

Metropolitan Planning Commission



Staff Reports

June 12, 2014



Metro Planning Commission Meeting of 6/12/2014

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



PREVIOUSLY DEFERRED ITEMS

- **Text Amendments**
- **Specific Plans**
- **Subdivision (Final)**



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NO SKETCH



Project No. Text Amendment 2014Z-015TX-001
Project Name Construction/Demolition Landfill and Recycling Facilities
Council Bill No. BL2014-772
Council District Countywide
School District Countywide
Requested by Councilmember Sheri Weiner, applicant.

Defferal This application was deferred at the May 22, 2014, Planning Commission meeting at the request of the Councilmember.

Staff Reviewer Logan
Staff Recommendation *Approve with an Amendment to the Council Bill.*

APPLICANT REQUEST

Modify the conditions pertaining to construction/demolition landfills and recycling facilities.

Text Amendment

A request to amend Chapter 17.16 of Title 17 of the Metropolitan Code, Zoning Regulations, to modify the conditions pertaining to lot size, setbacks, street standard, landscaping, and hours of operation for construction/demolition landfills and recycling facilities.

CRITICAL PLANNING GOALS

N/A

EXISTING ZONING CODE

The current code allows Construction/Demolition Landfills as a use permitted with conditions (PC) in the Commercial Limited (CL), Commercial Services (CS) and all industrial zoning districts. The code allows Construction/Demolition Landfills as a special exception use (SE) in the Agricultural (AG), Agricultural/Residential (AR2A), and Mixed Use Intensive (MUI) zoning districts. The code provides for certain performance standards for the use in those districts.

A **Construction/Demolition Landfill** means the disposal of non-biodegradable waste resulting from road building, construction, remodeling, repair or demolition of structures.

Construction and demolition waste, debris, or material means discarded materials resulting from construction, remodeling, repair, demolition, or salvage operations that are generally considered not to be water soluble and nonhazardous in nature, including but not limited to steel, glass, brick, concrete, asphalt material, pipe, gypsum, wallboard, ceiling tiles, ceramic tile, carpeting, and lumber from the construction or destruction of a structure as part of a construction or demolition project or from the renovation of a structure and/or landscaping, and including rocks, soils, tree remains, trees, and other vegetative matter than normally results from land clearing, landscaping and development operations for a construction project.



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The current code allows Recycling Facilities as a use permitted with conditions (PC) only in all industrial zoning districts. The code provides for certain performance standards for the use in those districts.

A **Recycling Facility** means a facility, other than a facility open to the public to receive household waste and recyclable material, where any method, technique, or process is utilized to separate, process, modify, convert, treat or otherwise prepare non-putrescible waste so that component materials or substances may be used or reused or sold to third parties for such purposes. The use or reuse of a solid waste may not be used in a manner that would constitute solid waste disposal.

PROPOSED ZONING TEXT CHANGE

The proposed text amendment would modify the following standards:

Section 17.16.110.A Construction/Demolition Landfill (PC)

- Increase the minimum lot size eligible for a construction/demolition landfill from the current one acre to five acres.
- Modify the current setback requirement for all buildings, structures, storage containers and areas, and vehicle loading/unloading areas of 250 feet from any residential zoning district boundary and 500 feet from a residential structure to a 1,000 feet setback from the property line of any property zoned One and Two-Family Residential (R), Single-Family Residential (RS), Multi-Family Residential (RM), Mobile Home Park (MHP), Mixed-Use Neighborhood (MUN), Office/Residential (OR), Office Neighborhood (ON), or Specific Plan (SP) (if the SP permits residential uses).
- Establish limitations on hours of operation such that no related activity shall take place at the facility between 6:00pm and 7:00am.
- Remove Recycling Facility as an accessory use to construction/demolition landfill where permitted with conditions.

Section 17.16.110.D Recycling Facility (PC)

- Increase the minimum lot size eligible for a recycling facility from one acre to five acres.
- Modify the current setback requirement for all buildings, structures, storage containers and areas, and vehicle loading/unloading areas of 150 feet from any zoning district boundary that permits residential uses or a legally occupied residential structure will be replaced with a 1,000 foot setback from the property line of any property zoned One and Two-Family Residential (R), Single-Family Residential (RS), Multi-Family Residential (RM), Mobile Home Park (MHP), Mixed-Use Neighborhood (MUN), Office/Residential (OR), Office Neighborhood (ON), or Specific Plan (SP) (if the SP permits residential uses).

Section 17.16.210.A Construction/Demolition Landfill (SE)

- Establish a minimum lot size requirement for construction/demolition landfills where permitted by Special Exception of five acres.
- Replace 'facility' with 'all buildings, structures, storage containers and areas, and vehicle loading/unloading areas' and modify the current setback of 100 feet from a permitted residential use to a setback of 100 feet from any property line.
- Add a setback of 1,000 feet from the property line of any property zoned One and Two-Family Residential (R), Single-Family Residential (RS), Multi-Family Residential (RM),



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Mobile Home Park (MHP), Mixed-Use Neighborhood (MUN), Office/Residential (OR), Office Neighborhood (ON), or Specific Plan (SP) (if the SP permits residential uses).

- Clarify the landscape buffer yard required between the use and residential zoned districts and districts permitting residential uses to require a D-1 landscape buffer, which requires 50 feet of separation and certain amount of landscape planting.
- Establish limitations on hours of operation such that no related activity shall take place at the facility between 6:00pm and 7:00am.

ANALYSIS

Staff is recommending disapproval of the council bill as filed, but approval of the request with amendments. The proposed changes to the Zoning Code would establish additional restrictions on construction/demolition landfill and recycling facility uses where they are currently permitted with conditions in CL, CS and industrial zoning districts.

Construction/demolition landfill and recycling facility uses are necessary to support Davidson County's continued growth. Both uses can help reduce the levels of waste transported to traditional sanitary landfills and the recycling facility use can help reduce Davidson County's overall waste stream. Both uses are appropriate in industrial zoning districts, which accommodate more intense uses and are generally located away from sensitive uses such as residential uses. Further restricting the uses in industrial districts would reduce the potential sites available in Davidson County.

The proposed text amendments would establish additional site criteria and operation standards for construction/demolition landfill uses where they would be permitted by special exception, in agricultural zoning districts and mixed-use intensive zoning districts. Agricultural zoning districts are often located in areas also containing existing and growing residential neighborhoods. The proposed amendments would provide additional safeguards for existing residential uses and zoning districts from the intense uses. The Board of Zoning Appeals will still be required to grant a special exception for construction/demolition uses to ensure it is appropriate in its proposed context.

The proposed text amendment would make the following changes to the Code:

Section 17.16.110.A. Construction/Demolition Landfill.

1. Lot Size. The minimum lot area shall be **five** ~~one~~ acres.
2. Street Standard. Driveway access can be from any local street, provided that street is not bounded by any residential zoning district from the driveway access point to the street's intersection with a collector **or arterial** street ~~or a street~~ designated on the major street plan.
3. Setback. All buildings, structures, storage containers and areas, and vehicle loading/unloading areas shall be located a minimum of one hundred feet from any property line, ~~two hundred fifty feet from any residential zoning district boundary, and five hundred feet from any residential structure,~~ **and one thousand feet from the property line of any property zoned R, RS, RM, MHP, MUN, OR, ON, or SP (if the SP plan permits residential uses),** and ~~further,~~ the facility shall not be located less than two thousand feet from the property line of any school, **religious institution** or park.
4. Landscape Buffer Yard. Along all **adjacent** residential zone districts and districts permitting residential use, screening in the form of landscape buffer yard Standard D shall be applied. In addition, the entire facility shall be enclosed by a ~~chain-link-type~~ fence **constructed in**



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conformance with section 16.24.330 of the metropolitan code at least eight feet in height. The fence shall be patrolled each day to remove all windblown debris captured by the fence.

- ~~5. Recycling Facility. If located on the same lot as the construction/demolition landfill, a recycling facility shall be permitted as an accessory use provided it accepts construction/demolition waste only. The provisions of Section 17.16.110.C. shall not apply to an accessory use.~~
- ~~6. All loading, unloading, compacting, sorting, processing or storage shall take place within a completely enclosed building.~~
- 5. Hours of operation. No operations shall take place at the facility between the hours of 6:00 p.m. and 7:00 a.m.**

Section 17.16.110.D. Recycling Facility.

1. Lot Size. The minimum lot area shall be **five** ~~one~~ acres.
2. Setback. All buildings, structures, storage containers and areas, and vehicle loading/unloading areas shall be located a minimum of ~~one hundred fifty feet from any zoning district boundary that permits residential uses or a legally occupied residential structure~~ **one thousand feet from the property line of any property zoned R, RS, RM, MHP, MUN, OR, ON, or SP (if the SP plan permits residential uses). Notwithstanding the foregoing sentence, recycling facilities located on the same lot as a construction/demolition landfill shall meet all of the setback requirements applicable to construction/demolition landfills.**
3. Landscape Buffer Yard.
 - a. Along all residential zoning districts permitting residential use, opaque fencing at least eight feet in height shall be constructed in compliance with the terms of Section 17.24.210(G) of the landscape buffer yard requirements. The fencing requirements set forth herein shall supercede the setback requirements for screening walls and fencing contained in Section 17.12.040. Screening in the form of landscape buffer yard Standard D shall be applied outside any required opaque fencing.
 - b. For facilities not adjacent to a zoning district that permits residential uses, the entire facility shall be enclosed by a chain-link type fence at least eight feet in height. The fence shall be patrolled each day to remove all windblown debris captured by the fence.
4. Street Standard. Driveway access can be from any local street, provided that street is not bounded by any residential zoning district from the driveway access point to the street's intersection with a collector street or a street designated on the major street plan. A traffic impact study shall demonstrate that traffic generated to/from the site will only use streets where the existing level of service (LOS) is "D," and it is forecasted to remain at a LOS D or better with the proposed recycling facility traffic.
5. All compacting, sorting, processing or storage shall take place within a completely enclosed building. The term "completely enclosed building" means a structure with at least four walls and is totally enclosed when all doors are closed. The enclosed area(s) of a recycling facility shall have concrete floors or floors made of some other hard material that is easily cleanable. All loading and unloading shall take place:



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- a. On a partially enclosed loading dock when the loading dock connects directly to the completely enclosed building in which compacting, sorting, processing or storage takes place;
or
 - b. Within a Completely Enclosed Building. If a recycling facility utilizes a loading dock for loading and unloading, the loading dock shall not be used for storage and shall be cleaned of all materials at the close of each business day. The areas around loading docks and other high-traffic areas shall be paved.
6. Hours of Operation. The hours of operation for any recycling facility located adjacent to a zoning district that permits residential uses shall be limited to 7:00 a.m. to 6:00 p.m.
7. Lighting. For any recycling facility located adjacent to a zoning district that permits residential uses, all light and glare shall be directed on-site to ensure that surrounding properties are not adversely impacted by increases in direct or indirect ambient lighting levels.

Section 17.16.210.A. Construction/Demolition Landfill.

1. Lot Size. The minimum lot area shall be five acres.

- ~~12.~~ **Setback. The facility All buildings, structures, storage containers and areas, and vehicle loading/unloading areas shall not be located within a minimum of one hundred feet of from any residential zone district or district permitting residential use property line, and one thousand feet from the property line of any property zoned R, RS, RM, MHP, MUN, OR, ON, or SP (if the SP plan permits residential uses). ~~Further~~ the facility shall not be located within two thousand feet of the property line of any school, religious institution or park.**
- ~~23.~~ **Landscape Buffer Yard. Along all adjacent residential zone districts and districts permitting residential use, screening in the form of landscape buffer yard Standard D-1 shall be applied along common property lines.**
- ~~34.~~ **Street Standard. At a minimum, the construction/demolition landfill uses shall have driveway access on nonresidential collector or arterial streets as designated on the major street plan.**
- ~~45.~~ **Recycling Facility. If located on the same lot as the construction/demolition landfill, a recycling facility may be permitted as an accessory use provided it accepts construction/demolition waste only and complies with the requirements provided in Section 17.16.110.D.**
- 6. Hours of operation. No operation shall take place at the facility between the hours of 6:00 p.m. and 7:00 a.m. and between 6:00 p.m. and 9:00 a.m. on weekends.**

Staff Recommended Amendment for Approval:

To ensure construction/demolition landfill and recycling facility uses are not further restricted from industrial zoning districts where they are appropriate uses, staff recommends that Section 17.16.110.A (Construction/Demolition Landfill) and Section 17.16.110.D (Recycling Facility) remain as they currently exist in the zoning code with the exception of the proposed changes to the street standard and landscape buffer yard requirements for the construction/demolition landfill uses (Section 17.16.110.A.2 and Section 17.16.110.A.4 respectively).



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Staff recommends the changes proposed to Section 17.16.210.A (Construction/Demolition Landfill) remain. With the staff changes to Sections 17.16.110A and 17.16.110.D, and including the proposed changes to Section 17.16.210.A as currently proposed in BL2014-772, staff recommended approval.

Staff's proposed amends are outlined as follows:

Section 17.16.110.A. Construction/Demolition Landfill.

1. Lot Size. The minimum lot area shall be one acre.
2. Street Standard. Driveway access can be from any local street, provided that street is not bounded by any residential zoning district from the driveway access point to the street's intersection with a collector **or arterial** street ~~or a street~~ designated on the major street plan.
3. Setback. All buildings, structures, storage containers and areas, and vehicle loading/unloading areas shall be located a minimum of one hundred feet from any property line, two hundred fifty feet from any residential zoning district boundary, and five hundred feet from any residential structure, and further, the facility shall not be located less than two thousand feet from the property line of any school or park.
4. Landscape Buffer Yard. Along all **adjacent** residential zone districts and districts permitting residential use, screening in the form of landscape buffer yard Standard D shall be applied. In addition, the entire facility shall be enclosed by a ~~chain-link-type~~ fence **constructed in conformance with section 16.24.330 of the metropolitan code** at least eight feet in height. The fence shall be patrolled each day to remove all windblown debris captured by the fence.
5. Recycling Facility. If located on the same lot as the construction/demolition landfill, a recycling facility shall be permitted as an accessory use provided it accepts construction/demolition waste only. The provisions of Section 17.16.110.**D**. shall not apply to an accessory use.
 - 6a. All loading, unloading, compacting, sorting, processing or storage shall take place within a completely enclosed building.

Section 17.16.110.D. Recycling Facility.

1. Lot Size. The minimum lot area shall be one acre.
2. Setback. All buildings, structures, storage containers and areas, and vehicle loading/unloading areas shall be located a minimum of one hundred fifty feet from any zoning district boundary that permits residential uses or a legally occupied residential structure.
3. Landscape Buffer Yard.
 - a. Along all residential zoning districts permitting residential use, opaque fencing at least eight feet in height shall be constructed in compliance with the terms of Section 17.24.210(G) of the landscape buffer yard requirements. The fencing requirements set forth herein shall supercede the setback requirements for screening walls and fencing contained in Section 17.12.040. Screening in the form of landscape buffer yard Standard D shall be applied outside any required opaque fencing.
 - b. For facilities not adjacent to a zoning district that permits residential uses, the entire facility shall be enclosed by a chain-link type fence at least eight feet in height. The fence shall be patrolled each day to remove all windblown debris captured by the fence.
4. Street Standard. Driveway access can be from any local street, provided that street is not bounded by any residential zoning district from the driveway access point to the street's intersection with a



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collector street or a street designated on the major street plan. A traffic impact study shall demonstrate that traffic generated to/from the site will only use streets where the existing level of service (LOS) is "D," and it is forecasted to remain at a LOS D or better with the proposed recycling facility traffic.

5. All compacting, sorting, processing or storage shall take place within a completely enclosed building. The term "completely enclosed building" means a structure with at least four walls and is totally enclosed when all doors are closed. The enclosed area(s) of a recycling facility shall have concrete floors or floors made of some other hard material that is easily cleanable. All loading and unloading shall take place:
 - a. On a partially enclosed loading dock when the loading dock connects directly to the completely enclosed building in which compacting, sorting, processing or storage takes place; or
 - b. Within a Completely Enclosed Building. If a recycling facility utilizes a loading dock for loading and unloading, the loading dock shall not be used for storage and shall be cleaned of all materials at the close of each business day. The areas around loading docks and other high-traffic areas shall be paved.
6. Hours of Operation. The hours of operation for any recycling facility located adjacent to a zoning district that permits residential uses shall be limited to 7:00 a.m. to 6:00 p.m.
7. Lighting. For any recycling facility located adjacent to a zoning district that permits residential uses, all light and glare shall be directed on-site to ensure that surrounding properties are not adversely impacted by increases in direct or indirect ambient lighting levels.

Section 17.16.210.A. Construction/Demolition Landfill.

1. Lot Size. The minimum lot area shall be five acres.

~~12.~~ **Setback. The facility All buildings, structures, storage containers and areas, and vehicle loading/unloading areas shall not be located within a minimum of one hundred feet of from any residential zone district or district permitting residential use property line, and one thousand feet from the property line of any property zoned R, RS, RM, MHP, MUN, OR, ON, or SP (if the SP plan permits residential uses). Further the facility shall not be located within two thousand feet of the property line of any school, religious institution or park.**

~~23.~~ **Landscape Buffer Yard. Along all adjacent residential zone districts and districts permitting residential use, screening in the form of landscape buffer yard Standard D-1 shall be applied along common property lines.**

~~34.~~ **Street Standard. At a minimum, the construction/demolition landfill uses shall have driveway access on nonresidential collector or arterial streets as designated on the major street plan.**

~~45.~~ **Recycling Facility. If located on the same lot as the construction/demolition landfill, a recycling facility may be permitted as an accessory use provided it accepts construction/demolition waste only and complies with the requirements provided in Section 17.16.110.D.**

~~6.~~ **Hours of operation. No operation shall take place at the facility between the hours of 6:00 p.m. and 7:00 a.m. and between 6:00 p.m. and 9:00 a.m. on weekends.**



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CODES ADMINISTRATION RECOMMENDATION

No Exceptions Taken

PUBLIC WORKS RECOMMENDATION

Approve

STAFF RECOMMENDATION

Staff recommends approval with an amendment to the Council Bill.

ORDINANCE NO. BL2014-772

An Ordinance amending Chapter 17.16 of Title 17 of the Metropolitan Code, Zoning Regulations to modify the conditions pertaining to lot size, setbacks, street standard, landscaping, and hours of operation for construction/demolition landfills and recycling facilities (Proposal No. 2014Z-015TX-001).

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

Section 1. That Section 17.16.110 of Title 17 of the Code of The Metropolitan Government of Nashville and Davidson County, Zoning Regulations, is hereby amended by deleting the provisions of subsections A. and D. in their entirety, and substituting with the following new subsections A. and D.:

A. Construction/Demolition Landfill.

1. Lot Size. The minimum lot area shall be five acres.
2. Street Standard. Driveway access can be from any local street, provided that street is not bounded by any residential zoning district from the driveway access point to the street's intersection with a collector or arterial street designated on the major street plan.
3. Setback. All buildings, structures, storage containers and areas, and vehicle loading/unloading areas, shall be located a minimum of one hundred feet from any property line, and one thousand feet from the property line of any property zoned R, RS, RM, MHP, MUN, OR, ON, or SP (if the SP plan permits residential uses). Further, the facility shall not be located less than two thousand feet from the property line of any school, religious institution or park.
4. Landscape Buffer Yard. Along all adjacent residential zone districts and districts permitting residential use, screening in the form of landscape buffer yard Standard D shall be applied. In addition, the entire facility shall be enclosed by a fence constructed in conformance with section 16.24.330 of the metropolitan code at least eight feet in height. The fence shall be patrolled each day to remove all windblown debris captured by the fence.
5. Hours of operation. No operations shall take place at the facility between the hours of 6:00 p.m. and 7:00 a.m.
6. Recycling Facility. If located on the same lot as the construction/demolition landfill, a recycling facility shall be permitted as an accessory use provided it accepts construction/demolition waste only. The provisions of Section 17.16.110.C. shall not apply to an accessory use.



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D. Recycling Facility.

1. Lot Size. The minimum lot area shall be five acres.
2. Setback. All buildings, structures, storage containers and areas, and vehicle loading/unloading areas shall be located a minimum of one thousand feet from the property line of any property zoned R, RS, RM, MHP, MUN, OR, ON, or SP (if the SP plan permits residential uses). Notwithstanding the foregoing sentence, recycling facilities located on the same lot as a construction/demolition landfill shall meet all of the setback requirements applicable to construction/demolition landfills.
3. Landscape Buffer Yard.
 - a. Along all residential zoning districts permitting residential use, opaque fencing at least eight feet in height shall be constructed in compliance with the terms of Section 17.24.210(G) of the landscape buffer yard requirements. The fencing requirements set forth herein shall supersede the setback requirements for screening walls and fencing contained in Section 17.12.040. Screening in the form of landscape buffer yard Standard D shall be applied outside any required opaque fencing.
 - b. For facilities not adjacent to a zoning district that permits residential uses, the entire facility shall be enclosed by a chain-link type fence at least eight feet in height. The fence shall be patrolled each day to remove all windblown debris captured by the fence.
4. Street Standard. Driveway access can be from any local street, provided that street is not bounded by any residential zoning district from the driveway access point to the street's intersection with a collector street or a street designated on the major street plan. A traffic impact study shall demonstrate that traffic generated to/from the site will only use streets where the existing level of service (LOS) is "D," and it is forecasted to remain at a LOS D or better with the proposed recycling facility traffic.
5. All compacting, sorting, processing or storage shall take place within a completely enclosed building. The term "completely enclosed building" means a structure with at least four walls and is totally enclosed when all doors are closed. The enclosed area(s) of a recycling facility shall have concrete floors or floors made of some other hard material that is easily cleanable. All loading and unloading shall take place:
 - a. On a partially enclosed loading dock when the loading dock connects directly to the completely enclosed building in which compacting, sorting, processing or storage takes place; or
 - b. Within a Completely Enclosed Building. If a recycling facility utilizes a loading dock for loading and unloading, the loading dock shall not be used for storage and shall be cleaned of all materials at the close of each business day. The areas around loading docks and other high-traffic areas shall be paved.
6. Hours of Operation. The hours of operation for any recycling facility located adjacent to a zoning district that permits residential uses shall be limited to 7:00 a.m. to 6:00 p.m.
7. Lighting. For any recycling facility located adjacent to a zoning district that permits residential uses, all light and glare shall be directed on-site to ensure that surrounding properties are not adversely impacted by increases in direct or indirect ambient lighting levels.

Section 2. That Section 17.16.210 is hereby amended by deleting subsection A. in its entirety and substituting with the following new subsection A.:

A. Construction/Demolition Landfill.

1. Lot Size. The minimum lot area shall be five acres.
2. Setback. All buildings, structures, storage containers and areas, and vehicle loading/unloading areas shall be located a minimum of one hundred feet from any property line, and one thousand feet from the property line of any property zoned R, RS, RM, MHP, MUN, OR, ON, or SP (if the SP plan permits residential uses). Further, the facility shall not be located within two thousand feet of the property line of any school, religious institution or park.



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3 Landscape Buffer Yard. Along all adjacent residential zone districts and districts permitting residential use, screening in the form of landscape buffer yard Standard D-1 shall be applied along common property lines.

4. Street Standard. At a minimum, the construction/demolition landfill uses shall have driveway access on nonresidential collector or arterial streets as designated on the major street plan.

5. Recycling Facility. If located on the same lot as the construction/demolition landfill, a recycling facility may be permitted as an accessory use provided it accepts construction/demolition waste only and complies with the requirements provided in Section 17.16.110.D.

6. Hours of operation. No operations shall take place at the facility between the hours of 6:00 p.m. and 7:00 a.m. and between 6:00 p.m. and 9:00 a.m. on weekends.

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

Sponsored by: Sheri Weiner

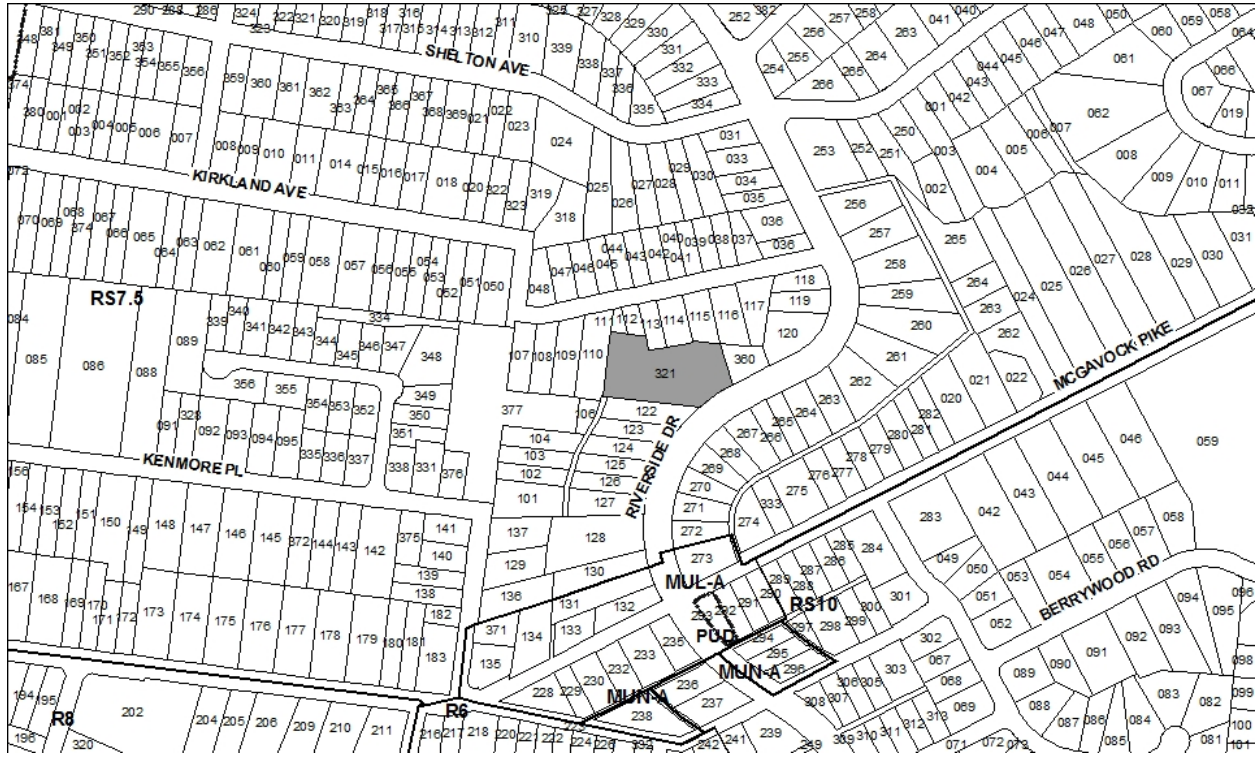


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2014SP-022-001

2324 RIVERSIDE

Map 072-07, Parcel(s) 321

05, East Nashville

07 (Anthony Davis)



Project No. 2014SP-022-001
Project Name 2324 Riverside
Council District 7 – A. Davis
School District 3 – Speering
Requested by Dale & Associates, Inc., applicant; Susan Thornton, owner

Deferral *This request was deferred at the May 8, 2014, Planning Commission meeting by the applicant in order to permit addition communication with the Councilmember and surrounding community.*

Staff Reviewer Logan
Staff Recommendation *Approve with conditions and disapprove without all conditions.*

APPLICANT REQUEST

Preliminary SP to permit eight detached dwelling units.

Preliminary SP

A request to rezone from Single-Family Residential (R7.5) to Specific Plan-Residential (SP-R) zoning for property located at 2324 Riverside Drive, approximately 550 feet north of McGavock Pike (1.01 acres), to permit up to eight detached single-family dwelling units.

Existing Zoning

Single-Family Residential (RS7.5) requires a minimum 7,500 square foot lot and is intended for single-family dwellings at a density of 4.94 dwelling units per acre. *RS7.5 would permit a maximum of 4 lots for a total of 4 units.*

Proposed Zoning

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

CRITICAL PLANNING GOALS

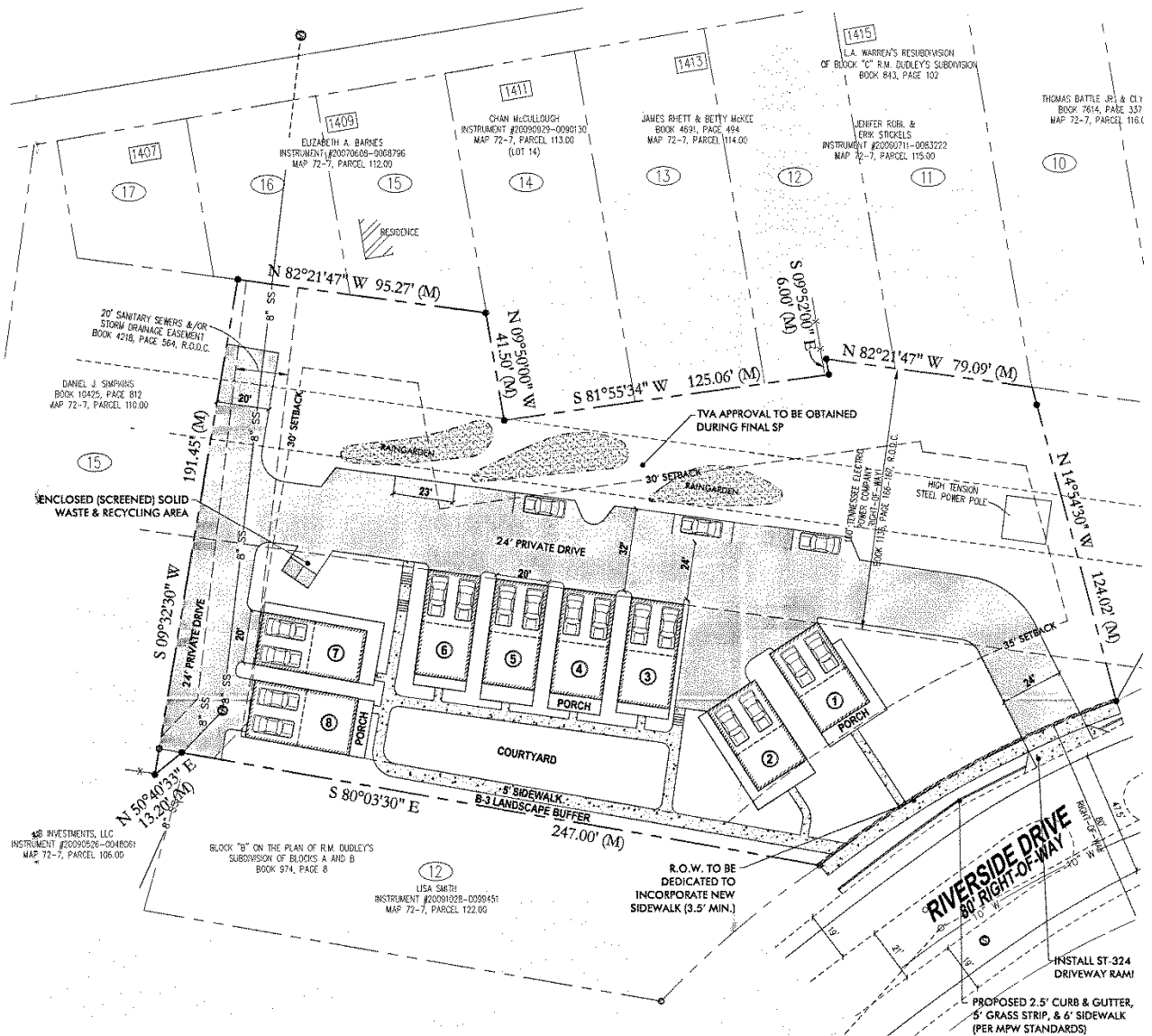
- Supports a Variety of Transportation Choices
- Supports Infill Development
- Creates Walkable Neighborhoods

This SP encourages the development of healthy neighborhoods by supporting a stronger walking environment and supporting the development and viability of the nearby Riverside Village commercial node as a walk-to destination.

The SP district increases the supply of housing within an already developed area of Nashville served by existing infrastructure, which allows additional development without burdening Metro with the cost of maintaining new infrastructure. The property is located in an area served by a network of streets that provide multiple options for access to nearby commerce, services,



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Proposed Site Plan



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employment and recreation which helps mitigate traffic congestion along major arterials and expressways.

The development increases residential density along existing transit lines. The site is served by two MTA transit lines – one along McGavock Pike just to the south and another along Riverside Drive in front of the site. A bike lane is located on Riverside Drive in front of the site, permitting easier access to Nashville's bike network.

Further, the additional residential opportunity within a developed area of Nashville mitigates urban sprawl by relieving the need to build additional housing on the periphery of the county in an existing green-field or in a bordering county.

EAST NASHVILLE COMMUNITY PLAN

Residential Medium (RM) policy is intended to accommodate residential development within a density range of four to nine dwelling units per acre. A variety of housing types are appropriate. The most common types include compact, single-family detached units, town-homes, and walk-up apartments.

Consistent with Policy?

Yes. The Residential Medium policy supports a variety of housing options including the proposed detached residential cottage development. Also, the rezoning request is a site plan based district that encourages flexibility in design so that the result is well suited to the subject property and the neighborhood. The density proposed for this development is within the range prescribed under the policy at 8 dwelling units per acre.

PLAN DETAILS

The site is located on Riverside Drive, a collector avenue, just north of Riverside Village in the Inglewood neighborhood of East Nashville. An existing single-family dwelling is located on the lot. The property is surrounded by RS7.5 zoned single-family dwellings.

Site Plan

The plan proposes eight detached residential units. The dwellings will be situated around a courtyard on the south side of the property. A 100' wide TVA easement containing overhead transmission lines encumbers the northern half of the property. Two proposed dwellings will be situated along and oriented to Riverside Drive to ensure the development supports the existing development pattern along the street. Units are intended to be three stories with a maximum of 35 feet at the top of the roof. All units will provide a porch entry on the facades oriented to the street or courtyard. Finished floors and porches will be raised a minimum of 24 inches and a maximum of 48 inches from the abutting average ground elevation.

Access to the site is limited to one entrance on Riverside Drive. All units will provide a two space garage at the rear while additional 'guest' parking will be provided on the north side of the proposed driveway. Sidewalks are proposed along Riverside Drive and interior to the site, providing pedestrian access to each unit. Landscaping is shown throughout the development and a landscape buffer is required along the south property line. Landscaping will be provided on the northeast side of the proposed driveway to shield visibility into the rear of the development. Street trees will be established within the planting strip proposed as part of the sidewalk. Stormwater will be accommodated in bioretention/rain-garden areas within the open space necessitated by the TVA easement on the north side of the driveway.



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Architectural images have not been included with the preliminary SP. The SP, however, includes notes that address design considerations. The design conditions address doorway placement, glazing, window orientation and porches. Also, EIFS and vinyl siding will not be permitted as building materials. Building elevations will be submitted and reviewed with the final SP site plan.

ANALYSIS

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

WATER SERVICES RECOMMENDATION

- Approved as a preliminary SP only. Applicant must pay required capacity fees and submit construction plans by Final SP or Final Plat stage.

PUBLIC WORKS RECOMMENDATION

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

Maximum Uses in Existing Zoning District: **RS7.5**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	1.01	4.94 D	4 U	39	3	5

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	1.01	-	8 U	54	5	5

Traffic changes between maximum: **RS7.5** 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
-	-	-	+ 4	+15	+2	0

SCHOOL BOARD REPORT

The proposed SP-R zoning district would not generate any additional students than what is typically generated under the existing RS7.5 district. Students would attend Dan Mills Elementary School, Issac Litton Middle School, and Stratford High School. All three schools have been identified as having additional capacity. This information is based upon data from the school board last updated September 2013.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.



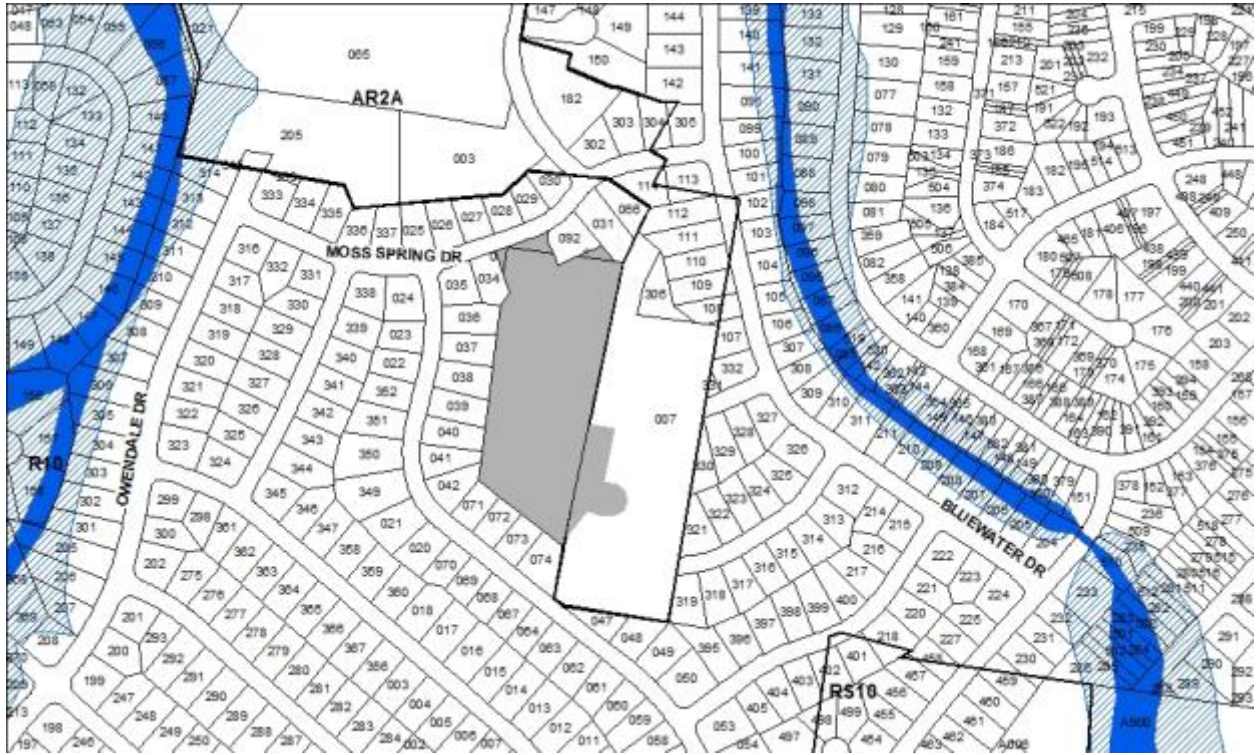
Metro Planning Commission Meeting of 6/12/2014

CONDITIONS

1. Uses within the SP shall be limited to eight detached residential units.
2. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM9 zoning district as of the date of the applicable request or application.
3. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
4. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
5. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.



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2014S-082-001

MOSS PLACE

Map 150, Parcel(s) 006, Part of 007

Map 150-02, Parcel(s) 032, 093-094

13, Antioch - Priest Lake

29 (Karen Y. Johnson)



Project No. 2014S-082-001
Project Name Moss Place
Council District 29 – Johnson
School District 7 – Pinkston
Requested by Batson & Associates, applicant; Moss Springs, LLC, owner

Deferral *This item was deferred at the May 8, 2014, Planning Commission meeting to allow the applicant more time to discuss the proposal with neighboring property owners. The Public Hearing was kept open. It was also deferred at the May 22, 2014, meeting at the request of the applicant to allow more time for an archeological study to be conducted.*

Staff Reviewer Sajid
Staff Recommendation *Approve with conditions*

APPLICANT REQUEST

Create 17 lots, including 4 duplex lots and one open space lot.

Concept Plan

A request for concept plan approval to create 17 buildable lots, including 4 duplex lots, and one open space lot on properties located at 2929 Moss Spring Drive, Moss Spring Drive (unnumbered) and on a portion of property located at 3120 Bluewater Way, on the south side of Moss Spring Drive, zoned One and Two-Family Residential (R10) and Agricultural/Residential (AR2a) (6.23 acres).

Existing Zoning

One and Two-Family Residential (R10) requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre. *R10 would permit a maximum of 20 lots with 5 duplex lots for a total of 25 units.*

Agricultural/Residential (AR2a) requires a minimum lot size of two acres and 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. *AR2a would permit a maximum of 1 lot, which could be a duplex lot, resulting in a total of 2 units.*

CRITICAL PLANNING GOALS

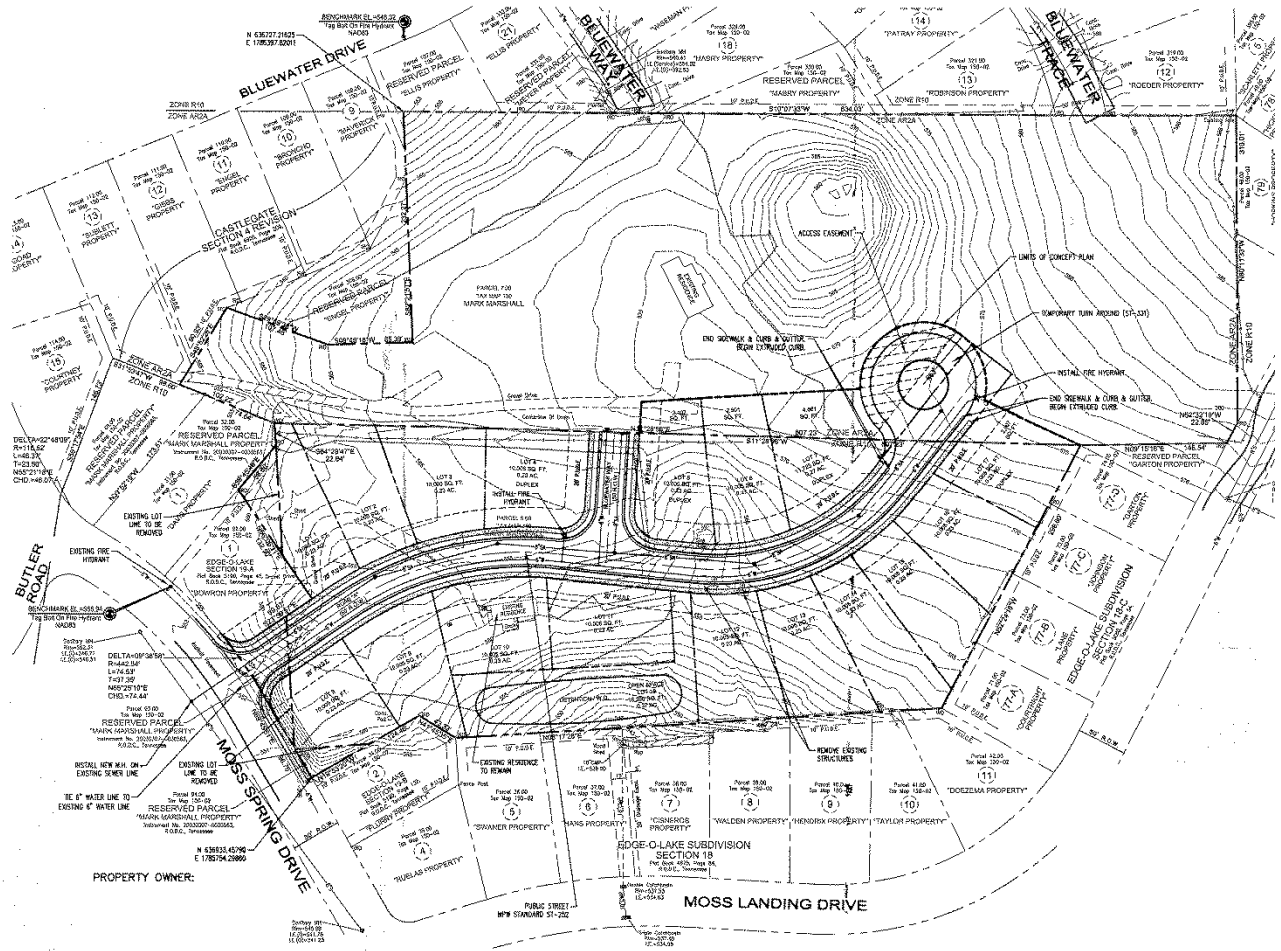
N/A

PLAN DETAILS

This request is to subdivide five existing properties into 13 single-family residential lots, 4 two-family residential lots and open space. The subject properties are located south of Moss Spring Drive, northeast of Moss Landing Drive and west of Bluewater Drive. The parcels currently include several structures, including an existing residence that will remain on Lot 10.



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Proposed Subdivision



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Site Plan

The proposed plan calls for 13 single-family residential lots, 4 two-family lots and open space with a density of 3.4 dwelling units per acre. The maximum number of buildable lots that could be created for the cluster option is 17, while the traditional subdivision option could yield up to 20 lots without providing streets or other infrastructure. The plan proposes 17 buildable lots, including four duplex lots, with primary access from a proposed cul-de-sac located off of Moss Spring Drive. However, the proposed subdivision is not a Cluster Lot option. All lots meet the minimum lot size required by the zoning. A stub street for Bluewater Way is shown to the east of the site with the intention of a future connection to the existing segment of Bluewater Way that stubs from Bluewater Drive. Two-family dwellings are proposed on Lots 4, 5, 7 and 17, and a detention/open space is shown behind Lots 10 and 11. Portions of Lots 5, 6, 7 and 17 are located in the AR2a zoning district; the Zoning Administrator has determined that this is acceptable since the majority of these lots including the building envelopes are located in R10. All proposed lots meet the minimum lots size for the R10 zoning district.

ARCHAEOLOGICAL STUDY

- An archaeological study done by the developer did not indicate the presence of graves at the identified location.
- The archaeological study recommends that limited monitoring be done during the construction phase to ensure no graves are located, and if they are so located then they can be preserved or relocated under the supervision of an archaeologist.

ANALYSIS

Staff recommends approval with conditions.

ZONING ADMINISTRATOR RECOMMENDATION

Approved

FIRE MARSHAL RECOMMENDATION

Approved

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

STORMWATER RECOMMENDATION

Approved

WATER SERVICES RECOMMENDATION

Approved

- The applicant will be required to submit construction plans and pay the required Capacity Fees before the plat stage is approved.

TRAFFIC AND PARKING RECOMMENDATION

No exception taken

PUBLIC WORKS RECOMMENDATION

Conditional if approved



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- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- At the intersection with Moss Spring Drive, Road A entering the project shall be graded to provide a maximum 3% grade for no less than the first 50'.
- With final construction plans, the developers engineer shall evaluate the curve on Butler Rd. approximately 300' north of Moss Spring Drive, for possible safety enhancements to be made at the developer's expense.

STAFF RECOMMENDATION

Approve with conditions.

Conditions

Comply with all reviewing agencies requirements.

1. At the intersection with Moss Spring Drive, Road A entering the project shall be graded to provide a maximum 3% grade for no less than the first 50'.
2. With final construction plans, the developers engineer shall evaluate the curve on Butler Rd. approximately 300' north of Moss Spring Drive, for possible safety enhancements to be made at the developer's expense.
3. If grave sites are found during construction, all provisions of State Law shall be followed. Major changes may require a new Concept Plan.



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2014S-084-001

300 TILLMAN

Map 083-07, Parcel(s) 149

05, East Nashville

06 (Peter Westerholm)



Project No.	2014S-084-001
Project Name	300 Tillman
Council District	6 – Westerholm
School District	5 – Kim
Requested by	Dale & Associates, applicant; Graham C. & James Carson Gray, owners.
Staff Reviewer	Sajid
Staff Recommendation	<i>Approve with conditions</i>

APPLICANT REQUEST

Create 3 lots.

Final Plat

A request for final plat approval to create 3 lots on property located at 300 Tillman Lane, at the southeast corner of Tillman Lane and Skyview Drive, zoned One and Two Family Residential (R6) (0.57 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 percent duplex lots. *R6 would permit a maximum of 4 lots with 1 duplex lot for a total of 5 units.*

CRITICAL PLANNING GOALS

- Supports Infill Development

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

SUBDIVISION REGULATIONS

The land use policy for the subject property is Neighborhood General (NG), which is not subject to the compatibility criteria in Section 3-5.2 of the Subdivision Regulations. The subdivision shall meet all minimum standards of the zoning code, provide street frontage and meet the current standards of reviewing agencies including Metro Public Works, Stormwater and Water Services.

PLAN DETAILS

The request will create three infill lots from one existing lot at the southeast corner of Tillman Lane and Skyview Drive in East Nashville. The existing house on the lot is proposed to be demolished. Each of the proposed lots will be eligible to accommodate up to two dwellings. Therefore, the proposed subdivision would permit up to six dwellings. The site does not contain any significant slopes or other environmentally sensitive features.

Access to all proposed lots will be restricted to a shared access easement off of Skyview Drive. The access easement will be established on the north side of Lot 3 and the south side of Lots 1 and 2. No existing sidewalks are available along Tillman Avenue or Skyview Drive. Since there is not an



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existing sidewalk network in the area, the applicant is eligible to make a contribution in lieu of sidewalk construction.

ANALYSIS

All lots are consistent with the minimum standards of the R6 zoning district and have frontage on a public street.

FIRE MARSHAL RECOMMENDATION

N/A

STORMWATER RECOMMENDATION

Approved with conditions

Prior to the recording of the final plat:

- Construction drawings shall be approved fully satisfying all requirements of the Stormwater Management Manual.
- All stormwater features shall be shown on the plat.
- Said features along with areas adjacent to the ROW shall be located in Public Utility and Drainage Easements.
- The maintenance agreement instrument number shall be cited on the plat.

WATER SERVICES RECOMMENDATION

Approved

TRAFFIC AND PARKING RECOMMENDATION

No exception taken

PUBLIC WORKS RECOMMENDATION

Approved with conditions

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- If sidewalks are required, then they should be shown on the plan per Public Works standards with the required curb and gutter and grass strip.

STAFF RECOMMENDATION

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

CONDITIONS

1. Prior to recordation, existing building shall be demolished and removed from the final plat.
2. Sidewalks are required along the Tillman Lane and Skyview Drive frontages of the proposed subdivision. Therefore, prior to final plat recordation, one of the options must be chosen related to sidewalks:
 - a. Submit a bond application and post a bond with the Planning Department,
 - b. Construct sidewalk and have it accepted by Public Works,
 - c. Submit contribution in-lieu of construction to the Planning Department, two additional lots will require a \$1000 contribution to Pedestrian Benefit Zone 2-A.



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- d. Construct an equal length of sidewalk within the same Pedestrian Benefit Zone, in a location to be determined in consultation with the Public Works Department, or
 - e. Add the following note to the plat: "No building permit is to be issued on any of the proposed lots until the required sidewalk is constructed per the Department of Public Works specifications." Sidewalk shall be shown and labeled on the plan per Public Works Standards with the required curb and gutter.
3. Prior to the recording of the final plat, construction drawings shall be approved fully satisfying all requirements of the Stormwater Management Manual.
 4. Prior to the recording of the final plat, all stormwater features shall be shown on the plat.
 5. Prior to the recording of the final plat, all stormwater features along with areas adjacent to the ROW shall be located in Public Utility and Drainage Easements.
 6. Prior to the recording of the final plat, the maintenance agreement instrument number shall be cited on the plat.



PLANNING COMMISSION ACTIONS

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



Project No. 2014SP-038-001
Project Name Lot 3 The Shoppes at Ridgeview
Council District 32 – Dowell
School District 6 – Mayes
Requested by Dale and Associates, applicant; PNB Holding Co. 2, Inc., owner.

Staff Reviewer Sajid
Staff Recommendation *Approve with conditions and disapprove without all conditions.*

APPLICANT REQUEST

Preliminary SP to a full-service restaurant.

Preliminary SP

A request to rezone from Specific Plan-Auto (SP-A) to Specific Plan-Commercial (SP-C) zoning for property located at Bell Road (unnumbered), approximately 200 feet south of Eagle View Boulevard, (0.9 acres), to permit a restaurant.

Existing Zoning

Specific Plan-Auto 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.

Proposed Zoning

Specific Plan-Commercial (SP-C) 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 commercial uses.

CRITICAL PLANNING GOALS

- N/A

ANTIOCH – PRIEST LAKE COMMUNITY PLAN

Suburban Community Center (T3 CC) policy is intended to enhance suburban community centers encouraging their redevelopment as intense mixed use areas that are compatible with the general character of suburban neighborhoods as characterized by the service area, development pattern, building form, land use, and associated public realm. Where not present, enhance infrastructure and transportation networks to improve pedestrian, bicycle and vehicular connectivity. T3 Suburban Community Centers are pedestrian friendly areas, generally located at prominent intersections. T3 Suburban Community Centers serve suburban communities within a 10 to 20 minute drive.

Consistent with Policy?

Yes. The proposed SP is consistent with the Suburban Community Center policy. As proposed, the request would allow for a new full-service restaurant that is located southwest of the intersection of Bell Road and Eagle View Boulevard in an area characterized by intense mixed use.



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PLAN DETAILS

The site is located southwest of the intersection of Bell Road and Eagle View Boulevard. The subject property is currently vacant. Surrounding zoning includes MUL, AR2A and PUD, and the area includes a mixture of uses. Access to the site is from a shared access drive off of Eagle View Boulevard that already serves the Thornton's located to the east of the site.

Site Plan

The SP proposes a 1,875 SF full-service restaurant on the site. The subject property was previously rezoned from MUL to SP-A to permit a 3,600 SF car wash (2012SP-018-001). However, plans for the car wash never materialized, and the site is currently vacant.

The plan includes a rectangular building that is oriented perpendicular to Bell Road. The front setback will be in line with the existing Thornton's that is located adjacent to the site. Parking is located to the side of the building, and the dumpster is shown at the rear of the building screened with a knee wall and landscaping. Sidewalks are proposed interior to the site and include connections to the adjacent gas station as well as to the existing sidewalk network along Bell Road. Primary access to the site is from an existing private drive off Eagle View Boulevard; no new curb cuts are proposed on Bell Road. Signage will follow the requirements of the MUL district, which prohibits LED and digital display signs with the exception of time/temperature/date signs.

ANALYSIS

Staff recommends approval with conditions and disapproval without all conditions.

FIRE MARSHAL RECOMMENDATION

N/A

STORMWATER RECOMMENDATION

Approved

TRAFFIC & PARKING RECOMMENDATION

No exception taken

WATER SERVICES RECOMMENDATION

Approve

PUBLIC WORKS RECOMMENDATION

Approve with conditions

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- Indicate sidewalk construction along the proposed private drive extension.

Maximum Uses in Existing Zoning District: SP-A

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Car Wash (948)	0.9	-	3,600 SF	NA	NA	42



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Maximum Uses in Proposed Zoning District: SP-C

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (sit-down) (932)	0.9	-	1,875 SF	238	22	21

Traffic changes between maximum: SP-A and proposed SP-C

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	- 1,725 SF	NA	NA	-21

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Uses within the SP shall be limited to a full-service restaurant.
2. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Council approval, the property shall be subject to the standards, regulations and requirements of the MUL zoning district as of the date of the applicable request or application.
3. Signage shall meet the requirements of the MUL zoning district.
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 or with final site plan application.
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.

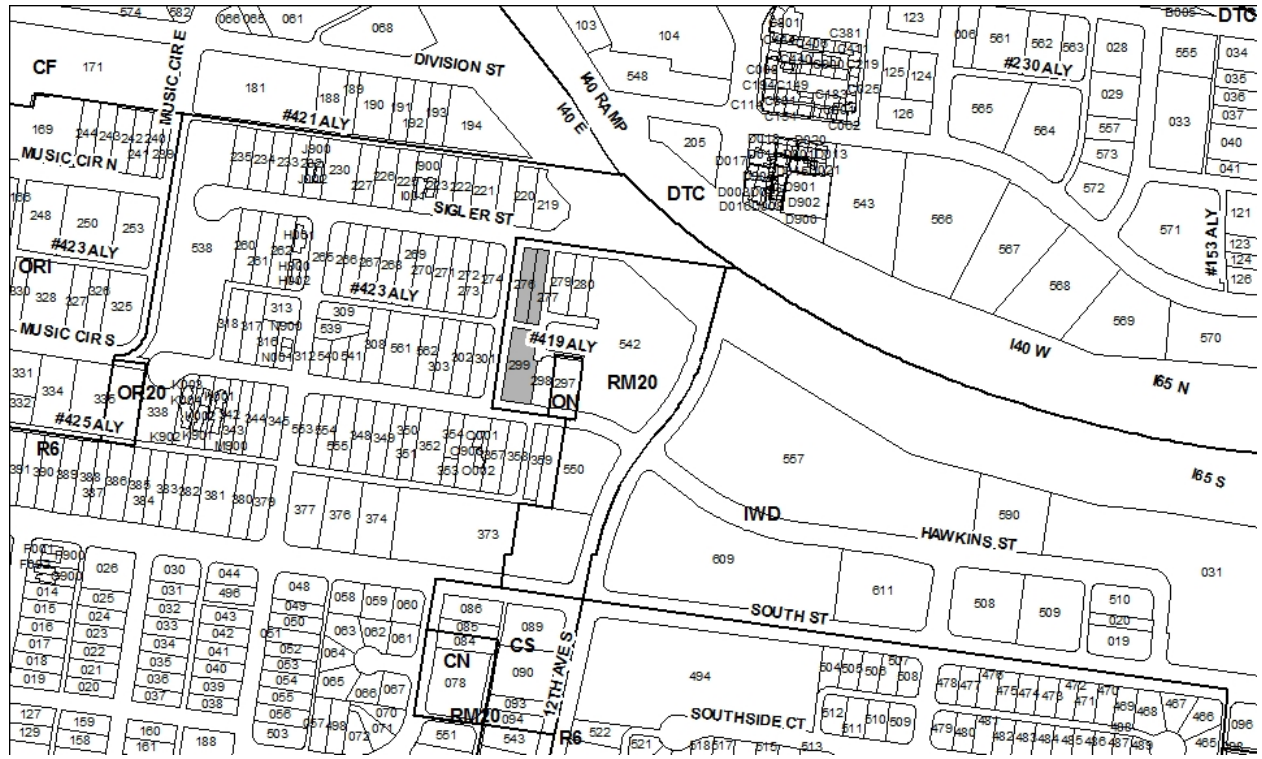


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2014SP-041-001

1212 HAWKINS STREET

Map 093-13, Parcel(s) 276-277, 299

10, Green Hills - Midtown

19 (Erica S. Gilmore)



Project No.	Zone Change 2014SP-041-001
Project Name	1212 Hawkins Street
Council District	19 – Gilmore
School District	5 – Kim
Requested by	Barge Cauthen & Associates, applicant; Gulchetto Enterprises, Inc., owner.
Staff Reviewer	Swaggart
Staff Recommendation	<i>Approve with conditions and disapprove without all conditions.</i>

APPLICANT REQUEST

Preliminary SP to permit 45 residential units.

Preliminary SP

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

Existing Zoning

Multi-Family Residential (RM20) is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre. *RM20 would permit a maximum of 14 units on this site.*

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.

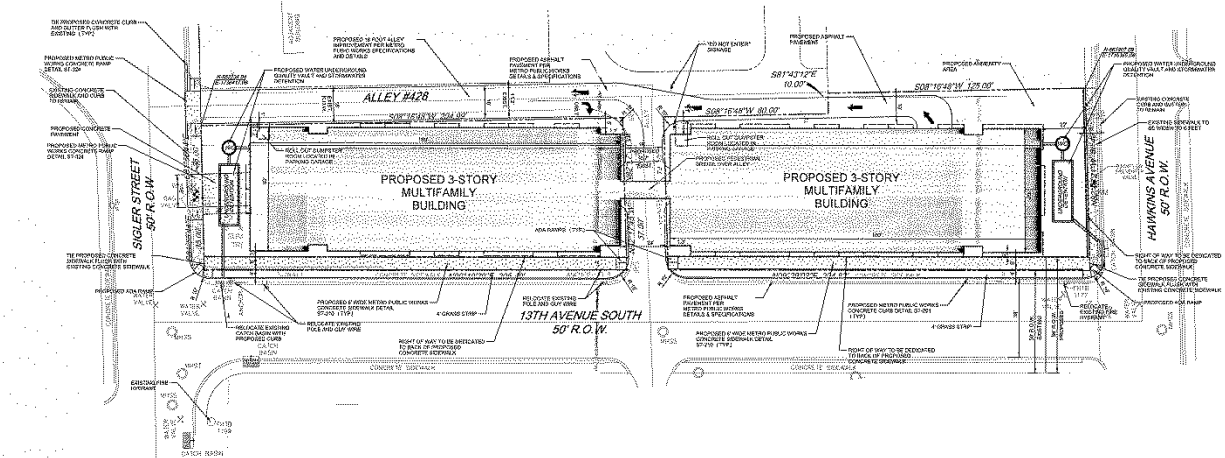
CRITICAL PLANNING GOALS

- Supports Infill Development
- Provides a Range of Housing Choices
- Creates Walkable Neighborhoods
- Supports a Variety of Transportation Choices

This area is served by adequate infrastructure. Development in areas with adequate infrastructure is more appropriate than development not served with adequate infrastructure such as roads, water and sewer, because it does not burden Metro with the cost of maintaining new infrastructure. The request provides for an additional housing option in the area. Additional housing options are important to serve a wide range of people with different housing needs. The area is served with a sidewalk network providing a safe pedestrian environment, which encourages walking. More intense development fosters walkability and better public transportation because housing, work and conveniences are located within a smaller area, making them more accessible by foot and or public transportation. Bus service is located about 400 feet to the east on 12th Avenue South.



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Proposed Site Plan



Elevations



Metro Planning Commission Meeting of 6/12/2014

GREENHILLS/MIDTOWN COMMUNITY PLAN

Land Use Policy

Neighborhood General (NG) 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.

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.

Consistent with Policy?

Yes. The proposed SP is consistent with the MH in NG land use policy. The plan provides for an additional housing option for the area in an urban form, which is appropriate for the site.

PLAN DETAILS

The site is located along the east side 13th Avenue South between Sigler Street to the north and Hawkins Street to the south. This is approximately 400 feet west of 12th Avenue South and just south of I-40. The development pattern on Hawkins Street and Sigler Street is residential. Residential uses consist of single and two-family as well as some multifamily. A portion of the site, closest to Hawkins contains a small multi-family use. The site does not have any environmentally sensitive areas.

Site Plan

The plan would permit up to 45 multi-family units with a density of approximately 63 units per acre. Units are located within two separate buildings, which are separated by an alley that bisects the site from east to west. The two buildings are connected by a bridge over the alley. Buildings are oriented towards 13th Avenue South and include several stoops, which provide direct access into several units. Buildings are three stories in 35 feet. The building is setback approximately 22 feet from Hawkins Street and 12 feet from 13th Avenue South. The SP would also permit shallower setbacks (up to 0 setback). The applicant has indicated that some units would be “affordable”.

Structured parking is proposed and is access from Sigler Street to the north, the alley and a private drive to the east (rear of the buildings). Parking is to meet Metro Zoning Code requirements and would include reductions permitted within the UZO.

ANALYSIS

This request as it is consistent with the Mixed-Housing in Neighborhood General land use policy and meets several critical planning goals. The plan provides appropriate height, setbacks, stoops and window treatment to provide an appropriate transition from the surrounding residential area. The proposed streetscape with sidewalks and entrances will complement the surrounding residential area.

FIRE MARSHAL’S OFFICE

N/A



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STORMWATER RECOMMENDATION

Approved

PUBLIC WORKS RECOMMENDATION

Approved with conditions

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

Maximum Uses in Existing Zoning District: **RM20**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	0.71	20 Dwelling Units/Acre	14 U	209	11	26

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	0.71	-	60 U	488	34	51

Traffic changes between maximum: **RM20** 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
-	-	-	+ 46 U	+279	+23	+25

WATER SERVICES RECOMMENDATION

Approved

METRO SCHOOL BOARD REPORT

Projected student generation existing RM20 district: 0 Elementary 0 Middle 0 High

Projected student generation proposed SP-R district: 0 Elementary 0 Middle 0 High

The proposed development would not generate more students than what would be generated under the existing zoning. These numbers are based on the Urban Infill Factor (UIF). The UIF takes into account that these type developments typically do not generate many new students because the units tend to be small (the proposed site plan only calls for one and two bedroom units). Any students that did live in the development would attend Eakin Elementary, West End Middle School and Hillsboro High School. Eakin Elementary and West End Middle School are over capacity. There is capacity within the Hillsboro cluster for additional elementary and middle school students. This information is based upon data from the school board last updated September 2013.



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STAFF RECOMMENDATION

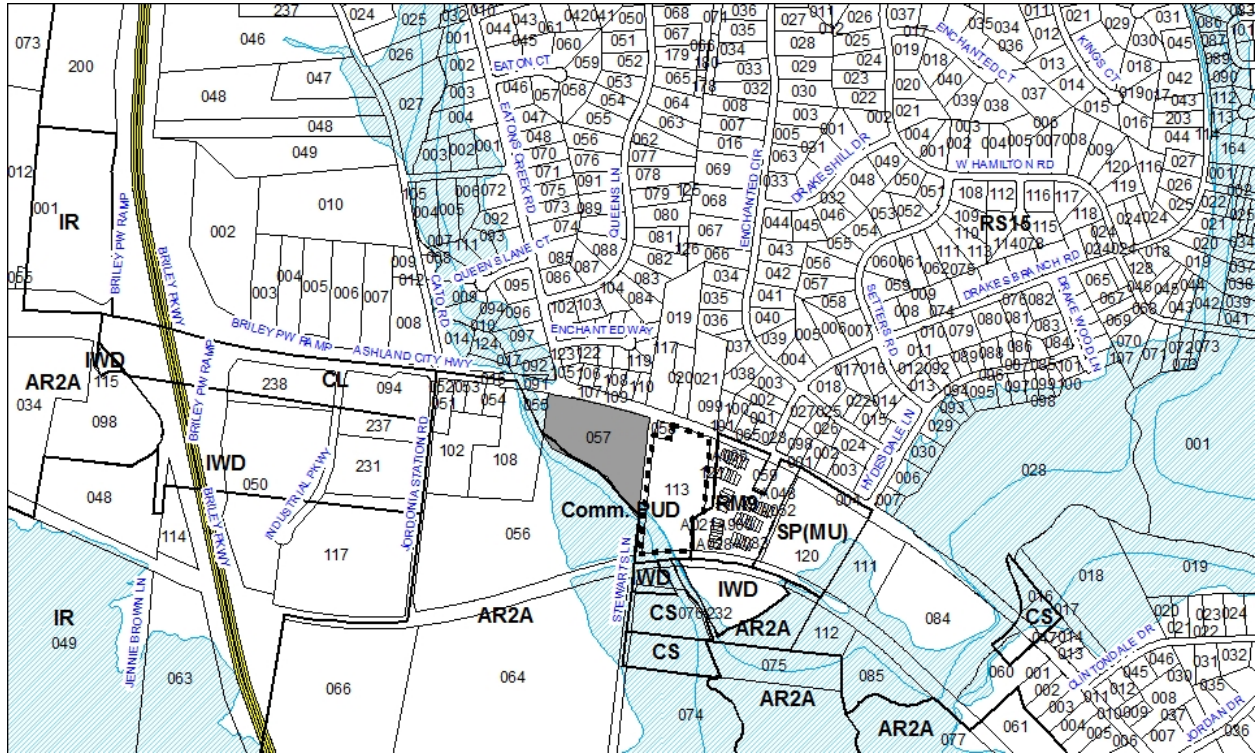
Staff recommends that the request be approved with conditions and disapproved without all conditions as it is consistent with the MH in NG land use policy and meets several critical planning goals.

CONDITIONS

1. Use in the SP is limited to 45 multi-family residential units.
2. Final architectural drawing must be approved by the Planning Department prior to final site plan approval. Final drawings must be consistent with the preliminary concept and the community plan policy.
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 RM40-A zoning district as of the date of the applicable request or application.
4. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance.
5. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
6. A Mandatory Referral to allow the building to bridge over the existing alley shall be approved by the Metro Council prior to the issuance of any building permits.



Metro Planning Commission Meeting of 6/12/2014



2014Z-037PR-001

ASHLAND CITY HIGHWAY (UNNUMBERED)

Map 069, Parcel(s) 057

03, Bordeaux - Whites Creek

01 (Lonnell Matthews, Jr.)



Project No.	Zone Change 2014Z-037PR-001
Council District	1 – Matthews, Jr.
School District	1 – Gentry
Requested by	Dean Design Group, applicant, Terrell and Byrettia, owner.
Staff Reviewer	Logan
Staff Recommendation	<i>Disapprove</i>

APPLICANT REQUEST

Zone change from RS15 to RM9.

Zone Change

A request to rezone from Single-Family Residential (RS15) to Multi-Family Residential (RM9) zoning for property located at Ashland City Highway and Stewarts Lane and located within the Floodplain Overlay District (7.24 acres).

Existing Zoning

Single-Family Residential (RS15) requires a minimum 15,000 square foot lot and is intended for single-family dwellings at a density of 2.47 dwelling units per acre. *RS15 would permit a maximum of 17 lots using the cluster lot provisions of the Zoning Code.*

Proposed Zoning

Multi-Family Residential (RM9) is intended for single-family, duplex, and multi-family dwellings at a density of nine dwelling units per acre. *RM9 would permit a maximum of 65 units.*

CRITICAL PLANNING GOALS

- Does Not Preserve Sensitive Environmental Features
- Without a site plan, staff cannot ensure that sensitive environmental features are preserved.

NORTH NASHVILLE COMMUNITY PLAN

Residential Medium (RM) policy is intended to accommodate residential development within a density range of four to nine dwelling units per acre. A variety of housing types are appropriate. The most common types include compact, single-family detached units, town-homes, and walk-up apartments.

Natural Conservation (NCO) policy is intended for undeveloped areas with the presence of steep terrain, unstable soils, and floodway/floodplain. Low intensity community facility development and very low density residential development (not exceeding one dwelling unit per two acres) may be appropriate land uses.

Consistent with Policy?

No. The proposed RM9 district is not consistent with the RM and NCO land use policies. The RM9 zoning district would permit a variety of housing types on the subject property including multi-family and would not ensure a development that is consistent with the character of the surrounding neighborhood. Additionally, more than half of the site contains Natural Conservation policy, a reflection of the floodplain associated with Eatons Creek, which forms the southwest boundary. Allowing more intensity without a site plan to mitigate environmental impacts would be



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inappropriate. Additionally, a site plan based zoning would address site issues related to access, building orientation, scale and rhythm to ensure future development enhances the character of the surrounding area.

FIRE MARSHAL RECOMMENDATION

N/A

STORMWATER RECOMMENDATION

Note: Because a site plan is not required, Stormwater does not review zone changes.

Ignore

Floodway buffers will be required during the Development Review process.

PUBLIC WORKS RECOMMENDATION

N/A

* Traffic study may be required at time of development.

Maximum Uses in Existing Zoning District: **RS15**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	7.24	2.904 D	21 U	201	16	22

Maximum Uses in Proposed Zoning District: **RM9**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	7.24	9 D	65 U	518	36	54

Traffic changes between maximum: **RS15** and proposed **RM9**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+ 44 U	+317	=20	+32

METRO PUBLIC SCHOOLS REPORT

Projected student generation existing RS15 district: 2 Elementary 2 Middle 2 High

Projected student generation proposed RM9 district: 12 Elementary 10 Middle 10 High.

The proposed RM9 zoning district could generate 26 more students than what is typically generated under the existing RS15 zoning district. Students would attend Cumberland Elementary School, Joelton Middle School, and Whites Creek High School. All three schools are identified as having capacity for additional students. This information is based upon data from the school board last updated September 2013.

STAFF RECOMMENDATION

Staff recommends disapproval as the proposed RM9 district is not consistent with the Bordeaux/Whites Creek Community Plan's land use policy.



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2014Z-040PR-001
1128 3RD AVENUE SOUTH
Map 105-03, Parcel(s) 076
11, South Nashville
17 (Sandra Moore)



Project No.	Zone Change 2014Z-040PR-001
Council District	17 – Moore
School District	5 – Kim
Requested by	Robert Wagner, applicant and owner.
Staff Reviewer	Logan
Staff Recommendation	Approve

APPLICANT REQUEST

Zone change from OR20 to MUN-A.

Zone Change

A request to rezone from Office/Residential (OR20) to Mixed Use Neighborhood (MUN-A) zoning for property located at 1128 3rd Avenue South, at the northeast corner of 3rd Avenue South and Chestnut Street (0.1 acres).

Existing Zoning

Office/Residential (OR20) is intended for office and/or multi-family residential units at up to 20 dwelling units per acre. *OR20 would permit a maximum of 2 dwelling units.*

Proposed Zoning

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

CRITICAL PLANNING GOALS

- Supports Infill Development
- Creates Walkable Neighborhoods
- Preserves Historic Resources

The proposed zone change allows a broader range of uses, including commercial uses, which increases the uses available to the existing building. Use of the A district will ensure that redevelopment, if any, complements the surrounding built environment and enhances the pedestrian environment. New construction would be required to build up to and be oriented to the abutting streets. The property is located in an area served by existing infrastructure. The proposed rezone would encourage re-investment and support the vitality of the surrounding redeveloping neighborhood.

The existing building has been identified as Worthy of Conservation by the Metro Historical Commission. The zone change would support the renovation and re-use of the building.

SOUTH NASHVILLE COMMUNITY PLAN

Neighborhood Center (NC) is intended for small, intense areas that may contain multiple functions and are intended to act as local centers of activity. Ideally, a neighborhood center is a "walk-to" area within a five minute walk of the surrounding neighborhood it serves. The key types of uses intended within NC areas are those that meet daily convenience needs and/or provide a place to gather and socialize. Appropriate uses include single- and multi-family residential, public benefit activities and



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small scale office and commercial uses. An Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

Consistent with Policy?

Yes. The proposed MUN-A zoning district is consistent with the Neighborhood Center land use policy. The MUN-A zoning district enables a mixture of uses including commercial and residential at a neighborhood center scale. The site is surrounded by a mixture of uses, including a recently constructed mixed-use building to the south, across Chestnut Street.

FIRE MARSHAL RECOMMENDATION

N/A

STORMWATER RECOMMENDATION

Ignore

PUBLIC WORKS RECOMMENDATION

N/A

* Traffic study may be required at time of development.

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)	0.1	0.8 F	3,484 SF	101	13	13

Maximum Uses in Proposed Zoning District: **MUN-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	0.1	0.6 F	2,613 SF	81	11	11

Traffic changes between maximum: **OR20** and proposed **MUN-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	- 871 SF	-20	-2	-2

METRO PUBLIC SCHOOLS REPORT

This request would not generate additional students. This information is based upon data from the school board last updated September 2013



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STAFF RECOMMENDATION

Staff recommends approval as the proposed MUN-A district is consistent with the South Nashville Community Plan's land use policy.



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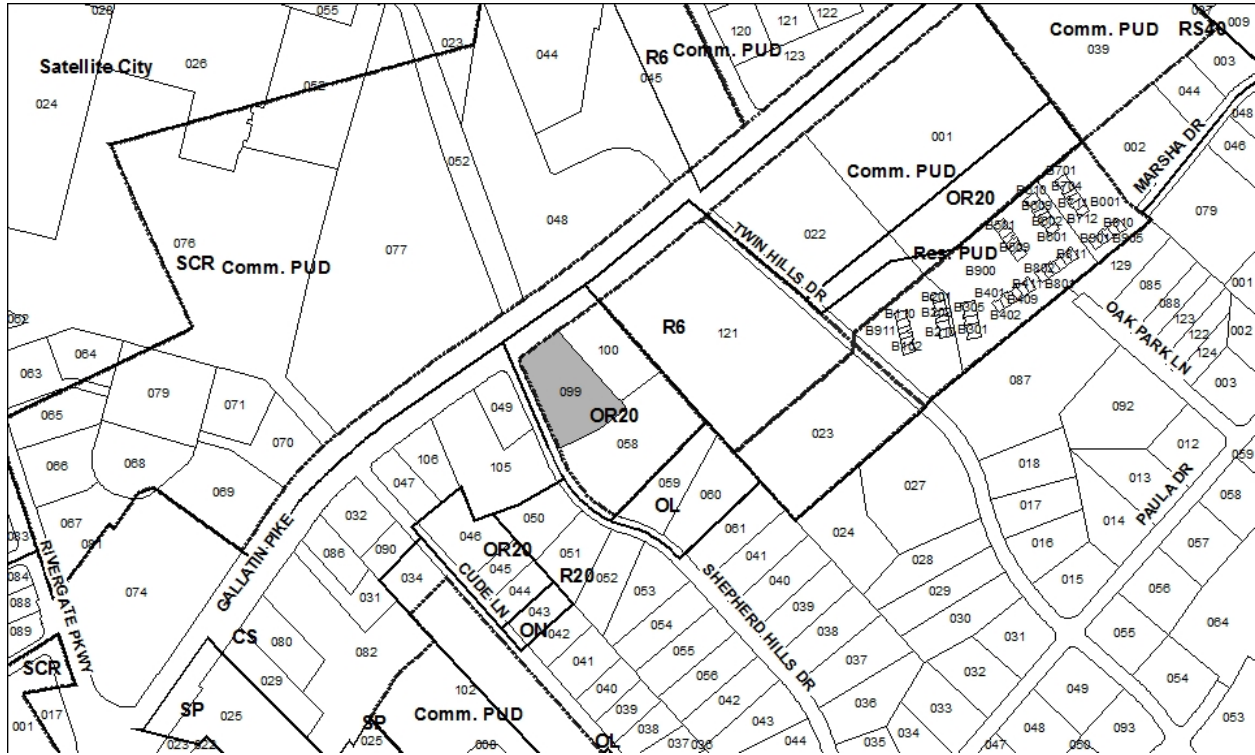


PLANNING COMMISSION ACTIONS

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



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109-81P-001

RIVERGATE SQUARE

Map 034-02, Parcel(s) 099

04, Madison

10 (Doug Pardue)



Project No.	Planned Unit Development 109-81P-001
Project Name	Rivergate Square
Council District	10 – Pardue
School District	3 – Speering
Requested by	DMG, LLC, applicant for J.G. Properties, LLC, owners
Staff Reviewer	Leeman
Staff Recommendation	<i>Approve with conditions</i>

APPLICANT REQUEST

Revise a Planned Unit Development and final site plan for a retail and restaurant use.

Revise Preliminary PUD and Final Site Plan

A request to revise the preliminary plan and for final site plan approval for a portion of the Rivergate Square Planned Unit Development Overlay District on property located at 2001 Gallatin Pike, at the corner of Gallatin Pike and Shepherd Hills Drive, zoned Office/Residential (OR20) (1.62 acres), to permit the development of 3,785 square feet of restaurant space and 4,500 square feet of retail space where an 8,370 square foot restaurant is currently approved.

Existing Zoning

The Rivergate Planned Unit Development was initially approved by Council in 1981, to permit up to 125,200 square feet of retail, office and restaurant use. The PUD was amended by Council in 1982 to permit 144,000 square feet of retail, office and restaurant use with OR20 base zoning. Currently, 8,370 square feet of commercial floor area exists.

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

CRITICAL PLANNING GOALS

N/A

PLAN DETAILS

The purpose of this request is to revise the Rivergate Planned Unit Development Overlay (PUD) to allow for the preliminary approval for a retail building and a restaurant building, as well as a final site plan approval for the proposed retail use. The future restaurant use proposed on the north side of this site will require separate final site plan approval. Both proposed uses are permitted by the PUD. The PUD is located on the intensely developed north Gallatin Pike corridor, southeast of Rivergate Mall. The site is surrounded by other commercial uses to the north, south and west. An undeveloped portion of this PUD abuts the site to the southeast – the PUD permits a mixture of commercial uses on that site.

Plan Layout

The revised PUD plan calls for two commercial uses, both in one story buildings: a 4,500 square foot retail use on the southern portion of the site and a 3,785 square foot restaurant use on the northern portion of the site, for a total of 8,285 square feet. An 8,370 square foot restaurant previously occupied the site. All structures have been cleared from the site. Vehicular access will



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be limited to existing shared access point on Gallatin Pike and two points on the side street, Shepherd Hills Drive. The site plan for the southern portion of the site shows 36 parking spaces provided for the retail use, where 23 spaces are required by the Zoning Code.

The development will include the addition of 331 feet of eight foot wide sidewalk along Gallatin Pike. The new sidewalk will cover the entire Gallatin Pike frontage of the original PUD area, from the intersection with Shepherd Hills Drive to the northeastern extent of the PUD. The sidewalk is required to be constructed with the retail use. The plan calls for additional landscaping of the site – shielding parking spaces from abutting streets and inserting landscape islands within the parking area.

ANALYSIS

The proposed commercial uses will be located along an already developed commercial corridor. The final site plan does not alter the basic development concept established by the approved PUD plan. The retail and restaurant uses proposed are consistent with the PUD and within the maximum floor permitted on the last approved PUD plan. Accordingly, this request is being considered as a revision (minor modification) and does not require Council approval. Section 17.40.120.G permits the Planning Commission to approve “minor modifications” under certain conditions. Staff finds that the request is consistent with all the requirements of Section 17.40.120.G, provided below for review.

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

1. The planned unit development (PUD) shall be recognized by this title according to the master development plan and its associated conditions specified in the PUD ordinance last approved by the metropolitan council prior to the effective date of the ordinance codified in this title.
2. The planning commission may consider and approve minor modifications to a previously approved planned unit development subject to the following limitations. All other modifications shall be considered by the planning commission as an amendment to the previously approved planned unit development and shall be referred back to the council for approval according to the procedures of Section 17.40.120(A)(5). That portion of a planned unit development master plan being amended by the council shall adhere to all provisions of this code:
 - a. In the judgment of the commission, the change does not alter the basic development concept of the PUD;
 - b. The boundary of the planned unit development overlay district is not expanded;
 - c. There is no change in general PUD classification (e.g. residential to any classification of commercial or industrial PUD; any change in general classification of a commercial PUD; or any change in general classification of an industrial PUD);
 - d. There is no deviation from special performance criteria, design standards, or other specific requirements made part of the enacting ordinance by the council;
 - e. There is no introduction of a new vehicular access point to an existing street, road or thoroughfare not previously designated for access;
 - f. There is no increase in the total number of residential dwelling units originally authorized by the enacting ordinance;



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- g. There is no change from a PUD approved exclusively for single-family units to another residential structure type;
- h. The total floor area of a commercial or industrial classification of PUD shall not be increased more than ten percent beyond the total floor area last approved by the council;
- i. If originally limited to office activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
- j. If originally limited to office, retail and other general commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to include industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
- k. If originally limited to commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
- l. In the determination of the commission, the nature of the change will have no greater adverse impact on those environmentally sensitive features identified in Chapter 17.28 of this code than would have occurred had the development proceeded in conformance with the previous approval.
- m. In the judgment of the commission, the planned unit development or portion thereof to be modified does not meet the criteria for inactivity of Section 17.40.120.H.4.a.

STORMWATER RECOMMENDATION

Approved

PUBLIC WORKS RECOMMENDATION

Approved with Conditions

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- Indicate on the plan set the location of shared access points/ drives and parking.
- If sidewalks are required by Metro Planning, add 8 foot sidewalk along Gallatin Pike with curb and gutter located at the existing EOP. The sidewalk should parallel the road and be behind the existing bus shelter. ~ Submit plans for sidewalk construction along Gallatin Pike with utilities, grading, etc. with the building permit application.



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- Submit pedestrian signal plans and associated ADA facilities prior to building permit application.

STAFF RECOMMENDATION

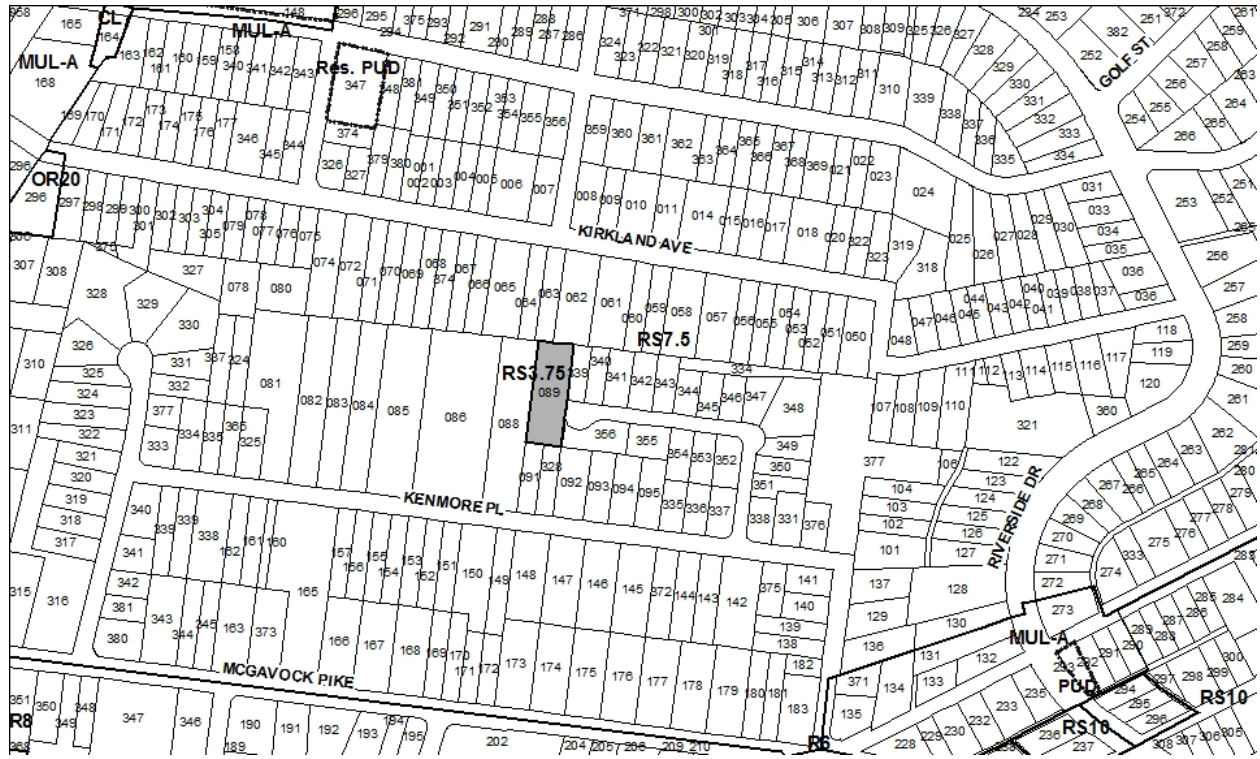
Staff recommends approval of the PUD revision and final site plan with conditions.

CONDITIONS

1. Comply with Public Works conditions.
2. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
3. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
4. 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 or with any additional development applications for this property, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan.



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2014S-105-001

LOVE JOY COURT

Map 072-07, Parcel(s) 089

05, East Nashville

07 (Anthony Davis)



Project No. 2014S-105-001
Project Name Love Joy Court
Council District 7 – A. Davis
School District 3 – Speering
Requested by Cumberland Property Investments, LLC, owner; Harrah & Associates, applicant.

Staff Reviewer Swaggart
Staff Recommendation *Approve with conditions including a variance from Section 3-8 of the Subdivision Regulations requiring that sidewalks be constructed.*

APPLICANT REQUEST

Create four single-family lots and a variance from sidewalk requirements.

Concept Plan

A request for concept plan approval to create four lots on property located at Love Joy Court (unnumbered), approximately 200 feet north of Kenmore Place, zoned Single-Family Residential (RS3.75) (0.68 acres).

Existing Zoning

Single-Family Residential (RS3.75) requires a minimum 3,750 square foot lot and is intended for single-family dwellings at a density of 9.87 dwelling units per acre. *RS3.75 would permit a maximum of seven units.*

CRITICAL PLANNING GOALS

- Supports Infill Development

This area is served by adequate infrastructure. Development in areas with adequate infrastructure is more appropriate than development not served with adequate infrastructure such as roads, water and sewer, because it does not burden Metro with the cost of maintaining new infrastructure.

PLAN DETAILS

The site is located at the western terminus of Love Joy Court in Inglewood. The site is approximately 0.68 acres in size. The site is relatively flat and contains no environmentally sensitive features. There is a 100 foot wide TVA easement that bisects a portion of the site closest to the northern boundary. The RS3.75 zoning on the site was approved by Council on April 15, 2014, and the Planning Commission recommended approval of the zone change.

Site Plan

The proposed plan calls for four new single-family residential lots. Lots will be accessed from an extension of Love Joy Court. The two lots on the north side of Love Joy are 8,040 square feet (and include the 100' wide TVA easement), and the two lots on the south side of Love Joy are 4,570 square feet.



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ANALYSIS

The request is consistent with the Zoning Code. The request is consistent with the Subdivision Regulations with the exception of Section 3-8, Requirements for Sidewalks and Related Pedestrian and Bicycle Facilities. Since the request extends a public street (Love Joy), then sidewalks are required. The applicant is requesting a variance from the sidewalk requirement. Section 1-11, Variances, stipulates what the Commission must consider when approving a variance. It states, "If the Planning Commission finds that extraordinary hardship or practical difficulties may result from strict compliance with these regulations, a variance from these regulations may be granted, provided that such variance shall not have the effect of nullifying the intent and purpose of these regulations."

If further requires that the Commission make its findings based on evidence presented to it 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 surroundings, 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).

The Regulations also specify that additional findings may be necessary for the Commission to permit a variance.

This is a unique property because the lots are not the typical shape of lots at the end of a dead-end street/cul de sac, because the street may be extended in the future. Staff is recommending that a variance be granted with the condition that the applicant make a contribution to the sidewalk fund in-lieu of the construction of the sidewalks. This recommendation is based on the fact that there are no sidewalks located on Love Joy. The subject site is located at the terminus of Love Joy. The closest sidewalk is along McGavock to the south which is a little over a quarter of a mile away. A contribution to the sidewalk fund in-lieu of building the sidewalks would be a benefit because it would increase funds for Metro to build sidewalks in strategic areas.

The variance would not be detrimental to the public safety, health or welfare or injurious to other property or improvements in the area. There are no particular topographical or other conditions that would prohibit the sidewalks from being constructed, but the construction would be a waste of resources since it would provide no real benefit to improving conditions for pedestrians. The variance would not conflict with any provisions of the General Plan. Furthermore, if the site had frontage along Love Joy, the in-lieu fee would be an option for the development without a variance.



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FIRE MARSHAL RECOMMENDATION

N/A

STORMWATER RECOMMENDATION

Approved

PUBLIC WORKS RECOMMENDATION

No Exceptions Taken

- 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.

WATER SERVICES RECOMMENDATION

Approved

STAFF RECOMMENDATION

Staff recommends that the request be approved with conditions including approval of a variance from Section 1-11 of the Subdivision Regulations.

CONDITIONS

1. Sidewalks are required. Sidewalks shall either be constructed or a contribution of \$3,000 shall be made in lieu of constructing the sidewalks. Prior to the recordation of the final plat the required sidewalks shall be either constructed, bonded or the contribution shall be made in-lieu of construction.

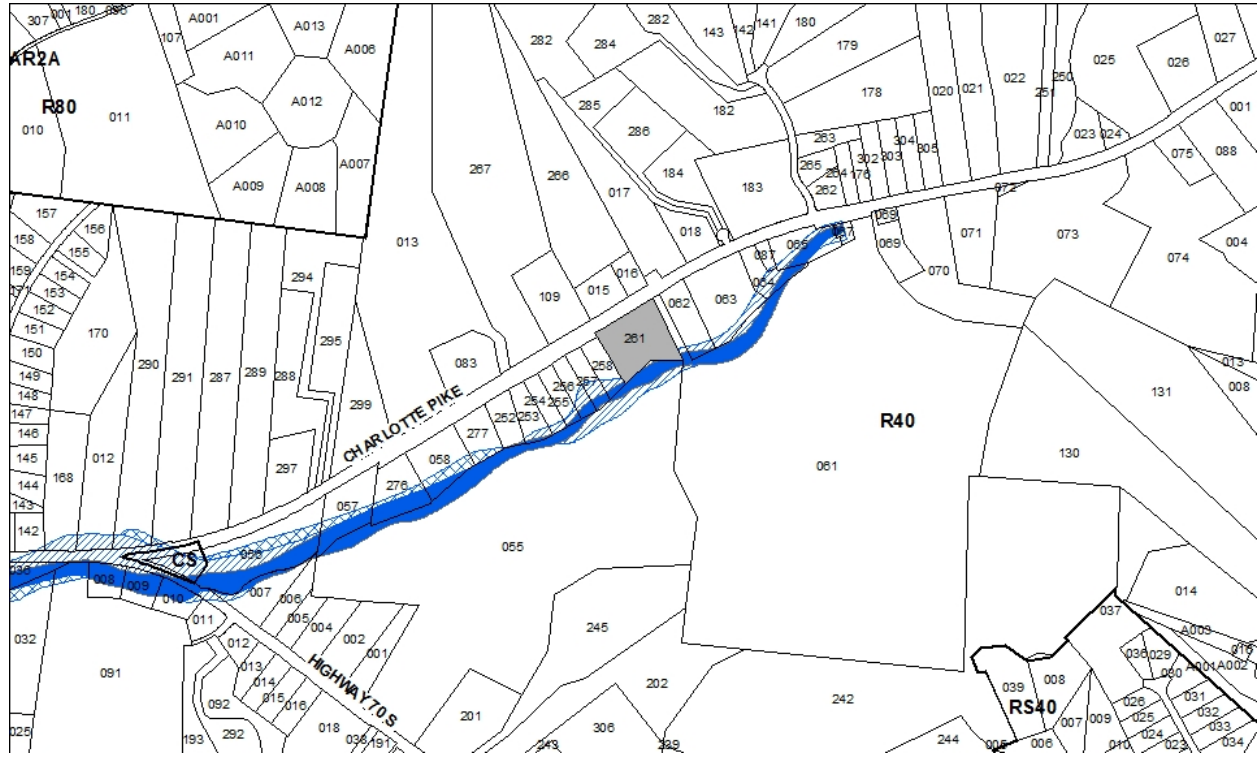


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2014S-100-001
ROBERT HENDRICKS SUBDIVISION
Map 127, Parcel(s) 261
06, Bellevue
22 (Sheri Weiner)



Project No.	2014S-100-001
Project Name	Robert Hendricks Subdivision
Council District	22 – Weiner
School District	9 – Frogge
Requested by	Thomas W. Crow, applicant; Robert and Beverly Hendricks, owners.
Staff Reviewer	Sajid
Staff Recommendation	<i>Approve</i>

APPLICANT REQUEST

Create 3 lots.

Final Plat

A request for final plat approval to create three lots on property located at Charlotte Pike (unnumbered), approximately 1,240 feet west of Quail Creek Road, zoned One and Two-Family Residential (R40) and partially located within the Floodplain Overlay District (4.06 acres).

Existing Zoning

One and Two-Family Residential (R40) requires a minimum 40,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 1.16 dwelling units per acre including 25 percent duplex lots. *R40 would permit a maximum of 4 lots including 1 duplex lot for a total of 5 units.*

CRITICAL PLANNING GOALS

- N/A

SUBDIVISION REGULATIONS

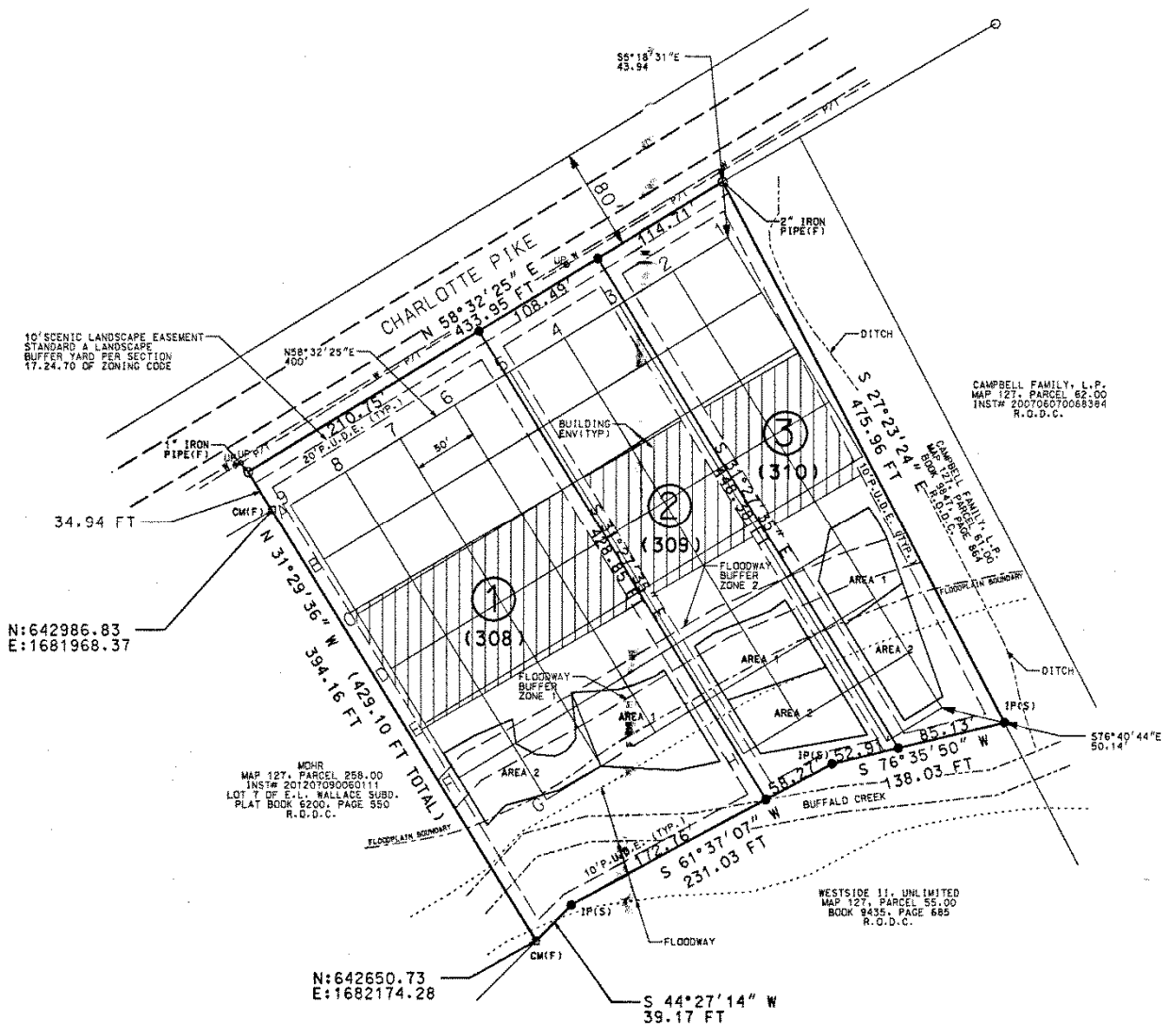
Section 3-5.1 of the Subdivision Regulations states that “in areas previously subdivided and predominantly developed, residential lots resulting from a proposed subdivision within the R and RS zoning districts on an existing street shall be compatible with the General Plan as outlined in Sections 3-5.2 through 3-5.6.” Staff finds and recommends that the proposed subdivision is located in an area of the county that is not predominantly developed due to the inconsistent lot pattern present in the area, therefore, staff recommends that Section 3-5.1 does not need to be applied to the review of this subdivision.

PLAN DETAILS

The request creates three lots from one existing lot on property located east of the intersection of Charlotte Pike and Highway 70 South in the Bellevue Community Plan area. The subject property is zoned R40, and all three lots exceed the minimum lot size of 40,000 SF. Each of the proposed lots is duplex eligible, but Metro Health Department has limited each lot to single-family because the proposed lots will be served by individual septic systems, since sanitary sewer is not available to the site. Other site constraints include floodplain, which encumbers a portion of the rear of the property. While the proposed building envelopes are not located within the floodplain, the proposed septic system locations do encroach significantly into floodplain boundary.



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Proposed Subdivision



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All lots include street frontage greater than 100 feet on Charlotte Pike and will be permitted individual driveways. This stretch of Charlotte Pike has been designated as a scenic arterial and requires a 10 foot wide scenic landscape easement that will include a Standard "A" landscape buffer per the Zoning Code.

ANALYSIS

Staff recommends approval of the proposed subdivision as it is consistent with the Subdivision Regulations and the Zoning Code and meets the current standards of reviewing agencies including Metro Public Works, Stormwater, Metro Health Department and Harpeth Valley Utility District.

FIRE MARSHAL RECOMMENDATION

N/A

STORMWATER RECOMMENDATION

Approved

HARPETH VALLEY UTILITY DISTRICT RECOMMENDATION

Approved

TRAFFIC AND PARKING RECOMMENDATION

No exception taken

PUBLIC WORKS RECOMMENDATION

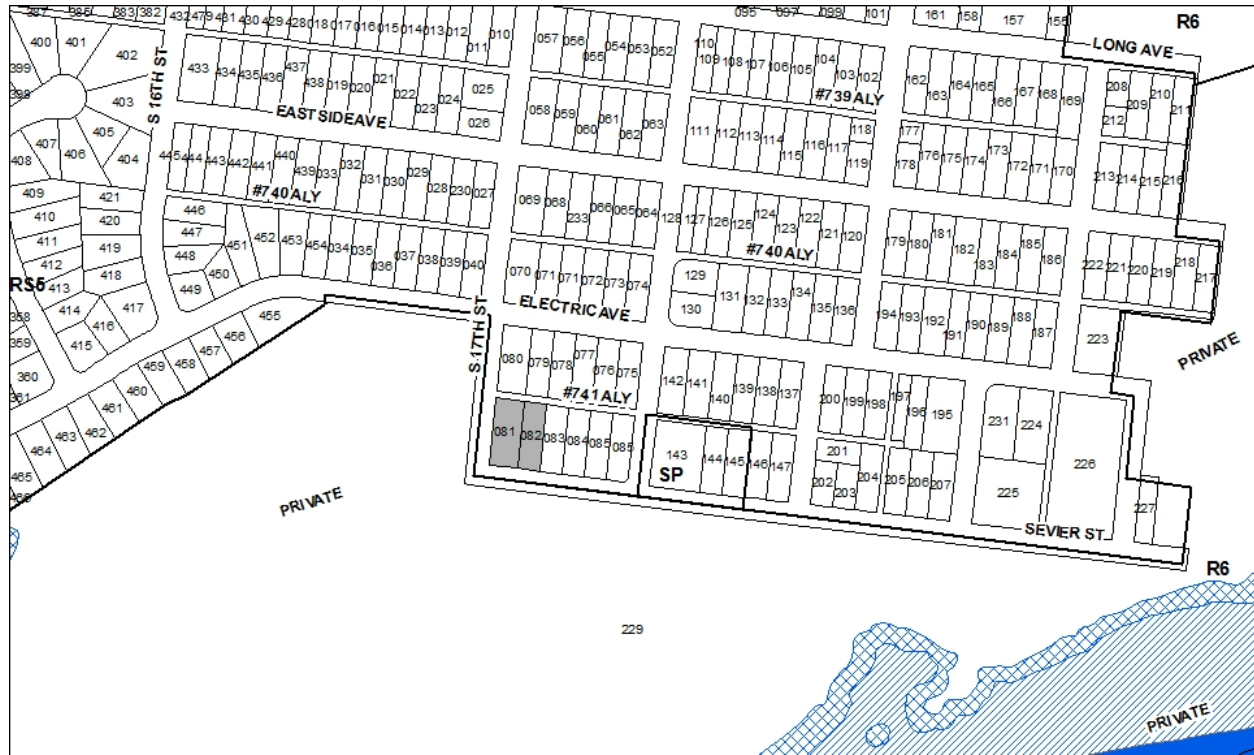
No exception taken

STAFF RECOMMENDATION

Staff recommends approval as the final plat is consistent with the Subdivision Regulations and the Zoning Code Requirements.



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2014S-106-001

UNITED ELECTRIC RAILWAY, RESUB LOT 81 & 82

Map 094-02, Parcel(s) 081-082

05, East Nashville

06 (Peter Westerholm)



Project No.	Subdivision 2014S-106-001
Project Name	United Electric Railway, Resub Lot 81 and 82
Council District	6 – Westerholm
School District	5 – Kim
Requested by	Campbell, McRae & Associates Surveying, Inc., applicant; Sarah Squires and William and Melinda Scott, owners.
Staff Reviewer	Birkeland
Staff Recommendation	<i>Defer until recommendations are received from Water Services and Stormwater. Approve if approval recommendations are received before the meeting.</i>

APPLICANT REQUEST

Final plat to create three residential lots.

Final Plat

A request for final plat approval to create three lots on properties located at 1701 and 1703 Sevier Street, at the northeast corner of S. 17th Street and Sevier Street, zoned Single-Family Residential (RS5) (0.4 acres).

Existing Zoning

Single Family Residential (RS5) requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 7.41 dwelling units per acre. *RS5 would permit a maximum of 3 units.*

CRITICAL PLANNING GOALS

- Supports Infill Development

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

SUBDIVISION REGULATIONS

The land use policy for the subject property is Neighborhood General (NG), which is not subject to the compatibility criteria in Section 3-5.2 of the Subdivision Regulations. The subdivision shall meet all minimum standards of the zoning code, provide street frontage and meet the current standards of reviewing agencies including Metro Public Works, Stormwater and Water Services.

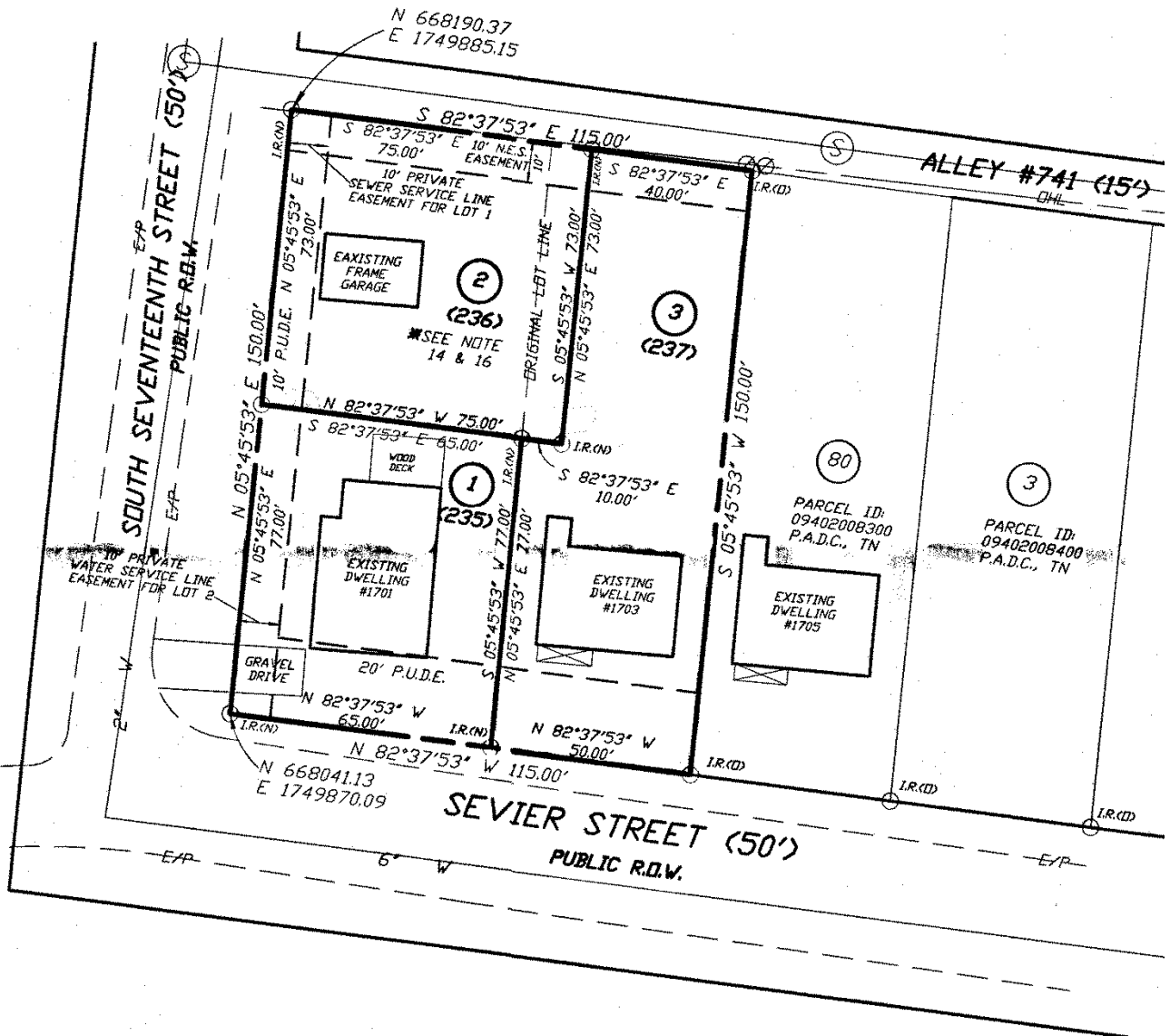
PLAN DETAILS

The request will create three lots from two existing lots at the northeast corner of South 17th Street and Sevier Street in the Shelby Hills Neighborhood in East Nashville. A third lot will be created utilizing the rear yard of the two existing lots. The two existing lots each contain a single-family dwelling. Those dwellings are proposed to remain. The proposed lot will be allowed one single-family dwelling.

Access to the proposed lot will be restricted to the existing alley to the north. Lot one shall have only one access along South 17th Street. No parking shall be allowed in the front setback for all parcels.



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Proposed Subdivision



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There are no existing sidewalks along South 17th Street or Sevier Street. Sidewalks are required, but because there is not an existing sidewalk network in the area, the applicant is eligible to make a contribution in lieu of sidewalk construction.

ANALYSIS

All lots meet the minimum standards of the R5 zoning district and have frontage on a public street.

WATER SERVICES RECOMMENDATION

Updated plans that address all comments are needed.

STORMWATER RECOMMENDATION

Updated plans that address all comments are needed.

PUBLIC WORKS RECOMMENDATION

No exceptions taken

TRAFFIC AND PARKING RECOMMENDATION

No exceptions taken

STAFF RECOMMENDATION

Staff recommends deferral until all reviewing agencies make a recommendation or approval with conditions if all reviewing agencies recommend approval prior to the meeting.

CONDITIONS (If approved)

1. Prior to recordation, existing structure shall be demolished and removed from the final plat.
2. Sidewalks are required along South 17th Street frontage of Lot 2 of the proposed subdivision.
Therefore, prior to final plat recordation, one of the options must be chosen related to sidewalks:
 - a. Submit a bond application and post a bond with the Planning Department,
 - b. Construct sidewalk and have it accepted by Public Works,
 - c. Submit contribution in-lieu of construction to the Planning Department, one additional lot will require a \$500 contribution to Pedestrian Benefit Zone 2-A.
 - d. Construct an equal length of sidewalk within the same Pedestrian Benefit Zone, in a location to be determined in consultation with the Public Works Department, or
 - e. Add the following note to the plat: "No building permit is to be issued on any of the proposed lots until the required sidewalk is constructed per the Department of Public Works specifications." Sidewalk shall be shown and labeled on the plan per Public Works Standards with the required curb and gutter.