

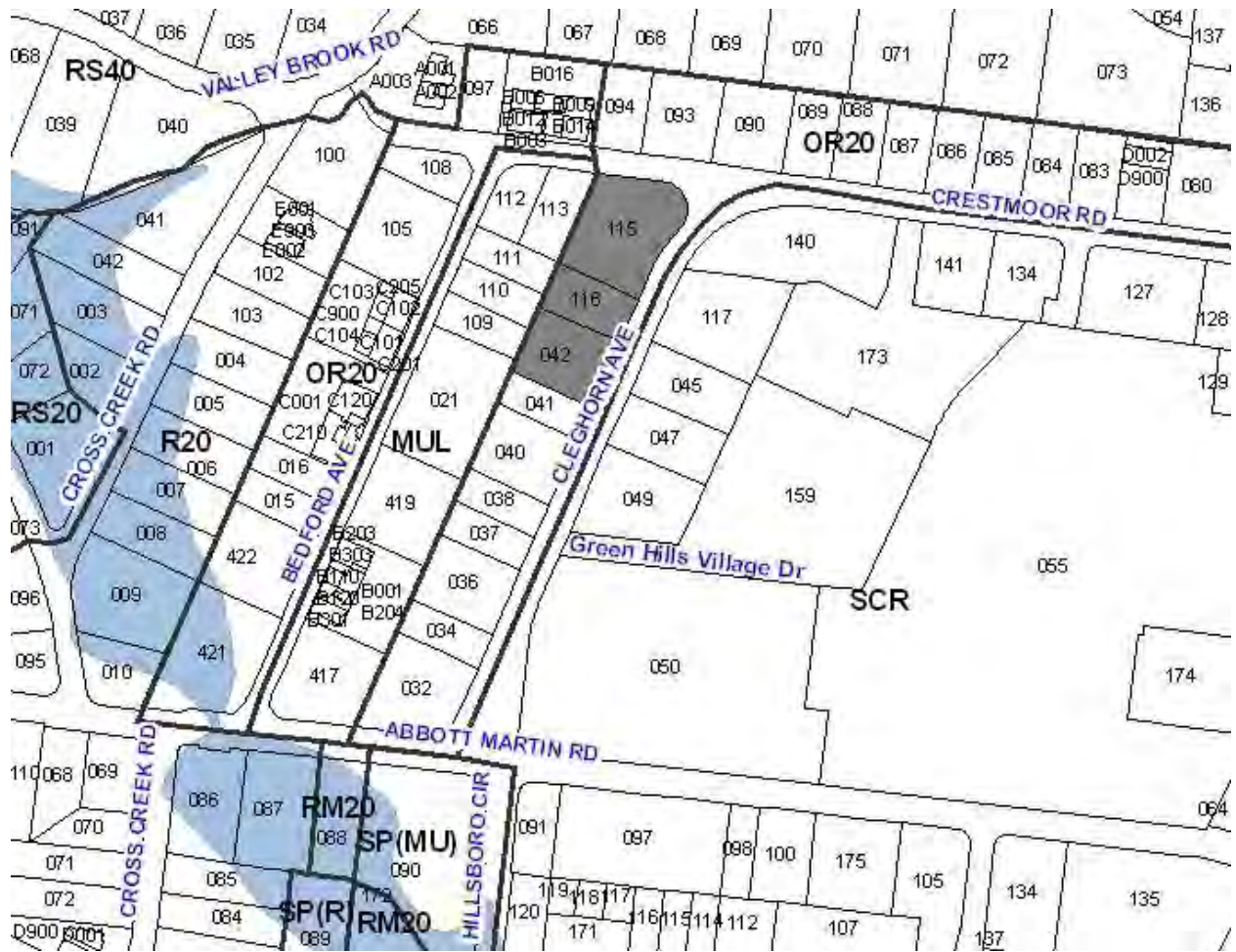
# Metropolitan Planning Commission



Staff Reports

January 10, 2013

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



**2012SP-028-001**  
 GREEN AND LITTLE  
 Map 117-10, Parcel(s) 115-116  
 Map 117-14, Parcel(s) 042  
 Green Hills – Midtown  
 25 – Sean McGuire



<b>Project No.</b>	<b>Zone Change 2012SP-028-001</b>
<b>Project Name</b>	<b>Green and Little SP</b>
<b>Council District</b>	25 – McGuire
<b>School District</b>	8 – Hayes
<b>Requested by</b>	Gresham Smith and Partners, applicant, Green & Little, L.P. Et Al and GLCZ Cleghorn, L.P., owners
<b>Staff Reviewer</b>	Johnson
<b>Staff Recommendation</b>	<i>Approve with conditions and disapprove without all conditions</i>

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**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.



**Proposed Specific Site Plan**



## Metro Planning Commission Meeting of 01/10/2013

### **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.



## Metro Planning Commission Meeting of 01/10/2013

### 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.



## Metro Planning Commission Meeting of 01/10/2013

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.

### 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.





## **Metro Planning Commission Meeting of 01/10/2013**

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





<b>Project No.</b>	<b>Zone Change 2012Z-031PR-001</b>
<b>Project Name</b>	<b>Urban Design Overlay 2013UD-001-001</b>
<b>Council District</b>	33 – Duvall
<b>School District</b>	6 – Mayes
<b>Requested by</b>	Zone change requested by Stephen J. Kozy, owner UDO requested by the Metro Planning Department
<b>Deferral</b>	The zone change application was deferred by the Planning Commission at the December 13, 2012 Planning Commission meeting.
<b>Staff Reviewer</b>	Johnson
<b>Staff Recommendation</b>	<i>Approve zone change and Urban Design Overlay. Disapprove zone change if Urban Design Overlay is not approved.</i>

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**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.



## Metro Planning Commission Meeting of 01/10/2013

### 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



## Metro Planning Commission Meeting of 01/10/2013

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.



**2012S-130-001**  
 NOELTON  
 Map 118-09, Parcel 180  
 Green Hills – Midtown  
 25 – Sean McGuire



<b>Project No.</b>	<b>Subdivision 2012S-130-001</b>
<b>Project Name</b>	<b>Noelton</b>
<b>Council District</b>	25 – McGuire
<b>School District</b>	7 – Pinkston
<b>Requested by</b>	Patrick Coode, applicant, Clifford Richmond, owner
<b>Deferral</b>	Deferred from the December 13, 2012, Planning Commission meeting
<b>Staff Reviewer</b>	Cuthbertson
<b>Staff Recommendation</b>	<i>Defer indefinitely. Approve with conditions if Metro Stormwater recommends approval of the subdivision prior to the January 10, 2013, Planning Commission meeting.</i>

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**APPLICANT REQUEST**

**Create five lots**

Final Plat

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 One and Two Family Residential (R10).

**Existing Zoning**

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

**CRITICAL PLANNING GOALS**

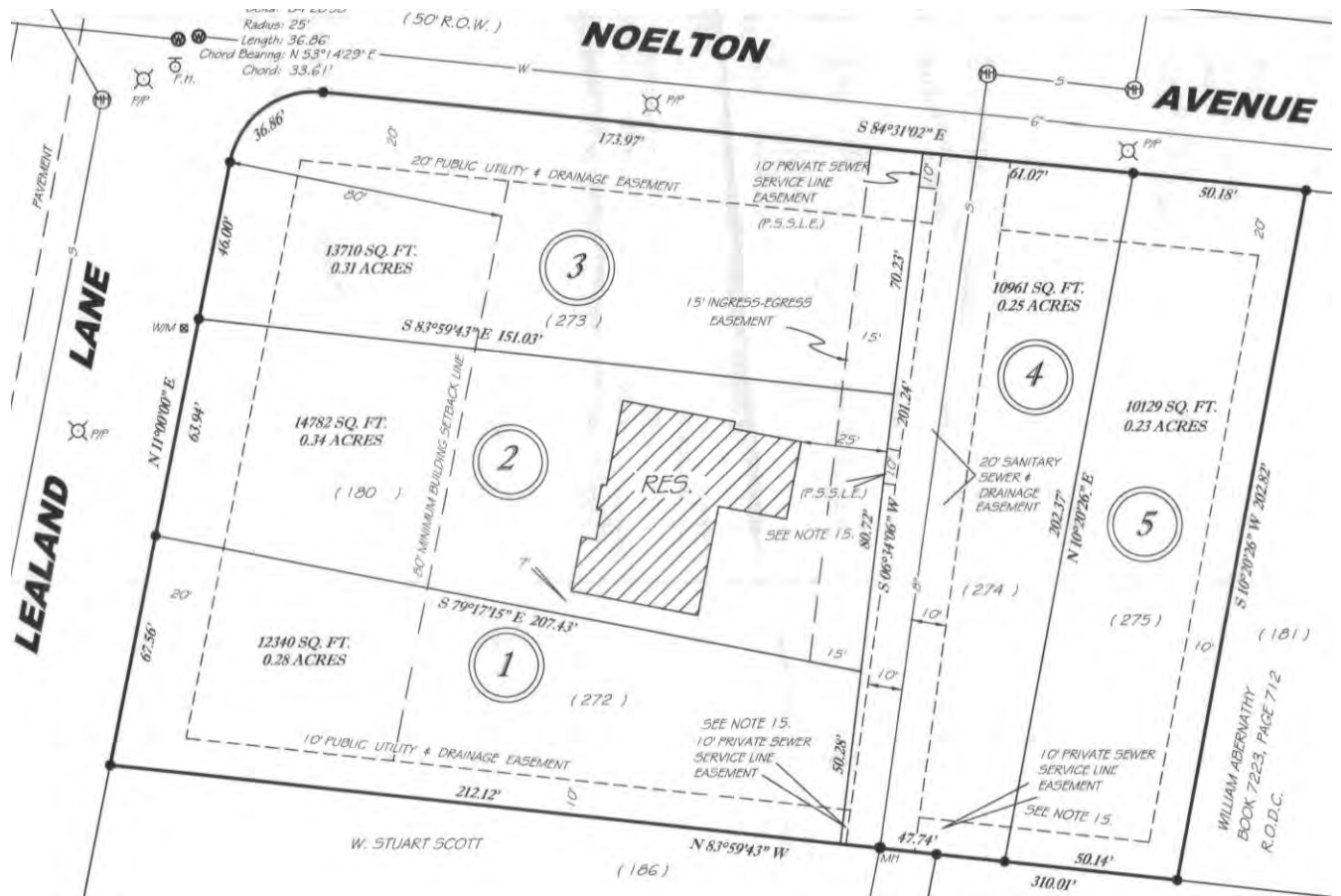
- Supports Infill Development

The subdivision creates additional residential development opportunity consistent with the land use policy in an area where infrastructure and services exist. The subdivision is located within close proximity to many commercial and employment districts and served well by existing transportation and road networks.

**REQUEST DETAILS**

The property is currently unplatted and contains one duplex structure. The applicant is requesting to divide the 1.42 acre parcel into five single-family lots; the applicant has added a note to the plat to exclude two-family structures on the proposed lots.

This plat is an infill subdivision. The resulting lots must meet the minimum standards of the zoning code, have street frontage, meet the current standards of all reviewing agencies, and meet the prescribed density of the land use policy. The applicable land use policy, Residential Low Medium, limits density to a maximum of four dwellings units per acre (1.42 acres yields five dwelling units). In an attempt to ensure a more compatible development on the subject property an 80 foot street setback from Lealand Lane is being established on the plat. Additionally, to limit points of vehicular conflict on the collector street, Lealand Lane, access to Lots 1, 2, and 3 will be limited to a shared driveway located at the rear from Noelton Avenue. The applicant intends to keep the existing dwelling, however it is to be converted to a single-family dwelling.



**Proposed Subdivision**





## **Metro Planning Commission Meeting of 01/10/2013**

Sidewalks are required on Lealand Lane and Noelton Avenue. The applicant is electing to contribute to the sidewalk fund in-lieu of constructing the required sidewalks.

### **WATER SERVICES RECOMMENDATION**

Approved

### **STORMWATER RECOMMENDATION**

A ditch was observed draining from Noelton between Lots 4 and 5 and discharging at Woodmont. This conveyance shall be identified and PUDE's established (See Volume 1, Table 6-1). If the ditch is to be re-routed, then an approved construction drawing showing the re-located ditch will be required prior to final plat approval.

### **PUBLIC WORKS RECOMMENDATION**

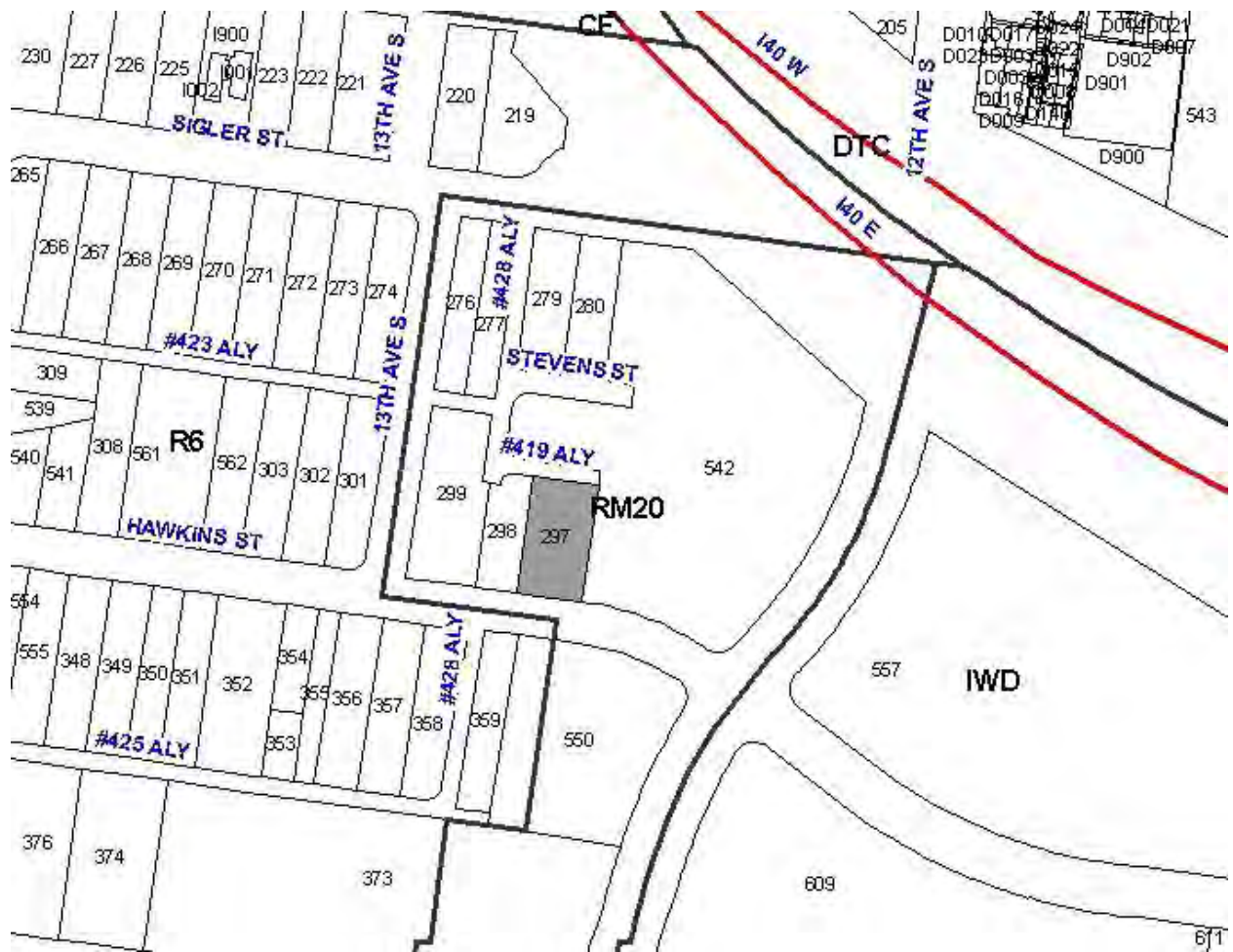
- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- No building permits are to be issued until construction plans for the public sidewalks are submitted OR the in-lieu of fee is paid to MPC.

### **STAFF RECOMMENDATION**

Defer indefinitely. Approve with conditions if the Stormwater Management Division recommends approval of the subdivision prior to the January 10, 2013, Planning Commission meeting. The proposed final plat is consistent with the R10 zoning district and the land use policy and complies with the subdivision regulations.

### **CONDITIONS**

1. Prior to plat recordation, add a note to the plat restricting access for Lots 1, 2, and 3 to an ingress-egress easement from Noelton Avenue located at the rear of the lots and that no access shall be provided along Lealand Lane.
2. Prior to final plat recordation a contribution to the sidewalk fund of \$15.00 per linear foot of existing street frontage, \$3,641.25 shall be made. The plat establishes four newly created lots with 242.75' of frontage. The contribution will apply to pedestrian benefit zone 4-B.
3. Prior to plat recordation, the applicant shall satisfy and comply with comments from Stormwater and Public Works.



**2012CP-010-003**  
 GREEN HILLS-MIDTOWN PLAN AMENDMENT  
 Map 093-13, Parcel(s) 297  
 Green Hills - Midtown  
 19 – Erica Gilmore



<b>Project No.</b>	<b>Housekeeping Amendment 2012CP-010-003</b>
<b>Project Name</b>	<b>Amend the <i>Edgehill Detailed Neighborhood Design Plan within the Green Hills/Midtown Community Plan: 2005 Update</i></b>
<b>Council District</b>	19 – Gilmore
<b>School District</b>	5 – Kim
<b>Requested by</b>	Metro Planning Department
<b>Staff Reviewer</b>	Claxton
<b>Staff Recommendation</b>	<i>Approve</i>

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**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 12<sup>th</sup> 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

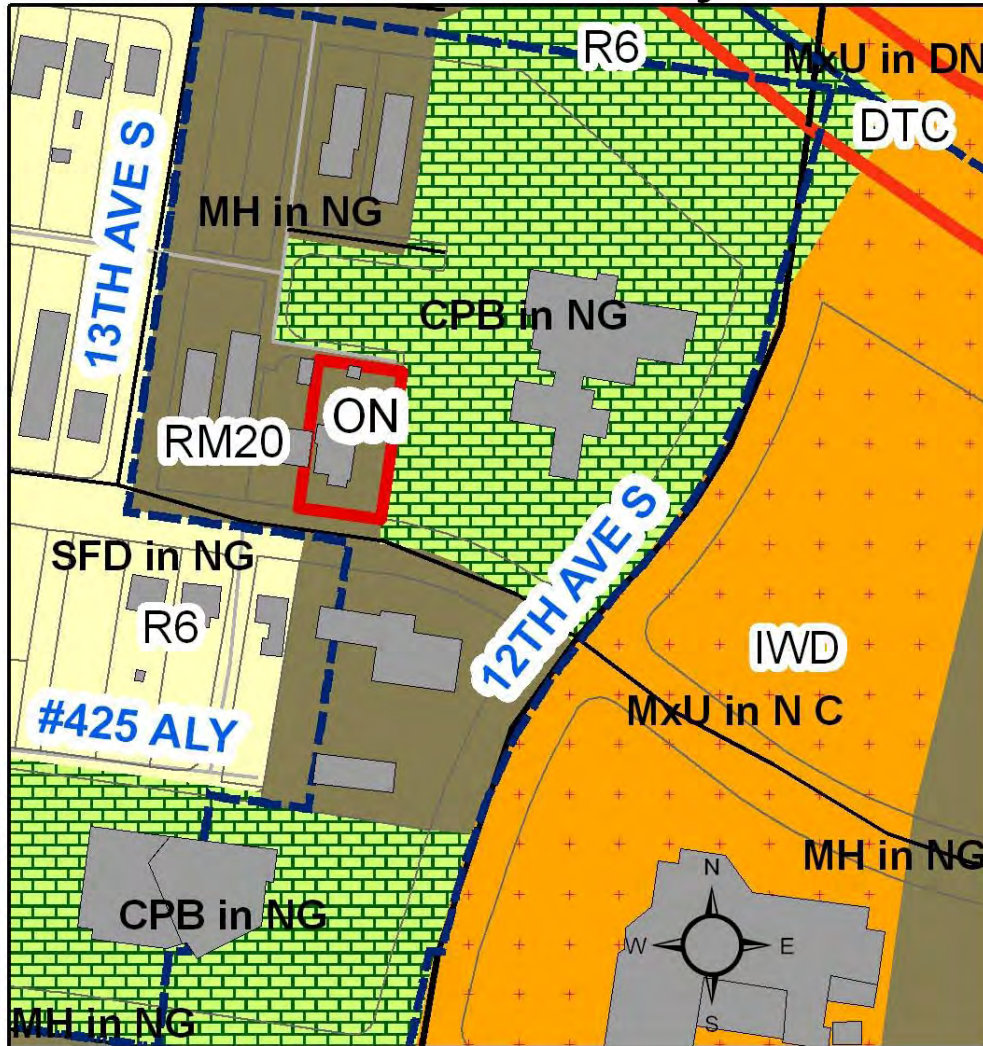
**GREEN HILLS – MIDTOWN COMMUNITY PLAN**

**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.

# Current Land Use Policy



-  Plan Amendment Property
-  Existing Zoning
-  CPB Civic or Public Benefit
-  SFD Single Family Detached
-  MH Mixed Housing
-  MxU Mixed Use



## **Metro Planning Commission Meeting of 01/10/2013**

### **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.

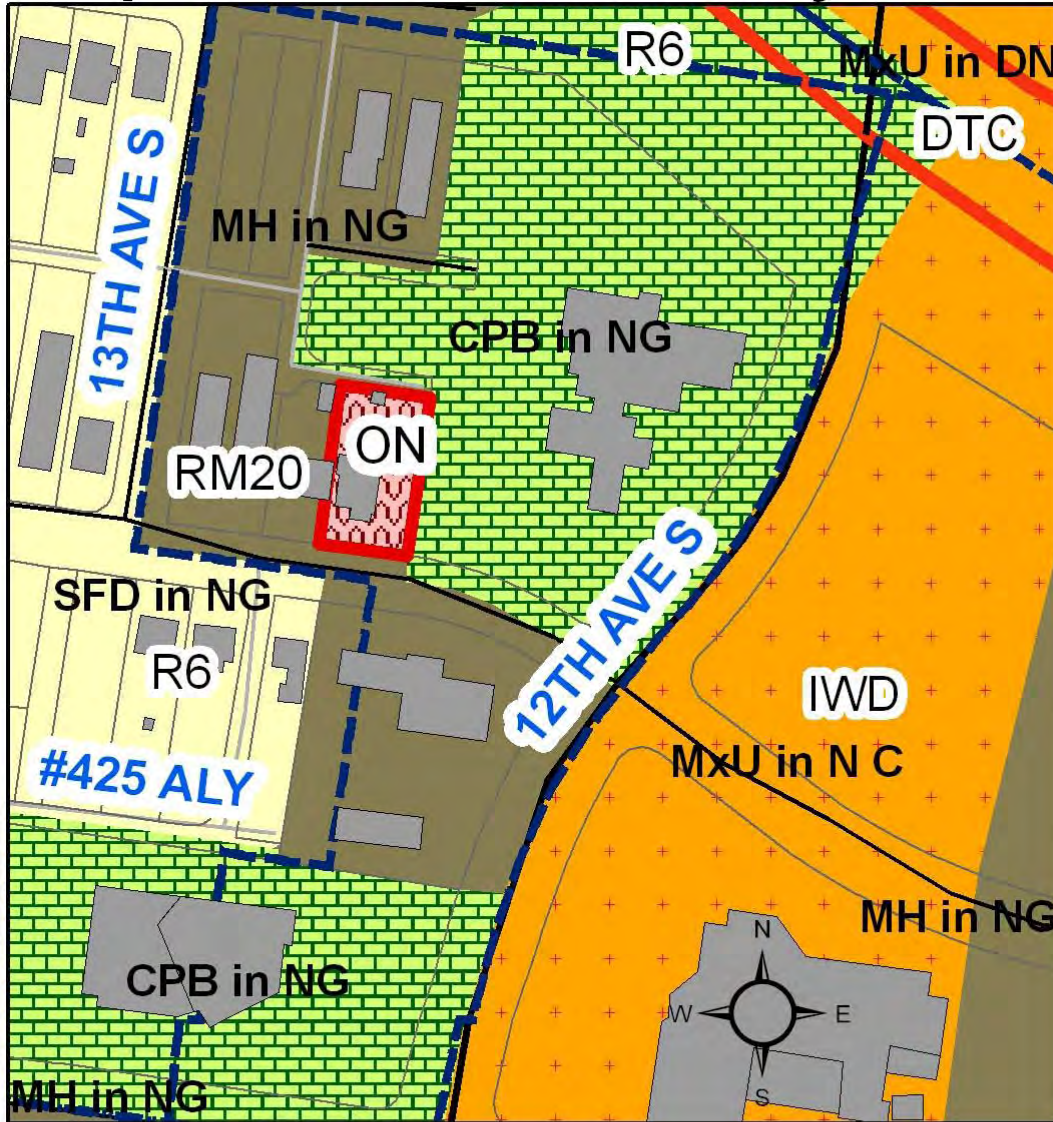
### **COMMUNITY NOTIFICATION**

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.

# Proposed Land Use Policy



-  Transitional Buffer (TB)
-  Existing Zoning
-  CPB Civic or Public Benefit
-  SFD Single Family Detached
-  MH Mixed Housing
-  MxU Mixed Use



**2013CP-012-001**  
 SOUTHEAST NASHVILLE PLAN AMENDMENT  
 Map 181, Parcel 091-092, 094  
 Southeast  
 04 – Brady Banks



<b>Project No.</b>	<b>Minor Amendment 2013CP-012-001</b>
<b>Project Name</b>	<b><i>Amend the Southeast Community Plan: 2004 Update</i></b>
<b>Associated Case</b>	2013SP-005-001
<b>Council District</b>	4 – Banks
<b>School District</b>	2 – Brannon
<b>Requested by</b>	Ragan – Smith Associates, Inc., Jack Byrd, Sara McKee Allen and Lunette Pharr, Owners
<b>Staff Reviewer</b>	Capehart
<b>Staff Recommendation</b>	<i>Defer to the February 14, 2013, Planning Commission meeting</i>

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**APPLICANT REQUEST**

**Amend the policies from Natural Conservation, Residential Low Medium Density, and Corridor General to T3 Suburban Neighborhood Evolving and Neighborhood Center, and Conservation**

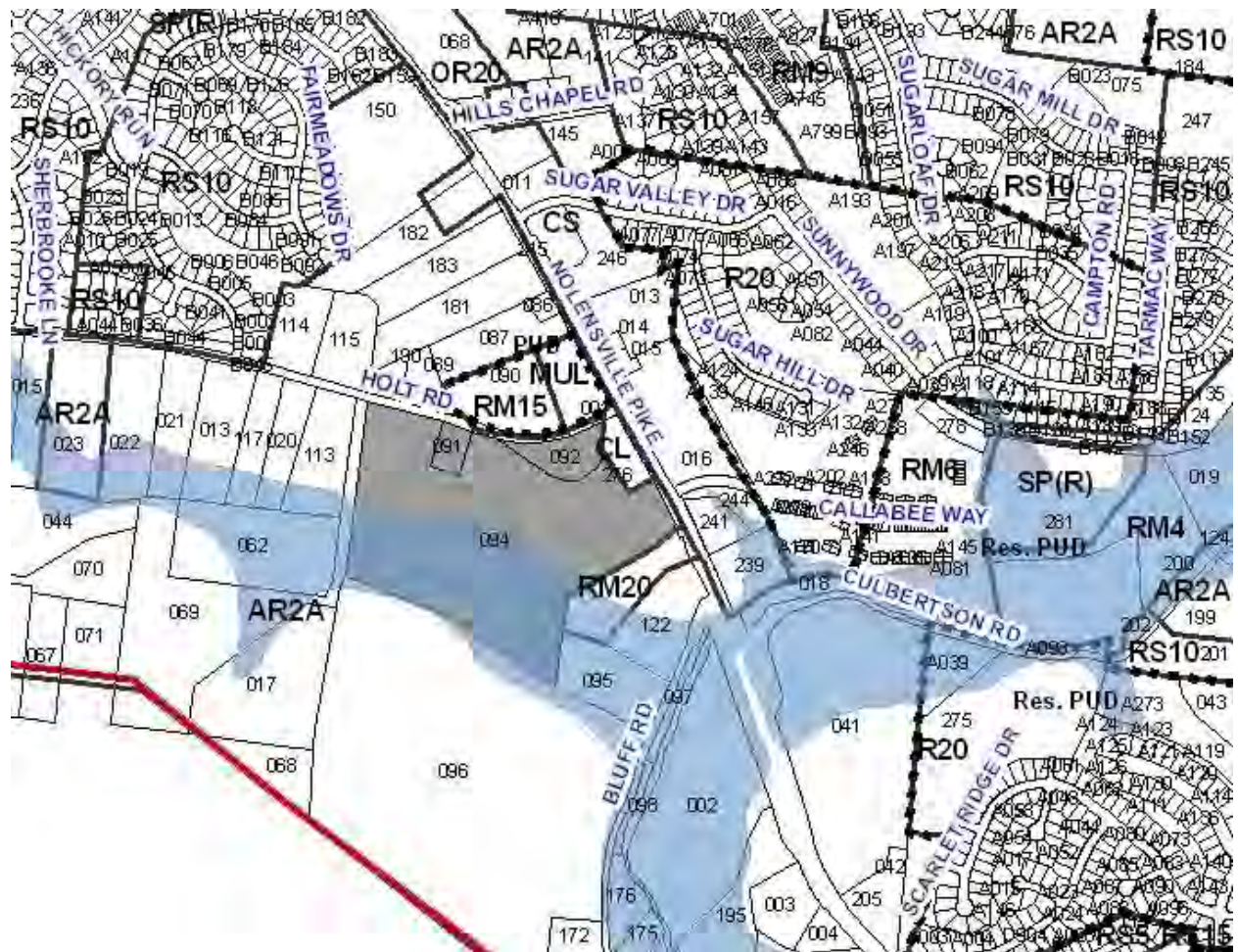
Minor Plan Amendment

A request to amend the *Southeast Community Plan: 2004 Update* to change the policy from Natural Conservation (NCO), Residential Low Medium Density (RLM), and Corridor General (CG) policies to T3 Suburban Neighborhood Evolving (T3 NE), T3 Suburban Neighborhood Center (T3 NC), and Conservation (CO) from properties located at the southwest corner of Holt Road and Nolensville Pike.

**STAFF RECOMMENDATION**

As requested by the applicant, staff recommends deferral of this request to the February 14, 2013, Planning Commission meeting. The two meeting deferral will allow more time to consider community input regarding the associated community plan amendment.





**2013SP-005-001**  
**THE VILLAGES AT HOLT ROAD**  
 Map 181, Parcel 091-092, 094  
 Southeast  
 04 – Brady Banks



<b>Project No.</b>	<b>Zone Change 2013SP-005-001</b>
<b>Project Name</b>	<b>The Villages of Holt Road</b>
<b>Associated Case</b>	2013CP-012-001
<b>Council District</b>	4 – Banks
<b>School District</b>	2 – Brannon
<b>Requested by</b>	Ragan, Smith and Associates, Inc., applicant for Jack Richard Byrd, Lunette Allen Pharr and Sara Mckee Allen, owners
<b>Staff Reviewer</b>	Swaggart
<b>Staff Recommendation</b>	<i>Defer to the February 14, meeting to allow more time to consider community input regarding the associated community plan amendment proposal.</i>

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**APPLICANT REQUEST**

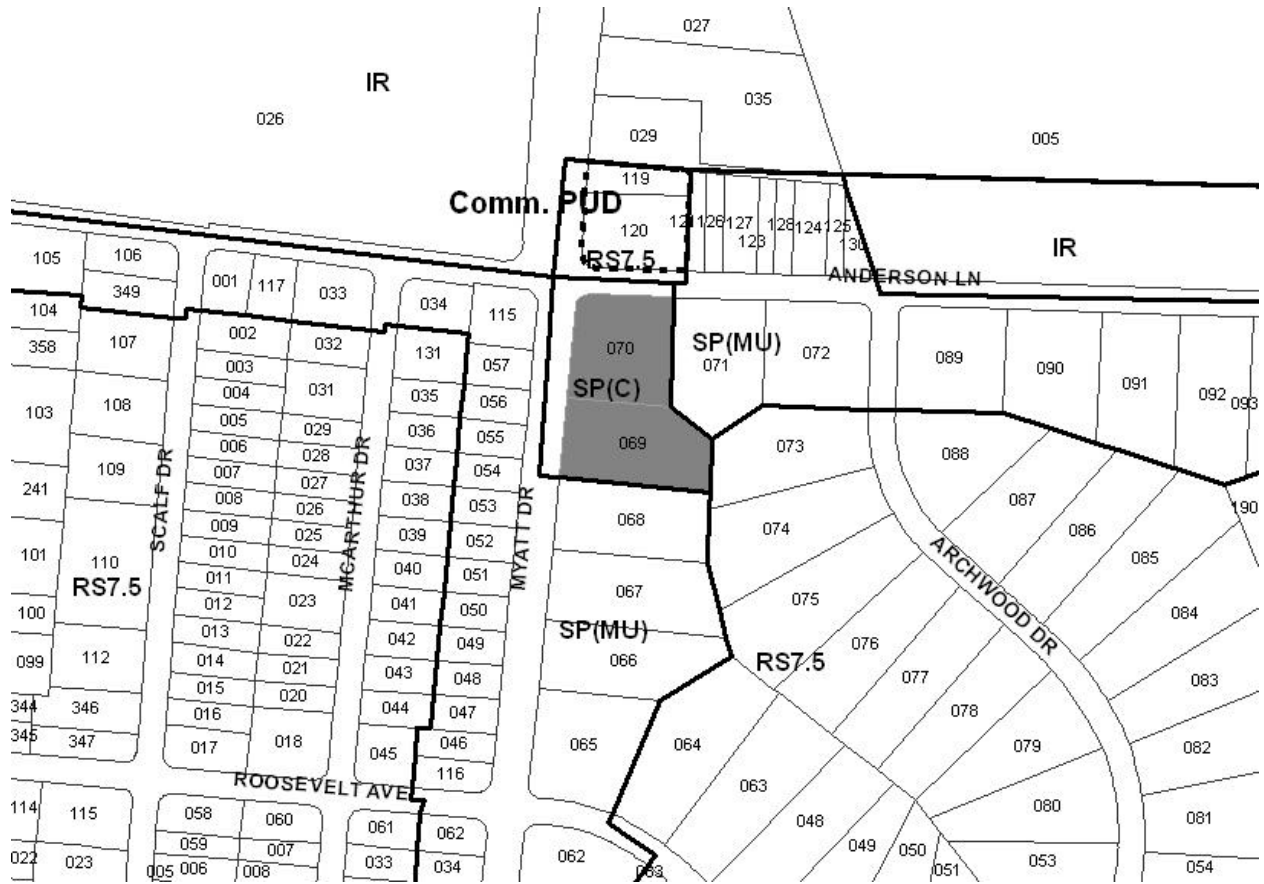
**Permit a mixed use development consisting of multi-family residential and non-residential uses.**

SP Development Plan

A request to rezone from Agricultural and Residential (AR2a) to Specific Plan-Mixed Use (SP-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.

**STAFF RECOMMENDATION**

As requested by the applicant, staff recommends deferral of this request to the February 14, 2013, Planning Commission meeting. The two meeting deferral will allow more time to consider community input regarding the associated community plan amendment.



**2006SP-162G-04**

Thornton's Myatt Drive (4-Year Review)

Map 043-07, Parcel 069-070

Madison

09 – Bill Pridemore



<b>Project No.</b>	<b>SP District Review 2006SP-162G-04</b>
<b>Project Name</b>	<b>Thorton's Myatt Drive SP</b>
<b>Council District</b>	9 – Pridemore
<b>School District</b>	3 – Speering
<b>Requested by</b>	Metro Planning Department
<b>Staff Reviewer</b>	Diaz-Barriga
<b>Staff Recommendation</b>	<i>Find the SP District complete</i>

---

**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.

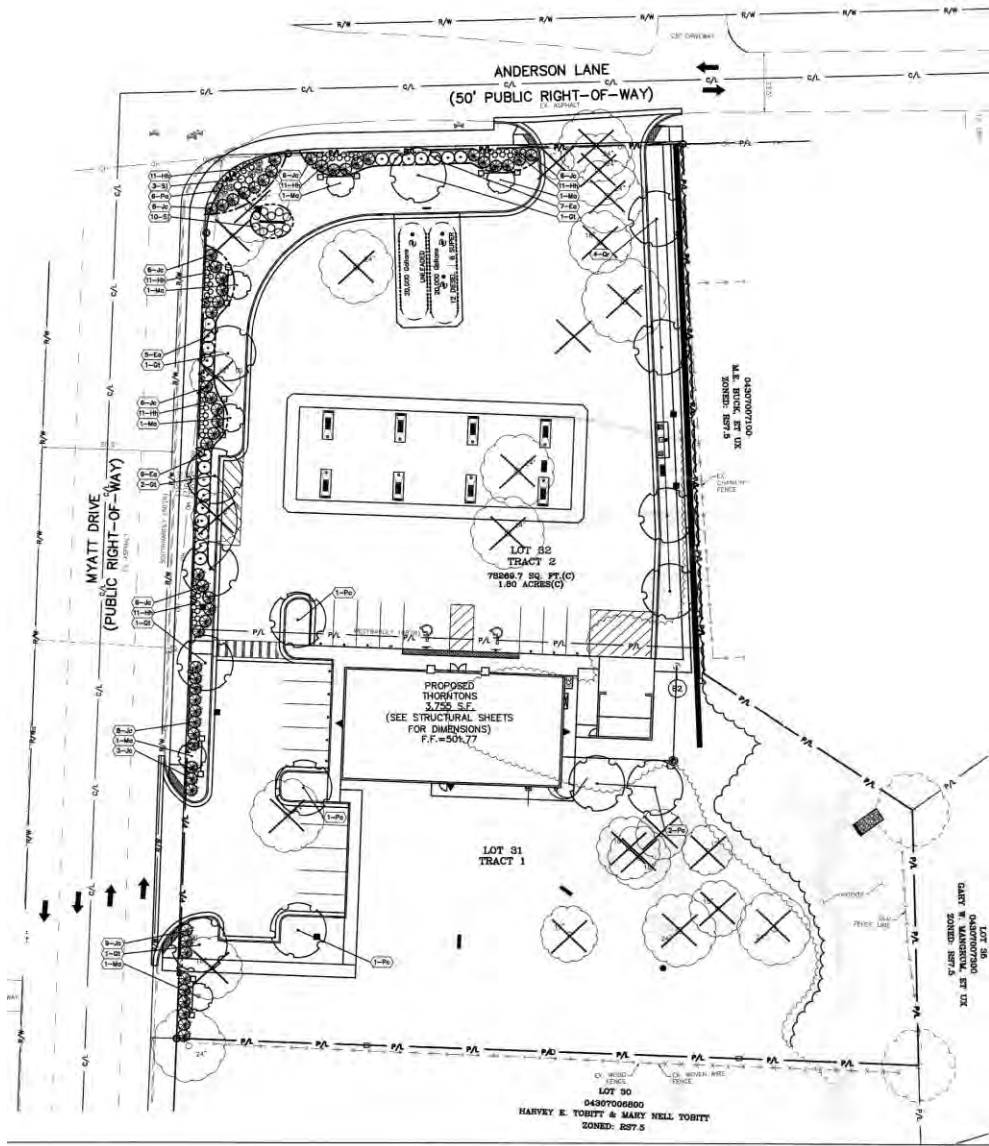
Development within each SP District is to be reviewed in order to determine if the project is complete or actively under development to implement the approved development concept. If the review determines that the project is complete or actively under development, then no further review is necessary 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 Thorton’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 Thorton’s Myatt Drive SP be found to be complete.



**Approved Specific Site Plan**



**2008SP-021U-10**

1800 WEST END MIXED USE DEVELOPMENT (4-YEAR REVIEW)

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

Map 092-16, Parcel(s) 156

Green Hills – Midtown

21 – Edith Taylor Langster



**Project No.** SP District Review 2008SP-021U-10  
**Project Name** 1800 West End Mixed Use Development SP  
**Council District** 21 – Langster  
**School District** 5 – Kim  
**Requested by** Metro Planning Department

**Staff Reviewer** Diaz-Barriga  
**Staff Recommendation** *Find the SP District active*

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**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.

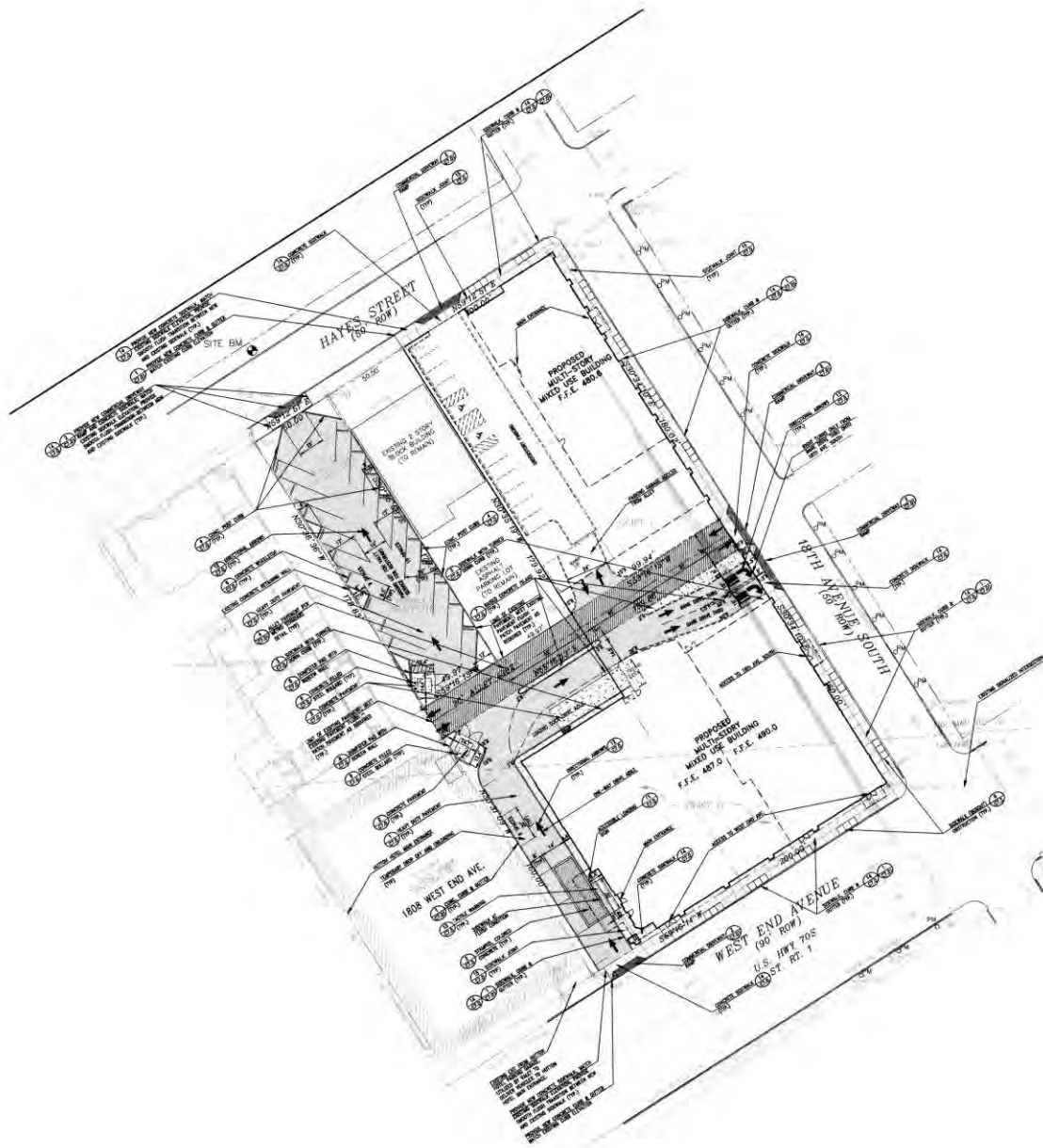
Development within each SP District is to be reviewed in order to determine if the project is complete or actively under development to implement the approved development concept. If the review determines that the project is complete or actively under development, then no further review is necessary 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 Specific Site Plan**





**2008SP-023U-13**  
**BAKERTOWN COMMUNITY (4 – YEAR REVIEW)**  
 28 – Duane Dominy



<b>Project No.</b>	<b>SP District Review 2008SP-023U-13</b>
<b>Project Name</b>	<b>Bakertown Community SP</b>
<b>Council District</b>	28 – Dominy
<b>School District</b>	5 – Mayes
<b>Requested by</b>	Metro Planning Department
<b>Staff Reviewer</b>	Diaz-Barriga
<b>Staff Recommendation</b>	<i>Find the SP District active</i>

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**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

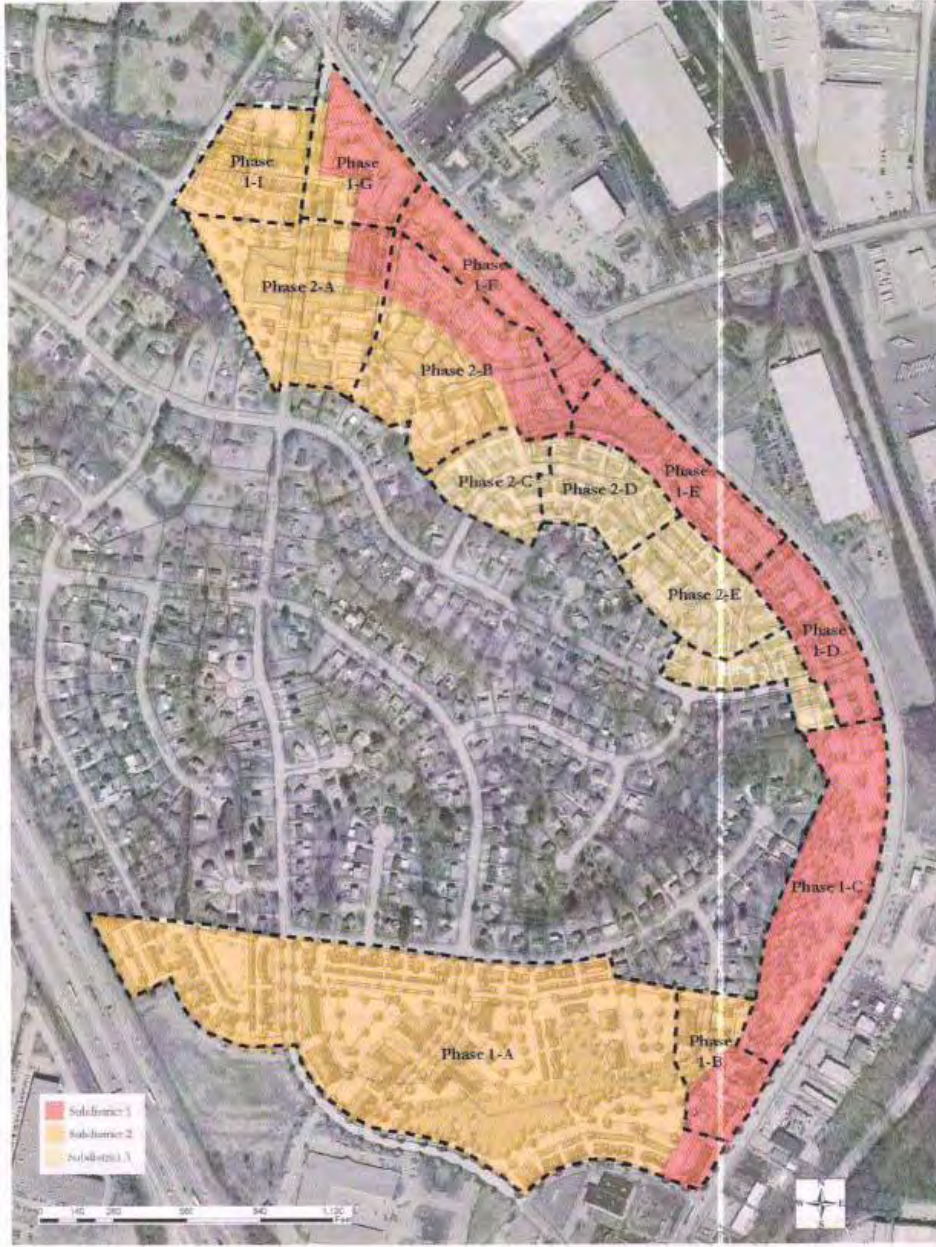
Section 17.40.106.I of the Zoning Code requires the review of each SP District four years from the date of Council approval and every four years after until the development has been deemed complete by the Planning Commission.

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.



**Approved Specific Site Plan**



## **Metro Planning Commission Meeting of 01/10/2013**

- 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.



**2008SP-027U-14**  
 AMERIPLEX AT ELM HILL (4 – YEAR REVIEW)  
 Map 106, Parcel(s) 172  
 Donelson - Hermitage  
 15 – Phil Claiborne



<b>Project No.</b>	<b>SP District Review 2008SP-027U-14</b>
<b>Project Name</b>	<b>Ameriplex at Elm Hill SP</b>
<b>Council District</b>	15 – Claiborne
<b>School District</b>	4 – Shepherd
<b>Requested by</b>	Metro Planning Department
<b>Staff Reviewer</b>	Diaz-Barriga
<b>Staff Recommendation</b>	<i>Find the SP District complete</i>

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**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.

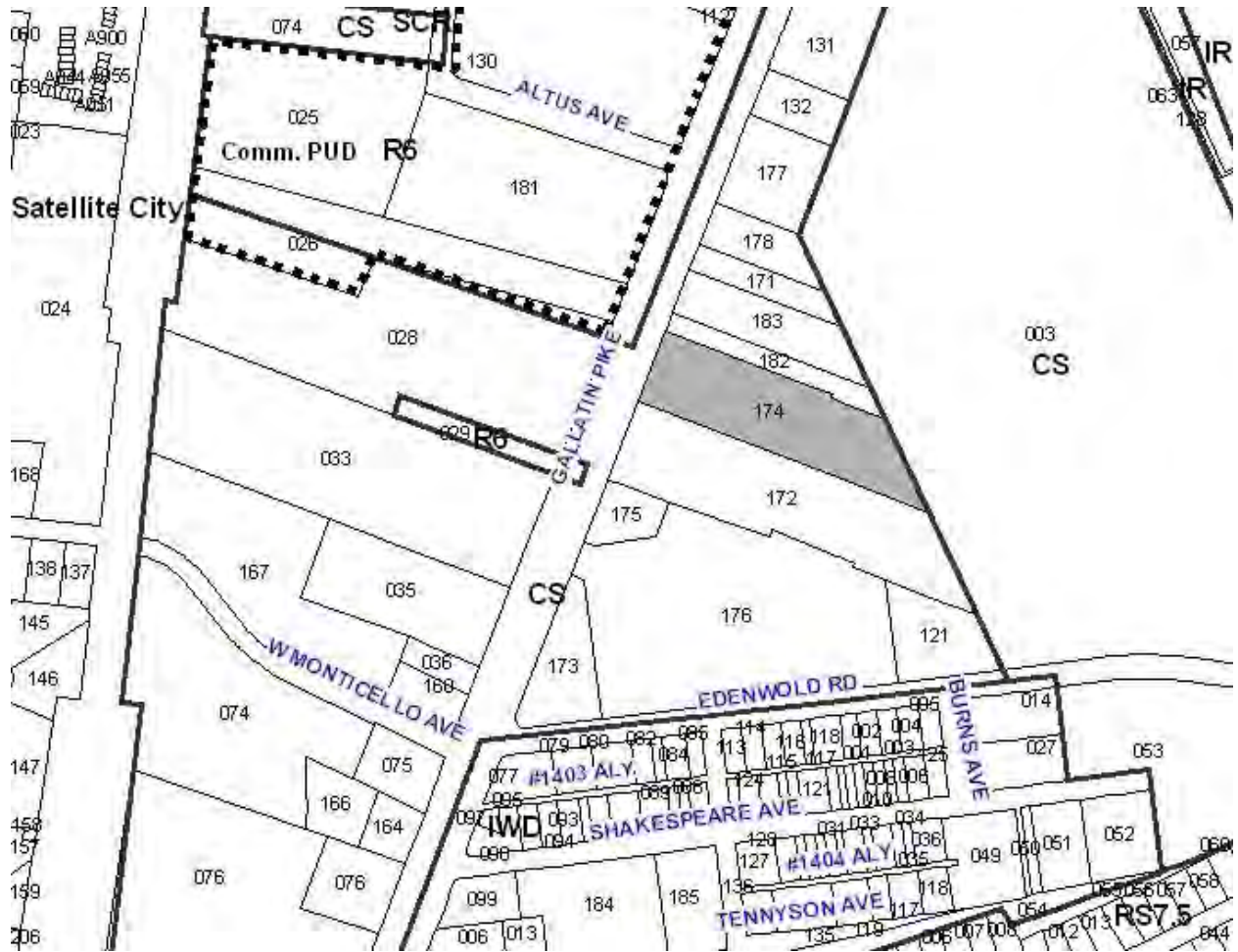
**DETAILS OF THE SP DISTRICT**

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.





**2013SP-002-001**  
 PRICE'S COLLISION CENTERS (PRELIM & FINAL)  
 Map 034-09, Parcel 174  
 Madison  
 10 – Doug Pardue





<b>Project No.</b>	<b>Zone Change 2013SP-002-001</b>
<b>Project Name</b>	<b>Price’s Collision Centers</b>
<b>Council District</b>	10 – Pardue
<b>School District</b>	3 – Speering
<b>Requested by</b>	Dale and Associates, applicant for Richland South, LLC, owner
<b>Staff Reviewer</b>	Swaggart
<b>Staff Recommendation</b>	<i>Approve the SP with conditions and disapprove without all conditions</i>

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**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**

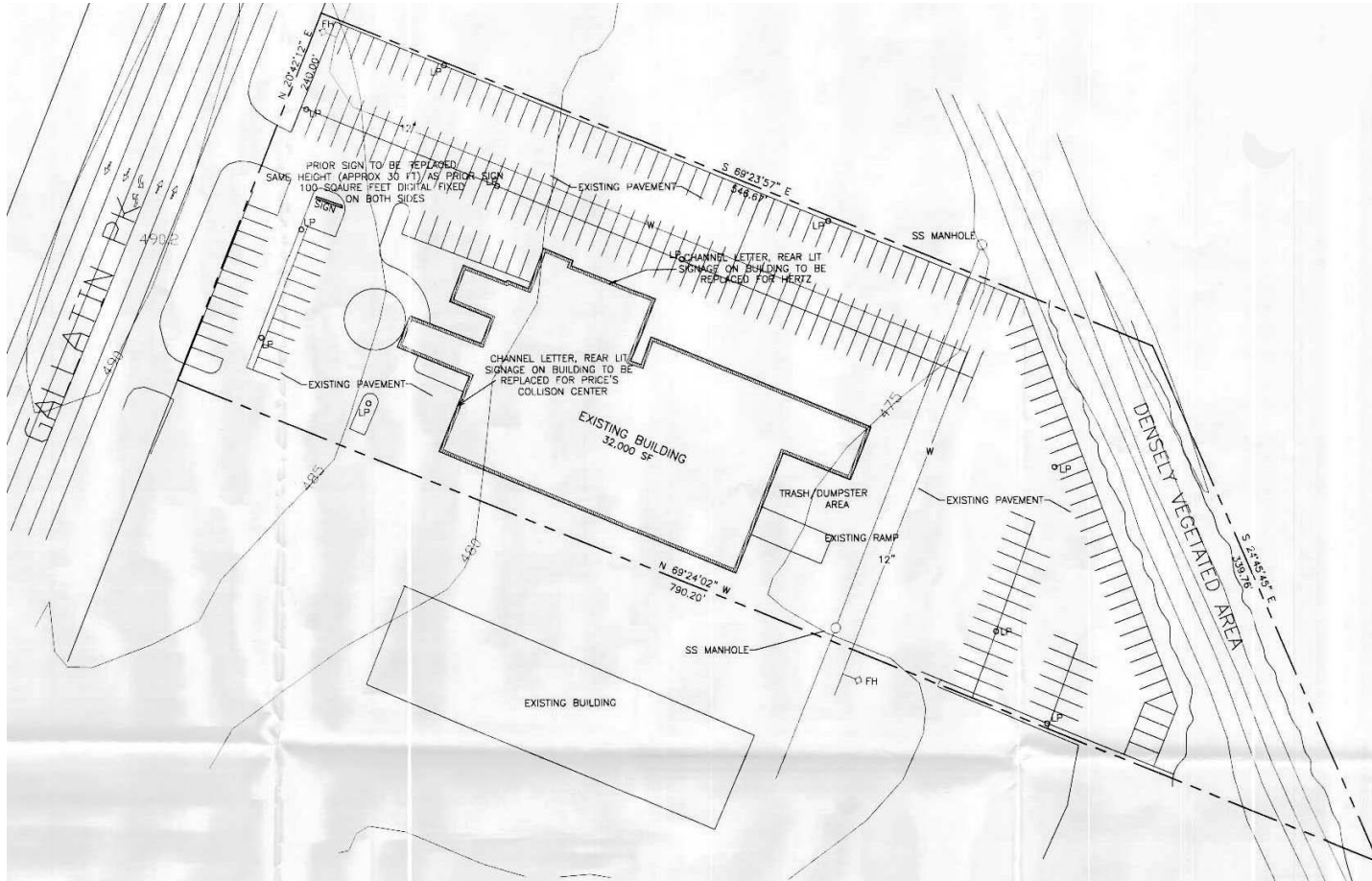
N/A

**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.”



**Proposed Specific Site Plan**



## **Metro Planning Commission Meeting of 01/10/2013**

### **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.



## **Metro Planning Commission Meeting of 01/10/2013**

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.



**2013SP-003-001**  
 502 SOUTHGATE AVENUE  
 Map 105-11, Parcel 027  
 South Nashville  
 17 – Sandra Moore



<b>Project No.</b>	<b>Zone Change 2013SP-003-001</b>
<b>Project Name</b>	<b>502 Southgate SP</b>
<b>Council District</b>	17 – Moore
<b>School District</b>	5 – Kim
<b>Requested by</b>	Dale & Associates, applicant, Michael W. Krabousanos, owner
<b>Staff Reviewer</b>	Johnson
<b>Staff Recommendation</b>	<i>Approve with conditions and disapprove without all conditions</i>

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**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.

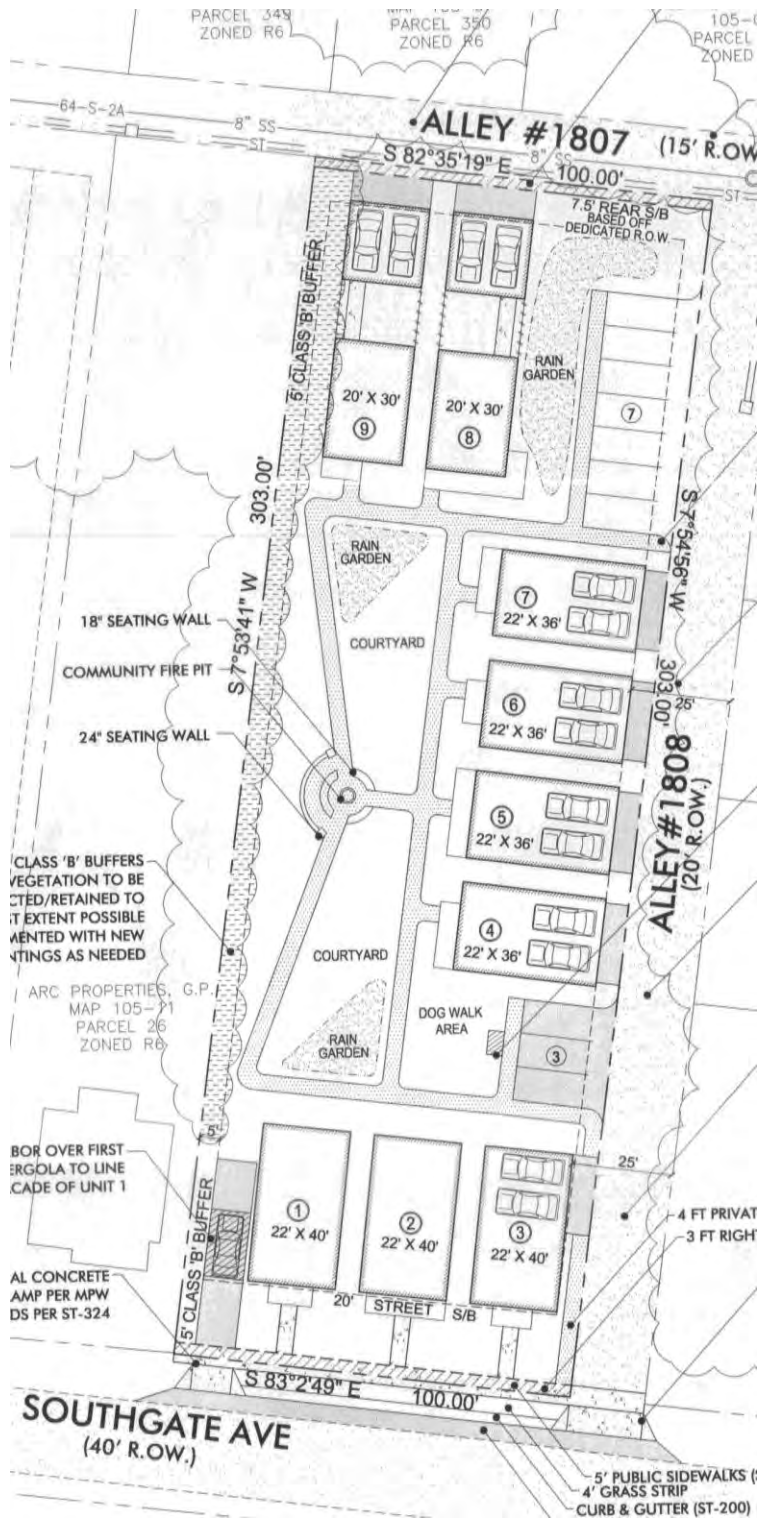
**CRITICAL PLANNING GOALS**

- 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.



**Proposed Specific Site Plan**



## **Metro Planning Commission Meeting of 01/10/2013**

### 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.





## Metro Planning Commission Meeting of 01/10/2013

- 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

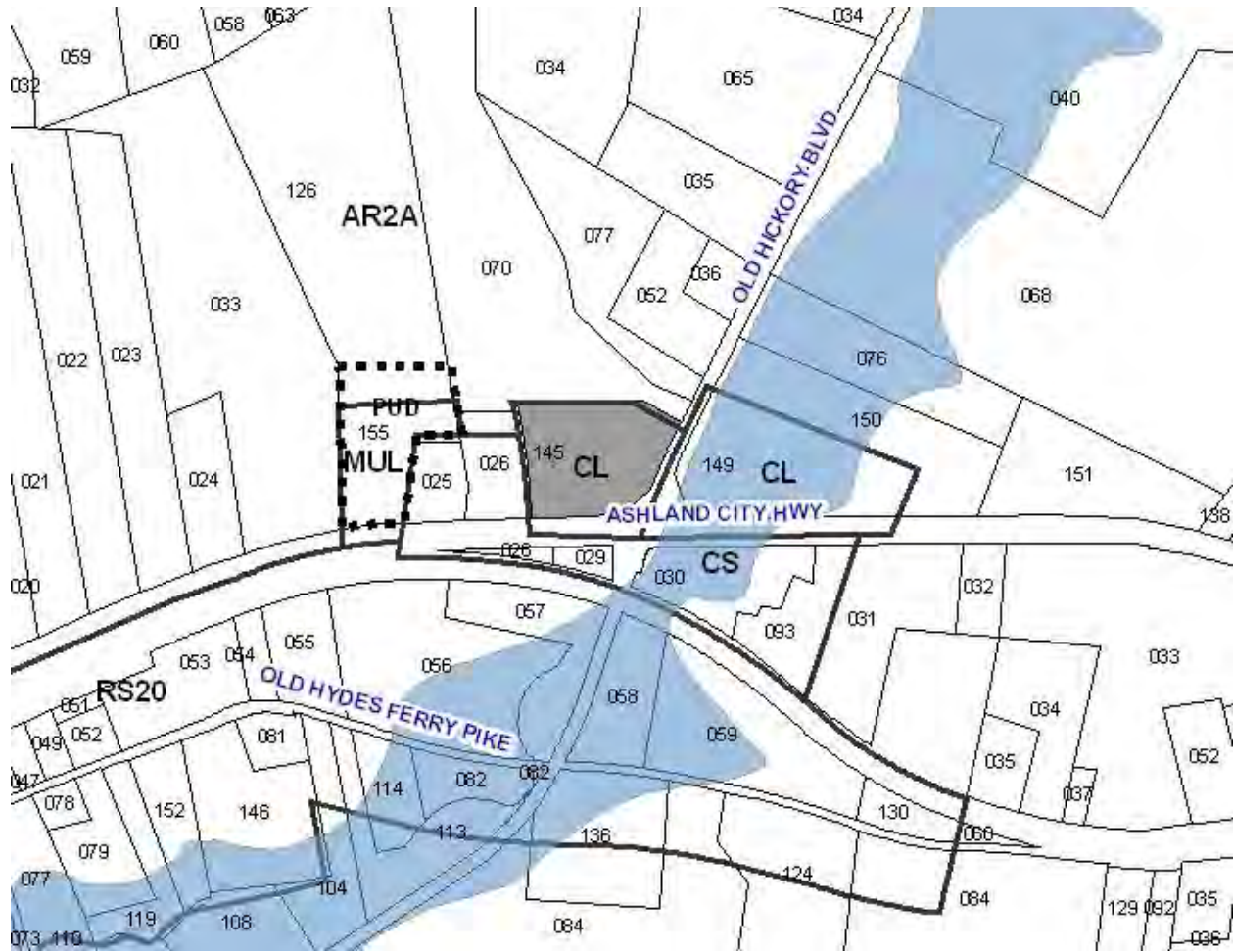
Staff recommends approval with conditions and disapproval without all conditions. With the conditions shown below, the SP will be consistent with the NG land use policy and will be compatible to the existing character of development along Southgate Avenue.



## Metro Planning Commission Meeting of 01/10/2013

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



**2013SP-004-001**  
HIGHWAY 12 MOTORSPORTS  
Map 067, Parcel(s) 145  
Bordeaux - Whites Creek  
01 – Lonnell Matthews, Jr.



<b>Project No.</b>	<b>Zone Change 2013SP-004-001</b>
<b>Project Name</b>	<b>Highway 12 Motorsports SP</b>
<b>Council District</b>	1 – Matthews
<b>School District</b>	1 – Gentry
<b>Requested by</b>	Thomas L. Anderson Architect, Inc., applicant, Phillip E. Chamblee, owner
<b>Staff Reviewer</b>	Bernards
<b>Staff Recommendation</b>	<i>Approve with conditions and disapprove without all conditions</i>

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**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**

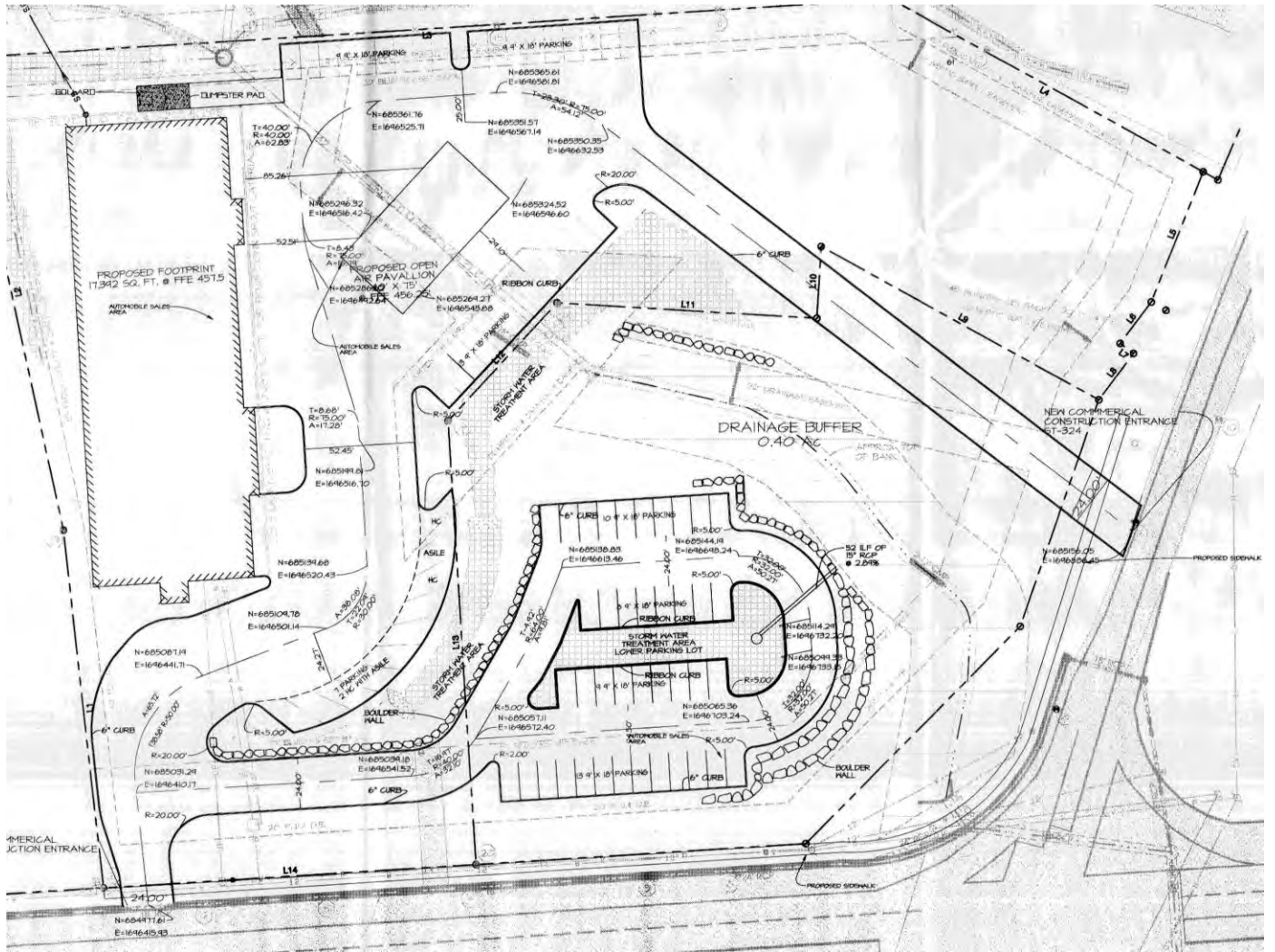
**Existing Land Use Policy**

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



**Proposed Specific Site Plan**



## Metro Planning Commission Meeting of 01/10/2013

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.



## Metro Planning Commission Meeting of 01/10/2013

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 Ratio (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**

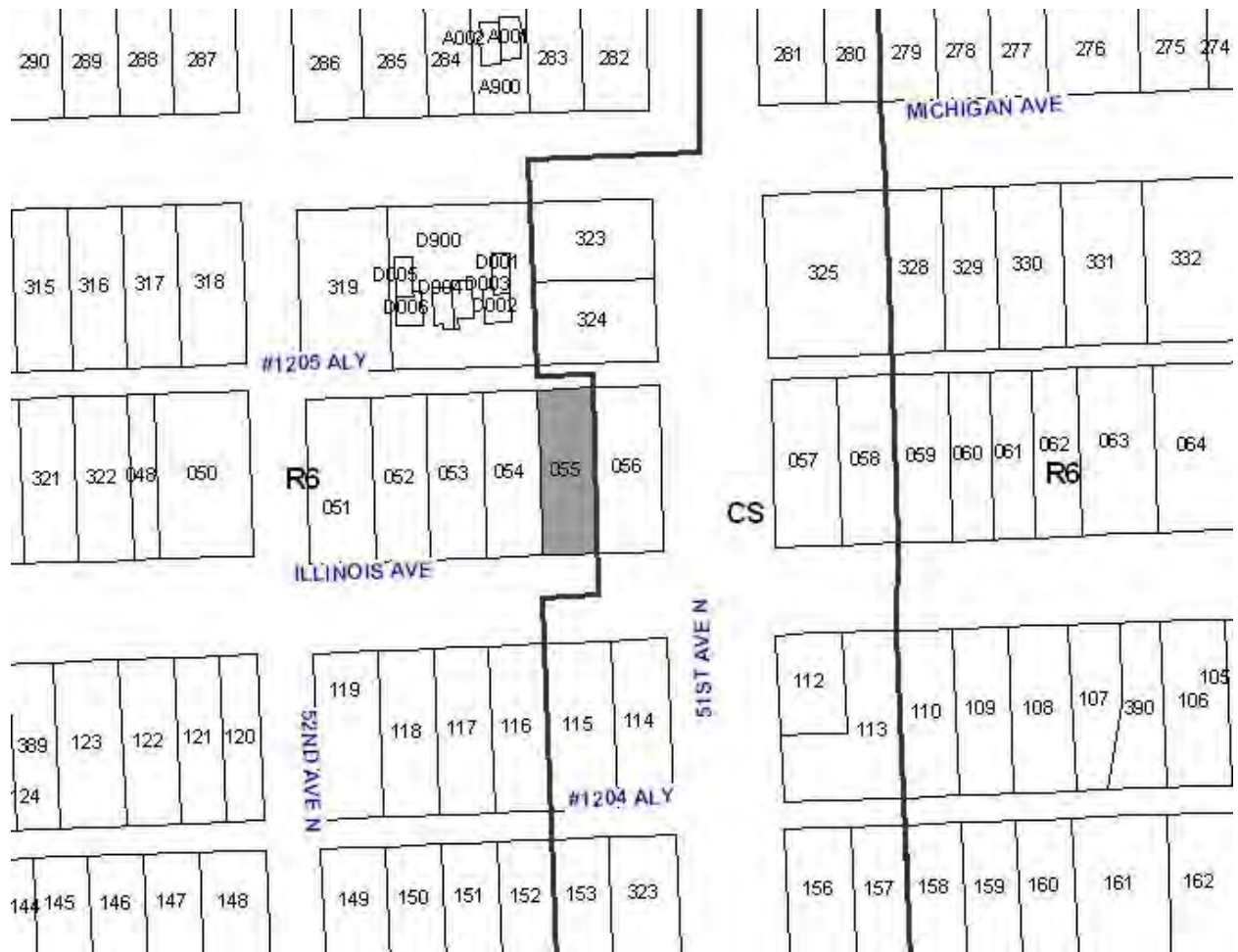
1. Signage shall be limited to:
  - a. the existing community sign at the corner of Old Hickory Boulevard and Highway 12
  - b. one eight foot by eight foot ground sign along the Highway 12 frontage not to exceed 20 feet in height
  - c. three building signs not to exceed 150 square feet in total
  - 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.



## Metro Planning Commission Meeting of 01/10/2013

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.





**2012Z-030PR-001**  
 5104 ILLINOIS AVENUE  
 Map 091-11, Parcel(s) 055  
 West Nashville  
 20 – Buddy Baker



<b>Project No.</b>	<b>Zone Change 2012Z-030PR-001</b>
<b>Project Name</b>	<b>5104 Illinois Avenue</b>
<b>Council Bill</b>	BL2013-349
<b>Council District</b>	20 – Baker
<b>School District</b>	1 – Gentry
<b>Requested by</b>	Janice Collins-Matheny and S.N. Matheny, applicants and owners
<b>Staff Reviewer</b>	Cuthbertson
<b>Staff Recommendation</b>	<i>Approve</i>

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**APPLICANT REQUEST**  
**Rezone from R6 to MUL**

Zone Change

A request to rezone from One and Two-Family Residential (R6) to Mixed Use Limited (MUL) zoning property located at 5104 Illinois Avenue, approximately 115 feet west of 51<sup>st</sup> Avenue North (0.17 acres).

**Existing Zoning**

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

**Proposed Zoning**

Mixed Use Limited (MUL) is intended for a moderate intensity mixture of residential, retail, restaurant, and office uses.

**CRITICAL PLANNING GOALS**

- Creates Walkable Neighborhoods

The property is located along and within an identified commercial corridor situated in the center of a redeveloping neighborhood. The proposed zoning district will enable additional commercial services to be established within walking distance for the surrounding residential neighborhood.

**WEST NASHVILLE COMMUNITY PLAN**

T4 Urban Mixed Use Corridor (T4 CM) policy is intended to enhance urban 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 urban neighborhoods; and a street design that moves vehicular traffic efficiently while accommodating sidewalks, bikeways, and mass transit.

Consistent with Policy?

Yes. The T4 CM policy allows a variety of residential and non-residential development. The proposed MUL zoning district will enable the existing home to continue to be utilized as a single



## Metro Planning Commission Meeting of 01/10/2013

family dwelling or be used for commercial purposes. The MUL district will also permit redevelopment of the property for residential or commercial purposes.

The property, while not currently zoned for commercial uses, is located within a predominantly commercial zoned corridor centered on 51<sup>st</sup> Avenue. The surrounding commercial zoned corridor was established in 1974. Both the commercial corridor and T4 CM policy on 51<sup>st</sup> Avenue extend at least 100 feet east and west into the adjoining neighborhood. The proposed MUL zoning district will bring this property into alignment with the surrounding commercial/residential zoning pattern along 51<sup>st</sup> Avenue.

The existing structure currently contains a single-family dwelling. The surrounding commercial corridor along 51<sup>st</sup> Avenue contains other similarly commercial zoned residential structures, many used as dwellings. The MUL district permits single-family residential use.

The proposed MUL district will enable re-use of the residential unit for commercial purposes however the change of use will trigger compliance with zoning requirements including parking and landscaping. The structure may also require updates in order to comply with current building and fire codes as well as ADA requirements. Redevelopment of the property will require compliance with all current development standards. The proposed zoning district will also enable future redevelopment of the site in consolidation with the adjoining CS zoned parcel in a manner oriented to the 51<sup>st</sup> Avenue corridor.

### PUBLIC WORKS RECOMMENDATION

No Exception Taken

#### Typical 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 Detached (210)	0.17	7.71 D	1 L	10	1	2

#### Typical Uses in Proposed Zoning District: MUL

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Coffee/ Donut Shop (936)	0.17	0.207 F	1,532 SF	NA	180	62

#### Traffic changes between typical: R6 and proposed MUL

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	NA	+179	+60



## **Metro Planning Commission Meeting of 01/10/2013**

### **METRO SCHOOL BOARD REPORT**

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

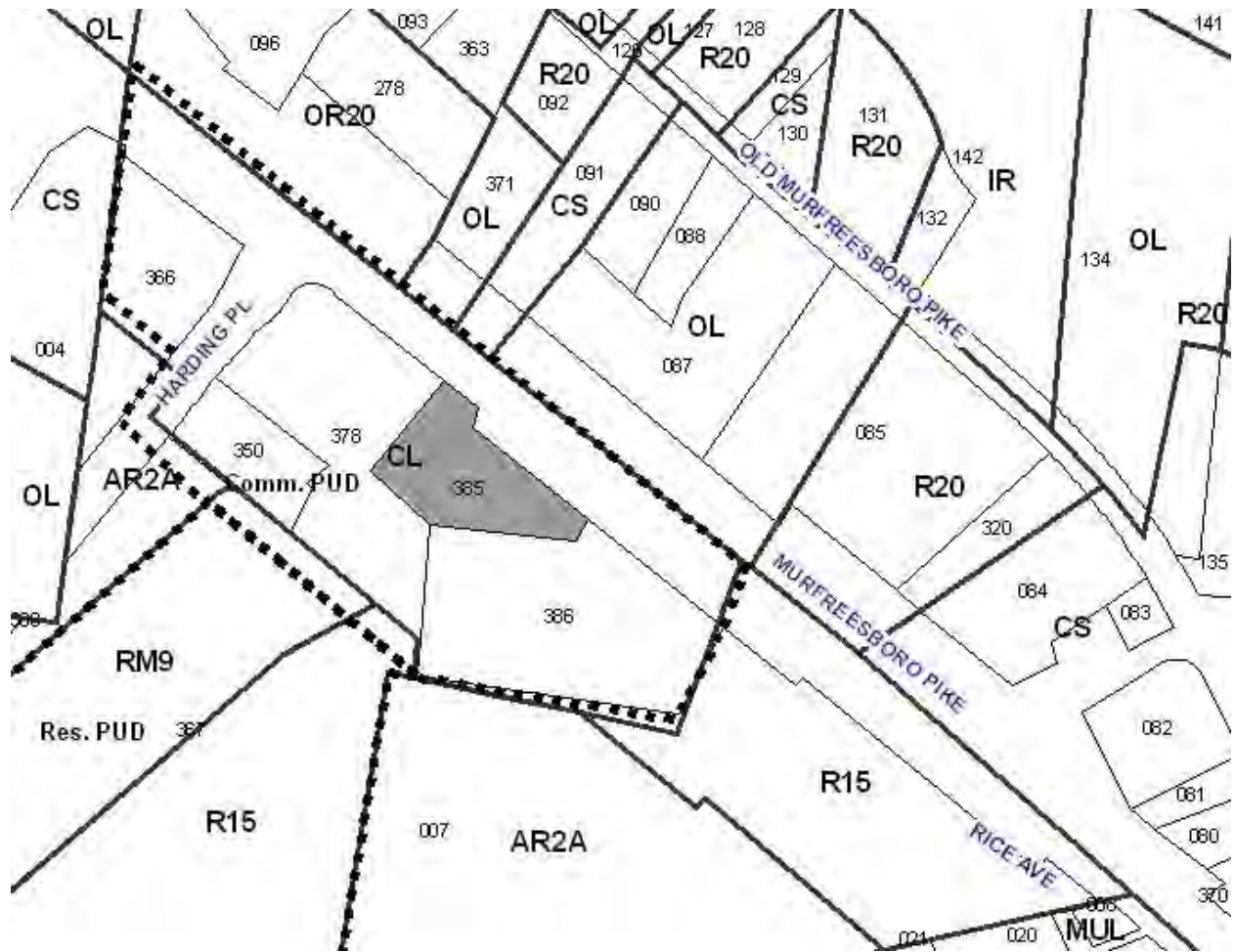
Students would attend Cockrill Elementary School, McKissack Middle School, or Pearl-Cohn High School. Cockrill Elementary is the only school identified as being over capacity by the Metro School Board. There is no capacity for elementary students within the cluster.

#### **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 November 2012.

#### **STAFF RECOMMENDATION**

Staff recommends approval of the proposed MUL zoning as the district is consistent with the T4-CM policy.



**239-84P-002**  
 CANTER CHASE COMMERCIAL  
 Map 135, Parcel(s) 385  
 Antioch - Priest Lake  
 28 - Dune Dominy



<b>Project No.</b>	<b>Planned Unit Development 239-84P-002</b>
<b>Project Name</b>	<b>Canter Chase Commercial PUD</b>
<b>Council District</b>	28 – Dominy
<b>School District</b>	7 – Pinkston
<b>Requested by</b>	Stevens Design, applicant for Samco Partnership, owner
<b>Staff Reviewer</b>	Cuthbertson
<b>Staff Recommendation</b>	<i>Approve with conditions</i>

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**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

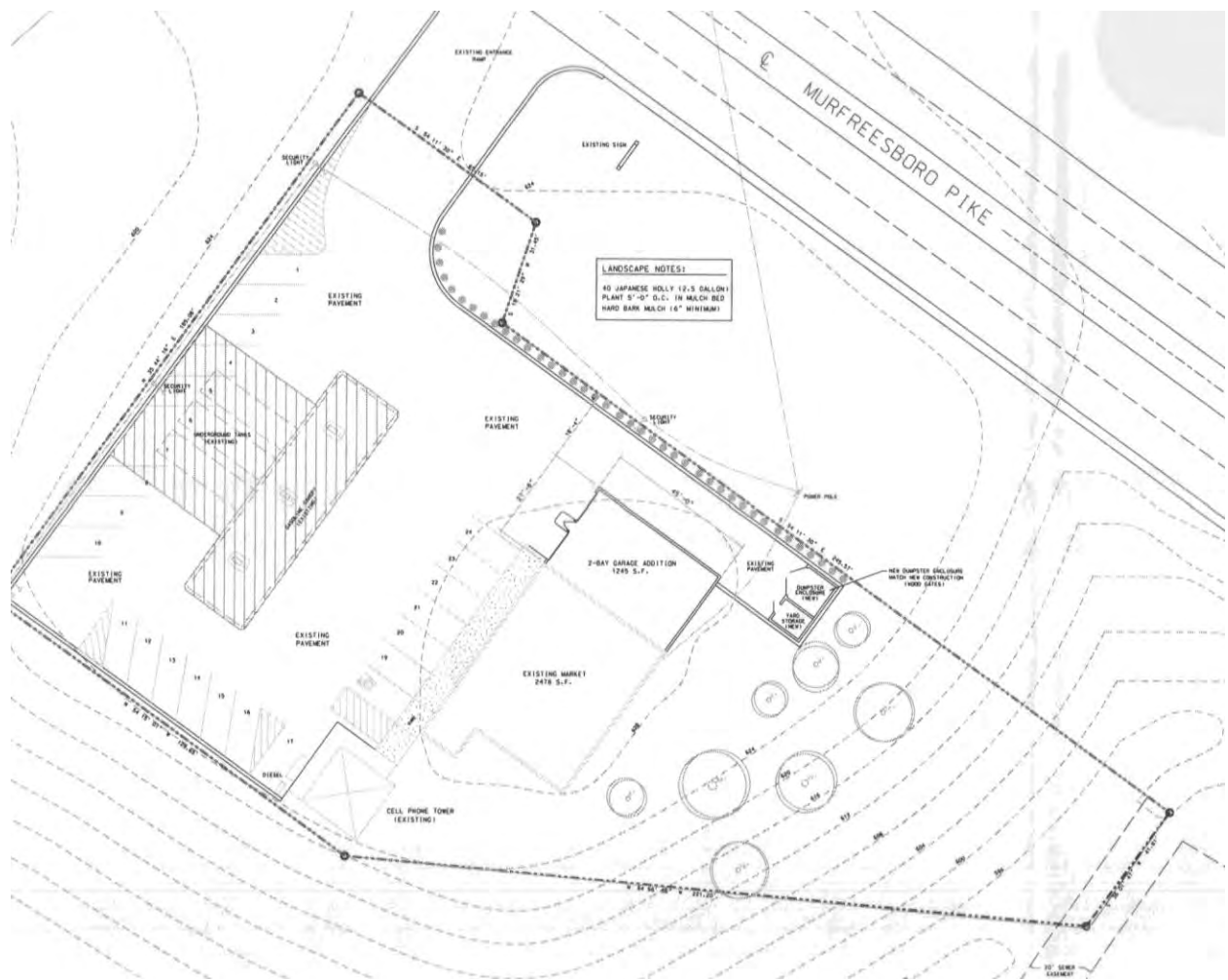
**REQUEST DETAILS**

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.



**Proposed PUD PLAN**



## Metro Planning Commission Meeting of 01/10/2013

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





## **Metro Planning Commission Meeting of 01/10/2013**

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.

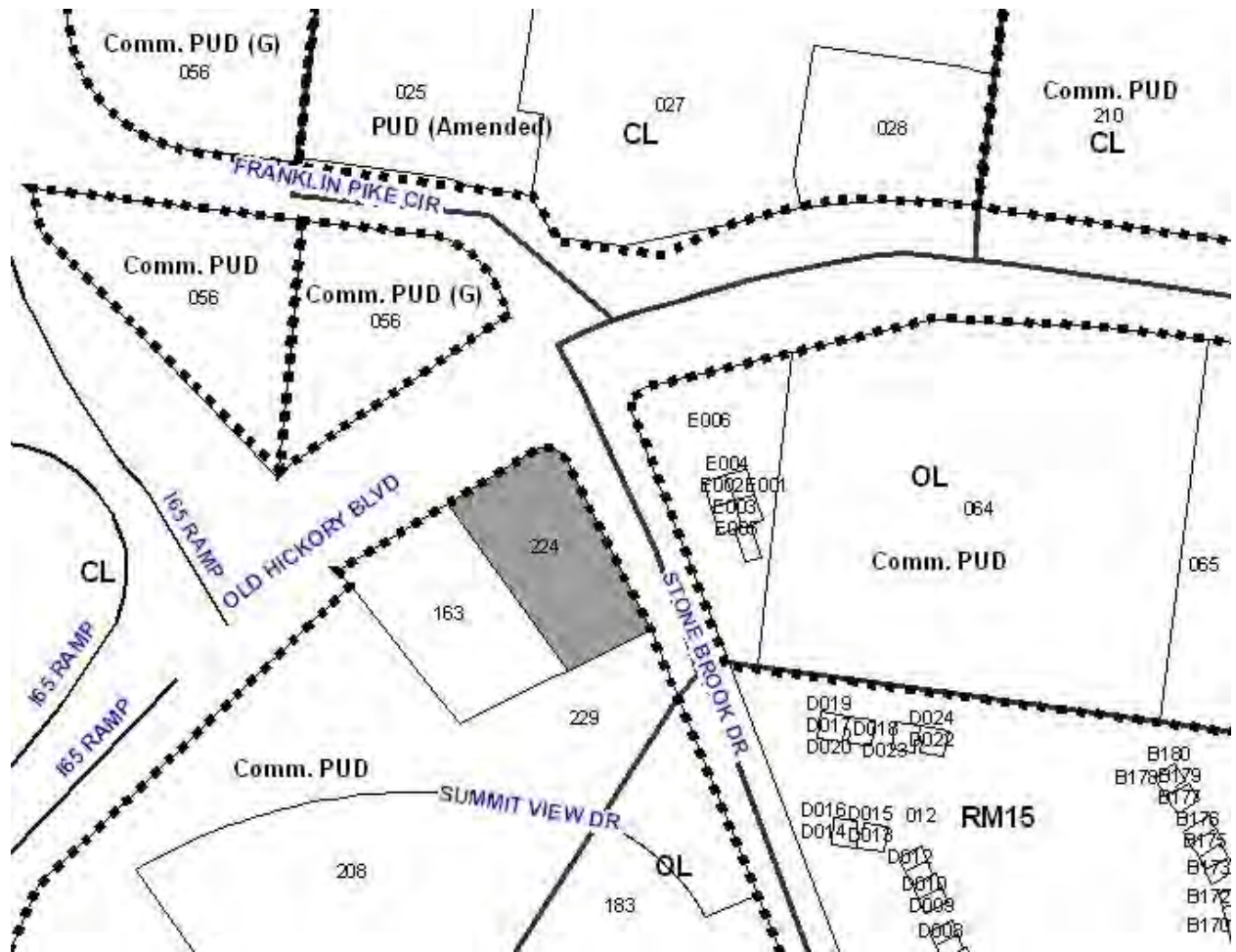
### **CONDITIONS**

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.



## **Metro Planning Commission Meeting of 01/10/2013**

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.



**55-85P-001**  
 SUMMIT COMMERCIAL (MEDICAL OFFICE BUILDING REVISION)  
 Map 160, Parcel(s) 224  
 Southeast  
 04 – Brady Banks



<b>Project No.</b>	<b>Planned Unit Development 55-85P-001</b>
<b>Project Name</b>	<b>Summit Commercial PUD (Middle Tennessee Imaging)</b>
<b>Council District</b>	4 – Banks
<b>School District</b>	8 – Hayes
<b>Requested by</b>	Civil Site Design Group, applicant, Middle Tennessee Imaging, LLC, owner
<b>Staff Reviewer</b>	Johnson
<b>Staff Recommendation</b>	<i>Approve with conditions</i>

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**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.



Proposed PUD Plan



## Metro Planning Commission Meeting of 01/10/2013

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



## **Metro Planning Commission Meeting of 01/10/2013**

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



## **Metro Planning Commission Meeting of 01/10/2013**

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.







<b>Project No.</b>	<b>Neighborhood Landmark 2013NL-001-001</b>
<b>Project Name</b>	<b>Wade School Neighborhood Landmark</b>
<b>Council District</b>	1 – Mathews
<b>School District</b>	1 – Gentry
<b>Requested by</b>	Miller Rich Properties, LLC, owners
<b>Staff Reviewer</b>	Swaggart
<b>Staff Recommendation</b>	<i>Approve with conditions.</i>

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**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.*

**HISTORY**

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.





## **Metro Planning Commission Meeting of 01/10/2013**

### **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.



**2013S-001-001**  
 BRADLEY POINTE  
 Map 053-12, Parcel(s) 163  
 Donelson - Hermitage  
 01 – Darren Jernigan



<b>Project No.</b>	<b>Subdivision 2013S-001-001</b>
<b>Project Name</b>	<b>Bradley Pointe (Concept Plan)</b>
<b>Council District</b>	11 – Jernigan
<b>School District</b>	4 – Shepherd
<b>Requested by</b>	Lukens Engineering Consultants, applicant for Tom and Suzie Bradley Living Trust, owner
<b>Staff Reviewer</b>	Cuthbertson
<b>Staff Recommendation</b>	<i>Defer to the February 14, 2013 Planning Commission meeting.</i>

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**APPLICANT REQUEST**

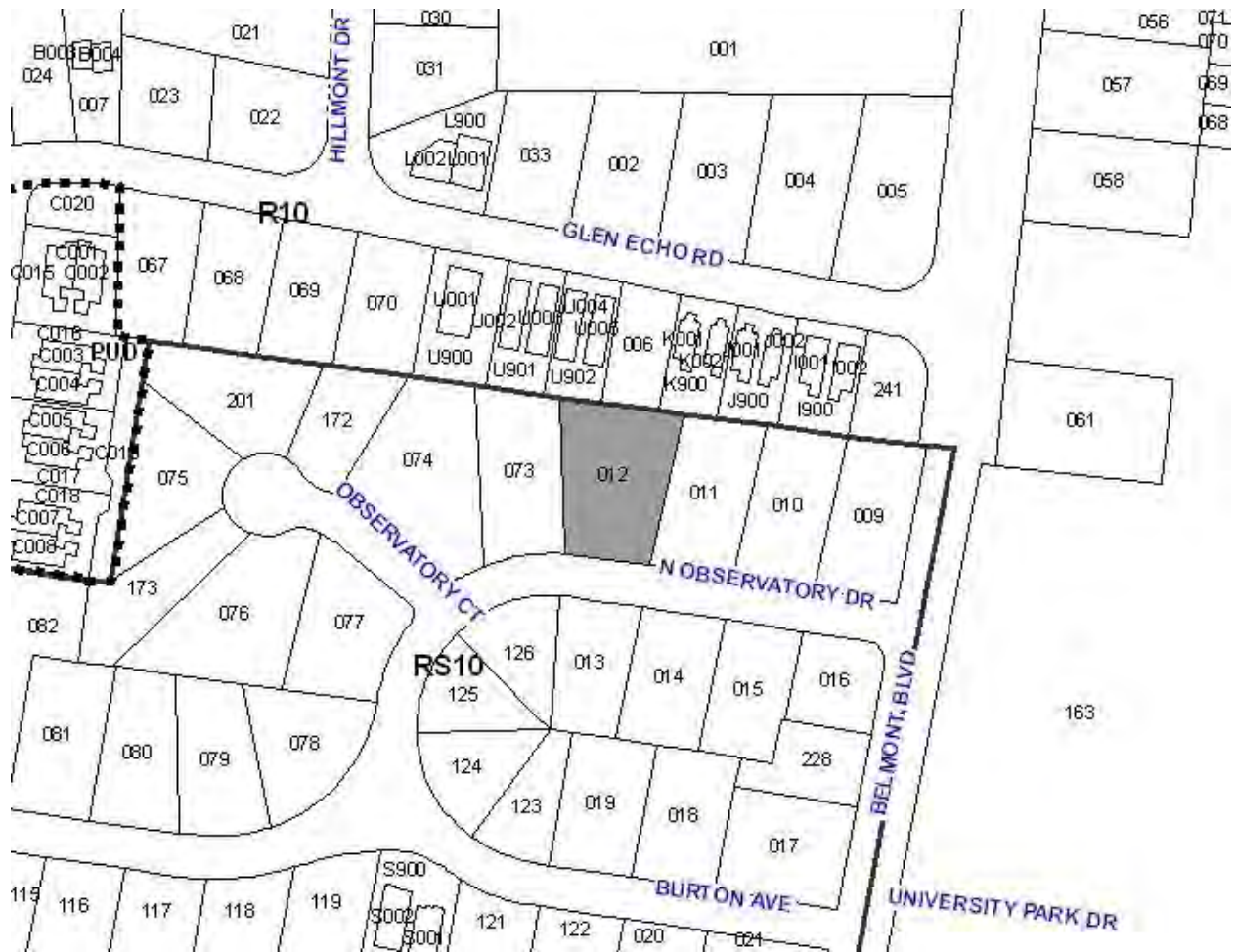
**Create five single-family lots.**

Concept Plan

A request for concept plan approval to create five lots on property located at 3007 Lakeshore Drive, approximately 330 feet north of Sandy Cove (1.37 acres), zoned Single-Family Residential RS5.

**STAFF RECOMMENDATION**

As requested by the applicant, staff recommends deferral of this request to the February 14, 2013, Planning Commission meeting. A two meeting deferral will allow the applicant to comply with the Stormwater requirements.



**2012S-171-001**  
 GREEN HILLS, RESUB LOT 3  
 Map 117-16, Parcel(s) 012  
 Green Hills - Midtown  
 25 – Sean McGuire



<b>Project No.</b>	<b>Subdivision 2012S-171-001</b>
<b>Project Name</b>	<b>Resubdivision of Lot 3 Green Hills Subdivision</b>
<b>Council District</b>	25 – McGuire
<b>School District</b>	8 – Hayes
<b>Requested by</b>	JLT Investments, LLC, owner, Campbell, McRae & Associates, Inc., surveyor
<b>Staff Reviewer</b>	Cuthbertson
<b>Staff Recommendation</b>	<i>Approve with a condition and grant a variance to Section 3-5.3 for shared access.</i>

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**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.

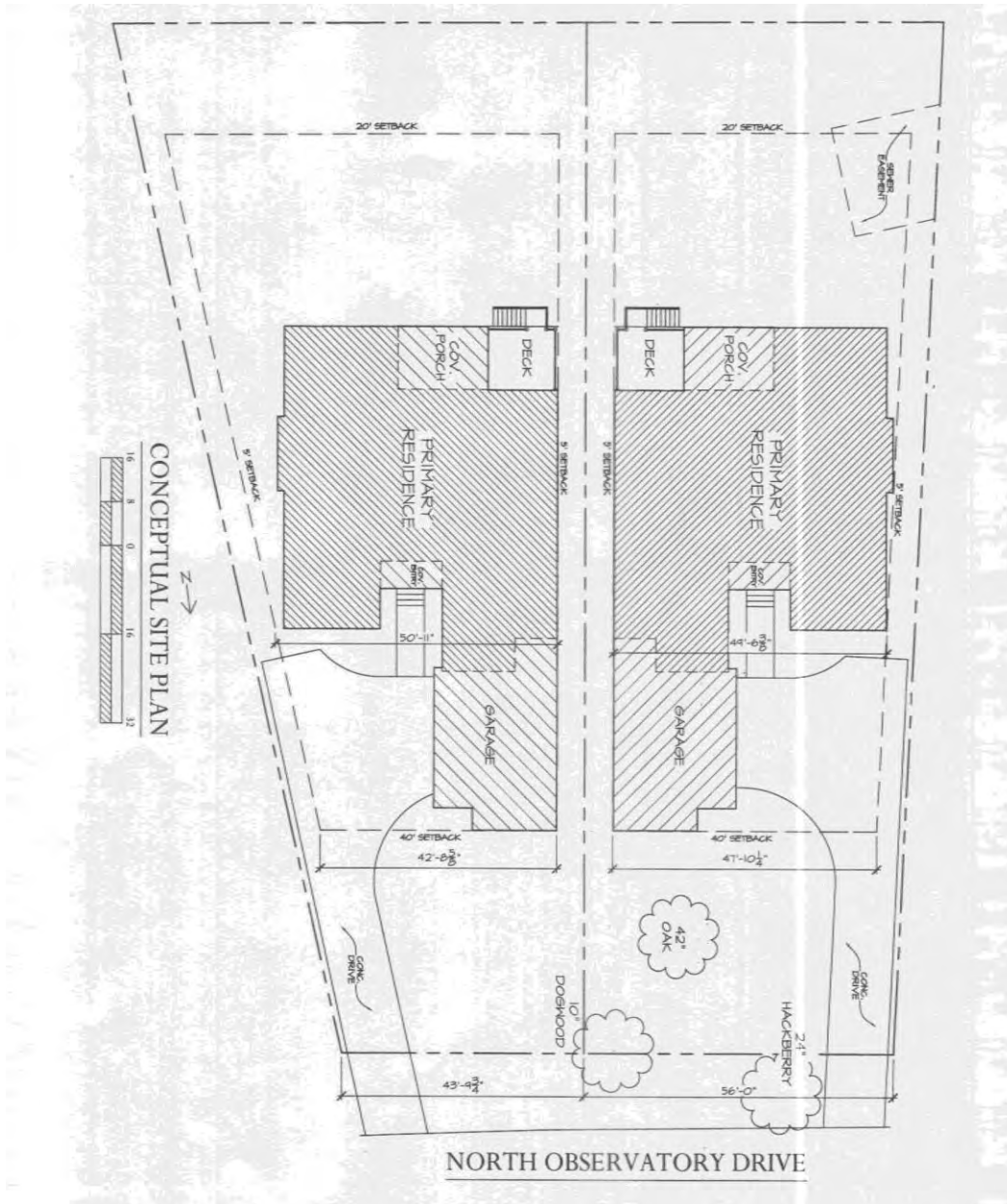
Infill Subdivisions

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





**Propose Subdivision**



## Metro Planning Commission Meeting of 01/10/2013

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



## **Metro Planning Commission Meeting of 01/10/2013**

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**

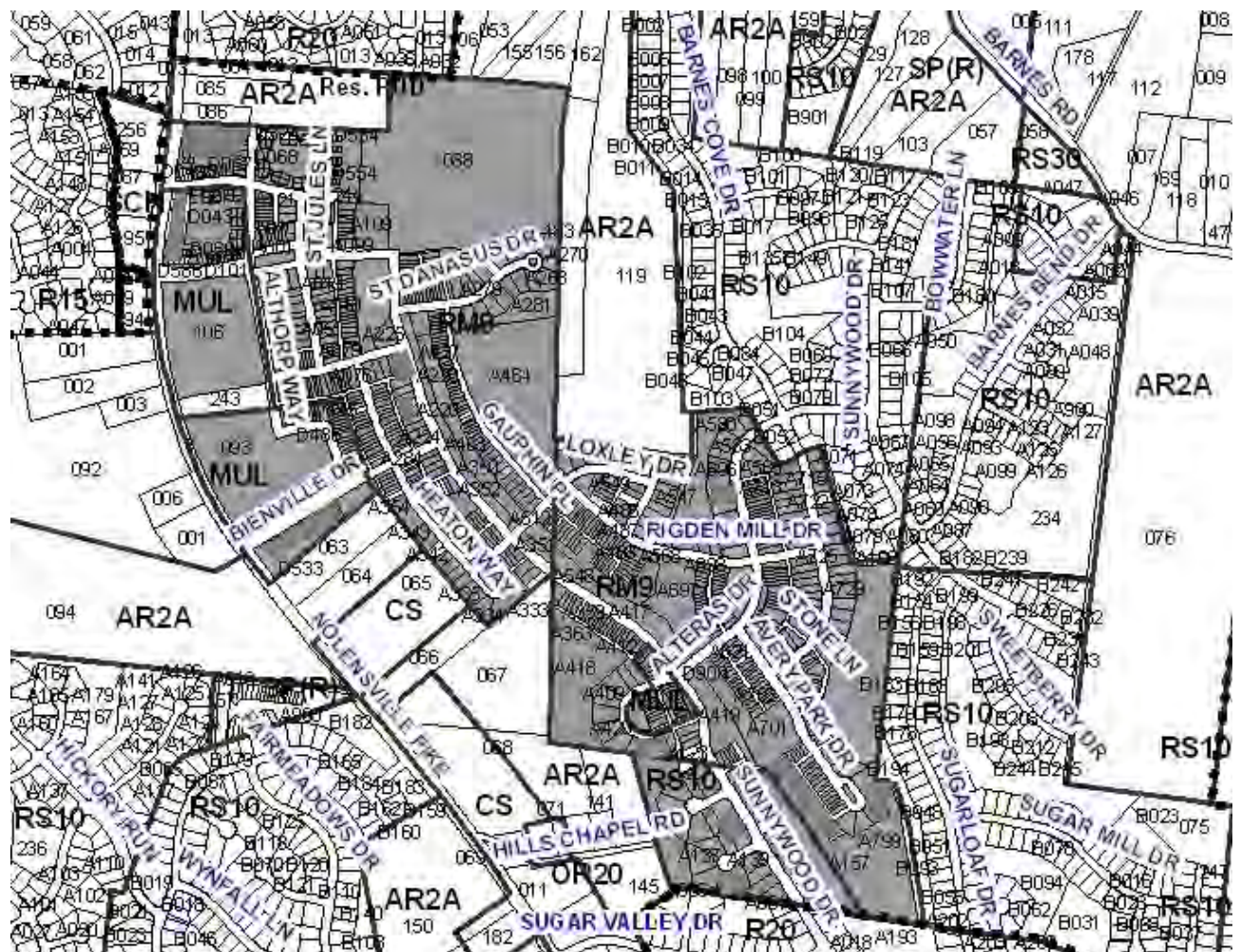
Approved

### **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.’



**2005UD-007-002**  
LENOX VILLAGE (MINOR SIGN MODIFICATION)  
Map 172-12, Parcel(s) 106  
Southeast  
31 – Fabian Bedne



<b>Project No.</b>	<b>Urban Design Overlay 2005UD-007-002</b>
<b>Project Name</b>	<b>Lenox Village UDO Modification</b>
<b>Council District</b>	31 – Bedne
<b>School District</b>	2 – Brannon
<b>Requested by</b>	David McGowan, Lenox Village Lifestyle Center, LLC
<b>Staff Reviewer</b>	Scott Morton
<b>Staff Recommendation</b>	<i>Approve with conditions</i>

**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.

# **LENOX VILLAGE**

## Proposed Wayfinding Signs for Community

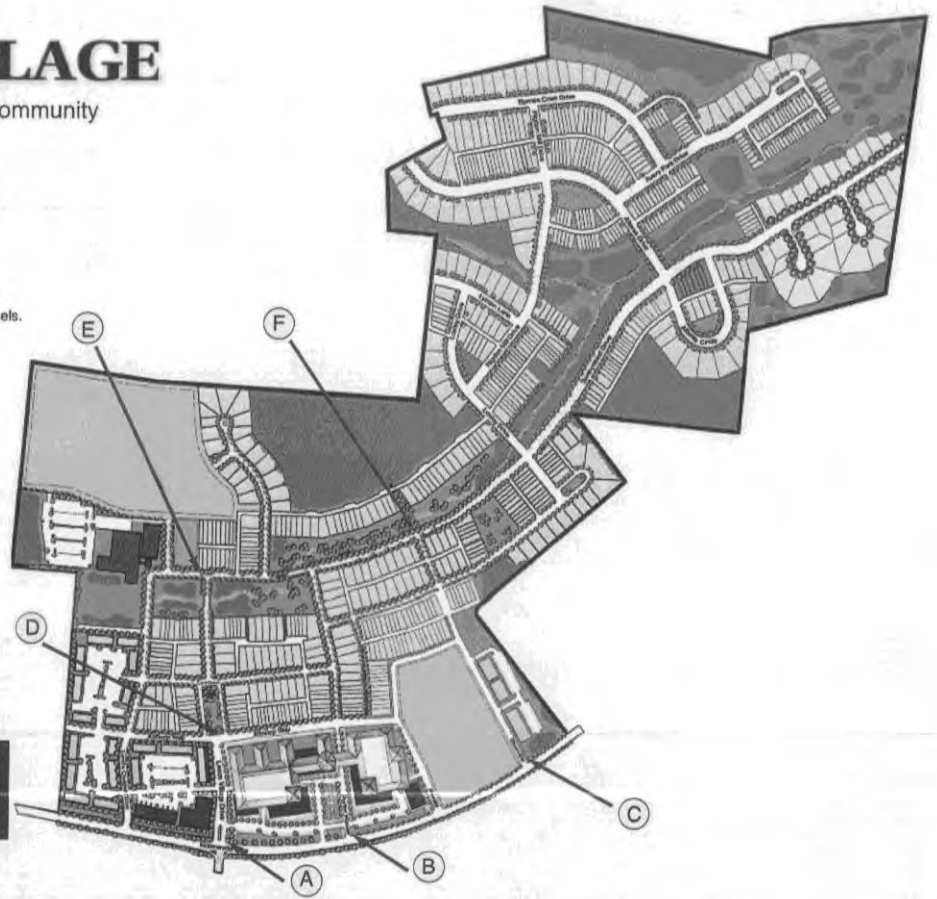
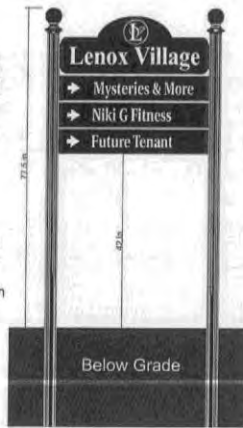
### Proposed locations:

- A. Corner of Nolensville Pike & Lenox Village Drive: 48" x 6" panels.
- B. Corner of Nolensville Pike & Porter House Drive: 48" x 6" panels.
- C. Corner of Nolensville Pike & Bienville Drive: 48" x 6" panels.
- D. Corner of Lenox Village Dr. and Althrop Way: 36" x 6" panels.
- E. Corner of Lenox Village Dr. and Sunnywood Dr.: 36" x 6" panels.
- F. Sign parallel to Sunnywood Drive, facing Bienville Dr.: 36" x 6" panels.



Proposed style of sign with black posts and panels with white reflective letters.

Panel sizes varies per location from 36" x 6" to 48" x 6".



## Proposed Sign Modification



## **Metro Planning Commission Meeting of 01/10/2013**

### **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.



**To:** Members of the Planning Commission  
**From:** Bob Leeman, Metro Planning Department  
**Date:** 1/10/2013  
**Cc:** Robert D'Olympio, American Safety Casualty Insurance Company  
Jerry Underwood, American Southern Insurance Company  
Michael Bruce, Bond Safeguard Insurance Company  
Cindy Raftery, Lexon Insurance Company  
Joyce Orndorff, National Grange Mutual Insurance Company  
Richard C. Bernhardt, Executive Director  
**Re:** Exclusion of surety companies from providing surety bonds for one year pursuant to Section 6-1.2.d of the Metro Subdivision Regulations

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This item has been placed on your January 10, 2013 agenda under Other Business.

Pursuant to Section 6-1.2.d of the Metro Subdivision Regulations, the Commission is authorized to exclude an insurance company from providing surety bonds for performance bond applicants in Metropolitan Nashville for a period of one year. Section 6-1.2.d states:

An entity whose past performance has resulted in non-payment of a bond may be excluded from providing a surety bond for an applicant for a period of one year from the date of breach.

Attached is a list of bonds for which a demand has been made on the surety company. Metro has not received payment for these bonds. The attached list includes the date that the case was referred to the Department of Law sometime after the Planning Department made a demand on the surety company.

Based upon the applicable regulation, staff recommends that the Planning Commission not accept any further surety bonds from, 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, for a period of one year beginning on January 10, 2013.

If you have further questions, please contact David Edwards (615-862-7202 or [david.edwards@nashville.gov](mailto:david.edwards@nashville.gov)) or Bob Leeman (615-862-7183 or [bob.leeman@nashville.gov](mailto:bob.leeman@nashville.gov)) at the Metro Planning Department.





## Metro Planning Commission Meeting of 01/10/2013

<b>Project Name</b>	<b>MPC Action</b>	<b>MPC Action Date</b>	<b>Surety Name</b>
AUTUMN OAKS, PHASE 8B	REFERRED TO LEGAL	6/28/2012	AMERICAN SAFETY CASUALTY INSURANCE COMPANY
CARROLTON STATION	REFERRED TO LEGAL	8/26/2010	AMERICAN SOUTHERN INSURANCE COMPANY
DELVIN DOWNS, PHASE 1, SECTION 1	REFERRED TO LEGAL	11/1/2012	AMERICAN SOUTHERN INSURANCE COMPANY
WATER BROOKE	REFERRED TO LEGAL	6/22/2012	AMERICAN SOUTHERN INSURANCE COMPANY
ARBOR CREST, PHASE 1, SECTION 1	REFERRED TO LEGAL	1/29/2010	BOND SAFEGUARD INSURANCE COMPANY
SUMMERFIELD, VILLAGE 5	REFERRED TO LEGAL	6/5/2012	BOND SAFEGUARD INSURANCE COMPANY
SUMMERFIELD, VILLAGE 5 (TURN LANE)	REFERRED TO LEGAL	6/5/2012	BOND SAFEGUARD INSURANCE COMPANY
SUMMERFIELD, VILLAGE 8	REFERRED TO LEGAL	6/5/2012	BOND SAFEGUARD INSURANCE COMPANY
SUMMERFIELD, VILLAGE 9	REFERRED TO LEGAL	6/5/2012	BOND SAFEGUARD INSURANCE COMPANY
SUMMERFIELD, VILLAGE 10	REFERRED TO LEGAL	6/5/2012	BOND SAFEGUARD INSURANCE COMPANY
SUMMERFIELD, VILLAGE 11	REFERRED TO LEGAL	6/5/2012	BOND SAFEGUARD INSURANCE COMPANY
CAROTHERS CROSSING, PHASE 1, SECTION 1	REFERRED TO LEGAL	10/26/2009	LEXON INSURANCE COMPANY
CAROTHERS CROSSING, PHASE 2, SECTION 1	REFERRED TO LEGAL	10/26/2009	LEXON INSURANCE COMPANY
CAROTHERS CROSSING, PHASE 2, SECTION 2	REFERRED TO LEGAL	10/26/2009	LEXON INSURANCE COMPANY
WINDHAVEN SHORES, SECTION 2	REFERRED TO LEGAL	12/7/2009	LEXON INSURANCE COMPANY
WINDHAVEN SHORES, SECTION 3	REFERRED TO LEGAL	12/7/2009	LEXON INSURANCE COMPANY
WINDHAVEN SHORES, SECTION 4	REFERRED TO LEGAL	12/7/2009	LEXON INSURANCE COMPANY
WOODLANDS, THE, PHASE 4, SECTION 1B	REFERRED TO LEGAL	7/14/2010	MAIN STREET AMERICA (NATIONAL GRANGE MUTUAL INSURANCE COMPANY)