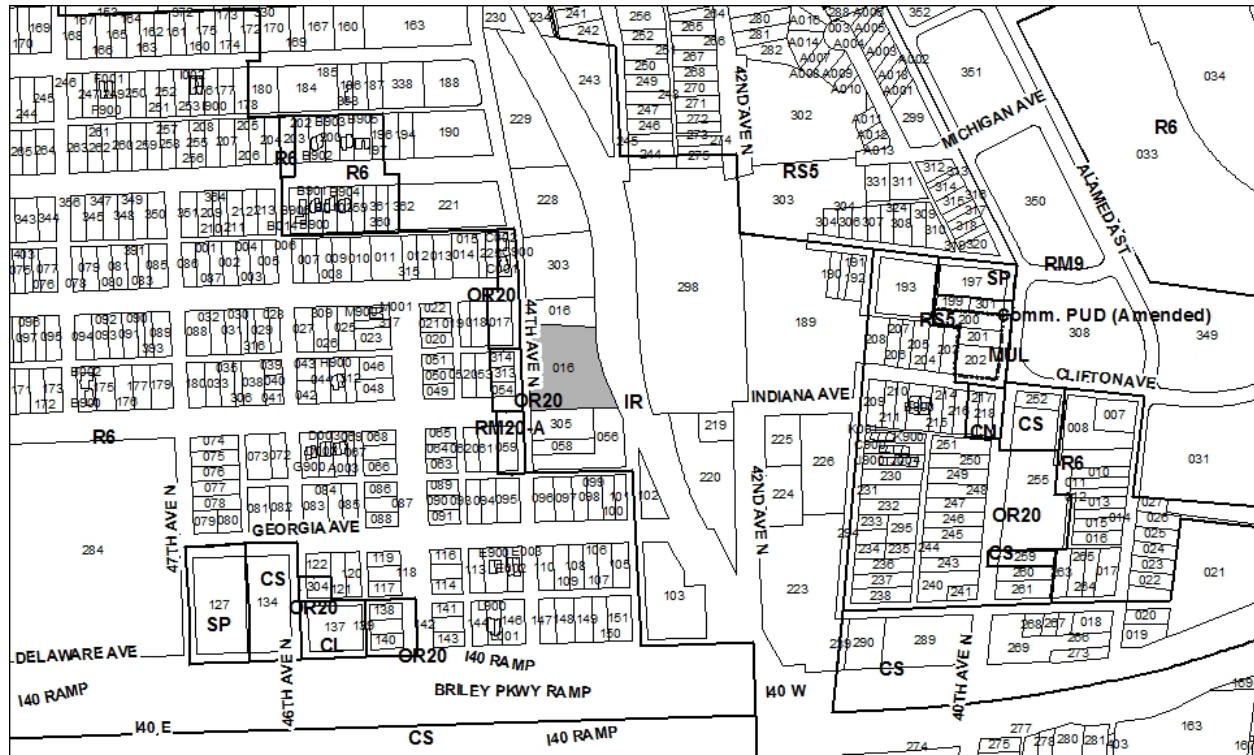
support the continued presence of the light industrial businesses in the area and add compatible development options that do not exist under the current policy. It will also help to create a better development transition between the two sides of the street. This plan amendment can also serve as a model and precedent for reevaluating the future direction of the larger light industrial strip as part of the community plan update that is part of the NashvilleNext planning process.

STAFF RECOMMENDATION

Staff recommends approval of the request.



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2014Z-048PR-001
800 44TH AVENUE NORTH
Map 091-12, Parcel(s) 016
07, West Nashville
20 (Buddy Baker)



Project No.	Zone Change 2014Z-048PR-001
Associated Case	2014CP-007-005
Council District	20 - Baker
School District	1 - Gentry
Requested by	Toni Rothfuss, owner and applicant
Staff Reviewer	Birkeland
Staff Recommendation	<i>Approve</i>

APPLICANT REQUEST

Rezone to MUL-A.

Zone Change

A request to rezone from Industrial Restrictive (IR) to Mixed Use Limited-Alternative (MUL-A) zoning for property located at 800 44th Avenue North, south of Illinois Avenue (1.66 acres).

Existing Zoning

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

Proposed Zoning

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

CRITICAL PLANNING GOALS

- Creates Walkable Neighborhoods

The proposed zone change allows a broader range of uses, including residential uses. Use of the A district will ensure that redevelopment, if any, complements the surrounding built environment and enhances the pedestrian environment. New construction would be required to build up to and be oriented to the abutting street. The properties are located in an area served by existing infrastructure. The proposed rezoning would encourage re-investment and support the vitality of the surrounding neighborhood.

WEST NASHVILLE COMMUNITY PLAN

Existing Policy

D Industrial (D IN) policy is intended to preserve, enhance, and create Industrial Districts in appropriate locations. The policy creates and enhances areas that are dominated by one or more industrial activities, so that they are strategically located and thoughtfully designed to serve the overall community or region, but not at the expense of the immediate neighbors. Types of uses in D IN areas include non-hazardous manufacturing, distribution centers and mixed business parks containing compatible industrial and non-industrial uses. Uses that support the main activity and contribute to the vitality of the D IN are also found.



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Proposed Policy

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

Consistent with Policy?

The proposed zoning of MUL-A is not consistent with the existing policy. A community plan amendment (2014CP-007-005) has been requested to change the policy from District Industrial (D IN) to Urban Mixed Use Neighborhood (T4 MU). MUL-A zoning is consistent with the T4 MU policy.

ANALYSIS

Along the east side of 44th Avenue North, properties are zoned D IR. On the west side of 44th Avenue North, properties are zoned OR20 and RM20-A. Residential zoning continues south and west along 44th Avenue North. The properties to the north and south are zoned D IR. Changing the zoning from IR to MUL-A, with approval of the minor plan amendment, would allow for a mixture of uses that includes commercial, office and residential. MUL-A would expand the uses available to the property. Upon any redevelopment, this zoning district will complement the surrounding built environment though design elements while providing a middle ground between residential and industrial land uses. Type "B" landscape buffer yards will be required between the Industrial and the MUL-A districts.

FIRE MARSHAL RECOMMENDATION

N/A

PUBLIC WORKS RECOMMENDATION

N/A

* Traffic study may be required at time of development.

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

METRO SCHOOL BOARD REPORT

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

Projected student generation proposed MUL-A district: 10 Elementary 6 Middle 6 High

The proposed MUL-A zoning district would generate 22 more students than what is typically generated under the existing IR zoning district. Students would attend Cockrill Elementary School, McKissack Middle School, and Pearl-Cohn High School. Cockrill 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.

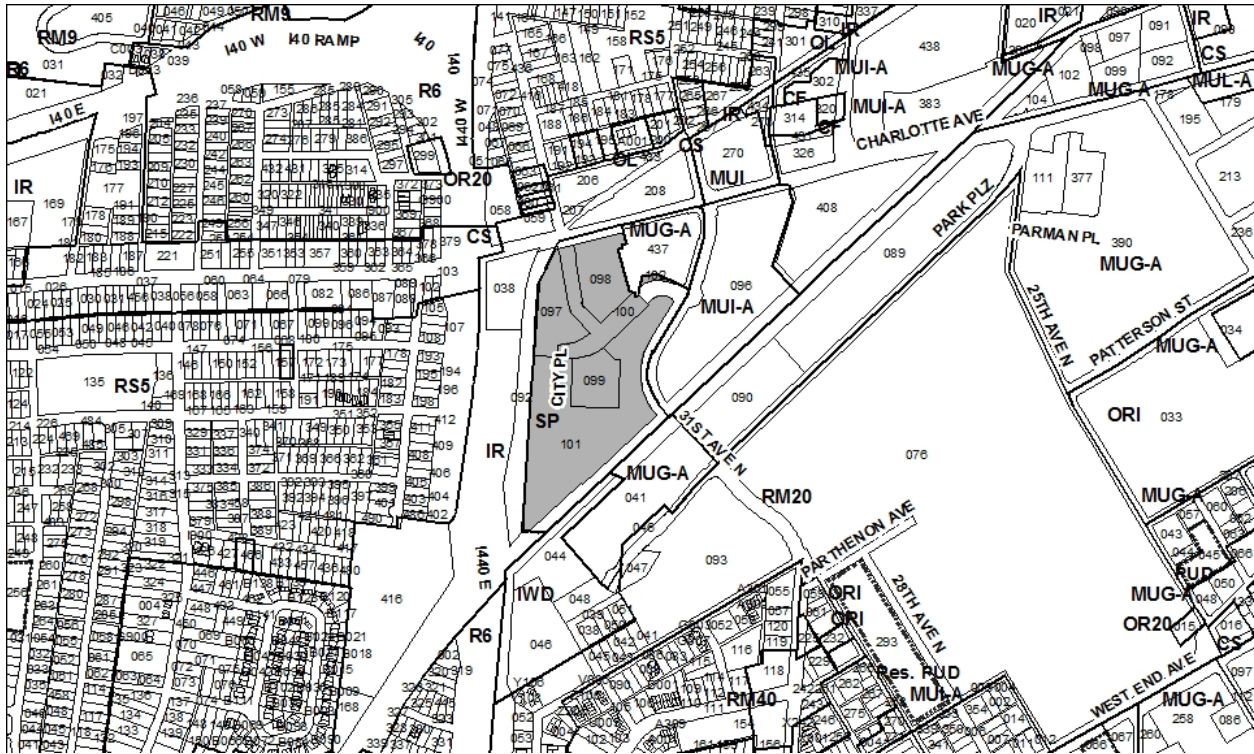


RECOMMENDATIONS TO METRO COUNCIL

- **Specific Plans**
- **Zone Changes**



Metro Planning Commission Meeting of 8/14/2014



2011SP-009-005

ONE CITY (AMENDMENT # 2)

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

10, Green Hills - Midtown

21 (Edith Taylor Langster)



Project No. Zone Change 2011SP-009-005
Project Name ONE CITY (Amendment # 2)
Council District 21 – Taylor
School District 5 – Kim
Requested by Civil Site Design Group PLLC, applicant; Nashcam, L.P., owner.

Staff Reviewer Swaggart
Staff Recommendation *Defer 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.*

APPLICANT REQUEST

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

SP Amendment

A request to amend the ONE CITY 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?

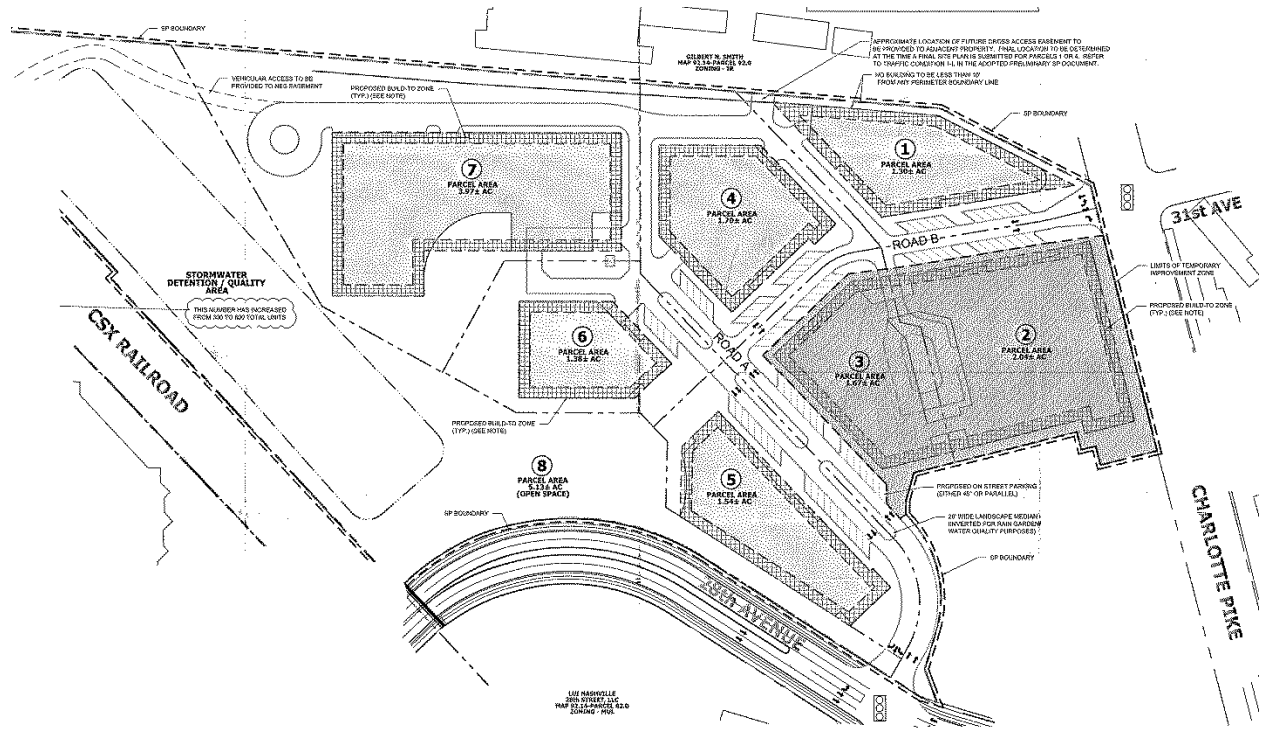
Yes. The proposed amendment will increase the permitted density for residential. The plan will continue to permit an intense mixture of uses including office, retail, restaurants and other nonresidential uses.

PLAN DETAILS

The ONE CITY Specific Plan was approved by Metro Council on May 20, 2011. It is located near the intersection of Charlotte Pike and the new 28th Avenue Connector. Prior to the SP being



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Proposed Site Plan



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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 28th 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

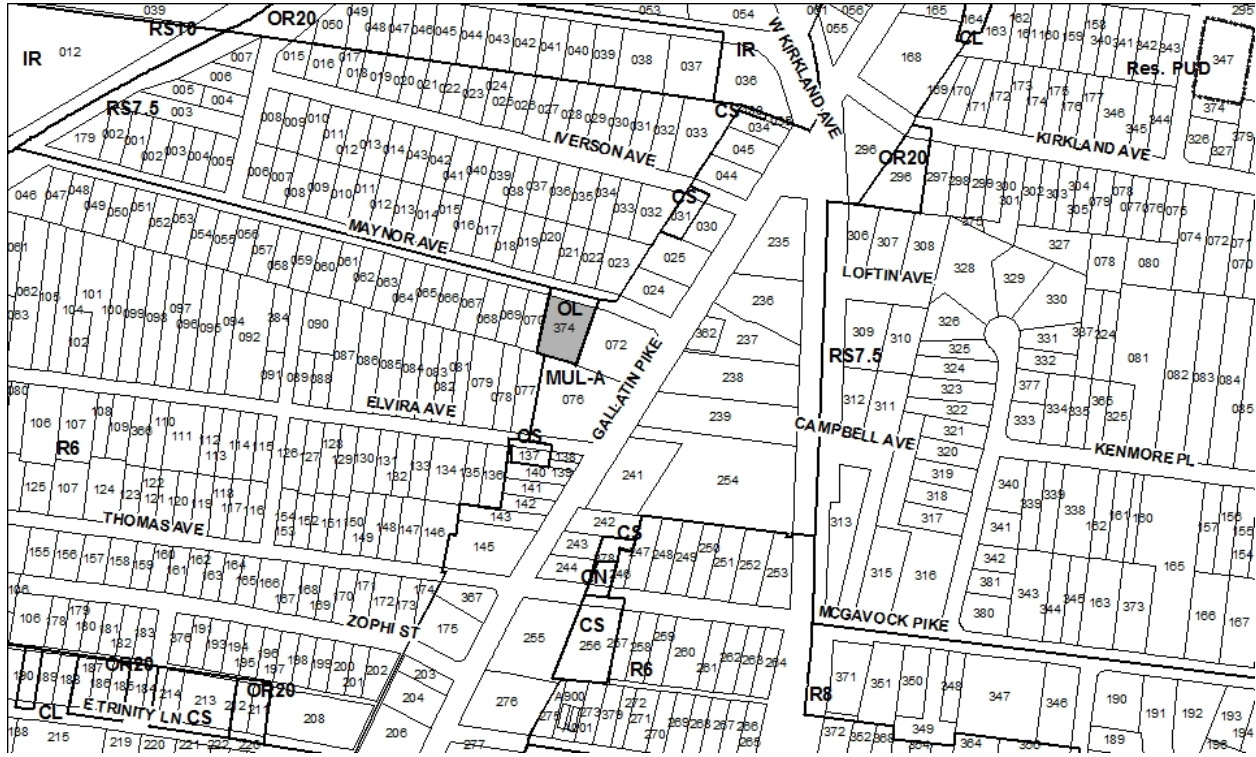
Staff recommends deferral to the August 28, 2014, Planning Commission meeting if recommendations of approval are not received from Traffic and Parking and Water Services. If recommendations of approval are received, staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

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



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2014SP-058-001
1032 MAYNOR AVENUE
Map 072-06, Parcel(s) 374
05, East Nashville
05 (Scott Davis)



Project No. 2014SP-058-001
Project Name 1032 Maynor Avenue
Council District 5 – Scott Davis
School District 3 – Speering
Requested by Dale & Associates, Inc., applicant; The Catholic Diocese of Nashville, owner.

Staff Reviewer Sajid
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.



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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.



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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.



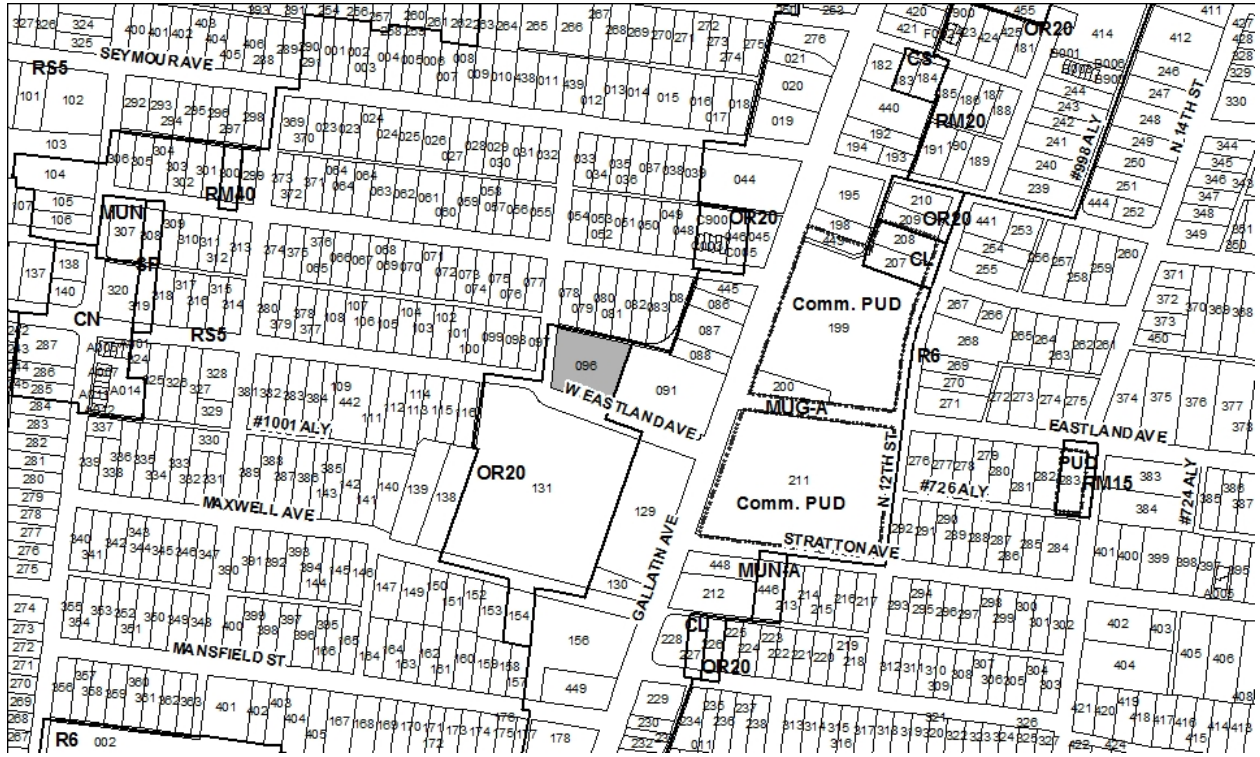
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CONDITIONS

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.



Metro Planning Commission Meeting of 8/14/2014



2014SP-059-001
1035 WEST EASTLAND
Map 083-05, Parcel(s) 096
05, East Nashville
05 (Scott Davis)



Project No.	Zone Change 2014SP-059-001
Project Name	1035 West Eastland
Council District	5- Scott Davis
School District	5 - Kim
Requested by	Hastings Architecture Associates and the Metro Planning Department, applicants; Christopher and Carter Dawson, owners.
Staff Reviewer	Birkeland
Staff Recommendation	<i>Approve with conditions and disapprove without all conditions.</i>

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.



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Proposed Site Plan



Metro Planning Commission Meeting of 8/14/2014

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



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- 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 Planning Commission Meeting of 8/14/2014

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

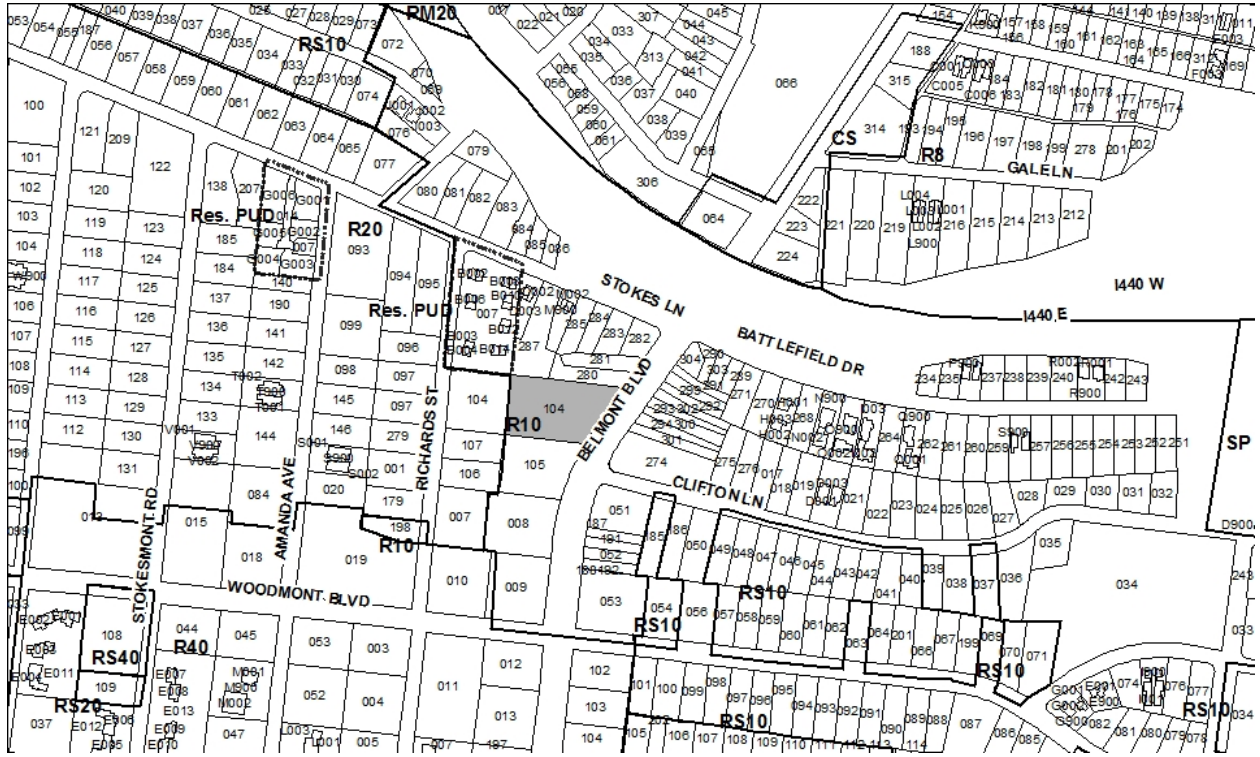
Staff recommends approval with conditions and disapproval without all staff conditions.

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.



Metro Planning Commission Meeting of 8/14/2014



2014NL-003-001
COWBOY MUSIC STUDIO
Map 117-08, Parcel(s) 104
10, Green Hills - Midtown
25 (Sean McGuire)



Project No.	Neighborhood Landmark 2014NL-003-001
Project Name	Cowboy Jack (Clement) Music Studio
Council District	25 – McGuire
School District	8 – Hayes
Requested by	Kris and Eliot Houser, owners.
Staff Reviewer	Swaggart
Staff Recommendation	<i>Approve</i>

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.



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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.



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- *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



Metro Planning Commission Meeting of 8/14/2014

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.

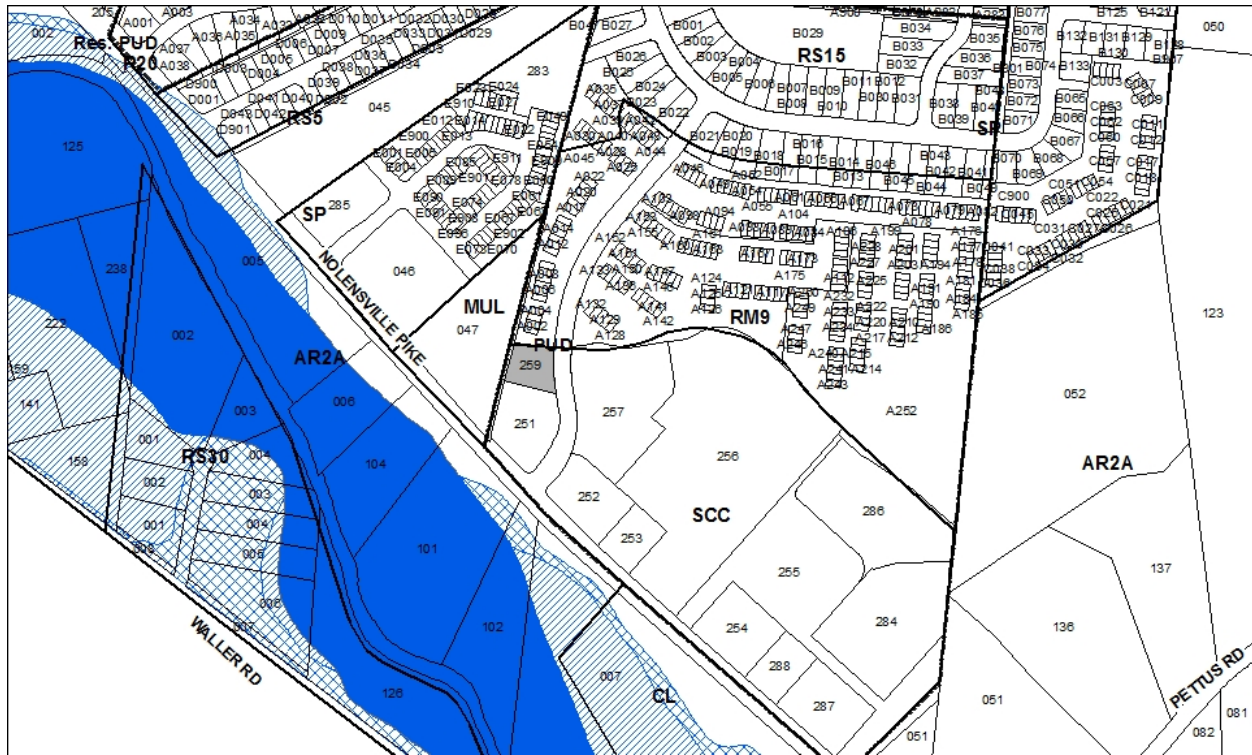


PLANNING COMMISSION ACTIONS

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



Metro Planning Commission Meeting of 8/14/2014



2004P-013-005
MILL CREEK TOWNE CENTRE (LOT 1B REVISION)
Map 181, Parcel(s) 259
12, Southeast
31 (Fabian Bedne)



Project No.	Planned Unit Development 2004P-013-005
Project Name	Mill Creek Towne Centre (Lot 1B Revision)
Council District	31 – Bedne
School District	2 – Brannon
Requested by	Wamble & Associates, PLLC, applicant; Legg Investments-Nolensville, LLC, owner.
Staff Reviewer	Sajid
Staff Recommendation	<i>Approve with conditions</i>

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



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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



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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



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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.



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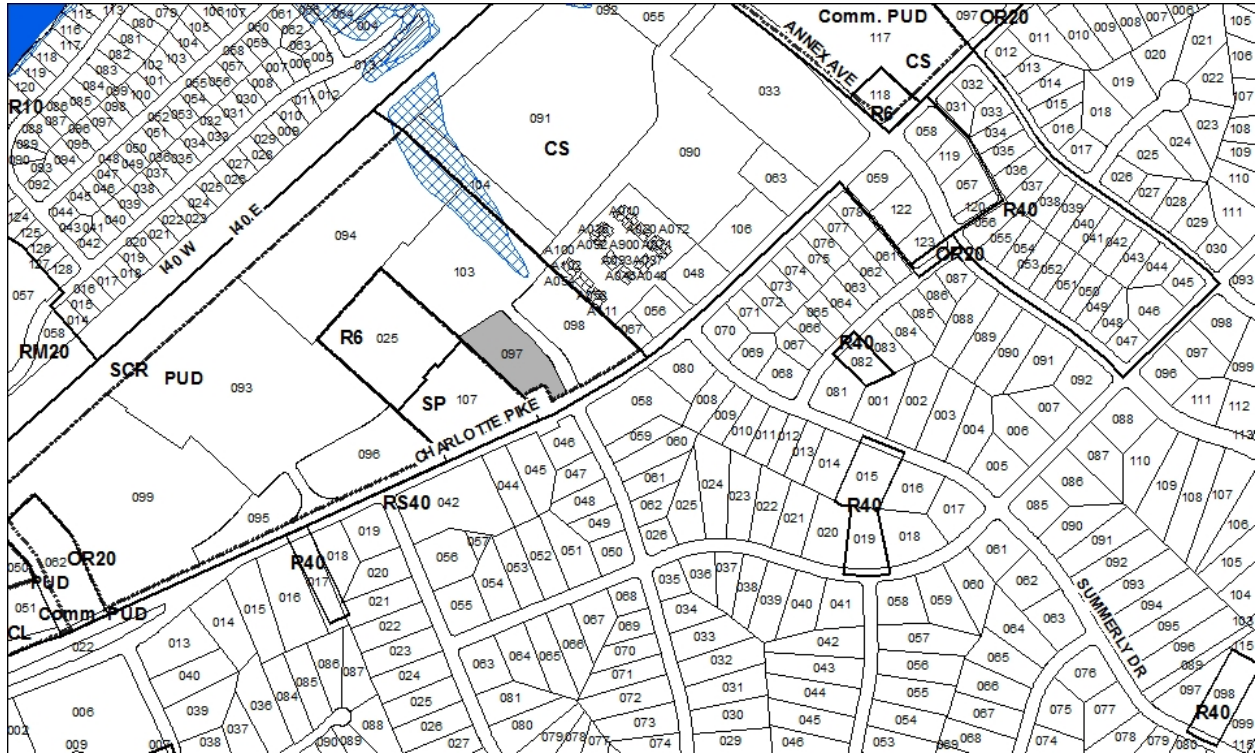
8. The PUD final site plan as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans may require reapproval by the Planning Commission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



SEE NEXT PAGE



Metro Planning Commission Meeting of 8/14/2014



2004P-036-004
NASHVILLE WEST SHOPPING CENTER
Map 102, Parcel(s) 097
07, West Nashville
20 (Buddy Baker)



Project No. **Planned Unit Development 2004P-036-004**
Project Name **Nashville West Shopping Center**
Council District 20 – Baker
School District 9 - Frogge
Requested by Littlejohn Engineering Associates, applicant; Nashville West Shopping Center, LLC, owner.

Staff Reviewer Birkeland
Staff Recommendation *Defer to the August 28, 2014, Planning Commission meeting if recommendations of approval are not received from Water Services and Stormwater. If recommendations of approval are received, staff recommends approval 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.



Metro Planning Commission Meeting of 8/14/2014

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;



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- 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

Returned

1. On EPSC phase 1, add a sediment tube check to existing ditch on southwest side of the property.
2. Clarify which drainage areas correspond to which inlets.
3. Structure and pipe tables do not match the values listed in the calculations.
4. C2 – C1 is not listed in the drainage calculations.

WATER RECOMMENDATION

Returned

- Submit updated availability request.

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.



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- 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

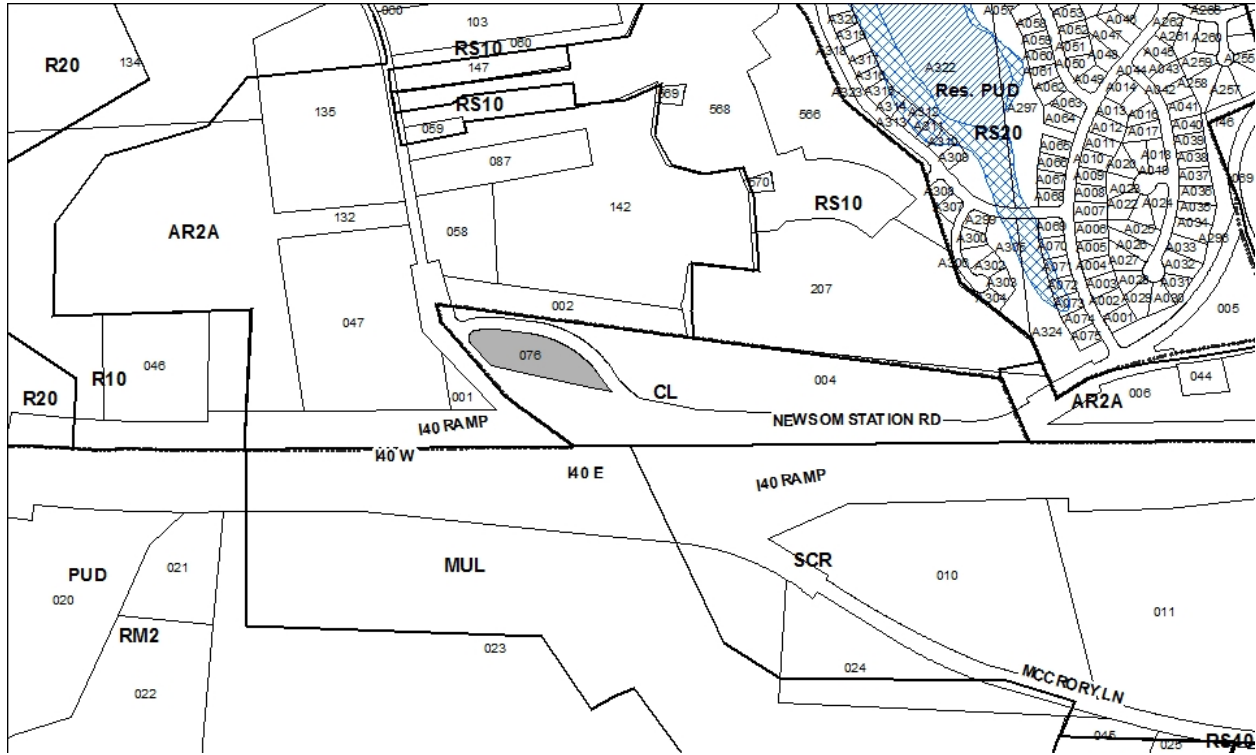
Staff recommends deferral to the August 28, 2014, Planning Commission meeting if recommendations of approval are not received from Water Services and Stormwater. If recommendations of approval are received, staff recommends approval with conditions.

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.



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84-85P-001
BILTMORE COMMERCIAL (TRI STAR SERVICES)
Map 140, Parcel(s) 076
06, Bellevue
35 (Bo Mitchell)



Project No.	Planned Unit Development 84-85P-001
Project Name	Biltmore PUD
Council District	35 – Mitchell
School District	9 – Frogge
Requested by	Barge Cauthen & Associates, applicant; Tri Star Energy, LLC, owner.
Staff Reviewer	Swaggart
Staff Recommendation	<i>Approve with conditions</i>

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.



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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;



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- 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.



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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.



Metro Planning Commission Meeting of 8/14/2014



2014NL-002-002
SIMPKINS GROCERY (FINAL)
Map 083-14, Parcel(s) 300
05, East Nashville
06 (Peter Westerholm)



Project No.	Neighborhood Landmark 2012NL-002-002
Project Name	Simpkins Grocery (Development Plan)
Council District	6 – Westerholm
School District	5 – Kim
Requested by	Andrew Clancey, applicant, Kris and Eliot Houser, owners.
Staff Reviewer	Sajid
Staff Recommendation	<i>Approve with conditions</i>

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.

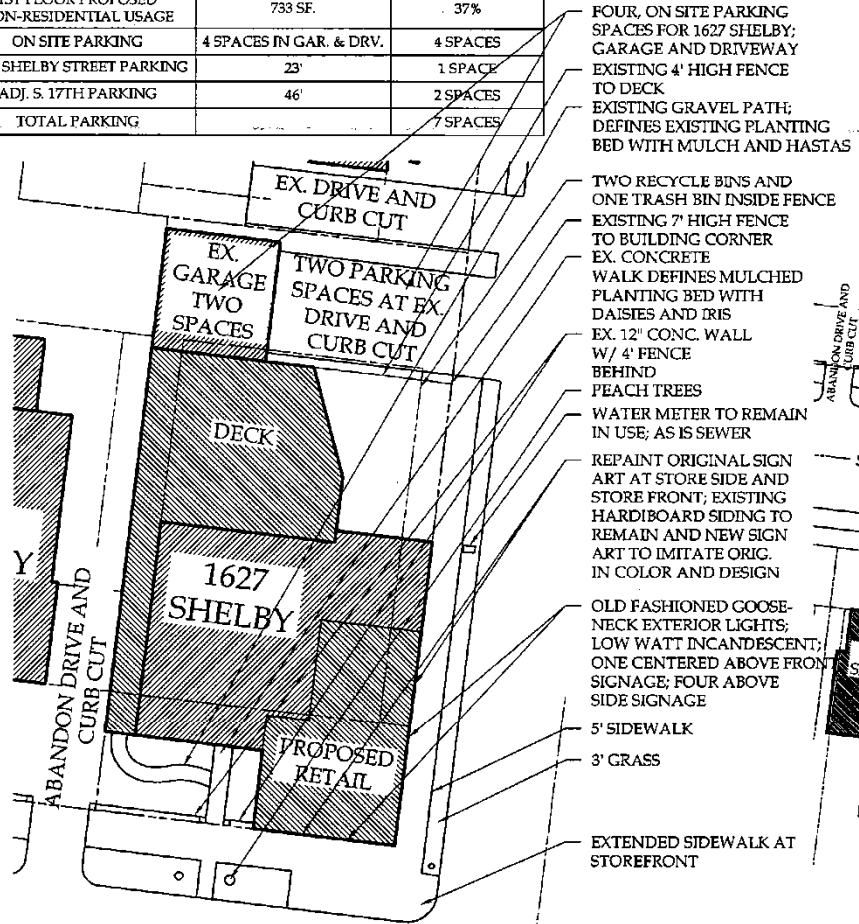
PLAN DETAILS

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.



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1627 SHELBY AVE. SF. TABLE		
ITEM	SQUARE FOOTAGE	PERCENTAGE
LOT	5000 SF.	100%
MAIN FOOTPRINT	1960 SF.	39%
GARAGE FOOTPRINT	360 SF.	8%
1ST FLOOR RESIDENTIAL	1227 SF.	63%
1ST FLOOR PROPOSED NON-RESIDENTIAL USAGE	733 SF.	37%
ON SITE PARKING	4 SPACES IN GAR. & DRV.	4 SPACES
ADJ. SHELBY STREET PARKING	23'	1 SPACE
ADJ. S. 17TH PARKING	46'	2 SPACES
TOTAL PARKING		7 SPACES



- FOUR, ON SITE PARKING SPACES FOR 1627 SHELBY; GARAGE AND DRIVEWAY EXISTING 4' HIGH FENCE TO DECK
- EXISTING GRAVEL PATH; DEFINES EXISTING PLANTING BED WITH MULCH AND HASTAS
- TWO RECYCLE BINS AND ONE TRASH BIN INSIDE FENCE
- EXISTING 7' HIGH FENCE TO BUILDING CORNER
- EX. CONCRETE WALK DEFINES MULCHED PLANTING BED WITH DAISIES AND IRIS
- EX. 12" CONC. WALL W/ 4' FENCE BEHIND PEACH TREES
- WATER METER TO REMAIN IN USE; AS IS SEWER
- REPAINT ORIGINAL SIGN ART AT STORE SIDE AND STORE FRONT; EXISTING HARDBOARD SIDING TO REMAIN AND NEW SIGN ART TO IMITATE ORIG. IN COLOR AND DESIGN
- OLD FASHIONED GOOSE-NECK EXTERIOR LIGHTS; LOW WATT INCANDESCENT; ONE CENTERED ABOVE FRONT SIGNAGE; FOUR ABOVE SIDE SIGNAGE
- 5' SIDEWALK
- 3' GRASS
- EXTENDED SIDEWALK AT STOREFRONT

2 PROPOSED NL DISTRICT PLAN 1627 SHELBY AVE.
1" = 20'





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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.

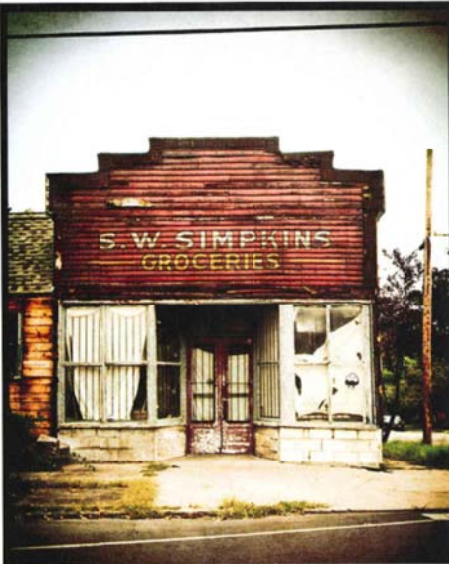
Parking

The existing garage and driveway located off South 17th 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 17th 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.

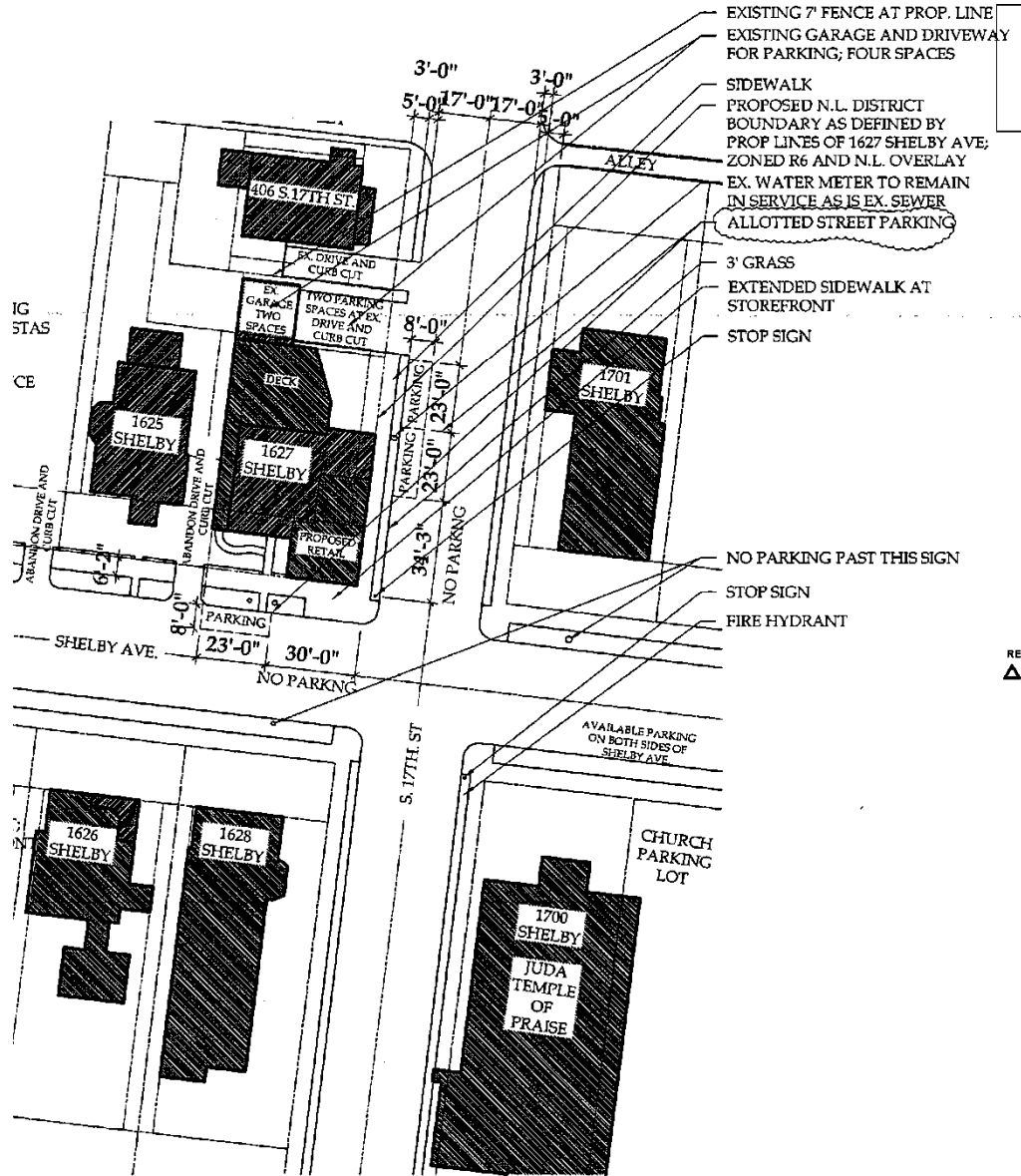
Signage

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.





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REV
▲

1 SITE PLAN
1" = 40'



PLAN
NOT F
PRINT

Proposed Site Plan



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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.