



METROPOLITAN PLANNING COMMISSION

DRAFT MINUTES

Thursday, June 23, 2011

4:00 pm Regular Meeting

700 Second Avenue South

(between Lindsley Avenue and Middleton Street)

Howard Office Building, Sonny West Conference Center (1st Floor)

MISSION STATEMENT

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

Commissioners Present:

Jim McLean, Chair
Hunter Gee, Vice Chair
Stewart Clifton
Judy Cummings
Derrick Dalton
Ana Escobar
Jeff Haynes
Phil Ponder
Councilmember Jim Gotto
Andr e LeQuire, representing Mayor Dean

Staff Present:

Rick Bernhardt, Executive Director
Ann Hammond, Assistant Executive Director
Kelly Armistead, Administrative Services Officer III
Craig Owensby, Public Information Officer
Dennis Corrieri, Planning Technician I
Bob Leeman, Planning Manager I
Brenda Bernards, Planner III
Anita McCaig, Planner III
Jason Swaggart, Planner II
Tifinie Adams, Planner II
Greg Johnson, Planner II
Scott Morton, Planner II
Brian Sexton, Planner I
Jon Michael, Legal

Richard C. Bernhardt, FAICP, CNU-A

Secretary and Executive Director, Metro Planning Commission

Metro Planning Department of Nashville and Davidson County

800 2nd Avenue South P.O. Box 196300 Nashville, TN 37219-6300

p: (615) 862-7190; f: (615) 862-7130

Notice to Public

Please remember to turn off your cell phones.

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

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

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

Writing to the Commission

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

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

Speaking to the Commission

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

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

Legal Notice

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



The Planning Department does not discriminate on the basis of race, color, national origin, gender, gender identity, sexual orientation, age, religion, creed or disability in admission to, access to, or operations of its programs, services, or activities. Discrimination against any person in recruitment, examination, appointment, training, promotion, retention, discipline or any other employment practices because of non-merit factors shall be prohibited. For ADA inquiries, contact Josie Bass, ADA Compliance Coordinator, at (615) 862-7150 or e-mail her at josie.bass@nashville.gov. For Title VI inquiries, contact Shirley Sims-Saldana or Denise Hopgood of Human Relations at (615) 880-3370. For all employment-related inquiries, contact Ron Deardoff at (615) 862-6640

MEETING AGENDA

A. CALL TO ORDER

The meeting was called to order at 4:09 p.m.

B. ADOPTION OF AGENDA

Mr. Clifton moved and Mr. Ponder seconded the motion to adopt the revised agenda as presented. (8-0)

C. APPROVAL OF JUNE 9, 2011 MINUTES

Mr. Gee asked to include the appointments to the commissions in the June 9, 2011 minutes.

Mr. Ponder moved and Councilmember Gotto seconded the motion to approve the June 9, 2011 minutes as revised. (8-0)

Ms. LeQuire stated that on Item 4 of the May 26th, 2011 minutes the vote count should be 8-1 with herself voting against.

Mr. Ponder moved and Mr. Gee seconded the motion to approve the revision to the May 26, 2011 minutes. (8-0)

D. RECOGNITION OF COUNCILMEMBERS

Councilman Hollin was in attendance but elected to speak at a later time.

E. ITEMS FOR DEFERRAL / WITHDRAWAL

1a. 2011CP-013-002

ANTIOCH PRIEST LAKE COMMUNITY PLAN AMENDMENT

1b. 2011Z-002PR-001

BL2011-935 / WILHOITE
2631 SMITH SPRINGS ROAD

9. 2011SP-016-001

BL2011-932 / MATTHEWS
4608 ASHLAND CITY HIGHWAY

Mr. Ponder moved and Councilmember Gotto seconded the motion to approve the Deferred and Withdrawn Items. (8-0)

F. CONSENT AGENDA

3. 2006SP-007U-10

GLEN ECHO

4. 2007SP-007G-06

CEDAR PLACE TOWNHOMES

5. 2007SP-038G-10

GRANNY WHITE PIKE

6. 2007SP-048U-03

ZION HILL

7. 2007SP-064U-14

PRICE'S COLLISION CENTER

8. 2010SP-015-002

BL2011-937 / MOORE
SOUTHVIEW ON 2ND

10. 68-82P-001

MYRTLEWOOD, SEC 8

12. 2011S-033-001
METRO COMMERCE PARK

13. FY 2012 – FY 2013 PL contract grant between TDOT and the Metropolitan Planning Commission of Metropolitan Government of Nashville & Davidson County on behalf of the Nashville Area Metropolitan Planning Organization (MPO)

14. Employee contract renewals for David Kline, Nick Lindeman, Max Baker, and Jennifer Regen.

Ms. Escobar in at 4:15 p.m.

Mr. Ponder moved and Councilmember Gotto seconded the motion to approve the Consent Agenda. (9-0)

G. PREVIOUSLY DEFERRED ITEMS

Community Plan Amendments

1a. 2011CP-013-002
ANTIOCH PRIEST LAKE COMMUNITY PLAN AMENDMENT
Map 135, Parcel(s) 205-211, 214, 215, 340
Map 136, Parcel(s) 034-039, 042-049
Council District 29 (Vivian Wilhoite)
Staff Reviewer: Tifinie Adams

A request to amend the Antioch – Priest Lake Community Plan: 2003 Update to change the Land Use Policy from Neighborhood General (NG) to Neighborhood Center (NC) for various properties located along Smith Springs Road and Bell Road between Old Smith Springs road and Bell Road (16.16 acres), requested by the Metropolitan Planning Department, applicant.

Staff Recommendation: DISAPPROVE

The Metropolitan Planning Commission DEFERRED 2011CP-013-002 to the July 28, 2011, Planning Commission meeting at the request of the applicant. (8-0)

1b. 2011Z-002PR-001
BL2011-935 / WILHOITE
2631 SMITH SPRINGS ROAD
Map 136, Parcel(s) 043
Council District 29 (Vivian Wilhoite)
Staff Reviewer: Jason Swaggart

A request to rezone from R10 to OR20 district property located at 2631 Smith Springs Road, approximately 760 feet west of Bell Road (.36 acres), requested by Keith Jordan, owner (Associated Community Plan Amendment 2011CP-013-002) .

Staff Recommendation: DISAPPROVE

The Metropolitan Planning Commission DEFERRED 2011Z-002PR-001 to the July 28, 2011, Planning Commission meeting at the request of the applicant. (8-0)

H. COMMUNITY PLAN POLICY CHANGES AND ASSOCIATED CASES

Community Plan Amendments

2. 2011CP-005-001
EAST NASHVILLE COMMUNITY PLAN AMENDMENT
Map 082-08, Parcel(s) 307-308
Council District 05 (Jamie Hollin)
Staff Reviewer: Anita Mccaig

A request by the Metro Planning Commission to amend the East Nashville Community Plan: 2005 Update by changing the current Land Use Detailed Policy Mixed Housing in Neighborhood General (MH in NG) to Mixed Use in Neighborhood Center (MxU in NC) for property located at 731 McFerrin Avenue and 904 Chicamauga Avenue within the Greenwood Neighborhood Conservation Overlay.

Staff Recommendation: APPROVE

APPLICANT REQUEST - Amend the land use policy from Mixed Housing in Neighborhood General to Mixed Use in Neighborhood Center.

Amend the Community Plan A request by the Metro Planning Commission to amend the *East Nashville Community Plan: 2005 Update* by changing the current Land Use Detailed Policy Mixed Housing in Neighborhood General (MH in NG) to Mixed Use in Neighborhood Center (MxU in NC) for property located at 731 McFerrin Avenue and 904 Chicamauga Avenue within the Greenwood Neighborhood Conservation Overlay.

CRITICAL PLANNING GOALS N/A

EAST NASHVILLE COMMUNITY PLAN

Current Land Use Policy

Mixed Housing (MH) MH detailed policy 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 with the existing character of the majority of the street.

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

Proposed Land Use Policy

Mixed Use (MxU) MxU detailed policy is intended for buildings that are mixed horizontally and vertically. The latter is preferable in creating a more pedestrian-oriented streetscape. This category allows residential as well as commercial uses.

Neighborhood Center (NC) NC policy is intended to apply to established areas that function, and are envisioned to continue functioning, as small mixed centers of activity for the neighborhoods they serve. NC is also intended for emerging and undeveloped areas that are planned to be future centers serving the neighborhood in which they are located.

BACKGROUND On February 24, 2011, the Planning Commission recommended approval of a zone change from RS5 to MUN for the property located at 731 McFerrin Avenue. The motion adopted by the Planning Commission included a directive that staff prepares a "housekeeping" amendment to the community plan to bring the land use policy for the property at 731 McFerrin Avenue in conformance with the recommended MUN zoning, along with the adjacent property at 904 Chickamauga Avenue although it was not part of the rezoning.

COMMUNITY PARTICIPATION Notification of the amendment request and the Planning Commission Public Hearing was posted on the Planning Department website and mailed to surrounding property owners and known groups and organizations within 500 feet of the subject site. Since this is a "housekeeping" plan amendment prompted by Commission request based on an earlier rezoning, a community meeting and early postcard notification are not required.

ANALYSIS

Physical Site Conditions The plan amendment area is developed with a vacant concrete block building and a duplex. The area is approximately 0.49 acres and its topography is flat with no environmentally sensitive features such as steep slopes, problem soils, floodplains or wetlands.

Land Use Currently, the plan amendment area contains structures, a vacant concrete block building built in 1962 and a duplex built around 1930.

Access At present, the property at 731 McFerrin is accessed from an alley along McFerrin Avenue, north of the Holland House restaurant, while the property at 904 Chicamauga Avenue is accessed from a driveway along Chicamauga Avenue.

Sidewalks are present along Chicamauga Avenue but are not present along this section of McFerrin Avenue.

A MTA bus route exists along McFerrin Avenue.

Development Pattern The development pattern in the area is urban residential, predominantly single family, with some small commercial and services along Cleveland Street/W. Eastland Avenue.

Historic Features These two properties are located in the Greenwood Neighborhood Conservation Overlay which as a whole is considered Worthy of Conservation. To the south are Worthy of Conservation properties along W. Eastland Avenue.

Conclusion This amendment is an expansion of the existing Mixed Use in Neighborhood Center (MxU in NC) policy to recognize an existing land use and recently approved mixed use zoning. The existing Mixed Housing in Neighborhood General (MH in NG) policy is not consistent with the mixed use zone district MUN. The MxU in NC policy is consistent with the mixed use zone district MUN and the planned land use on the property.

It is also appropriate to place the MxU in NC policy on the adjacent property, as residential uses are included in MxU in NC policy and the property can serve as a transition between the adjacent single family residential uses and the recently approved mixed use zone district.

STAFF RECOMMENDATION Staff recommends approval.

Ms. McCaig presented the staff recommendation of approval.

Councilmember Gotto out at 4:19 p.m.

David Hunter, representing property owner, spoke in favor of staff recommendation of approval.

Councilmember Gotto in at 4:20 p.m.

Jon Pennington, 4672 Heath Road, spoke against staff recommendation stating it is an unnecessary intrusion into a residential area.

Dr. Cummings in at 4:23 p.m.

Councilmember Hollin noted that he is neither for nor against the proposal and stated his willingness to accept the MPC's final decision.

Mr. Dalton moved and Councilmember Gotto seconded the motion to close the Public Hearing. (10-0)

Ms. Lequire noted that there had been some discussion regarding squaring up the mixed use housing in the plan and stated that she would like to hear if any of the other commissioners are opposed.

Mr. Dalton inquired what the policy on the property was previously and how long the previous business had been non-functioning.

Ms. McCaig stated that it was Mixed Use Neighborhood General and that the day care closed at the end of last year.

Mr. Gee asked staff to remind the commission as to the changing of the property on Chicamauga.

Mr. Bernhardt clarified that the discussion focused on trying to line it up with the Mixed Housing Neighborhood General. The commission had the choice of taking the Neighborhood Center policy north or the Neighborhood General policy south. The commission ultimately decided that it would be better to take it south because of what could develop across the street.

Ms. McCaig stated that the commission was also concerned with leaving just one property as mixed housing.

Mr. Clifton stated that he would prefer to go with what a neighbor suggested and get the sentiment of the community as well as a new council member. He stated that he would prefer to accept an amendment when the time comes to eliminate that address from this plan amendment.

Councilmember Gotto moved and Mr. Gee seconded the motion to approve staff recommendation. (8-2) Mr. Dalton and Mr. Clifton voted against.

Resolution No. RS2011-144

"BE IT RESOLVED by The Metropolitan Planning Commission that 2011CP-005-001 is **APPROVED. (8-2)**"

I. RECOMMENDATIONS TO METRO COUNCIL

Specific Plans

3. 2006SP-007U-10

GLEN ECHO

Map 117-15-0-G, Parcel(s) 001-016, 900

Council District 25 (Sean McGuire)

Staff Reviewer: Brenda Bernards

The periodic review of an approved Specific Plan (R) district known as "Glen Echo", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code (Review of a Development Plan), for properties located at 300, 301, 304 and 305 Chateau Glen Place, and at 1731, 1743 and 1749 Glen Echo Road and at 396, 397, 398, 399, 400, 401, 404, 408, 412 and 413 Glen West Drive (4.04 acres), approved for 12 lots single-family lots via Council Bill BL2006-957 effective on April 1, 2006, and amended to add four additional single-family lots for a total of 16 single-family lots via Council Bill BL2007-1395 effective on May 19, 2007, review initiated by the Metro Planning Department.

Staff Recommendation: Find the SP District active

APPLICANT REQUEST - Four year SP review to determine activity

SP Review The periodic review of an approved Specific Plan (R) district known as "Glen Echo", to determine its completeness pursuant to

Section 17.40.106.I of the Metro Zoning Code (Review of a Development Plan), for properties located at 300, 301, 304 and 305 Chateau Glen Place, and at 1731, 1743 and 1749 Glen Echo Road and at 396, 397, 398, 399, 400, 401, 404, 408, 412 and 413 Glen West Drive (4.04 acres), approved for 12 single family lots via Council Bill BL2006-957 effective on April 1, 2006, and amended to add four additional single-family lots for a total 16 single-family lots via Council Bill BL2007-1395 effective on May 19, 2007.

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

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

DETAILS OF THE SP DISTRICT The purpose of the Glen Echo SP is to allow for 16 single-family lots.

Analysis Staff visited the site May 2011. There are 11 single family residences out of 16 total lots completed or under construction. The streets and other infrastructure are in place. Staff recommends that this SP be found active and that it be placed back on the four-year review list. Staff notes that the SP remains appropriate for Residential Medium density land use policy of the Green Hills – Midtown Community Plan.

STAFF RECOMMENDATION Staff recommends that the Glen Echo SP be found to be active.

Find the SP District active. (9-0), Consent Agenda

Resolution No. RS2011-145

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006SP-007U-10 is **FOUND TO BE ACTIVE. (9-0)**”

4. 2007SP-007G-06

CEDAR PLACE TOWNHOMES

Map 114, Parcel(s) 099, 340

Council District 22 (Eric Crafton)

Staff Reviewer: Brenda Bernards

The periodic review of an approved Specific Plan (R) district known as "Cedar Place Townhomes", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code (Review of a Development Plan), for property located at Sawyer Brown Road (unnumbered) (7.8 acres), approved for 31 townhouse units via Council Bill BL2007-1353 effective on May 19, 2007, review initiated by the Metro Planning Department.

Staff Recommendation: Find the SP District Inactive and direct staff to prepare a report to the Council to continue the implementation of the development plan as adopted and that no rezoning is recommended on this property.

APPLICANT REQUEST - Four year SP review to determine activity

SP Review The periodic review of an approved Specific Plan (R) district known as "Cedar Place Townhomes", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code (Review of a Development Plan), for property located at Sawyer Brown Road (unnumbered) (7.8 acres), approved for 31 townhouse units via Council Bill BL2007-1353 effective on May 19, 2007.

Zoning Code Requirement Section 17.40.106.I of the Zoning Code requires that a SP district be reviewed four years from the date of Council approval and every four years after until the development has been deemed complete by the Planning Commission.

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

DETAILS OF THE SP DISTRICT The property is bisected by a small, unnamed stream with an associated floodplain. The layout of the SP includes two private drives off Sawyer Brown Road so that the stream will not need to be crossed. The stream and its buffer are left undisturbed except for a sewer line crossing. There is approximately 2.86 acres of land that is within the 100 year flood plain of which 2.07 acres (~72%) are left undisturbed.

SPECIFIC PLAN REVIEW Staff conducted a site visit on May 2011. There did not appear to be any construction activity on the site. A letter was sent to the property owner of record requesting details that could demonstrate that the SP was active.

The owner did not respond to the letter. As no documentation of activity was submitted, the staff preliminary assessment of inactivity remains in place.

FINDING OF INACTIVITY When the assessment of an SP is that it is inactive, staff is required to prepare a report for the Planning

Commission with recommendations for Council Action including:

1. An analysis of the SP district's consistency with the General Plan and compatibility with the existing character of the community and whether the SP should remain on the property, or
2. Whether any amendments to the approved SP district are necessary, or
3. To what other type of district the property should be rezoned.

If the Planning Commission agrees with the staff assessment, staff will prepare a written report of the Commission's determination to Council with a recommendation on the following:

1. The appropriateness of the continued implementation of the development plan or phase(s) as adopted, based on current conditions and circumstances; and
2. Any recommendation to amend the development plan or individual phase(s) to properly reflect existing conditions and circumstances, and the appropriate base zoning classification(s) should the SP district be removed, in whole or in part, from the property.

End of Council Term With the approach of the end of the current Council term, there is not sufficient time for this Council to make any changes to this SP, if deemed to be necessary, in this term. The written report will also be forwarded to the Council once the new term has begun.

Permits on Hold Section 17.40.106.I.1 of the Zoning Code requires that once the review of an SP with a preliminary assessment of inactivity is initiated, no new permits, grading or building, are to be issued during the course of the review. For purposes of satisfying this requirement, a hold shall be placed on all properties within the SP on the date the staff recommendation is mailed to the Planning Commission so that no new permits will be issued during the review.

ANALYSIS

Consistency with the General Plan This property is within the Bellevue Community Plan. The land use policy in place is Residential Low Medium (RLM) which is intended to accommodate residential development within a density range of two to four units per acre. The SP falls within the density range of the policy and the layout of the SP groups the units largely on the portion of the property that is outside of the floodplain.

Amendments/Rezoning As the SP is consistent with the RLM policy of the Bellevue Community Plan, at this time the SP remains appropriate for the site and area. There are no amendments to the plan proposed and no new zoning district is proposed for the property.

Recommendation to Council If the Planning Commission agrees with the staff assessment, staff will prepare a written report of the Commission's determination to Council to continue the implementation of the development plan as adopted and that no rezoning is required on this property.

STAFF RECOMMENDATION Staff recommends that the Cedar Place Townhomes SP be found to be inactive and that the Planning Commission direct staff to prepare a report to the Council to continue the implementation of the development plan as adopted and that no rezoning is recommended on this property.

Find the SP District inactive and direct staff to prepare a report to the Council to continue the implementation of the development plan as adopted and that no rezoning is recommended on this property. (9-0), Consent Agenda

Resolution No. RS2011-146

"BE IT RESOLVED by The Metropolitan Planning Commission that 2007SP-007G-06 is **FOUND TO BE INACTIVE** and **staff is directed to prepare a report to the Metro Council to continue the implementation of the development plan as adopted and that no rezoning is recommended on this property. (9-0)**

5. 2007SP-038G-10

GRANNY WHITE PIKE

Map 159-10-0-B, Parcel(s) 011-016, 902

Council District 34 (Carter Todd)

Staff Reviewer: Brenda Bernards

The periodic review of an approved Specific Plan (R) district known as "Granny White Pike", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code (Review of a Development Plan), for properties located at 907, 909, 911, 913, 915 and 919 Dorset Drive and at Granny White Pike (unnumbered) (3.23 acres), approved for six single-family lots via Council Bill BL2007-1419 effective on May 19, 2007, review initiated by the Metro Planning Department.

Staff Recommendation: Find the SP District active

APPLICANT REQUEST - Four year SP review to determine activity

SP Review The periodic review of an approved Specific Plan (R) district known as "Granny White", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code (Review of a Development Plan), for properties located at 907, 909, 911, 913, 915 and 919 Dorset Drive and at Granny White Pike (unnumbered), (3.23 acres), approved for six single-family lots via Council Bill BL2007-1419 effective on May 19, 2007.

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

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

DETAILS OF THE SP DISTRICT The purpose of the Granny White SP is to allow for 6 single-family lots.

Analysis Staff visited the site May 2011. There are single family residences under construction. The streets and other infrastructure are in place. Staff recommends that this SP be found active and that it be placed back on the four-year review list. Staff notes that the SP remains appropriate for Residential Low density land use policy of the Green Hills – Midtown Community Plan.

STAFF RECOMMENDATION Staff recommends that the Granny White SP be found to be active.

Find the SP District active. (9-0), Consent Agenda

Resolution No. RS2011-147

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007SP-038G-10 is **FOUND TO BE ACTIVE. (9-0)”**

6. 2007SP-048U-03

ZION HILL

Map 070, Parcel(s) 041

Council District 02 (Frank R. Harrison)

Staff Reviewer: Brenda Bernards

The periodic review of an approved Specific Plan (MU) district known as "Zion Hill", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code (Review of a Development Plan), for property located at 2433 Buena Vista Pike (5.01 acres), approved for 23 multifamily units and a 250 seat religious institution within a two-story, 27,000 square foot building via Council Bill BL2007-1411 effective on May 19, 2007, review initiated by the Metro Planning Department.

Staff Recommendation: Find the SP District Inactive and direct staff to prepare a report to the Council to continue the implementation of the development plan as adopted and that no rezoning is recommended on this property.

APPLICANT REQUEST - Four year SP review to determine activity

SP Review The periodic review of an approved Specific Plan (MU) district known as "Zion Hill", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code (Review of a Development Plan), for property located at 2433 Buena Vista Pike (5.01 acres), approved for 23 multi-family units and a 250 seat religious institution within a two-story, 27,000 square foot building via Council Bill BL2007-1411 effective on May 19, 2007.

Zoning Code Requirement Section 17.40.106.I of the Zoning Code requires that a SP district be reviewed four years from the date of Council approval and every four years after until the development has been deemed complete by the Planning Commission.

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

DETAILS OF THE SP DISTRICT The SP includes 23 multi-family units and a 27,000 square foot religious institution with 250 seats with approximately 46 percent of the property left in open space. The residential units are located at the front of the development with the closest unit to Buena Vista Pike being approximately 100 feet north of the street. The religious institution will be located behind the residential units.

The property contains slopes greater than 25 percent. The area with the most significant slopes along Buena Vista Pike are left as open space. To minimize grading on the site, the church building has been placed at the rear of the property.

SPECIFIC PLAN REVIEW Staff conducted a site visit in May 2011. There did not appear to be any construction activity on the site. A letter was sent to the property owner of record requesting details that could demonstrate that the SP was active.

The owner did not respond to the letter. As no documentation of activity was submitted, the staff preliminary assessment of inactivity remains in place.

FINDING OF INACTIVITY When the assessment of an SP is that it is inactive, staff is required to prepare a report for the Planning Commission with recommendations for Council Action including:

1. An analysis of the SP district's consistency with the General Plan and compatibility with the existing character of the community and whether the SP should remain on the property, or
2. Whether any amendments to the approved SP district are necessary, or
3. To what other type of district the property should be rezoned.

If the Planning Commission agrees with the staff assessment, staff will prepare a written report of the Commission's determination to Council with a recommendation on the following:

1. The appropriateness of the continued implementation of the development plan or phase(s) as adopted, based on current conditions and circumstances; and
2. Any recommendation to amend the development plan or individual phase(s) to properly reflect existing conditions and circumstances, and the appropriate base zoning classification(s) should the SP district be removed, in whole or in part, from the property.

End of Council Term With the approach of the end of the current Council term, there is not sufficient time for this Council to make any changes to this SP, if deemed to be necessary, in this term. The written report will also be forwarded to the Council once the new term has begun.

Permits on Hold Section 17.40.106.I.1 of the Zoning Code requires that once the review of an SP with a preliminary assessment of inactivity is initiated, no new permits, grading or building, are to be issued during the course of the review. For purposes of satisfying this requirement, a hold shall be placed on all properties within the SP on the date the staff recommendation is mailed to the Planning Commission so that no new permits will be issued during the review.

ANALYSIS

Consistency with the General Plan This property is within the Bordeaux/Whites Creek Community Plan. The land use policy is Neighborhood General. The SP is consistent with this policy and the development will largely avoid the steep slopes on the property.

Amendments/Rezoning As the SP is consistent with the Neighborhood General policy of the Bordeaux/Whites Creek Community Plan, at this time the SP remains appropriate for the site and area. There are no amendments to the plan proposed and no new zoning district is proposed for the property.

Recommendation to Council If the Planning Commission agrees with the staff assessment, staff will prepare a written report of the Commission's determination to Council to continue the implementation of the development plan as adopted and that no rezoning is required on this property.

STAFF RECOMMENDATION Staff recommends that the Zion Hill SP be found to be inactive and that the Planning Commission direct staff to prepare a report to the Council to continue the implementation of the development plan as adopted and that no rezoning is recommended on this property.

Find the SP District inactive and direct staff to prepare a report to the Council to continue the implementation of the development plan as adopted and that no rezoning is recommended on this property. (9-0), Consent Agenda

Resolution No. RS2011-148

"BE IT RESOLVED by The Metropolitan Planning Commission that 2007SP-048U-03 is FOUND TO BE INACTIVE and stff is directed to prepare a report to the Metro Council to continue the implementation of the development plan as adopted and that no rezoning is recommended on this property. (9-0)"

7. 2007SP-064U-14

PRICE'S COLLISION CENTER

Map 096-01, Parcel(s) 010

Council District 15 (Phil Claiborne)

Staff Reviewer: Brenda Bernards

The periodic review of an approved Specific Plan (A) district known as "Price's Collision Center", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code (Review of a Development Plan), for property located at 2730 Lebanon Pike (1.49 acres), approved for automobile repair and all other uses permitted by the CS zoning district via Council Bill BL2007-1410 effective on May 19, 2007, review initiated by the Metro Planning Department.

Staff Recommendation: Find the SP District active

APPLICANT REQUEST - Four year SP review to determine activity

SP Review The periodic review of an approved Specific Plan (A) district known as " Price's Collision Center", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code (Review of a Development Plan), for property located at 2730 Lebanon Pike (1.49 acres), approved for automobile repair and all other uses permitted by the Commercial Services (CS) zoning district via Council Bill BL2007-1410 effective on May 19, 2007.

Zoning Code Requirement Section 17.40.106.I of the Zoning Code requires the review of each SP District four years from the date of

Council approval and every four years after until the development has been deemed complete by the Planning Commission.

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

DETAILS OF THE SP DISTRICT The purpose of the Price's Collision Center SP is to allow for an auto repair facility as well as all other uses permitted within the CS zoning district.

Analysis Staff visited the site May 2011. There is a vacant auto sales and repair facility on the property. At the time of this review, inquiries were received for a temporary use that would be permitted under the CS zoning district. Staff recommends that this SP be found active and that it be placed back on the four-year review list. Staff notes that the SP remains appropriate for Mixed-Use in Community Center land use policy of the Donelson/Hermitage Community Plan.

STAFF RECOMMENDATION Staff recommends that the Price's Collision Center SP be found to be active.

Find the SP District active. (9-0), Consent Agenda

Resolution No. RS2011-149

"BE IT RESOLVED by The Metropolitan Planning Commission that 2007SP-064U-14 is **FOUND TO BE ACTIVE. (9-0)**"

8. 2010SP-015-002

BL2011-937 / MOORE

SOUTHVIEW ON 2ND

Map 105-03, Parcel(s) 100-103, 106-107

Map 105-03-0-A, Parcel(s) 001-002, 900

Map 105-03-0-B, Parcel(s) 001-002, 900

Council District 17 (Sandra Moore)

Staff Reviewer: Greg Johnson

A request to amend the Southview on 2nd Specific Plan and for final development plan approval from R6 and SP-R to SP-MR for properties located at 1064, 1066, 1068, 1070, 1072 A, B, and C, 1074, A, B and C, and 1078 2nd Avenue South and at 112 Mildred Shute Avenue, at the northeast corner of 2nd Avenue South and Mildred Shute Avenue (0.93 acres), to add 0.8 acres to the Specific Plan District and to permit the development of 19 dwelling units where three dwelling units were previously approved for a portion of the property through Council Bill BL2010-781, requested by FMBC Investments LLC, Robert Goldwire, Elroy Mikalov, and Evan Radish, owners.

Staff Recommendation: Approve the preliminary SP with conditions. If construction plans are approved by Metro Stormwater prior to the June 23, 2011 MPC meeting, approve preliminary and final SP with conditions.

APPLICANT REQUEST - Permit 19 multi-family dwellings

Preliminary and Final SP A request to amend the Southview on 2nd Specific Plan and for final development plan approval from One and Two Family Residential (R6) and Specific Plan – Residential (SP-R) to Specific Plan – Mixed Residential (SP-MR) for properties located at 1064, 1066, 1068, 1070, 1072 A, B, and C, 1074, A, B and C, and 1078 2nd Avenue South and at 112 Mildred Shute Avenue, at the northeast corner of 2nd Avenue South and Mildred Shute Avenue (0.93 acres), to add 0.8 acres to the Specific Plan District and to permit the development of 19 dwelling units where three dwelling units were previously approved for a portion of the property through Council Bill BL2010-781.

Existing Zoning

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

Proposed Zoning

SP-MR District - Specific Plan-Mixed Residential 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 a mixture of housing types.

CRITICAL PLANNING GOALS

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

The proposed SP will provide several beneficial aspects to the surrounding neighborhood. As an infill project within an existing neighborhood, the proposal will take advantage of existing infrastructure within a developed community. Located on a street with a handful of vacant lots, the development will add continuity to the street frontage, enhancing the pedestrian environment. The multi-family residential use will also provide additional housing diversity within the surrounding primarily single-family residential neighborhood.

SOUTH NASHVILLE COMMUNITY PLAN

Neighborhood General (NG) 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.

Consistent with Policy? Yes. The proposed mixed residential SP is consistent with the intent of the land use policy because it is consistent with the residential density allowance and the design principles of the NG policy.

PLAN DETAILS The preliminary SP proposes 19 units within a combination of duplex and quadplex buildings.

Existing conditions A handful of the buildings shown in the SP have been constructed. The seven units shown closest to the corner of 2nd Avenue and Mildred Shute Avenue at 1072, 1074, 1078 2nd Avenue South and 112 Mildred Shute Avenue have been constructed, or are nearing completion. Several dwellings are occupied by individual residents. A quadplex building at 1066 2nd Avenue South is existing and was constructed prior to the purchase of the property by the applicant. The existing buildings at 1072, and 1074 2nd Avenue South were constructed under the existing R6 zoning classification. The duplex proposed for 1070 2nd Avenue South has received building permit approval. Construction of the foundation for this lot has begun. The dwellings proposed for 1068 and 1064 2nd Avenue require SP approval before construction can begin.

Original approval The original SP was approved by the Planning Commission in September, 2010. At the time of that approval, the SP included only one lot at the corner of 2nd Avenue and Mildred Shute Avenue, and included a total of three residential units. The proposed amendment will expand the SP to 19 units with rear parking to be shared among all residential units.

Building Setbacks and Design A proposed building setback of 20 feet from the front property line will allow the residential building to remain consistent with the street setbacks of surrounding dwellings.

Parking Standards and Access The project site will provide vehicular access from a rear alley. Consistent with the land use policy, required off-street parking is placed at the rear of the lot. The proposed residential uses require 29 parking spaces total. A total of 34 parking spaces are currently proposed.

Landscaping Typically, multi-family residential development is required to install a landscape buffer along property lines shared with single-family residential development. In this case, the proposed development will have a similar character to surrounding single-family neighborhood in terms of building height and massing. Instead of requiring a landscape buffer along the entire property line, a condition of approval has been added to require construction of a privacy fence along the north property line next to the proposed parking area.

Metro Stormwater review The applicant has requested preliminary and final site plan approval for this SP. In order to obtain final site plan approval, construction plans must be approved by Metro Stormwater. Construction plans have been submitted and are under review by Metro Stormwater.

METRO STORMWATER RECOMMENDATION Amendment and Final SP, Returned for corrections:
Provide approved Construction Drawings prior to final SP approval.

FIRE MARSHAL RECOMMENDATION Fire-flow shall meet the requirements of the International Fire Code - 2006 edition - B105.1.

PUBLIC WORKS RECOMMENDATION To be completed with corrected copy of preliminary SP:

- Clearly show alley ROW width, fully dimensioned.
- Move parking spaces, fence, gates, and waste containers out of the alley ROW.
- Show ST-325 driveway ramp for alley access to Mildred Shute Avenue.
- Show dimensions for parking lots and spaces.
- Provide demolition plan.
- Show location of all utility poles in the ROW.
- Parking will not be allowed on Mildred Shute Avenue unless the roadway is widened to provide space for on-street parking.
- Remove reference to sidewalk improvement in the alley ROW.

To be completed prior to final SP approval:

- Show alley width improvements to accommodate two-way traffic -- see PW detail ST-263.
http://www.nashville.gov/pw/pdfs/drawings/ST263_aug2500.pdf
 - Provide general plan for solid waste management that includes an 8 cu yd dumpster for trash and additional container(s) for recycling. All containers must be stored outside of the ROW.
 - Provide adequate sight distance at driveway intersections with alley.
 - Show cross access between parcels for shared parking lots on parcels under developer's control;
- Add the following note to Final SP "Vehicular and pedestrian access to parking spaces for all units on all parcels within the common areas governed by the Home Owners Association is allowed and granted."

To be completed prior to building permit approval:

- 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: **R6**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.8	7.71 D	6 U	58	5	7

Maximum Uses in Existing 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
Single-Family Residential (210)	0.13	-	3 U	29	3	4

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
Single-Family Residential(210)	0.93	-	19 U	182	15	20

Traffic changes between Maximum: **R6, SP-R** 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
-	-	-	+ 10	+95	+7	+9

METRO SCHOOL BOARD REPORT

Projected student generation **2 Elementary 1 Middle 1 High**

Schools Over/Under Capacity Students would attend Whitsitt Elementary School, Cameron Middle School, and Glencliff High School. None of these schools has been identified as being over capacity by the Metro School Board. This information is based upon data from the school board last updated October 2010.

STAFF RECOMMENDATION Staff recommends approval with conditions of the preliminary SP. If construction plans are approved by Metro Stormwater prior to the June 23, 2011 MPC meeting, staff recommends approval with conditions of the preliminary and final SP. The site plan shows consistency with the design principles of the land use policy and with surrounding development. The expected density is also consistent with the land use policy.

CONDITIONS

1. Prior to approval of building permits on 1068, 1066, and 1064 2nd Avenue South, a minimum of 30 feet of right-of-way shall be dedicated along the length of the SP frontage from centerline along the 2nd Avenue South.
2. The building setbacks along 2nd Avenue that remain after right-of-way dedication shall be specified on the SP plan as the minimum building setback for each lot.
3. A privacy fence shall be constructed along the portion of northwest property line that is adjacent to the parking area.
4. Comments listed from the Fire Marshal, Metro Stormwater, and Metro Public Works shall be addressed prior to building permit approval unless a different timeline is proposed above.
5. 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 RM20 zoning district.
6. A corrected copy of the preliminary SP plan incorporating the conditions of approval by the Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no later than 120 days after the effective date of the enacting ordinance. The corrected copy provided to the Planning Department shall include printed copy of the preliminary SP plan and a single PDF that contains the plan and all related SP documents. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.
7. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained

in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

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

Approve the preliminary SP with conditions. (9-0), Consent Agenda

Resolution No. RS2011-150

"BE IT RESOLVED by The Metropolitan Planning Commission that 2010SP-015-002 is APPROVED WITH CONDITIONS FOR THE PRELIMINARY SP. (9-0)

Conditions of Approval:

1. Prior to approval of building permits on 1068, 1066, and 1064 2nd Avenue South, a minimum of 30 feet of right-of-way shall be dedicated along the length of the SP frontage from centerline along the 2nd Avenue South.
2. The building setbacks along 2nd Avenue that remain after right-of-way dedication shall be specified on the SP plan as the minimum building setback for each lot.
3. A privacy fence shall be constructed along the portion of northwest property line that is adjacent to the parking area.
4. Comments listed from the Fire Marshal, Metro Stormwater, and Metro Public Works shall be addressed prior to building permit approval unless a different timeline is proposed above.
5. 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 RM20 zoning district.
6. A corrected copy of the preliminary SP plan incorporating the conditions of approval by the Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no later than 120 days after the effective date of the enacting ordinance. The corrected copy provided to the Planning Department shall include printed copy of the preliminary SP plan and a single PDF that contains the plan and all related SP documents. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.
7. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
8. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

The proposed residential land uses and density are consistent with the Neighborhood General policy."

9. 2011SP-016-001

BL2011-932 / MATTHEWS
4608 ASHLAND CITY HIGHWAY
Map 068, Parcel(s) 062
Council District 01 (Lonnell Matthews, Jr.)
Staff Reviewer: Jason Swaggart

A request to rezone from AR2a to SP-MU zoning and for final site plan approval for property located at 4608 Ashland City Highway, approximately 3,450 feet west of Briley Parkway (5.61 acres), to permit Building Contractor Supply and all uses permitted in the AR2a zoning district, requested by Charles Huddleston, owner.

Staff Recommendation: DISAPPROVE

The Metropolitan Planning Commission DEFERRED 2011SP-016-001 to the July 28, 2011, Planning Commission meeting at the request of the applicant. (8-0)

J. PLANNING COMMISSION ACTIONS

Planned Unit Developments: final site plans

10. 68-82P-001

MYRTLEWOOD, SEC 8

Map 172, Parcel(s) 167

Council District 31 (Parker Toler)

Staff Reviewer: Brian Sexton

A request to revise a portion of the preliminary plan and for final site plan approval of the residential Planned Unit Development located on property at Woodland Hills Drive (unnumbered), at the end of Woodland Hills Drive, classified R15 (11.97 acres), zoned One and Two-Family Residential (R15), to develop 17 single-family lots where 12 single-family lots were previously approved, requested by Dale & Associates, applicant, for Woodland Falls Subdivision L.P., owner.

Staff Recommendation: APPROVE WITH CONDITIONS

APPLICANT REQUEST - Revise PUD to permit 17 residential lots

Revise Preliminary & PUD Final Site Plan A request to revise a portion of the preliminary plan and for final site plan approval of the residential Planned Unit Development located at Woodland Hills (unnumbered), at the end of Woodland Hills Drive (11.97 acres), zoned One and Two-Family Residential (R15), to develop 17 single-family lots where 12 single-family lots were previously approved.

History On July 8, 1999, the Planning Commission approved a revision to the preliminary site plan for Brentwood Oaks, now Myrtlewood, Section 8 PUD, to permit the development of 12 lots, replacing 38 lots. In addition, the 12 lots were approved with a variance to the Subdivision Regulations for maximum street grades. On February 14, 2008, the Planning Commission approved a second revision to the preliminary plan to continue to permit the development of 12 single-family lots but the lots and open spaces areas were rearranged.

Existing Zoning

R15 District -R15 requires a minimum 15,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 3.09 dwelling units per acre including 25% duplex lots.

CRITICAL PLANNING GOALS N/A

PLAN DETAILS

Site Plan The revised preliminary plan proposes 15 single-family lots on a cul-de-sac and two additional single-family lots on a private drive. All 17 lots are identified as critical lots due to existing steep slopes and must comply with the critical lot requirements of the Subdivision Regulations. The front and rear setbacks are 20 feet and the side setbacks are 5 feet. The maximum building height remains three stories. The revised site plan includes a private drive that extends northwest of the site. The private drive provides access to two single family lots surrounded by 3.5 acres of open space. The open space area has been identified on the plan as a Conservation Easement. The revised plan includes a joint access easement running along the frontages of Lots 7 through 12.

Infrastructure/Landscaping The revised preliminary plan proposes the removal of two retaining walls located at the entrance of the subdivision. The retaining walls will be replaced with open space and rain garden features. As was approved on the original PUD, sidewalks are located on one side of Woodland Hills Drive only. A nature trail and lookout pavilion is proposed on the southwest portion of the site. These changes should make the entrance to this part of the subdivision more visually appealing with the removal of the retaining walls and addition of the rain garden.

Access The 15 lots are accessible by Woodland Hills Drive and two additional lots are accessed by a private drive on the southwestern portion of the site.

ANALYSIS The proposed revision does not exceed the maximum amount of units authorized by the Council approved PUD plan. The request is within the limits of a revision, and staff is recommending approval as a Revision.

PUBLIC WORKS RECOMMENDATION

1. Provide all construction sheets including Grading and Drainage, and Erosion control.
2. Provide a detail on drainage inlet in front of driveway to lots 14 and 15.
3. Specify driveway width for shared access and surface detail, (pavement, concrete, etc).
4. SU-30 access is required for joint access driveway, please redesign.

STORMWATER RECOMMENDATION

1. Please submit the Inspection & Maintenance Agreement signed and notarized by the owner.
2. Please submit a copy of the NOC and sign/date the NOC Note with the Permit Number shown.
3. The drainage area to the pond is shown as 6.9 acres on the drainage area map but was modeled as 5.0 acres in the detention report. The dry pond/water quality calculations use 6.9 acres. Please revise.
4. Please provide routing calculations for the bioretention area starting above the mulch area. The area below the bioretention area where the filter media is does not provide additional storage for quantity control.

5. Show and label the emergency spillway for the pond and show there is 1 ft of freeboard above the 100-yr water surface elevation.
6. Please add a note to the plans stating that buffer signs are required (location to be determined during precon by NPDES). Signs should also be posted along the natural conservation area since this area cannot be disturbed either.
7. Please provide water quality design calculations for the bioretention area.
8. Provide underdrains for the bioretention area.
9. Provide a Landscape Plan for the proposed plantings in the bioretention area.
10. Please submit the Buffer Remediation Plan that was part of the original approved plan.
11. The plans show that there is 3.5 acres of the Natural Conservation Area but the drainage area map shows 2.5 acres. Please revise.
12. Please address the diversion swale that crosses lot 15 and demonstrate how a driveway will be constructed over the swale.
13. Provide 3 sets of plans.

STAFF RECOMMENDATION Staff recommends approval with conditions of the revised preliminary and final site plan. The proposed plan would not exceed the maximum amount of units authorized by the Council approved PUD plan.

CONDITIONS

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

Approve with conditions. (9-0), Consent Agenda

Resolution No. RS2011-151

"BE IT RESOLVED by The Metropolitan Planning Commission that 68-82P-001 is **APPROVED WITH CONDITIONS. (9-0)**

Conditions of Approval:

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

Subdivision: Concept Plans

11. 2011S-039-001

NELSON SUBDIVISION

Map 174, Parcel(s) 185

Council District 32 (Sam Coleman)

Staff Reviewer: Greg Johnson

A request for concept plan approval to create six lots on property located at 5700 Cane Ridge Road, opposite Blairfield Drive (5.49 acres), zoned RS20, requested by Richard Nelson, owner, Dale & Associates, surveyor.

Staff Recommendation: APPROVE WITH CONDITIONS

APPLICANT REQUEST - Concept plan for six single-family lots

Concept Plan A request for concept plan approval to create six lots on property located at 5700 Cane Ridge Road, opposite Blairfield Drive (5.49 acres), zoned Single-Family Residential (RS20).

Existing Zoning

RS20 District - RS20 requires a minimum 20,000 square foot lot and is intended for single-family dwellings at a density of 1.85 dwelling units per acre.

PLAN DETAILS The plan proposes a six lot subdivision consisting of five lots of around 20,000 square feet each and one lot of approximately 3.5 acres with an existing dwelling. Access to the proposed lots will be provided from Cane Ridge Road via three joint use driveway easements. Each easement will serve two lots.

Infrastructure Deficiency This property is located within the Infrastructure Deficiency Area. Approval of any development proposal within the identified Infrastructure Deficiency Area shall be required to improve major roadways (or construct an equivalent transportation improvement) to accommodate additional traffic volumes. The required length of roadway improvements required with development on this property is 159 feet. This was a condition of approval from the approved zone change request for the subject site from 2010.

Stream buffer A stream may exist within the boundary of the proposed subdivision within Lot 1 and a portion of the proposed Lot 2. If determined to be a stream, the layout of the subdivision will likely change to reflect required stream buffers. As a new lot cannot contain a stream buffer, Lot 2 may be absorbed into Lot 1 or identified as open space. As Lot 1 is the existing lot, it can include a stream buffer. This can be determined prior to development plan approval without requiring a revision to the concept plan.

PUBLIC WORKS RECOMMENDATION

1. Dedicate right-of-way 30' from the centerline of Cane Ridge Rd.
2. Show and label area Reserved For Future Right-of- Way 42' from the centerline of Cane Ridge Rd (U4) per the Major Street Plan.
3. Curve C2 appears to be non-radial, please correct.
4. The access for lots 5&6 appears to have inadequate sight distance. Provide a statement of the available sight distance at that location based upon field observation.
5. Provide adequate sight distance at joint use driveways.

STORMWATER RECOMMENDATION Concept plan returned for corrections:

1. Show buffers in open space, provide hydrologic determination showing the conveyance is a wet weather conveyance, or provide an appeal to allow buffers in lots.

NES RECOMMENDATION

- 1) Developer to provide a civil duct and gear (pad/switch) locations for NES review and approval. No other utilities or private conduit can be under NES equipment.
- 2) Any additional easements required that are not part of this parcel must be obtained by the developer or the engineer for the developer.
- 3) NES can meet with developer/engineer upon request to determine electrical service options
- 4) NES needs any drawings that will cover any road improvements to Cane Ridge Rd that Metro Public Works will require (i.e., turning lanes, driveway ramps or lane improvements). Any of these items may require electric facilities to be relocated and may be an impact to the developer.
- 5) NES follows the National Fire Protection Association rules; Refer to NFPA 70 article 450-27; and NESC Section 15 - 152.A.2 for complete rules (see NES Construction Guidelines under "Builders and Contractors" tab @ www.nespower.com).
- 6) Metro and developer to determine what type of service to supply to each lot; ovhd only, ugrd secondary or ugrd from pad mounted equipment.

STAFF RECOMMENDATION Staff recommends approval with conditions. With the conditions of approval, the proposed subdivision will comply with the Metro Zoning Code, Subdivision Regulations, and requirements of other Metro departments.

CONDITIONS

1. Prior to development plan approval, a hydrologic determination shall be provided showing that the conveyance is a wet weather conveyance, or provide an appeal to allow buffers in lots.

2. Prior to recording of a final plat, the 159 feet of IDA requirements shall be satisfied or completed as required by Public Works, or bonded.

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

Michael Garrigan, 516 Heather Place, spoke in support of staff recommendation with a request to reduce the amount of the IDA requirement for this subdivision.

Chairman McLean out at 4:39 p.m.

Chairman McLean in at 4:40 p.m.

Mr. Dalton moved and Councilmember Gotto seconded the motion to close the Public Hearing. (10-0)

Mr. Clifton stated that he would like to hear the staff's response before commenting.

Mr. Bernhardt gave the history and background behind the IDA policy.

Mr. Clifton stated that he doesn't think we should abandon this.

Dr. Cummings stated that she is inclined to continue with the thought process that went in to the policy.

Councilmember Gotto inquired if the estimated \$10,000 per lot given by the applicant is accurate?

Mr. Bernhardt stated that he can not answer if that is an accurate figure or not.

Councilmember Gotto stated that this is a good policy but there may be a flaw in this case. Adding \$10k per lot makes this unmarketable. The developer will not be the person that pays the additional cost, the person that purchases the lot will be.

Councilmember Gotto stated that he is not sure that we should pass staff recommendation as it stands. Six lots are not going to put an additional \$10,000 in road developments.

Mr. Bernhardt stated that the problem is that they applicant has chosen to under develop the property. The zoning permits more units and the policy permits even more units than the zoning. The problem is that they have chosen to develop fewer lots.

Councilmember Gotto stated that property rights allow for the maximum or minimum development of the property and we don't need to dictate everything; we owe it to the property owner to be able to make some decisions.

Mr. Clifton noted that someone has to pay for quality of streets and standards.

Councilmember Gotto stated that the amount paid should reflect the impact they are causing, not a per mile fee.

Mr. Gee stated that by connecting the amount paid with the impact of the development, we are incentivizing underdevelopment; however, there could be some cases such as this where it may not be practical to develop the property to its fullest extent. Mr. Gee asked staff to address this as well as if the policy is still appropriate for this site. Is this only applied to the SE area or are we identifying deficiency areas in all of our community plans? Did this policy need Council approval or it is just a MPC policy?

Mr. Bernhardt stated that there has been one case where the applicant came in and amended the policy, which is an option for this property owner as well. This policy was not adopted by Council, only by the MPC, and it applies in rezonings and on subdivisions.

Mr. Johnson clarified that the Neighborhood General policy is still appropriate.

Mr. Gee inquired if it is practical to develop this property and asked if there are any site constraints.

Mr. Johnson noted that there is a potential stream and some topography on the site but they can be worked around.

Mr. Gee asked the applicant to address why underdevelopment.

Mr. Garrigan stated that there are two ponds that are borderline jurisdictional. The houses in the back are in good shape; no need to tear them down. Lot 1 is almost more than half the property...if you are going to retain the house and its access as well as keep the stream and buffer undisturbed as required, that takes half the property out of development.

Mr. Haynes inquired if the developer elects to spend \$60,000 on roads, does he have a choice in how and where to spend the money? If not and he has to pay the money, how does it get split?

Mr. Bernhardt clarified that the developer can put the road improvements on any of the approved roads in the areas that are acceptable to Public Works. If money is paid, it has to be spent on those roads.

Ms. LeQuire asked if during discussions with the developer, were they encouraged to develop more densely?

Mr. Johnson stated that only the appropriateness of the zone change was discussed, not the specific development proposal.

Ms. LeQuire asked if denser developments have higher fees.

Mr. Bernhardt stated that the fee was set when this was adopted. It was based on the actual intensity of the various land use classifications in this area. If you tried to get a different land use classification, you would pay more. But if you simply developed it in accordance with what is there, you would pay the same amount.

Councilmember Gotto stated that the county has a spending priority problem in taking care of the road deficiencies rather than an under developing problem.

Mr. Gee inquired if the fee could be reduced by half of what the policy would suggest considering the physical constraints of the site.

Chairman McLean inquired if the MPC has the authority to levy a tax.

Mr. Bernhardt stated that their authority comes from the subdivision regulations in terms of the infrastructure required to develop a property.

Mr. Ponder asked if the beginning two million is starting from bare ground or if there is already a road in place that will be added to.

Mr. Bernhardt stated that this number came from a project where a rural road was widened to urban standards.

Mr. Ponder asked if we can legally reduce the fee to half?

Mr. Bernhardt clarified that the commission does not deal with the fees, only the number of feet.

Ms. LeQuire asked if the fee could be charged proportionally for Lots 2 through 6 based on the fact that Lot 1 already exists with physical constraints.

Mr. Clifton expressed concerns that the concept of the IDA not be abandoned but that this is not a precedent due to the constraints on this site.

McLean stated that this proposal is developing half the site as Lot 1 is existing. The fee should be assigned to the portion of the property that is being developed.

Councilmember Gotto moved and Mr. Ponder seconded the motion to approve with conditions, including the reduction of the IDA requirement to be based on the acreage of Lots 2-6 (2.38 acres) for a total of 64 feet as Lot 1 is not being developed. (10-0)

Resolution No. RS2011-152

"BE IT RESOLVED by The Metropolitan Planning Commission that 2011S-039-001 is APPROVED WITH CONDITIONS, including the reduction of the IDA requirement to be based on the acreage of Lots 2-6 (2.38 acres) for a total of 64 feet as Lot 1 is not being developed. (10-0)

Conditions of Approval:

1. Prior to development plan approval, a hydrologic determination shall be provided showing that the conveyance is a wet weather conveyance, or provide an appeal to allow buffers in lots.
2. Prior to recording of a final plat, the ~~159 feet~~ 64 feet of IDA requirements shall be satisfied or completed as required by Public Works, or bonded."

Councilmember Gotto out at 5:20 p.m.

Subdivision: Final Plats

12. 2011S-033-001

METRO COMMERCE PARK

Map 107-01, Parcel(s) 007

Council District 15 (Phil Claiborne)

Staff Reviewer: Jason Swaggart

A request for final plat approval to create three lots on property located at 730 Elm Hill Pike, at the northeast corner of Elm Hill Pike and Massman Drive (40.24 acres), zoned IR and partially located within the Floodplain Overlay District, requested by William H. Hawkins Trustee, owner, Cherry Land Surveying Inc., surveyor.

Staff Recommendation: APPROVE

APPLICANT REQUEST - Final plat to create three industrial lots

Final Plat A request for final plat approval to create three lots on property located at 730 Elm Hill Pike, at the northeast corner of Elm Hill Pike and Massman Drive (40.24 acres), zoned Industrial Restrictive (IR) and partially located within the Floodplain Overlay District.

Existing Zoning

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

FO District -Floodplain Overlay District (FO) represents all properties or portions of properties within the floodway, the 100 year FEMA floodplain, including specific local flood basin studies, and is established to preserve the function and value of floodplains and floodways to store and convey floodwater flows through existing and natural flood conveyance systems to minimize damage to property and human life.

CRITICAL PLANNING GOALS N/A

PLAN DETAILS This is a request to create three lots from an existing lot. The property is located at 730 Elm Hill Pike. The property is currently developed. Lot one will have access from Elm Hill Pike and Elm Tree Drive. Lots two and three will have access from Massman Drive. As proposed lots will have the following acreage:

Lot 1: ~34 AC (1,490,205 SF)

Lot 2: ~3.8 AC (167,406 SF)

Lot 3: ~2 AC(95,073 SF)

The proposed three lots meet current zoning and subdivision requirements.

STORMWATER RECOMMENDATION Final plat approved

PUBLIC WORKS RECOMMENDATION No exception taken

STAFF RECOMMENDATION Staff recommends approval. The proposed request meets all Zoning Code and Subdivision Regulation requirements.

Approved (9-0), Consent Agenda

Resolution No. RS2011-153

“BE IT RESOLVED by The Metropolitan Planning Commission that 2011S-033-001 is APPROVED. (9-0)”

K. OTHER BUSINESS

13. FY 2012 – FY 2013 PL contract grant between TDOT and the Metropolitan Planning Commission of Metropolitan Government of Nashville & Davidson County on behalf of the Nashville Area Metropolitan Planning Organization (MPO)

Approved. (9-0), Consent Agenda

Resolution No. RS2011-154

“BE IT RESOLVED by The Metropolitan Planning Commission that the FY2012-2013 PL contract grant between TDOT and the Metropolitan Planning Commission on behalf of the MPO is **APPROVED.**”

14. Employee contract renewals for David Kline, Nick Lindeman, Max Baker, and Jennifer Regen.

Approved. (9-0), Consent Agenda

Resolution No. RS2011-155

“BE IT RESOLVED by The Metropolitan Planning Commission that an employee contract renewal for David Kline, Nick Lindeman, Max Baker, and Jennifer Regen is **APPROVED. (9-0)**”

15. Historical Commission Report

16. Board of Parks and Recreation Report

17. Executive Committee Report

18. Executive Director Report

19. Legislative Update

L. MPC CALENDAR OF UPCOMING MATTERS

June 29, 2011

Continuing Education: Planning Law Review 2011

3:00 – 4:30 PM, 800 Second Ave. South; Davidson Conference Room, Second Floor, Metro Office Building

June 30, 2011

Community Meeting

6-8 pm, Cross Point Church, 7675 Hwy 70S (former Circuit City building next to Home Depot)

Bellevue Community Plan Update

Discussion of community character policies as they apply to conservation, open space, and residential areas.

July 28, 2011

MPC Meeting

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

M. ADJOURNMENT

The meeting was adjourned at 5:33 p.m.

Chairman

Secretary