



METROPOLITAN PLANNING COMMISSION

DRAFT MINUTES

Thursday, March 10, 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, Chairman
Hunter Gee, Vice Chairman
Stewart Clifton
Tonya Jones
Phil Ponder
Councilmember Jim Gotto
Andrée LeQuire, representing Mayor Karl Dean

Staff Present:

Rick Bernhardt, Executive Director
Ann Hammond, Assistant Director
Kelly Armistead, Admin Services Officer III
Doug Sloan, Legal
Craig Owensby, Public Information Officer
Dennis Corrieri, Planning Technician I
Bob Leeman, Planning Manager II
Brenda Bernards, Planner III
Jennifer Carlat, Planning Manager II
Brian Sexton, Planner I
Jason Swaggart, Planner II
Greg Johnson, Planner II
Kathryn Withers, Planner III
Rebecca Ratz, Planner II
Jennifer Regen, Development Relations Manager

Commissioners Absent:

Judy Cummings, Derrick Dalton, Ana Escobar

Richard C. Bernhardt, FAICP, CNU-A

Secretary and Executive Director, Metro Planning Commission
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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/Impc_mtg_presentation_tips.pdf and our summary regarding how Planning Commission public hearings are conducted at www.nashville.gov/mpc/pdfs/main/ImpcRulesSummary.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.



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MEETING AGENDA

A. CALL TO ORDER

The meeting was called to order at 4:05 p.m.

B. ADOPTION OF AGENDA

Mr. Gee moved and Mr. Ponder seconded the motion, which passed unanimously, to adopt the revised agenda. (7-0)

C. APPROVAL OF FEBRUARY 24, 2011 MINUTES

Ms. LeQuire requested to add Woodmont, Woodlawn, White Bridge Road, and the west of Harding Road to her suggestion of linking the Harding Road widening and the Bosley Springs connector to the traffic study.

Ms. LeQuire moved and Mr. Clifton seconded the motion, which passed unanimously, to adopt the February 24, 2011 minutes with the revision made by Ms. LeQuire. (7-0)

D. RECOGNITION OF COUNCILMEMBERS

E. ITEMS FOR DEFERRAL I WITHDRAWAL

1. 2011CP-000-001

MAJOR STREET & COLLECTOR PLAN UPDATE

2. 2011CP-008-001

RS2011-1548 / HARRISON, GILMORE, LANGSTER
NORTH NASHVILLE COMMUNITY PLAN UPDATE

3. 2011Z-001TX-001

MAJOR STREET AND COLLECTOR PLAN

8. 2011SP-006-001

CENTRAL PIKE NORTH

12a. 2011Z-003PR-001

STONE BROOK DRIVE

12b. 89P-032-001

BRENTWOOD SKYLINE

14. 7-84P-002

LIGHTHOUSE CHRISTIAN PRE-SCHOOL

Mr. Ponder moved and Councilmember Gotto seconded the motion, which passed unanimously, to approve the Deferred and Withdrawn Items. (7-0)

F. CONSENT AGENDA

6. 2011Z-004TX-001

SIGNS: ALLEYS

9. 2011SP-007-001

DOLLAR GENERAL

10. 2011SP-008-001

AUTO MASTERS

15. 2008S-061U-12

BRENTWOOD BRANCH ESTATES

16. Reinstate Developers Surety and Indemnity Company, which was excluded from providing surety bonds for one year pursuant to Section 6-1.2.d of the Metro Subdivision Regulations at the January 13, 2011 Planning Commission meeting, to be permitted to provide surety bonds.

Mr. Ponder moved and Councilmember Gotto seconded the motion, which passed unanimously, to approve the Consent Agenda. (7-0)

G. PREVIOUSLY DEFERRED ITEMS

Community Plan Amendments

1. 2011CP-000-001

MAJOR STREET & COLLECTOR PLAN UPDATE

Staff Reviewer: Michael Briggs

A request to adopt Implementing Complete Streets: Major and Collector Street Plan of Metropolitan Nashville, A Component of Mobility 2030, which updates the plan for major and collector streets for Metro Nashville-Davidson County. The Major and Collector Street Plan was last updated and adopted in 1992.

Staff Recommendation: APPROVE WITH CONDITIONS

Deferred to the April 14, 2011 MPC meeting. (7-0)

The Metropolitan Planning Commission DEFERRED Community Plan Update 2011CP-000-001 to the April 14, 2011, meeting at the request of the applicant.

2. 2011CP-008-001

RS2011-1548 | HARRISON, GILMORE, LANGSTER

NORTH NASHVILLE COMMUNITY PLAN UPDATE

Staff Reviewer: Tifinie Adams

A request to amend the North Nashville Community (Subarea 8) Transportation Plan to include recommendations from the adopted Implementing Complete Streets: Major and Collector Street Plan of Metropolitan Nashville, A Component of Mobility 2030 for major streets in the North Nashville Community, requested by Metro Planning Department.

Staff Recommendation: APPROVE if the Major and Collector Street Plan is approved, defer if the Major and Collector Street Plan is deferred.

Deferred to the April 14, 2011 MPC meeting. (7-0)

The Metropolitan Planning Commission DEFERRED Community Plan Update 2011CP-008-001 to the April 14, 2011, meeting at the request of the applicant.

3. 2011Z-001TX-001

MAJOR STREET AND COLLECTOR PLAN

Staff Reviewer: Rebecca Ratz

A request to amend Metro Zoning Code, Chapters 17.04 (Definitions) and 17.12 (District Bulk Regulations) by revising the definitions associated with street designations to reflect new Major and Collector Street Plan terminology; and by modifying the measurement of street setbacks for multi-family and non-residential districts and non-residential uses in the AG, AR2a, R and RS districts, consistent with these new designations, requested by the Metro Planning Department.

Staff Recommendation: APPROVE WITH CONDITIONS, including the deletion of Diagram 17.04F and the modification of Section 17.12.030 A. Measurement of Street Setbacks if the Major and Collector Street Plan is approved, defer if the Major and Collector Street Plan is deferred.

Deferred to the April 14, 2011 MPC meeting. (7-0)

The Metropolitan Planning Commission DEFERRED Community Plan Update 2011CP-008-001 to the April 14, 2011, meeting at the request of the applicant.

Zoning Text Amendments

4. 2010Z-024TX-001

BL2010-827 / HOLLIN

CASH ADVANCE, CHECK CASHING, TITLE LOAN AND PAWNSHOP

Staff Reviewer: Jennifer Regen

A request to amend the Metro Zoning Code, Section 17.04.060 (Definitions) and 17.08.030 (Zoning Land Use Table) by removing the definitions and land uses “cash advance”, “check cashing”, “pawnshop” and “title loan” as amending Chapter 17.16 relative to “financial institution” and “pawnshop”, requested by Councilmember Jamie Hollin.

Staff Recommendation: DISAPPROVE

Deferred indefinitely. (7-0)

The Metropolitan Planning Commission DEFERRED INDEFINITELY Zone Change 2010Z-024TX-001 at the request of the applicant.

Institutional Overlays: final site plans

5. 2006IN-002-005

BELMONT UNIVERSITY

Map 105-09, Part of Parcels 008-010, 058, 059

Council District 18 (Kristine LaLonde)

Staff Reviewer: Brenda Bernards

A request for final approval for a portion of the Belmont University Institutional Overlay district located at 1419, 1500, 1501, 1502, 1503, 1504 and 1505 Acklen Avenue, 1812 15th Avenue South, and at 15th Avenue South (unnumbered), zoned RM20, to permit the construction of off-site roadway improvements for Belmont School of Law, requested by Littlejohn Engineering Associates Inc., applicant, for Belmont University, owner.

Staff Recommendation: APPROVE WITH CONDITIONS and recommend to the Council that the Belmont University IO remain in place and the “Residential Buffer Zone” be more clearly defined.

APPLICANT REQUEST - Off-site improvements for the College of Law Building

Final Plan Approval A request for final approval for a portion of the Belmont University Institutional Overlay district located at 1419, 1500, 1501, 1502, 1503, 1504 and 1505 Acklen Avenue, 1812 15th Avenue South, and at 15th Avenue South (unnumbered), zoned RM20, to permit the construction of off-site roadway improvements for Belmont School of Law

Deferral Originally, the final site plan for the College of Law Building and off-site roadway improvements were to be considered together. Consideration of the off-site improvements was deferred indefinitely so that Belmont and the Neighborhood Advisory Committee could continue to work on issues related to these improvements.

CRITICAL PLANNING GOALS N/A

PLAN DETAILS Belmont University received final site plan approval for a building to house the College of Law in September 2010. At this time, Belmont is requesting final approval for associated campus alterations to support the new building. These alterations involve roadway improvements, including the removal of one house within the residential buffer on 15th Avenue, north of Acklen Avenue, the loss of a portion of the on-street parking along this section of 15th Avenue and the installation of a traffic signal at 15th Avenue and Wedgewood Avenue.

Traffic Signal at 15th Avenue and Wedgewood Avenue The initial approval of the Institutional Overlay (IO) did not require a traffic signal at 15th and Wedgewood Avenues. With the construction of the College of Law, a traffic signal is warranted at this intersection. While a final site plan can be approved administratively if it is consistent with the approved preliminary plan, condition No. 20 of Council Bill 2005-555, the ordinance establishing the Belmont IO, states:

“20. Approval of the IO overlay does not require the installation of a traffic signal at 15th Ave. South, and Wedgewood Avenue by Belmont University. If Belmont University proposes or otherwise agrees to provide for the installation of a traffic signal at that location, the Planning Commission must review the approved development plan and provide a recommendation to Council as to the impact on the neighborhood and whether the IO should be continued.”

As a traffic signal is proposed with this final site plan request, the Planning Commission must review this plan and make a recommendation to the Council.

Traffic Impact Study 17.36.350.B of the Zoning Code, requires an updated Traffic Impact Study (TIS) every five years for IO Districts. The original ordinance adopted the Belmont IO District on August 19, 2005. An update to the TIS accompanied the submission of the

final site plan for the College of Law. The TIS included three scenarios of potential student enrollment and already identified development growth since 2005. Scenario 1 included the construction and occupancy of the College of Law and Scenarios 2 and 3 included the development of specific areas within the IO associated with enrollment growth. The analyses showed that the projected volume of traffic associated with the proposed scenarios can be accommodated with specific roadway and traffic control improvements. Public Works has identified a number of improvements that must be made in order to accommodate the College of Law.

Residential Buffer Zone The proposed road design to accommodate the College of Law includes two round-about style intersections. A residential structure within the Residential Buffer Zone will be impacted in order to accommodate the roundabout for the Acklen Avenue and 15th Avenue intersection. The applicant has proposed the removal of this house. The area of the property not included in the round-about is proposed to be landscaped.

There is a limited description in the adopting ordinance of what the Residential Buffer Zone (the Buffer) consists of – only that it must be in place.

The Buffer is referenced in three places in the IO Master Development Plan.

The Current Property and Expansion Area section identifies the Buffer area as:

“Ten parcels along the east side of 15th Avenue South between Caldwell and Wedgewood Avenues plus two parcels on the south side of Acklen Avenue, which are a combined twelve parcels of mixed ownership designated to remain as an existing single-family residential buffer.”

In the Residential Campus Zone section the reference to Buffer is as follows:

“The east side of 15TH Avenue between Wedgewood and Caldwell Avenue is intended to remain as an existing residential buffer subject to condition and codes permitting.”

In the Proposed Development Sites and Existing Residential Buffer Zone section the location of the Buffer is called out and includes the following:

“Maintain the east side of 15TH Avenue between Wedgewood and Caldwell Avenue as an existing single-family residential buffer; Belmont may make complementary residential modifications to any university- owned properties”

There is not a clear definition in the Metro Zoning Code as to how this Buffer area is to evolve. Section 17.04.060 of the Metro Zoning Code defines “buffer” as “an area of land, including landscaping, berms, wall and fences, which is located between specified uses or rights-of-way.” The designation as a residential buffer, according to the Zoning Code, is to be simply a separation between the campus development and the adjacent residential neighborhood.

A condition has been added to this final site plan that suggests how the Council could strengthen the language to clarify that the residential buffer means residential units – either the units currently in place or if any need to be replaced, the replacement will be of a similar style as the existing structures. While the loss of the house at 1812 15th Avenue affects the buffer, staff is recommending approval of its removal as it is on the corner and the integrity of the buffer will continue with the remaining houses. If the Commission decides that the house is to remain, the front porch of the structure will need to be removed and replaced with a smaller porch and the side setback will be reduced to a range of zero to three feet along Acklen Avenue. Details of the front of the house have been provided to show how a renovated porch can be accommodated. The IO District allows for setbacks to be reduced.

The Zoning Code establishes the procedures for the review of Institutional Overlays. The Code requires the Planning Commission to review all final site plans to determine if they are in compliance with the Council approved preliminary overlay plan. The Commission must find that the proposed final site plan meets the standards established in the preliminary plan. Staff recommends that the proposed plan is consistent with the Residential Buffer Zone standards of the IO since this portion of the plan will still serve as an area that will separate the buildings in the IO from the surrounding residential area, and since there is not a clear definition in the Code as to how this buffer area was to evolve.

Revised Residential Buffer The new language needs to make it clear that the residential character along 15th Avenue is to be maintained. If any structure is demolished it must be replaced with a structure that fits the footprint of the old structure and be residential in design and use.

Staff recommends that the following be added to the Proposed Development Sites and Existing Residential Buffer Zone section of the Master Development Plan of the Belmont University IO:

Residential Buffer Zone: The Residential Buffer Zone consists of residential uses and the structures located at 1800, 1802, 1804, 1806, 1810, 1906, 1908, and 1910 15th Avenue and 1415, 1417 and 1419 Acklen Avenue. These structures shall be maintained as residential and shall serve as the residential buffer and, if there is any need for a structure to be replaced, the replacement shall be of a similar style as the existing structures.

Parking on 15th Avenue In order to support the traffic signal at Wedgewood and 15th Avenues, turn lanes will need to be added and a number of the on-street parking spaces on 15th Avenue will need to be removed. There are two properties on the block not owned by Belmont University. As the University acquires the property, the intention is to widen 15th Avenue to accommodate the necessary lanes and add back four parking spaces on the eastern side. In order to ensure this parking is reserved for residents and not used by students or visitors to the university, a Residential Parking Permit program has been approved by the Metro Traffic and Parking Commission.

In a letter sent to the Executive Director of the Planning Department in September 2010, the Belmont Hillsboro Neighborhood, Inc. expressed concern with the loss of the on-street parking and its impact on the Residential Buffer Zone. Belmont responded to the letter by preparing a parking study for this block.

The parking study analyzed the bedroom count of each unit within the residences facing 15th Avenue. Based on the Zoning Code, 40 parking spaces would be required. On-site parking capacity under the proposed plan for these properties is 39 spaces. The majority of these would be accessed from the existing rear alley.

In order to fully utilize this potential, Belmont has prepared an Alley Improvement Plan designed to make the rear alley parking as convenient and accessible as possible. This includes the identification of improvements and the standardization of the parking on each property, including clearly identifying the spaces. The Plan does not include a program of ongoing maintenance within the alley. This will need to be added.

Belmont Advisory Committee An advisory committee made up of community and Belmont representation was established with the Council conditions of the IO. The Belmont Neighborhood Advisory Committee has met several times this year to discuss and evaluate the proposed roundabout and traffic signal. The Advisory Committee prepared a position paper and submitted it to Planning staff. There was not complete agreement on all of the points. The points and the concerns raised by the member representing the Neighborhood Association are below.

Staff Recommendation to the Council As noted above, the Commission must review the approved development plan and provide a recommendation to Council as to the impact of the traffic signal at Wedgewood and 15th Avenues on the neighborhood and whether the IO should be continued. Staff recommends that the IO be continued since the proposed traffic signal is warranted by development that was contemplated in the original IO document approved by Council. The proposed TIS includes mitigation measures to adequately address traffic impacts of the continued development within the IO as was called for in the original Council approved plan. In addition, staff is recommending that the Council add the new language defining the Residential Buffer Zone along 15th Avenue.

NES RECOMMENDATION

- 1) All street lighting shall meet Metro/NES requirements for the public ROW. The conduit, footings, poles and fixtures must be installed by developer – NES needs locations of street light bases for conduit stub-outs to those general areas. Current customer drawings require the removal of Metro street lights without showing a new lighting layout for the proposed improvements. Customer needs to submit a proposed lighting layout for Metro/NES approval.
- 2) Sheet C3.0 – Demolition Plan shows a pole line along the south side of Acklen Ave to be removed. Pole line has been labeled as “NES to remove”. This pole line belongs to AT&T and removal must be coordinated with them.
- 3) Sheet CW3.0 – Demolition Plan shows NES to remove a pole at the corner of 15th Ave and Wedgewood Ave. If this pole is to be removed, overhead power will not be available on 15th Ave from Wedgewood to Acklen. Customer will be responsible for any relocation and easement costs required to keep electrical service to the customers along 15th Ave from Wedgewood to Acklen. Additionally, if power is removed from 15th Ave, NES does not have the ability to continue to provide temporary power to the construction offices for Belmont University located at the corner of Acklen and 15th Ave.

WATER SERVICES RECOMMENDATION Approved

STORMWATER RECOMMENDATIONS Approved

PUBLIC WORKS RECOMMENDATION Revise and Resubmit:

- 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.
- Show and label on plans a full 1.5 inch asphalt pavement overlay to the entire reconstruction area of Wedgewood, 15th, and Acklen Avenue.
- Add note to cover sheet All streets to remain open to local traffic during construction.
- Show construction detail and cross-section for core in roundabout. Truck apron to be stamped concrete 8" thick or stamped asphalt, include detail in street construction plans.
- Revise curbing on roundabout center and splitter islands to be TDOT mountable curb and gutter 6" Sloping Detached Concrete Curb RP-MC-2 Type B. Incorrectly shown is the mountable extruded curb.
- Show splitter island details and cross section. Provide continuous concrete 8" thick, and add detectable warnings 24" minimum on pedestrian entry and exit points.
- Revise roundabout entries to be 24' wide minimum with 12' minimum entry/exit lanes.
- Dimension the outer inscribed circle radius on the roundabout.

Comply with previous conditions.

- Sheet C4.0 Extend the proposed DSYL pavement marking on the north approach of the roundabout from the intersection of Wedgewood.
- Sheet CW3.0
- (1) Remove the shared LT-THRU-RT pavement markings from the northbound right hand lane on 15th Avenue at Wedgewood and replace with THRU-RT markings.
- (2) Label the SSWL lane marking for the northbound approach on 15th Avenue at Wedgewood
- (3) Modify the traffic signal plan to accommodate the pavement marking changes on 15th Avenue at Wedgewood. Submit signal plan to Chip Knauf at MPW for review.

FIRE MARSHAL RECOMMENDATION Approved

BELMONT UNIVERSITY NEIGHBORHOOD ADVISORY GROUP RECOMMENDATION The Belmont Neighborhood Advisory Committee met several times this year to discuss and evaluate the proposed roundabout and light that has been submitted to the Planning Commission by Belmont University. The Neighborhood Advisory Committee circulated a nine point draft to all of its members based on the discussion held at the meetings. Several comments were received.

"Consequently, the nine point draft document is not a consensus view of the entire group.

There were objections to some of the language in this draft, particularly point 4, point 8 and point 9. In regards to point 4, the Belmont Hillsboro Neighborhood Association representative objected to the phrase "that we are all in agreement" about the residential buffer definition being vague. In regards to Point 8, the committee does have concerns about what kind of development might occur in the area from 15th Avenue to 12th Avenue South. However, there was not an agreement as to whether this requires re-examining the Institutional Overlay. Concerning Point 9, traffic calming around the university is something the committee would definitely like to discuss in the future, however, having Planning work with Public Works was not an agreed position.

Finally, the representative of the Belmont Hillsboro Neighborhood Association that is on the committee expressed the view of that organization that it believes that only the Metro Council can approve the proposal submitted by Belmont University. Their comments are included below.

1. *The committee is in favor of construction of the roundabout and the installation of a light at 15th and Wedgewood.*
2. *The committee believes that the most aesthetically pleasing approach for the roundabout is to demolish the house at the northeast corner of 15th and Acklen. Building the roundabout while leaving the house makes the house unappealing. The committee believes that the demolition of this house is a one time occurrence and that the elimination of other residential structures would not be consistent with the residential buffer that is part of the Institutional Overlay.*
3. *That in place of the house, Belmont be required to build and to maintain an open green space area. This area should have a significant amount of plantings plus have some "park like" features like benches for sitting. In addition, lighting should be installed to make the area feel safe at night.*
4. *That the residential buffer zone in the Institutional Overlay should be strengthened and clarified. We are all in agreement that the current language is too vague. The new language should make it clear that the residential character along 15th Avenue should be maintained. No more structures should be demolished, but if any structure is demolished it must be replaced with a structure that fits the footprint of the old structure and have a design that all reasonable people would recognize as residential. The committee wants to ensure that the residential buffer zone is not compromised by the construction of attached, dense housing that is not in keeping with the current features of the neighborhood.*
5. *Additionally, the alleyways behind 15th from Wedgewood to Caldwell should be cleaned up and beautified. In the rear areas, Belmont must install plantings that are consistent with the buffering requirements that separate commercial space from residential space.*
6. *Since Belmont University owns the majority of the houses along 15th Avenue it should also install plantings and greenery along the front of the properties that would enhance the curb appeal and beauty of the area. We understand that this work may need to wait until changes are made to the width of 15th Avenue. However, this work should be completed within a reasonable amount of time.*
7. *That residential permit parking be installed all along 15th Avenue from Wedgewood to Bernard. Part of 15th Avenue already has permit parking and this should be extended. Parking on the street must be maintained for the residents and not for the University. We believe this will further enhance the residential character of the neighborhood.*
8. *At some time in the not too distant future, the Planning Commission and Belmont should reexamine the Institutional Overlay to determine if an amendment is required to include properties from 15th to 12th Avenue and from Wedgewood to Caldwell. The committee's concern is this section of property close to the university could be developed without the benefit of the design standards that are a part of the Institutional Overlay.*

9. *That the Planning Commission in conjunction with Public Works renew the emphasis on the implementation of traffic calming around the University that was part of the original Institutional Overlay. The committee believes that traffic around the university is all related and that traffic changes to one part affect the other. It is the committee's understanding that the traffic calming evaluations have not been completed and may be awaiting further work from Public Works. This work needs the immediate attention of both Planning and Public Works.*

Belmont Hillsboro Neighborhood Association (BNAG) Comments concerning the draft document:

Recommending the removal of a house to accommodate the roundabout is an aesthetical solution, and one that is supported by the approval of nearby affected residents. As a member of the advisory committee representing Belmont Hillsboro Neighbors, we feel strongly that the appropriating of property within the residential buffer for repurposing as roadway in the construction of a roundabout is against the terms defined in the Institutional Overlay. The Belmont advisory committee has struggled mightily through multiple meetings with this question of the teardown, which certainly lends support to the lack of clarity of purview.

Not all members of BNAG are in agreement that the language, "residential buffer," is vague. The term is mentioned multiple times in the IO document. The term is quite clear when read in context. The expressed intent of the language "single-family residential buffer," as stated by then Council Lady Hausser, was to provide a demarcation of future growth of the university to provide the residents of the neighborhood with a specified boundary that would protect the residential appearance and its amenities, including on street parking. The IO contemplates the acquisition of properties on 15th Ave. by the university and clearly states this occurrence will not mitigate any requirement to maintain the residential appearance of 15th Ave. In fact, the IO states clearly that any teardown be replaced by a similar home in style and scale.

Planning overlays are critical for all property owners and the process must be abided by in the implementation of development. Otherwise, trust is diminished and clarity of purpose clouded. We respectfully request that the committee recommend that the decision for the creation of the roundabout and the aesthetic removal of the home at the corner of 15th Ave. and Acklen Ave. be submitted to the Metro Council for the appropriate granting of a change to the institutional overlay to permit the construction as submitted, and further recommend that the overlay be otherwise upheld by the Council."

STAFF RECOMMENDATION Staff recommends approval with conditions of the final site plan for the off-site roadway improvements for the College of Law. Staff also recommends that the Planning Commission recommend to the Council that the Belmont IO remain in place and that the revised definition of Residential Buffer Zone be added to the IO.

CONDITIONS

Recommended condition to the Metro Council for Residential Buffer Zone Amendment:

1. The following shall be added to the Proposed Development Sites and Existing Residential Buffer Zone section of the Master Development Plan of the Belmont University IO:

Residential Buffer Zone: The Residential Buffer Zone consists of residential uses and the structures located at 1800, 1802, 1804, 1806, 1810, 1906, 1908, and 1910 15th Avenue and 1415, 1417 and 1419 Acklen Avenue. These structures shall be maintained as residential and shall serve as the residential buffer and, if there is any need for a structure to be replaced, the replacement shall be of a similar style as the existing structures.

Final Site Plan Conditions:

2. Belmont shall design and redevelop the rear alley parking for properties on the east side of 15th Avenue between Acklen Drive and Wedgewood Avenue to be as convenient and accessible as possible prior to the removal of the on-street parking. Belmont shall expand the Alley Improvement Plan to include a program of ongoing maintenance within the alley. This expanded plan shall be submitted to Planning Staff for review and approval.
3. The requirements of the Public Works Department shall be met as specified in the Public Works recommendation for approval above, and including any recommendations from Public Works received prior to the meeting.
4. With the reconstruction of 15th Avenue Belmont University shall plant street trees along the entire length of the Residential Buffer Zone acceptable to the Urban Forester, Public Works and Planning Departments.

Ms. Bernards presented the staff recommendation of approval.

Jason Rogers, VP at Belmont, 1900 Belmont Blvd, spoke in support of staff recommendation, noting that Belmont University is accepting of conditions in staff report but believes that the Planning Commission and it's staff has the right to interpret the IO zoning ordinance language regarding the single family resident buffer zone and does not feel that it is necessary for the Metro Council to amend the IO for any purpose.

John Green, Chair of Neighborhood Advisory Committee, 1914 18th Ave S, spoke in support of staff recommendation, stating that the Committee as a majority supports the proposal but has concerns with "residential buffer" not being well defined and recommend that it be better defined. Would like Belmont University to continue to respect the residential character of the neighborhood. Supports the continuation of the overlay as it allows the neighbors to know what will happen in the future.

Ross Pepper, member of Belmont Hillsboro Neighborhood Association Steering Committee, spoke against the proposal and stated that the Steering Committee has met twice to discuss this proposal, once on the original plan and once on the modified plan, and both times it was opposed. He stated that Belmont's plans violate the IO regarding the single family residential buffer zone and the removal of vital on-street parking.

Lindsey Trella Moffatt, 2402 Belmont Blvd, spoke against the proposal.

John Ray Clemmons, 2215 Belmont Blvd, spoke against the proposal and requested that this be sent back to the Council for an amendment as necessary to tear down a house and remove on-street parking.

Mr. Clifton moved and Councilmember Gotto seconded the motion, which passed unanimously, to close the Public Hearing. (7-0)

Jason Rogers, VP at Belmont, 1900 Belmont Blvd, stated, in his rebuttal, that the residential buffer zone was created at the request of the Planning Commission; therefore it is appropriate for the Planning Commission to interpret its meaning.

Mr. Gee inquired about existing zoning; only residential allowed to be built back?

Mr. Bernhardt clarified that the overlay controls the use and only residential can be rebuilt.

Mr. Gee asked for an explanation as to why the parking on the west side of the street is removed and stated concern that the design of the roundabout may be creating loss of some of the parking as well as facilitating quicker turning movements and faster speeds that what they currently have on 15th Ave. He inquired if the roundabout could be a little tighter with narrower lanes.

Ms. Bernards clarified that if it is built too small, people may ignore it and drive right through it.

Andrew Wolthers, Littlejohn Engineering, responded to questions regarding design of the roundabout and intersection.

Mr. Gee stated that he doesn't think that this violates the residential buffer intent of the overlay but noted serious concerns with the impact of the street, the design of the roundabout, the speeds of the traffic, and the reduction of on-street parking which is a critical component to our urban neighborhoods.

Ms. LeQuire inquired if a study was presented that didn't require tearing down the house.

Ms. Bernards clarified that there was an option presented but it required removing the front porch. She also noted that they could do a four way stop but the Traffic Impact Study showed that the roundabout would be the most effective way of managing the traffic that the University generates.

Ms. LeQuire stated concerns with the removal of on-street parking and also noted that her understanding of a residential buffer is that it is an area to protect a residential area from whatever the other use is. Asked staff about the language that states "a revised residential buffer" and inquired if it was being proposed to add to the IO.

Ms. Bernards stated that there were concerns with the existing language not being strong enough and proposed that the additional language be put into the IO that would clearly state the buffer means residences if one needs to be removed it would be placed with a similar structure.

Ms. LeQuire asked for clarification regarding the fact that in the future a house can not be torn down without replacing it with a similar one.

Ms. Bernards clarified that was correct if the language is clarified.

Mr. Clifton stated that Institutional Overlays are good things and he is not in favor of recommending dissolution. Belmont want to provide infrastructure for what has been approved but he is not sure of if this is the right course for approval and feels that it is worth more discussion. May be premature until Belmont owns all the property on 15th. Does not feel that it violates the spirit or letter of the buffer requirement but does point out the need for revisions in the overlay.

Mr. Ponder stated that he can understand the need to remove some of the parking and noted his support of the proposal.

Councilmember Gotto stated he heard that there may be a possible lawsuit if approved and asked Legal if the commission has the legal authority to make the requested changes.

Mr. Sloan clarified that as long as the commission believes that it is consistent with the IO and the commission interprets that the residential buffer is a buffer between uses than the changes are minor, and as long as the changes are consistent with the IO, then the commission does have the authority.

Councilmember Gotto inquired if there was enough onsite parking left for the residents.

Ms. Bernards clarified that there would be 39 spaces at the rear of the properties.

Councilmember Gotto noted that the parking would be shifting from on-street to the alley and asked if deferred, will it hold up anything Belmont is trying to do?

Ms. Bernards clarified that there is a plat associated with it but it can be amended to only deal with the College of Law.

Ms. LeQuire inquired if the piece of land where the house is being torn down next to the roundabout going to be turned into public amenity or just a grass area.

Mr. Rogers clarified that it would be intensively landscaped with trees and bushes, a walking path, and a request was made for lighting, but it was not intended to be dedicated as a public park.

Mr. Gee stated that if the overlay doesn't specify single family use, then there are other residential uses that would make an appropriate transition and buffer between neighborhoods. Some concern with staff revised wording for the Residential Buffer Zone.

Ms. LeQuire stated that residential buffer means a separation, a buffering to protect residences on the other side of the buffer.

Mr. Bernhardt clarified that staff's interpretation of the buffer is did not apply to the residential structure, if the commission does not concur that a condition that the Council imposes is needed. If the commission does not concur than no condition is needed.

Mr. Clifton stated that this is a crucial area for the remaining residential neighborhood and noted that he doesn't feel that all issues have been fully explored. Recommended a two meeting deferral, Ms. LeQuire seconded.

Councilmember Gotto stated that he would like to hear from the applicant on how they would feel about a two meeting deferral.

Mr. Rogers stated that Belmont's plan is to start the improvements this summer and would prefer the commission to take action at this time but will respect decision to defer.

Councilmember Gotto asked Mr. Stewart how he would feel about deferring one meeting instead of two and see what kind of progress can be made.

Councilmember Gotto moved and Mr. Clifton seconded the motion to defer to the March 24, 2011 MPC meeting. (7-0)

The Commission directed staff to:

1. Provide additional details regarding proposed on-site parking of 15th Avenue and examine any options to increase the amount of parking on 15th Avenue including use of Belmont owned property.
2. Provide the Commission with the landscape plan for the lot north of Acklen Avenue.
3. Provide further clarification of the Residential Buffer Zone, including a review of the legislative intent.
4. Provide a historical and legislative analysis of the establishment of the Institutional Overlay.
5. Request that Public Works and the applicant's traffic engineer attend the March 24, 2011 meeting to discuss the roadway design.

Councilmember Gotto moved and Mr. Clifton seconded the motion to add Item 13 to Deferred and Withdrawn Items. (7-0)

Resolution No. RS2011-56

"BE IT RESOLVED by The Metropolitan Planning Commission that **2006IN-002-005 is DEFERRED to the March 24, 2011, Planning Commission meeting, and directed staff to:**

1. Provide additional details regarding proposed on-site parking of 15th Avenue and examine any options to increase the amount of parking on 15th Avenue including use of Belmont owned property.
2. Provide the Commission with the landscape plan for the lot north of Acklen Avenue.
3. Provide further clarification of the Residential Buffer Zone, including a review of the legislative intent.
4. Provide a historical and legislative analysis of the establishment of the Institutional Overlay.
5. Request that Public Works and the applicant's traffic engineer attend the March 24, 2011 meeting to discuss the roadway design. (8-0)"

H. COMMUNITY PLAN POLICY CHANGES AND ASSOCIATED CASES

No Cases on this Agenda

I. RECOMMENDATIONS TO METRO COUNCIL

6. 2011Z-004TX-001

SIGNS: ALLEYS

Staff Reviewer: Jason Swaggart

A request to amend the Metro Zoning Code, Chapters 17.04 (Definitions) and 17.32 (Signs) by adding a definition and standards for "Alley Sign", modifying the definition for "hanging sign" and providing provisions for alley signs, requested by the Metro Planning Department.

Staff Recommendation: APPROVE

APPLICANT REQUEST - Amend Zoning Code to permit signage in alleys

Text Amendment A request to amend the Metro Zoning Code Chapters 17.04 (Definitions) and 17.32 (Signs) by adding a definition for "Alley Sign", modifying the definition for "hanging sign" and providing provisions for alley signs.

PURPOSE The purpose of this text amendment is to promote wayfinding by permitting signage in alleys when certain conditions are met. Alley signage would assist in wayfinding when parking is located at the rear of a building and the parking is only accessed by an alley.

REQUEST DETAILS Currently Title 17, the Metropolitan Code Zoning Regulations, does not permit signage along alleys. As proposed, this text amendment would make signs within alleys possible. By placing the provision for alley signs within Section 17.32.040 (Exempt signs), alley signs may also be permitted within the Gallatin Pike SP and adopted Urban Design Overlays, which permit signs exempt by Metro Code Zoning Regulations.

A definition for alley sign will be added to Section 17.04 (Definitions). The definition is as follows:

"Alley Sign" means a hanging sign permitted within the rear yard or rear yard setback adjacent to an alley.

To recognize the new definition for "alley sign", the current definition for "hanging sign" in Section 17.04 (Definitions) also requires modification. The current definition is as follows:

"Hanging sign" means a ground sign with one vertical post and one or two arms from which a sign hangs. The sign is intended for buildings with a deep build-to zone and is placed perpendicular to the sidewalk.

The proposed revised definition is similar to the current definition but adds language that recognizes situations when parking is accessed from an alley. The proposed revised definition is as follows:

"Hanging sign" means a ground sign with one vertical post and one or two arms from which a sign hangs. The sign is intended for buildings with a deep build-to zone, *or when parking is accessed by an alley* and is placed perpendicular to the sidewalk *or alley*.

As stated earlier, the provisions for alley signs will be placed in Section 17.32.040 (Exempt signs). The proposed new subsection will be added to 17.32.040:

CC: Alley Sign

An alley sign may be permitted if:

1. The property is not zoned for single or two-family residential, except where a valid permit has been issued for a Historic Bed and Breakfast Homestay.
2. Required or accessory parking is located at the rear of the property.
3. The rear parking is only accessible from an alley.

A permitted alley sign shall meet the following requirements:

1. A property is only permitted one alley sign.
2. An alley sign shall not be internally lit, but may be externally lit.
3. The maximum display surface area for an alley sign shall be four square feet.
4. The maximum width of the display surface area shall be two feet.
5. The maximum height of an alley sign above grade shall be five feet.
6. The minimum side setback shall be three feet.
7. The minimum setback from an alley right-of-way shall be five feet.
8. Alley signs must be placed at a location that will not obstruct visibility along the alley or for vehicles entering or exiting the site.
9. Must be a minimum of 40 feet from a public street right-of-way.
10. Alley signs shall be for on-premise uses only.
11. For Historic Bed and Breakfast Homestay's with a valid permit, one sign with a maximum size of 14.5 inches by 5.25 inches and a maximum letter height of 1.25 inches tall may be allowed with no ornaments.

PUBLIC WORKS RECOMMENDATION In addition to the minimum side setback and minimum setback from the right-of-way specified above, an alley sign must be placed at location that will not obstruct visibility along the alley or for vehicles entering or exiting the site.

STAFF RECOMMENDATION Staff recommends approval of this bill. The additional signage will promote wayfinding and give additional incentives for rear loaded parking which is a key element for good urban form.

ORDINANCE NO. _____

An Ordinance amending Chapters 17.04 and 17.32 of Title 17 the Metropolitan Code, Zoning Regulations, by adding a definition for “Alley Sign”, modifying the definition for “hanging sign” and providing provisions for alley signs all of which is more specifically described herein (Proposal No. 2011Z-004TX-001).

WHEREAS the Metropolitan Government of Nashville & Davidson County supports alley access to promote parking for those who live, work, and shop in a manner that does not dominate the street, is sensitive to the pedestrian environment, softens the visual impact of development and provides a greater level of safety and comfort for pedestrians and vehicular traffic alike.

WHEREAS signage along alleys is necessary to promote alley access for parking, assist in wayfinding, and protect the safety and welfare of those traveling within alleyways.

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

Section 1. That the codification of Title 17 of the Code of The Metropolitan Government of Nashville and Davidson County, Zoning Regulations, is hereby amended by amending Section 17.04.060 (Definitions of general terms) by adding a definition for “Alley Sign”:

“Alley Sign” means a hanging sign permitted within the rear yard or rear yard setback adjacent to an alley.

Section 2. That the codification of Title 17 of the Code of The Metropolitan Government of Nashville and Davidson County, Zoning Regulations, is hereby amended by amending Section 17.04.060 (Definitions of general terms) by deleting the definition for “Hanging Sign” and replacing with the following new definition for “Hanging Sign”:

“Hanging sign” means a ground sign with one vertical post and one or two arms from which a sign hangs. The sign is intended for buildings with a deep build-to zone, or when parking is accessed by an alley and is placed perpendicular to the sidewalk or alley.

Section 3. That the codification of Title 17 of the Code of The Metropolitan Government of Nashville and Davidson County, Zoning Regulations, is hereby amended by amending Section 17.32.040 (Exempt signs) by adding the following new subsection CC.:

CC: Alley sign

- a) An alley sign shall be permitted under the following circumstances:
 - 1. The property is not zoned for single or two-family residential, except where a valid permit has been issued for a Historic Bed and Breakfast Homestay.
 - 2. Required or accessory parking is located at the rear of the property.
 - 3. The rear parking is only accessible from an alley.
- b) A permitted alley sign shall meet all the following requirements:
 - 1. A property is only permitted one alley sign.
 - 2. An alley sign shall not be internally lit, but may be externally lit.
 - 3. The maximum display surface area for an alley sign shall be four square feet.
 - 4. The maximum width of the display surface area shall be two feet.
 - 5. The maximum height of an alley sign above grade shall be five feet.
 - 6. The minimum side setback shall be three feet.
 - 7. The minimum setback from an alley right-of-way shall be five feet.
 - 8. Alley signs must be placed at location that will not obstruct visibility along the alley or for vehicles entering or exiting the site.
 - 9. Must be a minimum of 40 feet from a public street right-of-way.
 - 10. Alley signs shall be for on-premises uses only.
 - 11. For Historic Bed and Breakfast Homestay’s with a valid permit, one sign with a maximum size of 14.5 inches by 5.25 inches and a maximum letter height of 1.25 inches tall may be allowed with no ornaments.

Section 4. 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.

Approved (7-0), Consent Agenda

Resolution No. RS2011-57

“BE IT RESOLVED by The Metropolitan Planning Commission that 2011Z-004TX-001 is **APPROVED. (7-0)**

The additional signage will promote wayfinding and will give additional incentives for rear-loaded parking, which is a key element for good urban form.”

7. 2011SP-003-001

605 26TH AVENUE NORTH

Map 092-10, Parcel(s) 334

Council District 21 (Edith Taylor Langster)

Staff Reviewer: Greg Johnson

A request to rezone from RS5 to SP-R zoning for property located at 605 26th Avenue North, approximately 315 feet north of Felicia Street (0.22 acres), to permit a two story, multi-family building consisting of a maximum of nine residential units, requested by Dale & Associates, applicant, Dong Lian Sun, owner.

Staff Recommendation: APPROVE WITH CONDITIONS

APPLICANT REQUEST - Rezone to SP to allow multi-family residential building.

Preliminary SP A request to rezone from Single-Family Residential (RS5) to Specific Plan – Residential (SP-R) zoning for property located at 605 26th Avenue North, approximately 315 feet north of Felicia Street (0.22 acres), to permit a two-story, multi-family building consisting of a maximum of nine residential units.

Existing Zoning

RS5 District - 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.

Proposed Zoning

SP-R District - Specific Plan-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 only one residential building type.

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 on currently vacant lot, 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 housing diversity within the surrounding single-family residential neighborhood.

NORTH NASHVILLE COMMUNITY PLAN

T4 Neighborhood Evolving T4 NE policy is intended to create and enhance urban neighborhoods that are compatible with the general character of existing urban neighborhoods as characterized by their development pattern, building form, land use and associated public realm, with opportunities for housing choice and improved pedestrian, bicycle and vehicular connectivity. The resulting development pattern may have higher densities than existing urban neighborhoods and/or smaller lots sizes, with a broader range of housing types providing housing choice. This reflects the scarcity of easily developable land (without sensitive environmental features) and the cost of developing housing.

Consistent with Policy? Yes. The proposed 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 T4 Neighborhood Evolving policy.

PLAN DETAILS The preliminary SP proposes a two-story residential building with nine residential units.

Building Setbacks and Design A proposed building setback of 15 feet from the front property line will allow the residential building to remain consistent with the street setbacks of surrounding dwellings. At two stories in height, the building will not dwarf surrounding single-family dwellings.

Parking Standards and Access The project site will provide vehicular access from a rear alley. As a condition of approval, the applicant will be required to improve the alley to a width of 14 feet from its entrance on Clifton Avenue to the southern boundary of the project site. Consistent with the land use policy, required off-street parking is placed at the rear of the lot. Additionally, two on-street parking spaces are proposed within the 26th Avenue right-of-way.

The residential use requires 13 parking spaces. Twelve spaces are provided off-street at the rear of the property. Two on-street parking spaces proposed on the site plan will count as one required parking space, as allowed by the Zoning Code.

Landscaping and Signage The proposed SP includes a modified version of the Type B landscape buffer as defined by the Zoning Code. The modified buffer will have a width of 5 feet to the side property line instead of 10 feet as required by the Zoning Code. The tree and shrub plantings will remain consistent with the requirements of the Zoning Code. This modification is appropriate because the layout of the lot is consistent with existing development on 26th Avenue.

METRO STORMWATER RECOMMENDATION Preliminary SP approved

FIRE MARSHAL RECOMMENDATION Approved as a sprinklered project (per letter from Michael Garrigan, project manager dated 2/8/11).

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.
- Improve alley 932 from Clifton Ave to the southern property line of this parcel to provide a minimum 14 foot width asphalt surface in accordance with Public Works specifications.

Maximum Uses in Existing Zoning District: **RS5**

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)	0.22	7.41 D	1 U	10	1	2

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 Dormitory(220)	0.22	-	4,160 SF 17 Beds (9 UNITS)*	179	9	23

* For multi-family, the Zoning Administrator states that the number of kitchens determines the number of dwelling units.

Traffic changes between maximum: **RS5** 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
-	-	-	-	+169	+8	+21

METRO SCHOOL BOARD REPORT

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

Schools Over/Under Capacity Students would attend Park Avenue Elementary School, Bass Middle School, and Pearl-Cohn High School. Park Avenue Elementary School and Pearl-Cohn High School are under capacity. Bass Middle School has been identified as being over capacity by the Metro School Board. There is capacity within the cluster for middle school students. This information is based upon data from the school board last updated October 2010.

STAFF RECOMMENDATION Staff recommends approval with conditions of the 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. Alley 932 shall be improved from Clifton Ave to the southern property line of this property to provide a minimum 14 foot width asphalt surface in accordance with Public Works specifications.
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 RM40 zoning district.
3. 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.
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.

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

Michael Garrigan, 516 Heather Place, spoke in support of staff recommendation.

Tom Ekman, 608 26th Ave N, spoke against staff recommendation stating concerns with parking and traffic issues.

Michael Garrigan stated that the owner foresees that most residents will be students from overseas and will likely not have cars.

Mr. Clifton moved and Councilmember Gotto seconded the motion to close the Public Hearing. (7-0)

Councilmember Gotto stated that he is okay with moving this on to Council.

Mr. Clifton inquired if there a legal way not to rent it if they have a car after a certain number of cars are already residing there?

Mr. Sloan stated that those terms could be put into the lease agreement.

Mr. Gee inquired about density and on-street parking.

Mr. Johnson clarified that is 40 units per acre, 13 parking spaces in the rear and two on-street in front.

Councilmember Gotto out at 5:48 p.m.

Ms. Jones stated that staff analysis is to be commended and spoke her support.

Ms. LeQuire stated that she can understand the residents concerns, but the new project fits within transitional goals.

Mr. Clifton moved and Mr. Ponder seconded the motion to approve staff recommendation. (6-0)

Resolution No. RS2011-58

“BE IT RESOLVED by The Metropolitan Planning Commission that 2011SP-003-001 is APPROVED WITH CONDITIONS. (7-0)

Conditions of Approval:

1. Alley 932 shall be improved from Clifton Ave to the southern property line of this property to provide a minimum 14 foot width asphalt surface in accordance with Public Works specifications.
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 RM40 zoning district.
3. 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.
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.

The site plan shows consistency with the design principles of the T4 NE land use policy and with surrounding development. The expected density is also consistent with the land use policy.”

Councilmember Gotto in at 5:53 p.m.

Specific Plans

8. 2011SP-006-001

CENTRAL PIKE NORTH

Map 087, Parcel(s) 034, 038

Council District 12 (Jim Gotto)

Staff Reviewer: Greg Johnson

A request to rezone from RS15 to SP-MU zoning for properties located at 4161 and 4193 Central Pike, opposite S. New Hope Road (6.68 acres), to permit up to 135 multi-family units consisting of either live/work units, flats and/or townhomes with a proposed 78 units at 4161 Central Pike and 57 units at 4193 Central Pike, requested by Anderson, Delk, Epps & Associates Inc., applicant, CDT New Hope and Central Pike Preuett, owners.

Staff Recommendation: APPROVE WITH CONDITIONS

Deferred to the March 24, 2011 MPC meeting. (7-0)

The Metropolitan Planning Commission DEFERRED 2011SP-006-001 to the March 24, 2011, Planning Commission meeting at the request of the applicant. (7-0)

9. 2011SP-007-001

DOLLAR GENERAL

Map 043-09, Part of Parcel 002

Council District 04 (Michael Craddock)

Staff Reviewer: Brian Sexton

A request to rezone from CS and IWD to SP-C zoning for a portion of property located at 601 Gallatin Pike, approximately 500 feet north of Dupont Avenue (1.21 acres), to permit a 10,640 square foot retail establishment, requested by Ragan-Smith- Associates Inc., applicant, Union Planters National Bank, owner.

Staff Recommendation: APPROVE WITH CONDITIONS

APPLICANT REQUEST -Rezone to permit a retail use.

Preliminary SP A request to rezone from Commercial Service (CS) and Industrial Warehousing/Distribution (IWD) to Specific Plan - Commercial (SP-C) zoning for a portion of property located at 601 Gallatin Pike, approximately 500 feet north of Dupont Avenue (1.21 acres), to permit a 10,640 square foot retail establishment.

Existing Zoning

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

IWD District - Industrial Warehousing/Distribution is intended for a wide range of warehousing, wholesaling, and bulk distribution uses.

Proposed Zoning

SP-C District Specific Plan-Commercial 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

• Creates Walkable Neighborhoods

This SP adds to the creation of a walkable neighborhood. The site proposed for this SP is located west of Gallatin Pike and north of Dupont Avenue. The site is surrounded by a mixture of single family residences, office, industrial, and commercial uses on the north, south and east sides of the property. The SP adds to the walkable neighborhood environment by integrating a community shopping center into an existing neighborhood creating a destination that can be walked to from nearby residential, office, industrial or commercial uses.

MADISON COMMUNITY PLAN

T4 Urban Mixed Use Corridor T4 CM policy is intended to enhance urban mixed use corridors by encouraging a greater mix of higher density residential and mixed use development along the corridor, placing commercial uses at intersections with residential uses between intersections; creating buildings that are compatible with the general character of urban neighborhoods; and a street design that moves vehicular traffic efficiently while accommodating sidewalks, bikeways, and mass transit.

Consistent with Policy? Yes. While the plan does not achieve a mixture of uses envisioned by the policy, it does meet many of the building form and site design standards of the policy creating a more pedestrian friendly environment. The proposed SP is also compatible with the general character of the existing urban neighborhood. This SP is limited to retail, restaurant and general office uses.

PLAN DETAILS The preliminary site plan proposes a one-story retail use for a Dollar General store located on the west side of Gallatin Pike and north of Dupont Avenue. The applicant is only rezoning the front portion of the property to accommodate the retail use. The existing IWD zoning on the rear portion of the site will remain. The total acreage of the site proposed for this rezoning is approximately 1.21 acres. There is an existing building on the property that will need to be demolished prior to construction of the retail business. The proposed store will be surrounded by existing single family residences, office, industrial, and commercial uses on the north, south and east sides of the property.

Building Orientation/Landscaping The proposed retail building is oriented toward Gallatin Pike. The primary entrance into the building is located on the northeast side of the building fronting Gallatin Pike. A list of building materials was not submitted and will be required prior to Final Site Plan approval for this development. Prohibited building materials include unfinished concrete blocks, plywood, aluminum and vinyl siding. A variety of canopy trees and shrubs are proposed on site and along the perimeter of the property which meets the Urban Foresters requirement for landscaping.

Access/Parking Primary vehicular access to the site is located along Gallatin Pike. A cross access easement is proposed on the northwest portion of the property providing future access to an adjacent lot. Sidewalks are already in place on Gallatin Pike. The parking area is located on the north and west sides of the building. While this property is not within the UZO, the plan proposes to utilize the 10 percent transit reduction and provides a total of 39 on-site parking spaces. The Public Works Department has requested that the applicant provide documentation that the 39 spaces will meet the parking requirements of this retail use in this location.

Signs Sign details were included in this SP. The plan proposes two 116 square foot wall mounted building signs. The first sign will be placed on the front of the building along Gallatin Pike. The second sign will be placed on the north side of the building. An eight foot monument sign is also proposed on the northeast side of the property.

In addition to signs prohibited by Section 17.32.050 of the Metro Zoning Ordinance, prohibited signs in this SP include roof mounted signs, pole mounted signs, billboards, and signs that flash, rotate, scintillate, blink, flicker or vary in intensity or color, including all electronic signs. All light and glare shall be directed on-site to ensure surrounding properties are not adversely affected by increases in direct or indirect ambient light.

STORMWATER Applicant shall ensure, prior to Final SP approval, that discharge location will not adversely affect downstream property owners.

PUBLIC WORKS RECOMMENDATION Prior to approval of final SP, provide documentation that adequate parking is provided.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Retail (814)	0.47	0.254 F	5,200 SF	261	12	34

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Auto Dealer (841)	0.73	0.039 F	1,240 SF	42	3	4

Typical 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
General Retail (814)	1.2	-	10,640 SF	493	16	48

Traffic changes between typical: **CS, IWD** 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
-	-	-	-	+190	+1	+10

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Retail (814)	0.47	0.6 F	12,283 SF	564	17	51

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Auto Dealer(841)	0.73	0.6 F	19,079 SF	637	39	50

Traffic changes between maximum: **CS, IWD** 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
-	-	-	-	-508	-40	-53

STAFF RECOMMENDATION Staff recommends approval with conditions. The SP is consistent with the design intent of the land use policy and the proposed use is consistent with surrounding development along Gallatin Pike.

CONDITIONS

1. Prior to final site plan approval, the SP plan shall include a set of building materials that shall be reviewed and approved by the Planning Department. Prohibited building materials include unfinished concrete blocks, plywood, aluminum and vinyl siding.
2. Prior to approval of final SP, the applicant shall provide to the Public Works Department documentation that adequate parking is provided.
3. This SP is limited to retail, restaurant, and general office uses.
4. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the CL zoning district as of the date of the applicable request or application.
5. A corrected copy of the preliminary SP plan incorporating the conditions of approval by 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.
6. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
7. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Approved with conditions. (7-0), Consent Agenda

Resolution No. RS2011-59

"BE IT RESOLVED by The Metropolitan Planning Commission that 2011SP-007-001 is **APPROVED WITH CONDITIONS.**

Conditions of Approval:

1. Prior to final site plan approval, the SP plan shall include a set of building materials that shall be reviewed and approved by the Planning Department. Prohibited building materials include unfinished concrete blocks, plywood, aluminum and vinyl siding.
2. Prior to approval of final SP, the applicant shall provide to the Public Works Department documentation that adequate parking is provided.
3. This SP is limited to retail, restaurant, and general office uses.
4. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the CL zoning district as of the date of the applicable request or application.
5. A corrected copy of the preliminary SP plan incorporating the conditions of approval by 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.
6. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained

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

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

The SP is consistent with the design intent of the T4 CM land use policy, and the proposed use is consistent with surrounding development along Gallatin Pike.”

10. 2011SP-008-001

AUTO MASTERS

Map 095-04, Parcel(s) 018

Council District 15 (Phil Claiborne)

Staff Reviewer: Jason Swaggart

A request to rezone from CS to SP-A zoning and for final site plan approval for property located at 2610 Lebanon Pike, at the northwest corner of Lebanon Pike and Shady Grove Road and located within the Downtown Donelson Urban Design Overlay District (0.56 acres), to permit automobile sales (new and used) and automobile service, requested by Dean Design Group, applicant, Thomas L. Goddard et ux, owners.

Staff Recommendation: APPROVE WITH CONDITIONS

APPLICANT REQUEST -Rezone to permit auto sales (new and used) and auto service and final site plan approval

Preliminary SP A request to rezone from Commercial Services (CS) to Specific Plan – Auto (SP-A) zoning and for final site plan approval for property located at 2610 Lebanon Pike, at the northwest corner of Lebanon Pike and Shady Grove Road and located within the Downtown Donelson Urban Design Overlay District (0.56 acres), to permit automobile sales (new and used) and automobile service.

Existing Zoning

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

Proposed Zoning

SP-A District - 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.

CRITICAL PLANNING GOALS N/A

DONELSON-HERMITAGE COMMUNITY PLAN

Mixed Use (MxU) MU policy is intended to encourage an integrated, diverse blend of compatible land uses ensuring unique opportunities for living, working, and shopping. Predominant uses include residential, commercial, recreational, cultural, and community facilities. Commercial uses appropriate to MU areas include offices and community, neighborhood, and convenience scale activities. Residential densities are comparable to medium, medium-high, or high density. 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.

Community Center (CC) CC is intended for dense, predominantly commercial areas at the edge of a neighborhood, which either sits at the intersection of two major thoroughfares or extends along a major thoroughfare. This area tends to mirror the commercial edge of another neighborhood forming and serving as a “town center” of activity for a group of neighborhoods. Appropriate uses within CC areas include single- and multi-family residential, offices, commercial retail and services, and public benefit uses. An Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

Consistent with Policy? Yes. The proposed use is consistent with uses found within the property's policies, and the design and layout is consistent with the intent of these policies.

PLAN DETAILS This is a request to rezone approximately 0.56 acres from CS to SP-A to permit auto sales new and used and auto services. The site is located at 2610 Lebanon Pike, at the northwest intersection of Lebanon Pike and Shady Grove Road. The property is currently developed and contains a 1,512, single-story building and parking area.

The proposed plan calls for the existing building to remain and for a small 766 square foot addition at the rear of the existing building to be used for auto services. The plan calls for additional landscaping along the western property line and along both Lebanon Pike and Shady Gove Road. The landscaping along the roadways will be in the form of a four foot wide planting strip along the edge of both roadways between the roadway and the sidewalk. The plan calls for a new six foot wide sidewalk along Lebanon Pike and a five foot wide sidewalk along Shady Grove Road. A three foot tall wrought iron fence with brick columns is proposed along the inside of the sidewalk which will separate the auto display area from the sidewalk. No free-standing signs are proposed, but two building signs are proposed. Each sign is 48 square feet and are consistent with the UDO. Access will be from the current locations on Lebanon Pike and Shady Grove Road.

DOWNTOWN DONELSON URBAN DESIGN OVERLAY The Downtown Donelson UDO compliance provisions become effective when a base zone change is requested by the property owner. Full or partial compliance is determined by the amount of square footage of an expansion. In this case, the expansion is greater than 25 percent of the existing square footage and would trigger full compliance with the UDO. The Planning Commission may approve modifications to standards in the UDO.

SP Changes to UDO Standards Through this SP application, the applicant is proposing to modify the design standards for this site. The SP will control the development standards for this site. If the base zoning were to be changed, the UDO would, again, take effect. The SP includes all standards of the UDO with some modifications as outlined below.

Two portions of the UDO are being changed through this SP. The applicant has requested a modification to the standards for parking areas adjacent to public streets. The UDO requires that parking areas and driveways be separated from the right-of-way by a landscape strip five feet in width and planted with shrubs. The strip may be reduced if a fence or wall is used. Additionally, one tree is to be planted every 35 feet within the parking area perimeter strip.

As this SP would reuse an existing site where sidewalks previously did not exist, and as there is limited space to work within, the applicant has proposed a four foot planting strip with a continuous row of shrubs and two trees between the sidewalk and the edge of street pavement. This location addresses the priority for pedestrian safety. A low fence with brick columns is provided between the sidewalk and the parking area. Staff recommends approval of the modifications to landscaping for parking areas adjacent to public streets.

An additional modification to the UDO standards is proposed with this SP for building frontage length. The Downtown Donelson UDO requires a minimum façade length of 60% of the Lebanon Pike lot frontage for the subject property. Because the lot is approximately 200 feet wide along Lebanon Pike, the building length along that frontage should be a minimum of 120 feet to reach full compliance with the UDO. The length of the existing building is approximately 60 feet.

Staff finds this modification requested with this SP to be appropriate. The existing building has a generous setback of approximately 50 feet from the Lebanon Pike property line with parking in front. This existing setback complies with the UDO requirements. Because of the existing setback and location of parking, the placement of the addition to meet the 60% frontage requirement would do little to improve the quality of the Lebanon Pike street frontage. The proposed addition would house car service bays. Placement of these bays in full view from the Lebanon Pike frontage could degrade the visual quality of the frontage. The proposed placement of these bays behind the existing building would allow them to remain mostly hidden from public streets.

ANALYSIS While the proposed auto related use is consistent with uses found within the property's mixed-use and community center policies and the Downtown Donelson Design Overlay, the design of the project is very important, and ultimately determines if the project is consistent with the policies and overlay. The policies and overlay are intended to promote a walkable urban neighborhood. The very nature of the proposed use would seem to conflict with this purpose; however, with the right design the proposed use can fit neatly within the urban context. The plan submitted by the applicant provides elements that improve the existing site and make it fit better into an urban context including new sidewalks, a planting strip and a perimeter fence to provide physical separation between the car display area and the sidewalk. As proposed the plan is consistent with the property's land use policies, and while the SP modifies the UDO, staff finds that request meets the overall intent of the UDO.

STORMWATER RECOMMENDATION Approved

PUBLIC WORKS RECOMMENDATION

1. The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
2. Extend sidewalks to property lines.
3. Dedicate a public easement for sidewalks outside the public right-of-way.
4. An access study will be required at development.

STAFF RECOMMENDATION Staff recommends that the request be approved with conditions. As proposed the plan is consistent with the property's land use polices, and meets the overall intent of the UDO.

CONDITIONS

1. Permitted uses include auto sales new, auto sales used and auto service.
2. All applicable standards of the Downtown Donelson Urban Design Overlay shall be met by development within this SP unless modified by the SP.
3. All signs shall meet the Downtown Donelson Urban Design Overlay. Signs shall be spotlighted or back lit with a diffused light source. Back-lighting shall illuminate only the letter, characters, or graphics, but not the background.
4. Prior to the issuance of permits, a public pedestrian access easement shall be dedicated along the Lebanon Pike and Shady Grove frontages to include the public sidewalk and landscaping planter area.
5. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the CS zoning district as of the date of the applicable request or application.

6. A corrected copy of the preliminary SP plan incorporating the conditions of approval by the Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no later than 120 days after the effective date of the enacting ordinance. The corrected copy provided to the Planning Department shall include printed copy of the preliminary SP plan and a single PDF that contains the plan and all related SP documents. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.
7. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
8. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Approved with conditions. (7-0), Consent Agenda

Resolution No. RS2011-60

"BE IT RESOLVED by The Metropolitan Planning Commission that 2011SP-008-001 is **APPROVED WITH CONDITIONS.**

Conditions of Approval:

1. Permitted uses include auto sales new, auto sales used and auto service.
2. All applicable standards of the Downtown Donelson Urban Design Overlay shall be met by development within this SP unless modified by the SP.
3. All signs shall meet the Downtown Donelson Urban Design Overlay. Signs shall be spotlighted or back lit with a diffused light source. Back-lighting shall illuminate only the letter, characters, or graphics, but not the background.
4. Prior to the issuance of permits, a public pedestrian access easement shall be dedicated along the Lebanon Pike and Shady Grove frontages to include the public sidewalk and landscaping planter area.
5. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the CS zoning district as of the date of the applicable request or application.
6. A corrected copy of the preliminary SP plan incorporating the conditions of approval by the 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 plan is consistent with the MxU in CC land use policy and meets the overall intent of the Downtown Donelson Urban Design Overlay."

Zone Changes

11. 2011Z-002PR-001

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.

Staff Recommendation: DISAPPROVE

Deferred to the March 24, 2011 MPC meeting. (7-0)

The Metropolitan Planning Commission DEFERED 2011Z-002PR-001 to the March 24, 2011, Planning Commission meeting at the request of the applicant. (7-0)

12a. 2011Z-003PR-001

STONE BROOK DRIVE

Map 171, Parcel(s) 159

Council District 31 (Parker Toler)

Staff Reviewer: Greg Johnson

A request to rezone from R10 to RM15 district property located at Stone Brook Drive (unnumbered), approximately 1,750 feet south of Old Hickory Boulevard (6.56 acres), requested by Lukens Engineering Consultants, applicant, Mt. View LLC, owner (see also PUD Amendment Case # 89P-032-001).

Staff Recommendation: DEFER to the March 24, 2011, Planning Commission meeting

Deferred to the March 24, 2011 MPC meeting. (7-0)

The Metropolitan Planning Commission DEFERED 2011Z-003PR-001 to the March 24, 2011, Planning Commission meeting at the request of the applicant. (7-0)

12b. 89P-032-001

BRENTWOOD SKYLINE

Map 171, Parcel(s) 159

Council District 31 (Parker Toler)

Staff Reviewer: Greg Johnson

A request to amend the Brentwood Skyline Planned Unit Development Overlay District for property located at Stone Brook Drive (unnumbered), approximately 1,750 feet south of Old Hickory Boulevard (6.56 acres), zoned R10 and proposed for RM15, to permit 86 multi-family units where a 129,600 square foot office building was previously approved, requested by Lukens Engineering Consultants, applicant, Mt. View LLC, owner (see also Zone Change Case # 2011Z-003PR-001).

Staff Recommendation: DEFER to the March 24, 2011, Planning Commission meeting

Deferred to the March 24, 2011 MPC meeting. (7-0)

The Metropolitan Planning Commission DEFERED 89P-032-001 to the March 24, 2011, Planning Commission meeting at the request of the applicant. (7-0)

Planned Unit Developments

13. 2005P-028-001

CARILLON (Amend #1)

Map 121, Parcel(s) 079

Council District 13 (Carl Burch)

Staff Reviewer: Jason Swaggart

A request to amend the Carillon Planned Unit Development Overlay District for property located at Bell Road (unnumbered), approximately 1,650 feet north of Couchville Pike (39.53 acres), zoned MUL and RM9, to permit 18,000 square feet of retail, 5,000 square feet of office, and 496 multi-family dwelling units, where 165,200 square feet of retail and office, 86 condominium units, and 84 townhomes were previously approved, requested by Ragan-Smith-Associates Inc., applicant, Carillon II Investment Partners, owner.

Staff Recommendation: APPROVE WITH CONDITIONS

Deferred to the March 24, 2011 MPC meeting. (7-0)

The Metropolitan Planning Commission DEFERED 2005P-028-001 to the March 24, 2011, Planning Commission meeting at the request of the applicant. (7-0)

J. PLANNING COMMISSION ACTIONS

Planned Unit Developments: final site plans

14. 117-84P-002

LIGHTHOUSE CHRISTIAN PRE-SCHOOL

Map 162, Part of Parcel 225
Council District 32 (Sam Coleman)
Staff Reviewer: Brian Sexton

A request for a revision to preliminary, and for final approval for a portion of the Lighthouse Christian School Planned Unit Development Overlay located at 5115 Blue Hole Road (.75 acres), at the southwest corner of Blue Hole Road and Tusculum Road, zoned R8, to permit a one-story, 4,435 square foot addition where a 4,180 square foot addition was previously approved to the existing day-care center, requested by Barge Cauthen & Associates, applicant, for Lighthouse Baptist Church, owner.

Staff Recommendation: DISAPPROVE. If Stormwater conditions are met prior to the meeting, approve with conditions.

Deferred to the March 24, 2011 MPC meeting. (7-0)

The Metropolitan Planning Commission DEFERED 117-84P-002 to the March 24, 2011, Planning Commission meeting at the request of the applicant. (7-0)

Subdivision: Concept Plans

15. 2008S-061U-12

BRENTWOOD BRANCH ESTATES

Map 160, Parcel(s) 123
Map 160-08, Parcel(s) 046, 048 Map 160-08-0-A, Parcel(s) 010
Council District 26 (Greg Adkins)
Staff Reviewer: Jason Swaggart

A request to permit the extension of an approved concept plan for one year from its expiration date of March 27, 2011, for the Brentwood Branch Estates Subdivision for eight single-family clustered residential lots located at 501 Broadwell Drive, Hill Road (unnumbered) and at Trousdale Drive (unnumbered), zoned RS20 (4.42 acres), requested by Michael and Sharon Yates, owners

Staff Recommendation: APPROVE

APPLICANT REQUEST -Extend concept plan approval

Extend Concept Plan Approval A request to permit the extension of an approved concept plan for one year from its expiration date of March 27, 2011, for the Brentwood Branch Estates Subdivision for eight single-family clustered residential lots located at 501 Broadwell Drive, Hill Road (unnumbered) and at Trousdale Drive (unnumbered), zoned Single-Family Residential (RS20) (4.42 acres).

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.

SUBDIVISION DETAILS This is a request to extend concept plan approval for Brentwood Branch Estates, a major subdivision. The properties included in the concept plan are located on the south side of Broadwell Drive in the Crieve Hall area. The concept plan was approved for eight single-family cluster lots by the Planning Commission on March 27, 2008. If approved, this will be the second extension to the approval. The first extension was approved by the Commission on February 25, 2010, and will expire on March 27, 2011.

Section 2-3.4.f of the Subdivision Regulations specifies the effective period of concept plan approval. It states that the effective period for a *major* subdivision is two years, but that prior to expiration the approval can be extended for one year if the Planning Commission deems the extension appropriate based upon progress made in developing the subdivision.

According to the applicant, the development was put on hold due to the current housing market. In a letter from the applicant, dated January 25, 2011, the applicant provided the following list as a summary of the progress that has been made in completing the development:

- Mandatory Referral Process initiated (withdrawn due to a determination that it was not necessary)
- Complete Boundary & Topographic Survey
- 80% Construction Drawing set, including detailed stormwater calculations, hydraulic flood analysis and cut/fill calculation for flood plain disturbance.
- Plans initially submitted to Stormwater for Sufficiency Review prior to placing the project on hold

The letter further states that approximately \$75,000 has been spent on land acquisition, surveying, planning and design.

Staff Analysis The current concept plan meets all subdivision and zoning requirements. Since it meets all the requirements and the applicant has invested time and money into the project which will ultimately lead to its development, then staff recommends extending the concept plan approval for one year.

METRO STORMWATER RECOMMENDATION Construction plans have expired. Construction plans will need to be re-evaluated prior to construction.

STAFF RECOMMENDATION Staff recommends that concept plan approval be extended for one year as requested by the applicant to March 27, 2012.

Approved (7-0), Consent Agenda

Resolution No. RS2011-61

“BE IT RESOLVED by The Metropolitan Planning Commission that 2008S-061U-12 is **APPROVED. (7-0)**”

K. OTHER BUSINESS

- 16. Reinstate Developers Surety and Indemnity Company, which was excluded from providing surety bonds for one year pursuant to Section 6-1.2.d of the Metro Subdivision Regulations at the January 13, 2011 Planning Commission meeting, to be permitted to provide surety bonds.**

Approved (7-0), Consent Agenda

Resolution No. RS2011-62

“BE IT RESOLVED by The Metropolitan Planning Commission that reinstating Developers Surety and Indemnity Company to provide surety bonds in the Metro Subdivision Regulations is **APPROVED. (7-0)**”

17. Letters of Support for Riverfront Improvements

Ms. Jones moved and Councilmember Gotto seconded the motion to approve sending a joint letter from the Planning Commission supporting the Riverfront Improvements. (7-0)

Resolution No. RS2011-63

“BE IT RESOLVED by The Metropolitan Planning Commission that sending a joint letter from the Planning Commission supporting Riverfront Improvements is **APPROVED. (7-0)**”

18. Historical Commission Report

19. Board of Parks and Recreation Report

20. Executive Committee Report

21. Executive Director Report

Mr. Gee moved and Ms. LeQuire seconded the motion, to approve a Special Meeting for Redistricting Plan on March 31, 2011 at 4:00 p.m.

(6-0)

Resolution No. RS2011-64

“BE IT RESOLVED by The Metropolitan Planning Commission that a Special Meeting for Redistricting Plan on March 31, 2011 at 4:00 p.m. is **APPROVED. (6-0)**”

22. Legislative Update

L. MPC CALENDAR OF UPCOMING MATTERS

March 10, 2011

Work Session

2:30 pm, Nash Room

Topic: MPW concerns with MCSP

MPC Meeting

4 pm, Sonny West Conference Center

Text Amendment: alley sign standards for commercial districts

March 24, 2011

Work Session

2:30 pm, Nash Room

Topic: Streets pulled from the MCSP

MPC Meeting

4 pm, Sonny West Conference Center

Public Hearing: proposed amendments to the Subdivision Regulations

April 14, 2011

Work Session

2:15 pm, Sonny West Conference Center (note change of location to accommodate Metro 3 recording of the session)

Topic: Commission's responsibilities, powers, and duties – rescheduled from Feb. 10

MPC Meeting

4 pm, Sonny West Conference Center

Capital Budget

April 28, 2011

MPC Meeting

4 pm, Sonny West Conference Center

Primrose UDO

Receive consultants' preliminary comments on Downtown Sign Standards

M. ADJOURNMENT The meeting was adjourned at 6:23 p.m.

Chairman

Secretary