



METROPOLITAN PLANNING COMMISSION

DRAFT MINUTES

Thursday, January 10, 2013

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
Jeff Haynes
Greg Adkins
Derrick Dalton
Phil Ponder
Judy Cummings
Andree LeQuire
Councilmember Phil Claiborne

Staff Present:
Rick Bernhardt, Executive Director
Ann Hammond, Assistant Executive Director
Doug Sloan, Assistant Executive Director
Kelly Adams, Admin Services Officer III
Craig Owensby, Public Information Officer
Bob Leeman, Planning Manager II
Brenda Bernards, Planner III
Kathryn Withers, Planner III
Jason Swaggart, Planner II
Greg Johnson, Planner II
Duane Cuthbertson, Planner II
Brian Sexton, Planning Tech. II
Amy Diaz-Barriga, Planner I
Susan Jones, Legal

Commissioners Absent: Hunter Gee

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

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

Notice to Public

Please remember to turn off your cell phones.

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

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

Meetings on TV can be viewed live or shown at an alternative time on Channel 3. Visit www.nashville.gov/calendar for a broadcast 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. Dalton moved and Mr. Ponder seconded the motion to adopt the agenda. (6-0)

C. APPROVAL OF DECEMBER 13, 2012 MINUTES

Mr. Ponder moved and Councilmember Claiborne seconded the motion to approve the minutes of December 13, 2012. (6-0)

Mr. Clifton arrived at 4:01 p.m.

Ms. LeQuire arrived at 4:02 p.m.

D. RECOGNITION OF COUNCILMEMBERS

Councilmember Banks spoke in support of deferral for Items 5a and 5b.

Councilmember Bedne was in attendance but did not speak.

E. ITEMS FOR DEFERRAL / WITHDRAWAL

3. 2012S-130-001 NOELTON

5a. 2013CP-012-001 SOUTHEAST NASHVILLE PLAN AMENDMENT

5b. 2013SP-005-001 THE VILLAGES AT HOLT ROAD

13. 2012Z-030PR-001 BL2013-349 / BAKER 5104 ILLINOIS AVENUE

17. 2013S-001-001 BRADLEY POINTE

20. Exclusion of, including parent companies and subsidiaries of, American Safety Casualty Insurance Company, American Southern Insurance Company, Bond Safeguard Insurance Company, Lexon Insurance Company, and National Grange Mutual Insurance Company, from providing surety bonds for one year pursuant to Section 6-1.2.d of the Metro Subdivision Regulations.

Councilmember Claiborne moved and Mr. Clifton seconded the motion to approve the Deferred Items. (8-0)

F. CONSENT AGENDA

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

- 1. 2012SP-028-001**
GREEN AND LITTLE
- 2a. 2012Z-031PR-001**
MURFREESBORO PIKE (UNNUMBERED)
- 2b. 2013UD-001-001**
MURFREESBORO PIKE/PIN HOOK ROAD
- 4. 2012CP-010-003**
GREEN HILLS-MIDTOWN PLAN AMENDMENT
- 6. 2006SP-162G-04**
THORNTON'S MYATT DRIVE
- 7. 2008SP-021U-10**
1800 WEST END MIXED USE DEVELOPMENT
- 8. 2008SP-023U-13**
BAKERTOWN COMMUNITY
- 9. 2008SP-027U-14**
AMERIPLEX AT ELM HILL
- 11. 2013SP-003-001**
502 SOUTHGATE AVENUE
- 12. 2013SP-004-001**
HIGHWAY 12 MOTORSPORTS
- 14. 239-84P-002**
CANTER CHASE COMMERCIAL
- 15. 55-85P-001**
SUMMIT COMMERCIAL
- 16. 2013NL-001-001**
WADE SCHOOL
- 18. 2012S-171-001**
GREEN HILLS, RESUB LOT 3
- 19. 2005UD-007-002**
LENOX VILLAGE (MINOR SIGN MODIFICATION)
- 21. Resolution authorizing the expenditure of up to \$30,000 from the Advance Planning and Research Fund for necessary research associated with the Nashville-Davidson County General Plan through a Speaker Series and associated expenses. The total of this authorization and the \$35,000 authorized in Resolution RS2012-214 shall not exceed \$50,000.**

22. Amendment to the 2012-2013 to 2017-2018 Capital Improvements Budget
23. A federal grant contract, by and between the Tennessee Department of Transportation and the Metropolitan Government of Nashville-Davidson County Metropolitan Planning Commission on behalf of the Nashville Area Metropolitan Planning Organization, for the provision transportation planning and coordination for Davidson, Williamson, Wilson, Sumner and Rutherford Counties in Tennessee outside of the Nashville Urbanized Area. Federal contract amount of \$1,158,588 through FY 2015. Funds will be used for consultant activities related to regional transportation planning.

Mr. Ponder moved and Mr. Adkins seconded the motion to approve the Consent Agenda. (8-0)

G. PREVIOUSLY DEFERRED ITEMS

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

Specific Plans

1. 2012SP-028-001

GREEN AND LITTLE

Map 117-10, Parcel(s) 115-116

Map 117-14, Parcel(s) 042

Council District 25 (Sean McGuire)

Staff Reviewer: Greg Johnson

A request to rezone from OR20 to SP-MU zoning for properties located at 2400 Crestmoor Road and at 3813 and 3815 Cleghorn Avenue, at the southwest corner of Crestmoor Road and Cleghorn Avenue (2.09 acres), permitting all uses of the MUG-A district except those uses specified on the plan as prohibited, and utilizing most bulk standards of the MUG-A district, requested by Gresham Smith and Partners, applicant, Green & Little, L.P. Et Al and GLCZ Cleghorn, L.P., owners.

Staff Recommendation: Approve with conditions and disapprove without all conditions

APPLICANT REQUEST

Permit hotel, office, retail, and restaurant uses

Preliminary SP

A request to rezone from Office/Residential (OR20) to Specific Plan – Mixed Use (SP-MU) zoning for properties located at 2400 Crestmoor Road and at 3813 and 3815 Cleghorn Avenue, at the southwest corner of Crestmoor Road and Cleghorn Avenue (2.09 acres), permitting all uses of the Mixed Use General – Alternative (MUG-A) district except those uses specified on the plan as prohibited, and utilizing most bulk standards of the MUG-A district.

Existing Zoning

Office/Residential (OR20) is intended for office and/or multi-family residential units at up to 20 dwelling units per acre.

Proposed Zoning

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

CRITICAL PLANNING GOALS

- Creates Walkable Neighborhoods
- Supports Infill Development
- Promotes Compact Building Design

This proposal meets several critical planning goals. Meeting the requirements of the MUG-A zoning district for building setbacks, the development will have relatively short street setbacks with building entrances along the street frontages and parking placed away from street frontages, improving upon the walkable design of the surrounding streets. The project will replace existing office buildings, which meets the intent of Regional Activity Center policy to intensify development on infill sites within the policy area. Use of the site is optimized using structured parking that includes underground parking and shared parking requirements, allowing for the compact integration of uses.

GREEN HILLS – MIDTOWN COMMUNITY PLAN

Regional Activity Center (RAC) policy is intended for concentrated mixed-use areas anchored by a regional mall. Other uses common in RAC policy are all types of retail activities, offices, public uses, and higher density residential areas. 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. RAC policy areas are intended to be concentrated mixed-use areas. The hotel, office, retail, and restaurant land uses are appropriate uses within the policy area. Except for the building height for the hotel portion of the SP, the project will follow all requirements of the MUG-A zoning district, which is an appropriate zoning district within the RAC policy area.

PLAN DETAILS

The Green and Little SP proposal includes approximately 272,000 square feet of hotel, office, retail, and restaurant uses within two mixed use buildings.

Proposed vehicular access to the site includes two access driveways from Cleghorn Avenue and one additional driveway from Crestmoor Road. These driveways lead to a service driveway that runs along the back of the site and to ramps for above-ground and underground parking. Except for aspects of building height and parking, the development will meet the requirements of the MUG-A zoning district.

Building Height

The purpose of the SP is to accommodate the intended height of the hotel portion of the development and allow for alternative parking standards. The MUG-A zoning district permits a building height maximum of seven stories in 105 feet. The office portion of the development complies with this height standard with a seven story height in approximately 100 feet. The hotel portion of the site reaches a height of 105 feet. However, because of the generally shorter ceiling heights of hotel and parking structures compared to office floors, the hotel portion of the SP is able to accommodate ten stories within the 105 foot height, which is three stories more than permitted by the MUG-A zoning district. Because of the slope of the site, the ultimate roof height of the office and hotel elements will be within a few feet of each other.

The proposed height of the hotel is appropriate because it is consistent with RAC policy. RAC policy allows for building heights up to 150 feet in height. Additionally, the hotel height will be within a few feet of the height of the office portion of the SP, which is consistent with the height requirements of the MUG-A zoning district.

Parking

The SP includes a proposal for alternate parking standards from those required in the Zoning Code because the proposed land uses within the SP will have different peak times for parking demand. Based on the requirements of the Zoning Code, the combination of hotel, office, retail, and restaurant would require 769 parking spaces. According to the shared parking study provided by the applicant, the office and retail uses will reach their peak parking demand during the day, while the hotel and restaurant uses will reach their peak parking demand in the evening and at night. Based on this offset in parking demand, 685 parking spaces are proposed within the SP, a reduction of 84 parking spaces.

ANALYSIS

The shared parking and building height standards are appropriate standards within the SP. The shared parking study shows that the parking demand will not exceed the provided spaces due to offset parking demand among the uses.

The hotel building height is also appropriate. The intent of including both stories and feet in the building height requirements is to prevent unusually tall buildings with tall floor-to-ceiling heights. The hotel portion of the SP will have relatively short floor to ceiling heights due to the hotel and structured parking uses and will have approximately the same overall height as the office portion of the SP, which meets the height requirements of the SP.

STORMWATER RECOMMENDATION

Preliminary SP approved with conditions:

- Post developed flows, comprised of runoff for the entire developed site, discharged towards Cleghorn shall not exceed the pre developed flows, comprised of runoff from approximately one half to one third of the site, currently discharged toward Cleghorn.

PUBLIC WORKS RECOMMENDATION

A traffic impact study was submitted for this development and has been reviewed. The study indicates that because of the mix of the proposed uses, there will be minimal impacts to the overall level of service at the intersections in the vicinity of the project. In an effort to further minimize the impacts, the report suggests that pedestrian improvements should be considered. Therefore the following conditions should be required if this project is approved:

1. Developer shall extend the project sidewalks along its frontage and construct sidewalk where there are existing gaps along west side of Cleghorn Avenue from the project site to the existing traffic signal at Green Hills Village Drive.
2. Developer shall modify the intersection of Cleghorn and Green Hills Village Drive to provide pedestrian crosswalks, pedestrian signalization, and other associated pedestrian facilities. Developer shall submit a signal plan for MPW traffic engineer approval.

3. Valet zones along both Cleghorn Avenue driveways shall be located a minimum of 25 feet from Cleghorn travel lanes and be signed for short term parking for valet or check in services.
4. Developer shall modify the existing intersection of Crestmoor Road and Cleghorn Avenue by installing improved pedestrian facilities for the west leg of Crestmoor Road including pavement markings, signage, and ADA ramps. Additional vehicular signage and pavement marking modifications may be required to further enhance the safety of this intersection.
5. At the time the final SP is submitted, the developer shall provide a survey and an engineer's report to determine the constructability of providing sidewalk along the north side of Crestmoor between the intersection with Cleghorn and the existing Metro Archives building. If the existing right-of-way and topography permits the construction of this sidewalk, the developer shall construct the sidewalk gaps along the north side of Crestmoor and shall evaluate the appropriateness of installing a marked pedestrian crosswalk across Crestmoor.
6. The developer shall construct the sidewalk gaps along the north side of Crestmoor between the intersection with Cleghorn and the existing Metro Archives building or pay an in-lieu of fee into the sidewalk fund as determined by Metro Public Works.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	2.09	0.8 F	72,832 SF	1046	146	161

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Hotel (310)	2.09	-	101,800 SF (150 rooms)	1338	88	87

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	2.09	-	148,870 SF	1813	256	246

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	2.09	-	11,590 SF	534	17	50

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	2.09	-	8,000 SF	1018	93	90

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+3657	+308	+312

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions. The SP is based on the standards of the MUG-A zoning district, which is a recommended zoning district within the RAC policy. As described above, the hotel building height and parking requirements within the SP are appropriate related to this specific development proposal. **Staff Recommendation: Approve with conditions, including the revised condition from Public Works, and disapprove without all conditions.**

CONDITIONS

1. Building signs within this SP shall meet the standards of the MUG-A zoning district. For ground signs, only monument signs with a maximum height of six feet are permitted. All other ground sign requirements of the MUG-A zoning district shall be met.
2. Permitted land uses within this SP shall be limited to permitted land uses within the MUG-A zoning district, except the uses prohibited by the SP plan.
3. Conditions listed above from the Public Works and Stormwater Departments shall be met.
4. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Council approval, the property shall be subject to the standards, regulations and requirements of the MUG-A zoning district as of the date of the applicable request or application.
5. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no later than 120 days after the effective date of the enacting ordinance. The corrected copy provided to the Planning Department shall include printed copy of the preliminary SP plan and a single PDF that contains the plan and all related SP documents. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.
6. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
7. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits

Dr. Cummings arrived at 4:14 p.m.

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

John Houghton, 4412 Utah Ave., applicant, spoke in support of the application. He indicated that this plan improves the streetscape, provides parking behind the building and in garages. He indicated that it provides a walkable, mixed use development and helps implement the plan for Green Hills while creating opportunities for people to live where they work.

Tom White, 36 Old Club Ct., applicant, stated that every request by staff has been made and has been agreed to. He indicated that the applicant has worked closely with councilperson. He did not realize that there was any opposition until just now – item was on consent.

Ann Boatman, 2411 Crestmoor Rd., spoke in opposition to the application. She is a homeowner in this area and can't find any mention of Whitney Condominiums – as a homeowner, she expressed concern over the development of the property where there is already a glass building.

Becki Pickett, 2411 Crestmoor Rd. #101, spoke against the application. Concerned with having three major hotels in the area. Also concerned with property values and the quality of life in the area changing with development. As a homeowner, underground blasting concerns, noise and traffic that mixed use brings, please consider these concerns

Tom White, on rebuttal, had not heard anything prior to this meeting, and would be happy to talk to these homeowners. He indicated that this project should be approved since all conditions have been met. He indicated that he will be happy to continue to meet with the homeowners.

Mr. Ponder moved and Mr. Claiborne seconded the motion to close the public hearing. (9-0)

Commissioner Haynes and Commissioner Adkins abstained from discussion and vote.

Mr. Clifton stated that he tends to favor this type of development because it creates jobs. These buildings are what we want there as a general community. In support of staff recommendation.

Dr. Cummings spoke in support, especially with the Public Works conditions.

Mr. Ponder stated it was a good plan and is positive that developer will be in touch with the homeowners. He is in support of staff recommendation.

Councilmember Claiborne stated this request meets all requirements. He is in support of staff recommendation.

Mr. Dalton spoke in support of staff recommendation

Ms. LeQuire moved and Mr. Dalton seconded the motion to Approve with conditions, including the revised condition from the Public Works Department, and disapprove without all conditions. (7-0-2) Mr. Haynes and Mr. Adkins refrained from voting.

Resolution No. RS2013-1

"BE IT RESOLVED by The Metropolitan Planning Commission that 2012SP-028-001 is Approved with conditions, including the revised condition from the Public Works Department, and disapprove without all conditions. 7-0-2

The SP is based on the standards of the MUG-A zoning district, which is a recommended zoning district within the RAC policy.

CONDITIONS

- 1. Building signs within this SP shall meet the standards of the MUG-A zoning district. For ground signs, only monument signs with a maximum height of six feet are permitted. All other ground sign requirements of the MUG-A zoning district shall be met.**
- 2. Permitted land uses within this SP shall be limited to permitted land uses within the MUG-A zoning district, except the uses prohibited by the SP plan.**
- 3. Conditions listed above from the Public Works and Stormwater Departments shall be met.**
- 4. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Council approval, the property shall be subject to the standards, regulations and requirements of the MUG-A zoning district as of the date of the applicable request or application.**
- 5. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no later than 120 days after the effective date of the enacting ordinance. The corrected copy provided to the Planning Department shall include printed copy of the preliminary SP plan and a single PDF that contains the plan and all related SP documents. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.**
- 6. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.**
- 7. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits**

Zone Changes

2a. 2012Z-031PR-001

MURFREESBORO PIKE (UNNUMBERED)

Map 164, Parcel(s) 121

Council District 33 (Robert Duvall)

Staff Reviewer: Greg Johnson

A request to rezone from AR2a to CS zoning for property located at Murfreesboro Pike (unnumbered), at the southeast corner of Murfreesboro Pike and Pin Hook Road (1.6 acres), requested by Stephen J. Kozy, owner.

Staff Recommendation: Approve. Disapprove if Urban Design Overlay is not approved

APPLICANT REQUEST

Rezone from AR2a to CS and establish an Urban Design Overlay district

Zone Change

A request to rezone from Agricultural/Residential (AR2a) to Commercial Service (CS) zoning for property located at Murfreesboro Pike (unnumbered), at the southeast corner of Murfreesboro Pike and Pin Hook Road (1.6 acres).

Urban Design Overlay (UDO)

A request to create an Urban Design Overlay District to establish building and site design standards at the eastern corner of Murfreesboro Pike and Pin Hook Road, zoned Agricultural/Residential (AR2a) and proposed for Commercial Service (CS).

Existing Zoning

Agricultural/Residential (AR2a) requires a minimum lot size of two acres and is intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per two acres. The AR2a District is intended to implement the natural conservation or rural land use policies of the general plan.

Proposed Zoning

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

Urban Design Overlay (UDO) is intended to allow for the application and implementation of special design standards with the intent of achieving a sense of place by fostering a scale and form of development that emphasizes sensitivity to the pedestrian environment, minimizes intrusion of the automobile into the urban setting, and provides for the sensitive placement of open spaces in relationship to building masses, street furniture and landscaping features in a manner otherwise not insured by the application of the conventional bulk, landscaping and parking standards of the Zoning Code.

CRITICAL PLANNING GOALS

- Creates Walkable Neighborhoods

The site design standards of the UDO encourage walkable developments through the placement of building entrances near pedestrian paths, the consolidation of driveway entrances, the construction of ground signage that is of similar height to a pedestrian, and the use of landscaping to provide safe separation between walkways and road pavement or parking lot.

ANTIOCH - PRIEST LAKE COMMUNITY PLAN

T3 Mixed Use Corridor (T3 CM) is intended to enhance suburban mixed use corridors by encouraging a greater mix of higher density residential and mixed use development along the corridor, placing commercial uses at intersections with residential uses between intersections; creating buildings that are compatible with the general character of suburban neighborhoods; and a street design that moves vehicular traffic efficiently while accommodating sidewalks, bikeways, and mass transit.

Consistent with Policy?

Yes. The commercial uses permitted in CS zoning are consistent with policy if the form-based intent of the policy is met. The inclusion of the UDO in this request will allow the zone change to meet policy by providing a framework for development that ensures compatibility with the form-based intent of the policy.

REQUEST DETAILS

The zone change portion of this application was deferred by the Planning Commission at the December 13, 2012, meeting to allow the applicant and staff to work together on a site plan or regulatory framework to supplement the zone change. Since that meeting, Planning staff and the applicant have worked together to develop a UDO district to provide building/site design standards.

The UDO consists of four basic sets of standards:

- **Building design:** The building design section includes requirements for building materials and front entrances.
- **Landscaping:** The landscaping section includes requirements for planter widths along street frontages and property lines along with tree spacing requirements.
- **Parking layout:** Parking layout standards are included with the intent to disperse parking throughout the site, not to concentrate parking along street frontages.
- **Signage:** Signage standards permit monument sign and pillar sign types with the intent to permit visible signage that is compatible with a walkable street frontage.

The intent of this UDO is to provide a framework for development that permits various options, but does not prescribe a specific design.

PUBLIC WORKS RECOMMENDATION

A traffic study may be required at time of development

Typical Uses in Existing Zoning District: **AR2a**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	1.6	0.5 D	1L	10	1	2

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Strip Retail (814)	1.6	0.168 F	11,708 SF	539	17	50

Traffic changes between typical: **AR2a** and proposed **CS**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+529	+16	+48

Maximum Uses in Existing Zoning District: **AR2a**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	1.6	0.5 D	1L	10	1	2

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Strip Retail (814)	1.6	0.6 F	41,817 SF	1827	41	122

Traffic changes between maximum: **AR2a** and proposed **CS**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+1817	+40	+120

STAFF RECOMMENDATION

Staff recommends approval of the urban design overlay and zone change applications. Staff recommends disapproval of the zone change if the urban design overlay is not approved. The combination of land uses permitted in the CS zoning district and the building/site design standards of the UDO will be consistent with the Suburban Mixed Use Corridor policy.

Approved. Disapprove without the associated urban design overlay (8-0), Consent Agenda

Resolution No. RS2013-2

"BE IT RESOLVED by The Metropolitan Planning Commission that 2012Z-031PR-001 is **Approved. Disapprove without the associated urban design overlay. 8-0**

The combination of land uses permitted in the CS zoning district and the building/site design standards of the UDO will be consistent with the Suburban Mixed Use Corridor policy.

2b. 2013UD-001-001

MURFREESBORO PIKE/PIN HOOK ROAD

Map 164, Parcel(s) 121

Council District 33 (Robert Duvall)

Staff Reviewer: Greg Johnson

A request to create an Urban Design Overlay District to establish building and site design standards at the eastern corner of Murfreesboro Pike and Pin Hook Road, zoned AR2a and proposed for CS, requested by the Metro Planning Department, applicant, Steven J. Kozy, owner (See also associated case # 2012Z-031PR-001).

Staff Recommendation: Approve

APPLICANT REQUEST

Rezone from AR2a to CS and establish an Urban Design Overlay district

Zone Change

A request to rezone from Agricultural/Residential (AR2a) to Commercial Service (CS) zoning for property located at Murfreesboro Pike (unnumbered), at the southeast corner of Murfreesboro Pike and Pin Hook Road (1.6 acres).

Urban Design Overlay (UDO)

A request to create an Urban Design Overlay District to establish building and site design standards at the eastern corner of Murfreesboro Pike and Pin Hook Road, zoned Agricultural/Residential (AR2a) and proposed for Commercial Service (CS).

Existing Zoning

Agricultural/Residential (AR2a) requires a minimum lot size of two acres and is intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per two acres. The AR2a District is intended to implement the natural conservation or rural land use policies of the general plan.

Proposed Zoning

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

Urban Design Overlay (UDO) is intended to allow for the application and implementation of special design standards with the intent of achieving a sense of place by fostering a scale and form of development that emphasizes sensitivity to the pedestrian environment, minimizes intrusion of the automobile into the urban setting, and provides for the sensitive placement of open spaces in relationship to building masses, street furniture and landscaping features in a manner otherwise not insured by the application of the conventional bulk, landscaping and parking standards of the Zoning Code.

CRITICAL PLANNING GOALS

- Creates Walkable Neighborhoods

The site design standards of the UDO encourage walkable developments through the placement of building entrances near pedestrian paths, the consolidation of driveway entrances, the construction of ground signage that is of similar height to a pedestrian, and the use of landscaping to provide safe separation between walkways and road pavement or parking lot.

ANTIOCH - PRIEST LAKE COMMUNITY PLAN

T3 Mixed Use Corridor (T3 CM) is intended to enhance suburban mixed use corridors by encouraging a greater mix of higher density residential and mixed use development along the corridor, placing commercial uses at intersections with residential uses between intersections; creating buildings that are compatible with the general character of suburban neighborhoods; and a street design that moves vehicular traffic efficiently while accommodating sidewalks, bikeways, and mass transit.

Consistent with Policy?

Yes. The commercial uses permitted in CS zoning are consistent with policy if the form-based intent of the policy is met. The inclusion of the UDO in this request will allow the zone change to meet policy by providing a framework for development that ensures compatibility with the form-based intent of the policy.

REQUEST DETAILS

The zone change portion of this application was deferred by the Planning Commission at the December 13, 2012, meeting to allow the applicant and staff to work together on a site plan or regulatory framework to supplement the zone change. Since that meeting, Planning staff and the applicant have worked together to develop a UDO district to provide building/site design standards.

The UDO consists of four basic sets of standards:

- **Building design:** The building design section includes requirements for building materials and front entrances.
- **Landscaping:** The landscaping section includes requirements for planter widths along street frontages and property lines along with tree spacing requirements.
- **Parking layout:** Parking layout standards are included with the intent to disperse parking throughout the site, not to concentrate parking along street frontages.
- **Signage:** Signage standards permit monument sign and pillar sign types with the intent to permit visible signage that is compatible with a walkable street frontage.

The intent of this UDO is to provide a framework for development that permits various options, but does not prescribe a specific design.

PUBLIC WORKS RECOMMENDATION

A traffic study may be required at time of development

Typical Uses in Existing Zoning District: **AR2a**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	1.6	0.5 D	1L	10	1	2

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Strip Retail (814)	1.6	0.168 F	11,708 SF	539	17	50

Traffic changes between typical: **AR2a** and proposed **CS**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+529	+16	+48

Maximum Uses in Existing Zoning District: **AR2a**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	1.6	0.5 D	1L	10	1	2

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Strip Retail (814)	1.6	0.6 F	41,817 SF	1827	41	122

Traffic changes between maximum: **AR2a** and proposed **CS**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+1817	+40	+120

STAFF RECOMMENDATION

Staff recommends approval of the urban design overlay and zone change applications. Staff recommends disapproval of the zone change if the urban design overlay is not approved. The combination of land uses permitted in the CS zoning district and the building/site design standards of the UDO will be consistent with the Suburban Mixed Use Corridor policy.

Approved, including a correction in the document to reflect the 30 foot tree spacing requirement within the perimeter landscape strip (8-0), Consent Agenda

Resolution No. RS2013-3

“BE IT RESOLVED by The Metropolitan Planning Commission that 2013UD-001-001 is **Approved, including a correction in the document to reflect the 30 foot tree spacing requirement within the perimeter landscape strip. 8-0**

The building/site design standards of the UDO will be consistent with the Suburban Mixed Use Corridor policy.

Subdivision: Final Plats

3. 2012S-130-001

NOELTON

Map 118-09, Parcel(s) 180
 Council District 25 (Sean McGuire)
 Staff Reviewer: Duane Cuthbertson

A request for final plat approval to create five lots on property located at 3400 Lealand Lane, at the southeast corner of Lealand Lane and Noelton Avenue (1.42 acres), zoned R10, requested by Clifford O. Richmond, owner, Patrick Coode and Company, LLC, surveyor.

Staff Recommendation: Defer indefinitely. Approve with conditions if Metro Stormwater recommends approval of the subdivision prior to the January 10, 2013, Planning Commission meeting.

The Metropolitan Planning Commission Deferred Indefinitely 2012S-130-001

H. COMMUNITY PLAN POLICY CHANGES AND ASSOCIATED CASES

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

Community Plan Amendments

4. 2012CP-010-003

GREEN HILLS-MIDTOWN PLAN AMENDMENT

Map 093-13, Parcel(s) 297
 Council District 19 (Erica S. Gilmore)
 Staff Reviewer: Greg Claxton

A request to amend the Edgehill Neighborhood Design Plan within the Green Hills-Midtown Community Plan: 2005 Update to change the Land Use Policy from Mixed Housing in Neighborhood General (MH in NG) to Transition Buffer in Neighborhood General (TB in NG) for property located at 1208 Hawkins Street, approximately 210 feet west of 12th Avenue South (0.25 acres), requested by the Metro Planning Department, applicant, New Hope Missionary Baptist Church, owner.

Staff Recommendation: Approve

APPLICANT REQUEST

Change the policy from Mixed Housing in Neighborhood General to Transition Buffer in Neighborhood General

Housekeeping Amendment

A request to amend the Edgehill Detail Neighborhood Design Plan within the Green Hills/Midtown Community Plan: 2005 Update, to change the land use policy from Mixed Housing in Neighborhood General (MH in NG) to Transition or Buffer in Neighborhood General (TB in NG) for the property located at 1208 Hawkins Street, approximately 210 feet west of 12th Avenue South (0.25 acres).

BACKGROUND

New Hope Missionary Baptist Church applied for a zone change from Multi-Family Residential (RM20) to Office Neighborhood (ON). On September 27, 2012, Metro Planning Commission approved the zone change with direction to staff to initiate this housekeeping amendment to change the land use policy to Transition Buffer in Neighborhood General, finding that the location is appropriate for small-scale non-residential use, such as the small offices that are permitted by the ON zoning district. The ON zoning district is consistent with the Transition Buffer in Neighborhood General land use policy. The Metro Council adopted BL2012-273 on December 4, 2012, changing the zoning from the RM20 to the ON district.

CRITICAL PLANNING GOALS

N/A

GREEN HILLS – MIDTOWN COMMUNITY PLAN

Current Policy – Mixed Housing (MH) in Neighborhood General (NG)

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

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.

Proposed Policy

Transition or Buffer (TB) policy includes uses that provide a transition from intense commercial activity to residential uses. The scale and character of structures should mimic residential development to provide a convincing transition, but may have a limited commercial or mixed-use component. In the absence of a directly applicable zoning district, these areas should be zoned OR20, or less intensive, to provide for limited commercial components.

COMMUNITY NOTIFICATION

Notification of the amendment request and the Planning Commission Public Hearing was posted on the Planning Department website. Notices were mailed to surrounding property owners and known groups and organizations within 500 feet of the subject site.

STAFF RECOMMENDATION

Staff recommends approval.

Approved (8-0), Consent Agenda

Resolution No. RS2013-4

“BE IT RESOLVED by The Metropolitan Planning Commission that 2012CP-010-003 is **Approved. 8-0**

5a. 2013CP-012-001

SOUTHEAST NASHVILLE PLAN AMENDMENT

Map 181, Parcel(s) 091-092, 094
Council District 04 (Brady Banks)
Staff Reviewer: Tifinie Capehart

A request to amend the Southeast Community Plan: 2004 Update to change the Land Use Policy from Natural Conservation (NCO), Residential Low Medium Density (RLM) and Corridor General (CG) policies to T3 Suburban Neighborhood Evolving, T3 Suburban Neighborhood Center and Natural Conservation policies for properties located at 6415, 6419 & 6435 Holt Road, at the southwest corner of Holt Road and Nolensville Pike (38.97 acres), requested by Ragan-Smith-Associates, Inc., applicant, Jack Byrd, Sara McKee Allen and Lunette Pharr, owners.

Staff Recommendation: Defer to the February 14, 2013, Planning Commission meeting

The Metropolitan Planning Commission Deferred 2013CP-012-001 to the February 14, 2013, Planning Commission meeting.

5b. 2013SP-005-001

THE VILLAGES AT HOLT ROAD

Map 181, Parcel(s) 091-092, 094
Council District 04 (Brady Banks)
Staff Reviewer: Jason Swaggart

A request to rezone from AR2a to Specific Plan-MU on properties located at 6435, 6415 and 6419 Holt Road , at the southwest corner of Nolensville Road and Holt Road (40.06 Acres), to permit a mixed-use development, requested by Ragan, Smith and Associates, Inc., applicant for Jack Richard Byrd, Lunette Allen Pharr and Sara Mckee Allen, owners.

Staff Recommendation: Defer to the February 14, 2013, Planning Commission meeting

The Metropolitan Planning Commission Deferred 2013SP-005-001 to the February 14, 2013 Planning Commission meeting.

I. RECOMMENDATIONS TO METRO COUNCIL

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

Specific Plans

6. 2006SP-162G-04

THORNTON'S MYATT DRIVE

Map 043-07, Parcel(s) 069-070
Council District 09 (Bill Pridemore)
Staff Reviewer: Amy Diaz-Barriga

The periodic review of an approved Specific Plan (C) district known as "Thorton's Myatt Drive", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code (Review of a Development Plan), for properties located at the southeast corner of Anderson Lane and Myatt Drive (1.87 acres), approved for a 3,740 square foot automobile convenience market with seven gas pumps via Council Bill BL2007-1512 adopted on July 23, 2007, and amended to permit a 3,755 square foot automobile convenience market with eight gas pumps via Council Bill BL2008-316 adopted on November 24, 2008, review initiated by the Metro Planning Department.

Staff Recommendation: Find the SP District complete

APPLICANT REQUEST

Four year SP review to determine activity.

SP Review

The periodic review of an approved Specific Plan District known as "Thorton's Myatt Drive", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code (Review of a Development Plan), for properties located at the southeast corner of Anderson Lane and Myatt Drive (1.87 acres), approved for a 3,740 square foot automobile convenience market with seven gas pumps via Council Bill BL2007-1512 adopted on July 23, 2007, and amended to permit a 3,755 square foot automobile convenience market with eight gas pumps, via Council Bill BL 2008-316 adopted on November 24, 2008.

Zoning Code Requirement

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

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

DETAILS OF THE SP DISTRICT

The Thornton's Myatt Drive SP was approved to allow the development of a convenience store building with a gas service area. The SP was amended to increase the size of both the convenience store building by 15 square feet and gas service area to add one additional gas pump. The SP amendment was approved with conditions requiring specific use, signage type and dimensions limitations, and street tree approval. Staff visited the site on December 10, 2012. There is a convenience store and eight pumps operating on the property. Signage and street trees meet the conditional requirements.

STAFF RECOMMENDATION

Staff recommends that the Thornton's Myatt Drive SP be found to be complete.

Approved (8-0), Consent Agenda

Resolution No. RS2013-5

"BE IT RESOLVED by The Metropolitan Planning Commission that 2006SP-162G-04 is Approved. **Finding the SP District Complete. 8-0**

7. 2008SP-021U-10

1800 WEST END MIXED USE DEVELOPMENT

Map 092-12, Parcel(s) 470, 472, 477 Map 092-16, Parcel(s) 156

Council District 21 (Edith Taylor Langster)

Staff Reviewer: Amy Diaz-Barriga

The periodic review of an approved Specific Plan (MU) district known as "1800 West End Mixed Use Development", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code (Review of a Development Plan), for properties located at 1800 and 1806 West End Avenue and at 1801 and 1807 Hayes Street, at the northwest corner of West End Avenue and 18th Avenue North (1.36 acres), to permit the development of a 190,033 square foot, 8-story mixed-use building containing hotel, restaurant and financial institution space via Council Bill BL2008-329 adopted on November 24, 2008, review initiated by the Metro Planning Department.

Staff Recommendation: Find the SP District active

APPLICANT REQUEST

Four year SP review to determine activity.

SP Review

The periodic review of an approved Specific Plan District known as "1800 West End Mixed Use Development", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code (Review of a Development Plan), for properties located at 1800 and 1806 West End Avenue and 1801 and 1807 Hayes Street, at the northwest corner of West End Avenue and 18th Avenue North (1.36 acres), to permit the development of a 190,033 square foot, eight-story mixed-use building containing hotel, restaurant and financial institution space, via Council Bill BL2008-329 adopted on November 24, 2008.

Zoning Code Requirement

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

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

DETAILS OF THE SP DISTRICT

The 1800 West End Mixed Use Development SP was approved with conditions to allow the construction of an eight-story mixed use building. Staff visited the site on December 10, 2012. The necessary demolition work on the site has been completed. The developer has applied for a building permit, and the application is currently being reviewed by Metro staff. The construction drawings are approved by Stormwater and Public Works Engineering staff and the project recently completed a stormwater preconstruction meeting.

STAFF RECOMMENDATION

Staff recommends that the 1800 West End Mixed Use Development SP be found to be active.

Approved. Finding the SP District active (8-0), Consent Agenda

Resolution No. RS2013-6

"BE IT RESOLVED by The Metropolitan Planning Commission that 2008SP-021U-10 is Approved. **Finding the SP District active. 8-0.**

8. 2008SP-023U-13

BAKERTOWN COMMUNITY

Map Various, Parcel Various
Council District 28 (Duane Dominy)
Staff Reviewer: Amy Diaz-Barriga

The periodic review of an approved Specific Plan (MU) district known as "Bakertown Community", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code (Review of a Development Plan), for various properties located along Antioch Court, Antioch Pike, Bakertown Road, Cherokee Court, Cherokee Hills Drive, Cherokee Place, Ezell Road, Gasser Drive, Haystack Lane, Jansing Drive, Luna Drive, Rader Drive, and Spann Court (87.79 acres), to establish development and sign standards, and regulate land uses, via Council Bill BL2008-314 adopted on November 24, 2008, review initiated by the Metro Planning Department.

Staff Recommendation: Find the SP District active

APPLICANT REQUEST

Four year SP review to determine activity.

SP Review

The periodic review of an approved Specific Plan District known as "Bakertown Community", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code (Review of a Development Plan), for properties along Antioch Court, Antioch Pike, Bakertown Road, Cherokee Court, Cherokee Hills Drive, Cherokee Place, Ezell Road, Gasser Drive, Haystack Lane, Jansing Drive, Luna Drive, Rader Drive, and Spann Court (87.79 acres), to establish development and sign standards, and regulate land uses, via Council Bill BL2008-314 adopted on November 24, 2008.

Zoning Code Requirement

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

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

DETAILS OF THE SP DISTRICT

The Bakertown Community SP is intended to limit traffic and control industrial development adjacent to a residential neighborhood. The goals outlined in the plan include:

- To develop a center of activity along Antioch Pike that contains predominantly commercial and mixed-use development with a character that sets it apart from typical strip development along the corridor.
- To provide safe, convenient vehicular movement into, out of, and within the study area, while maintaining a pedestrian and bicycle-friendly environment.
- To provide meaningful open spaces on the property as visual relief for people working or shopping within the study area as well as for passive recreation for those who live within the area.
- To create a non-commercial transition between commercial development along Antioch Pike and the neighboring single family residential development behind.
- To seamlessly integrate housing into the overall development that is sensitive to existing residential development in the neighborhood.
- To connect residential development, shopping areas, places of work, open spaces, and other points of activity through a system of sidewalks and bike lanes.
- To encourage the use of public transit in the area by making transit convenient, safe, and comfortable.
- To provide parking for those who live, work, and shop in the study area in a manner that does not dominate the street and is sensitive to the pedestrian environment.
- To apply a water quality concept that protects and enhances the existing natural integrity of the site.
- To soften the visual impact of new development and provide a greater level of comfort for pedestrians.
- To assist those who live, work, and shop within the SP area in finding destinations, while preventing visual clutter that threatens traffic safety and is harmful to the appearance of the community.

While there has only been limited activity within the SP it remains appropriate for CO-Conservation, T3-POS Suburban Potential Open Space, T3-NE Suburban Neighborhood Evolving, and T3-CM Suburban Mixed-Use Corridor land use policies of the Antioch-Priest Lake Community Plan Update 2012.

STAFF RECOMMENDATION

Staff recommends that the Bakertown Community SP be found to be active.

Approved. Finding the SP District active (8-0), Consent Agenda

Resolution No. RS2013-7

"BE IT RESOLVED by The Metropolitan Planning Commission that 2008SP-023U-13 is Approved. **Finding the SP District active. 8-0**

9. 2008SP-027U-14

AMERIPLEX AT ELM HILL

Map 106, Part of Parcel(s) 172
Council District 15 (Phil Claiborne)
Staff Reviewer: Amy Diaz-Barriga

The periodic review of an approved Specific Plan (IND) district known as "Ameriplex at Elm Hill", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code (Review of a Development Plan), for properties located at Elm Hill Pike (unnumbered), approximately 2,400 feet west of Massman Drive (3.9 acres), to permit an access drive to Elm Hill Pike via Council Bill BL2008-317 adopted on November 24, 2008, review initiated by the Metro Planning Department.

Staff Recommendation: Find the SP District complete

APPLICANT REQUEST

Four year SP review to determine activity.

SP Review

The periodic review of an approved Specific Plan District known as "Ameriplex at Elm Hill", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code (Review of a Development Plan), for properties located at Elm Hill Pike (unnumbered), approximately 2,400 feet west of Massman Drive (3.9 acres), to permit an access drive to Elm Hill Pike, via Council Bill BL2008-317 adopted on November 24, 2008.

Zoning Code Requirement

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

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

DETAILS OF THE SP DISTRICT

The Ameriplex at Elm Hill SP was approved to allow an access drive to be permitted, to connect to Elm Hill Pike. A landscape buffer of 50 feet was required to be maintained from the adjacent residential area. Staff visited the site on December 11, 2012. The access drive is in place, and the 50 foot landscape buffer is being maintained.

STAFF RECOMMENDATION

Staff recommends that the Ameriplex at Elm Hill SP be found to be complete.

Approved. Finding the SP District complete (8-0), Consent Agenda

Resolution No. RS2013-9

"BE IT RESOLVED by The Metropolitan Planning Commission that 2008SP-027U-14 is Approved. **Finding the SP District complete. 8-0**

10. 2013SP-002-001

BL2013-355 / PARDUE
PRICE'S COLLISION CENTERS
Map 034-09, Parcel(s) 174
Council District 10 (Doug Pardue)
Staff Reviewer: Jason Swaggart

A request to rezone from CS to SP-A zoning and for final site plan approval for property located at 1535 Gallatin Pike, approximately 3,000 feet south of Myatt Drive (3.0 acres), to permit automobile repair, automobile sales (used), automobile service, vehicular rental/leasing and all other uses permitted within the MUL zoning district, requested by Dale & Associates, applicant, Richland South, LLC, owner.

Staff Recommendation: Approve with conditions and disapprove without all conditions

APPLICANT REQUEST

Permit automobile repair, automobile sales (used), automobile service, vehicular rental/leasing and all uses permitted by the MUL district.

SP Development Plan and Final Site Plan

A request to rezone from Commercial Services (CS) to Specific Plan-Auto (SP-A) zoning and for final site plan approval for property located at 1535 Gallatin Pike, approximately 3,000 feet south of Myatt Drive (3.0 acres), to permit automobile repair, automobile sales (used), automobile service, vehicular rental/leasing and all other uses permitted within the MUL zoning district.

Existing Zoning

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

Proposed Zoning

Specific Plan-Auto (SP-A) 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 automobile uses.

CRITICAL PLANNING GOALS

N/A

MADISON COMMUNITY PLAN

Suburban Mixed Use Corridor (T3 CM) policy is intended to enhance suburban mixed use corridors by encouraging a greater mix of higher density residential and mixed use development along the corridor, placing commercial uses at intersections with residential uses between intersections; creating buildings that are compatible with the general character of suburban neighborhoods; and a street design that moves vehicular traffic efficiently while accommodating sidewalks, bikeways, and mass transit. *This is also within the "Auto Mile", which is an area along Gallatin Road in which the community plan actively supports auto related uses.*

Consistent with Policy?

Yes. The Suburban Mixed-Use policy promotes a variety of land uses from residential to commercial including auto related uses. Furthermore the policy actively supports auto related uses along this section of Gallatin Pike which is known as the "Auto Mile."

PLAN DETAILS

The intent of this request is to permit automobile repair, automobile sales (used), automobile service, vehicular rental/leasing and all uses permitted by the MUL district. The request is for preliminary approval and final. While the Commission may approve the final site plan at this time, the zoning must be approved by Council prior to the issuance of any building permits. If Council does not approve the zoning, then permits for the proposed uses will not be issued. The site is located along the east side of Gallatin Pike in the Madison area. The property is developed and was constructed for and previously used by a Saturn auto dealership.

Specific Plan Proposal

The proposed SP permits automobile repair, automobile sales (used), automobile service, vehicular rental/leasing and all uses permitted by the MUL district. While the plan permits various auto related uses, it is currently intended to be used for an auto body shop. The plan does not propose any new development; the site is to be used as it currently exists. Any new development would have to meet MUL zoning standards. While the existing signage may be retained, the SP requires any new free standing signs to be monument type which is limited to 6 feet in height and 48 square feet.

Analysis

As stated above the request is consistent with the Suburban Mixed-Use Corridor land use policy and furthermore, the policy specifically promotes auto related uses at this location. No additional landscape areas are proposed as there is ample landscaping along Gallatin Pike and within the site.

STORMWATER RECOMMENDATION

Approve

PUBLIC WORKS RECOMMENDATION

No Exceptions Taken

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions. As proposed the request is consistent with the Suburban Mixed-Use Corridor land use policy.

CONDITIONS

1. Permitted land uses shall be automobile repair, automobile sales (used), automobile service, vehicular rental/leasing and all uses permitted by the MUL district.

2. A maximum of two free-standing signs shall be permitted. No sign shall be more than six feet in height and no more than 48 square feet in size.
3. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
4. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the MUL zoning district as of the date of the applicable request or application.
5. The SP final site plan as approved by the Planning Commission will be used to determine compliance, both in the issuance of permits for construction and field inspection. While minor changes may be allowed, significant deviation from the approved site plans may require reapproval by the Planning Commission and/or Metro Council.

Mr. Swaggart presented the staff recommendation of approval with conditions, including the condition to permit a sign no taller than 30 feet with a maximum 100 square feet of display area, and disapprove without all conditions.

Roy Dale from Dale and Associates spoke in support of the application, stating it is vital to business. This area has many similar sized signs and this sign request is reasonable for this portion of Gallatin Pike. All of the competitors in the area have similar sized signs.

Mr. Haynes moved and Mr. Ponder seconded the motion to close the public hearing. (9-0)

Mr. Haynes stated that he agrees with Mr. Dale that a 30-40 foot sign is reasonable for this area.

Mr. Dalton agreed stating that he doesn't want to do anything to hurt business. Competitors don't have the same restrictions and it is the right thing to do to allow this proposed sign.

Mr. Adkins asked for clarification to what is already in that area. Applicant has already compromised somewhat and it doesn't make sense to require one property owner to have a different sign than all the other property owners in that area. This seems like a reasonable request and stated he will support the 30 foot sign with a maximum 100 square feet of display area.

Ms. LeQuire stated this is clearly in context with all, not only auto signs, but signs in general. She stated she agrees with staff in principle, but in this case, we aren't overstepping precedence to allow this.

Councilmember Claiborne stated that the automobile industry has its own identity and is in support of applicant.

Mr. Ponder clarified the size of the request. He indicated he is in support of the applicant.

Dr. Cummings stated that all of the signs in the area seem uniform and that the applicant's request is reasonable.

Mr. Clifton moved and Dr. Cummings seconded the motion to approve with conditions, including the condition to permit a sign no taller than 30 feet with a maximum 100 square feet of display area, and disapprove without all conditions. (9-0)

Resolution No. RS2013-9

"BE IT RESOLVED by The Metropolitan Planning Commission that 2013SP-002-001 is **Approved with conditions, including the condition to permit a sign no taller than 30 feet with a maximum 100 square feet of display area, and disapprove without all conditions. 9-0**

The request is consistent with the Suburban Mixed-Use Corridor land use policy.

CONDITIONS

1. **Permitted land uses shall be automobile repair, automobile sales (used), automobile service, vehicular rental/leasing and all uses permitted by the MUL district.**
2. **A maximum of two free-standing signs shall be permitted. No sign shall be more than six feet in height and no more than 48 square feet in size.**
3. **The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.**
4. **For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the MUL zoning district as of the date of the applicable request or application.**

5. The SP final site plan as approved by the Planning Commission will be used to determine compliance, both in the issuance of permits for construction and field inspection. While minor changes may be allowed, significant deviation from the approved site plans may require reapproval by the Planning Commission and/or Metro Council.

11. 2013SP-003-001

502 SOUTHGATE AVENUE

Map 105-11, Parcel(s) 027

Council District 17 (Sandra Moore)

Staff Reviewer: Greg Johnson

A request to rezone from R6 to SP-R zoning property located at 502 Southgate Avenue, approximately 245 feet west of Rains Avenue (0.7 acres), to permit nine residential dwelling units, requested by Dale & Associates, applicant, Michael W. Krabousanos, owner.

Staff Recommendation: Approve with conditions and disapprove without all conditions

APPLICANT REQUEST

Permit nine detached dwellings

Preliminary SP

A request to rezone from One and Two Family Residential (R6) to Specific Plan – Residential (SP-R) zoning property located at 502 Southgate Avenue, approximately 245 feet west of Rains Avenue (0.7 acres), to permit nine residential 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.

Proposed Zoning

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

CRITICAL PLANNING GOALS

- Supports Infill Development
- Promotes Compact Building Design
- Provides a Range of Housing Choices

The SP meets several critical planning goals. The development is proposed on an infill site and would utilize existing utilities. Development will be compact with a layout that occupies the entire depth of the site and organized around a central open space. Detached dwellings grouped on a single lot with shared open space will provide a familiar building type somewhat different layout from the surrounding single-family dwellings on separate lots.

SOUTH 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 NG policy recommends somewhat higher residential intensity than currently present along Southgate Avenue. The NG policy also recommends design compatibility between new development and existing development. The building type and layout proposed by this SP will allow it to remain compatible with surrounding development while increasing residential density. Dwellings will be detached like surrounding development and will have similar street setbacks to surrounding dwellings. The units will mostly be placed along an alley that borders the site on two sides. This allows the placement of open space adjacent to the interior lot line on the west side of the property.

PLAN DETAILS

Nine detached dwellings are proposed. The site is bordered on two sides by an existing alley, allowing for the arrangement of dwellings and parking along the street and alleys.

In terms of the number of parking spaces and required landscape buffers, the SP complies with all requirements of the Zoning Code. Twenty-five total parking spaces are provided (2.8 spaces per unit). A type "B" buffer yard is shown on the plan along the west property line that is shared with a single-family lot.

A condition of approval relates to the alignment of the alley along the east property line. With development, the applicant will widen the alley pavement to 20 feet. However, the widening could affect the health of several existing trees on the east side of the alley. If widening the alley is likely to negatively affect those trees, the site plan will need to be revised at final SP to realign the alley so that the additional paving will be on the west side of the existing alley. This will require the possible dedication of right-of-way or provision of an access easement along the east property line to accommodate a realigned alley. If the redesigned final SP is significantly altered from the preliminary SP, Council approval may be required for the revised plan.

ANALYSIS

The density of the SP is approximately 13 dwelling units per acre, which is within the density range permitted by the NG policy. Because the lot is surrounded on three sides by existing single-family dwellings with one dwelling on each lot, it is necessary to include a discussion of the site layout. The combination of the location of the site within the block and the layout of the SP will provide a well-placed and well-designed introduction of additional dwellings into the NG policy area. Benefitting from alleys along two property lines, the site permits the placement of dwelling units along the east side and rear property lines in a way that will allow those units to front onto the common open space and have back-to-back relationships with dwellings on the other side of the alleys. Dwellings along the street frontage will maintain the prevailing front setback along Southgate Avenue. The most critical property line is the west property line that is shared with a single-family lot. The placement of dwellings along the street frontage and alleys will allow the common open space to be placed along this property line.

STORMWATER RECOMMENDATION

Approved

PUBLIC WORKS RECOMMENDATION

- This development will require Public Works approval of detailed construction plans prior to permit issuance. Final design and improvements may vary based on actual field conditions.
- Note it is possible the alley #1808, alignment may need to be adjusted to avoid excessive cutting of trees.
- Per General Note #10 - indicate dumpster location.
- Significant modifications to this preliminary SP may be required for the relocation of Alley #1808 and for the location of the solid waste container/ recycling container.
- Provide minimum parking per metro Code; sign no parking along alley. Identify mail delivery facilities and /or name alley.

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 (210)	0.7	7.71 D	6 U*	58	5	7

*Includes one duplex 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 (220)	0.7	-	9 U	60	5	6

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
-	-	-	+3	+2	0	-1

SCHOOL BOARD REPORT

Projected student generation **1** Elementary **1** Middle **0** High

Students would attend Fall-Hamilton Elementary School, Cameron Middle School, or Glencliff High School. Of these, Fall-Hamilton Elementary School has been identified as being over capacity by the Metro School Board. There is no capacity for elementary students within the cluster.

Fiscal Liability

The fiscal liability for one elementary student is \$21,500. This data is for informational purposes only and is not a condition of approval. This information is based upon data from the school board last updated October 2012.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions. With the conditions shown below, the SP will be consistent with the NG land use policy and will be compatible to the existing character of development along Southgate Avenue.

CONDITIONS

1. Prior to final SP approval, a survey of the site shall identify the locations of existing trees on the east side of Alley 1808. If Public Works and the Metro Urban Forester determine that widening the alley within the existing right-of-way will endanger healthy existing trees, the site plan shall be redesigned to provide the appropriate alley width at a safe distance from the existing trees. Right-of-way dedication or an access easement may be required with a shift in the alley alignment. Council approval of the redesign could be required if the basic design concept is altered.
2. This SP permits nine detached residential dwellings.
3. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Council approval, the property shall be subject to the standards, regulations and requirements of the RM15 zoning district as of the date of the applicable request or application.
4. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no later than 120 days after the effective date of the enacting ordinance. The corrected copy provided to the Planning Department shall include printed copy of the preliminary SP plan and a single PDF that contains the plan and all related SP documents. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.
5. 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.

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.

Mr. Johnson presented the staff recommendation of approve with conditions and disapprove without all conditions.

Michael Garrigan, 516 Heather Place, spoke in support of the application. He stated that the proposal is consistent with the land use plan and it does meet the critical planning goals of providing walkability and promotion pedestrian activity. It also supports infill development and provides a variety of housing types.

Chairman McLean asked if the alley's will be upgraded.

Mr. Garrigan stated that there will be a 20 foot minimum width as required by Public Works. 20 feet of pavement is required.

Susan Heffernon, 1710 Neal Terrace, spoke in opposition to the application. She indicated her concern with the units being built in such a small space. Density is also a concern with residents in the neighborhood.

Mr. Garrigan stated that the request fits perfectly within the neighborhood. Based on the land use it could have another three or four units. But this is very spacious.

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

Ms. LeQuire stated she is concerned with the 20 foot wide alley. She indicated that these small neighborhoods alleys are traffic calming places for safe access. When they get wider traffic tends to get faster. Wider alleys change the atmosphere of the neighborhood and smaller alleys work really well.

Mr. Bernhardt stated that the Planning Commission could recommend that Public Works consider a smaller alley standard.

Chairman McLean stated that a 20 foot width allows for two cars to pass.

Mr. Adkins asked if there was a representative from Public Works. No representative was present, and then asked Mr. Bernhardt the standard policy.

Mr. Bernhardt stated that Public Works standard is 20 feet and also suggested speaking with a Public Works.

Mr. Adkins inquired about parking.

Mr. Dalton stated that he liked the design and is interested in the 20 foot right of way and would like to find out more but is overall in support.

Mr. Clifton stated that he agrees with Ms. LeQuire about the alleys. He stated that he is in support of this project and that it will be a good thing for the neighborhood.

Councilmember Claiborne stated that this will bring value to this neighborhood. He suggested that the Chair consider communicating to the different departments that when they have a specific recommendation on the agenda that they provide a staff member to be available to answer questions at the Planning Commission meeting.

Mr. Haynes moved and Mr. Ponder seconded the motion to approve with conditions and disapprove without all conditions. (9-0)

Resolution No. RS2013-10

"BE IT RESOLVED by The Metropolitan Planning Commission that 2013SP-003-001 is Approved with conditions and disapproved without all conditions 9-0

With the recommended conditions, the SP will be consistent with the NG land use policy and will be compatible to the existing character of development along Southgate Avenue.

CONDITIONS

- 1. Prior to final SP approval, a survey of the site shall identify the locations of existing trees on the east side of Alley 1808. If Public Works and the Metro Urban Forester determine that widening the alley within the existing right-of-way will endanger healthy existing trees, the site plan shall be redesigned to provide the appropriate alley width at a safe distance from the existing trees. Right-of-way dedication or an access easement may be required with a shift in the alley alignment. Council approval of the redesign could be required if the basic design concept is altered.**
- 2. This SP permits nine detached residential dwellings.**
- 3. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Council approval, the property shall be subject to the standards, regulations and requirements of the RM15 zoning district as of the date of the applicable request or application.**
- 4. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no later than 120 days after the effective date of the enacting ordinance. The corrected copy provided to the Planning Department shall include printed copy of the preliminary SP plan and a single PDF that contains the plan and all related SP documents. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.**
- 5. 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.**

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.

12. 2013SP-004-001

HIGHWAY 12 MOTORSPORTS

Map 067, Parcel(s) 145

Council District 01 (Lonnell Matthews, Jr.)

Staff Reviewer: Brenda Bernards

A request to rezone from CL to SP-A zoning and for final site plan approval for property located at 5110 Ashland City Highway, at the northwest corner of Ashland City Highway and Old Hickory Boulevard (4.42 acres), to permit motorcycle sales, automobile sales, and all uses permitted by the CL zoning district, requested by Thomas L. Anderson Architect, Inc., applicant, Phillip E. Chamblee, owner.

Staff Recommendation: Approve with conditions and disapprove without all conditions

APPLICANT REQUEST

To permit sale of motorcycles and automobiles

Zone Change

A request to rezone from Commercial Limited (CL) to Specific Plan-A (SP-A) zoning and for final site plan approval for property located at 5110 Ashland City Highway, at the northwest corner of Ashland City Highway and Old Hickory Boulevard (4.42 acres), to permit motorcycle sales, automobile sales, and all uses permitted by the CL zoning district.

Existing Zoning

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

Proposed Zoning

Specific Plan-Auto (SP-A) 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 the sale of motorcycles and automobiles.*

CRITICAL PLANNING GOALS

N/A

BORDEAUX-WHITES CREEK COMMUNITY PLAN

Existing Land Use Policy

Village Center

The Village Center Policy is unique to the Bordeaux-Whites Creek Community and is intended to create a pedestrian-friendly, mixed use, rural center that serves as the hub for daily gathering and activity for people who live in or visit the Village Residential Area and the surrounding Scottsboro/Bells Bend community.

Consistent with Policy?

Yes, the SP is consistent with the Village Center Policy. A building is under construction on the site, developed under the current CL zoning district, which is planned to display and sell motorcycle memorabilia. The SP will allow for the sale of motorcycles as well as a limited number of cars that are acquired as trade-ins for motorcycles. Sidewalks shown on the plan will begin the pedestrian network for this area and event space is proposed to allow for the gathering of local motorcycle and car enthusiasts to show case their equipment.

PLAN DETAILS

The site is currently zoned CL and there is a building under construction. This development meets all of the requirements of the CL district. The purpose of the SP is to permit two uses in addition to the uses permitted by the CL district. The new uses include the sale of motorcycles and a limited number, no more than 25 at one time, of cars. The primary focus is on the sale of motorcycles. As on occasion cars are traded in for the motorcycles, the applicant also would like to be able to resell these cars.

An open air pavilion is proposed to allow for gatherings of local motorcycle and car enthusiasts to show case their equipment. These events are limited to six per year.

Access and Landscaping

Sidewalks are shown on the plan, which support the Village Center policy. Access to the site is limited to one driveway from Highway 12 and one driveway from Old Hickory Boulevard which will be aligned with the driveway of the market across the street.

A landscaping plan has been approved by the Urban Forester. The plan includes buffering for the residential properties to the north, landscaping in the parking areas and throughout the site.

Signage

Signs will be limited to:

- the existing community sign at the corner of Old Hickory Boulevard and Highway 12
- one eight foot by eight foot ground sign along the Highway 12 frontage not to exceed 20 feet in height
- three building signs not to exceed 150 square feet in total
- up to four "Parts and Service" building signs not to exceed 80 square feet in total
- Parking lot signs and "Speed Limit 12 MPH" signs

All signs shall be externally lit. No electronic signs, roof signs or signs that change messages by electronic or mechanical means shall be permitted. Signage shall be reviewed and approved by staff

STORMWATER RECOMMENDATION

Approve with conditions.

The following are technical review comments for the revised drawings for the above referenced project:

1. Provide a revised post developed drainage area map. Show areas draining to each BMP.
2. Show the rock retaining wall and post developed contours and final stabilization measures for the eastern portion of the lot.
3. Provide detail drawings of the open air pavilion on detail sheet.
4. Remove grading from the buffer.
5. Show the pea gravel diaphragm for the water quality swale as shown on the original approved plan.
6. Provide detail drawings of the bioretention area on detail sheet.
7. The bioretention area is required to be equipped with underdrains. Please revise.
8. Provide pretreatment for the bioretention area.
9. Show how the parking lot will be graded to drain entire area into the bioretention area.
10. Provide Landscape Plan showing: 2:1 -3:1 Shrub to Tree Ration (2 Trees minimum – spaced 12' apart).
11. Add the Following Note to Plan: "Contractor, Engineer, or Owners Representative shall notify MWS Development Review at least 24 hours prior to the installation of the planting soil filter bed. At the completion of installation, the above referenced person will collect one sample per bioretention bed for analysis and confirmation of the soil characteristics as defined by PTP-03, Site Design and Considerations Item 3, page 3 of 10."
12. The bioretention area was designed for only 0.50 acre but this drainage basin is 1.60 acres. Please revise.
13. A revised Declaration of Restrictions and Covenants will be required to be recorded because the plan has changed. Please submit a revised Declaration of Restrictions and Covenants, Long Term Maintenance Plan, BMP Checklists, and BMP Exhibit Drawing.

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.

Label street names on plan sheets.

STAFF RECOMMENDATION

Staff recommends approval with conditions. The purpose of the SP is to add to new uses, the sale of used motorcycles and a limited number of used cars to the uses now permitted by the CL district. The site is currently being developed to the CL bulk standards. With the sidewalks and limits on signage, the development will contribute to the Village Center.

CONDITIONS

1. Signage shall be limited to:
 - a. the existing community sign at the corner of Old Hickory Boulevard and Highway 12
 - b. one eight foot by eight foot ground sign along the Highway 12 frontage not to exceed 20 feet in height
 - c. three building signs not to exceed 150 square feet in total
 - d. up to four "Parts and Service" building signs not to exceed 80 square feet in total
 - e. Parking lot signs and "Speed Limit 12 MPH" signsAll signs shall be externally lit. No electronic signs, roof signs or signs that change messages by electronic or mechanical means shall be permitted. Signage shall be reviewed and approved by staff
2. The requirements of the Stormwater Management Division shall be met.
3. 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.
4. The uses of this SP shall be limited to the sale of new and used motorcycles, the sale of no more than 25 new and used cars at any one time, and all uses permitted by the CL zoning district.

5. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the CL zoning district as of the date of the applicable request or application.
6. A corrected copy of the preliminary SP plan incorporating the conditions of approval by the Planning Commission and Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no later than 120 days after the effective date of the enacting ordinance. The corrected copy provided to the Planning Department shall include printed copy of the preliminary SP plan and a single PDF that contains the plan and all related SP documents. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.
7. 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.
8. 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 (8-0), Consent Agenda

Resolution No. RS2013-11

"BE IT RESOLVED by The Metropolitan Planning Commission that 2013SP-004-001 is **Approved with conditions and disapproved without all conditions. 8-0**

The purpose of the SP is to permit new uses, the sale of motorcycles and a limited number of cars, to the uses currently permitted in the CL district. The site is currently being developed to the CL bulk standards. With the sidewalks and limits on signage, the development will contribute to the Village Center policy.

CONDITIONS

1. Signage shall be limited to:

- a. the existing community sign at the corner of Old Hickory Boulevard and Highway 12
- b. one eight foot by eight foot ground sign along the Highway 12 frontage not to exceed 20 feet in height
- c. three building signs not to exceed 150 square feet in total
- d. up to four "Parts and Service" building signs not to exceed 80 square feet in total
- e. Parking lot signs and "Speed Limit 12 MPH" signs

All signs shall be externally lit. No electronic signs, roof signs or signs that change messages by electronic or mechanical means shall be permitted. Signage shall be reviewed and approved by staff

2. The requirements of the Stormwater Management Division shall be met.

3. 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.

4. The uses of this SP shall be limited to the sale of new and used motorcycles, the sale of no more than 25 new and used cars at any one time, and all uses permitted by the CL zoning district.

5. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the CL zoning district as of the date of the applicable request or application.

6. A corrected copy of the preliminary SP plan incorporating the conditions of approval by the Planning Commission and Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no later than 120 days after the effective date of the enacting ordinance. The corrected copy provided to the Planning Department shall include printed copy of the preliminary SP plan and a single PDF that contains the plan and all related SP documents. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.

7. 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.

8. 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

13. 2012Z-030PR-001

BL2013-349 / BAKER
5104 ILLINOIS AVENUE
Map 091-11, Parcel(s) 055
Council District 20 (Buddy Baker)
Staff Reviewer: Duane Cuthbertson

A request to rezone from R6 to MUL zoning property located at 5104 Illinois Avenue, approximately 115 feet west of 51st Avenue North (0.17 acres), requested by Janice and Stephen Matheny, owners.

Staff Recommendation: Approve

The Metropolitan Planning Commission Deferred Indefinitely 2012Z-030PR-001.

J. PLANNING COMMISSION ACTIONS

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

Planned Unit Developments: Final Site Plans

14. 239-84P-002

CANTER CHASE COMMERCIAL
Map 135, Parcel(s) 385
Council District 28 (Duane A. Dominy)
Staff Reviewer: Duane Cuthbertson

A request to revise the preliminary plan and for final approval for a portion of the Canter Chase Commercial Planned Unit Development Overlay District on property located at 1915 Murfreesboro Pike, approximately 380 feet east of Harding Place (0.94 acres), zoned CL, to permit a 1,245 square foot addition for automobile service to an existing automobile convenience facility, requested by Stevens Design, applicant, SAMCO Partnership, owner.

Staff Recommendation: Approve with conditions

APPLICANT REQUEST

Permit addition of two automobile service garage bays to existing automobile convenience use.

PUD Revision and Final Site Plan

A request to revise the preliminary plan and for final approval for a portion of the Canter Chase Commercial Planned Unit Development Overlay District on property located at 1915 Murfreesboro Pike, approximately 380 feet east of Harding Place (0.94 acres), zoned Commercial Limited (CL), to permit a 1,245 square foot addition for automobile service to an existing automobile convenience facility.

Existing Zoning

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

CRITICAL PLANNING GOALS

N/A

REQUEST DETAILS

This is a request to revise the last approved preliminary PUD plan and for final site plan approval for a portion of the Canter Chase Commercial PUD. The request is related to the portion of the PUD approved by revision in 1989 permitting an automobile convenience (convenience market and gas station) use. The current proposal is to expand the convenience market with two automobile service garage bays.

The Canter Chase Commercial PUD was originally approved by Council in 1984 to permit 90,250 square feet of commercial and office uses. While there have been several revisions to the PUD few of the proposals have been constructed. Within the PUD boundary only the automobile convenience and a drive-thru bank facility at the northwest corner of Murfreesboro Pike and Harding Place have been developed. A cell phone tower also exists on the property.

The proposed addition to the PUD is permitted by Planning Commission approval as a revision. Section 17.40.120.G permits the Planning Commission to approve revisions under certain conditions.

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

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

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

Staff finds that the request meets all of the conditions and the Planning Commission has the authority to approve the proposed revision.

Plan Details

The site modifications shown on the proposed plan include a 1,245 square foot building addition to the north side of the existing convenience market/gas station and additional required landscaping along the street side of the existing parking area. The proposed building addition will accommodate two automobile service garage bays. The proposed building addition will combine with the existing 2,478 square foot building for a total of 3,723 square feet of building floor area. Access to and circulation through the property will remain as exists. No additional impervious surface will be added with this proposal.

Analysis

The proposed plan consists of minor site changes and meets all zoning requirements. The use contemplated with the garage bay addition is Automobile Service which is permitted by the commercial PUD as well as the underlying CL zoning. The applicant has been made aware that Automobile Repair is not permitted on the property. Sidewalks will not be required with this proposed addition to the site, as per Section 17.20.120.A.1 of the zoning code the applicant has submitted a written commitment to not making additions to the site equal to greater than 50% within the next 5 years (the existing canopy is included in the equation).

PUBLIC WORKS RECOMMENDATION

Approved with conditions

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

STAFF RECOMMENDATION

Staff recommends approval with conditions as the request meets all zoning code requirements.

CONDITIONS

1. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
2. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metro Department of Public Works for all improvements within public rights of way.
3. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
4. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
5. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metro Planning Commission.
6. The PUD final site plan as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans may require reapproval by the Planning Commission and/or Metro Council.
7. A corrected copy of the PUD final site plan incorporating the conditions of approval by the Planning Commission shall be provided to the Planning Department prior to the issuance of any permit for this property, and in any event no later than 120 days after the date of conditional approval by the Planning Commission. Failure to submit a corrected copy of the final PUD site plan within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.

Approved with conditions (8-0), Consent Agenda

Resolution No. RS2013-12

"BE IT RESOLVED by The Metropolitan Planning Commission that 239-84P-002 is **Approved with conditions. 8-0**

CONDITIONS

1. **Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.**

2. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metro Department of Public Works for all improvements within public rights of way.
3. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
4. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
5. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metro Planning Commission.
6. The PUD final site plan as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans may require reapproval by the Planning Commission and/or Metro Council.
7. A corrected copy of the PUD final site plan incorporating the conditions of approval by the Planning Commission shall be provided to the Planning Department prior to the issuance of any permit for this property, and in any event no later than 120 days after the date of conditional approval by the Planning Commission. Failure to submit a corrected copy of the final PUD site plan within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.

15. 55-85P-001

SUMMIT COMMERCIAL

Map 160, Parcel(s) 224

Council District 04 (Brady Banks)

Staff Reviewer: Greg Johnson

A request to revise the preliminary plan and for final approval for a portion of the Summit Commercial Planned Unit Development Overlay District on property located at 789 Old Hickory Boulevard, at the southwest corner of Old Hickory Boulevard and Stone Brook Drive (0.72 acres), zoned CL, to permit a 7,200 square foot medical office building, replacing a 1,950 square foot fast food restaurant, requested by Civil Site Design Group, applicant, Middle Tennessee Imaging, LLC, owner.

Staff Recommendation: Approve with conditions

APPLICANT REQUEST

PUD revision and final site plan for a medical office building

PUD revision and final site plan

A request to revise the preliminary plan and for final approval for a portion of the Summit Commercial Planned Unit Development Overlay District on property located at 789 Old Hickory Boulevard, at the southwest corner of Old Hickory Boulevard and Stone Brook Drive (0.72 acres), zoned Commercial Limited (CL), to permit a 7,200 square foot medical office building, replacing a 1,950 square foot fast food restaurant.

Existing Zoning

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

CRITICAL PLANNING GOALS

N/A

REQUEST DETAILS

This PUD was originally approved by Council in 1985 for commercial development. The current request would revise the PUD to replace an existing restaurant building with a new building to house a medical office use. Because this is a relatively small increase in square footage within the overall PUD and would not exceed the overall permitted PUD square footage from the original Council approval, it is considered a revision and will not require Council approval.

Section 17.40.120.G permits the Planning Commission to approve revisions under certain conditions.

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

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

Staff finds that the request meets all of the conditions and the Planning Commission has the authority to approve the proposed revision.

Planned unit developments approved prior to the current zoning code are not required to meet all current requirements, but must comply with current landscaping and parking requirements. The PUD revision has received approval from the Metro Urban Forester and meets the current parking requirements for the medical office use. The site will use the existing site layout and driveway entrance from Stone Brook Drive.

FIRE MARSHAL RECOMMENDATION

Approved as a sprinklered project

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.
- Indicate on the plan set the solid waste and recycling plan.

URBAN FORESTER RECOMMENDATION

Approved

STAFF RECOMMENDATION

Staff recommends approval with conditions of the PUD revision and final site plan. The revision is consistent with the preliminary PUD approval and meets current requirements for parking and landscaping. The final site plan has been approved by all applicable Metro departments.

CONDITIONS

1. Development shall comply with conditions from Public Works listed above.
2. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
3. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
4. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.
5. Prior to any additional development applications for this property, and in no event later than 120 days after the date of conditional approval by the Planning Commission, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan. Failure to submit a corrected copy of the preliminary PUD within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.
6. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
7. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metro Department of Public Works for all improvements within public rights of way.
8. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metro Planning Commission.
9. The PUD final site plan as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans may require reapproval by the Planning Commission and/or Metro Council.

Approved with conditions (8-0), Consent Agenda

Resolution No. RS2013-13

"BE IT RESOLVED by The Metropolitan Planning Commission that 55-85P-001 is **Approved with conditions. 8-0**

CONDITIONS

1. **Development shall comply with conditions from Public Works listed above.**
2. **This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.**
3. **The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.**
4. **If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.**

5. Prior to any additional development applications for this property, and in no event later than 120 days after the date of conditional approval by the Planning Commission, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan. Failure to submit a corrected copy of the preliminary PUD within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.
6. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
7. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metro Department of Public Works for all improvements within public rights of way.
8. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metro Planning Commission.
9. The PUD final site plan as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans may require reapproval by the Planning Commission and/or Metro Council.

Neighborhood Landmark Overlays: Final Site Plans

16. 2013NL-001-001

WADE SCHOOL

Map 067, Parcel(s) 056

Council District 01 (Lonnell Matthews, Jr.)

Staff Reviewer: Jason Swaggart

A request for approval of a Neighborhood Landmark Development Plan for property located at 5022 Old Hydes Ferry Pike, approximately 200 feet west of Old Hickory Boulevard (8.76 acres), zoned RS20, to permit a general office use within the existing building, requested by Millar Rich Properties, LLC, owner.

Staff Recommendation: Approve with conditions

APPLICANT REQUEST

Neighborhood Landmark Development Plan to permit general office uses within an existing building.

Neighborhood Landmark Development Plan

A request for approval of a Neighborhood Landmark Development Plan for property located at 5022 Old Hydes Ferry Pike, approximately 200 feet west of Old Hickory Boulevard (8.76 acres), zoned RS20, to permit a general office use within the existing building.

Existing Zoning

RS20 requires a minimum 20,000 square foot lot and is intended for single-family dwellings at a density of 1.85 dwelling units per acre. *The RS20 zoning would permit approximately 16 lots on 8.76 acres.*

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. *The NLOD was approved in 2006.*

This request is for approval of the development plan for the Wade School Neighborhood Landmark. The landmark designation was approved by Metro Council in 2006 (BL2005-905). Wade Elementary School was built in 1936 using Works Progress Administration (WPA) assistance. Both the City of Nashville and Davidson County used New Deal agency resources to dramatically expand educational facilities during the Depression. The brick Colonial Revival building is typical of 1930s schools designed to provide more comfortable, safe, and sanitary facilities for students than the small frame buildings many (particularly those in rural communities) had been housed in. Two classrooms and a cafeteria were added in 1953. Although the present structure dates from the twentieth century, Wade School was established in 1850 and has one of the county's longest histories as a school site.

CRITICAL PLANNING GOALS

- Preserves Environmental/Historic Resources

The development plan is the second and final step in the Neighborhood Landmark process which will help preserve this historically significant building and property.

PLAN DETAILS

The development plan calls for the existing building and site to remain as it currently exists. The approximately nine acre site includes the one story school building, tennis court and basketball court. The existing parking area consists of 18 parking spaces. No signage is proposed with the development plan. Besides single-family residential which is permitted by the base zoning district, the plan also calls for office space, classroom space and recreation.

Staff Analysis

The development plan does not propose any new development. Under the zoning code the proposed uses fall under general office, community education, personal instruction and park. Any future changes or alterations to this development plan would require reapproval from the Planning Commission.

STORMWATER RECOMMENDATION

The request to apply a Neighborhood Landmark Development Plan to permit general office use within an existing building approved (Stormwater Only) - per Building Permit CACR 201234751.

PUBLIC WORKS RECOMMENDATION

No Exceptions Taken

STAFF RECOMMENDATION

Staff recommends that the request be approved with conditions. As proposed the request meets all zoning requirements.

CONDITIONS

1. Uses permitted within the overlay shall be all uses permitted by the RS20 base district, general office, community education, personal instruction and park.
2. The Planning Commission shall approve any changes to the development plan which shall include but not be limited to any exterior alterations to the structure.
3. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Approved with conditions (8-0), Consent Agenda

Resolution No. RS2013-14

"BE IT RESOLVED by The Metropolitan Planning Commission that 2013NL-001-001 is **Approved with conditions. 8-0**

Subdivision: Concept Plans

17. 2013S-001-001

BRADLEY POINTE

Map 053-12, Parcel(s) 163
Council District 11 (Darren Jernigan)
Staff Reviewer: Duane Cuthbertson

A request for concept plan approval to create five lots on property located at 3007 Lakeshore Drive, approximately 330 feet north of Sandy Cove, zoned RS5 (1.37 acres), requested by Lukens Engineering Consultants, applicant, The Susie and Tom Bradley Living Trust, owners.

Staff Recommendation: Defer to the February 14, 2013 Planning Commission meeting

The Metropolitan Planning Commission Deferred 2013S-001-001 to the February 14, 2013 Planning Commission meeting

Subdivision: Final Plats

18. 2012S-171-001

GREEN HILLS, RESUB LOT 3

Map 117-16, Parcel(s) 012

Council District 25 (Sean McGuire)

Staff Reviewer: Duane Cuthbertson

A request for final plat approval to create two lots and for a variance from the requirements of Section 3-5.3 of the subdivision regulations for a shared access drive on lots with less than 50 feet of frontage on property located at 1606 North Observatory Drive, approximately 300 feet west of Belmont Boulevard, zoned RS10 (.52 acres), requested by JLT Investments LLC, owner, Campbell, McRae & Associates, surveyor.

Staff Recommendation: Approve with a condition and grant a variance to Section 3-5.3 for shared access

APPLICANT REQUEST

Create two lots and grant a variance from the shared access requirement.

Final Plat

A request for final plat approval to create two lots and for a variance from the requirement of Section 3-5.3 of the subdivision regulations for a shared access drive on lots with less than 50 feet of frontage on property located at 1606 North Observatory Drive, approximately 300 feet west of Belmont Boulevard (.52 acres), zoned Single-Family Residential (RS10).

CRITICAL PLANNING GOALS

N/A

PLAN DETAILS

Final Plat

The applicant requests final plat approval for a two lot subdivision of property located on North Observatory Drive west of Belmont Avenue in the Green Hills area. The subdivision must receive approval from the Planning Commission because the applicant requests a variance to the Subdivision Regulations requirement for shared access for a lot containing less than 50 feet of street frontage.

Other than the requirement of shared access, both proposed lots meet the requirements of the infill subdivisions section of the Subdivision Regulations, as well as applicable requirements of the Zoning Code.

Infill Subdivisions

Section 3-5 of the Subdivision Regulations states that new lots in areas that are predominantly developed are to be generally comparable with surrounding lots. The Subdivision Regulations include several criteria for determining whether a plat is consistent with the character of the area, including the density of the subdivision compared to the land use policy. Because the density of the proposed subdivision will be consistent with the underlying RLM policy and the proposed housing type will be consistent with the surrounding lots, the lots are considered by the Subdivision Regulations to be consistent with the character of the surrounding lots.

Variance request

Section 3-5.3 of the Subdivision Regulations requires infill lots with a street frontage of less than 50 feet in width to have rear or side access via an alley. Where no improved alley exists, these lots shall be accessed via a shared drive. As proposed, the subdivision creates two single family lots, one with less than 50 feet of street frontage. The applicant requests a variance of the shared access requirement, citing the narrowing shape of the lot and existing trees as the hardship on the site. While the RS10 zoning district limits residential uses of the lot to a single-family dwelling a legal non-conforming duplex exists on the property. The zoning code would allow a non-conforming detached duplex to be rebuilt on current lot with no requirement to consolidate access. The subdivision of the property to create separate lots for each residential unit is the trigger requiring the shared access. The variance to the Subdivision Regulations would effectively allow the applicant to build a similar development as the current zoning but allow each residential unit to be on its own lot.

Section 1-11.1 of the Subdivision Regulations states that the Planning Commission may grant variances to the regulations when it finds that extraordinary hardships or practical difficulties may result from strict compliance with the regulations, provided that the variance does not nullify the intent and purpose of the regulations. It further states that findings shall be based upon the evidence presented in each specific case that:

- a. The granting of the variance shall not be detrimental to the public safety, health, or welfare or injurious to other property or improvements in the neighborhood in which the property is located.*
- b. The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property.*
- c. Because of the particular physical surrounding, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations were carried out.*
- d. The variance shall not in any manner vary from the provisions of the adopted General Plan, including its constituent elements, the Major Street Plan, or the Zoning Code for Metropolitan Nashville and Davidson County (Zoning Code).*

Analysis

As noted above, a number of criteria must be met in order for the Planning Commission to allow a variance from the shared access requirement. The granting of the variance will not nullify the intent of the regulation. In addition, staff finds the following as evidence for this variance consistent with Section 1-11.1, a – d above:

- a. The granting of the variance would not be detrimental to the surrounding area. The subdivision will not increase housing density on the property. The property, as surveyed, contains 99.81 feet of street frontage, just under the amount required to permit two driveways. One additional driveway on the existing property would not introduce a discernable break in the expected pattern established by the subdivision regulations.
- b. Most of the properties in the surrounding subdivision do not contain the minimum area to be subdivided, therefore, the conditions for which this variance is sought are unique to this development within this general area.
- c. The variance is requested because of narrowing shape of the lot. A shared driveway would likely be located near the center of the property and the applicant would likely be required to remove mature trees from the site.
- d. Currently, a non-conforming duplex is permitted to be reconstructed on the RS10 zoned property. The applicant has requested the subdivision in order to construct two detached dwelling units each on a separate lot. The number of permitted units will not increase with the subdivision. The density will also remain within the recommended density of the Neighborhood General land use policy.

The intent of the subdivision regulations' requirement for shared access is to manage the number of points of vehicular conflict along a residential street as well as mitigate the intensity of driveways within residential front yards. North Observatory Drive is a segment of a limited loop street. It does not accommodate through traffic and therefore experiences low volumes of traffic. The subject property was platted with 100 feet of street frontage however a survey reveals only 99.81 feet of street frontage existing. Two driveways included in this subdivision will not represent a noticeable break from the intent of the requirement. Additionally, two driveways would be consistent with an outcome the applicant could present with a rebuilt detached duplex on the property without the subdivision.

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.
- 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.

STORMWATER RECOMMENDATION

Approved

WATER SERVICES RECOMMENDATION

Approved

STAFF RECOMMENDATION

Staff recommends approval of the subdivision with conditions and a variance of the shared access requirement of Section 3-5.3 of the subdivision regulations. With the variance, the plat meets all the requirements of the subdivision regulations.

CONDITION

- 1. Provide a note on the plat requiring: 'Driveway and parking area width within the required street setback shall not exceed 10 feet except where providing for turn radius into garages.'

Resolution No. RS2013-15

“BE IT RESOLVED by The Metropolitan Planning Commission that 2012S-171-001 is **Approved with a condition and grant a variance to Section 3-5.3 of the Subdivision Regulations for shared access. 8-0**

CONDITION

1. Provide a note on the plat requiring: ‘Driveway and parking area width within the required street setback shall not exceed 10 feet except where providing for turn radius into garages.’

Urban Design Overlays: Modifications

19. 2005UD-007-002

LENOX VILLAGE (MINOR SIGN MODIFICATION)

Map 172-12, Parcel(s) 106
Council District 31 (Fabian Bedne)
Staff Reviewer: Scott Morton

A request to modify the sign standards of the Lenox Village Urban Design Overlay (UDO) district to allow for the installation of way finding signs at certain intersections within the UDO, requested by Lenox Village Lifestyle Center, LLC, applicant.

Staff Recommendation: Approve with conditions

APPLICANT REQUEST

Permit six wayfinding signs within the Lenox Village UDO.

Modification Request

A request to modify the sign standards of the Lenox Village Urban Design Overlay (UDO) district to allow for the installation of six wayfinding signs at certain intersections within the UDO.

COMMUNITY PLAN POLICY

Neighborhood General (NG) is intended for areas that are primarily residential in character.

APPLICATION DETAILS

The applicant has requested a modification to the sign standards to permit six way finding signs at specific locations within the UDO (see attached sketch). The signs range in width from thirty-six inches to a maximum of forty-eight inches wide. The overall maximum height of the signs is seventy-seven and one-half inches from grade. Each sign will contain no more than three sign blades per individual sign not including the “Lenox Village” sign header.

Signs shall be permitted at the following locations (per the attached sketch).

- A. The intersection of Nolensville Pike and Lenox Village Drive: 48 inch by 6 inch panels.
- B. The intersection of Nolensville Pike and Porter House Drive: 48 inch by 6 inch panels.
- C. The intersection of Nolensville Pike and Bienville Drive: 48 inch by 6 inch panels.
- D. The intersection of Lenox Village Drive and Althrop Way: 36 inch by 6 inch panels.
- E. The intersection of Lenox Village Drive and Sunnywood Drive: 36 inch by 6 inch panels.
- F. Sign located adjacent to Sunnywood Drive, facing Bienville Drive: 36 inch by 6 inch panels.

PUBLIC WORKS COMMENTS

All proposed signs shall be located to ensure that adequate sight distance will be met in accordance with AASHTO standards. Prior to issuance of permits, more detail should be provided regarding the specific location of the proposed signs to ensure that they comply with the Traffic and Parking Code and the sight distance requirements.

STAFF ANALYSIS

Staff worked with the applicant to establish sign standards for the proposed signs. The proposed signs will provide needed signage and visibility for businesses located within the neighborhood that do not have visibility from Nolensville Road. The form of the signs is in character with the architecture of the neighborhood and meets the intent of the UDO’s sign standards.

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

- 1. Signs shall be placed to ensure that adequate sight distance is provided meeting AASHTO standards.

2. Prior to the issuance of sign permits, the applicant shall provide detailed sign locations for Public Works review to ensure the signs comply with the Traffic and Parking Code sight distance requirements.

Approved with conditions (8-0), Consent Agenda

Resolution No. RS2013-16

"BE IT RESOLVED by The Metropolitan Planning Commission that 2005UD-007-002 is **Approved with conditions. 8-0**

CONDITIONS

1. Signs shall be placed to ensure that adequate sight distance is provided meeting AASHTO standards.

2. Prior to the issuance of sign permits, the applicant shall provide detailed sign locations for Public Works review to ensure the signs comply with the Traffic and Parking Code sight distance requirements.

K. OTHER BUSINESS

20. Exclusion of, including parent companies and subsidiaries of, American Safety Casualty Insurance Company, American Southern Insurance Company, Bond Safeguard Insurance Company, Lexon Insurance Company, and National Grange Mutual Insurance Company, from providing surety bonds for one year pursuant to Section 6-1.2.d of the Metro Subdivision Regulations.

The Metropolitan Planning Commission Deferred Item No. 20 to the January 24, 2013, Planning Commission meeting. 8-0

21. Resolution authorizing the expenditure of up to \$30,000 from the Advance Planning and Research Fund for necessary research associated with the Nashville-Davidson County General Plan through a Speaker Series and associated expenses. The total of this authorization and the \$35,000 authorized in Resolution RS2012-214 shall not exceed \$50,000.

Approved (8-0), Consent Agenda

Resolution No. RS2013-17

"BE IT RESOLVED by The Metropolitan Planning Commission that the Resolution authorizing the expenditure of up to \$30,000 from the Advance Planning and Research Fund for necessary research associated with the Nashville-Davidson County General Plan through a Speaker Series and associated expenses. The total of this authorization and the \$35,000 authorized in Resolution RS2012-214 shall not exceed \$50,000 is **Approved. 8-0**

22. Amendment to the 2012-2013 to 2017-2018 Capital Improvements Budget

Approved (8-0), Consent Agenda

Resolution No. RS2013-18

"BE IT RESOLVED by The Metropolitan Planning Commission that the Amendment to the 2012-2013 to 2017-2018 Capital Improvements Budget is **Approved. 8-0**

23. A federal grant contract, by and between the Tennessee Department of Transportation and the Metropolitan Government of Nashville-Davidson County Metropolitan Planning Commission on behalf of the Nashville Area Metropolitan Planning Organization, for the provision transportation planning and coordination for Davidson, Williamson, Wilson, Sumner and Rutherford Counties in Tennessee outside of the Nashville Urbanized Area. Federal contract amount of \$1,158,588 through FY 2015. Funds will be used for consultant activities related to regional transportation planning.

Approved (8-0), Consent Agenda

Resolution No. RS2013-19

“BE IT RESOLVED by The Metropolitan Planning Commission that A federal grant contract, by and between the Tennessee Department of Transportation and the Metropolitan Government of Nashville-Davidson County Metropolitan Planning Commission on behalf of the Nashville Area Metropolitan Planning Organization, for the provision transportation planning and coordination for Davidson, Williamson, Wilson, Sumner and Rutherford Counties in Tennessee outside of the Nashville Urbanized Area. Federal contract amount of \$1,158,588 through FY 2015. Funds will be used for consultant activities related to regional transportation planning is **Approved. 8-0**

24. Historic Zoning Commission Report
25. Board of Parks and Recreation Report
26. Executive Committee Report
27. Executive Director Report
28. Legislative Update

L. MPC CALENDAR OF UPCOMING MATTERS

January 10, 2013

MPC Meeting

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

January 16, 2013

American Planning Association web-based seminar – Zoning for Small Scale Businesses

3pm to 4:30pm, 800 Second Ave. South, 2nd Floor, Metro Office Building, Nashville Conference Room

January 24, 2013

MPC Meeting

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

January 29, 2013

Fairgrounds Master Plan Phase 2 Presentation to joint meeting of Planning Commissioners, Parks and Recreation Commissioners, and Board of Fair Commissioners. Phase 2 provides the market analysis and economic projections for a mixed-use development at the fairgrounds site

11:30 am to 1:30 pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center

M. ADJOURNMENT

Chairman

Secretary