

Metropolitan Planning Commission



Staff Reports

February 27, 2014



Metro Planning Commission Meeting of 2/27/2014

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

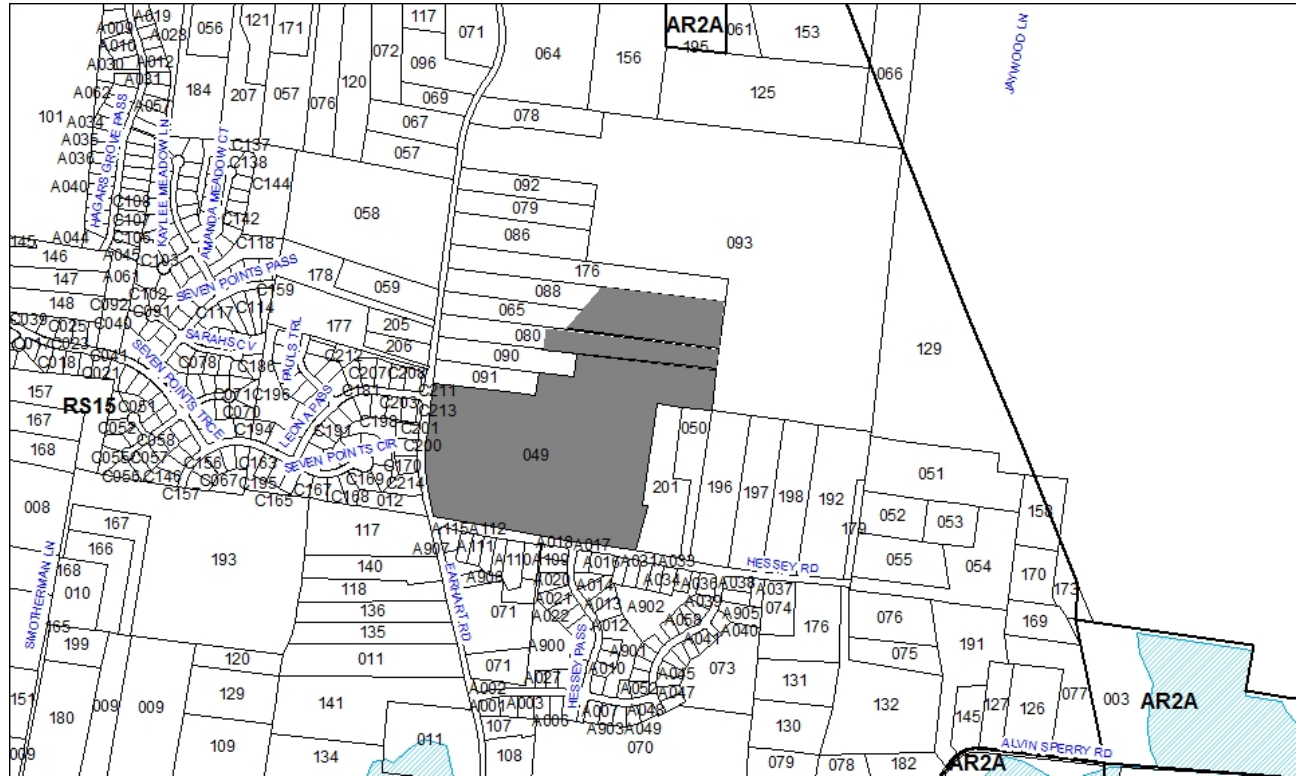


PREVIOUSLY DEFERRED ITEMS

- **Specific Plans**



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2013SP-036-001

ASHTON PARK

Map 098, Part of Parcel(s) 080, 088

Map 110, Parcel(s) 049

14, Donelson - Hermitage

12 (Steve Glover)



Project No. Zone Change 2013SP-036-001
Project Name Ashton Park
Council District 12 – Glover
School District 4 – Shepherd

Deferrals The request was deferred at the January 23, 2014, and the February 13, 2014, Planning Commission meetings.

Requested by Anderson, Delk, Epps & Associates, Inc., applicant;
Campbell Carter and Chris Pardue, owners

Staff Reviewer Swaggart
Staff Recommendation *Defer to the April 24, 2014, Planning Commission meeting.*

APPLICANT REQUEST

Preliminary SP to permit 155 single-family lots.

Preliminary SP

A request to rezone from Single-Family Residential (RS15) to Specific Plan-Residential (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.

STAFF RECOMMENDATION

Staff recommends that the request be deferred to the April 24, 2014, MPC agenda as requested by the applicant (New notice will be required).



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RECOMMENDATIONS TO METRO COUNCIL

- **Text Amendments**
- **Specific Plans**
- **Zone Changes**
- **Urban Design Overlays**
- **Planned Unit Developments**
- **Neighborhood Landmark Overlays**



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NO SKETCH



Project No.
Council District
School District
Requested by

Text Amendment 2014Z-002TX-001
Countywide
Countywide
Metro Planning Department and the Metro Codes
Administration Department, applicants.

Staff Reviewer
Staff Recommendation

Swaggart
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

STAFF RECOMMENDATION

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:



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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



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NO SKETCH



Project No.	Text Amendment 2014Z-004TX-001
Council Bill	BL2014-651 (Substitute)
Council District	Countywide
School District	Countywide
Requested by	Councilmember Burkley Allen, applicant
Staff Reviewer	Swaggart
Staff Recommendation	<i>Disapprove</i>

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.



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- 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



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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.

STAFF RECOMMENDATION

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



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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;



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- 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



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NO SKETCH



Project No.	Text Amendment
	2014Z-006TX-001
Project Name	Posting of Public Hearing Signs
Council District	Countywide
School District	Countywide
Requested by	Metro Planning Department
Staff Reviewer	Logan
Staff Recommendation	<i>Approve</i>

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.



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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



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NO SKETCH



Project No.	Text Amendment 2014Z-007TX-001
Project Name	Detached Accessory Dwelling Units
Associated Case #	2014UD-001-001
Council District	Countywide
School Districts	Countywide
Requested by	Metro Planning Department
Staff Reviewer	Miskelly
Staff Recommendation	<i>Approve</i>

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



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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

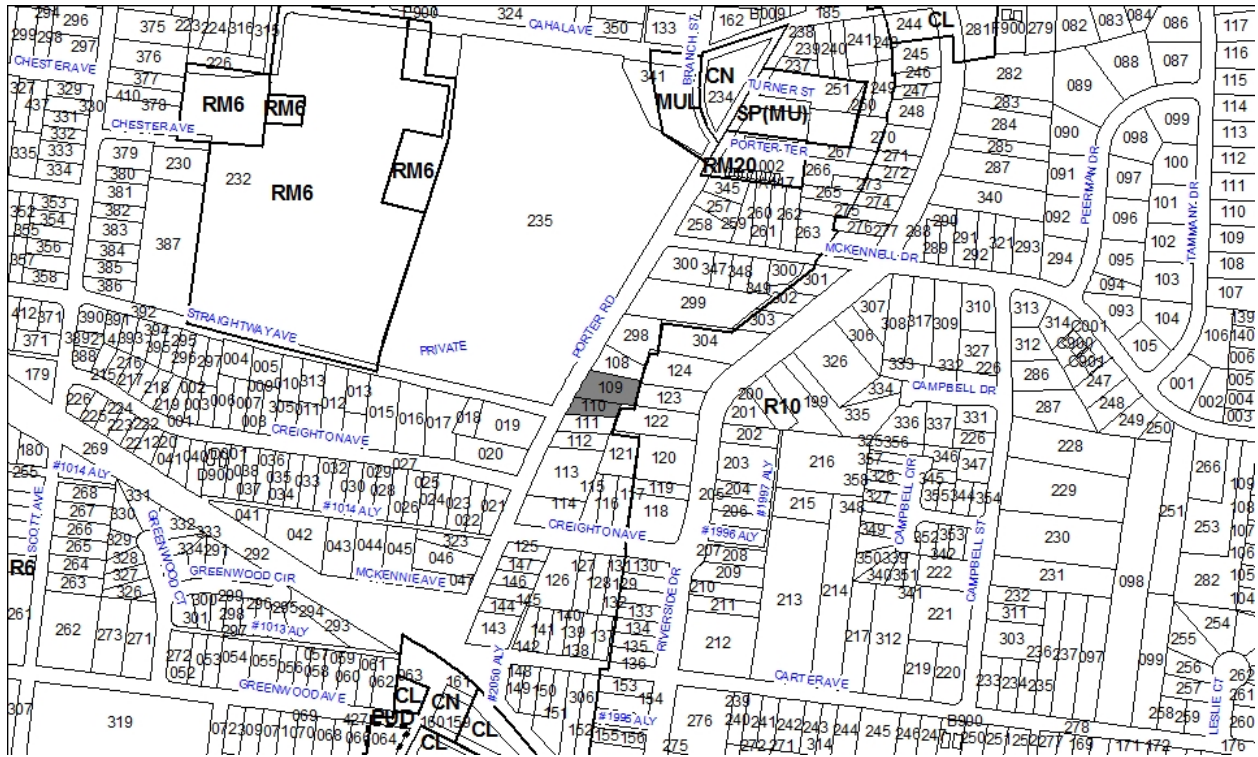
Staff recommends approval.



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2014SP-013-001
PORTER ROAD PLACE
Map 083-03, Parcel(s) 109-110
East Nashville
07 - Anthony Davis



Project No. 2014SP-013-001
Project Name Porter Road Place
Council District 7 – A. Davis
School District 5 – Kim
Requested by Dale & Associates, Inc., applicant;
Christopher Carter, owners

Staff Reviewer Sajid
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.



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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.



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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



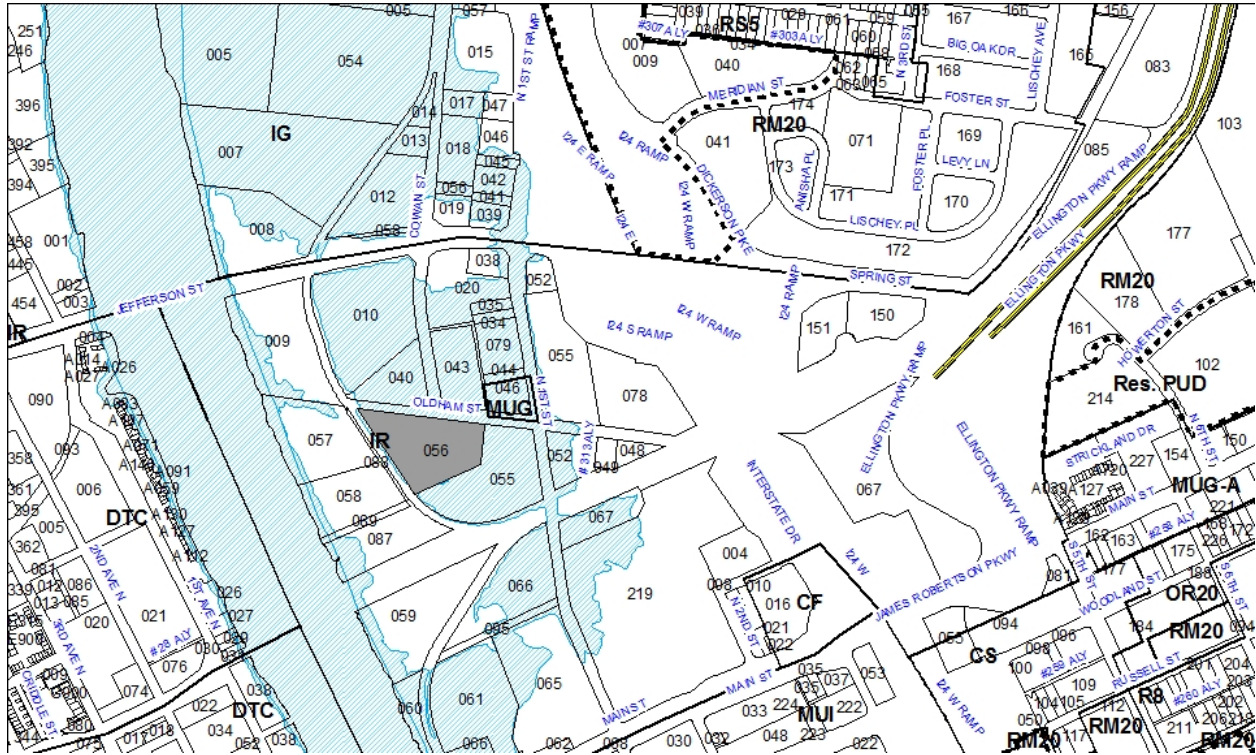
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the RM9-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

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.



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2014Z-014PR-001
30 OLDHAM STREET
Map 082-14, Parcel(s) 056
Downtown
05 - Scott Davis



Project No. Zone Change 2014Z-014PR-001
Project Name 30 Oldham
Council District 5 – S. Davis
School District 5 – Kim
Requested by Hetzel Family Partners, applicant and owner

Staff Reviewer Sajid
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



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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.



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2014Z-015PR-001
2212 & 2216 RIVERSIDE DRIVE
Map 072-07, Parcel(s) 236-237
East Nashville
07 - Anthony Davis



Project No.	Zone Change 2014Z-015PR-001
Council District	7 – A. Davis
School District	5 – Kim
Requested by	Metro Planning Department, applicant; James Mims, owner
Staff Reviewer	Cuthbertson
Staff Recommendation	<i>Approve</i>

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.



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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

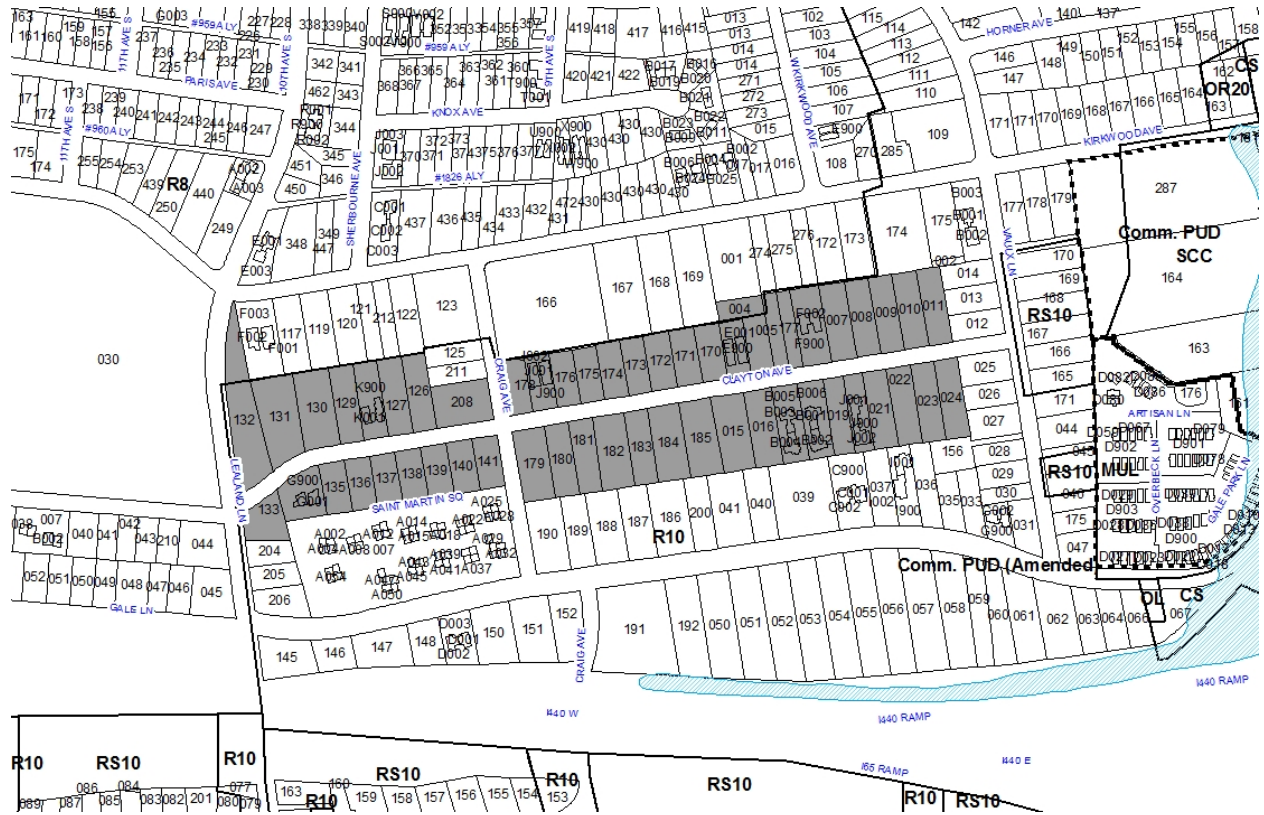
Staff recommends approval as the proposed RS10 zoning district is consistent with the Neighborhood Center policy.



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Metro Planning Commission Meeting of 2/27/2014



2014UD-001-001
CLAYTON AVENUE
 Map: Various Parcels; Various
 Green Hills - Midtown
 17 - Sandra Moore



Project No.	Urban Design Overlay 2014UD-001-001
Project Name	Clayton Avenue Urban Design Overlay
Associated Case	BL2011-880
Council District	17 – Moore
School District	8 – Hayes
Requested by	Councilmember Sandra Moore
Staff Reviewer	Miskelly
Staff Recommendation	<i>Approve</i>

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.



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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



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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



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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

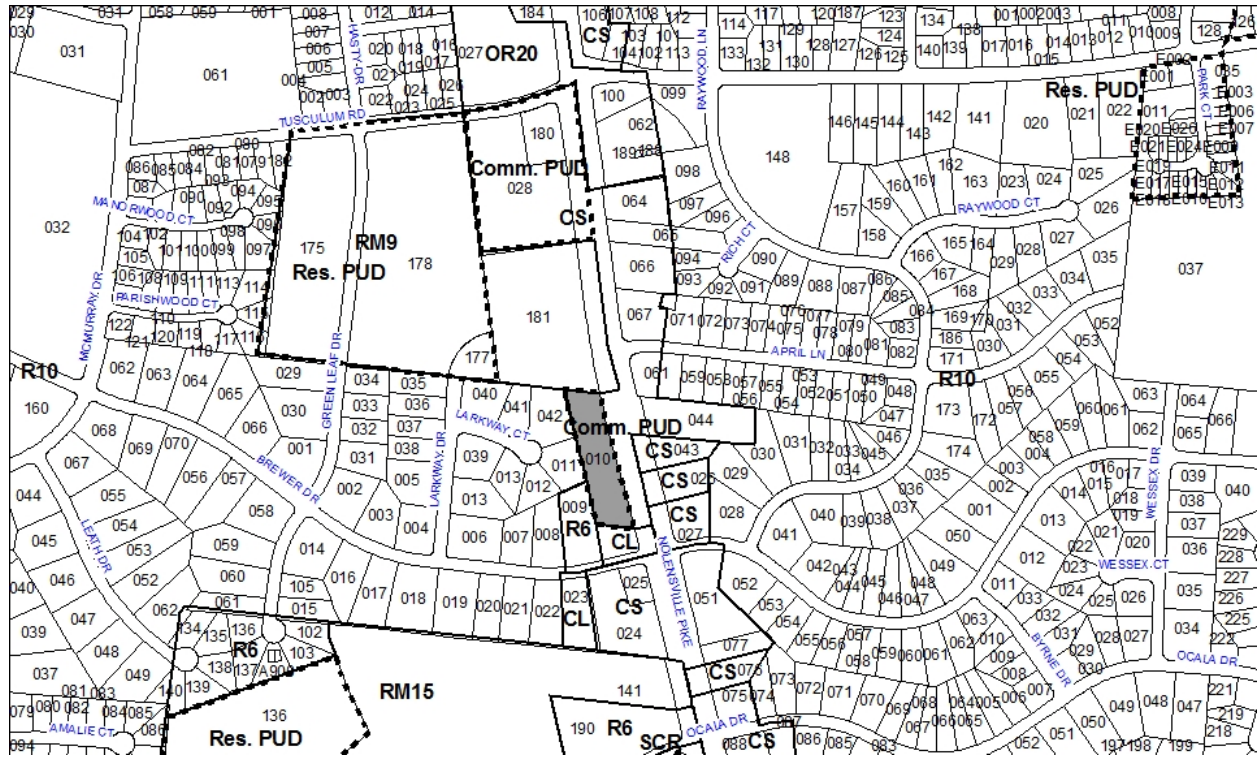
Staff recommends approval of the Clayton Avenue UDO.



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158-75P-002
BAR-B-CUTIE (CANCEL)
Map 161-08, Parcel(s) 010
Southeast
27 - Davette Blalock



Project No.	Planned Unit Development 158-75P-002
Project Name	Bar-B-Cutie PUD
Council District	27 – Blalock
School District	2 – Brannon
Requested by	James McFarland, applicant and owner
Staff Reviewer	Sajid
Staff Recommendation	<i>Disapprove PUD cancellation. Approve PUD amendment to allow all uses permitted in Commercial Service (CS) with certain exceptions.</i>

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.



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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



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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.



Project No.	Neighborhood Landmark 2014NL-001-001
Project Name	Gallatin Pike
Council District	8 – Bennett
School District	3 – Speering
Requested by	Councilmember Karen Bennett, applicant; various owners
Staff Reviewer	Cuthbertson
Staff Recommendation	<i>Approve</i>

APPLICANT REQUEST

Apply a Neighborhood Landmark Overlay District.

Neighborhood Landmark Overlay District

A request to apply a Neighborhood Landmark Overlay District to 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.



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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.



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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.



SEE NEXT PAGE

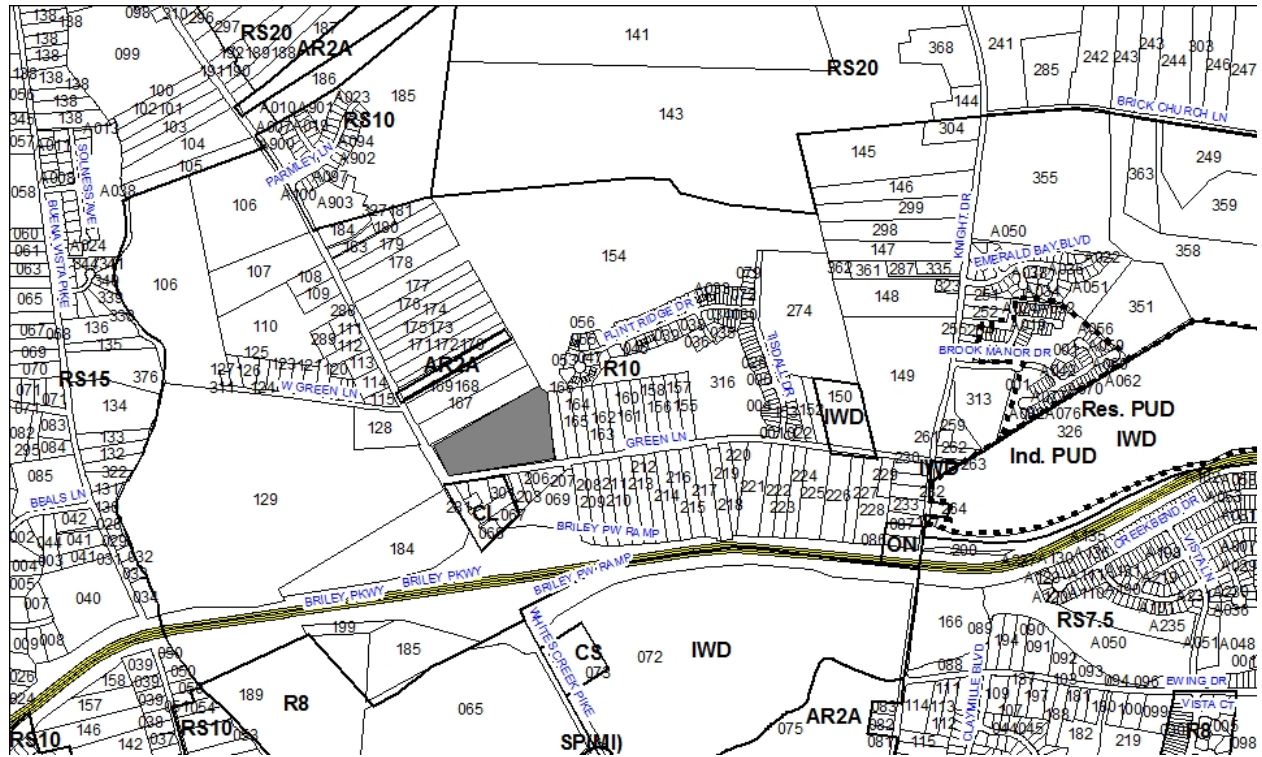


PLANNING COMMISSION ACTIONS

- **Subdivision (Concept)**
- **Subdivision (Final)**



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2014S-021-001
VISTA Cluster Lot Subdivision
Map 049, Part of Parcel(s) 154
Bordeaux - Whites Creek
03 - Walter Hunt



Project No.	2014S-021-001
Project Name	Vista Cluster Lot Subdivision
Council District	3 – Hunt
School District	1 – Gentry
Requested by	Anderson, Delk, Epps & Associates, Inc, applicant, Cornerstone Land Company, owner
Staff Reviewer	Cuthbertson
Staff Recommendation	<i>Approve with conditions</i>

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.



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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

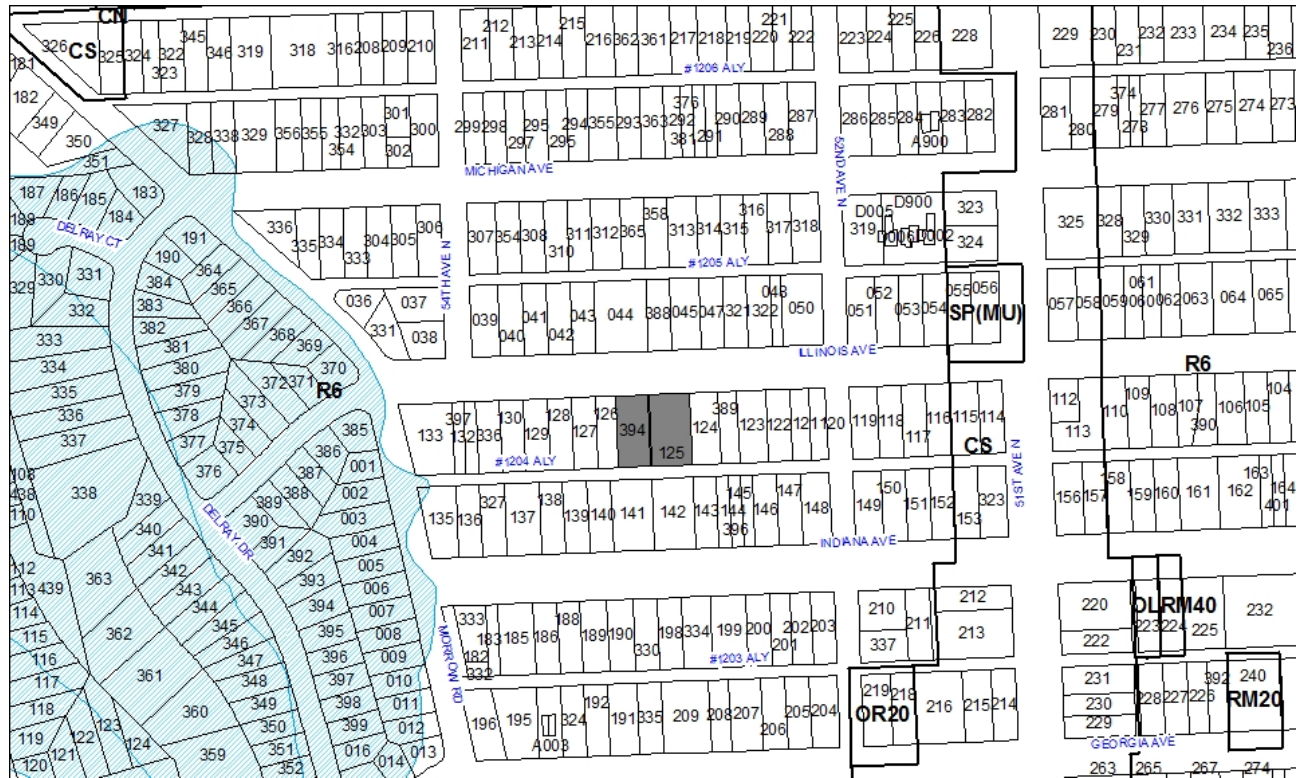
Staff recommends approval with conditions as the concept plan is consistent with the Subdivision Regulations and the Zoning Code Requirements.

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.



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2014S-024-001

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

Map 091-11, Parcel 394 and Parcel 125

West Nashville

20 - Buddy Baker



Project No. 2014S-024-001
Project Name West Nashville Resubdivision
Council District 20 – Baker
School District 1 – Gentry
Requested by XCEL Land Surveying, applicant;
Toni J. Rothfuss and Nicholas Perenich, Jr., owners

Staff Reviewer Sajid
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

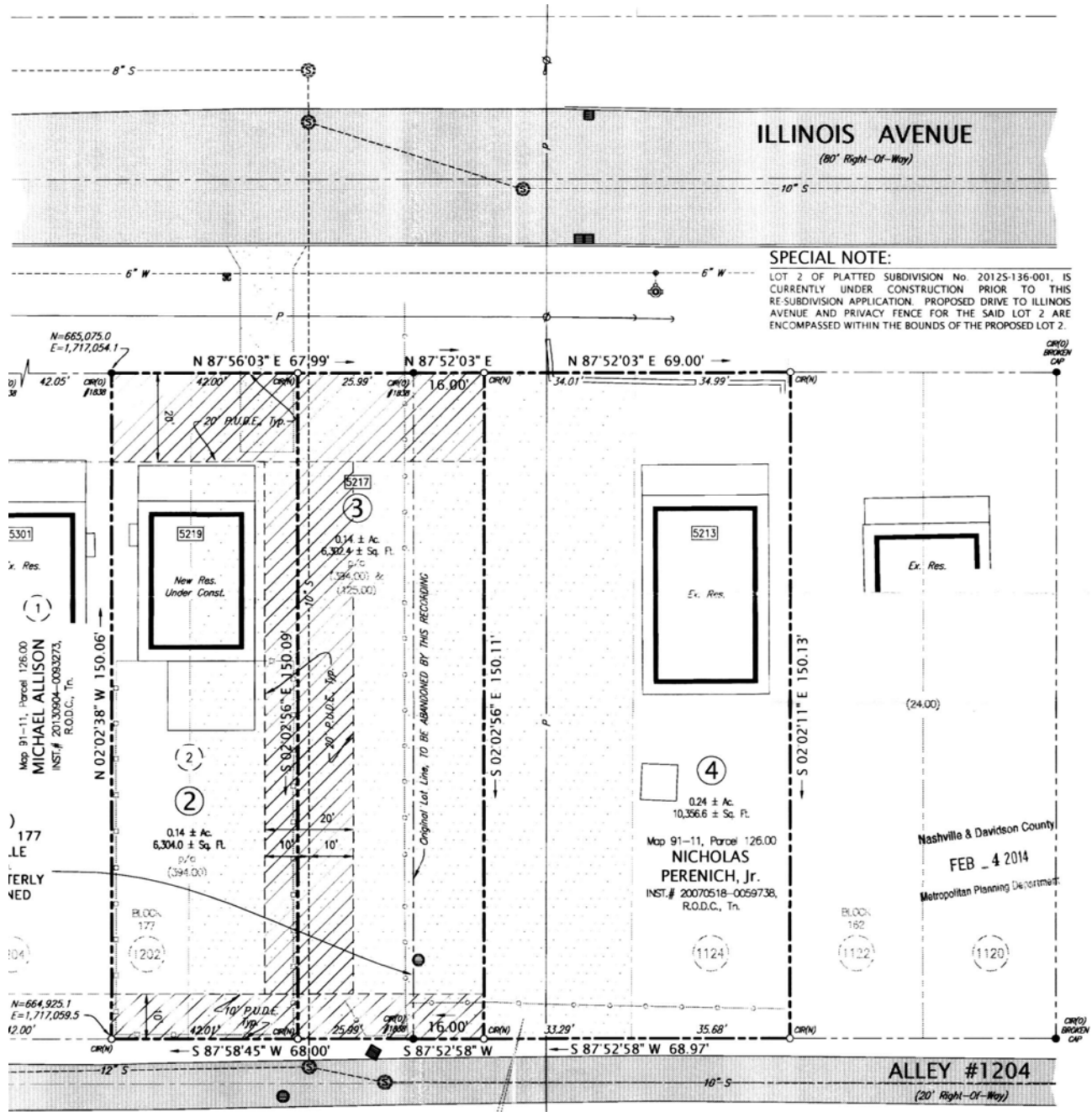
The request will create three infill lots from two existing lots and abandoned right-of-way along the south side of Illinois Avenue. The land use policy for the subject property is Neighborhood Maintenance (NM), which is subject to the compatibility criteria in Section 3-5.2 of the Subdivision Regulations.

PLAN DETAILS

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.



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Proposed Subdivision



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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.

ANALYSIS

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.

Community Character

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



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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.



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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.