



METROPOLITAN PLANNING COMMISSION MINUTES

Thursday, February 27, 2014

4:00 pm Regular Meeting

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

MISSION STATEMENT

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

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

Staff Present:
Rick Bernhardt, Executive Director
Doug Sloan, Deputy Director
Jennifer Carlat, Assistant Planning Director
Kelly Adams, Administrative Services Officer III
Craig Owensby, Public Information Officer
Carrie Logan, Planner III
Duane Cuthbertson, Planner II
Jason Swaggart, Planner II
Melissa Sajid, Planner II

Commissioners Absent: Andree LeQuire

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

Metro Planning Department of Nashville and Davidson County
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Notice to Public

Please remember to turn off your cell phones.

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

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

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

Writing to the Commission

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

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

Speaking to the Commission

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

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

Legal Notice

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



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MEETING AGENDA

A. CALL TO ORDER

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

B. ADOPTION OF AGENDA

Mr. Haynes moved and Mr. Adkins seconded the motion to adopt the agenda. (8-0)

C. APPROVAL OF FEBRUARY 13, 2014 MINUTES

Mr. Ponder moved and Councilmember Hunt seconded the motion to approve the February 13, 2014 minutes. (8-0)

D. RECOGNITION OF COUNCILMEMBERS

Council Lady Moore spoke in favor of Item 9.

Council Lady Bennett spoke in favor of Item 11.

E. NASHVILLENEXT UPDATE

Mr. Claxton updated the commissioners regarding the NashvilleNext Scenario Development.

Mr. Clifton arrived at 4:08 p.m.

F. ITEMS FOR DEFERRAL / WITHDRAWAL

1. 2013SP-036-001

ASHTON PARK

Mr. Clifton read, on behalf of Ms. LeQuire who is out of town, a request to defer Item 12.

Mr. Ponder moved and Mr. Clifton seconded the motion to defer Item 1. (9-0)

G. CONSENT AGENDA

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

2. 2014Z-002TX-001

PERSONAL INSTRUCTION IN INDUSTRIAL DISTRICTS

4. 2014Z-006TX-001

BL2014-685 \ HUNT

POSTING OF PUBLIC HEARING SIGNS

5. 2014Z-007TX-001

BL2014-684 \ HUNT

DETACHED ACCESSORY DWELLING UNITS

6. 2014SP-013-001

PORTER ROAD PLACE

7. 2014Z-014PR-001

8. 2014Z-015PR-001

9. 2014UD-001-001

BL2014-682 \ MOORE
CLAYTON AVENUE UDO

11. 2014NL-001-001

13. 2014S-024-001

WEST NASHVILLE, RESUB LOT 2 & PORTION OF ABANDONED 53RD AVENUE NORTH

14. New employee contract for Anna Emerson.

15. Approval of Amended Planning Commission Rules and Procedures.

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

Mr. Gee moved and Mr. Ponder seconded the motion to approve all items except Item 7 on the Consent Agenda. (9-0)

Mr. Clifton moved and Mr. Gee seconded the motion to approve Item 7. (8-0-1) Ms. Blackshear recused herself.

H. PREVIOUSLY DEFERRED ITEMS

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

Specific Plans

1. 2013SP-036-001

ASHTON PARK

Map 098, Part of Parcel 80 and 88 Map 110, Parcel(s) 49
Council District 12 (Steve Glover)
Staff Reviewer: Jason Swaggart

A request to rezone from RS15 to SP-R zoning for properties located at 4619 Hessey Road and 3375 Earhart Road and for a portion of property located at 3391 Earhart Road, at the northeast corner of Hessey Road and Earhart Road, (44.8 acres), to permit up to 155 single-family residential dwelling units, requested by Anderson, Delk, Epps & Associates, Inc., applicant; Campbell Carter and Chris Pardue, owners.

Staff Recommendation: Defer to the April 24, 2014, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2013SP-036-001 to the April 24, 2014, Planning Commission meeting. (9-0)

I. COMMUNITY PLAN POLICY CHANGES AND ASSOCIATED CASES

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

No Cases on this Agenda

J. RECOMMENDATIONS TO METRO COUNCIL

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

Zoning Text Amendments

2. 2014Z-002TX-001

PERSONAL INSTRUCTION IN INDUSTRIAL DISTRICTS

Staff Reviewer: Jason Swaggart

A request to amend Title 17 of the Metropolitan Code, Zoning Regulations, to replace the definition for "Personal instruction" and permit the uses in the IWD, IR and IG zoning districts, requested by the Metro Planning Department and the Metro Codes Administration Department, applicants.

Staff Recommendation: Approve

APPLICANT REQUEST

Amend the Zoning Code to permit Personal instruction uses in industrial zoning districts.

Text Amendment

A request to amend Title 17 of the Metropolitan Code, Zoning Regulations, to replace the definition for "Personal instruction" and permit the uses in the IWD, IR and IG zoning districts.

CRITICAL PLANNING GOALS

N/A

EXISTING ZONING CODE

"Personal instruction" means services for training individuals or groups in the arts, personal defense, crafts or other subjects of a similar nature. This includes uses such as gyms, yoga studios, martial arts training and other similar uses. Currently the Zoning Code does not permit Personal instruction in industrial zoning districts.

PROPOSED ZONING CODE

The proposed amendment would clarify that gyms and similar uses fall under Personal instruction and add Personal instruction uses in the IWD, IR and IG zoning districts. Permitting these uses in industrial areas would provide for more services to serve workers in these areas. The uses that fall under personal instruction typically do not require much improvement and could encourage reuse of underutilized buildings.

CODES ADMINISTRATION RECOMMENDATION

Approve

Approve

ORDINANCE NO. BL2014-

An Ordinance amending Chapters 17.08 of Title 17 of the Metropolitan Code, Zoning Regulations, pertaining to the Personal Instruction, all of which is more specifically described herein (Proposal No. 2014Z-002TX-001).

BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Title 17 of the Code of the Metropolitan Government of Nashville and Davidson County, Zoning Regulations, is hereby amended by amending the deleting the definition for Personal Instruction in Section 17.04.060.B and replacing with "Personal instruction means services for training individuals or groups in arts, fitness, personal defense, crafts or other subjects of a similar nature."

Section 2. That Title 17 of the Code of The Metropolitan Government of Nashville and Davidson County, Zoning Regulations, is hereby amended by amending Section 17.08.030, District land use tables, by adding a "P" (permitted) under the "IWD" (Industrial, Warehousing/Distribution), "IR" (Industrial Restrictive) and "IG" (Industrial General) zoning districts for "Personal instruction".

Section 3. Be it further enacted, that this ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Member of Council

Approved (9-0), Consent Agenda

Resolution No. RS2014-49

"BE IT RESOLVED by The Metropolitan Planning Commission that 2014Z-002TX-001 is **Approved. (9-0)**"

3. 2014Z-004TX-001

BL2014-651 \ ALLEN

REGULATION OF TEMPORARY MUSIC EVENTS

Staff Reviewer: Jason Swaggart

A request to amend Chapters 17.04, 17.08, and 17.16 of Title 17 of the Metropolitan Code, Zoning Regulations, pertaining to the regulation of small outdoor music events, requested by Councilmember Burkley Allen, applicant.

Staff Recommendation: Disapprove

APPLICANT REQUEST

Amend the Zoning Code to provide regulations for "Small Outdoor Events".

Text Amendment

A request to amend Chapters 17.04, 17.08, and 17.16 of Title 17 of the Metropolitan Code, Zoning Regulations, pertaining to the regulation of small outdoor music events.

CRITICAL PLANNING GOALS

N/A

EXISTING ZONING CODE

Currently the Code does not regulate "Small Outdoor Music Events".

PROPOSED ZONING CODE

The proposed text amendment would add "Small Outdoor Music Events" as a use within the Zoning Code. The amendment defines the events as follows:

"Small outdoor music event" means the provision of music and entertainment events outside of permanent structures on commercially-zoned property located within one thousand feet of any property zoned to permit residential uses.

As proposed, these events would be permitted with conditions (PC) in the Commercial Services (CS), Commercial Attraction (CA) and Core Frame (CF) zoning districts. The proposed conditions for these events pertain to setbacks, noise, number of events, hours of events, attendance, parking, access lighting and notification. A brief description of each proposed requirement follows:

- Requires stage and sound amplification equipment be directed away from any residence located within 300 feet of the event property.
- Limits the maximum noise level at a property line shared with residential to 75 decibels on the A-weighted scale.
- Limits the number of events to one per month and no more than eight per year.
- Limits the hours of any event between 11:00 a.m. and 9:00 p.m. on weekdays and between 11:00 a.m. and 10:00 p.m. on weekends.
- Limits maximum duration of event to four hours.
- Requires that event organizer submit a list of dates and times for all events, and requires that it be updated yearly.
- Limits attendance to no more than 150 persons.
- Requires a traffic and parking management plan be submitted and approved chief traffic engineer.
- Limits events to sites with access to nonresidential collector streets only.
- Prohibits lighting from impacting any surrounding residential property.
- Requires notification of any events to all property owners within 600 feet.

ANALYSIS

Staff recommends disapproval of the proposed ordinance. Although difficult to enforce, the Zoning Code already includes restrictions on noise that can be enforced if music events violate the ordinance.

Nashville is known throughout the world for its music scene. Making it more difficult to hold these types of events is contrary to Nashville's culture. Additionally, other issues would arise if the ordinance is passed.

The bill is intended to protect single-family neighborhoods from the nuisances these types of events may cause. However, the bill would only protect single-family neighborhoods adjacent to areas zoned CS, CA and CF. It would not provide protection to single-family neighborhoods adjacent to other zoning districts. Further, these events could be held in the residential zoning districts without these same restrictions. As a result, this bill would provide some neighborhoods with more protection than others.

The only CA districts in Davidson County are found around the Opry Mills Mall and the Gaylord Opryland Hotel. While there is some multi-family and a large farm nearby it does not seem appropriate to place further restricts on a district that is intended for commercial amusement and other events similar to the use that would be restricted by this bill.

There is very little CF zoning left in Davidson County. All of the CF districts are located within the downtown and midtown areas. The CA district and the districts that mostly surround CA districts are zoned for high intensity uses including dense residential, office and commercial uses. It does not seem appropriate to make it more difficult to hold these type of events in the county's most urban areas where these events are anticipated and helps maintain a lively and unique atmosphere that is Nashville.

This bill would require a permit and adherence to all the standards for almost all property zoned CS, CA and CF. This means that a property owner in a subject district would have to apply for a permit and adhere to all the requirements even if there are no residential uses within 1,000 feet. Adding additional districts would compound the issues and could have major implications on downtown, midtown and other areas that are already or intended to become vibrant, urban, mixed-use communities where people can live, work and play.

Furthermore, the bill creates redundant and conflicting requirements. Zoning Code Section 17.28, Environmental and Operational Performance Standards currently addresses sound and light pollution. This section limits the maximum sound level at the property line and the amount of light crossing a property line. The proposed noise limit conflicts with the current limit in Section 17.28. In fact, the current noise ordinance is more stringent.

The challenge of regulating these events appears to be a lack of enforcement of the current requirements rather than a lack of regulation. Enforcing the existing requirements could address issues with sound and lighting. If the current regulations are not enforced, then it is not likely that the proposed regulations would be enforced.

Limiting the number of events and requiring a ten day notification could prohibit local and national artists from performing and prohibit unplanned events in times of need. Events are not always planned far in advance. They may occur due to the availability of a performer, who is financially dependent on performing and publicity. Restricting these events could be detrimental to performers as well as the local economy. Events may also occur with short notice in response to a disaster or some other unfortunate circumstance in order to raise funds for victims. After the 2010 flood, these events occurred throughout the city. Not only can these unplanned events help those in need but they also foster a sense of community.

In conclusion, staff finds that the bill would not equally protect residential neighborhoods, would limit and make it more difficult to hold events in areas where they are appropriate, would create a climate of uncertainty for business owners and would be harmful to the local economy. Most importantly, staff finds that the proposed bill is not needed because there are existing laws that could address the issues this bill is attempting to address. Enforcing current laws should alleviate the problems prompting this bill. If issues remain after consistent enforcement of the current laws, then the subject could be revisited.

CODES ADMINISTRATION RECOMMENDATION

No exceptions taken.

Disapprove.

SUBSTITUTE ORDINANCE NO. BL2014-651

An Ordinance amending Chapters 17.04, 17.08 and 17.16 of Title 17 of the Metropolitan Code, Zoning Regulations, pertaining to the regulation of small outdoor music events, all of which is more specifically described herein (Proposal No. 2014Z-004TX-001).

BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY: Section 1. That Title 17 of the Code of The Metropolitan Government of Nashville and Davidson County, Zoning Regulations, is hereby amended by amending Section 17.04.060, Definition of General Terms, by adding the following definition:

"Small outdoor music event" means the provision of acoustic music and entertainment events using small portable sound systems outside of permanent structures on commercially-zoned property located within one thousand feet of any property zoned to permit residential uses.

Section 2. That the codification of Title 17 of the Code of The Metropolitan Government of Nashville and Davidson County, Zoning Regulations, is hereby amended by amending Section 17.08.030, Land Use Tables, by adding the use "Small Outdoor Music Event" under Recreation and Entertainment Uses as a Use Permitted with Conditions (PC) use in the CS, CA, and CF zoning districts.

Section 3. That the codification of Title 17 of the Code of The Metropolitan Government of Nashville and Davidson County, Zoning Regulations, is hereby amended by amending Section 17.16.120, Recreation and Entertainment Uses, by adding the following new subsection D.:

D. Small Outdoor Music Event.

1. Setback. The stage and sound amplification equipment shall not be oriented toward any residence located within three hundred feet of the property line upon which the small outdoor music event is to be held. Further, to the extent possible, sound amplification equipment shall be oriented so that sound is directed away from the closest residential property. For purposes of this subsection, "sound amplification equipment" means small portable sound systems, microphones, and amplified acoustic musical instruments.

2. Noise. A maximum noise level of seventy-five decibels on the A-weighted scale shall be permitted to occur at the boundary line of the nearest residential property.

3. Limitations on number of events and hours of operation. No more than one small outdoor music event shall be held on the property in a calendar month, with a maximum of eight events per calendar year. All small outdoor music event activity shall take place only between the hours of 11:00 a.m. and 9:00 p.m. on weekdays, and between 11:00 a.m. and 10:00 p.m. on weekends and shall last a maximum of 4 hours. The applicant shall provide the zoning administrator with a list of the date(s) and time(s) of the scheduled small outdoor music event(s) prior to obtaining a permit. The permit holder shall annually update the information on file with the zoning administrator regarding the event date(s) and time(s), and the zoning administrator shall be notified of any change in the date(s) and time(s) of events at least thirty days prior to the event.

4. Attendance. Small outdoor music events shall have no more than 150 people in attendance.

5. Parking. Adequate off-street parking shall be provided as designated by the chief traffic engineer pursuant to Section 17.20.030 of the metropolitan code.

6. Street standard. At a minimum, primary street access for the event shall be from a nonresidential collector street.

7. Traffic and parking management plan. A traffic and parking management plan shall be submitted at the time the application for the use permit is filed. At a minimum, such traffic and parking management plan shall include the number of vehicles expected, a list of the streets to be used for ingress and egress, and a list of surface parking areas to be used to accommodate the event.

8. Lighting. All light and glare shall be directed on-site to ensure surrounding properties are not adversely impacted by

increases in direct or indirect ambient lighting levels.

9. Event Notification. The applicant shall provide written notice of every small outdoor music event to all properties located within 600 feet of the subject property at least ten business days prior to the date of each event. Such notice can be via first class U.S. mail or hand delivery. An event notification plan shall be submitted by the applicant prior to obtaining a permit identifying the method by which notice regarding the small outdoor music event(s) is to be provided. Such notice shall include the following:

- a. the date, location, and hours of the event;
- b. the expected traffic generation;
- c. the name, email address, and telephone number of the person(s) responsible for the event;
- d. the telephone number of the zoning administrator's office for purposes of making complaints regarding the event; and
- e. a statement that noise complaints during the event shall be made to the metropolitan police department.

10. Revocation of permit. The zoning administrator shall have the authority to revoke a small outdoor music event permit upon the violation of any of the terms and conditions of the use permit or of the provisions of this section. Upon revocation, applicants shall not be permitted to apply for another small outdoor music event permit for a period of one year. Revocations may be appealed to the board of zoning appeals pursuant to section 17.40.180 of the metropolitan code.

11. The conditions set forth herein shall not apply to any event on public property meeting the definition of small outdoor music event, nor shall they apply to such events on property that is not zoned CS, CF, and CA.

Section 4. Be it further enacted, that the provisions of this Ordinance shall not operate to restrict any music event located on property that is not zoned CS, CF, or CA that is in compliance with the noise restrictions contained in Sections 11.12.070 and 17.28.090 of the Metropolitan Code.

Section 5. Be it further enacted that this Ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Burkley Allen, Bo Mitchell

Members of Council

Mr. Swaggart presented the staff recommendation of disapproval.

Council Lady Allen spoke in favor of the application and noted willingness to work with staff regarding their concerns.

Erin McAnally, 2711 Simmons Ave, spoke in favor of the application

Mr. Clifton moved and Mr. Ponder seconded the motion to close the Public Hearing. (9-0)

Mr. Gee stated confusion and noted that while we would like to have reasonable opportunities for people to hold events in these areas, the bill as written may not be the right answer. He stated that the intent is good, but there seem to be too many issues with the way it is currently written; deferral was suggested.

Mr. Ponder expressed agreement with Mr. Gee and noted that while the intent is good, he is not prepared to vote at this time.

Councilman Hunt noted that he would like a little more understanding on how this will work before he votes.

Mr. Dalton stated that this is a step in the right direction, but not fully there; expressed support of deferral.

Mr. Adkins moved and Mr. Dalton seconded the motion to defer to the March 27, 2014 Planning Commission meeting. (8-1) Mr. Clifton voted against and noted that deferral seems counterintuitive.

Resolution No. RS2014-50

"BE IT RESOLVED by The Metropolitan Planning Commission that 2014Z-004TX-001 is **Deferred to the March 27, 2014, Planning Commission meeting. (8-1)**

4. 2014Z-006TX-001

BL2014-685 \ HUNT

POSTING OF PUBLIC HEARING SIGNS

Staff Reviewer: Carrie Logan

A request to amend Section 17.40.730 of the Metropolitan Zoning Code to modify the general requirements of public notice signs, requested by the Metro Planning Department, applicant.

Staff Recommendation: Approve

APPLICANT REQUEST

Modify public hearing sign posting requirements in the Zoning Code.

Text Amendment

A request to amend Section 17.40.730 of the Metropolitan Zoning Code to modify the general requirements of public notice signs.

PURPOSE

Currently, the Zoning Code requires Council public hearing signs to be posted by the appropriate department of the Metropolitan Government. The Codes Department and Planning Department post all of the public hearing signs for Council public hearings.

However, the Metro Planning Commission public hearing signs are posted by applicants and a certificate is returned to the Planning Department verifying that the signs have been posted. This process has been in place and working effectively for approximately ten years.

As the amount of development increases, it is necessary to reevaluate current processes to find ways to increase efficiencies. Posting all of the Council public hearing signs requires significant staff time in the Planning and Codes Departments. By shifting the responsibility for posting Council public hearing signs to the applicant, this text amendment would allow staff time to be spent on the increased number of development applications.

This text amendment would revise the Council public hearing sign posting process to require applicants to post signs. The exception of Councilmembers, who would have the choice of posting the signs themselves or returning the signs to the Planning Department to be posted. For many mass rezonings initiated by Councilmembers, it is often the case that there is a neighborhood representative or group who is willing and able to post the signs. If posted by the applicant, Councilmember or their constituents, then the Planning Department would then require a certificate to be returned to the Planning Department verifying that the signs have been posted.

STAFF RECOMMENDATION

Staff recommends approval.

ORDINANCE NO. BL2014-685

An Ordinance to amend Section 17.40.730 of the Metropolitan Zoning Code to modify the general requirements of public notice signs. (Proposal No. 2014Z-006TX-001).

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

Section 1. That Section 17.40.730 of the Code of The Metropolitan Government of Nashville and Davidson County is hereby amended by deleting subsection A in its entirety and substituting with the following new subsection A.

“General Requirements. Public notice signs shall be posted on any property subject to the public hearing provisions of this title.

1. For a public hearing required by the board of zoning appeals, the appropriate department of the metropolitan government will be responsible for posting applicable public hearing signs. By the filing of an application requiring a public hearing notice, the property owner grants authorization for installation of public notice signs on the subject property.
2. For all other public hearings required by this title, public notice signs shall be installed by the owner or owner’s representative of the property for which the public hearing is required, unless the applicant is a member of the metropolitan council or a department of the metropolitan government. Where the applicant is a member of the metropolitan council or a department of the metropolitan government, then the applicant or the appropriate department of the metropolitan government will be responsible for posting applicable public hearing signs.

Section 2. This Ordinance shall take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Councilmember Walter Hunt

Approved (9-0), Consent Agenda

Resolution No. RS2014-51

“BE IT RESOLVED by The Metropolitan Planning Commission that 2014Z-006TX-001 is **Approved. (9-0)**”

5. 2014Z-007TX-001

BL2014-684 \ HUNT

DETACHED ACCESSORY DWELLING UNITS

Staff Reviewer: Benjamin Miskelly

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

Staff Recommendation: Approve

APPLICANT REQUEST

Amend the Zoning Code to allow Detached Accessory Dwelling Units within Urban Design Overlays containing development standards pertaining to Detached Accessory Dwelling Units.

Text Amendment

A request to amend Chapters 17.04 and 17.16 of the Metropolitan Code to modify the definition and conditions of "Accessory dwelling, detached."

EXISTING ZONING CODE

17.04.060 "Accessory dwelling, detached," also referred to as detached accessory dwelling, means a detached dwelling unit separate from the principal structure on a lot located within a historic overlay district. The dwelling shall be clearly subordinate in size, height, and purpose to the principal structure, it shall be located on the same lot as the principal structure, but may be served by separate utility meter(s) and is detached from the principal structure. A detached accessory dwelling can be an independent structure or it can be a dwelling unit above a garage, or it can be attached to a workshop or other accessory structure on the same lot as the principal structure.

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

1. Applicability.

a. The lot is within a historic overlay district.

b. While the following conditions listed below apply to a detached accessory dwelling they do not counter-act or over-ride the applicable life safety standards found in the code editions adopted by the Metropolitan Government of Nashville.

c. No accessory structure shall exceed two hundred square feet when there is a detached accessory dwelling on the lot as the detached accessory dwelling.

PROPOSED ZONING CODE

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

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

1. Applicability.

~~a. The lot is within a historic overlay district.~~

~~a-b.~~ While the following conditions listed below apply to a detached accessory dwelling they do not counter-act or over-ride the applicable life safety standards found in the code editions adopted by the Metropolitan Government of Nashville.

~~b e.~~ No accessory structure shall exceed two hundred square feet when there is a detached accessory dwelling on the lot.as the detached accessory dwelling.

ANALYSIS

Currently, the only UDO that this text amendment would impact is the yet to be adopted "Clayton Avenue" UDO. This change would allow for Detached Accessory Dwelling Units to be constructed in the Clayton Avenue UDO, allowing for additional units that, being subordinate in size to the primary residence, maintain the character of the neighborhood. Future UDOs with appropriate zoning districts may incorporate Detached Accessory Dwelling Units. Existing UDOs with appropriate zoning may also be amended in the future to incorporate standards for Detached Accessory Dwelling Units.

The text in Section 17.16.030 is being stricken from the Zoning Code because it is already stated in the definition section of 17.04.060. Section 17.16.030 F also applies design standards for Detached Accessory Dwelling Units, these standards are unchanged in the Zoning Code. This allows for standards to be adjusted (or calibrated) to the specific UDO.

STAFF RECOMMENDATION

Staff recommends approval.

Approved (9-0), Consent Agenda

Resolution No. RS2014-52

"BE IT RESOLVED by The Metropolitan Planning Commission that 2014Z-007TX-001 is **Approved. (9-0)**

Specific Plans

6. 2014SP-013-001

PORTER ROAD PLACE

Map 083-03, Parcel(s) 109-110
Council District 07 (Anthony Davis)
Staff Reviewer: Melissa Sajid

A request to rezone from R6 to SP-R zoning for properties located at 1421 Porter Road and Porter Road (unnumbered), approximately 500 feet south of McKennell Drive (0.61 Acres), to permit up to six detached dwelling units, requested by Dale & Associates, applicant; Christopher Carter, owner.

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

APPLICANT REQUEST

Preliminary SP to permit six detached dwelling units

Preliminary SP

A request to rezone from One and Two-Family Residential (R6) to Specific Plan-Residential (SP-R) zoning for properties located at 1421 Porter Road and Porter Road (unnumbered), approximately 500 feet south of McKennell Drive (0.61 acres), to permit up to six detached dwelling units.

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 percent duplex lots. *R6 would permit a maximum of 4 lots with 1 duplex lot for a total of 5 units.*

Proposed Zoning

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

CRITICAL PLANNING GOALS

- Supports a Variety of Transportation Choices
- Supports Infill Development

The proposed SP will permit development that is consistent with the character of surrounding development and create an opportunity for infill housing. In addition, the site is served by an existing transit route and sidewalk network that runs along Porter Road, which will be supported by the additional density proposed by the SP.

EAST NASHVILLE COMMUNITY PLAN

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

Consistent with Policy?

Yes. The Neighborhood General policy supports a variety of housing options. 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 on Porter Road, south of McKennell Drive, in East Nashville and consists of two lots. An existing structure is located on the northern lot and the southern lot is vacant. Surrounding zoning includes R6 and R10 and the predominant land use in the area is residential, including a variety of housing types. Access to the site is from Porter Road.

Site Plan

The plan proposes 6 detached single-family residential units, which would yield a density of about 9.8 units per acre. The maximum height of the units will be three stories in 35' to the top of the roof ridge line. Landscape buffers and opaque fencing are proposed along the perimeter where the site is adjacent to existing residential properties.

The overall site layout includes three units that front on Porter Road and three units that are interior to the site. The units facing Porter Road will have front facades on that street frontage and include tuck under garages located at the rear of the units. The interior units will front a circular driveway that serves the development. A landscaped median is located in the center of the driveway, and the median also accommodates a mail kiosk. 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.

Each unit provides two garage spaces. The SP is in close proximity to an existing transit line that runs along Porter Road, and the closest MTA stop is located about 400 feet north of the subject property. Existing sidewalks are provided along Porter Road. In addition, sidewalks are provided interior to the site and connect to the existing public sidewalk on Porter Road. Low impact stormwater design is proposed for the SP; rain gardens and pervious pavement are incorporated throughout the site to address stormwater concerns.

ANALYSIS

The proposed SP is consistent with the existing NG land use policy, and the plan meets two critical planning goals. Therefore, staff recommends approval with conditions and disapproval without all conditions.

FIRE MARSHAL RECOMMENDATION

- N/A

STORMWATER RECOMMENDATION

- Approved

TRAFFIC & PARKING RECOMMENDATION

- Provide adequate sight distance at proposed access drive.
- Identify any guest parking.

WATER SERVICES RECOMMENDATION

- Approved as a Preliminary SP only. Construction plans must be submitted and approved prior to the Final SP stage. If not platted, the required capacity fee payment must be paid prior to Final SP stage as well. If platted, capacity fees must be paid prior to Final Plat stage.

PUBLIC WORKS RECOMMENDATION

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

• Maximum Uses in Existing Zoning District: R6

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.61	7.71 D	5 U*	48	4	6

- *Based on one two-family unit

• 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 Detached (210)	0.61	-	6 U	58	5	7

- Traffic changes between maximum: R6 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
-	-	-	+1	+10	+1	+1

SCHOOL BOARD REPORT

Projected student generation existing R6 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 could generate one more student than what is typically generated under the existing R6 district. Students would attend Rosebank Elementary School, Bailey Middle School, and Stratford High School. All three schools have been identified as having additional capacity. This information is based upon data from the school board last updated September 2013.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all condition.

CONDITIONS

1. Uses within the SP shall be limited to six detached residential units.
2. 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 RM9-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
3. Finished ground floors and porches shall be elevated a minimum of 18"-30" from the abutting average ground elevation.
4. Maximum height of units shall be 3 stories in 35 feet to the top of the roof ridge line.
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 or with final site plan application.
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.

Approved with conditions and disapproved without all conditions (9-0), Consent Agenda

Resolution No. RS2014-53

"BE IT RESOLVED by The Metropolitan Planning Commission that 2014SP-013-001 is **Approved with conditions and disapproved without all conditions. (9-0)**

CONDITIONS

1. **Uses within the SP shall be limited to six detached residential units.**
2. **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 RM9-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.**
3. **Finished ground floors and porches shall be elevated a minimum of 18"-30" from the abutting average ground elevation.**
4. **Maximum height of units shall be 3 stories in 35 feet to the top of the roof ridge line.**
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 or with final site plan application.**
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.**

Zone Changes

7. 2014Z-014PR-001

BL2014-675 \ S. DAVIS
Map 082-14, Parcel(s) 056
Council District 05 (Scott Davis)
Staff Reviewer: Melissa Sajid

A request to rezone from IR to MUG zoning for property located at 30 Oldham Street, approximately 275 feet west of N. 1st Street and located within the Floodplain Overlay District (3.74 acres), requested by Hetzel Family Partners, owner.

Staff Recommendation: Approve MUG or MUG-A

APPLICANT REQUEST

Zone change from Industrial Restrictive (IR) to Mixed Use General (MUG).

Zone Change

A request to rezone from Industrial Restrictive (IR) to Mixed Use General (MUG) zoning for property located at 30 Oldham Street, approximately 275 feet west of N. 1st Street and located within the Floodplain Overlay District (3.74 acres).

Existing Zoning

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

Proposed Zoning

Mixed Use General (MUG) is intended for a moderately high intensity mixture of residential, retail, and office uses.

CRITICAL PLANNING GOALS

- Supports Infill Development
- Promotes Compact Building Design

The proposed MUG zoning district will create opportunities for infill development by allowing increased density and will encourage compact building design by allowing more flexibility to build up rather than out.

DOWNTOWN COMMUNITY PLAN

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

East Bank North Neighborhood Special Policy

This special policy encourages mixed use as well as the creation of a pedestrian friendly environment.

Consistent with Policy?

The proposed MUG district permits a mixture of uses and is appropriate in this location at this time because it moves the area closer to the goals of the policy. However, the MUG-A district would more closely meet the goals of the policy since it would require a 5-15 foot build-to line instead of a 10 foot setback. Approval of the requested MUG as well as MUG-A would more easily facilitate a future rezoning to MUG-A if the property owner is interested in doing so in the next two years.

STORMWATER RECOMMENDATION

N/A

PUBLIC WORKS RECOMMENDATION

- Traffic study may be required at time of development.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Light Manufacturing (140)	3.74	0.6 F	97,748 SF	359	52	61

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	3.74	3 F	488,743 SF	4527	668	627

Traffic changes between maximum: **IR** and proposed **MUG**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+4168	+616	+566

SCHOOL BOARD REPORT

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

Projected student generation proposed MUG district: 2 Elementary 1 Middle 3 High

The proposed MUG zoning district would generate six additional students than what is typically generated under the existing IR zoning district. Students would attend Glenn Elementary School, Jere Baxter Middle School, and Maplewood High School. All three schools have been identified as having additional capacity. This information is based upon data from the school board last updated September 2013.

STAFF RECOMMENDATION

Staff recommends approval of a zone change to MUG or MUG-A.

Approve MUG or MUG-A (8-0-1), Consent Agenda

Resolution No. RS2014-54

"BE IT RESOLVED by The Metropolitan Planning Commission that 2014Z-014PR-001 is **Approved with MUG or MUG-A. (8-0-1)**

8. 2014Z-015PR-001

BL2014-677 \ A.DAVIS
 Map 072-07, Parcel(s) 236-237
 Council District 07 (Anthony Davis)
 Staff Reviewer: Duane Cuthbertson

A request to rezone from MUN-A to RS10 zoning for properties located at 2212 and 2216 Riverside Drive, approximately 190 feet south of McGavock Pike (0.60 acres), requested by the Metro Planning Department, applicant; James V. Mims et ux, owners.

Staff Recommendation: Approve

APPLICANT REQUEST

Zone change from MUN-A to RS10.

Zone Change

A request to rezone from Mixed Use Neighborhood-A (MUN-A) to Single-Family Residential (RS10) zoning for properties located at 2212 and 2216 Riverside Drive, approximately 190 feet south of McGavock Pike (0.6 acres).

Existing Zoning

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

Proposed Zoning

Single-Family Residential (RS10) requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre. *RS10 would permit a maximum of two units.*

CRITICAL PLANNING GOALS

N/A

EAST NASHVILLE COMMUNITY PLAN

Neighborhood Center (NC) is intended for small, intense areas that may contain multiple functions and are intended to act as local centers of activity. Ideally, a neighborhood center is a "walk-to" area within a five minute walk of the surrounding neighborhood it serves. The key types of uses intended within NC areas are those that meet daily convenience needs and/or provide a place to gather and socialize. Appropriate uses include single- and multi-family residential, public benefit activities and small scale office and commercial uses. An Urban Design or Planned Unit Development overlay district or site plan, or alternative district should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

Consistent with Policy?

Yes. The proposed RS10 zoning district is consistent with the Neighborhood Center policy. The proposed zoning district reflects the current use of the property. The site is located on the edge of an existing neighborhood center situated to the north around the intersection of Riverside Drive and McGavock Pike. Single and two family residential dwellings are located to the south, west and east of the subject property.

The subject property consists of two parcels included in the Riverside Village neighborhood center policy area. The parcels were a part of a zone change for the neighborhood center, changing the designations from various zoning districts to mixed-use districts; approved by the Planning Commission in October and Council in December of 2013. The subject property was zoned RS10 at the time and the property owner requested to not be rezoned to MUN-A. However, the parcels were inadvertently retained in the zone change action. This zone change application brings the property back to its original zoning designation. The neighborhood center policy supports future rezoning of this property to MUN-A.

PUBLIC WORKS RECOMMENDATION

No Exception Taken.

No traffic table was prepared as the proposed RS10 district would not generate more traffic than what would be generated by the existing MUN-A district.

SCHOOL BOARD REPORT

The proposed RS10 district would reduce the number of students that could be generated with development of the property.

STAFF RECOMMENDATION

Staff recommends approval as the proposed RS10 zoning district is consistent with the Neighborhood Center policy.

Approved (9-0), Consent Agenda

Resolution No. RS2014-55

"BE IT RESOLVED by The Metropolitan Planning Commission that 2014Z-015PR-001 is **Approved. (9-0)**"

Urban Design Overlays

9. 2014UD-001-001

BL2014-682 \ MOORE

CLAYTON AVENUE UDO

Various Maps Various Parcels

Council District 17 (Sandra Moore)

Staff Reviewer: Benjamin Miskelly

A request to apply the Clayton Avenue Urban Design Overlay to various properties located on Clayton Avenue, Craig Avenue and Lealand Lane east of Lealand Lane (21.27 acres), zoned R10, to apply design standards regarding building height, setbacks, frontage, and driveways, requested by Councilmember Sandra Moore, applicant; various property owners.

Staff Recommendation: Approve

APPLICANT REQUEST

Adopt the Clayton Avenue Urban Design Overlay (UDO) to apply design standards along Clayton Avenue.

Urban Design Overlay

A request to apply the Clayton Avenue Urban Design Overlay to various properties located on Clayton Avenue, Craig Avenue, and Lealand Lane east of Lealand Lane (21.27 acres), zoned One and Two-Family (R10), to apply design standards regarding building height, setbacks, frontage, and driveways.

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.

Proposed Zoning

Urban Design Overlay (UDO) is a zoning overlay 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

- Provides a Range of Housing Choices
- Supports Infill Development
- Encourages Community Participation

The Clayton Avenue UDO will support appropriate infill by ensuring that new development is consistent in scale and mass with existing homes.

The UDO will also preserve housing choice by allowing one- and two-family homes to continue to be built, but under the UDO standards. The Clayton Avenue neighborhood, like many inner-ring neighborhoods, has faced tear down and reconstruction trends with larger two-family homes replacing smaller existing homes. Presented with this change, many of these neighborhoods have chosen to rezone to single-family only zoning.

The Clayton Avenue Neighborhood studied the options available to them and approached the Planning Department about preparing an Urban Design Overlay that would not be overly restrictive and would still allow two-family homes to be built, but would preserve the scale and massing of the neighborhood. A committee of neighbors proposed the standards in the UDO.

GREEN HILLS/MIDTOWN COMMUNITY PLAN

Existing Policy

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

Consistent with Policy?

Yes. The proposed UDO is consistent with the land use policy for the area and will ensure that future infill is compatible with the existing character of the neighborhood.

PLAN DETAILS

The original homes that were constructed along Clayton Avenue are of similar character, generally 1.5 stories tall, with single width driveways leading to parking areas/carports behind the house or garages under the house. The neighborhood is currently zoned R10, but many of the standards of R10 zoning permit development that is out of character with the scale of the original homes.

This Urban Design Overlay (UDO) has been created to maintain the scale of the existing homes. The UDO is not intended to dictate style, architecture or require new construction to exactly replicate the existing homes. The standards of the UDO focus primarily on the front of the house and yard - through the standards for height, setbacks and driveways/garages.

Height

The standards for height will have the most impact in ensuring compatibility of new development. The current R10 zoning standards allow a maximum height of 3 stories and 45 feet. This 45 foot height is in addition to a foundation as tall as 7 feet. This standard would allow a new structure to stand twice as tall, up to 52 feet, as the average existing home in the Clayton Avenue neighborhood.

The UDO standard proposes to regulate height at two points of the front façade – the maximum overall building height of 30 feet from the top of foundation, and a height of foundation that is 18 inches minimum and four feet maximum. This would allow for a maximum height of 34 feet from grade to the top of the roof.

An exception is proposed for existing houses exceeding the maximum building height specified in the Bulk Standards Table. They may use their existing height as the maximum building height for future expansions or construction.

Front and Rear Setbacks

Setbacks are varied from the standards of the R10 district. To allow for contextual front setbacks, Clayton Avenue was broken into 3 subdistricts. For each subdistrict, the standard for the front setback was calculated from the average of the street setback of the lots along that section. Subdistrict 1 has a front setback of 75 feet. Subdistrict 2 has a front setback of 65 feet, while Subdistrict 3's setback is 45'. The objective is to maintain the existing character of front setbacks and existing standards. All new construction will be required to build within 5 feet from the setbacks above.

The rear setback is consistent with the Metro Zoning Codes (20 feet), with the exception of the outlined lots in Subdistricts 1 and 2, where a slightly reduced standard of 10 feet is proposed because there is little to no expansion potential in the rear of these lots and the ability to build up will be limited by the new standards proposed by the Clayton Avenue UDO. This will allow some expansion potential.

Side Setbacks/Stepback

Minimum side setbacks are 5 feet. There is a maximum height of 20 feet (from top of foundation) that can be constructed at 5 feet from the side property line.

30' of total height (from top of foundation) is allowed at a slope of 1:1 or with a 15 foot stepback from the side property line.

Garage Location/Setback

Garages are to either be detached and located behind the principal structure, or attached and accessed from the side or rear, behind the front façade. This is to maintain the current location of garages in this area and to prevent the creation of front loaded garages with new home construction.

Driveways and Parking

One driveway is allowed per unit. The driveway width standard is 8 feet minimum – 12 feet maximum, with a requirement that it must be 12 feet wide through the right-of-way to allow for turning movements. Driveways are required to be setback 2 feet from side and rear property lines, with a requirement that it must be setback 4 feet from the side property line through the right-of-way per Metro Code 13.12.110. This standard is to prevent paving right up to the property line, which can cause stormwater

runoff and erosion problems for adjoining property owners.

The number of required parking spaces is not being varied by the UDO; it remains what would currently be required for a property zoned R10. The Clayton Avenue UDO permits one 18x18 foot (324 sq. ft.) parking pad per lot, in the front setback, as long as it is contiguous with the driveway and is screened with landscaping and/or a knee-wall.

Compliance

Full compliance with the Development Standards shall be required when:

- Property is redeveloped or vacant property is developed.
- The building square footage is being expanded; the expansion shall be in compliance with all applicable Development Standards.
- When a new structure is built on a lot with multiple structures, the new structure shall be in compliance with all Development Standards.

Compliance with the parking and driveways standards will become effective when the UDO is adopted. Existing non-compliant situations will be “grandfathered,” but changes after the effective date of the UDO to parking or driveways must be consistent with the standards of the UDO.

Any building permits that have been pulled prior to the UDO will be able to construct their plan without compliance of the UDO standards.

Modifications

Based on site-specific issues, modifications to the standards may be necessary. Any standard within the UDO may be modified, insofar as the intent of the standard is being met; the modification results in better urban design for the neighborhood as a whole; and the modification does not impede or burden existing or future development of adjacent properties. The process for approving modifications is as follows:

Minor modifications – deviations of 20 percent or less – may be approved by the Planning Commission’s designee. Major modifications – deviations of 21 percent or more – shall be approved by the Planning Commission.

This process is consistent with the standards in other adopted UDOs.

STAFF RECOMMENDATION

Staff recommends approval of the Clayton Avenue UDO.

Approved (9-0), Consent Agenda

Resolution No. RS2014-56

“BE IT RESOLVED by The Metropolitan Planning Commission that 2014UD-001-001 is **Approved. (9-0)**”

Planned Unit Developments

10. 158-75P-002

BAR-B-CUTIE (CANCEL)

Map 161-08, Parcel(s) 010
Council District 27 (Davette Blalock)
Staff Reviewer: Melissa Sajid

A request to cancel the Bar-B-Cutie Commercial Planned Unit Development Overlay District on property located at 5207 Nolensville Pike, approximately 120 feet north of Brewer Drive, zoned CS (1.77 acres), requested by James McFarland, owner.

Staff Recommendation: Disapprove PUD cancellation. Approve PUD amendment to allow all uses permitted in Commercial Service (CS) with certain exceptions.

APPLICANT REQUEST

Cancellation of the Bar-B-Cutie Commercial Planned Unit Development Overlay District.

Cancel PUD

A request to cancel the Bar-B-Cutie Commercial Planned Unit Development Overlay District on property located at 5207 Nolensville Pike.

Existing Zoning

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

CRITICAL PLANNING GOALS

N/A

SOUTHEAST COMMUNITY PLAN

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

Consistent with Policy?

No. The base zoning for the subject property is CS; however, the property is also subject to a Commercial Planned Unit Development Overlay that limits the property to restaurant use only. The Community Center policy encourages mixed-use zoning districts and design principles that enhance the pedestrian landscape. Community Center policy does not support all of the uses in the CS zoning district.

REQUEST DETAILS

The subject property is located on Nolensville Pike north of Brewer Drive in the Southeast community plan area. Surrounding zoning includes CS, CL, R6, R10 and RM9. The zoning of the property is CS and PUD overlay.

History

The Bar-B-Cutie Commercial PUD was approved initially by Council in 1975, and restricted the use of the property to restaurant use only. A subsequent revision to the PUD was approved in July 2011, which permitted a building addition to the Bar-B-Cutie restaurant. For many years, restaurants have been located in both buildings. However, the property owner wants to be able to market the building located to the south for uses other than a restaurant.

ANALYSIS

Cancelling the PUD would open up the property to all uses permitted in CS. While planning staff is not opposed to expanding uses permitted on the subject property, it would be more appropriate to amend the PUD to allow uses of CS with some exceptions that are not compatible with the land use policy. Staff proposes that the PUD be amended to allow all uses of CS, but to exclude the following uses:

- Non-residential drug treatment facility
- Automobile repair
- Automobile sales, used and new
- Bar or nightclub
- Boat storage
- Car wash
- Liquor sales

- Pawnshop
- Vehicular rental/leasing
- Self-service storage
- Building contractor supply
- Construction/demolition landfill
- Construction/demolition waste processing (project –specific)
- All Office uses

Another option is to cancel the PUD and rezone the property to a site plan based district such as an MUL-A or another district such as SP, which is considered appropriate in the Community Center policy area.

FIRE MARSHAL RECOMMENDATION

- N/A

STORMWATER RECOMMENDATION

- N/A

PUBLIC WORKS RECOMMENDATION

- N/A

TRAFFIC & PARKING RECOMMENDATION

- A traffic study may be required at time of development.

STAFF RECOMMENDATION

Staff recommends disapproval of the PUD cancellation. Staff recommends approval of a PUD amendment to allow all uses permitted in Commercial Service (CS) except for the following:

- Non-residential drug treatment facility
- Automobile repair
- Automobile sales, used and new
- Bar or nightclub
- Boat storage
- Car wash
- Liquor sales
- Pawnshop
- Vehicular rental/leasing
- Self-service storage
- Building contractor supply
- Construction/demolition landfill
- Construction/demolition waste processing (project –specific)
- All Office uses.

Ms. Sajid presented the staff recommendation of disapproval of PUD cancellation but approval of PUD amendment to allow all uses permitted in Commercial Service (CS) with certain exceptions.

Ronnie McFarland, 5207 Nolensville Road, spoke in favor of the application and stated that he would like to have the opportunity to market the property and put something in that will work.

Jon Parker, 783 Old Hickory Boulevard, spoke in favor of the application.

Wesley Cothron, 401 Larkway Court, spoke in opposition to the application and expressed concerns that this will open up the option for businesses that aren't wanted in this area.

Council Lady Blalock clarified that this zoning was originally put in place by the owner's family in the 1970s; it was put in place by the family and now the family is asking to have it removed. The majority of the neighborhood will only want office uses.

Chairman McLean closed the Public Hearing.

Mr. Adkins noted that the amendment seems fine with the exception of the business office uses.

Mr. Dalton stated that the amendment would be fine if we could separate the office uses and maybe get some of the title loan places out. He spoke in support of staff recommendation but would like to see something different done regarding the office uses.

Mr. Haynes inquired if there are any other exclusions or exceptions that the applicant opposes and would like removed besides the office use.

Mr. Parker stated that he is trying to confirm.

Mr. Gee noted that it is hard to start eliminating uses when it is unclear what the applicant wants.

Ms. Blackshear noted that disapproval of the PUD cancellation seems appropriate.

Mr. Adkins asked the owner what his intended use is.

Mr. McFarland asked to have check cashing and cash advance eliminated.

Mr. Ponder spoke in support of staff recommendation.

Councilmember Hunt moved and Mr. Dalton seconded the motion to approve staff recommendation.

Mr. Gee suggested an amendment to the motion to disapprove PUD cancellation and approve PUD amendment to allow all uses permitted in Commercial Service (CS) with certain exceptions, including a condition to replace “all office uses” on the list of excluded uses with “cash advance, check cashing, financial institution, and title loan”.

Councilmember Hunt and Mr. Dalton accepted Mr. Gee’s amendment. The vote was taken. (9-0)

Resolution No. RS2014-57

“BE IT RESOLVED by The Metropolitan Planning Commission that 158-75P-002 is Disapproved the PUD cancellation. Approve PUD amendment to allow all uses permitted in Commercial Service (CS) with certain exceptions, including a condition to replace “all office uses” on the list of excluded uses with “cash advance, check cashing, financial institution and title loan.” (9-0)

Neighborhood Landmark Overlays

11. 2014NL-001-001

BL2014-673 \ BENNETT

Map 061-07, Parcel(s) 128-130, 183-186, 242-247, 272-273

Map 061-11, Parcel(s) 084-085, 123-128, 131

Council District 08 (Karen Bennett)

Staff Reviewer: Duane Cuthbertson

A request to apply a Neighborhood Landmark Overlay District to various properties located along the west side of Gallatin Pike between Virginia Avenue and Broadmoor Drive, (17.22 acres), zoned OR20-A and RS7.5 and located within the Gallatin Pike Urban Design Overlay District, requested by the Metro Planning Department and Councilmember Karen Bennett, applicants; various property owners.

Staff Recommendation: Approve

APPLICANT REQUEST

Apply a Neighborhood Landmark Overlay District.

Neighborhood Landmark Overlay District

A request to apply a Neighborhood Landmark Overlay District to various properties located along the west side of Gallatin Pike between Virginia Avenue and Broadmoor Drive (17.22 acres), zoned Office/Residential-A (OR20-A) and Single-Family Residential (RS7.5).

Existing Zoning

Office/Residential-A (OR20-A) is intended for office and/or multi-family residential units at up to 20 dwelling units per acre and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards.

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

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

- Supports Infill Development
- Preserves Historic Resources

The Neighborhood Landmark Overlay designation will support adaptive re-use of historic residential structures within the district for uses the base zoning would not allow, including commercial uses. The broader range of permitted uses incentivizes the re-use of the historic properties while ensuring that the re-use and/or additions are compatible with and supportive of the historic fabric established along this corridor.

PROPERTY HISTORY

Properties located on Gallatin Pike between Calvert Street and Virginia Avenue (4100 and 4200 blocks of Gallatin Pike), including 4301 Gallatin Pike, are located within the Gallatin Road Historic District and are considered by the Metropolitan Historical Commission to be Worthy of Conservation.

The Gallatin Road Historic District is representative of the upper-middle-class homes that lined Gallatin Pike in the early and mid-twentieth century. Most of the homes were constructed in the 1920s and 1930s and remain today as intact examples of Craftsman and Tudor Revival residential architecture in the Inglewood area. Collectively, the homes represent some of the popular architectural styles of the early twentieth century as well as a larger pattern of historic suburban residential development along local streetcar and interurban rail lines. The district also includes the Jackson Park Church of Christ, prominently located at the corner of Gallatin Pike and Virginia Avenue.

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.

As noted above, the area was originally developed in the 1920s and 1930s. Rezoning these properties to a district that would permit commercial uses would be inconsistent with the surrounding residentially zoned properties. Retaining the buildings and the character of the area will preserve the low intensity fabric along this portion of the corridor.

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.

ANALYSIS

This area was included in a recent zone change for the entire Gallatin Pike corridor between 5th Street N. and Briley Parkway. This area was rezoned to OR20-A based on the land use policy and existing low intensity uses – mostly offices and residences. During the zone change process, the councilmember expressed a desire to incentivize keeping the historic residential structures by enabling mixed-use and/or commercial reuse of the properties, without detrimentally impacting the existing residential neighborhood. The Neighborhood Landmark District overlay was suggested by the Planning Department as a tool that would allow additional uses while protecting the historic fabric of the area.

The purpose of this Neighborhood Landmark is to preserve and protect the area's character. By placing a Neighborhood Landmark District Overlay on these properties, the reuse and preservation of the structures is incentivized. With the ability to adaptively reuse the sites, improvements and maintenance to the structures can be made and any nuisances a commercial use may have on the adjoining properties can be mitigated.

Additions to and reuse of existing structures, as well as new development on vacant properties, will be required to submit a development plan to the planning commission for review and approval. A development plan is required to address design elements including building mass and scale, parking location, lighting, signage and landscaping. It is the intent of this Neighborhood Landmark District overlay to ensure that reuse of existing structures, future additions and/or development of vacant property are consistent with the scale, orientation and character existing within the overlay area.

Based on the criteria outlined in the Zoning Code, these properties meet the standards to be considered as a landmark.

HISTORIC ZONING COMMISSION

The Metropolitan Historical Commission recommends approval of the Neighborhood Landmark Overlay District proposed for properties located along the west side of Gallatin Pike between Virginia Avenue and Broadmoor Drive.

STAFF RECOMMENDATION

Staff recommends that the Neighborhood Landmark District be approved. The proposed District meets the criteria for consideration found in the Zoning Code.

Approved (9-0), Consent Agenda

Resolution No. RS2014-58

"BE IT RESOLVED by The Metropolitan Planning Commission that 2014NL-001-001 is **Approved. (9-0)**

K. PLANNING COMMISSION ACTIONS

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

Subdivision: Concept Plans

12. 2014S-021-001

VISTA CLUSTER LOT SUBDIVISION

Map 049, Part of Parcel(s) 154

Council District 03 (Walter Hunt)

Staff Reviewer: Duane Cuthbertson

A request for concept plan approval to create 43 clustered lots on a portion of property located at Whites Creek Pike (unnumbered), at the northeast corner of Whites Creek Pike and Green Lane, zoned R10 (11.81 acres), requested by Cornerstone Land Company, owner; Anderson, Delk, Epps & Associates, Inc., applicant.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Create 43 clustered residential lots.

Concept Plan

A request for concept plan approval to create 43 clustered lots on a portion of property located at Whites Creek Pike (unnumbered), at the northeast corner of Whites Creek Pike and Green Lane, zoned One and Two-Family Residential (R10) (11.81 acres).

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 43 lots with 4 duplex lots for a total of 47 units.*

CRITICAL PLANNING GOALS

N/A

PLAN DETAILS

This request is to subdivide an existing property into 43 clustered residential lots. The property is located at the northeast corner of Whites Creek Pike and Green Lane. The property is currently vacant.

Site Plan

The proposed plan calls for 43 new residential lots on an 11.81 acre tract. Four of the lots will permit two-family dwellings for a total of 47 dwelling units with a density of 3.97 dwelling units per acre. The maximum number of lots that could be created for the cluster option is 43. The cluster option allows the lots to be shifted south to avoid natural site constraints and create open space. While the property is zoned R10, the cluster lot option allows the lots to be reduced to R6 standards. Therefore, the lots can incorporate characteristics of R6 zoning such as the minimum lot size of 6,000 square feet, as well as the bulk standards (setbacks, height, etc.) that apply to R6.

ANALYSIS

With the cluster lot option, the proposed lots are shifted to the south to avoid the site's constraints; steep slopes. The plan proposes open space (25.6% of the site vs. 15% minimum requirement). Recreational facilities will be provided with one of the open spaces.

Two lots are proposed to front Whites Creek Pike. A shared access easement proposed for those lots will minimize the number of access points. Sidewalks are proposed along all frontages proposed with the subdivision including along Whites Creek Pike and Green Lane. One access point is proposed into the subdivision. The subdivision proposes stub streets at the western and eastern boundaries in order to accommodate future connections.

FIRE MARSHAL RECOMMENDATION

Approval is for the concept plans only. The developer shall provide the Fire Marshal's office with additional details before the development plans can be approved.

STORMWATER RECOMMENDATION

- Approved

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.
- Dedicate the ROW, for the future left turn on Green Lane.
- The temporary turn around on Lot 27 must be removed, and the Road B be extended, prior to the final plat for Lot 27 being recorded.

WATER SERVICES RECOMMENDATION

- Approved as a Concept Plan only. The required capacity fees must be paid prior to Final Plat stage. Water and sewer construction plans must also be approved prior to final plat stage.

STAFF RECOMMENDATION

Staff recommends approval with conditions as the concept plan is consistent with the Subdivision Regulations and the Zoning Code Requirements.

CONDITIONS

1. Comply with all Public Works conditions.
2. All existing trees within "Open Space B" as depicted on the approved Concept Plan, shall remain undisturbed and be maintained by the Home Owners Association. Any tree removal in Open Space B, as depicted on the approved Concept Plan, shall be approved by the Metro Urban Forester.
3. Pursuant to 2-3.5.e of the Metro Subdivision Regulations, because this application has received conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to or with any application for a final site plan or final plat.

Mr. Cuthbertson presented the staff recommendation of approval with conditions.

Tom White, representing applicant, spoke in favor of the application and noted that as a matter of a straight subdivision, this would be approved without any issues.

James Lawson, 3969 Lloyd Road, spoke in favor of the application and noted that this development would definitely be a step up for the neighborhood even though it may not be exactly what is wanted.

Roy Dale, 516 Heather Place, spoke in favor of the application and noted that, at Councilmember Hunt's request, the applicant has agreed to certain requirements that are not required through the subdivision process.

James Hester, 805 Flint Ridge Road, spoke in favor of the application.

Larry Layten, 6951 Old Hickory Blvd, spoke in favor of the application and expressed appreciation to Councilmember Hunt for requiring the developer to do more than what is required.

Kenny Norman, 4724 Brick Church Pike, spoke in favor of the application.

Janie Layten, 6951 Old Hickory Blvd, spoke in favor of the application and noted that it will increase revenue.

Bill Reynolds, 3667 Knight Drive, spoke in opposition to the application and requested that the developer use brick and not vinyl siding.

Renee Bates, 3810 & 3814 Whites Creek Pike, spoke in opposition to the application and noted that she would like to retain the village character of the neighborhood and would like to see brick on the façade.

Antoinette Welch, 3857 Knight Drive, spoke in opposition to the application and noted that it is irresponsible to approve something just because you can. She stated that it is the commission's job to uphold the distinctive nature of Whites Creek.

Jim Sherraden, 6956 Old Hickory Blvd, spoke in opposition to the application and noted that he is not opposed to development, just not this development the way it stands.

Zach Dier, 681 Brick Church Lane, spoke in opposition to the application and asked for either deferral or disapproval until the community plan is updated.

Travis (last name unclear), 3665 Knight Drive, spoke in opposition to the application, noted that vinyl houses will detract from the rural character of the neighborhood, and stated that the community plan should be updated first.

Alicia Batson, 4712 Lickton Pike, spoke in opposition to the application and noted that the community plan needs to be updated first.

Angela Williams, 7203 Old Hickory Blvd, spoke in opposition to the application and stated that this type of development is very hard to accept; would like to see something unique, not cookie cutter.

Laura Fott, 6921 Old Hickory Blvd, spoke in opposition to the application and stated that the most unique aspect of Whites Creek is its diversity. She noted that she is not against development in general but is against this type of development.

Michelle Carratu, 3536 Whites Creek Pike, spoke in opposition to the application.

Brian Bogle, 5268 Simpkins Road, spoke in opposition to the application and noted that Whites Creek needs a more unique development than what is proposed.

David Wells, 3460 Knight Road, spoke in opposition to the application and noted that he works at UPS and no one that works there wants to live in the proposed houses. They would like to live in a better quality development that is less dense. They would also like to have the community plan updated before moving forward.

Mr. Gee and Mr. Haynes left the meeting at 6:04 p.m.

Helen Tarleton, 7135 Old Hickory Blvd, spoke in opposition to the application and noted that people in the community want a development that is representative of why they moved to Whites Creek to begin with.

Eric Wooldridge, 5188 Old Hickory Blvd, spoke in opposition to the application and stated that this is incompatible with Nashville's plans to become more sustainable. He asked for a deferral until the community plan is updated.

Tyler Skelton, 5491 Old Hickory Blvd, spoke in opposition to the application and pointed out that the community plan is the oldest in the county. She requested deferral until the plan is updated.

Tom Kerns, Whites Creek Pike, spoke in opposition and stated that the standards on this development need to be raised.

Vicki Cooper, 3679 Knight Drive, spoke in opposition to the application due to the high density of the development.

Tom Cooper, 3679 Knight Drive, spoke in opposition to the application due to the high density of the development.

Jimmy Eagin, 3415 Whites Creek Pike, spoke in opposition to the application.

Howard Ferguson, 3431 Whites Creek Pike, spoke in opposition to the application due to storm water concerns and the high density of the development.

John Hooten, 733 Flint Ridge Drive, spoke in opposition to the application and stated that he would like to see more brick to keep with the rural character of the neighborhood, not vinyl siding.

Elizabeth Bogle, 3659 Knight Drive, spoke in opposition to the application due to increased traffic concerns and the possibility of destroying historical evidence.

Linda Wright, 3831 Whites Creek Pike, spoke in opposition to the application.

George Hardy, 3410 Tisdale, spoke in favor of the application and stated that the area is ready to be built.

Delaney, 3840 Knight Drive, spoke in opposition to the application and noted that she would like to keep Whites Creek beautiful.

David (last name unclear), 3783 Knight Drive, spoke in opposition to the application and noted that he would like to see a better quality development.

Wilma Buchanan, 3480 Knight Drive, spoke in opposition to the application and stated that the area needs higher priced homes and something that will keep with the rural character of the neighborhood.

Robert Bogle, 3659 Knight Drive, spoke in opposition and expressed concerns with the tree canopy.

Sarah Bellos, 3456 Knight Drive, spoke in opposition to the application due to the high density of the development. She stated that she would also like to see a better quality development.

Tom White clarified that the sole issue before the commission is whether the requirements of a cluster lot subdivision are being met.

Chairman McLean closed the Public Hearing.

Councilmember Hunt stated that the developer has done everything that he has been asked to do. People who live there have a right to enjoy a quality \$200,000 home because there are none in that area. Vinyl siding will not be used. The development will be single-family only – no duplexes. A historical study will be requested.

Councilmember Hunt moved to approve staff recommendation.

Mr. Ponder asked if an amendment can be added to ensure that no duplexes will be built.

Tom White clarified that his client has made a commitment that there will be nothing but single-family homes and is in complete agreement with adding an amendment to that end.

Councilmember Hunt amended his motion to approve with conditions, including a condition limiting the lots to single-family only. Mr. Ponder seconded the motion.

Ms. Blackshear asked for clarification regarding storm water and traffic concerns.

Steve Mishu, Metro Storm Water, stated that all drainage comes to the road. He also clarified that there are no mapped wetlands on the development site.

Jonathan Honeycutt, Metro Public Works, stated that the size and number of lots proposed for this development is below the threshold for a traffic study to be conducted.

Mr. Clifton noted that not every part of the city has to be the same, but density – especially infill density – is not something to be feared, but something to be guided. The zoning code itself doesn't just give the commission the opportunity to approve something, it is a legal mandate. He asked at what point is compatibility considered in this area with existing subdivisions.

Mr. Bernhardt stated that provisions that currently apply are the general subdivision regulations that apply all across the county which would include cluster subdivisions or infill subdivision development if that would be appropriate.

Mr. Clifton inquired if there is any broad language to look at comparability beside "harmonious".

Mr. Bernhardt clarified no, especially not through state law. It is up to the commission to decide.

Mr. Clifton inquired if this area is predominately developed.

Mr. Clifton asked how the commission decides between those two.

Jon Michael, Legal, stated that the commission has the authority to make that call.

Mr. Sloan stated that ultimately it is the commission's decision. We have the general definitions what infill subdivisions are and then we have the more specific 3.5 portion of the subdivision regulations that deal with infill development and within that section it is specific that it says that infill subdivision analysis on appropriateness is done on properties that have been subdivided *and* are predominately developed.

Mr. Clifton stated that more time might be necessary to determine what the commission is to measure against. He also reminded the commission that Mr. Haynes and Mr. Gee already left the meeting and Ms. LeQuire has asked for a deferral in order to be present for the discussion.

Mr. Adkins inquired about what will happen to the tree canopy when the development is built.

Mr. Cuthbertson clarified that the tree density requirements must be met.

Mr. Clifton stated that there is a right to this subdivision under law, but he is uncertain if there is a right to this number of lots. He stated that we may need to measure and see if it is compatible with lots on each side. There is a legitimate question as to how we look at this and it isn't downzoning to apply subdivision regulations. He stated that he feels that more guidance is needed before a vote should be taken.

The vote was taken. (5-2) Mr. Clifton and Mr. Dalton voted against.

Resolution No. RS2014-59

"BE IT RESOLVED by The Metropolitan Planning Commission that 2014S-021-001 is *Approved with conditions, including a condition limiting the lots to single-family only.* (5-2)

CONDITIONS

1. Comply with all Public Works conditions.

2. All existing trees within "Open Space B" as depicted on the approved Concept Plan, shall remain undisturbed and be maintained by the Home Owners Association. Any tree removal in Open Space B, as depicted on the approved Concept Plan, shall be approved by the Metro Urban Forester.

4. Pursuant to 2-3.5.e of the Metro Subdivision Regulations, because this application has received conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to or with any application for a final site plan or final plat.

Subdivision: Final Plats

13. 2014S-024-001

**WEST NASHVILLE, RESUB LOT 2 & PORTION OF ABANDONED
53RD AVENUE NORTH**

Map 091-11, Parcel 394 and part of Parcel 125
Council District 20 (Buddy Baker)
Staff Reviewer: Melissa Sajid

A request for final plat approval to create three lots on property located at 5219 Illinois Avenue, 5213 Illinois Avenue and on abandoned right-of-way located at 5213 Illinois Avenue, approximately 400 feet west of 52nd Avenue North, zoned R6 (0.28 acres), requested by XCel Land Surveying, applicant; Toni Rothfuss and Nicholas Perenich, owners.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Final plat to create 3 residential lots.

Final Plat

A request for final plat approval to create three lots on property located at 5219 Illinois Avenue, 5213 Illinois Avenue and abandoned right-of-way located at 5213 Illinois Avenue, approximately 400 feet west of 52nd Avenue North.

Existing Zoning

Single-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 percent duplex lots. *R6 would permit a maximum of 3 lots for a total of 6 units.*

CRITICAL PLANNING GOALS

- Supports Infill Development

The proposed subdivision creates infill housing opportunity in an area that is served by existing infrastructure.

SUBDIVISION REGULATIONS

The request will create three infill lots from two existing lots and abandoned right-of-way along the south side of Illinois Avenue. The land use policy for the subject property is Neighborhood Maintenance (NM), which is subject to the compatibility criteria in Section 3-5.2 of the Subdivision Regulations.

The proposed final plat includes properties located on Illinois Avenue near 52nd Avenue North and proposes to create three lots from one lot (parcel 394) and one deeded parcel (parcel 125). Lot 2 was previously created by final plat case no. 2012S-136-001 and the deeded parcel was created when part of 53rd Avenue North was abandoned and the right-of-way was deeded to parcel 125.

The proposed infill subdivision proposes three lots with the following areas and street frontages:

- Lot 2: 6304 Sq. Ft., (0.14 Acres), and 42 Ft. of frontage;
- Lot 3: 6302 Sq. Ft., (0.14 Acres), and 41.99 Ft. of frontage;
- Lot 4: 10,356 Sq. Ft., (.24 Acres), and 69 Ft. of frontage.

Lot Compatibility

Section 3-5.2 of the Subdivision Regulations outlines the criteria for reviewing infill subdivisions located within the Neighborhood Maintenance policy area. Staff reviewed the final plat against the following criteria as required by the Subdivision Regulations:

Zoning Code

All lots meet the minimum standards of the R6 zoning district.

Street Frontage

All proposed lots have frontage on a public street.

Density

Neighborhood Maintenance land use policy supports density from 4 to 20 dwelling units per acre. The proposed infill subdivision provides a density of 6.7 dwelling units per acres, which falls within the range supported by policy.

1. Lot frontage: The lot frontage consideration for consistency with community character requires that the proposed lots either be equal or greater than 70% of the average frontage of surrounding parcels or equal to or greater than the surrounding lot with the least amount of frontage, whichever is greater. In this case, the lots created must be equal to or greater than 40 ft which is the smallest lot frontage of the surrounding lots.

Lot Frontage Analysis	
Minimum Proposed	42'
70% of Average	34.4'
Smallest Surrounding Parcel	40'

2. Lot size: In order to be consistent with community character, proposed infill lots have lot area that is either equal to or greater than 70% of the lot size of the average size of surrounding parcels or equal to or larger than smallest surrounding lot, whichever is greater. In this case, the minimum lot area must be at least 6,126 square feet which is the smallest lot area of the surrounding lots.

Lot Size Analysis	
Minimum Proposed	6302 SF
70% of Average	5189 SF
Smallest Surrounding Parcel	6126 SF

3. Street setback: The street setbacks for the subject properties are located within the Urban Zoning Overlay (UZO). Therefore a contextual front setback will be proposed to ensure that the street setback is compatible with the existing development pattern. The contextual street setback is also proposed for Lot 2 which is currently under construction.

4. Lot orientation: All proposed lots are orientated toward Illinois Avenue which is consistent with the existing lot pattern.

In addition, access for Lot 3 will be limited to the alley per Section 3-5.5 of the Subdivision Regulations. Lots 2 and 4 have existing driveways located off Illinois Avenue.

STAFF RECOMMENDATION

Staff recommends approval of the final plat as it meets the Subdivision Regulations.

FIRE MARSHAL RECOMMENDATION

- Approved

STORMWATER RECOMMENDATION

- Approved with conditions
- Extend PUDE's on front and back of properties to Lot 4 also.

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

CONDITIONS

1. Pursuant to 2-3.4.e of the Metro Subdivision Regulations, because this application has received conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to recordation.
2. Sidewalks are required along the Illinois Avenue frontage of the proposed subdivision. Therefore, prior to final plat recordation, one of the options must be chosen related to sidewalks:
 - a. Submit a bond application and post a bond with the Planning Department,
 - b. Construct sidewalk and have it accepted by Public Works,
 - c. Submit contribution in-lieu of construction to the Planning Department, one additional lot will require a \$500 contribution to Pedestrian Benefit Zone 1-A.
 - d. Construct an equal length of sidewalk within the same Pedestrian Benefit Zone, in a location to be determined in consultation with the Public Works Department, or
 - e. Add the following note to the plat: "No building permit is to be issued on any of the proposed lots until the required sidewalk is constructed per the Department of Public Works specifications." Sidewalk shall be shown and labeled on the plan per Public Works Standards with the required curb and gutter.
3. Revise the parcels numbers shown on the lots to reflect the new parcel numbers assigned by Mapping.
4. Extend the PUDEs shown along the front and rear property lines of Lots 2 and 3 to Lot 4.

Approved with conditions (9-0), Consent Agenda

Resolution No. RS2014-60

"BE IT RESOLVED by The Metropolitan Planning Commission that 2014S-024-001 is **Approved with conditions. (9-0)**

CONDITIONS

1. Pursuant to 2-3.4.e of the Metro Subdivision Regulations, because this application has received conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to recordation.
2. Sidewalks are required along the Illinois Avenue frontage of the proposed subdivision. Therefore, prior to final plat recordation, one of the options must be chosen related to sidewalks:
 - a. Submit a bond application and post a bond with the Planning Department,
 - b. Construct sidewalk and have it accepted by Public Works,
 - c. Submit contribution in-lieu of construction to the Planning Department, one additional lot will require a \$500 contribution to Pedestrian Benefit Zone 1-A.
 - d. Construct an equal length of sidewalk within the same Pedestrian Benefit Zone, in a location to be determined in consultation with the Public Works Department, or

e. Add the following note to the plat: "No building permit is to be issued on any of the proposed lots until the required sidewalk is constructed per the Department of Public Works specifications." Sidewalk shall be shown and labeled on the plan per Public Works Standards with the required curb and gutter.

3. Revise the parcels numbers shown on the lots to reflect the new parcel numbers assigned by Mapping.

4. Extend the PUEs shown along the front and rear property lines of Lots 2 and 3 to Lot 4.

L. OTHER BUSINESS

14. New employee contract for Anna Emerson.

Approved (9-0), Consent Agenda

Resolution No. RS2014-61

"BE IT RESOLVED by The Metropolitan Planning Commission that the new employee contract for Anna Emerson is **Approved. (9-0)**

15. Approval of Amended Planning Commission Rules and Procedures.

Approved (9-0), Consent Agenda

Resolution No. RS2014-62

"BE IT RESOLVED by The Metropolitan Planning Commission that the amended Planning Commission Rules and Procedures are **Approved, effective for the March 13, 2014, Planning Commission meeting. (9-0)**

16. Historic Zoning Commission Report

17. Board of Parks and Recreation Report

18. Executive Committee Report

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

Approved (9-0), Consent Agenda

Resolution No. RS2014-63

"BE IT RESOLVED by The Metropolitan Planning Commission that the Director's Report and Administrative Items are **Approved. (9-0)**

20. Legislative Update

M. MPC CALENDAR OF UPCOMING MATTERS

March 4, 2014

Work Session

8:30am, 800 Second Ave. South, Metro Office Building, Nashville Room

March 13, 2014

MPC Meeting

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

March 27, 2014

MPC Meeting

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

April 10, 2014

MPC Meeting

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

April 24, 2014

MPC Meeting

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

N. ADJOURNMENT

The meeting adjourned at 7:16 p.m.

Chairman

Secretary



METROPOLITAN GOVERNMENT
OF NASHVILLE AND DAVIDSON COUNTY
Planning Department
Metro Office Building, 2nd Floor

Date: February 27, 2014

To: Metropolitan Nashville-Davidson County Planning Commissioners

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

Re: Executive Director's Report

The following items are provided for your information.

A. MPC Meetings

1. Due to a conflict with the Election Commission:
 - a. April 24th meeting will begin at 5:30 pm in order to keep it at the Sonny West Conference Center;
 - b. July 24, 2014 – Researching alternate locations (neither Sonny West Conference Center or Metro Southeast are available)
 - c. October 23, 2014 – Researching alternate locations (neither Sonny West Conference Center or Metro Southeast are available)

B. Employee News

1. We are still looking for the following:
 - a. 2 – Planner 2 positions in the Land Development Division.
 - b. Planner 2 in the Community Plans Division.
 - c. Planner 3 for the Design Studio with an architectural and urban design background.

C. Communications

1. NashvilleNext front page has been revised with new information and video updates on where NN is so far, including photo galleries of each phase.
2. The educational access channel, Comcast 10, will run NashvilleNext Speaker Series presentations at 5 am, 1 pm, and 9 pm on Wednesdays starting March 5. We have prepared ten one-hour programs for that purpose.

D. Community Planning

1. Upcoming Items before the Planning Commission
 - a. March 13, 2014
 - i. Bicycle Parking Ordinance
 - ii. Green Hills Area Transportation Plan
 - b. March 27, 2014
 - i. CCM Translation

E. Land Development

F. GIS

G. Executive Director Presentations

1. CNU Local Government Initiative (Comprehensive Plan Redesign) – February 21-23, 2014, Raleigh NC
2. Leadership Donelson-Hermitage; February 25, 2014

H. NashvilleNext

1. Presentations and Meetings

- a. Thursday, February 27, 2014; Associated Builders & Contractors, 1604 Elm Hill Pike
- b. Thursday, March 6, 2014; Nashville Area Association of Family and Consumer Sciences, TBD
- c. Saturday, March 8, 2014; Bellshire Estates Neighborhood Group Meeting, TBD

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

DRAFT - The Guiding Principles are written from the perspective of Nashvillians in 2040, assessing Nashville based on the actions taken to implement NashvilleNext.

Be Nashville

- Nashville is strong because we lift one another up and help people help themselves.
- We are strong because of our culture of creativity, respect for history, and optimism for the future.
- We are strong because of our welcoming culture that represents the best of Southern hospitality and celebrates Nashville's multiculturalism.

Expand Accessibility

- Nashville is accessible, allowing *all* Nashvillians to come together to work, to play, to learn, and to create community, regardless of background or ability.
- Nashville's accessibility extends to transportation, employment and educational opportunities, online capabilities, civic representation, access to nature and recreation and government services.
- In Nashville, we are all able to participate and contribute to community decision-making and the future of our community.

Create Opportunity

- Nashville's economy is diverse, dynamic and open. It benefits from our culture of arts, creativity and entrepreneurialism.
- Our strong workforce and high quality of life make Nashville's economy nationally and internationally competitive.
- Nashville's success is based on promoting opportunities for individual growth and success, for small and local businesses and entrepreneurs.

- To provide a foundation for future growth and prosperity, Nashville meets its infrastructure needs in an environmentally responsible way.

Foster Strong Neighborhoods

- Neighborhoods are the building blocks of our community: they are where we live, work, shop and gather as a community.
- Our neighborhoods are healthy, safe, affordable and connected – with vibrant parks, welcoming libraries, accessible shopping and employment, valued and protected natural features and strong schools.
- Our diverse neighborhoods give our community character and grow with us as we move into the future.

Advance Education

- Nashville recognizes that education is a lifelong endeavor; it is how we prepare our children for tomorrow's challenges, and how we keep our residents ready to successfully participate in the workforce and civic life.
- Community investment is key to Nashville's success in K-12 education. Neighborhoods, businesses, institutions, non-profits, families, individuals and Metro work to ensure access to opportunity for all children through child care and school choices, transportation options, and engaging Nashvillians in supporting children and families.
- Life-long learning also benefits from the community's investment in continuing education, retraining opportunities and literacy.
- Nashville's excellent colleges and universities are community assets that educate our youth and adults, are a tremendous resource for the community and add to the community's prestige.

Champion the Environment

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

Ensure Equity for All

- Nashville is stronger because it values diversity in all its forms.
- All Nashvillians, regardless of age, race, ethnicity, ability, income, gender, sexual orientation, where you were born or where you live, are welcome and their voices are valued.
- Ensuring equity has been and continues to be central to Nashville's culture. As Nashville changes, we remain committed to equity and inclusion.
- We are vigilant in protecting human rights for all to provide for inclusive civic life.
- Nashville ensures that all communities are engaged in decision making and share in the city's growth, prosperity and quality of life.

3. NashvilleNext Overall Schedule

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

4. NashvilleNext Key Activities:

- a. Phase 3 (of 5) of the process is completed with over 10,000 participants.
- b. Developing the alternative development scenarios and policy implications based on community input through the priority and growth mapping exercises.
- c. Translated countywide CCM to be presented to the Planning Commission at the March 27, 2014 meeting.
- d. List of special projects underway include:
 - i. The Airport Employment Center Master Design
 - ii. Identification of Downtown open space network
 - iii. Examining the potential use for the Missing Middle housing typology
- e. Starting to coordinate with MTA and Nashville GreenPrint (tree canopy master plan) as they begin their master planning efforts.

5. Resource Teams:

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

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

6. NashvilleNext Special Studies

- a. **Gentrification Analysis and Recommendations** – Work has begun with Ms. Amie Thurber, Dr. James C. Fraser and Dr. Doug Perkins of Vanderbilt University on issues and recommendations related to gentrification in Nashville. The recommendations will be considered in the NashvilleNext policy and action phase.
- b. **Suburban Retrofit** – In conjunction with the National Association of Realtors will provide real life retrofit examples to make suburban areas more sustainable. The study began with field visits in February 7-9, 2014. Study situations include:
 - i. **Bellevue** – the south side of Highway 70S, across from the Bellevue Mall.
 - Make a There There: Overly deep retail parcel that has been subdivided and layered without parcels into a sprawling mess with fronts facing backs, no sense of place, reduced visibility, and likely run-off issues/Install an urban framework that enables parcels to be reinhabited and redeveloped with a sense of place that restores the social capital lost from the dead mall, connect to the green space, connect to the neighborhood.
 - ii. **Bellevue** – the “civic center” at Bellevue Middle School, the new library and Red Caboose Park.
 - Make a There There: Although adjacent to one another, the public facilities do not relate to each other spatially or invite synergistic sharing of parking or other facilities/create a civic center that is greater than the sum of its parts.
 - iii. **Bordeaux** – the Kroger on Clarksville Pike at West Hamilton Avenue.
 - Expand Affordability and Livability? Dead big box: failed/failing retail in a declining neighborhood/possible exploration of missing middle housing types, community-serving uses, linkage of affordable housing to affordable transportation?
 - iv. **Antioch** – The Crossings extension to Cane Ridge High School.

- Driving Change on Corridors: Establishing a new Corridor? New Infill and Connectivity? Create a place from an employment center and older suburban independent mixed uses.
- v. South Nashville – the abandoned Kmart at Harding Place and Nolensville Road.
 - Driving Change on Corridors - Intersection quadrant: auto-oriented retail surrounding intersection, but disconnected from each other and from adjacent neighborhoods/new urban framework to improve connectivity around the intersection and into the neighborhoods
- vi. South Nashville – the abandoned Lowe’s on Nolensville at Cotton Lane.
 - Driving Change on Corridors – dead big box: deep retail parcels with limited visibility/urban framework to increase connectivity and establish better transitions from the residential areas to the corridor.
- vii. Old Hickory Village – the town center (This is an old factory town, project boundaries could be expanded further).
 - Make a There There: underperforming town center/ catalysts for revitalization.
- viii. North Nashville – West Trinity Lane at I-65 Highway.
 - Adjacent commercial/industrial: ad hoc uses, odd shaped lots with little relationship to adjacent corridors or neighborhoods/urban framework to support better connectivity and transitions.
- ix. Wedgewood Area - I-65 –properties east of I-65, and bordered by the RR tracks, from the Adventure Science Center south to the Craighead St. area.
 - Highway Adjacent Commercial/industrial: isolated wedge of diverse but disconnected uses/transitions from highway to neighborhoods
- x. The Nations - Centennial Blvd. and 51st Ave., industrial/warehousing properties.
 - Border Vacuum: underused industrial properties blighting abutting residential neighborhood/catalysts for reinhabitation, connection to waterfront?
- xi. Nashville State Community College – The school property on White Bridge Pike.
 - Make a There There: suburban campus w vast parking lots/urban framework for growth into a more walkable, urban, mixed-use campus? Also consider a complete redevelopment!
- xii. Woodbine Commercial Corridor –Nolensville Pike “Main St.” area abutting the Woodbine residential neighborhood, and industrial property along RR.
 - Make a There There: Main Street that's missing teeth/urban infill, possible introduction of "missing middle" housing types, identify catalysts for redevelopment
- xiii. If teams are available:
 - (1) Churches (large and small) - several locations and scales (also abandoned, in-use, re-purposed) examples Charlotte Ave, and White Bridge Pike area.
 - (a) Total redevelopment
 - (b) Diversification by adding additional uses inc. housing, social services, etc.
 - (2) Bellevue – Commercial frontage serving off highway multi-family pockets - several locations and scales
 - (3) mall retrofit

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

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

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

1. **Tuesday, March 4, 2013** – [MPC Workshop – Green Hills Area Transportation Plan, CCM Translation and Bicycle Parking Ordinance](#). 8:30 am, 800 Second Ave. South, Metro Office Building, Nashville Room

J. **APA Training Opportunities**

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

Date	Topic (Live Program and Online Recording)
March 12, 2014	Using Subdivision Regulations in the 21st Century
May 14, 2014	Jane Jacob's Legacy and New Urbanism
June 4, 2014	Introducing New Density to the Neighborhood
June 25, 2014	2014 Planning Law Review

Administrative Items

In accordance with the Rules and Procedures of the Metropolitan Planning Commission, the following applications have been reviewed by staff and are ready to be approved by the Planning Commission through acceptance and approval of this report or otherwise approved on behalf of the Planning Commission **through 02/21/2014**.

APPROVALS	# of Applications	Total # of Applications 2014
Specific Plans	1	4
PUDs	0	0
UDOs	0	0
Subdivisions	7	29
Mandatory Referrals	5	23
Grand Total	13	56

SPECIFIC PLANS (finals only): MPC Approval

Date Submitted	Staff Determination		Case #	Project Name	Project Caption	Council District # (CM Name)
10/31/13	2/10/2014	APADMIN	2013SP-016-002	RICHLAND STATION (FINAL)	A request for final site plan approval for the Richland Station Specific Plan District on properties located at 323 53rd Avenue North and at 322 and 332 54th Avenue North, approximately 400 feet south of Charlotte Avenue (3.12 acres), to permit 40 single-family dwelling units, requested by Dean Design Group, applicant; Richland Station, LLC, owner.	24 (Jason Holleman)

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

Date Submitted	Staff Determination	Case #	Project Name	Project Caption	Council District # (CM Name)
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URBAN DESIGN OVERLAYS (finals and variances only) : MPC Approval

Date Submitted	Staff Determination		Case #	Project Name	Project Caption	Council District # (CM Name)
10/28/13	1/7/2014	APADMIN	2001UD-002-003	1515 Demonbreun Street	A request for final site plan approval for a portion of the Music Row Urban Design Overlay District for property located at 1515 Demonbreun Street, at the intersection of Demonbreun Street and Division Street (1.53 acres), zoned CF and located within the Arts Center Redevelopment District, to permit a 184.5' tall mixed use building, requested by Littlejohn Engineering Associates, applicant; LUI Nashville Roundabout, LLC, owner.	19 (Erica Gilmore)

MANDATORY REFERRALS: MPC Approval

Date Submitted	Staff Determination		Case #	Project Name	Project Caption	Council District # (CM Name)
02/03/14	2/10/2014	APADMIN	2014M-003PR-001	WASHINGTON SQUARE BUILDING LEASE AGREEMENT AMENDMENT	A request to approve the third amendment to the lease agreement between the Metropolitan Government and Square Investment Holdings, LP for office space in the Washington Square Building located at 222 Second Avenue North, requested by the Metro Department of Finance, applicant.	19 (Erica Gilmore)

02/05/14	2/12/2014	APADMIN	2014M-004PR-001	3000 MORGAN ROAD LEASE AGREEMENT	A request to approve an amendment to a lease agreement between The State of Tennessee and the Metropolitan Government of Nashville and Davidson County for certain real property located at 3000 Morgan Road to allow the State to construct and operate a communications tower on the property, requested by the Metro Finance Department, applicant.	01 (Lonnell Matthews, Jr.)
02/05/14	2/14/2014	APADMIN	2014M-002EN-001	LIPSCOMB UNIVERSITY GRANNY WHITE UTILITY CROSSING UNDERGROUND ENCROACHMENT	A request to allow underground encroachments into the public right-of-way of Granny White Pike for David Lipscomb University consisting of four 4" conduit concrete encased duct banks and two 5" conduit concrete encased duct banks for future power lines, requested by Barge, Waggoner, Sumner & Cannon, Inc., applicant; David Lipscomb University, owner.	25 (Sean McGuire)
02/11/14	2/19/2014	APADMIN	2014M-010ES-001	I 40/I 440 SOUTH SEWER RELOCATION	A request to negotiate and accept permanent and temporary easements for the I-40/I-440 South Sewer Relocation Project on properties located at 442 37th Avenue North, 37th Avenue North (unnumbered), and 435, 509 and 516 36th Avenue North, (Project No. 13-SG-0129), requested by Metro Water Services, applicant; various property owners.	21 (Edith Taylor Langster); 24 (Jason Holleman)
02/11/14	2/14/2014	APADMIN	2014M-005PR-001	WEST RIVERFRONT PARK PROPERTY TRANSFER	A request to approve the transfer of certain properties held by the Metropolitan Development and Housing Agency to the Metropolitan Government of Nashville and Davidson County (Parcels 39 and 50, Map 093-07) for the construction of the West Riverfront Park improvements and amphitheater, requested by MDHA, owner.	19 (Erica S. Gilmore)

1/24/2014	2/3/2014	APADMIN	2014M-008ES-001	ROLLING MILL HILL NANCE AVENUE EASEMENT RIGHTS ABANDONMENT	A request to abandon approximately 250 linear feet of 8" public sanitary sewer main, approximately 450 linear feet of 10" public water main and any easement rights that may be associated with the abandonment of the former right-of-way of Nance Avenue on properties located at 115 Middleton Street, requested by Metro Water Services and Littlejohn Engineering Associates, applicants; M.D.H.A., owner.	19 (Erica Gilmore)
1/30/2014	2/6/2014	APADMIN	2014M-002PR-001	BORDEAUX LONG TERM CARE & J.B. KNOWLES HOME LEASE & DISPOSITION AGREEMENT	A request to approve agreements for the lease and disposition of real property relating to the Bordeaux Long Term Care and J.B. Knowles Home for the Aged facilities, an amendment to the Intergovernmental Agreement between the Metropolitan Nashville Hospital Authority, and determining the provision of long term care services by the Metropolitan Government of Nashville and Davidson County to be obsolete and unnecessary, requested by the Metropolitan Department of Finance.	01 (Lonnell Matthews, Jr.)

SUBDIVISIONS: Administrative Approval

Date Submitted	Date Approved	Action	Case #	Project Name	Project Caption	Council District # (CM Name)
06/27/13	2/7/2014	APADMIN	2013S-122-001	VILLAGES OF RIVERWOOD, SEC 1, PH 4E	A request for final plat approval to create 57 lots within the Villages of Riverwood Urban Design Overlay District on a portion of properties located at Dodson Chapel Road (unnumbered) and Hoggett Ford Road (unnumbered), located west of River Trail Drive, (10.68 acres), zoned RM9, requested by Beazer Homes Corp., owner; Ragan-Smith-Associates, surveyor.	14 (James Bruce Stanley)
05/30/13	2/10/2014	APADMIN	2013S-098-001	MIDTOWN HILLS POLICE PRECINCT	A request for final plat approval to create one lot on properties located at 1433, 1441, 1441 B and 1443 12th Avenue South and on a portion of property located at 1400 14th Avenue South, at the northwest corner of Wade Avenue and 12th Avenue South, zoned CS and RM20 (4.42 acres), requested by the Metropolitan Government, owner; Thornton & Associates, Inc., applicant.	17 (Sandra Moore)
10/31/13	2/10/2014	APADMIN	2013S-215-001	LENTZ HEALTH CENTER	A request for final plat approval to create one lot on property located at 311 23rd Avenue North and on a portion of property located at 222 25th Avenue North, at the southwest corner of Patterson Street and 23rd Avenue North, (3.77 acres), zoned MUG-A and ORI, requested by the Metro Nashville Government, owner; Ragan Smith & Associates, surv.	21 (Edith Taylor Langster)

08/28/13	2/11/2014	APADMIN	2013S-162-001	BELMONT TERRACE, RESUB LOT 8 AND PART OF LOT 9	A request for final plat approval to shift lot lines between properties located within the Belmont-Hillsboro Neighborhood Conservation Overlay District at 2807 and 2811 Belmont Boulevard, approximately 175 feet north of Cedar Lane, zoned R8 (0.59 acres), requested by CK Surveyors, LLC, applicant; Dennis P. McCracken and Sara L. Rosson, owners.	18 (Burkley Allen)
06/12/13	2/14/2014	APADMIN	2013S-104-001	HICKORY HOLLOW MALL, RESUB LOTS 4 & 5	A request for final plat approval to shift lot lines between three parcels within the Hickory Hollow Mall Commercial Planned Unit Development Overlay District on properties located at 5260 Hickory Hollow Parkway, 5178 Mt. View Road and Mt. View Road (unnumbered), approximately 1,520 feet west of Bell Road, zoned SCR (19.26 acres), requested by Global Mall Partnership and the Metropolitan Government, owners; Thornton & Associates, Inc., applicant.	32 (Jacobia Dowell)
11/14/13	2/18/2014	APADMIN	2013S-228-001	RICHLAND STATION	A request for final plat approval to create one lot and dedicate public utility and drainage easements within the Richland Station Specific Plan District on properties located at 322 and 332 54th Avenue North and 323 53rd Avenue North, approximately 400 feet south of Charlotte Avenue and partially located within the Floodplain Overlay District (3.39 acres), zoned SP, requested by Richland Station, LLC, owner; Dean Design Group, applicant.	24 (Jason Holleman)

01/16/14	2/21/2014	APADMIN	2014S-025-001	3500 CENTRAL PIKE	A request for final plat approval to create one lot on properties located at 3500 and 3510 Central Pike, at the southeast corner of Central Pike and Lebanon Pike and partially located within the Floodplain Overlay District, zoned CS and IWD (6.33 Acres), requested by Dale & Associates, applicant; 2156 Associates Joint Venture, owner.	14 (James Bruce Stanley)
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Performance Bonds: Administrative Approvals			
Date Approved	Administrative Action	Bond #	Project Name
2/11/2014	Approved New	2014B-001-001	4100 WYOMING AVENUE
2/12/2014	Approved Extension/Reduction	2007B-052-007	HERITAGE HILLS, PHASE 1
2/12/2014	Approved Extension/Reduction	2013B-001-002	PARK PRESERVE, PHASE 1B
2/12/2014	Approved Release	2005B-097-008	PENNINGTON BEND CHASE
2/13/2014	Approved New	2013B-034-001	RICHLAND STATION
2/13/2014	Approved Extension/Reduction	2012B-023-002	TOWERING OAKS, PHASE 2
2/18/2014	Approved Extension	2013B-004-002	VILLAGES OF RIVERWOOD, PHASE 4A, SECTION 1
2/18/2014	Approved Extension/Reduction	2013B-005-002	VILLAGES OF RIVERWOOD, PHASE 3C, SECTION 1

Calendar of Events

- A. **Thursday, March 4, 2013** – [MPC Workshop – CCM Translation, Bicycle Parking Requirements, and Green Hills Area Transportation Plan](#); 8:30 am, 800 Second Ave. South, Metro Office Building, Nashville Room
- B. **Thursday, March 13, 2014** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- C. **Tuesday; March 25, 2014** - [NashvilleNext Steering Committee](#) (Jim McLean; Jeff Haynes; Andree LeQuire);

- D. **Thursday, March 27, 2014** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- E. **Thursday, April 10, 2014** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- F. **Tuesday; April 22, 2014** - [NashvilleNext Steering Committee](#) (Jim McLean; Jeff Haynes; Andree LeQuire);
- G. **Thursday, April 24, 2014** - [MPC Meeting](#); **5:30pm**, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- H. **Thursday, May 8, 2014** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- I. **Thursday, May 22, 2014** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- J. **Tuesday; May 27, 2014** - [NashvilleNext Steering Committee](#) (Jim McLean; Jeff Haynes; Andree LeQuire);
- K. **Thursday, June 12, 2014** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- L. **Tuesday; June 24, 2014** - [NashvilleNext Steering Committee](#) (Jim McLean; Jeff Haynes; Andree LeQuire);
- M. **Thursday, June 26, 2014** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- N. **Tuesday; July 22, 2014** - [NashvilleNext Steering Committee](#) (Jim McLean; Jeff Haynes; Andree LeQuire);
- O. **Thursday, July 24, 2014** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- P. **Thursday, August 14, 2014** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- Q. **Tuesday; August 26, 2014** - [NashvilleNext Steering Committee](#) (Jim McLean; Jeff Haynes; Andree LeQuire);
- R. **Thursday, August 28, 2014** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- S. **Thursday, September 11, 2014** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- T. **Tuesday; September 23, 2014** - [NashvilleNext Steering Committee](#) (Jim McLean; Jeff Haynes; Andree LeQuire);
- U. **Thursday, September 25, 2014** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- V. **Thursday, October 9, 2014** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- W. **Thursday, October 23, 2014** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- X. **Tuesday; October 28, 2014** - [NashvilleNext Steering Committee](#) (Jim McLean; Jeff Haynes; Andree LeQuire);
- Y. **Thursday, November 13, 2014** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- Z. **Tuesday; November 25, 2014** - [NashvilleNext Steering Committee](#) (Jim McLean; Jeff Haynes; Andree LeQuire);

- AA. Thursday, December 11, 2014** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- BB. Tuesday; December 23, 2014** - [NashvilleNext Steering Committee](#) (Jim McLean; Jeff Haynes; Andree LeQuire);
- CC. Thursday, January 8, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- DD. Tuesday; January 27, 2015** - [NashvilleNext Steering Committee](#) (Jim McLean; Jeff Haynes; Andree LeQuire);