

Metropolitan Planning Commission



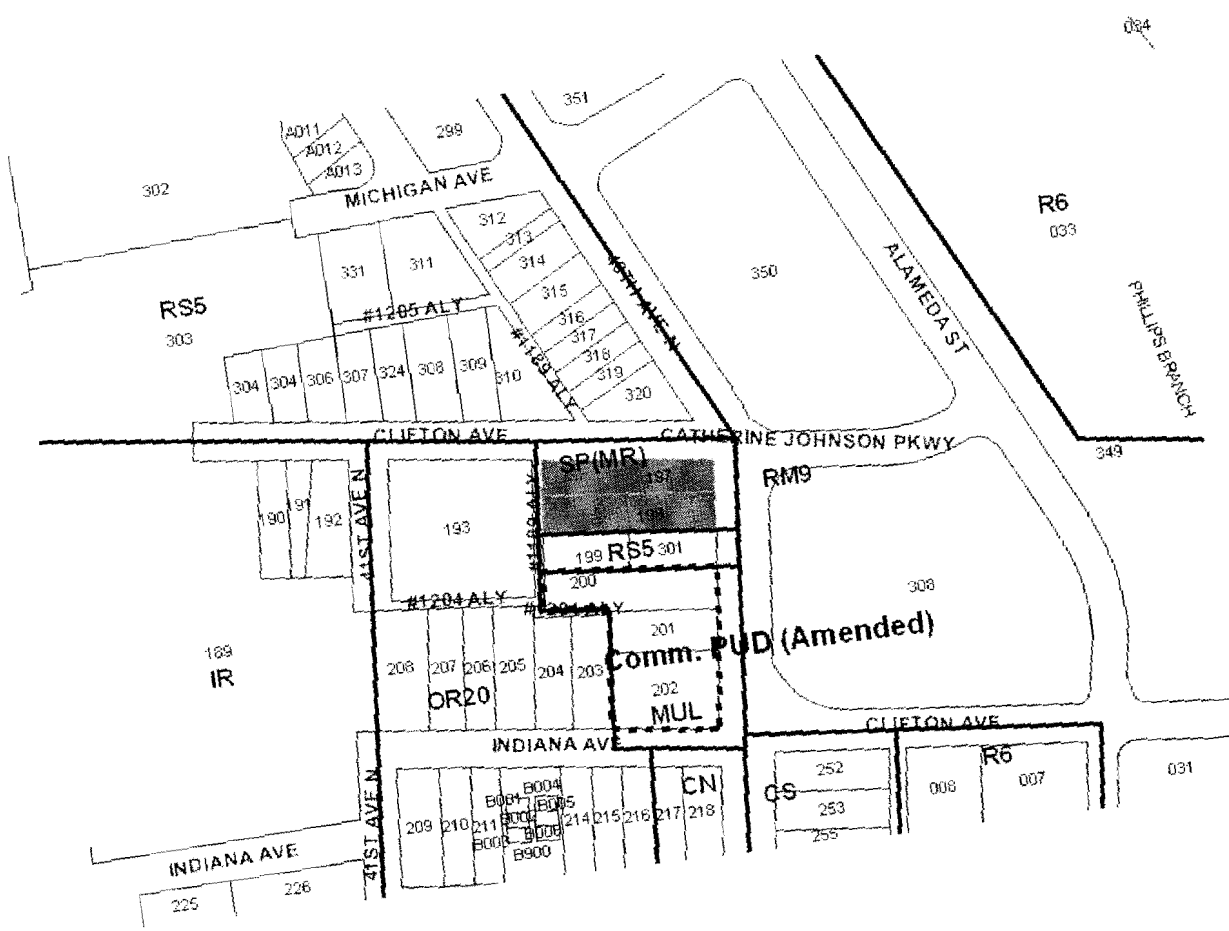
Staff Reports
REVISED

March 24, 2011

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

PREVIOUSLY DEFERRED ITEMS

- **Specific Plan**
- **Zoning Change**
- **PUD**
- **Institutional Overlay Final**



2006SP-135U-08
CLIFTON AVENUE TOWNHOMES
 Map 091-12, Parcel(s) 197-198
 North Nashville
 21 - Edith Taylor Langster



Project No. SP District Review 2006SP-135U-08
Project Name Clifton Avenue Townhomes SP
Council District 21 – Langster
School District 1 – Gentry
Requested by Metro Planning Department
Deferral Deferred from the February 24, 2011, Planning Commission meeting

Staff Reviewer Bernards
Staff Recommendation *Find the SP District active*

APPLICANT REQUEST

Four year SP review to determine activity

SP Review

The periodic review of an approved Specific Plan (R) district known as "Clifton Avenue Townhomes", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code (Review of a Development Plan), for properties located at 711 and 713 40th Avenue North (0.54 acres), approved for ten units via Council Bill BL2006-1253 effective on January 19, 2007.

Deferral

This item was deferred from the February 24, 2011 meeting at the request of the Councilmember and the agreement of the applicant. Staff made a second site visit on March 15, 2011. At that time, construction activity was observed on the property and the foundations for the buildings were being poured.

Zoning Code Requirement

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

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

DETAILS OF THE SP DISTRICT

The Clifton Avenue Townhomes SP was approved for 10 residential units. This SP has received final site plan approval for six single-family and two duplex units.



Metro Planning Commission Meeting of 03/24/2011

Analysis

Staff visited the site on January 17, 2011. There was no apparent development activity on the property. Staff made a second site visit on March 15, 2011. At that time, construction activity was observed on the property and the foundations for the buildings were being poured.

The property has recently been purchased and the new owners have initiated the development of this SP. Prior to staff's second site visit, the owners' representative submitted the following to show the level of activity currently underway on this SP:

- *A master building permit for the site has been applied for (Master Permit Application # T201101257, Permit Tracking #1815953).
The Master Permit has been approved.*
- *The property paid \$6,000 in water capacity fees with approval of the final SP site plan. A new capacity requirements letter was received from Water Services as of 1-15-11 with an additional required payment of \$4,000 to satisfy Water Services capacity requirements. That payment has been made.*
- *The previously existing structure (a nightclub) has been demolished.*
- *An engineer has been retained to prepare new construction plans per the approved final site plan. The engineer and other owner representatives have met with Metro agencies, including Planning, Stormwater, and Water Services to identify all requirements to allow a building permit to be issued. Construction plans have been submitted to Metro reviewing agencies this week.*
- *The engineer has redesigned the Stormwater facilities on the property in accordance with the requirement of the final SP site plan that Stormwater requirements must be met before a building permit can be issued.*
- *The engineer has met with Water Services to discuss extending an 8-inch water main across 40th Avenue to provide water service to the project and the engineer has completed the design work for that extension.*
- *The required environmental study for the funding associated with the project is completed.*
- *Financing has closed on the project, including Federal NSP2 funds.*



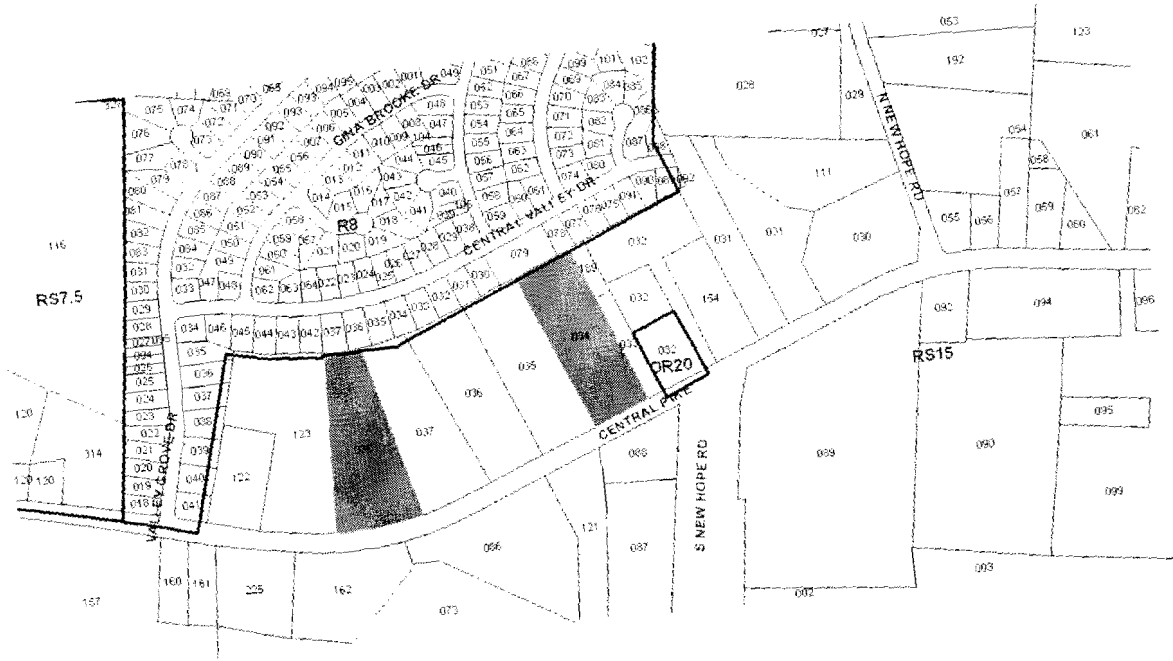
Metro Planning Commission Meeting of 03/24/2011

ANALYSIS

In reviewing the documentation provided by the owner, and viewing the construction activity on site, staff finds that the owner has described an aggregate of actions that indicates activity. Staff recommends that this SP be found active and that it be placed back on the four-year review list. At that time, if the SP is not found to be complete, the owner will need to demonstrate that additional activity has taken place in the SP in order for it to be found active. Staff would note, however, that at this time the SP remains appropriate for the site and area. The approved plan is consistent with the Urban Mixed Neighborhood policy of the North Nashville Community Plan

STAFF RECOMMENDATION

Staff recommends that the Clifton Townhomes SP be found to be active.



2011SP-006-001
CENTRAL PIKE NORTH
Map 087, Parcel(s) 034, 038
Donelson - Hermitage
12 - Jim Gotto



Project No. Zone Change 2010SP-006-001
Project Name Central Pike North
Council District 12 – Gotto
School District 4 – Shepherd
Requested by Anderson, Delk, Epps & Associates Inc., applicant, CDT
New Hope and Central Pike Preuett, owners
Deferral Deferred from the March 10, 2011, Planning Commission
meeting
Staff Reviewer Johnson
Staff Recommendation *Approve with conditions*

APPLICANT REQUEST

Rezone to SP for mixed-use development

Preliminary SP

A request to rezone from Single-Family Residential (RS15) to Specific Plan – Mixed Use (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.

Existing Zoning

RS15 District

RS15 requires a minimum 15,000 square foot lot and is intended for single-family dwellings at a density of 2.47 dwelling units per acre.

Proposed Zoning

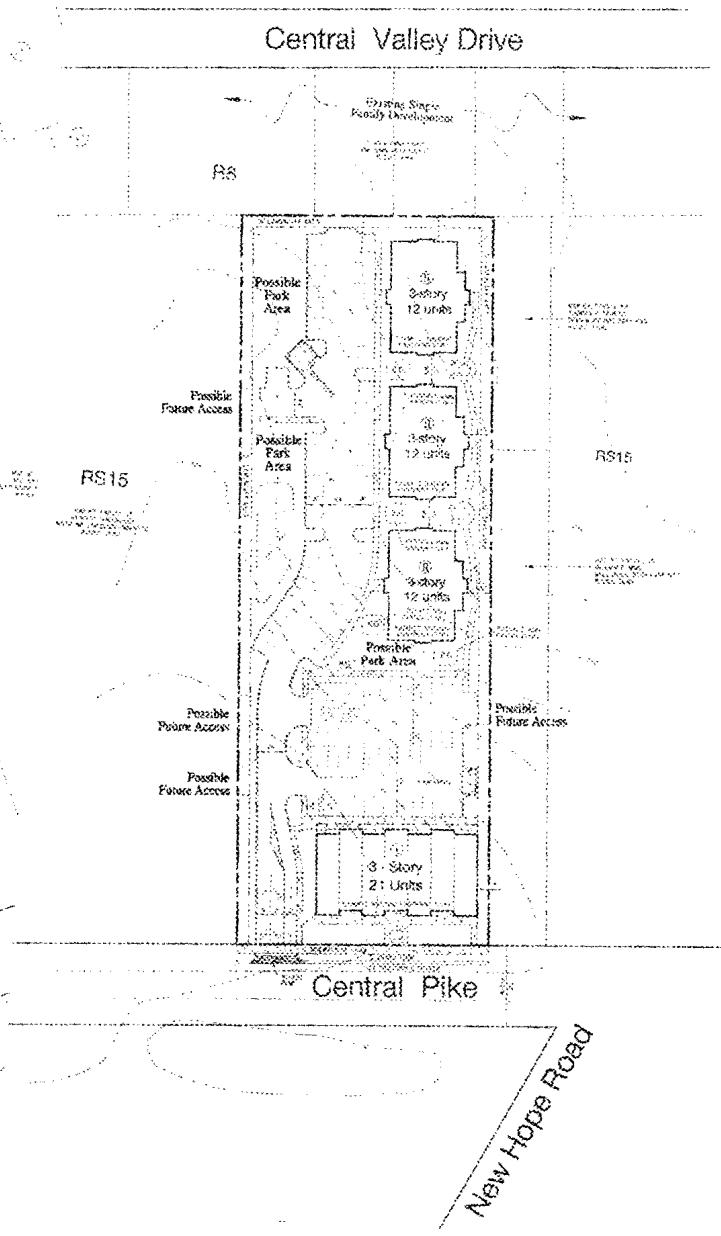
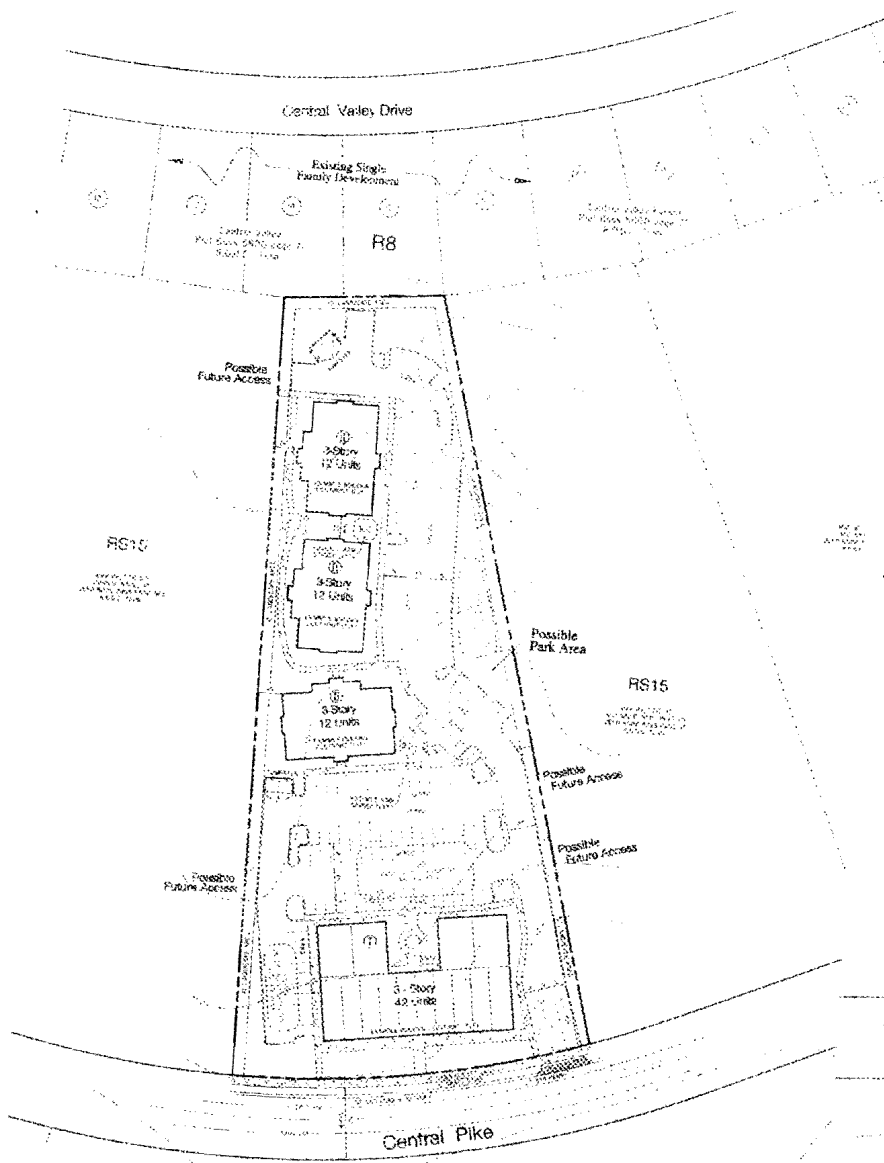
SP-MU District

Specific Plan-Mixed Use is a zoning District category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. *This Specific Plan includes residential and non-residential uses.*

CRITICAL PLANNING GOALS

Creates Walkable Neighborhoods
Provides a Range of Housing Choices

This SP promotes mixed-use and walkable development with the placement of multi-story mixed use buildings along the public street frontage with prominent pedestrian connections to the public street frontage. The proposed multi-family residential units will provide housing diversity to an area primarily comprised of single-family development.





Metro Planning Commission Meeting of 03/24/2011

DONELSON-HERMITAGE COMMUNITY PLAN

Corridor General (CG)

CG is intended for areas at the edge of a neighborhood that extend along a segment of a major street and are predominantly residential in character. CG policy also allows for live/work as an appropriate land use. CG areas are intended to contain a variety of residential development along with larger scale civic and public benefit activities. Examples might include single family detached, single-family attached or two-family houses; but multi-family development might work best on such busy corridors. 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 SP proposes a mixed-use development with a combination of residential and non-residential uses in the form of live-work development. The commercial portion of the live-work proposal is intended to be small in scale, which is the intent of the CG policy.

PLAN DETAILS

The proposed SP consists of two individual lots on the north side of Central Pike that are separated by approximately 700 feet. The SP includes a site plan for each lot. The lots have been grouped into one SP because the ownership is the same for both lots and the development proposal for each is similar in terms of proposed uses and building placement.

The proposal includes three, 12-unit, multi-family residential buildings placed on the rear half of each lot with a three-story live/work building placed along Central Pike. Each live/work building is placed with a strong relationship to Central Pike providing building frontage along a majority of the lot frontage. This strong building frontage combined with pedestrian connections to a proposed sidewalk along Central Pike will provide an ideal precedent for pedestrian connectivity as surrounding properties redevelop. Landscape buffers are shown on the plan along the east, west and north property boundaries for both sections.



Metro Planning Commission Meeting of 03/24/2011

Access and Parking

Each lot will provide vehicular access to Central Pike through a single driveway connection. The plans identify possible locations within each lot that could allow for driveway connections to adjacent lots with future development. Each lot provides a central parking area behind the live/work building to accommodate parking for residents and customers of commercial uses within the live/work building. Additional parking is provided for residents of the residential-only buildings through a double-loaded driveway on the rear half of each lot.

All required parking for the proposed residential uses is provided on both lots within the SP. However, without some limitations on the commercial uses allowed within the SP, the number of parking spaces may not provide all of the required parking for non-residential uses. In order to reduce parking demand for commercial land uses, conditions of approval have been added to limit the size of individual tenant spaces, the amount of restaurant uses, and the overall amount of commercial square footage.

Recreational areas

Several areas are identified within the eastern lot of this SP as "possible park areas." Because this SP proposes up to 135 residential units, the provision of activity or recreation areas is desired, though not specifically required by the SP requirements within the Zoning Code. Standards for recreation areas are present for PUDs. Within a PUD, one recreational facility would be required for a residential project of this size. A condition of approval has been added to identify and provide a minimum of one specific recreational activity within one of the identified possible park areas prior to final SP approval.

Land uses

Permitted land uses within the live/work portion of the SP are specifically listed within the SP proposal and are intended to allow small-scale non-residential land uses that could exist appropriately within a primarily residential development.

Community Meeting

A community meeting to discuss this SP proposal and a proposed SP and associated plan amendment across Central Pike was held on March 17, 2011. Approximately 60 people were in attendance. A number of issues were raised including traffic and residential density.

STORMWATER RECOMMENDATION

Preliminary SP approved.



Metro Planning Commission Meeting of 03/24/2011

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. Construct arterial sidewalk per Metro ST-210 (8' sidewalk with 6' grass strip), paved shoulder and curb & gutter per Metro ST-200 along whole project frontage. Construct driveway ramps per Metro ST-324.
3. A Traffic Impact study and parking analysis are required prior to development.

Maximum Uses in Existing Zoning District: AR2a

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	2.9	0.5 D	1 L	10	1	2

Maximum Uses in Existing Zoning District: R8

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	10.01	5.79 D	57 L	620	50	65

Maximum Uses in Proposed Zoning District: SP-MU

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Res. Condo/Townhome (230)	-	-	137 U	710	67	76

Maximum Uses in Proposed Zoning District: SP-MU

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	-	-	20,000 Sq. Ft.	387	52	102

Traffic changes between maximum: AR2a, R8 and proposed SP-MR

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	8.97	-	-	+467	+58	+101



Metro Planning Commission Meeting of 03/24/2011

METRO SCHOOL BOARD REPORT

Projected student generation 28 Elementary 16 Middle 10 High

Schools Over/Under Capacity

Students would attend Dodson Elementary School, Dupont Tyler Middle School, or McGavock High School. All three schools have been identified as being over capacity by the Metro School Board. There is no capacity for elementary or middle school students within the cluster. There is capacity within adjacent clusters for high school students.

The fiscal liability for 28 elementary students is \$560,000, and \$376,000 for 16 middle school students. This data is for informational purposes only and is not a condition of approval. This information is based upon data from the school board last updated October 2010.

STAFF RECOMMENDATION

Staff recommends approval with conditions. The proposed mixed use project is consistent with land use policy in terms of proposed uses and design.

CONDITIONS

1. The maximum size of a non-residential tenant space within the SP shall be 1,400 square feet.
2. A maximum of one tenant space for the western portion of the SP and one for the eastern portion of the SP may contain a restaurant use.
3. On the western portion of the SP, the overall building square footage devoted to non-residential uses shall not exceed 5,400 square feet.
4. Stand-alone commercial development is not permitted. Non-residential uses shall occupy the first floor of a three-story building. First floor space may consist of residential uses.
5. Prior to final site plan approval, a phasing plan must be provided for both lots within the SP.
6. Prior to final site plan approval, a minimum of one recreational area shall be proposed on one of the possible park areas and shall be identified on the final SP site plan.



Metro Planning Commission Meeting of 03/24/2011

7. The SP shall comply with comments listed above from Metro Stormwater and Metro Public Works Departments.
8. 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 OR20 zoning district.
9. 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.
10. 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.
11. 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.



2011Z-002PR-001
 2631 SMITH SPRINGS ROAD
 Map 136, Parcel(s) 043
 Antioch - Priest Lake
 29 - Vivian Wilhoite



Project No.	Zone Change 2011Z-002PR-001
Council District	29 – Wilhoite
School District	6 – Mayes
Requested by	Keith Jordan, owner
Deferral	Deferred from the March 10, 2011, Planning Commission meeting
Staff Reviewer	Swaggart
Staff Recommendation	<i>Disapprove</i>

APPLICANT REQUEST

Rezone from residential to office and residential zoning

Rezoning

A request to rezone from Single and Two-Family Residential (R10) to Office and Residential (OR20) district property located at 2631 Smith Springs Road, approximately 760 feet west of Bell Road (.36 acres).

Existing Zoning
R10 District

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

Proposed Zoning
OR20 District

Office/Residential is intended for office and/or multi-family residential units at up to 20 dwelling units per acre. OR20 would allow up to 7 units on 0.36 acres.

CRITICAL PLANNING GOALS N/A

**ANTIOCH/PRIEST LAKE
COMMUNITY PLAN**

Neighborhood General (NG)

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

Consistent with Policy?

No. While the proposed OR20 zoning district does permit residential uses, which is consistent with the land use policy, it also permits non-residential uses which are not consistent with the land use policy. The OR20 would extend non-residential uses beyond what is called for in the Community Plan and would set a bad precedent.



Metro Planning Commission Meeting of 03/24/2011

PUBLIC WORKS RECOMMENDATION

1. An access study may be required at development.
2. 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.

Typical Uses in Existing Zoning District: **R10**

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)	0.36	4.63 D	1 U	10	1	2

Typical Uses in Proposed Zoning District: **OR20**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	0.36	0.590 F	9,252 SF	214	28	28

Traffic changes between typical: **R10** and proposed **OR20**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+204	+27	+26

Maximum Uses in Existing Zoning District: **R10**

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)	0.36	4.63 D	1 U	10	1	2

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Retail (814)	0.36	0.8 F	12,545 SF	575	18	52

Traffic changes between maximum: **R10** and proposed **OR20**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+565	+17	+50



Metro Planning Commission Meeting of 03/24/2011

METRO SCHOOL BOARD REPORT

Projected student generation

1 Elementary 1 Middle 1 High

Schools Over/Under Capacity

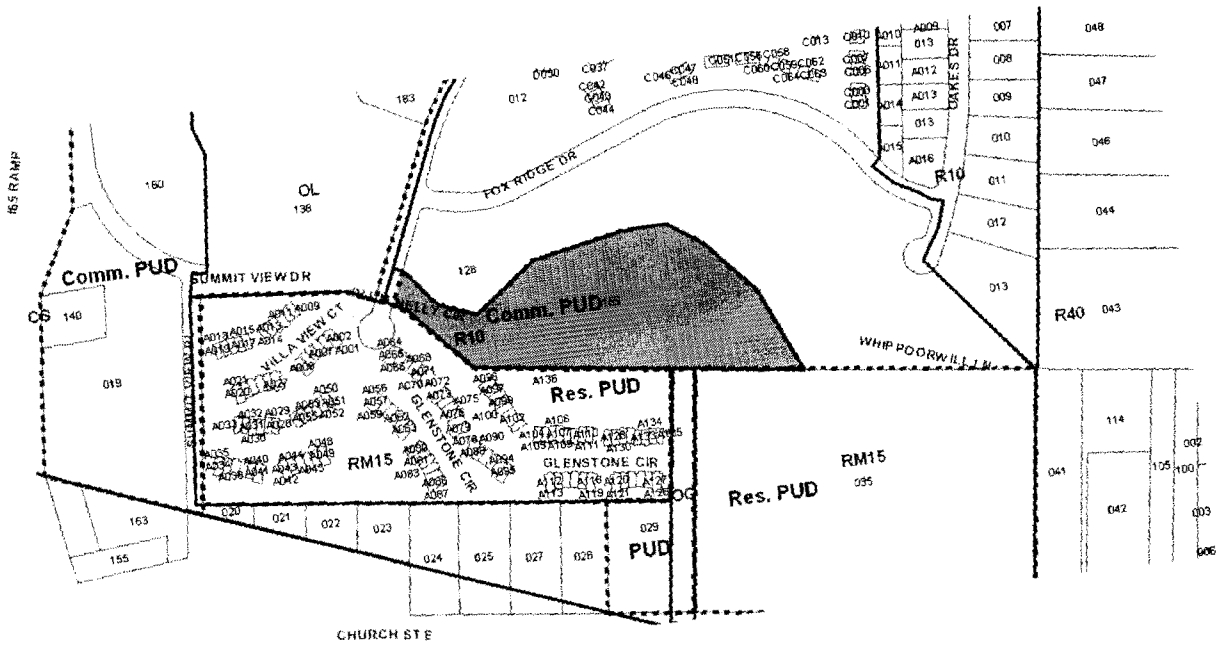
Students would attend Lakeview Elementary School, J.F. Kennedy Middle School, and Antioch High School. All three schools are identified as over capacity. There is not capacity for additional elementary and middle school students within the cluster, but there is capacity within an adjacent cluster for high school students. This information is based upon data from the school board last updated October 2010.

Fiscal Liability

The fiscal liability for one new elementary student is \$20,000, and the fiscal liability for one new middle school student is \$23,500. This is only for information purposes to show the potential impact of this proposal, it is not a staff condition of approval.

STAFF RECOMMENDATION

Staff recommends that the request be disapproved. The proposed OR20 zoning district is not consistent with the property's land use policy because it permits non-residential uses.



89P-032-001
BRENTWOOD SKYLINE
2011Z-003PR-001
STONE BROOK DRIVE (UNNUMBERED)
 Map 171, Parcel(s) 159
 Southeast
 31 - Parker Toler



Project No. Planned Unit Development 89P-032-001;
Zone Change 2011Z-003PR-001

Project Name Brentwood Skyline

Council District 31 – Toler

School District 2 – Brannon

Requested by Lukens Engineering Consultants, applicant, Mt. View LLC, owner

Deferral Deferred from the March 10, 2011, Planning Commission meeting

Staff Reviewer Johnson

Staff Recommendation *Defer to April 14, 2011 Planning Commission meeting*

APPLICANT REQUEST

Rezone and amend PUD to permit multi-family residential development.

Zone Change

A request to rezone from One and Two-Family Residential (R10) to Multi-Family Residential (RM15) district property located at Stone Brook Drive (unnumbered), approximately 1,750 feet south of Old Hickory Boulevard (6.56 acres).

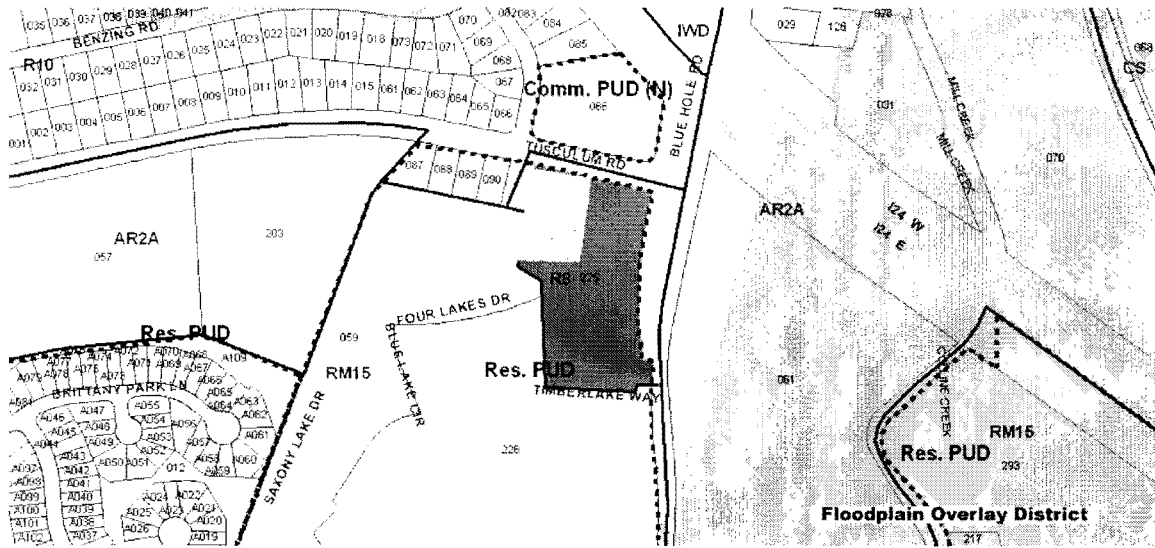
PUD Amendment

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 One and Two-Family Residential (R10) and proposed for Multi-Family Residential (RM15), to permit 86 multi-family units where a 129,600 square foot office building was previously approved.

STAFF RECOMMENDATION

Staff recommends deferral of the request to the April 14, 2011 Planning Commission meeting. The applicant requested deferral, in writing, to allow more time to work on issues with Metro Departments.

SEE NEXT PAGE



117-84P-002
LIGHTHOUSE CHRISTIAN PRE-SCHOOL
Map 162, Part of Parcel 225
Southeast
32 - Sam Coleman



Project No.	Planned Unit Development 117-84P-002
Project Name	Lighthouse Christian Pre-School
Council District	32 – Coleman
School Board District	2 – Brannon
Requested By	Barge Cauthen & Associates, applicant for Lighthouse Baptist Church, owner
Deferral	Deferred from the March 10, 2011, Planning Commission meeting
Staff Reviewer	Sexton
Staff Recommendation	<i>Approve with conditions.</i>

APPLICANT REQUEST

Revise preliminary plan and final approval to permit a building addition.

Revise Preliminary PUD and Final Site Plan

A request to revise the preliminary plan and for final approval for a portion of the Lighthouse Christian School Planned Unit Development Overlay located 5115 Blue Hole Road (.75 acres), at the southwest corner of Blue Hole Road and Tusculum Road, zoned One and Two-Family Residential (R8), to permit a one-story 4,435 square foot addition where a 4,180 square foot addition was previously approved for an existing day care center.

Existing Zoning
R8 District

R8 requires a minimum 8,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 5.79 dwelling units per acre including 25% duplex lots.

CRITICAL PLANNING GOALS

N/A

REQUEST DETAILS

This request modifies the preliminary and final PUD for an existing day care center. The PUD was originally approved in 1984 and was later revised in 1994 to permit a religious institution with a separate 18,000 square foot building. Another revision for this portion of the PUD was recently approved by the Planning Commission on August 26, 2010. The approved plan replaced the 18,000 square foot building with a one-story 6,480 square foot day care center. The approved plan also granted preliminary approval only for a future one-story, 4,180 square foot addition to the day care center. This request is to increase the floor area of the previously approved addition to the day care center from 4,180 square feet to 4,435 square feet.



Metro Planning Commission Meeting of 03/24/2011

Building Orientation

The proposed addition is located on the northwest portion of the property. The primary entrance into the building is located along Tusculum Road. As proposed, the total floor area of the day care center in the PUD will be increased to 10,915 square feet which does not exceed the floor area authorized by the Council approved PUD plan.

Parking/Access

The plan proposes a total of 28 on-site parking spaces for the day care center which meets the Zoning Code requirement for parking. Walkways are proposed along the perimeter of the building that will connect to the existing sidewalks. The PUD is accessed through driveway connections from both Tusculum Road and Blue Hole Road. Internal cross-access between properties and parking lots is available.

ANALYSIS

The request is within the limits of a revision, and it does not require Council approval. The proposed expansion to the existing day care center is minor, and there are no issues with the proposed expansion.

STORMWATER RECOMMENDATION

Please correct the invert elevations in the "Out" column on Plan Sheet C2.0. Add a note that smooth lined HDPE pipe is to be installed. Three sets of the plans will be needed prior to scheduling the pre-construction meeting.

STAFF RECOMMENDATION

Staff recommends approval with conditions. The proposed changes are consistent with the approved plan.

CONDITIONS

1. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
2. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metro Department of Public Works for all improvements within public rights of way.
3. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in

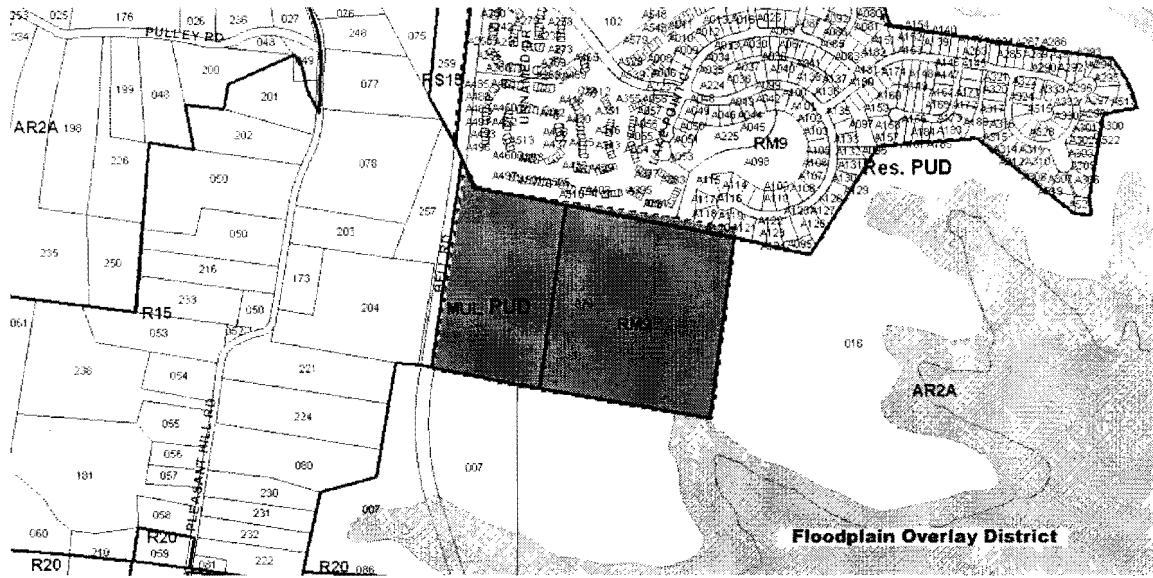


Metro Planning Commission Meeting of 03/24/2011

specific instances when the Metro Council directs the Metro Planning Commission to review such signs.

4. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
5. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metro Planning Commission.
6. The PUD final site plan as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans may require reapproval by the Planning Commission and/or Metro Council.
7. A corrected copy of the PUD final site plan incorporating the conditions of approval by the Planning Commission shall be provided to the Planning Department prior to the issuance of any permit for this property, and in any event no later than 120 days after the date of conditional approval by the Planning Commission. Failure to submit a corrected copy of the final PUD site plan within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.

SEE NEXT PAGE



2005P-028-001
CARILLON (Amend #1)
Map 121, Parcel(s) 079
Donelson - Hermitage
13 - Carl Burch



REVISED STAFF REPORT

Project No. Planned Unit Development 2005P-028-001
Project Name Carillon (Amendment #1)
Council District 13 – Burch
School Board District 6 – Mayes
Requested By Ragan, Smith Associates, Inc. applicant for Carillon II Investment Partners, owner
Deferral Deferred from the March 10, 2011, Planning Commission meeting.
Staff Reviewer Swaggart
Staff Recommendation Approve with conditions

APPLICANT REQUEST

Amend preliminary PUD plan

Amend Preliminary PUD Plan

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 452 multi-family dwelling units, where 165,200 square feet of retail and office and 170 multi-family dwelling units were previously approved.

Revised Report

This is a revised report from what was initially sent to the commissioners. The revised report reflects changes made in the plan after the initial report was sent out. Changes were made to the initial plan after a community meeting and the changes reflect a compromise between the developer and the community. The revised plan will be presented at the March 24, 2011, Planning Commission Meeting. Staff finds that the revised plan is consistent with the properties Neighborhood Center and Residential Medium land use policies. The Residential Medium policy only permits residential uses, and while the Neighborhood Center policy permits a wide range of non-residential uses, it also permits residential.

Existing Zoning

RM9 District

RM9 is intended for single-family, duplex, and multi-family dwellings at a density of 9 dwelling units per acre.

MUL District

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

CRITICAL PLANNING GOALS

N/A



Carillon



RAGAN SMITH
LAND PLANNING • CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE • SURVEYING
MARCH 23, 2011



Metro Planning Commission Meeting of 03/24/2011

REQUEST DETAILS

The Carillon Planned Unit Development (PUD) is located on Bell Road north of Couchville Pike. The PUD was authorized by BL2005-895 which was approved by Council on February 8, 2006. The PUD is approved for 165,200 square feet of retail and office uses, 170 multi-family units. The PUD is currently not developed and the property consists mostly of dense woodland. Environmental constraints on the site include some steep slopes, a stream that bisects the property and possible wetlands.

As proposed the revised plan calls for 452 multi-family units, which is an increase of 282 units from what was last approved by Council. No commercial or non-residential uses are proposed. The Zoning Code (Section 17.40.120) requires any increase in the total number of residential dwelling units be authorized by Council; therefore, the request is considered an amendment to the PUD.

Due to the stream and wetlands that bisect the property, the development is split into two separate areas. The area closer to Bell Road consists of eight multi-family residential buildings, and a club house and pool. The second portion is located near the back of the site at the northern corner. This is on the back side of the stream (from Bell Road) which bisects the property and is also located on higher ground than the area closer to Bell Road and consists of eight multi-family structures, which are terraced into the hillside.

Access to the development will be from a new, short, public street off of Bell Road. The residential portion of the development will be gated and accessed by private drives off of the new public street. Sidewalks are proposed along Bell Road, and throughout the development.

Analysis

The revised plan is consistent with all zoning requirements, and is consistent with the properties Neighborhood Center and Residential Medium land use policies. The Residential Medium policy only permits residential uses, and while the Neighborhood Center policy permits a wide range of non-residential uses, it also permits residential. Given the topography at the back of the site, the proposed plan is more appropriate as it fits better into the hillside than the original plan. The plan provides the required stream buffers and buildings are kept



Metro Planning Commission Meeting of 03/24/2011

out of the wetland area. To provide for better circulation and a secondary ingress/egress for emergency purposes, staff recommends a secondary access point onto Bell Road.

PUBLIC WORKS RECOMMENDATION

1. At the initial construction phase, construct a southbound left turn lane on Bell Road with 200 feet of storage and transitions per AASHTO/MUTCD standards.
2. At the initial construction phase, construct a northbound right turn lane on Bell Road with 200 feet of storage and transitions per AASHTO/MUTCD standards.
3. Developer shall conduct a signal warrant analysis at the intersection of Bell Road and the access drive(s) with each final SP submittal or as directed by the Metro Traffic Engineer. The warrant analysis and traffic counts shall be submitted to the Metro Traffic Engineer for review and approval. The developer shall design and install a traffic signal when approved by the Traffic and Parking Commission.
4. Construct the access drive(s) at Bell Road with one entering and two exiting lanes (LT and RT) each with a minimum 175 ft of storage and transitions per AASHTO/MUTCD standards.
5. Additional analysis with updated traffic counts will be required for the intersection of Bell Road and Elm Hill Pike prior to approving any final SP plans to determine if additional mitigations are required.
6. If the Planning Commission requires construction of a second access drive, at a minimum, the proposed southbound left turn lane on Bell Road shall be extended as a continuous three lane cross section along Bell Road with appropriate storage and tapers to incorporate both access drives. Additional traffic analysis may be required. If a second access is required to be constructed onto Bell Road and that access is to be used by patrons of the proposed development without restriction then, at a minimum, the proposed southbound left turn lane on Bell Road shall be extended as a continuous three lane cross



Metro Planning Commission Meeting of 03/24/2011

section along Bell Road with appropriate storage and tapers to incorporate both access drives. Additional traffic analysis may also be required. However, if the requirement is to construct a secondary access for emergency access only and that access is to be gated other than in the event of an emergency, the condition to extend the left turn lane on Bell Road may be removed.

FIRE MARSHAL

Approve with conditions:

Show fire hydrant location(s) with flow data or engineered flow calculations on the plan.

STORMWATER RECOMMENDATION

Preliminary PUD approved

STAFF RECOMMENDATION

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

CONDITIONS

1. Plan shall be revised to provide a secondary ingress and egress point onto Bell Road.
2. The area along Bell Road in front of unit 1 as shown on the plan shall be undisturbed and indicated on the plan.
3. The requirements of the Public Works Department shall be met.
4. At the initial construction phase, construct a southbound left turn lane on Bell Road with 200 feet of storage and transitions per AASHTO/MUTCD standards.
5. At the initial construction phase, construct a northbound right turn lane on Bell Road with 200 feet of storage and transitions per AASHTO/MUTCD standards.
6. Developer shall conduct a signal warrant analysis at the intersection of Bell Road and the access drive(s) with each final SP submittal or as directed by the Metro Traffic Engineer. The warrant analysis and traffic counts shall be submitted to the Metro Traffic Engineer for review and approval. The developer shall



Metro Planning Commission Meeting of 03/24/2011

design and install a traffic signal when approved by the Traffic and Parking Commission.

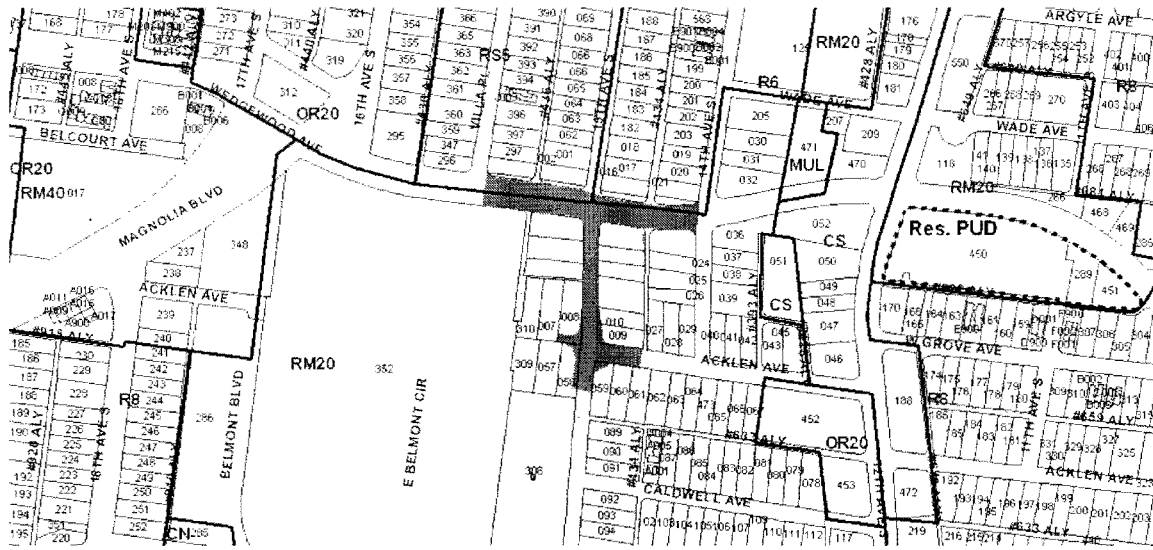
7. Construct the access drive(s) at Bell Road with one entering and two exiting lanes (LT and RT) each with a minimum 175 ft of storage and transitions per AASHTO/MUTCD standards.
8. Additional analysis with updated traffic counts will be required for the intersection of Bell Road and Elm Hill Pike prior to approving any final SP plans to determine if additional mitigations are required.
9. If the Planning Commission requires construction of a second access drive, at a minimum, the proposed southbound left turn lane on Bell Road shall be extended as a continuous three lane cross section along Bell Road with appropriate storage and tapers to incorporate both access drives. Additional traffic analysis may be required. If a second access is required to be constructed onto Bell Road and that access is to be used by patrons of the proposed development without restriction then, at a minimum, the proposed southbound left turn lane on Bell Road shall be extended as a continuous three lane cross section along Bell Road with appropriate storage and tapers to incorporate both access drives. Additional traffic analysis may also be required. However, if the requirement is to construct a secondary access for emergency access only and that access is to be gated other than in the event of an emergency, the condition to extend the left turn lane on Bell Road may be removed.
10. 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.
11. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.
12. Prior to any additional development applications for this property, and in no event later than 120 days after



Metro Planning Commission Meeting of 03/24/2011

the effective date of the enacting ordinance, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan. If a corrected copy of the preliminary PUD plan incorporating the conditions of approval 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 preliminary PUD plan shall be presented to the Metro Council as an amendment to this PUD ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.

SEE NEXT PAGE



2006IN-002-005
BELMONT UNIVERSITY (FINAL: LAW SCHOOL OFF-SITE IMPROVEMENTS)
 Map 105-09, Part of Parcels 008-010, 058, 059
 Green Hills - Midtown
 18 - Kristine LaLonde



Project No. Institutional Overlay 2006IN-002-005
Project Name Belmont University IO
Council District 18 – LaLonde
School District 8 – Hayes
Requested by Littlejohn Engineering Associates Inc., applicant, for Belmont University, owner
Deferral Deferred from the September 14, 2010 and the March 10, 2011 Planning Commission Meeting
Staff Reviewer Bernards
Staff Recommendation *Approve with conditions and recommend to the Council that the Belmont University IO remain in place*

APPLICANT REQUEST

Roadway improvements for the College of Law Building

Final Plan Approval

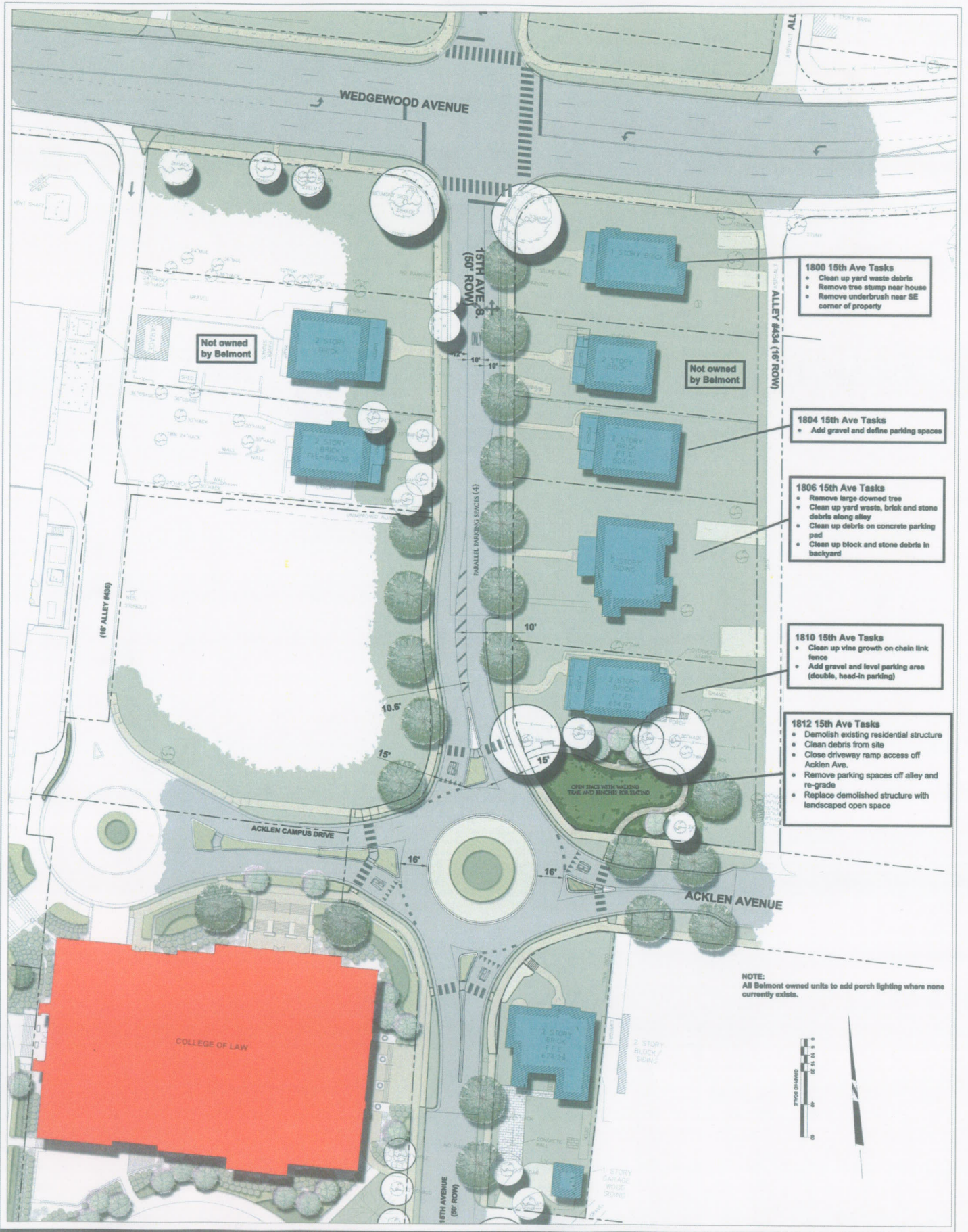
A request for final approval for a portion of the Belmont University Institutional Overlay district located at 1419, 1500, 1501, 1502, 1503, 1504 and 1505 Acklen Avenue, 1812 15th Avenue South, and at 15th Avenue South (unnumbered), zoned RM20, to permit the construction of roadway improvements for Belmont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

Deferral

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

At its meeting on March 10, 2011, the Planning Commission deferred this item and directed staff to respond to the following:

1. Provide additional details regarding proposed on-street parking on 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. 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; and



- 1800 15th Ave Tasks**
- Clean up yard waste debris
 - Remove tree stump near house
 - Remove underbrush near SE corner of property

- 1804 15th Ave Tasks**
- Add gravel and define parking spaces

- 1806 15th Ave Tasks**
- Remove large downed tree
 - Clean up yard waste, brick and stone debris along alley
 - Clean up debris on concrete parking pad
 - Clean up block and stone debris in backyard

- 1810 15th Ave Tasks**
- Clean up vine growth on chain link fence
 - Add gravel and level parking area (double, head-in parking)

- 1812 15th Ave Tasks**
- Demolish existing residential structure
 - Clean debris from site
 - Close driveway ramp access off Acklen Ave.
 - Remove parking spaces off alley and re-grade
 - Replace demolished structure with landscaped open space

NOTE:
All Belmont owned units to add porch lighting where none currently exists.





Metro Planning Commission Meeting of 03/24/2011

5. Request that Public Works and the applicant's traffic engineer attend the March 24, 2011, meeting to discuss the roadway design.

The applicant has provided a response regarding parking along 15th Avenue as well as details concerning the traffic signal and the 15th Avenue South and is included at the end of this staff report. The landscape plan is shown on the plan that is included with the staff report. An expanded discussion of the Residential Buffer Zone is included in the staff report. A section providing an analysis of the historic and legislative establishment of the overlay has been added. Staff has sent a request to the Public Works Department and the applicant's traffic engineer to attend the March 24, 2011 meeting to discuss the roadway design.

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 South and the installation of a traffic signal at 15th Avenue South and Wedgewood Avenue.

Institutional Overlay

The Zoning Code provides that the purpose of the Institutional Overlay (the overlay) district is to provide a means by which colleges and universities situated wholly or partially within areas of the community designated as residential by the General Plan may continue to function and grow in a sensitive and planned manner that preserves the integrity and long-term viability of those neighborhoods in which they are situated. The institutional overlay district is intended to delineate on the official zoning map the geographic boundaries of an approved college or university master development plan, and to establish the general design concept and permitted land uses (both existing and proposed) associated with the institution by that master development plan.

The application of the overlay is intended to be limited to those properties encompassed by a college or university master development plan. The plan is designed to describe



Metro Planning Commission Meeting of 03/24/2011

the extent of the existing and proposed campus as well as the long-range growth objectives and an assignment of institutionally related land uses.

The Belmont University Institutional Overlay was applied in August 2005. The Planning Commission first considered the overlay in February 2005, and deferred its decision to April 2005, in order for the associated traffic study to be completed.

At the time of the Planning Commission consideration, the traffic signal at 15th and Wedgewood Avenues and the separation between the residential properties to the east from Belmont, and parking along 15th Avenue South were raised as issues.

Traffic Signal at 15th Avenue South and Wedgewood Avenue

The initial approval of the overlay by the Council did not require a traffic signal at 15th Avenue South and Wedgewood Avenue but did require ongoing traffic studies as development continued. With the construction of the College of Law building, a traffic signal is now 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 on the continuation of the overlay.

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. Public Works has identified a number of



Metro Planning Commission Meeting of 03/24/2011

improvements that must be made in order to accommodate the College of Law.

The proposed road design to accommodate the College of Law includes a roundabout style intersection at 15th Avenue South and Acklen Avenue. In order to accommodate this change, a residential structure at the corner of 15th Avenue South and Acklen Avenue is proposed to be demolished and the area of the property not included in the round-about is proposed to be landscaped.

Residential Buffer Zone

The removal of this structure had generated discussion as it falls within the Residential Buffer Zone (the buffer). The buffer is a two block area on the east side of 15th Avenue South between Wedgewood and Caldwell Avenues. The original submission of the overlay by Belmont in 2002 placed the eastern boundary of the overlay along the center line of 15th Avenue South. Planning staff requested that the boundary be moved to the eastern property line of the houses fronting 15th Avenue South to better provide a transition between the institution and residential uses.

The proposal to remove this structure has generated much discussion regarding the form of the buffer. It is staff's position that this buffer is similar to other buffers and transitional areas applied through the Zoning Code and serves as a separation between the campus development and the adjacent residential neighborhood. As such, the removal of the structure is not at odds with this locational buffer. In fact, there is nothing in the overlay that requires the preservation of the structures in this two block location.

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 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."



Metro Planning Commission Meeting of 03/24/2011

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"

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 enacting ordinance since this portion of the plan will continue to serve as an area that will separate the institutional uses from the surrounding residential uses and provide the intended transition between the university buildings and the existing residential neighborhood to the east.

If the Planning Commission determines that structures need to be maintained in the buffer, then the Commission can require that the structure at the corner of 15th Avenue South and Acklen Avenue to remain. 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 to accommodate the proposed roundabout. Details of the front of the house have been provided to show how a renovated porch can be accommodated. The overlay allows for setbacks to be reduced. There is also the option of keeping the existing four-way stop, but this may conflict with the TIS and would need to be approved by the Metro Traffic Engineer.



Metro Planning Commission Meeting of 03/24/2011

Parking on 15th Avenue South

In order to support the traffic signal at Wedgewood and 15th Avenue South, turn lanes are proposed to be added and a number of the on-street parking spaces on 15th Avenue South are proposed to be removed. There are two properties along 15th Avenue South between Wedgewood and Acklen not currently owned by Belmont University. The current plan includes the necessary lanes to support the traffic signal and four on-street 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 South. 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 University Neighborhood Advisory Group

An advisory committee made up of community and Belmont representation was established with the Council conditions of the overlay. The members of the Committee were confirmed by the Planning Commission. 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.



Metro Planning Commission Meeting of 03/24/2011

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 (see below) 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*



Metro Planning Commission Meeting of 03/24/2011

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 S 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 S 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 S. However, this work should be completed within a reasonable amount of time.*
- 7. That residential permit parking be installed all along 15th Avenue S from Wedgewood to Bernard. Part of 15th Avenue S 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.*



Metro Planning Commission Meeting of 03/24/2011

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



Metro Planning Commission Meeting of 03/24/2011

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."

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 Avenue South on the neighborhood and whether the overlay should be continued. Staff recommends that the overlay be continued since the proposed traffic signal is warranted by development that was contemplated in the original overlay document approved by Council. The proposed TIS includes mitigation measures to adequately address traffic impacts of the continued development within the overlay as was called for in the original Council approved plan. In addition, the overlay continues to be the most effective tool for managing the growth of Belmont University over time. The overlay is recognition that the university will grow and provides the structure for that growth.

At the time of the adoption of the overlay in August 2005, Planning records show that Belmont owned three properties in the area bordered by 15th Avenue South, Wedgewood Avenue, 12th Avenue South and the alley to the south of the properties fronting Caldwell Avenue. There are 54 properties in this area and Belmont now owns 28 of these – or 52 percent of the properties. The acquisition of these properties appears to be inconsistent with the purpose and intent of the Institutional Overlay District as provided in the Zoning Code.



Metro Planning Commission Meeting of 03/24/2011

As the university acquires these properties, the purpose of the buffer – separating institutional uses from residential uses – becomes less clear cut. As Belmont becomes the primary land owner, it is not unrealistic to presume that the natural direction for an expansion of the overlay is onto property already owned by the university. If this were to occur, the residential buffer zone would be rendered unnecessary as it would be separating institutional uses from institutional uses, not from a separate residential neighborhood. The expansion of the overlay to 12th Avenue South would also clarify that 15th Avenue South is the appropriate location for one of the main entrances into the campus given its central location between 12th Avenue South and 16th Avenue South, and given its appropriate spacing from the existing signal at 16th Avenue South.

In addition to recommending that the overlay remain in place, staff recommends that the overlay be amended to include the properties in the area bordered by, Wedgewood Avenue, 12th Avenue South and the alley to the south of the properties fronting Caldwell 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



Metro Planning Commission Meeting of 03/24/2011

provide temporary power to the construction offices for Belmont University located at the corner of Acklen and 15th Ave.

WATER SERVICES RECOMMENDATION

Approve

STORMWATER RECOMMENDATIONS

Approve

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 S at Wedgewood and replace with THRU-RT markings.



Metro Planning Commission Meeting of 03/24/2011

- (2) Label the SSWL lane marking for the northbound approach on 15th Avenue S at Wedgewood
- (3) Modify the traffic signal plan to accommodate the pavement marking changes on 15th Avenue S at Wedgewood. Submit signal plan to Chip Knauf at MPW for review.

FIRE MARSHAL RECOMMENDATION

Approved

STAFF RECOMMENDATION

Staff recommends approval with conditions of the final site plan for the off-site roadway improvements for the College of Law building. Staff also recommends that the Planning Commission recommend to the Council that the Belmont University Institutional Overlay remain in place and the overlay be amended to include the properties in the area bordered by 15th Avenue South, Wedgewood Avenue, 12th Avenue South and the alley to the south of the properties fronting Caldwell Avenue.

CONDITIONS

Final Site Plan Conditions:

1. Belmont shall design and redevelop the rear alley parking for properties on the east side of 15th Avenue South between Acklen Avenue 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.
2. 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.
3. With the reconstruction of 15th Avenue South, 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.

Recommended condition to the Metro Council:

The Belmont Institutional Overlay remain in place, and that Belmont University submit an amendment to the overlay, within two years of the approval of the final site plan for the roadway improvement associated with



Metro Planning Commission Meeting of 03/24/2011

the College of Law building, to include the properties in the area bordered by 15th Avenue South, Wedgewood Avenue, 12th Avenue South and the alley to the south of the properties fronting Caldwell Avenue. If Belmont has not filed an amendment application within this time period, no further final site plans shall be approved until an application is submitted.

Applicant's response to issues raised by the Planning Commission:

EXISTING ON-STREET PARKING.

There is currently unmarked on-street parking on both sides of 15th. The existing 32-foot pavement width does not meet Metro standards for parking on both sides. Using Metro's standard of 23 feet for stall length, approximately 9 spaces can be accommodated on the east side and 11 on the west side.

Parking is mostly associated students, which is both seasonal and limited to week days between 8:00 am and 4:00 pm. A parking study prepared by me in August 2010, when students were out for the Summer, found four cars or less on 15th during the morning and evening periods. The cars were associated with the one owner-occupant on each side at the time. The parking study also concluded that there was sufficient on-site parking. The collective parking requirements for the block, based on the zoning code, are 18 spaces and there were 18 spaces available. The study recommended that the alley serving the housing on the east be improved for better access and that parking with access from the alley be clearly marked. Belmont has submitted an improvements plan to Planning.

The east side became eligible for residential permit parking in August 2010. There are no street signs indicating any use currently.

PROPOSED ON-STREET PARKING.

The traffic improvements for 15th include reconfiguring and saving parking on the east side of 15th, which is the side where the rental apartments are located. There are no longer any owner-occupants on the east side. Because the existing pavement width is narrow, there is limited room for the proposed three lanes which means that on-street parking can be retained on one side only – the east.

In the initial phase, without any acquisition, four spaces can be reconfigured based on Metro's standards. A second phase is anticipated based on 1) acquiring the one remaining non-Belmont property on the west side and/or the one remaining non-Belmont property on the east side and 2) widening the right-of-way. Widening the right-of-way allows for the proposed three lanes and additional reconfiguration of approximately four more on-street spaces on the east side. The owner on the west side has adequate on-site parking and has agreed to the removal of on-street parking. The owner on the east side, who has been informed of the project, has adequate on-site parking and the availability of the residential permit parking which remains in place in both phases.

TRAFFIC SIGNAL AT WEGEWOOD AND 15TH.

The traffic signal and lane improvements at Wedgewood and 15th Avenues were part of Public Works' approval of the two-phase Health Sciences building in 2001. Ginger Hausser requested that the signal and lane improvements not be made at the time because a member of the advisory



Metro Planning Commission Meeting of 03/24/2011

committee living on 15th objected. Ginger Hausser also included language in the I-O approval in 2005 that any installation of a traffic signal involve Planning Commission making a recommendation to Council on retaining the I-O. The committee member on 15th who initially objected to the signal has since removed their objection.

15TH AVENUE'S RELATIONSHIP TO STREET SYSTEM SERVING THE CAMPUS.

Belmont is an urban campus developed over and served by a grid system of 13 streets and 17 access points. 15th has served as an institutional access street for over 120 years beginning in 1890 with Ward Belmont Seminary and transferring in 1951 to Belmont College/University. 15th has also provided access for over 50 years for the former WSM TV Station that currently serves as Metro's Office of Emergency Management and Emergency Communications Center. And 15th has provided access equally as long for residential uses including single-family, large-scale multi-family and more recently Belmont dormitories. All of these uses have focused historically on 15th as access to the Wedgewood Avenue major arterial.

In regard to major arterial access for the campus, both 15th Avenue and E. Belmont Circle provided connection with Wedgewood Avenue. 15th provided the better connection because it aligned with 15th on the north side of Wedgewood. E. Belmont Circle was less effective because of the significant misalignment with Villa Place on the north side of Wedgewood. In conjunction with approval of the Health Sciences building in 2001, an additional access was created with the building's major parking structure using the existing public alley between Wedgewood and Acklen that aligned with Villa Place on the north side of Wedgewood. At the same time as the alley improvements, and in accordance with the I-O, Belmont made the approved intersection improvements at E. Belmont Circle and Wedgewood to enhance its accessibility with the campus.

According to the Traffic Impact Study prepared in 2005 for the I-O, the alley improvements were effective in directing more traffic to the Health Sciences parking structure. The increase in alley access may have been perceived by drivers as a safer and more convenient access than E. Belmont Circle.

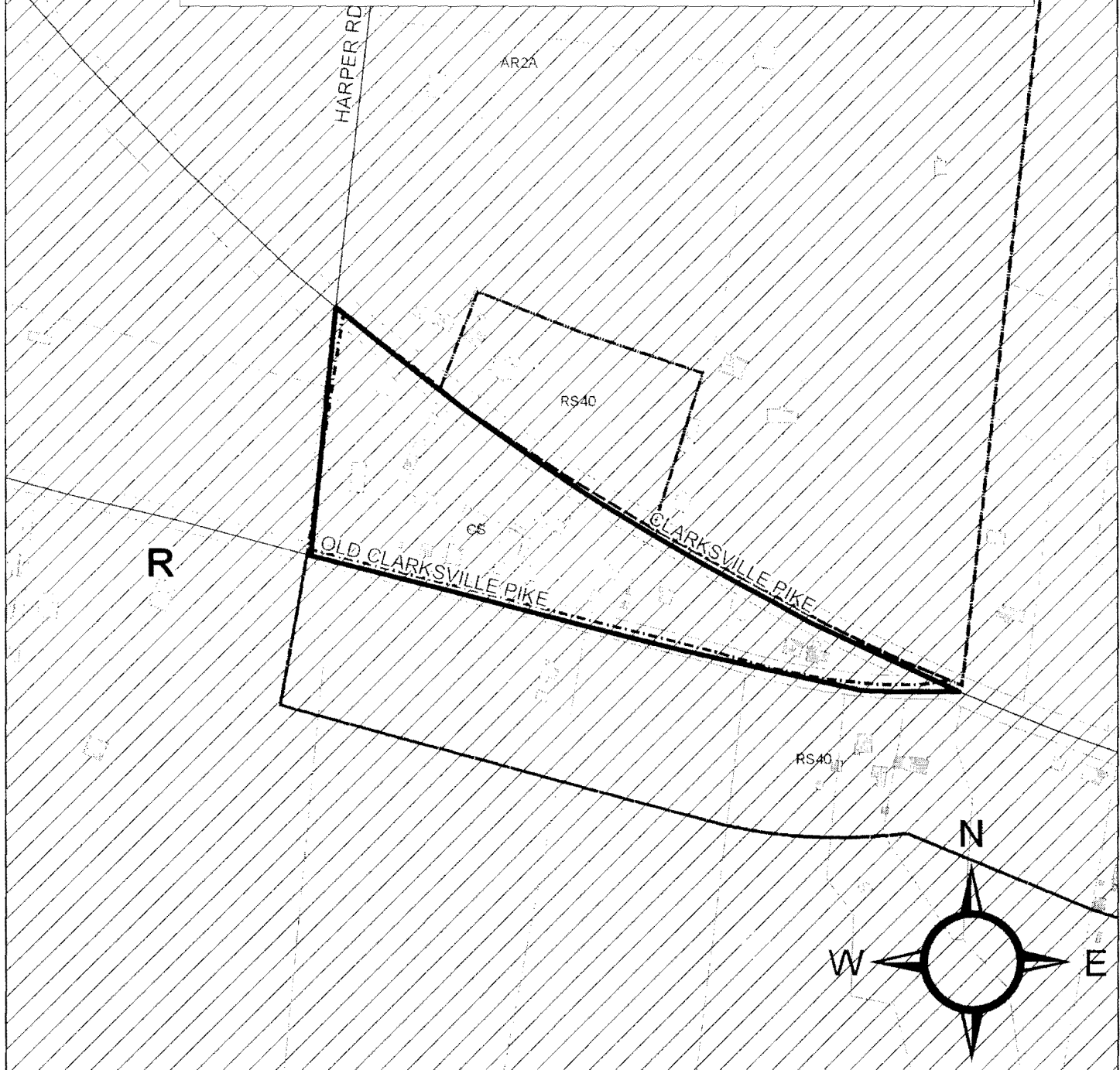
A Traffic Impact Study focusing on the Wedgewood access for the campus was conducted in 2009 in determining the relevance of E. Belmont Circle, the public alley, 15th and Acklen Avenue's connection with the three. The study concluded that the closure of E. Belmont Circle and an adjoining portion of Acklen was manageable and expected to affect a negligible amount of peak hour traffic. In accordance with the I-O, the request to close E. Belmont Circle and an adjoining portion of Acklen was submitted and approved by the Planning Commission in September 2009. The closure was supported by the Neighborhood Advisory Committee.





The importance of 15th historically and currently by a multiple number of users, while evident, is consistent with the use approved in the 2005 Traffic Impact Study submitted with the approved I-O. The Traffic Impact Study Update in 2010 concludes that the number of vehicles turning south onto 15th from Wedgewood Avenue at peak times is consistent with the number that was projected to be using this portion of 15th in the original 2005 Traffic Impact Study. In addition, this latest Traffic Impact Study concludes that vehicular access to the campus is spread somewhat evenly across all major access points on campus.

COMMUNITY PLAN POLICY CHANGES and ASSOCIATED CASES

- **Amendments**
- **Specific Plan**

Joelton Community Plan Amendment Harper Road / Clarksville Pike Case # 2011CP- 001- 001



-  Plan Amendment Boundary where Special Policy will be applied
-  R Rural Land Use Policy
-  Existing Zoning
-  Existing Buildings



Project No. Housekeeping Amendment 2011CP-001-001
Request *Joelton Community Plan: 2003 Update*
Associated Cases 2010Z-030PR-001
Council District 1 – Matthews
School Districts 3 – North
Requested by Metro Planning Department

Staff Reviewer Adams
Staff Recommendation *Approve*

APPLICANT REQUEST Amend the Joelton Community Plan to add a special policy

Amend the Community Plan A request to amend the Joelton Community Plan: 2003 Update to add Special Policies to the existing Rural Land Use Policy to identify the properties located near 7000 Harper Road as a Mixed Use Center.

CRITICAL PLANNING GOALS N/A

BACKGROUND On January 13, 2011, the Planning Commission recommended approval of a zone change from CS to MUN for the property located at 7000 Harper Road. Staff's analysis determined that surrounding properties (nine properties in total) formed a contiguous node of land with commercial zoning (CS) and that this area was an appropriate location for a rural-scaled mixed use center with non-residential land uses.

In approving the zone change, the motion adopted by the Planning Commission included a directive that staff prepare a "housekeeping" amendment to the community plan to acknowledge the existing zoning and mixed use identity of this node. The housekeeping amendment will note that this node is an appropriate location for low intensity commercial uses within the Rural Land Use Policy.

COMMUNITY PARTICIPATION Notification of the amendment request and the Planning Commission Public Hearing was posted on the Planning Department website and mailed to surrounding property owners within 500 feet of the subject site. The amendment was classified as a "housekeeping" plan amendment where a community meeting and early postcard notification are not required. The Planning Commission however, directed staff to host a community meeting. A community meeting was held on Tuesday March 8th from 6 pm to 7 pm at the



Metro Planning Commission Meeting of 03/24/2011

First Baptist Church Joelton. Five community members and the district council member were in attendance. The meeting attendees expressed support of the amendment.

JOELTON COMMUNITY PLAN

Current Policy

Rural (R)

R is intended for areas that are physically suitable for urban or suburban development, but where the community has chosen to remain predominantly rural in character. Agricultural uses, low intensity community facility uses, and low density residential uses (one dwelling unit per two acres or lower) may be appropriate.

Proposed Special Policy

Special Policy Area #2

The existing Rural Land Use Policy will include Special Policy that will identify properties located near 7000 Harper Road as a mixed use center. The following design principles within this special policy area shall apply:

Access

Where a property has double frontage, primary access should be from Old Clarksville Highway. Access and driveways should also be shared where possible.

Building Form

To preserve the rural character in this area, buildings should be one to two stories in height with low to moderate lot coverage. Buildings should orient toward Clarksville Highway and be placed on the site to preserve natural areas along Clarksville Highway.

Connectivity (Bike and Pedestrian)

A bike lane is planned along Clarksville Highway in the *Strategic Bikeways and Sidewalk Plan*. Due to the rural character of Clarksville Highway, a multi-use path that accommodates pedestrians *and* bicyclists is also appropriate. Other pedestrian paths should be provided on-site and should provide cross access between businesses and parking areas.

Density / Intensity

Much of this area is zoned CS (Commercial Services). CS zoning may create a development pattern that is not consistent with the intent of the Rural Land Use Policy or the creation of a mixed-use center. If future zone changes are proposed in this area, zoning districts such as MUN (Mixed Use Neighborhood) and CN (Commercial Neighborhood) should be considered. When warranted, a site plan may be required to guide site design.



Metro Planning Commission Meeting of 03/24/2011

Landscaping

Landscaping should be utilized to shield parking areas, utilities and building systems from adjacent rural residential areas. Fences associated with landscaping should be designed to provide security while complementing the surrounding rural environment.

Lighting

Lighting should be pedestrian scaled and should be projected downward to minimize impacts on adjacent rural residential areas.

Parking

Parking should be located beside or behind the building and should be accessed from Old Clarksville Highway. Clarksville Highway is a planned scenic corridor and therefore parking is encouraged to be on the side or behind the buildings. Bicycle parking is encouraged.

Signage

Signage should alert motorists, pedestrians, and cyclists to their location and assist them in finding their destination. The design and location of signage should complement the rural character of the center. Appropriate signs include building signs, projecting signs, or awning signs.

Utilities

Utilities should be carefully screened from public view.

ANALYSIS

Physical Site Conditions

The area surrounding 7000 Harper Road has no development constraints. This area of the Joelton Community is relatively flat, while areas to the north and south have environmental constraints due to steep slopes.

Land Use

Land uses in the amendment area include single family residential, vacant / farm land, and an industrial land use.

Access

Properties in the amendment area are located between Clarksville Highway and Old Clarksville Highway. Four of the properties in the amendment area have frontage on both Clarksville Highway and Old Clarksville Highway. To encourage access management in this mixed-use area and facilitate the movement of goods and people along Clarksville Highway, the Special Policies encourage primary access to be located on Old Clarksville Highway.

Development Pattern

The development pattern and character is rural and can be characterized by large and irregular lots, deep setbacks, and low density / intensity development. The proposed Special Policies are based on T2 Rural Transect principles and encourage the preservation of the rural character while



Metro Planning Commission Meeting of 03/24/2011

promoting the creation of a walkable mixed-use center that is rural in character.

Historic Features

There is a farmstead located at 6728 Clarksville Pike that is considered Worthy of Conservation. This farmstead is *not* within the plan amendment area; it is nearby. The proposed Special Policies encourage development that complements and preserves the rural character of this property.

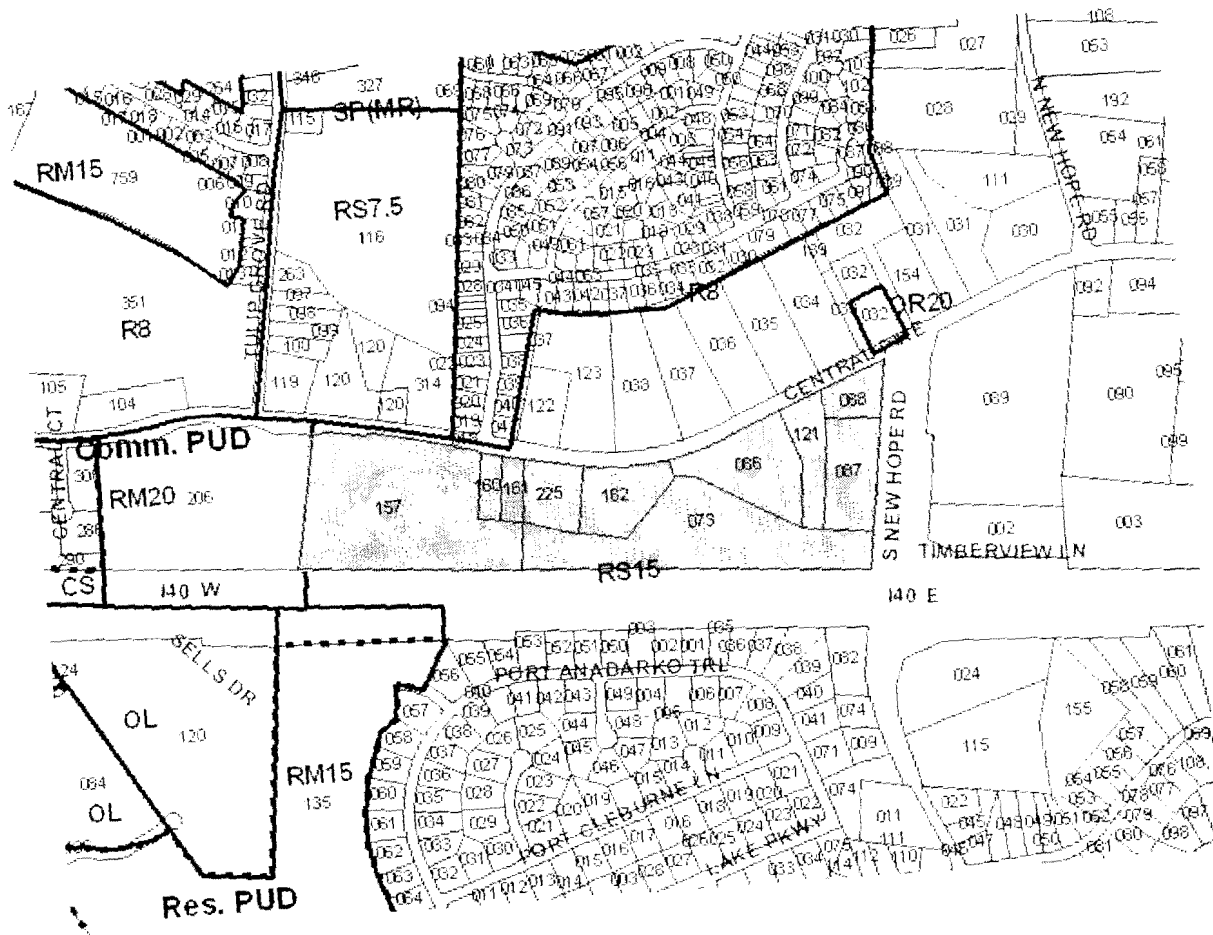
Conclusion

This amendment acknowledges the existing CS and MUN zoning and provides guidance for changes in land use and zoning that create a rural-scaled mixed use center. The proposed Special Policy allows the existing Rural Land Use Policy to be more consistent with the existing land uses and zoning in the amendment area.

STAFF RECOMMENDATION

Approve

SEE NEXT PAGE



2011CP-014-001
 DONELSON HERMITAGE COMMUNITY PLAN AMENDMENT
 Map 086, Parcel(s) 157, 160-162, 225, 086
 Map 087, Parcel(s) 121, 087, 088
 Map 098, Parcel(s) 073
 Donelson - Hermitage
 12 - Jim Gotto



Project No.
Project Name

Major Plan Amendment 2011CP-014-001
Donelson-Hermitage-Old Hickory Community Plan: 2004 Update

Associated Case
Council District
School Districts
Requested by

2011SP-005-001
12 – Gotto
4 – Shepherd
Anderson, Delk, Epps & Associates, Inc., applicant
Chris Pardue and Central Pike Church, owners

Staff Reviewer
Staff Recommendation

McCaig
Approve, if the associated rezoning, 2011SP-005-001, is approved.

APPLICANT REQUEST

Amend the land use policy from Corridor General to T3 Suburban Community Center.

Amend the Community Plan

A request to amend the *Donelson-Hermitage-Old Hickory Community Plan: 2004 Update* by changing the current Land Use Policy Corridor General (CG) to Community Character Policy T3 Suburban Community Center (T3 CC) for property located along the south side of Central Pike, west of the intersection with South New Hope Road.

CRITICAL PLANNING GOALS

The proposed T3 Suburban Community Center policy is intended to meet the critical planning goal of supporting infill development. It meets this goal by:

- Developing in an existing community at a higher intensity than before
- Focusing development along a major corridor
- Adding development where existing infrastructure is available
- Providing a mixture of uses that complements surrounding land uses
- Minimizing vehicular access points

DONELSON-HERMITAGE COMMUNITY PLAN

Current Policy
Residential Medium (CG)

CG policy is intended for areas at the edge of a neighborhood that extend along a major street and that are predominately residential in character. CG areas contain a variety of residential development along with larger-scale civic and public benefit activities.



Metro Planning Commission Meeting of 03/24/2011

Proposed Land Use Policy T3 Suburban Community Center (T3 CC)

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

BACKGROUND

The applicant's property is approximately 25 acres. As part of the review process, the plan amendment area under consideration was increased to include property east to South New Hope Road to establish a firm policy boundary. The total acreage of the plan amendment area is approximately 45 acres.

During the Donelson-Hermitage-Old Hickory Community Plan update process in 2003 and 2004, stakeholders were concerned about commercial uses creeping from corridors such as Old Hickory Boulevard and Lebanon Pike into undeveloped or residential areas. Corridor General policy was placed along this stretch of Central Pike due to its predominant residential character and adjacency to the commercial center policy at the intersection with Old Hickory Boulevard.

COMMUNITY PARTICIPATION

Planning staff held a community meeting regarding the Community Plan Amendment request on March 8, 2011 with the District Councilmember and stakeholders; approximately 40 people attended the meeting. Notification of the amendment request and the Planning Commission Public Hearing was posted on the Planning Department website and mailed to surrounding property owners and known groups and organizations within 1,300 feet of the subject site. Stakeholders had numerous questions about the rezoning process and raised concerns about the proposed development, including increasing traffic, exacerbating stormwater runoff issues, and increasing commercial and office space when there are currently vacancies in the larger area. The District Councilmember held an additional community meeting on March 17, 2011 to discuss the associated rezoning proposal with the



Metro Planning Commission Meeting of 03/24/2011

community and to continue the conversation between the developer and the community.

ANALYSIS

Physical Site Conditions

The plan amendment area's topography is relatively flat with no prohibitively steep slopes. The amendment area does have a stream and pond and associated stormwater regulation buffers which should be taken into account with any development of this property.

Land Use

Currently, the plan amendment area contains five single-family houses, a small church and a larger church along with a daycare. The associated rezoning request pertains to the small church and three single-family houses.

Access

At present, properties are accessed from individual driveways along Central Pike. The applicant, however, proposes to consolidate access and also provide cross access from the adjacent apartment complex into the development and to the east as part of the rezoning. This parallel route to Central Pike is necessary to ease traffic along Central Pike.

Central Pike has a planned bike lane as part of the *Nashville-Davidson County Strategic Plan for Sidewalks and Bikeways*.

The proposed T3 Suburban Community Center policy would call for – and the development proposes to provide – sidewalks along Central Pike and within the development.

Development Pattern

The development pattern in the area is predominantly single-family residential. To the north, across Central Pike, are single-family houses and one small office use. Single-family residential uses continue to the east of the plan amendment area, with some vacant properties, along Central Pike. Adjacent on the western boundary is a large apartment complex, the Colonnade Apartments. Further west are the commercial activities of the center along Old Hickory Boulevard and additional multi-family uses. I-40 abuts the area on the south side.

The T3 Suburban Community Center policy along Old Hickory Boulevard was recently expanded to include a vacant ten-acre parcel near Hermitage Woods Drive. This property also had an accompanying rezoning for a mixture of uses as it is planned to be developed in the future. There



Metro Planning Commission Meeting of 03/24/2011

is also a medical office complex further west along Central Pike at the intersection with Dodson Chapel Road that was recently expanded to include another parcel. There are currently building vacancies there also.

The Colonnade apartments, on the western boundary of the amendment area, were developed in the mid-1990s. When the Donelson-Hermitage Community Plan was being updated in 2003, some stakeholders were very concerned about the concentration of apartments along the Old Hickory Boulevard corridor. These stakeholders did not want to see additional multi-family properties developed in this area as at that time there were numerous multi-family vacancies. Other stakeholders, however, were concerned about the expansion of commercial development from Old Hickory Boulevard east along Central Pike. In the end, both the north and south sides of Central Pike were placed in Corridor General policy, which allows higher density housing and civic/public benefit uses.

Since the I-40 corridor abuts the southern edge of the plan amendment area, this area may not be attractive to certain uses, such as single-family housing, while interstate visibility makes the area more attractive for other uses, such as offices and medical uses. The successful leasing of the Colonnade apartments – directly to the west of the plan amendment area – suggests that multi-family housing is a viable option for the plan amendment area, although some community members remain opposed to additional multi-family housing.

Historic Features

There are no recognized historic features associated with this site.

Conclusion

The proposed T3 Suburban Community Center policy allows for a mixture of uses that complements the adjacent commercial center, while still allowing multi-family development and civic/public benefit uses that were allowed in the existing Corridor General policy. Essentially, it allows for a greater mixture of land uses than is encouraged by the existing land use policy.

While allowing for a greater diversity of land uses, the T3 Suburban Community Center policy also includes guidance on form and character of development that can complement the more intensely developed community



Metro Planning Commission Meeting of 03/24/2011

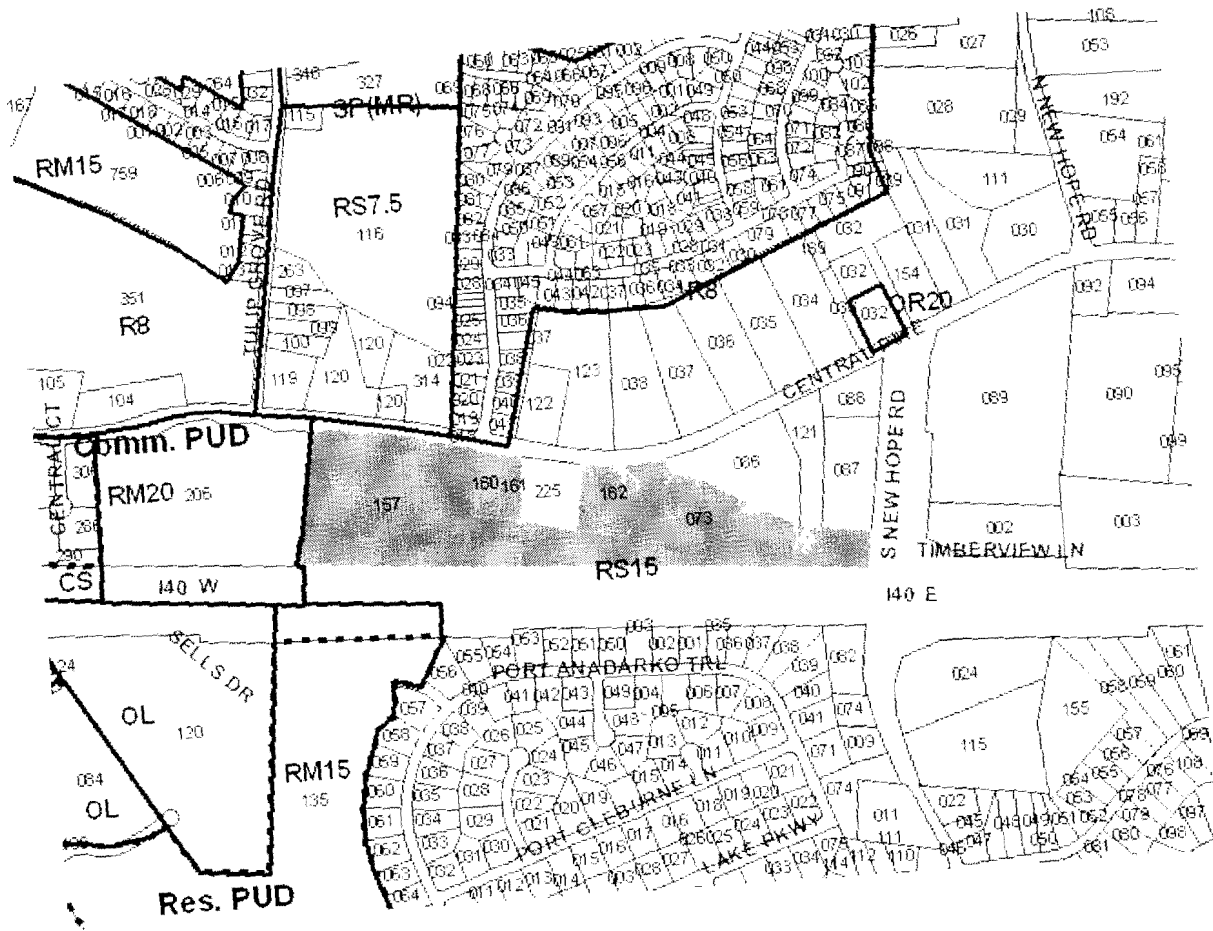
center to the west while providing a smooth transition to the surrounding single-family uses to the east and north.

Hermitage is a growing community and continues to be a desirable residential and business location. The proposed Community Plan amendment would allow for growth in the area, while adding guidelines on the form and character of development to create higher quality development with better pedestrian, bicycle and vehicular connections, and improved urban design. The proposed rezoning conforms to the Design Principles of the proposed T3 Community Center policy so no special policy language is needed.

Since the associated rezoning request only covers a portion (approximately 55 percent) of the larger plan amendment area, care should be taken to see that the redevelopment does not adversely impact the remaining single-family homes. The Community Character Manual includes guidance on transitions between existing and planned development, which should aid in creating respectful transitions between proposed development and existing development.

STAFF RECOMMENDATION

Staff recommends approval if the associated rezoning is approved.



2011SP-005-001
 CENTRAL PIKE SOUTH
 Map 086, Parcel(s) 157, 160-162
 Map 098, Parcel(s) 073
 Donelson - Hermitage
 12 - Jim Gotto



Project No. Zone Change 2011SP-005-001
Project Name Central Pike South SP
Associate Case 2011CP-014-001
Council District 12 – Gotto
School District 4 – Shepherd
Requested by Anderson, Delk, Epps & Associates Inc., applicant, Chris Pardue, Donna and Bobby Cloyd and Central Pike Church, owners

Staff Reviewer Johnson
Staff Recommendation *Disapprove; Approve with conditions if the associated Community Plan Amendment is approved and if Metro Public Works has approved a Traffic Impact Study.*

APPLICANT REQUEST Permit land uses consistent with MUL zoning

Preliminary SP A request to rezone from Single Family Residential (RS15) to Specific Plan Mixed Use (SP-MU) zoning for properties located at 4124, 4140, 4144 and 4156 Central Pike and at 6002 S. New Hope Road, approximately 1,200 feet west of S. New Hope Road (25.93 acres), to permit a mixed-use development consisting of office, retail, commercial, restaurant, multi-family and live/work uses.

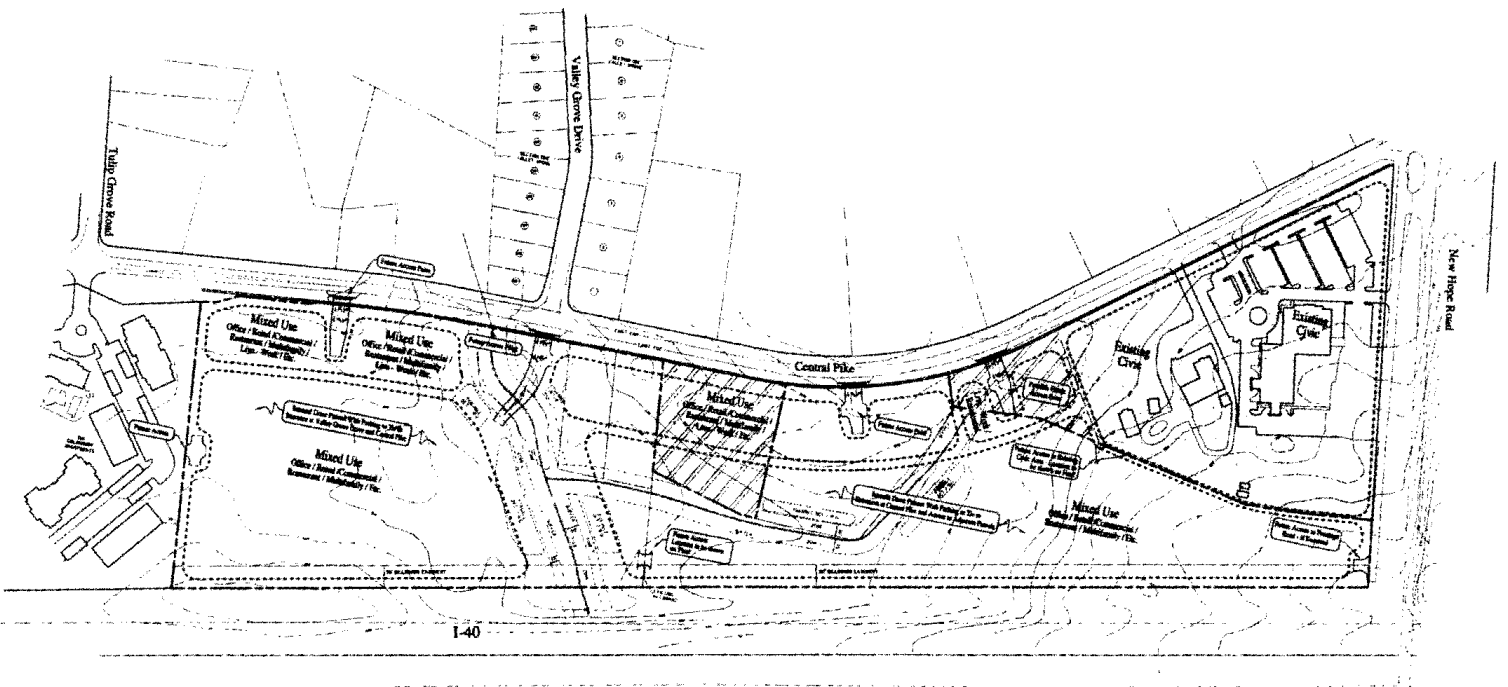
Existing Zoning RS15 District
 RS15 District RS15 requires a minimum 15,000 square foot lot and is intended for single-family dwellings at a density of 2.47 dwelling units per acre.

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

CRITICAL PLANNING GOALS N/A

DONELSON-HERMITAGE COMMUNITY PLAN

Existing Policy Corridor General (CG)
 Corridor General (CG) CG is intended for areas at the edge of a neighborhood that extend along a segment of a major street and are predominantly residential in character. CG areas are intended to contain a variety of residential development





Metro Planning Commission Meeting of 03/24/2011

along with larger scale civic and public benefit activities. Examples might include single family detached, single-family attached or two-family houses; but multi-family development might work best on such busy corridors. An Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

Proposed Policy

T3 Suburban Community Center
(T3 CC)

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

Consistent with Policy?

The SP is not consistent with the existing CG policy because of the relatively large amount of commercial that could be developed through the SP. The applicant proposes to amend the current land use policy through an associated land use policy amendment application to the T3 CC land use policy. With the proposed conditions of approval by staff, the SP would be consistent with the T3 CC land use policy.

PLAN DETAILS

The proposed SP consists primarily of a conceptual site diagram illustrating possible locations for the permitted land uses. Additionally, the diagram identifies intended vehicular access points to Central Pike. The SP also includes limited bulk and architectural standards.

Traffic Impact Study

Comments from Metro Public Works require the approval of a Traffic Impact Study (TIS) prior to approval of a zone change on this site. Because the applicant has not yet submitted a TIS, staff recommends disapproval of the SP. Development of this SP could have a substantial impact on vehicle trips to/from the site. A TIS would identify the necessary infrastructure improvements to support this zone change.



Metro Planning Commission Meeting of 03/24/2011

Land uses

Permitted land uses and bulk standards within the SP generally follow the MUL zoning district. Several uses including warehouse, utility, and several commercial uses permitted within the MUL zoning district have been excluded from the permitted uses list for this SP. The SP intends to permit 'hospital' within the SP. Because this use is not permitted within the MUL zoning district and could result in an intense development on the site that is not consistent with the policy as a stand-alone use, it should be removed from the permitted land uses list.

Bulk Standards

Bulk standards proposed by the SP also generally follow MUL standards, including standards for building heights and floor area ratio (FAR) requirements. Variations to the MUL bulk standards occur in several instances, most notably in required buildings setback requirements.

Building setbacks

The SP includes building setback standards that vary from the Zoning Code, which normally requires a minimum building setback. The SP proposes a required build-to zone for buildings placed along the Central Pike frontage with a maximum setback of 68 feet. This build-to zone will require the placement of buildings along Central Pike with stronger frontage along the public street than would be required by the MUL base zone. The SP specifies that a maximum of one row of parking will be permitted along Central Pike, which will lessen the visual impact of parking along the arterial road.

Although the build-to zone is intended to strengthen street frontage along Central Pike, the SP does not indicate the minimum amount of frontage that must meet the required build-to zone. Without a minimum level of building frontage along Central Pike, the SP may not comply with the intent of the T3 CC policy, which promotes strong building frontage along public streets. A condition of approval has been added to require a minimum of 50 percent of the build-to zone along Central Pike to be occupied by building frontage, which is defined as building façade that fronts onto Central Pike where primary pedestrian access to the building is available.

Interior site layout

While the SP is fairly specific about its layout requirements along the Central Pike frontage, the standards do not contain much information for the intended form of development within the interior or the rear of the SP area. The SP appropriately includes minimum street and side setbacks for the tallest buildings permitted within the site (6



Metro Planning Commission Meeting of 03/24/2011

stories), to keep them away from the street frontage and adjacent residential development. However, the intent for a future internal street and driveway plan is without definition. Ideally, the internal driveways/private streets will develop into a block pattern, where private streets serve as low-speed vehicular and pedestrian travel ways that provide connectivity throughout the SP area and to adjacent properties that could redevelop in the future. Future mixed use development will provide strong building frontages along the internal private street system. Conditions of approval have been added with the intent, requiring minimum levels of cross-connectivity, pedestrian provisions, and building frontage within the interior of the SP.

Access and Parking

The SP proposes three direct vehicular access points to Central Pike. Two other access points, one to Central Pike and one to New Hope Road, are listed as “possible future access points.”

Urban Zoning Overlay (UZO) parking standards are proposed through the SP. Because the project site does not have the characteristics of a typical commercial site within the UZO, including the lack of transit access and connectivity to surrounding residential development, the use of UZO parking standards is not appropriate. A condition of approval has been added to apply non-UZO parking standards of the Zoning Code.

Architectural Standards

The SP includes minimal architectural standards that describe the intent of appropriate building design and specify acceptable materials for exterior walls, roofs, and awnings. These architectural standards do not provide direction in site-specific issues like pedestrian entrance locations or relationships between buildings and streets or public spaces.

Signage

While specific signs are not proposed within the SP, the SP does include language describing the intent for ground signage within its boundary. The proposal would allow for the shortest signs to be placed along Central Pike with a stepped increase in height to Interstate 40 at the back of the site. Ground signage within the build-to zone, or the first 68 feet from Central Pike, on the northern boundary of the SP, are proposed to consist of monument signs and pillar signs with a maximum height of 15 feet. A transition to medium height signs within the remainder of the northern half of the site is proposed to allow for commercial ground



Metro Planning Commission Meeting of 03/24/2011

signs with a maximum height of 20 feet. This would be consistent with the sign standards of MUL zoning. Taller signs are proposed from the middle of the site to the southern edge of the SP boundary along the Interstate 40. The proposed standards would allow billboards with a maximum height of 50 feet and commercial ground signs with a maximum height of 40 feet, consistent with the sign standards of CS zoning. A 50 foot easement along Interstate 40 has been included to permit billboards. This location for this type of sign would have the least negative impacts on the site. The billboard currently existing on the property will remain.

The signage height proposed for the Central Pike frontage, with its maximum 15 foot height maximum, would permit signage that is sized appropriately for passing vehicles and would not overly outsize pedestrians within the SP or along its Central Pike frontage. This is the intent of the T3 CC policy, which states:

“signage alerts motorists, pedestrians, and cyclists to their location and assists them in finding their destination in a manner that is not distracting or overwhelming to the center or the streetscape.”

Allowing for taller ground signs with the MUL zoning standards could conflict with future residential development and would be detrimental to a strong pedestrian environment within the SP and along its Central Pike frontage. Conditions of approval for signage height and location have been added to ensure that all ground signs within the SP shall meet the intent of the T3 CC policy by being visible to vehicular traffic, while providing compatibility to the intended pedestrian realm and future residential land uses.

Community Meeting

A community meeting to discuss this SP proposal and associated plan amendment as well as a proposed SP across Central Pike was held on March 17, 2011. Approximately 60 people were in attendance. A number of issues were raised including traffic and residential density.

NES RECOMMENDATION

1. Developer to provide a civil duct and gear (pad/switch) locations for NES review and approval. This shall cover the entire project area.



Metro Planning Commission Meeting of 03/24/2011

2. Developer drawing should show any existing utilities easements on property and the utility poles on the property and/or r-o-w.
3. Utility easements required adjacent to public r-o-w and centered on the duct runs on the property. Size to be determined.
4. NES can meet with developer/engineer upon request to determine electrical service options
5. NES needs any drawings that will cover any road improvements to Metro r-o-w that Public Works will require.
6. NES follows the National Fire Protection Association rules; Refer to NFPA 70 article 450-27; and NESC Section 15 - 152.A.2 for complete rules (see NES Construction Guidelines under "Builders and Contractors" tab @ www.nespower.com).
7. NES needs to know if the developer has other options on property next to this area, if so NES needs an overall concept plan.
8. If porches are allowed to be constructed beyond the minimum setback limits and into the public utility easements; then the easement will be considered reduced by that much of the easement. Such encroachments may increase the cost of electrical infrastructure to allow for reduced or limited access to equipment. *NES reserves the right to enter and to erect, maintain, repair, rebuild, operate and patrol electric power overhead and underground conductors and communications circuits with all necessary equipment reasonably incident thereto including the right to clear said easement and keep the same clear of brush, timber, inflammable structures, buildings, permanent structures, and fire hazards; all over, under, upon, and across the easement as granted on any plats.*

STORMWATER RECOMMENDATION

Preliminary SP Approved with Conditions

- Any identified wetlands will require a no disturb buffer and shall be identified prior to any final approvals.
- A building currently exists on one of the parcels that may not have been permitted. Any deficiencies should be addressed.

PUBLIC WORKS RECOMMENDATION

- The developer's final construction drawings shall comply with the design regulations established by the



Metro Planning Commission Meeting of 03/24/2011

Department of Public Works. Final design may vary based on field conditions.

- Construct arterial sidewalk per Metro ST-210 (8' sidewalk with 6' grass strip), paved shoulder and curb & gutter per Metro ST-200 along whole project frontage. Construct driveway ramps per Metro ST-324.
- A traffic study is required for this development plan prior to rezoning. The study has been scoped but has not been received.

Maximum Uses in Existing Zoning District: RS15

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	25.93	3.09 D	80 U	847	66	88

Maximum Uses in Proposed Zoning District: SP (MUL)

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (820)	25.93	1 F	1,129,510 SF	32,834	644	3229

Traffic changes between maximum: RS15 and proposed MUL

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+31,987	+578	+3141

Maximum Uses in Existing Zoning District: RS15

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	25.93	3.09 D	80 U	847	66	88

Maximum Uses in Proposed Zoning District: SP (RM40)

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	25.93	40 D	1,037 U	6408	512	588

Traffic changes between maximum: RS15 and proposed MUL

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+5561	+446	+500



Metro Planning Commission Meeting of 03/24/2011

METRO SCHOOL BOARD REPORT

Projected student generation

216 Elementary 121 Middle 78 High

Schools Over/Under Capacity

Students would attend Dodson Elementary School, Dupont-Tyler Middle School, or McGavock High School. All three schools have been identified as being over capacity by the Metro School Board. There is no capacity for elementary and middle school students within the cluster. There is capacity in an adjacent cluster for high school students.

The fiscal liability for 216 elementary students is \$4,320,000. The fiscal liability for 121 middle school students is \$2,843,500. This data is for informational purposes only and is not a condition of approval. This information is based upon data from the school board last updated October 2010.

School Site Dedication

Due to the potential impact of this development on the public school system, the applicant is required by Planning Commission policy to offer for dedication a school site in compliance with the standards of Section 17.16.040 for high schools with a capacity of 2000 students.

This land dedication requirement is proportional to the development's student generation potential. Such site shall be in accordance with the site condition and location criteria of the Metropolitan Board of Education and shall be within the McGavock High School cluster. The Board of Education may decline such dedication if it finds that a site is not needed or desired. No final plat for development of any residential uses on the site shall be approved until a school site has been dedicated to the Metro Board of Education or the Board has acted to relieve the applicant of this requirement. However, failure of the Board of Education to act prior to final plat consideration and approval by the Metropolitan Planning Commission in accordance with its schedule and requirements shall constitute a waiver of this requirement by the Board of Education.

STAFF RECOMMENDATION

Staff recommends disapproval. Staff recommends approval with conditions if the associated Community Plan amendment related to this SP proposal is approved, and if Metro Public Works has approved a Traffic Impact Study related to this SP.



Metro Planning Commission Meeting of 03/24/2011

CONDITIONS (if approved)

1. The following land uses listed within the permitted uses table shall be revised as uses permitted with conditions specified by the Zoning Code:
 - Day care center (less than 75 students)
 - Day care center (more than 75 students)
 - Day care home
 - Vocational school
 - Veterinarian
 - ATM
 - Automobile convenience
 - Home improvement sales
 - Mobile storage unit
2. The “custom assembly”, distributive business/wholesale”, “hospital” and “car wash” land uses shall be removed as permitted land uses.
3. A minimum of 50 percent of the SP frontage along Central Pike for each lot within the SP shall be occupied by building frontage. Building frontage is defined as a building façade that:
 - Faces onto Central Pike.
 - Is located within the required build-to zone.
 - Has a minimum length along Central Pike that is longer than the depth of the same building.
 - Provides primary pedestrian access to the building.
4. A maximum of one row of parking shall be permitted in front of buildings constructed within the Central Pike build-to zone.
5. A phasing plan for the SP boundary shall be submitted prior to any future final SP approvals.
6. A site plan illustrating the intended street/driveway pattern for each phase shall be submitted prior to any final SP approvals within that phase.
7. Future development of the SP shall include vehicular cross-connectivity throughout the SP via private streets/driveways that provide continuous sidewalk connectivity and landscaping (including street trees) along their edges.



Metro Planning Commission Meeting of 03/24/2011

8. Future development shall provide strong pedestrian frontage, including the provision of primary building entrances and walkway connections, to a primary internal street/driveway with a sidewalk. A maximum of two rows of parking may separate a building frontage from any private street/driveway.
9. The ground sign standards proposed within the SP for the Central Pike frontage shall apply throughout the entire site. The plan shall be revised to eliminate the on-premises sign standards on page 3 of the SP drawing set. All other signage shall follow the standards of the MUL zoning district. Billboard standards shall apply as stated within the SP.
10. A maximum of one ground sign per driveway entrance along the Central Pike frontage may be permitted within the SP.
11. Driveway access points to the site shall be limited to the number and general location as shown in the preliminary site plan.
12. The parking standards shall be revised to require non-UZO parking standards of the Metro Zoning Code for allowed uses.
13. Due to the potential impact of this development on the public school system, the applicant is required by Planning Commission policy to offer for dedication a school site in compliance with the standards of Section 17.16.040 for high schools with a capacity of 2000 students or elementary or middle school as determined by the Metro School Board. This land dedication requirement is proportional to the development's student generation potential. Such site shall be in accordance with the site condition and location criteria of the Metropolitan Board of Education and shall be within the McGavock High School cluster. The Board of Education may decline such dedication if it finds that a site is not needed or desired. No final plat for development of any residential uses on the site shall be approved until a school site has been dedicated to the Metro Board of Education or the Board has acted to relieve the applicant of this requirement. However, failure of the Board of Education to act prior to final plat consideration and approval by the Metropolitan Planning Commission in accordance with its schedule



Metro Planning Commission Meeting of 03/24/2011

and requirements shall constitute a waiver of this requirement by the Board of Education.

14. Comments listed above from Metro Public Works and Metro Stormwater shall be addressed on the corrected copy of the preliminary SP plan.
15. All requirements of Chapter 17.24 (Landscaping, buffering and tree replacement) of the Metro Zoning Code for MUL zoning shall be met with any final site plan within the SP.
16. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Metro Council approval, the property shall be subject to the standards, regulations and requirements of the MUL zoning district.
17. A corrected copy of the preliminary SP plan incorporating the conditions of approval by the Metro Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no later than 120 days after the effective date of the enacting ordinance. The corrected copy provided to the Planning Department shall include printed copy of the preliminary SP plan and a single PDF that contains the plan and all related SP documents. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.
18. 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



Metro Planning Commission Meeting of 03/24/2011

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

19. 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.

SEE NEXT PAGE

RECOMMENDATIONS TO THE METRO COUNCIL

- **Text Amendment**
- **Zone Change**
- **Neighborhood Landmark Overlay**

NO SKETCH



Project No.	Text Amendment 2011Z-002TX-001
Project Name	Downtown Code Signage Compliance
Council District	19 – Erica Gilmore 6 – Mike Jameson 7 – Kindall
School District	
Requested by	Metro Planning Department
Staff Reviewer	Ratz
Staff Recommendation	<i>Approve</i>

APPLICANT REQUEST

Amend the dates associated with signage compliance within the Downtown Code

Text Amendment

A request to modify the Metro Zoning Code, Section 17.37 (Downtown Code) by revising the signage compliance deadline.

PURPOSE

This text amendment revises the date that Downtown Code (DTC) Sign Standards will apply to all property within the DTC zoning district.

Existing Law and

The existing regulations provide that all properties within the DTC district boundary that were not zoned CC prior to the adoption of the DTC shall be regulated by the sign standards of the CF (Core Frame) zoning district until June 30, 2011. Then, on July 1, 2011, the sign standards of the DTC zoning district shall apply to all properties zone DTC.

Proposed Bill

The amendment will revise the date that the current standards expire to December 31, 2011 and the date that the new standards are effective to January 1, 2012.

BACKGROUND

During the process of adopting the Downtown Code in late 2009 and early 2010, stakeholders requested that the signage regulations be removed from the proposed DTC standards and studied separately. Many stakeholders felt the sign standards proposed for all of the DTC area, those of the former CC district, were too limiting given the diversity of development types within the Downtown area. Planning staff agreed and as a compromise, the DTC was written so that the new sign regulations would not take effect for 18 months. The intent of this was that during the 18 months a study of signage in the Downtown area would be conducted and new sign standards, appropriately calibrated to the diversity of Downtown, would be written and amended into the zoning code.



Metro Planning Commission Meeting of 03/24/2011

ANALYSIS

The Metropolitan Planning Commission has recently hired a consulting group to conduct a study of the existing signage and signage regulations in Downtown Nashville. The consultants have been hired to produce a comprehensive sign code for implementation in the Downtown Code (DTC) district with the intent that, when completed, these new standards will be amended into the zoning code in place of the existing standards. Since the current Signage compliance standards are scheduled to take affect before the consultant team will have completed the study, this amendment is needed to extend the current compliance deadline. The proposed amendment will extend the deadline for six month until December 31, 2011. The new standards would apply on January 1, 2012. The six month extension should give the consultants time to finish their background work, draft the new sign code, and for the new sign regulations to be adopted by the Metro Council.

STAFF RECOMMENDATION

Staff recommends approval.



Metro Planning Commission Meeting of 03/24/2011

ORDINANCE NO. _____

An ordinance to amend Sections 17.37 (Downtown Code) of the Metropolitan Zoning Code by revising the Signage Compliance deadline. (Proposal No. 2011Z-002TX-001)

WHEREAS the Metropolitan Planning Commission has recently hired a consulting group to conduct a study of the existing signage and signage regulations in Downtown Nashville; and

WHEREAS the consultants have been hired to produce a comprehensive sign code for implementation in the Downtown Code (DTC) district; and

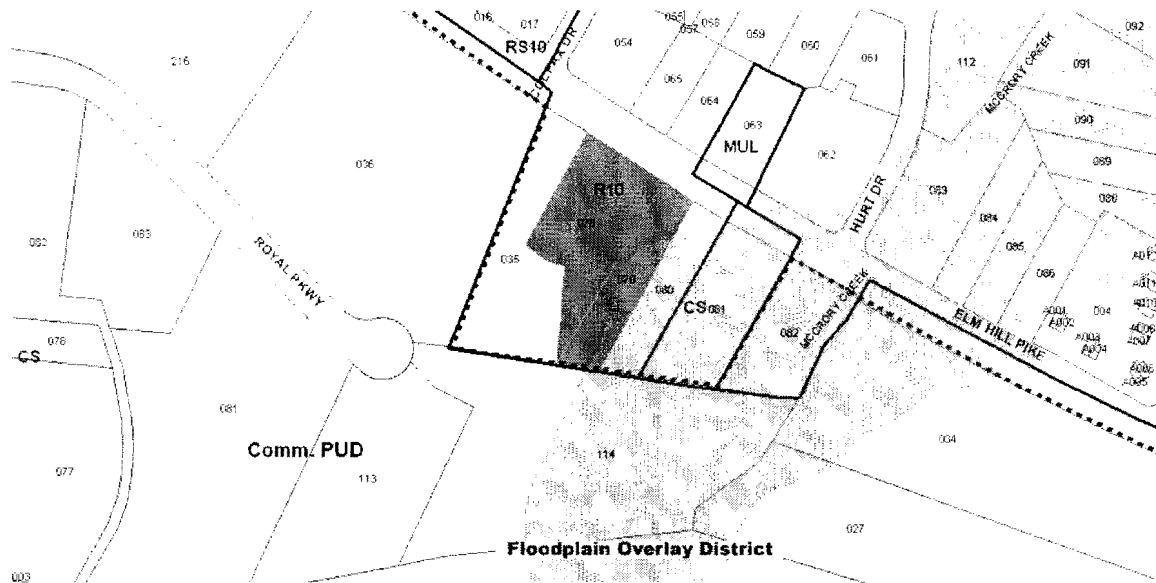
WHEREAS the current Signage Compliance standards of the Downtown Code (DTC) will take affect before the consultant has completed the study;

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

Section 1. Section 17.37. (Downtown Code) is hereby amended by deleting on page 15 under the heading Signage Compliance the phrase "June 30, 2011. On July 1, 2011" and replacing it with the following new phrase:

"December 31, 2011. On January 1, 2012"

Section 2. 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.



2011Z-004PR-001
 2905 & 2907 ELM HILL PIKE
 Map 108-02, Parcel(s) 078-079
 Donelson - Hermitage
 14 - James Bruce Stanley



Project No.
Council District
School District
Requested by

Zone Change 2011Z-004PR-001
14 – Stanley
4 – Shepherd
Barge Cauthen & Associates Inc., applicant, Metropolitan Nashville Airport Authority, owner

Staff Reviewer
Staff Recommendation

Johnson
Approve

APPLICANT REQUEST

Zone change from Residential to Commercial

Zone Change

A request to rezone from One and Two Family Residential (R10) to Commercial Limited (CL) district properties located at 2905 and 2907 Elm Hill Pike, approximately 2,480 feet east of Donelson Pike (1.82 acres).

Existing Zoning
R10 District

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

Proposed Zoning
CL District

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

CRITICAL PLANNING GOALS

N/A

**DONELSON-HERMITAGE
COMMUNITY PLAN**

Commercial Mixed Concentration (CMC)

CMC policy is intended to include Medium High to High density residential, all types of retail trade (except regional shopping malls), highway-oriented commercial services, offices, and research activities and other appropriate uses with these locational characteristics.

Natural Conservation (NCO)

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

Consistent with Policy?

Yes. The proposed Commercial-Limited zoning is consistent with both CMC and NCO policies and is an acceptable zoning classification for these policies. CMC policy allows for most types of commercial land uses



Metro Planning Commission Meeting of 03/24/2011

along arterial roads, including the commercial uses allowed in CL zoning.

NCO policy recommends low-intensity development, and is present for a portion of the subject site because it is located in the floodplain. CL zoning limits individual tenants to a building size maximum, limiting the amount of building intensity allowed on the site. Within the application, the applicant states specifically that the zone change is requested to construct a parking lot for a nearby office building. Any future development will be required to comply with the requirements of the Floodplain Overlay District.

PUBLIC WORKS RECOMMENDATION

A Traffic Impact study may be required at development.

Typical Uses in Existing Zoning District: R10

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	1.82	4.63 D	8 L	77	6	9

Typical Uses in Proposed Zoning District: CL

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	1.82	0.172 F	13,636 SF	288	39	39

Traffic changes between typical: R10 and proposed CL

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+211	+33	+30

Maximum Uses in Existing Zoning District: R10

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	1.82	4.63 D	8 L	77	6	9

Maximum Uses in Proposed Zoning District: CL

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Retail (710)	1.82	0.6 F	47,567 SF	753	104	133



Metro Planning Commission Meeting of 03/24/2011

Traffic changes between maximum: R10 and proposed CL

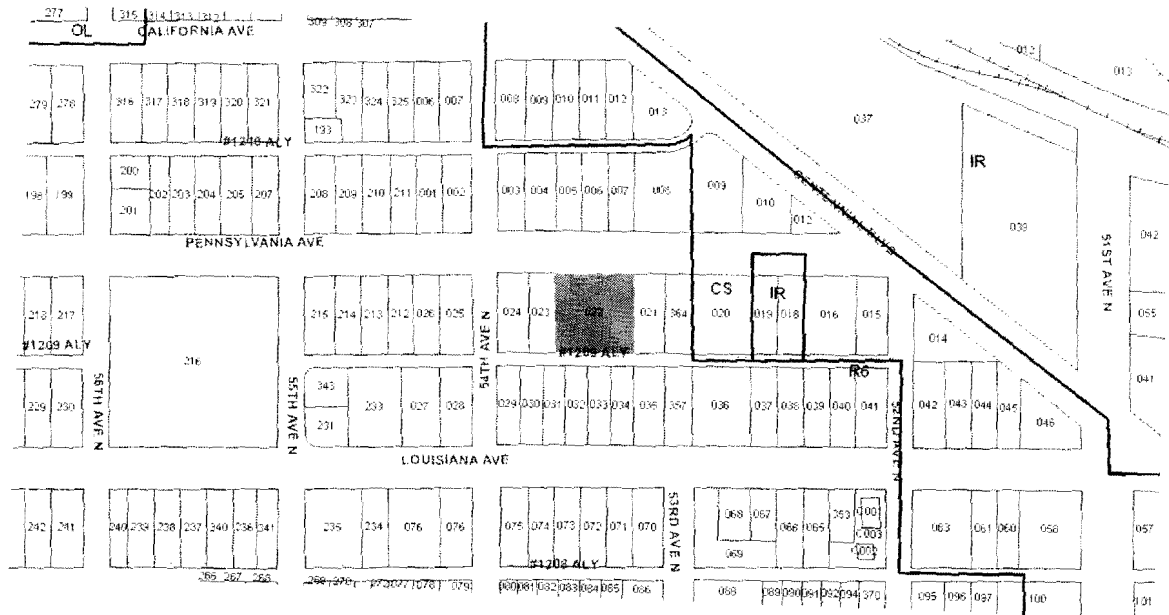
Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+676	+98	+124

METROPOLITAN HISTORICAL COMMISSION RECOMMENDATION

This property is adjacent to the Buchanan Cemetery, which is associated with the National Register-listed James Buchanan House and has burials as far back as the 1830s-1840s. We would advise the applicant and owner to consult with the Buchanan Memorial Association about future plans for the site (contact information available through the Buchanan Log House: www.buchananloghouse.com/james-buchanan-cemetery).

STAFF RECOMMENDATION

Staff recommends approval of the proposed CL zoning district because it is consistent with the CMC and NCO land use policies.



2011NL-001-001
 5305 PENNSYLVANIA AVENUE (PRELIM. & FINAL)
 Map 091-07, Parcel(s) 022
 West Nashville
 20 - Buddy Baker



Project No.
Project Name
Council District
School District
Requested by

Neighborhood Landmark 2011NL-001-001
5305 Pennsylvania Avenue
20 – Baker
1 – Gentry
Dale and Associates, applicant for West Nashville Baptist Church, owners

Staff Reviewer
Staff Recommendation

Swaggart
Approve Neighborhood Landmark District
Approve with conditions the Neighborhood Landmark Development Plan

APPLICANT REQUEST

Apply a Neighborhood Landmark District and approve development plan

Apply NLO and NLO Development Plan Approval

A request to establish a Neighborhood Landmark District and for approval of the Neighborhood Landmark Development Plan for property located at 5305 Pennsylvania Avenue, approximately 125 feet east of 54th Avenue North (0.52 acres), zoned One and Two Family Residential (R6), to permit a single-family residence and a music recording studio (Multimedia Productions) within an existing structure.

Existing Zoning
R6 District

R6 requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25% duplex lots. The zoning would permit the current lot to be split into three new lots and each lot would permit duplex for a total of six units.

Proposed Zoning
Neighborhood Landmark Overlay District (NLOD)

The NLOD is intended to preserve and protect landmark features whose demolition or destruction would constitute an irreplaceable loss to the quality and character of the neighborhood or community.

Under the 17.36.420 of the Zoning Code, a neighborhood landmark is defined as a feature that “has historical, cultural, architectural, civic, neighborhood, or archaeological value and/or importance; whose demolition or destruction would constitute an irreplaceable loss to the quality and character of a neighborhood.” To be eligible for application of the Neighborhood Landmark Overlay District, a property must meet one or more of the criteria set out in 17.36.420, which are as follows:

PENNSYLVANIA AVE

(61' ROW)

54TH AVE

(48' ROW)

ALLEY #1209
(25' ROW)

EXISTING SIGN TO BE REMOVED

N/O BOUNDARY

TREY PL(2)

EXISTING BUILDING

EXISTING PATIO

PROPOSED PATIO

EXISTING

N/O BOUNDARY

10' B & J LANDSCAPE BUFFER

EXISTING 10' x 11'

MULCH

14' x 10' ELEVATED WOOD DECK

N/O BOUNDARY

EXISTING BASEMENT

CONCRETE SIDEWALK

PROPOSED PATIO

5' CONCRETE SIDEWALKS

10' x 10' CONCRETE PAD FOR ROLL OUT CANS W/ 6' SCREEN WALL

EXISTING BASEMENT

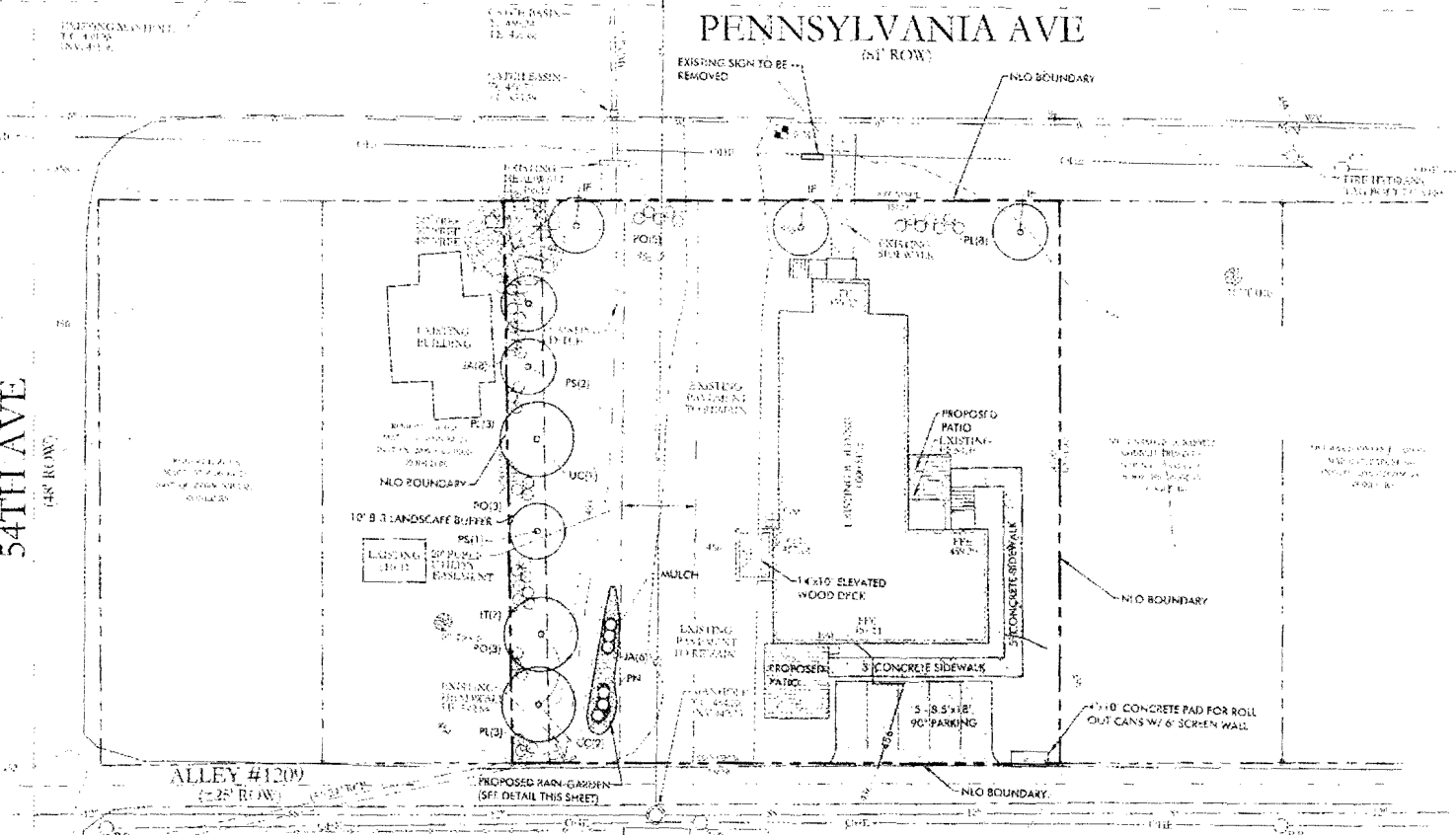
EXISTING BASEMENT

EXISTING BASEMENT

EXISTING BASEMENT

PROPOSED RAJA GARDEN (SFT DETAIL THIS SHEET)

N/O BOUNDARY





Metro Planning Commission Meeting of 03/24/2011

1. It is recognized as a significant element in the neighborhood and/or community;
2. It embodies characteristics that distinguish it from other features in the neighborhood and/or community.
3. Rezoning the property on which the feature exists to a general zoning district inconsistent with surrounding or adjacent properties such as, office, commercial, mixed-use, shopping center, or industrial zoning district would significantly impact the neighborhood and/or community;
4. Retaining the feature is important in maintaining the cohesive and traditional neighborhood fabric;
5. Retaining the feature will help to preserve the variety of buildings and structures historically present within the neighborhood recognizing such features may be differentiated by age, function and architectural style in the neighborhood and/or community;
6. Retaining the feature will help to reinforce the neighborhood and/or community's traditional and unique character.

CRITICAL PLANNING GOALS	N/A
--------------------------------	-----

CRITERIA FOR CONSIDERATION	Section 17.40.160 of the Zoning Code requires that NLOD meet the following six criteria:
-----------------------------------	--

- | | |
|--|--|
| | Section 17.40.160 of the Zoning Code requires that NLOD meet the following six criteria: |
| | <ol style="list-style-type: none">1. The feature is a critical component of the neighborhood context and structure.2. Retention of the feature is necessary to preserve and enhance the character of the neighborhood.3. The only reason to consider the application of the NLOD is to protect and preserve the identified feature.4. There is acknowledgement on the part of the property owner that absent the retention of the feature, the base zoning district is proper and appropriate and destruction or removal of the feature is justification for and will remove the NLOD designation and return the district to the base zoning district prior to the application of the district. |



Metro Planning Commission Meeting of 03/24/2011

5. It is in the community's and neighborhood's best interest to allow the consideration of an appropriate NLOD Plan as a means of preserving the designated feature.
6. All other provisions of this section have been followed.

STAFF FINDING

The purpose of this NOLD is to preserve and protect neighborhood features that are important to maintain and enhance the neighborhood character. The property proposed for the NLOD contains the former West Nashville Baptist Church. The church is a simple white single-story clapboarded structure. The age of the church was not furnished with the application, but it has been there at least several decades, and it is a recognizable feature in the community.

Staff finds that the proposed NLOD meets all criteria for consideration of establishment of a NLOD district. While the church is of simple construction and has no apparent architectural significance, it is a landmark within the community. The inclusion of a limited non-residential use within the structure will aid in the preservation of the structure and property.

PLAN DETAILS

The establishment of the Neighborhood Landmark District requires the approval of Council. *The development plan which implements the District only requires the approval of the Planning Commission only.* The applicant has requested concurrent approval of the overlay and the implementing development plan.

Development Plan

The development plan calls for the existing church building to remain. Proposed uses include single-family residential and a music recording studio which is classified as Multimedia Productions in the Metro Zoning Code. Improvements include minor modifications and repairs to the exterior of the building, landscaping, two new patios, one small deck, and a parking area. New landscaping is proposed along the western property line and along Pennsylvania Avenue. The strip along the western property line will serve as a buffer to the adjacent residential property. A new patio is proposed along the east side of the building within an area that is currently fenced in (and will remain fenced); another is located at the rear of the building. The proposed deck will be located on the west side of the building. The proposed parking area is located



Metro Planning Commission Meeting of 03/24/2011

at the rear along the alley and includes five spaces. No signage is proposed for the site.

**STORMWATER
RECOMMENDATION**

Approved

**PUBLIC WORKS
RECOMMENDATION**

No Exceptions Taken

STAFF RECOMMENDATION

Staff recommends that the Neighborhood Landmark District be approved. The proposed District meets the criteria for consideration found in the Zoning Code.

Staff recommends approval with conditions of the development plan. It implements the proposed Neighborhood Landmark District, and is consistent with all code requirements.

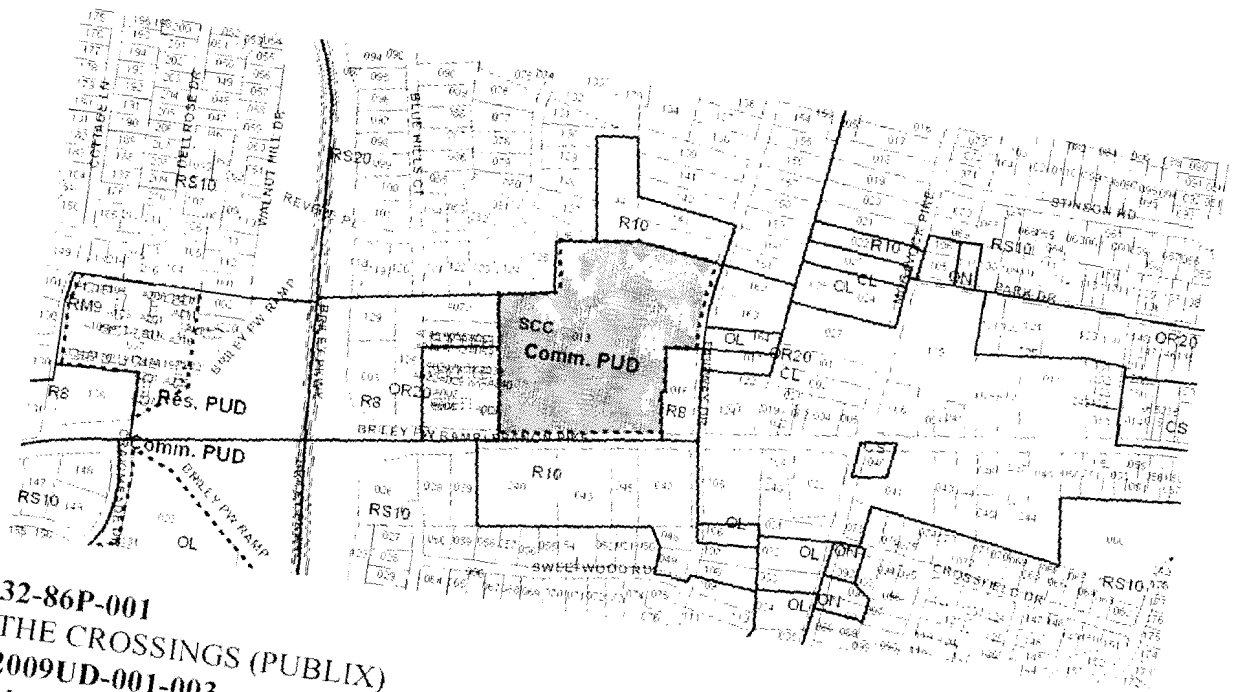
CONDITIONS (development plan)

1. Planning Commission approval of the development plan is conditioned upon Council approval of the Neighborhood Landmark Overlay District.
2. The Planning Commission shall approve any changes to the development plan.
3. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

SEE NEXT PAGE

PLANNING COMMISSION ACTIONS

- **PUD Final**
- **UDO (Amend)**
- **Subdivision (Amendment Change)**



32-86P-001
THE CROSSINGS (PUBLIX)
2009UD-001-003
Map 095-03. Parcel(s) 013
Donelson - Hermitage
15 - Phil Claiborne



Project No. Planned Unit Development 32-86P-001
Project No. Urban Design Overlay 2009UD-001-003
Project Name The Crossings
Council District 15 – Claiborne
School District 4 – Shepherd
Requested by Barge Cauthen & Associates, applicant, for Boyle Crossings LLC, owner

Staff Reviewer Johnson
Staff Recommendation *Approve revision to the PUD with conditions and approve the modifications to the UDO*

APPLICANT REQUEST

Preliminary PUD revision and final approval to reallocate permitted building square footage within the PUD and to redesign parking lot layout; and a modification to the signage standards of the Downtown Donelson UDO.

PUD Revision and Final Approval

A request for a revision to the preliminary and for final approval for The Crossings Commercial Planned Unit Development Overlay located at 2296 Lebanon Pike (15.97 acres), zoned Shopping Center Community (SCC) and within the Donelson Urban Design Overlay District, to permit 148,770 square feet of restaurant and retail uses where 148,770 square feet of retail and restaurant uses was previously approved.

UDO Modification

A request for a modification to the Downtown Donelson Urban Design Overlay (UDO) district sign standards, located at 2296 Lebanon Pike, zoned Shopping Center Commercial (SCC), to allow Publix and future tenants with lease areas over 12,000 square feet and facades taller than 26 feet to vary from requirements of the UDO in order to increase the permitted signage display area

Existing Zoning
SCC District

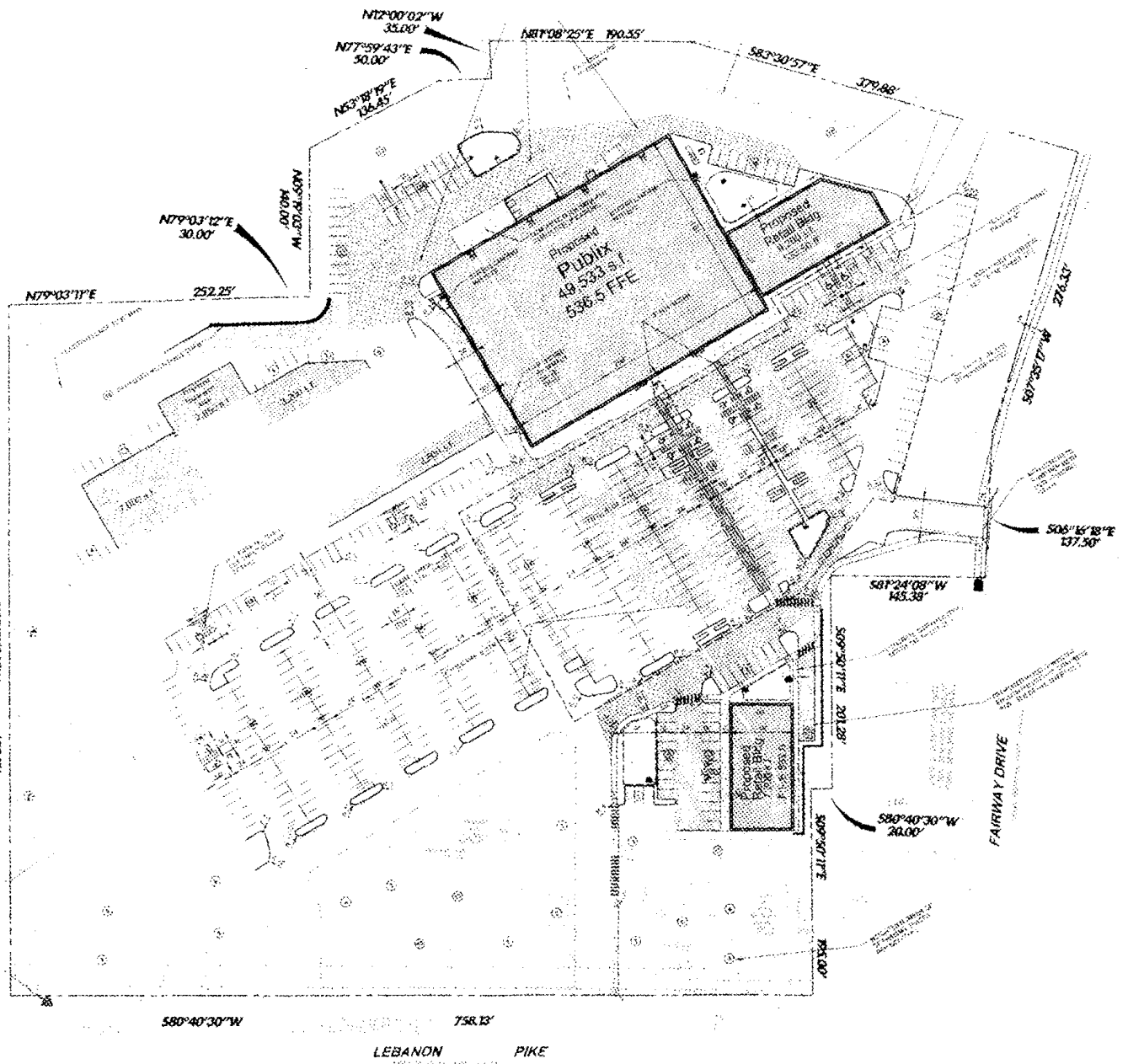
Shopping Center Community is intended for moderate intensity retail, office, restaurant, and consumer service uses for a wide market area.

CRITICAL PLANNING GOALS

N/A

PUD REVISION
Plan Details

This PUD was originally approved by Council in 1986, for 148,770 square feet of commercial square footage. The current proposal revises the PUD to reallocate building square footage within the PUD without increasing the total



580°40'30"W

758.13'

LEBANON PIKE

FAIRWAY DRIVE

N79°03'12"E 30.00'

N12°00'02"W 33.00'
N77°59'43"E 50.00'

N81°08'25"E 190.35'

S83°30'57"E 379.86'

N53°18'19"E 136.85'

S06°14'18"E 137.30'

S01°24'08"W 415.38'

S09°30'17"E 201.28'

S09°30'17"E 195.00'

M.03°04'08"S

M.L.P.C. 01-00-01-000V

M.L.P.C. 01-00-01-000V

M.L.P.C. 01-00-01-000V

307.31'

N79°03'11"E

252.25'

Proposed
Retail Bldg
11,500 SF

Proposed
Publix
49-533 St
536.5 FFE

Proposed
Retail Bldg
11,500 SF

Proposed
Retail Bldg
11,500 SF

FAIRWAY DRIVE

LEBANON PIKE



Metro Planning Commission Meeting of 03/24/2011

amount proposed. All of the proposed commercial uses are permitted by the existing SCC base zoning. Because the PUD does not propose an increase in total square footage, the proposal will not require the approval of Metro Council.

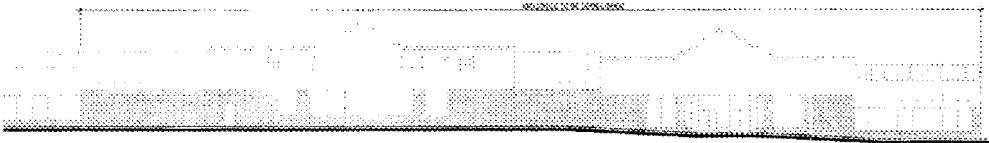
The overall layout of the proposed PUD is similar to the approved layout from 1986. Driveway access from surrounding streets will not change from the current layout. Within the proposed layout, more of the allotted building square footage will be devoted to a grocery store space and to existing individual tenant spaces. The parking lot layout has been revised to include additional parking spaces from the current layout. As proposed, the PUD will comply with Zoning Code requirements for parking.

A new sidewalk is proposed along the Fairway Drive frontage of the property. This sidewalk will provide a direct connection from businesses within The Crossings PUD to the residential neighborhood to the north.

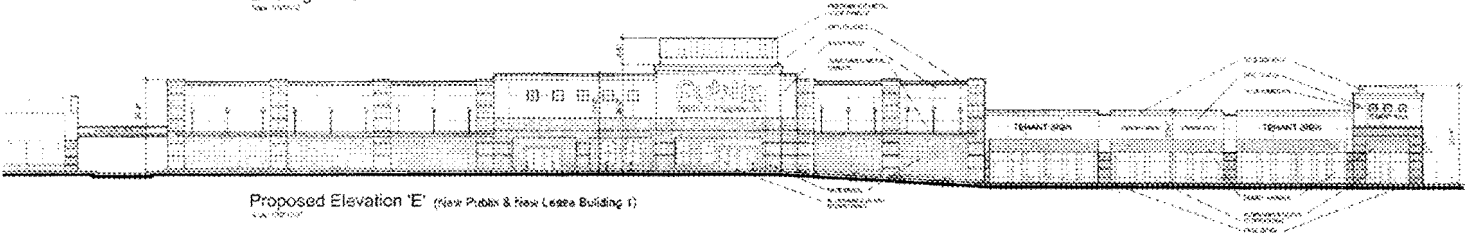
A request for a modification to the Downtown Donelson Urban Design Overlay Sign Standards has been requested for this PUD only. The UDO allows for a maximum area for all building signs to be 15 percent of the façade area for the public entry side, however, each individual sign may only be 5 percent of the façade area or a maximum of 64 square feet. for single story buildings or 84 square feet. for multi-story buildings, whichever is less.

Requested Modifications:

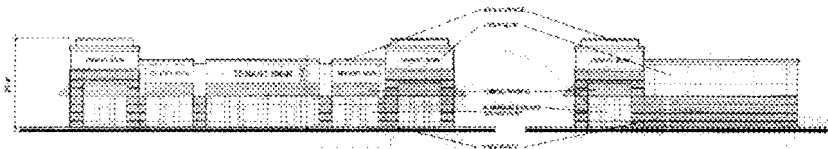
1. The area of the primary individual building sign for the building identified as Publix shall not be limited to 64 square feet. The primary sign, as indicated on the submitted elevation, may contain up to 5 percent of the façade area, 208 square feet, based upon the current planned building. Secondary signs for this building shall be limited to 64 square feet.
2. The area of the primary individual building signs for anchor tenant spaces, with lease areas greater than 12,000 square feet. and facades taller than 26 feet shall not be limited to 64 square feet. Individual sign areas for the spaces may contain up to 84 square feet. Secondary signs for this building shall be limited to 64 square feet.



Existing Elevation 'E'
 500-02002



Proposed Elevation 'E' (New Panels & New Lease Building 1)
 500-02002



Proposed Elevation 'F' (New Lease Building 2)
 500-02002

Proposed Elevation 'G' (New Lease Building 2)
 500-02002



Metro Planning Commission Meeting of 03/24/2011

The Crossing Shopping Center is being “rebranded” to accommodate the Publix as the new main anchor tenant and a major renovation is being undertaken to update the facades on the rest of the shopping center. Staff finds the requested sign size modifications to be appropriate because:

- The tenant spaces benefiting from the larger signs have significant setbacks from surrounding public streets.
- The requested sign sizes are appropriate in proportion to the area of the building facades.
- The requested 84 square feet of signage for anchor tenants is the permitted sign size within the UDO for two-story buildings. Anchor tenants benefiting from the modification will be required to have a façade that is consistent in height to a two-story building.

Staff recommends approval of the requested modifications for building signs.

NES RECOMMENDATION

1. No Issues
2. Developer to provide construction drawings and a digital .dwg file @ state plane coordinates that contains the civil site information (after approval by Metro Planning w/ any changes from other departments)
3. Developer drawing should show any and all existing utilities easements on property.
4. NES follows the National Fire Protection Association rules; Refer to NFPA 70 article 450-27; and NESC Section 15 - 152.A.2 for complete rules
5. NES needs load information and future plans or options to buy other property (over all plans).

PUBLIC WORKS RECOMMENDATION

No Exception Taken

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

FIRE MARSHAL RECOMMENDATION

Approved as a sprinklered project.

STORMWATER RECOMMENDATION

MWS has received the site drawing for the above referenced project. A technical review was performed and the following items were noted:



Metro Planning Commission Meeting of 03/24/2011

1. Provide Maintenance Agreement, Long Term Plan, Dedication of Easement, and recording fees. Provide Grading Permit fee of \$1010.
2. Provide NOC.
3. Provide all civil details (weighted sediment tube, etc.). Consider showing the bioretention elevation and the outlet structure with elevations for each rain garden (not shown for area "B").
4. For the storm structures, provide full storm sizing calculations (hgl's, spread, etc.) for the 1-2 and 2-3 pipe network). No revised calculations were observed.
5. For the canopy drain system cleanouts, show at connections and bends.
6. It appears that the canopy and some of the re-paved parking lot are bypassing water quality features. Unsure of drainage areas. Provide revised water quality drainage maps.

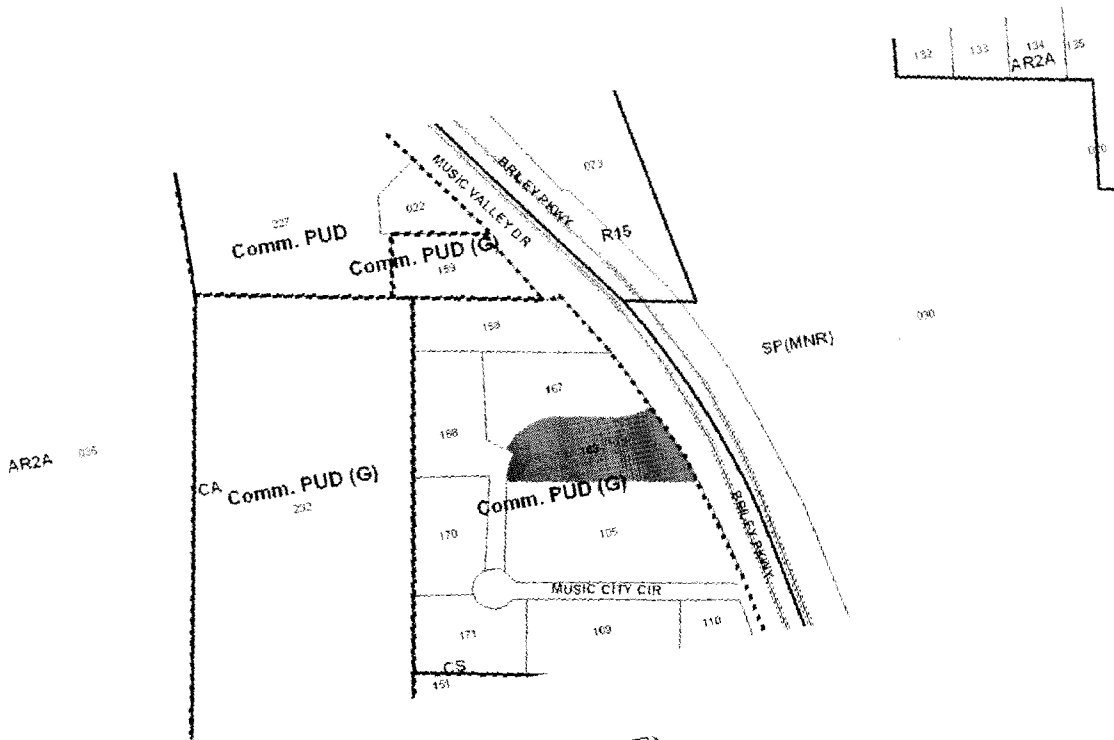
STAFF RECOMMENDATION

Staff recommends approval with conditions of the PUD revision because it is consistent with the original PUD approval. In addition, staff recommends approval of the modification to the Downtown Donelson UDO for signage for this PUD.

CONDITIONS

1. Signage within the PUD shall follow the requirements of the Downtown Donelson Urban Design Overlay as modified for this property.
2. 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.
3. Comments from Metro Stormwater and Metro Public Works shall be met prior to permit approvals within the PUD.
4. Prior to any additional development applications for this property, and in no event later than 120 days after the date of conditional approval by the Planning Commission, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan. Failure to submit a corrected copy of the preliminary PUD within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.

SEE NEXT PAGE



5-73P-001
MUSIC VALLEY (LOGAN'S ROADHOUSE)
 Map 062, Parcel(s) 169
 Donelson - Hermitage
 15 - Phil Claiborne



Project No. **Planned Unit Development 5-73P-001**
Project Name **Music Valley (Logan's Roadhouse)**
Council District 15 – Claiborne
School Board District 4 – Shepherd
Requested By Logan's Roadhouse Inc., applicant for William and Dorothy Oakes et al, owners

Staff Reviewer Sexton
Staff Recommendation *Approve with conditions*

APPLICANT REQUEST

Revise preliminary plan and final approval to permit a restaurant.

Revise Preliminary PUD and Final Site Plan

A request to revise the preliminary plan and for final approval for a portion of the Music Valley Commercial Planned Unit Development Overlay located at 2506 Music Valley Drive (2.19 acres), approximately 2,500 feet north of McGavock Pike zoned Commercial Attraction (CA), to permit a 6,505 square foot restaurant where a 12,000 square foot restaurant was previously approved.

Existing Zoning
CA District

Commercial Attraction is intended for a wide range of amusement, recreational, and retail support uses typically associated with the tourist industry.

CRITICAL PLANNING GOALS

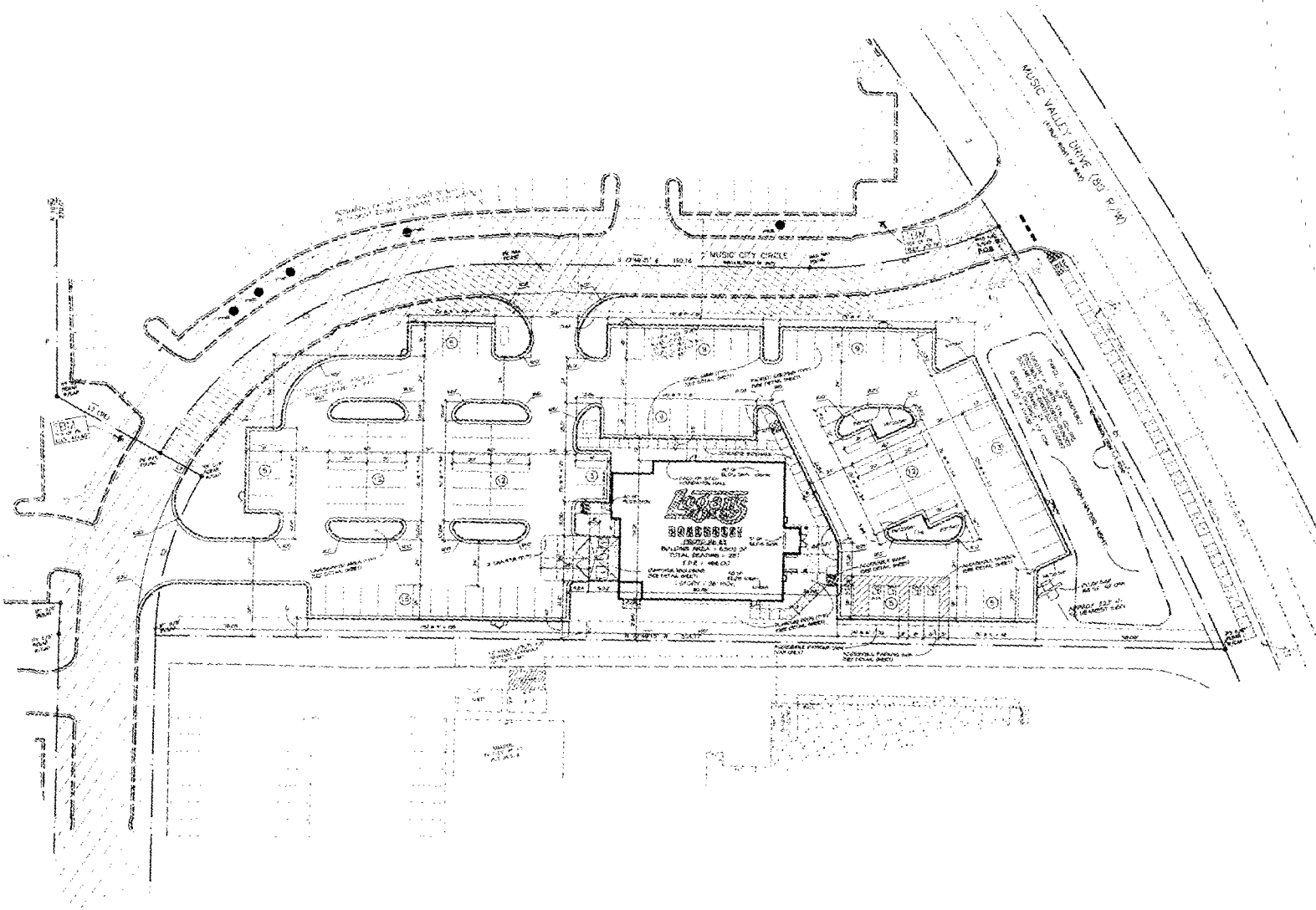
N/A

REQUEST DETAILS

This request revises the preliminary and final PUD for a restaurant. The PUD was originally approved in 1973 and was later amended in 1995 to permit the development of three motels and a 12,000 square foot restaurant. The restaurant was never developed and the property is currently undeveloped. This request is to decrease the floor area of the previously approved restaurant from 12,000 square feet to 6,505 square feet.

Building Orientation/Landscaping

The proposed restaurant will be oriented toward Music Valley Drive. The primary entrance into the building is located on the east side of the building fronting Music Valley Drive. A variety of canopy trees and shrubs are proposed on site and along the perimeter of the property which meets the Urban Foresters requirements for landscaping.





Metro Planning Commission Meeting of 03/24/2011

Parking/Access

The plan proposes a total of 112 on-site parking spaces which meets the Zoning Code requirement for parking. Primary vehicular access to the site is located along Music City Circle Road. Sidewalks are proposed along the perimeter of the property and walkways are proposed along the perimeter of the building. The parking area is located on the north, east and west sides of the building. Internal cross-access between properties and parking lots is available within the PUD.

ANALYSIS

The total floor area of the previously approved restaurant in the PUD will be decreased from 12,000 square feet to 6,505 square feet which does not exceed the floor area authorized by the Council approved PUD plan. The request is within the limits of a revision, and it does not require Council approval.

STORMWATER RECOMMENDATION

1. Please submit the Grading Permit of \$860 made payable to Metro Water Services. The project will not be made available for a preconstruction meeting until the grading permit fee is paid.
2. Please submit the Dedication of Easement to record drainage easements for the water quality unit and dry pond.
3. Upon final review of the O & M Agreement and the Dedication of Easement, the total cost to record both documents will be determined and you will be notified of the total amount required to be submitted for recording.
4. Please submit a copy of the Notice of Coverage and sign and date the NOC note.
5. Please remove inlet protection from existing inlets located in the ROW. These inlets must be able to drain freely and cannot be blocked during rain events. Furthermore, the inlets located in Music City Circle are located upstream of the site and should not be affected by construction.
6. Please provide a drainage area map showing sub-areas flowing to each storm structure. This information should include area, C, Tc, and Q for design event.



Metro Planning Commission Meeting of 03/24/2011

7. The pipe design hydraflow report only shows the capacities of the pipes for a certain depth, using Manning's equation. The pipe system must be sized at a minimum to carry the 10-yr storm event and this is what the pipe report should show. Please provide the information as described in comment #18. The Rational Method should be used to determine the actual flow (10-yr) to each structure. Also provide hydraulic grade line at each structure. Hydraflow Storm Sewer is a commonly used program for this purpose.
8. The pipe material of the pond outlet pipe is required to be either concrete or corrugated metal because it crosses the property line and into the ROW making it a public storm pipe. Please change the 18" HDPE to either 18" RCP or 18" CMP.
9. Submit 3 sets of plans (or revised sheets).

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. Show Music Valley Circle as Public right-of-way per the dedication in 2009.
3. Show Metro ST-200 curb & gutter along Music Valley Drive.
4. Show Metro ST-320 curb ramp at intersection with Music Valley Circle. Included detectable warnings per Metro ST-330.
5. Call out minimum 5-ft grass strip between back of new curb and proposed sidewalk along Music Valley Drive.
6. Include Metro Public Works details.
7. Remove proposed No Parking signs in Music Valley Drive ROW.
8. Along Music City Circle stripe 3 lanes with center Two Way Left Turn Lane along property frontage.

STAFF RECOMMENDATION

Staff recommends approval with conditions. The proposed changes are consistent with the approved plan.

CONDITIONS

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



Metro Planning Commission Meeting of 03/24/2011

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

NO SKETCH



Project No.	Subdivision 2011S-001R-001
Project Name	Subdivision Regulations Amendments
Council District	Countywide
School District	Countywide
Requested by	Metro Planning Department
Staff Reviewer	Bernards
Staff Recommendation	<i>Approve.</i>

APPLICANT REQUEST

Amend the Subdivision Regulations

Amendment

A request to amend certain sections of Chapters 2, 3, 4, 6, 7, and 8 of the Subdivision Regulations of Nashville-Davidson County, adopted on March 9, 2006, and last amended on January 28, 2010.

AUTHORITY

Both the Metro Charter and Tennessee state law authorize the Commission to adopt subdivision regulations. These regulations are intended to "provide for the harmonious development of the municipality and its environs, for the coordination of streets within subdivisions with other existing or planned streets or with the plan of the municipality or of the region in which the municipality is located, for adequate open spaces for traffic, recreation, light and air, and for a distribution of population and traffic which will tend to create conditions favorable to health, safety, convenience and prosperity."

PURPOSE

The current Subdivision Regulations were adopted in March 2006. A three step process for approving subdivisions was introduced as well as chapters on Walkable Subdivisions and Conservation Subdivisions. At the time of adoption, it was anticipated that there would be amendments to the process once it had been applied. After five years of experience with the three-step process, staff proposes that it be fine-tuned based on that experience.

In addition, the Planning Commission adopted the *Community Character Manual* (CCM) in 2008, which introduced a number of new land use policies. Chapters 3, 4, and 7 have references to land use policies. These references have been updated to include the CCM policies. Amendments are also proposed to Chapters 3, 6, and 8 that updated the Regulations. The proposed amendments are discussed in detail below.



Metro Planning Commission Meeting of 03/24/2011

The proposed amendments are included with the packet sent to the Planning Commission and can be viewed at the following link:

<http://nashville.gov/mpc/subdivregs/amend2011.asp>

PROPOSED AMENDMENTS

Chapter 2. Procedures for Plat Approval

There are a number of proposed amendments in this chapter. These include language to add clarification and proposed amendments to improve the process. The options for a minor subdivision, one that can be processed as a final plat have increased. The proposed changes clarify that a subdivision of three or more lots requires Planning Commission approval and the reapplication for the same plat previously disapproved will not be accepted for a period of one year. In the past, plats have been recorded that include reserve parcels. Often the parcels are in reserve until utility services are available. There are some reserve parcels that do not include the reason for the reserve status. Criteria have been added to help guide the Planning Commission in determining when it is appropriate to remove a reserve status.

The original intent of the three step process was to provide four years from the approval of the concept plan to the recording of the plat with the approval of the concept plan being two years and the development plan two years. After processing subdivisions for five years, staff is proposing that the process be amended so that a concept plan approval is in place for four years. Any approvals of the associated development plan would expire with the expiration of the approval of a concept plan. The ability to extend approval of the concept plan has been clarified.

Through the public input process, two additional amendments are proposed. First, the period of the final plat approval has been extended from 180 days to one year. Second, on infill subdivisions where an existing structure becomes non-conforming with the recording of the plat, a process has been included that allows that structure to remain until new construction is undertaken.

Chapter 3. Requirements for Improvements, reservations and Design chapter.

There are a number of amendments proposed to this chapter. Many are minor in nature and are proposed for clarification. The amendments proposed for Section 3-4. Lot Requirements primarily call out when the regulations apply to attached and detached single-family lots. Frontage options are expanded that will allow lots to



Metro Planning Commission Meeting of 03/24/2011

front onto open space. Options for the setback from railway right-of-ways have been expanded to allow the increased setback to be on the property or within common open space.

Section 3-5. Lot Comparability is proposed to be modified and renamed Infill Subdivisions with new standards to ensure infill subdivisions complement existing development. The new standards are more qualitative than quantitative – more about the character of an area and less about the numbers - and more in line with the new CCM Manual. The Planning Commission would retain the ability to evaluate infill subdivision to ensure consistency with the surrounding area's character. Joint access or rear access for narrow lots is also proposed for these subdivisions.

The proposed amendments for Section 3-8. Requirements for Sidewalks and Related Pedestrian and Bicycle Facilities represent the most significant change. Because of this, staff recommends that this section not take effect until mid-June in order to give the development community more time to address this amendment. This section has been reworded to add clarity. The definition of the Financial Contribution to the Pedestrian Network has been moved to Chapter 7 and the bond related details have been deleted as they are covered in Chapter 6. Sidewalks are proposed to be required on all lots within an infill subdivision. Currently, sidewalks are required on the newly created development rights only. Through the public input process this has been further modified to clarify that on corner lots, sidewalks are required on the frontages only. There is a proposed provision that allows the Planning Commission to have the sidewalk placed on the side property line if that location is a more appropriate contribution to the sidewalk network. Bicycle facilities are proposed to be required when called for in the adopted *Strategic Plan for Sidewalks and Bikeways*. Sidewalk widths for residential zoning districts will remain five feet but sidewalks for all other districts, including mixed-use zoning districts, are proposed to be required to be consistent with the Public Works Department standards.

Chapter 4. Conservation Subdivision

The proposed amendments to this chapter are in Section 4-2. Applicability. The reference to Interim Non-Urban land use policy is deleted as this policy is no longer applied in the County. References to Conservation and T2 Rural



Metro Planning Commission Meeting of 03/24/2011

Neighborhood Maintenance CCM policy areas have been added.

Chapter 6. Assurance for Completion and Maintenance of Improvements

There are two important amendments proposed in this chapter, as well as a number of minor amendments that have been made to increase clarity of language. The first amendment is the deletion of a Certificate of Deposit as an option for a security document. The Planning Commission no longer accepts this form of document and the deletion reflects an existing policy of the Commission. The second amendment clarifies the number of times a bond can be reduced. Currently, no more than two reductions for any one agency can be requested. This is proposed to be amended to allow no more than three total bond reduction applications since each application is sent to all agencies for review anyway.

Chapter 7. Definitions

A number of definitions are proposed to be added or modified. The major reasons for the modifications are to add the CCM policy areas, to define the added references to Chapter 3 and to ensure that the definitions for streets are the same as the definitions in the Major and Collector Street Plan. The proposed amendments to the street related definitions shall not come into effect until the updated Major and Collector Street Plan comes into effect.

Chapter 8. Adoption of Regulations and Amendments

There is a minor amendment proposed to Section 8-2. Notice of Public Hearing for Amendments to the Subdivision Regulations. State law requires that amendments be advertised in a newspaper of general circulation at least 30 days prior to the date of the hearing. The Regulations now require 30 days notice and the proposed amendment will add the phrase "at least" before "30 days".

PUBLIC OUTREACH

Details of proposed amendments to the Subdivision Regulations were included in the January 7, 2011, and January 14, 2011 *Development Dispatch*. Included was the link to the Subdivision Amendment page on the Planning Department website and details of two meetings to obtain community input. A third meeting was added and notice sent to the same group. The *Development Dispatch* is sent, via email, to 654 addresses on the Neighborhood Contact list, 735 addresses on the Development Professionals list and 794 addresses from various community lists maintained by the Planning Department. In addition, notice of the third meeting to obtain input was sent to approximately 100 addresses from



Metro Planning Commission Meeting of 03/24/2011

a list managed by the Codes Department and other addresses of development professionals who work frequently with the Planning Department.

Three informational meetings were held. In addition to the notification on the website, the dates of the meeting were included on the MPC Calendar of Upcoming Matters on the Planning Commission agenda. A work session with the Planning Commission, also advertised on the website and listed in the Calendar of Upcoming Matters, was held on February 24, 2011. Finally, as required by State law, a notice was placed in the Nashville City Paper advertising the March 24, 2011, Planning Commission consideration of the proposed amendments.

STAFF RECOMMENDATION

Staff recommends approval and further recommends that the amendments to Chapter 7 to incorporate the *Major and Collector Street Plan* are to become effective when that Plan is effective, Section 3.8 is to become effective on June 15, 2011, and all other amendments are to become effective on March 31, 2011.