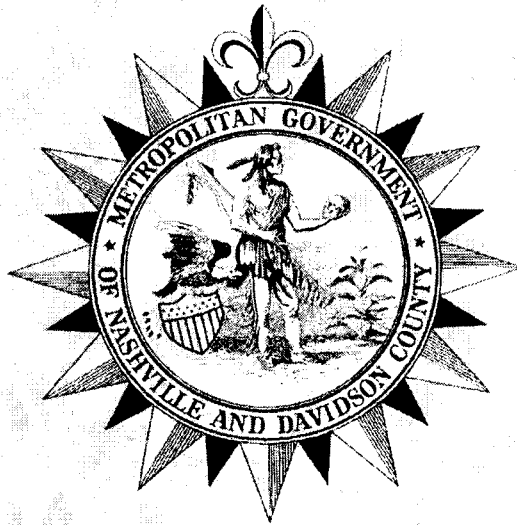


Metropolitan Planning Commission



Staff Reports

May 10, 2012

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.

RECOMMENDATIONS TO METRO COUNCIL

- **Text Amendment**
- **Specific Plans**
- **PUD**
- **Neighborhood Landmark Overlay**

NO SKETCH



Project No.	Text Amendment 2012Z-004TX-001
Project Name	Building Sign Consistency
Council Bill	Substitute BL2012-107
Council District	Countywide
School District	Countywide
Requested by	Councilmember Karen Johnson
Staff Reviewer	Regen
Staff Recommendation	<i>Disapprove</i>

APPLICANT REQUEST

Modify Zoning Code to require on-premise building signs, where more than one use or business is located on a lot, to be consistent with other existing on-premise building signs.

Text Amendment

A request to amend the Metro Zoning Code, Section 17.40.500.E (Modification to Building Signs within Multi-Tenant Developments) to require building signs to be consistent with other signage on the property as to materials, lighting, and size, requested by Councilmember Karen Johnson.

BACKGROUND

The sponsor of this legislation filed a bill, BL2012-107, to address consistency of individual sign panels on a multi-tenant ground sign. The bill required any new sign panel insert to be consistent with the materials, lighting, lettering, and graphic style as the existing sign panels. After learning the bill did not address on-premise building signs, those signs erected over the entrance of a tenant space, the sponsor indicated to staff BL2012-107 would be withdrawn. The sponsor has now reworked the text amendment to address on-premise building signs only; multi-tenant ground signs are no longer a part of the bill. The Metro Council adopted substitute bill BL2012-107 on May 1, 2012; a Council public hearing will be held on June 5, 2012.

CRITICAL PLANNING GOALS

N/A

EXISTING ZONING CODE

When a new tenant leases and wants to replace an existing sign above the tenant space advertising a former tenant, a sign permit is required from the Codes Department for the "change out of the panel." Based on the property's zoning, street frontage, and any overlay districts that apply, the Codes Department reviews sign permits. The new sign is reviewed primarily for its size. However, lighting and materials are also reviewed if the property is located in an urban design overlay or specific plan district. As for a sign's size, it is dependent upon a tenant's amount of on-premise building façade. The Zoning Code allows a tenant to receive 15 percent of its building façade in sign square footage. For example, a tenant space measuring 12 feet tall by 20 feet wide totals 240 square feet of building façade area; 15 percent of 240 square feet is 36 square feet of total sign square footage; the total sign square footage of 36 square feet can be divided among multiple signs on the building façade.



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PROPOSED ZONING CODE

The proposed text amendment requires any and all modifications to an on-premise building sign to be consistent with existing signs in a development containing more than one business or land use. The bill specifically defines consistency as materials, lighting, and size.

ANALYSIS

This bill would apply to tenant/owner on-premise building signage countywide, but only to those properties having more than one land use or business on a lot. If a shopping center were comprised of multiple lots, as many are in Davidson County, then, signage consistency would apply to each individual lot. Quite possibly, after the adoption of this bill, a shopping center could have signs that are not consistent overall due to the underlying invisible lot pattern dividing ownership of the center. For example, a shopping center often has "outparcels" along the street for restaurants, coffee shops, gas stations, and drugstores. Even after the adoption of this bill, those outparcels would continue to have different signage from the larger shopping center. Similarly, shopping centers with a grocery store as the major tenant with other in-line stores next to it may be located on a separate lot from the adjoining tenant spaces in the center.

The bill also requires materials to be consistent with the existing on-premise building signs on a lot. This requirement prevents a tenant/owner to improve upon the existing on-premise building signs. An on-premise building sign designed in 1980 would be the template for a new on-premise building sign 32 years later in 2012. Further, many businesses could be prevented from displaying their logo since the bill requires any new sign to be consistent in size, lighting, and materials with existing sign panels.

Given the variety of ownership patterns that exist, total consistency in on-premise building signage would be difficult to achieve. Section 17.32.070.C (Permanent On-Premises Signs – Sign Construction Materials) of the Zoning Code currently addresses the issue of the sign's materials and workmanship. This section of the Zoning Code addresses what kind of materials are allowed and could be amended to prohibit other materials, if necessary. Other sections of the sign chapter in the Zoning Code allow for an overall signage plan. The bill sponsor may wish to explore the applicability of these issues with the Zoning Administrator to specific properties.

METRO CODES ADMINISTRATION RECOMMENDATION

Disapprove. In those situations where the existing on-premise building signs are poorly designed, requiring new on-premise building signs to be consistent with them would perpetuate the original bad design and workmanship.

PUBLIC WORKS RECOMMENDATION

No exception taken.

WATER SERVICES RECOMMENDATION

Approve.

STAFF RECOMMENDATION

Staff recommends disapproval of this bill. As proposed, this text amendment would be difficult to enforce due to a lack of specificity in the bill for the review of building sign consistency.



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ORDINANCE NO. BL2012-107

An Ordinance amending Chapter 17.40 of the Metropolitan Code to require replacement panels in multi-tenant signs to be consistent with the other signage on the property, all of which is more particularly described herein (Proposal No. 2012Z-004TX-001).

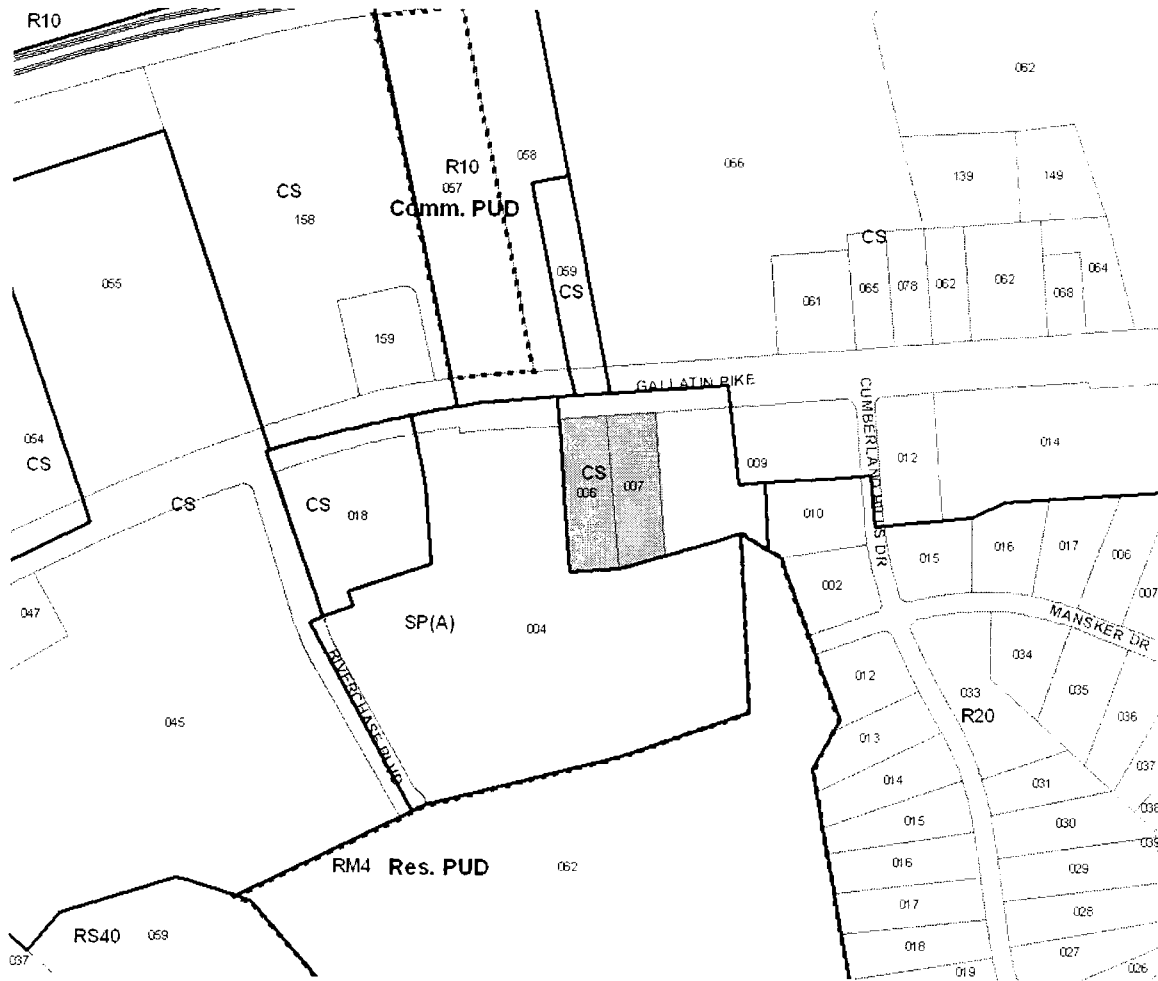
BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Title 17 of the Code of The Metropolitan Government of Nashville and Davidson County, Zoning Regulations, is hereby amended by amending Section 17.40.500 by adding the following new subsection E. at the end thereof:

“E. Modification to multi-tenant signs. All modifications to multi-tenant signs, including the replacement of individual sign panels for new tenants, shall be consistent with the other existing sign panels as to materials, lighting, lettering, and graphic style.”

Section 2. That this Ordinance shall take effect five (5) days from and after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Sponsored by: Karen Johnson



2010SP-022-003
CARMAX RIVERGATE
 Map 026-12, Parcel(s) 006, 007
 Madison
 10 - Doug Pardue



Project No.	Zone Change 2010SP-022-003
Project Name	CarMax Rivergate - Extension
Council District	10 – Pardue
School District	3 – North
Requested by	Barge Waggoner, Sumner & Cannon, Inc., applicant for Hulda B. Downs and John Allardice, owners
Staff Reviewer	Swaggart
Staff Recommendation	<i>Approve the SP with conditions and disapprove without all conditions</i>

APPLICANT REQUEST

Zone change to permit used automobile sales and final site plan

SP Development Plan

A request to rezone from Commercial Services (CS) to Specific Plan – Auto (SP-A) zoning and for final site plan approval for properties located at 2355 and 2372 Gallatin Pike, approximately 800 feet east of Riverchase Boulevard, to permit auto sales (used) (2.33 acres).

Existing Zoning

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

Proposed Zoning

Specific Plan-Auto (SP-A District) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes automobile uses.

CRITICAL PLANNING GOALS

N/A

MADISON COMMUNITY PLAN

Suburban Mixed Use Corridor (T3 CM) policy is intended to enhance suburban mixed use corridors by encouraging a greater mix of higher density residential and mixed use development along the corridor, placing commercial uses at intersections with residential uses between intersections; creating buildings that are compatible with the general character of suburban neighborhoods; and a street design that moves vehicular traffic efficiently while accommodating sidewalks, bikeways, and mass transit.

Consistent with Policy?

Yes. The T3 CM policy promotes a variety of land uses from residential to commercial including auto related uses. In addition to the overall policy supporting the proposed SP, the subject site is within an area that the policy refers as the “motor mile”. The policy specifically encourages auto related uses to be located within this area.



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PLAN DETAILS

This request is to permit a Specific Plan (SP) zoning for used car sales. The specific request is for development plan and final site plan approval. The development plan must be approved by Council; however, the final site plan only requires Planning Commission approval.

The request is not for a new facility but is an extension of the existing CarMax SP district. The existing CarMax SP was approved by the Planning Commission in 2011. The final site plan was also approved in 2011, and the site has been developed according to the plan. The proposed amendment would increase the area of the existing CarMax by 2.33 acres for a total of 17.37 acres. The area for the extension consists of two properties currently zoned CS. The properties are relatively flat. One property is vacant and one property contains a single-family home.

Site plan

The site plan identifies the existing CarMax as well as the proposed extension. The extension consists of parking and staging area. Additional parking provided in the extension area consists of 70 spaces increasing the overall parking from 228 to 298 spaces. The plan also calls for a sidewalk along Gallatin Pike.

Analysis

As proposed there are no major issues with the request. The proposed use is consistent with uses found in the currently designated T-3 Suburban Mixed-Use land use policy and the SP district being expanded. Since the development plan requires Council approval, any approval of the final site plan shall be conditioned upon Council approval.

STORMWATER RECOMMENDATION

Approve development plan and approve with conditions final site plan

1. Provide the Grading Permit fee of \$875. Provide maintenance / easement documents, exhibit sheet, and recording fees.
2. Add correct parcel identification number to the plan.
3. Provide NOC.
4. Show more clearly the existing storm infrastructure (onsite and along ROW).
5. Show matting proposed on all 3:1 slopes or steeper. Also add a matting detail.
6. Provide more TOW / BOW elevations (for the wall next to the staging area).
7. The Hydraflow Plan View does not match the storm layout for the pond / road network. Also, the runoff coefficients appear low.
8. Provide more information for the Gallatin Pike road / storm system (spread for Gallatin, how existing ditches and pipes are being accounted for, etc.). While spread may be less than 8', it is still suggested to add inlets.
9. Why is bypass flows shown for inlet 7?
10. For the detention pond calculations, post hydrographs, routed hydrographs, and pond report information was not observed.
11. The water quality pond short circuits. Redesign with greater distances between the headwall and the outlet structure.
12. For the Rv calculation, the impervious percentage is low. Provide a breakdown.
13. H-Ho based on the detail looks to be 2.25', not 2.4'.
14. Add a grate to the top of the outlet structure.



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PUBLIC WORKS RECOMMENDATION

Approve with conditions

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- If any construction is required to be completed in the public Right of Way then a permit must be obtained from the Metro Public Works Permit office.
- Add note to remove existing driveway ramps on Gallatin Road and replace with sidewalk.

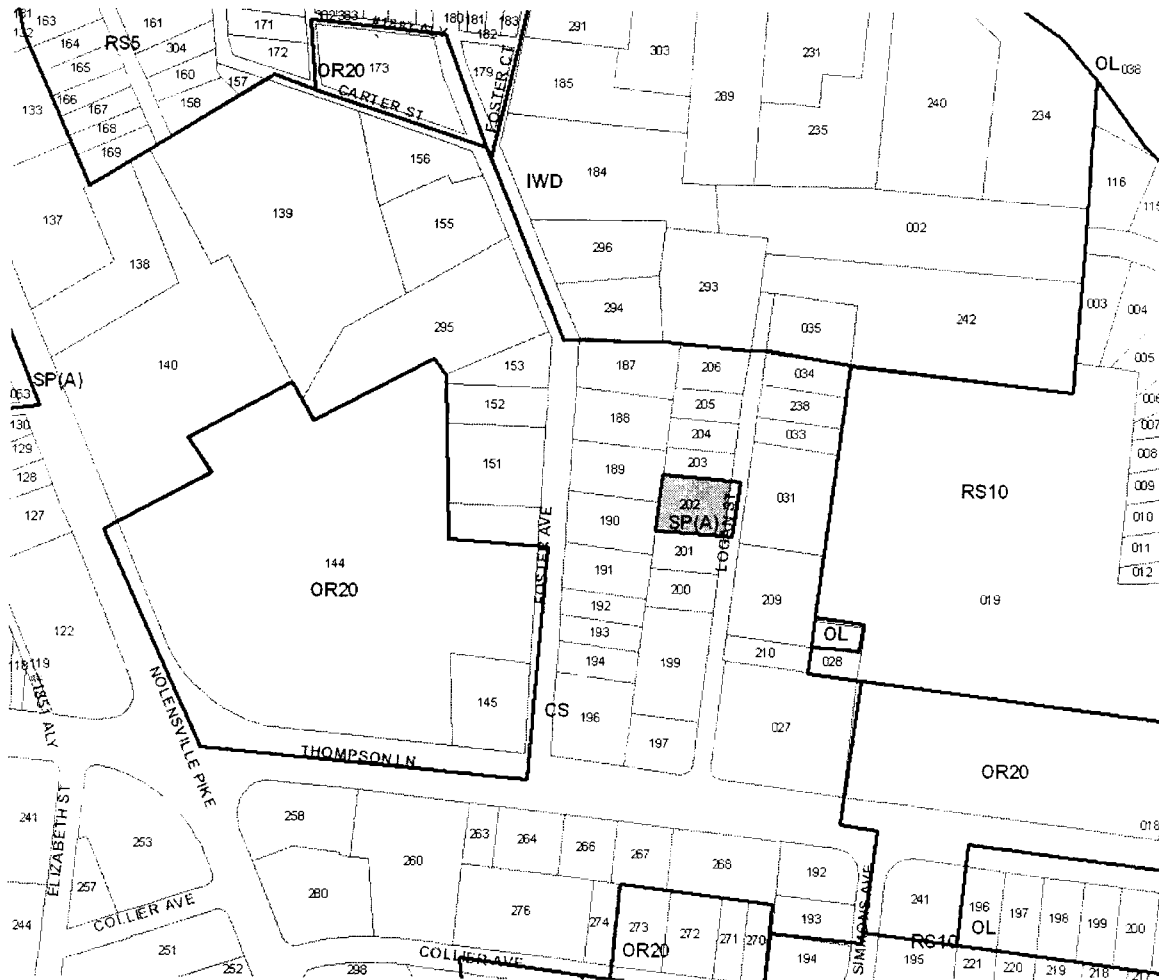
STAFF RECOMMENDATION

Staff recommends approval with conditions of the development plan and final site plan. As proposed the request is consistent with the T3 Suburban Mixed-Use Corridor land use policy.

CONDITIONS

1. Permitted land uses within the SP shall be automobile sales (used).
2. Final site plan approval shall be conditioned upon Council approval of the Development plan.
3. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the CS zoning district as of the date of the applicable request or application.
4. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no later than 120 days after the effective date of the enacting ordinance. The corrected copy provided to the Planning Department shall include printed copy of the preliminary SP plan and a single PDF that contains the plan and all related SP documents. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.
5. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
6. The SP final site plan as approved by the Planning Commission will be used to determine compliance, both in the issuance of permits for construction and field inspection. While minor changes may be allowed, significant deviation from the approved site plans may require reapproval by the Planning Commission and/or Metro Council.

SEE NEXT PAGE



2012SP-010-001
 2849 LOGAN STREET
 Map 119-09, Parcel(s) 202
 South Nashville
 16 - Tony Tenpenny



Project No.	Zone Change 2012SP-010-001
Project Name	Logan Street
Council District	16 – Tenpenny
School District	7 – Kindall
Requested by	Dale and Associates, applicant, Fahmy W. Ateyya, owner
Staff Reviewer	Sexton
Staff Recommendation	<i>Approve the SP with conditions and disapprove without all conditions</i>

APPLICANT REQUEST

SP request to replace the approved SP for auto-related uses with a new SP for auto-related uses.

Preliminary SP

A request to rezone from Specific Plan – Auto (SP-A) for a 7,500 square foot facility to Specific Plan – Auto (SP-A) zoning for a 4,000 square foot facility for property located at 2849 Logan Street, approximately 505 feet north of Thompson Lane (0.31 acres) to permit automobile repair and service.

Existing Zoning

Specific Plan-Auto (SP-A District) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes automobile uses in a 7,500 square foot facility.

Proposed Zoning

Specific Plan-Auto (SP-A District) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes automobile uses in a 4,000 square foot facility.

CRITICAL PLANNING GOALS

N/A

SOUTH NASHVILLE COMMUNITY PLAN

General Policy

Neighborhood Urban (NU) is intended for fairly intense, expansive areas that are intended to contain a significant amount of residential development, but are planned to be mixed use in character. Predominant uses in these areas include a variety of housing, public benefit uses, commercial activities and mixed-use development. 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.

Specific policy

Mixed Housing (MH) is intended for single family and multi-family housing that varies on the size of the lot and the placement of the building on the lot. Housing units may be attached or detached,

KENNETH V. ELAM & MARY LITHEL
M 115-09, P 203
DB-000097930000942
ZONED CS

EXISTING BUILDING

6' OPAQUE PRIVACY FENCE

B.C. WATKINS
M 115-09, P 185
DB-000024610020229
ZONED CS

6' OPAQUE PRIVACY FENCE

BEARD PROPERTY
MAINTENANCE, INC.
M 115-09, P 186
CH 1017 13640007245
ZONED CS

UNDERGROUND DETENTION

170.0'

8.5'x18', 90° PARKING STALL

80% PROPRIETARY BMP

PROPRIETARY INLET

24' DRIVE AISLE
(STANDARD DUTY-PAVEMENT)

GREEN ISLAND (TYP.)

40' INTERIOR GREENSPACE

PROPOSED BUILDING
4,000 SF AUTOMOBILE SERVICE AND REPAIR
4 SERVICE BAYS

FAHMY W. ATEYYA
M 115-09, P 202
DB-2007 11680132137
ZONED SP

45' FRONT M.B.S.L.

20' REAR M.B.S.L.

24" KNEE WALL (TO MEET MATERIAL REQUIREMENTS LISTED UNDER ITEMS 1A & 1B OF THE AUTOMOTIVE SERVICES CONSIDERATIONS, THIS SHEET)

DRIVEWAY RAMP IN ACCORDANCE WITH MPW STD DRAWINGS ST-324 OR ST-325

ALL WORK WITHIN R.O.W. TO CONFORM WITH ALL METRO PUBLIC WORKS STDS

LOGAN ST
(32' ROW)

THIS PLAN PERMITS A MONUMENT SIGN AND WALL MOUNTED BUILDING SIGN. NO POLE SIGNS PERMITTED (SEE NOTE 12)

24" KNEE WALL (TO MEET MATERIAL REQUIREMENTS LISTED UNDER ITEMS 1A & 1B OF THE AUTOMOTIVE SERVICES CONSIDERATIONS, THIS SHEET)

PROPOSED LANDSCAPE SPECIES TO BE DETERMINED WITH FINAL SP

HATCHING DENOTES AREA RESERVED FOR SOLID WASTE CONTAINERS (DUMPSTER & RECYCLING CONTAINER)

6' OPAQUE PRIVACY FENCE

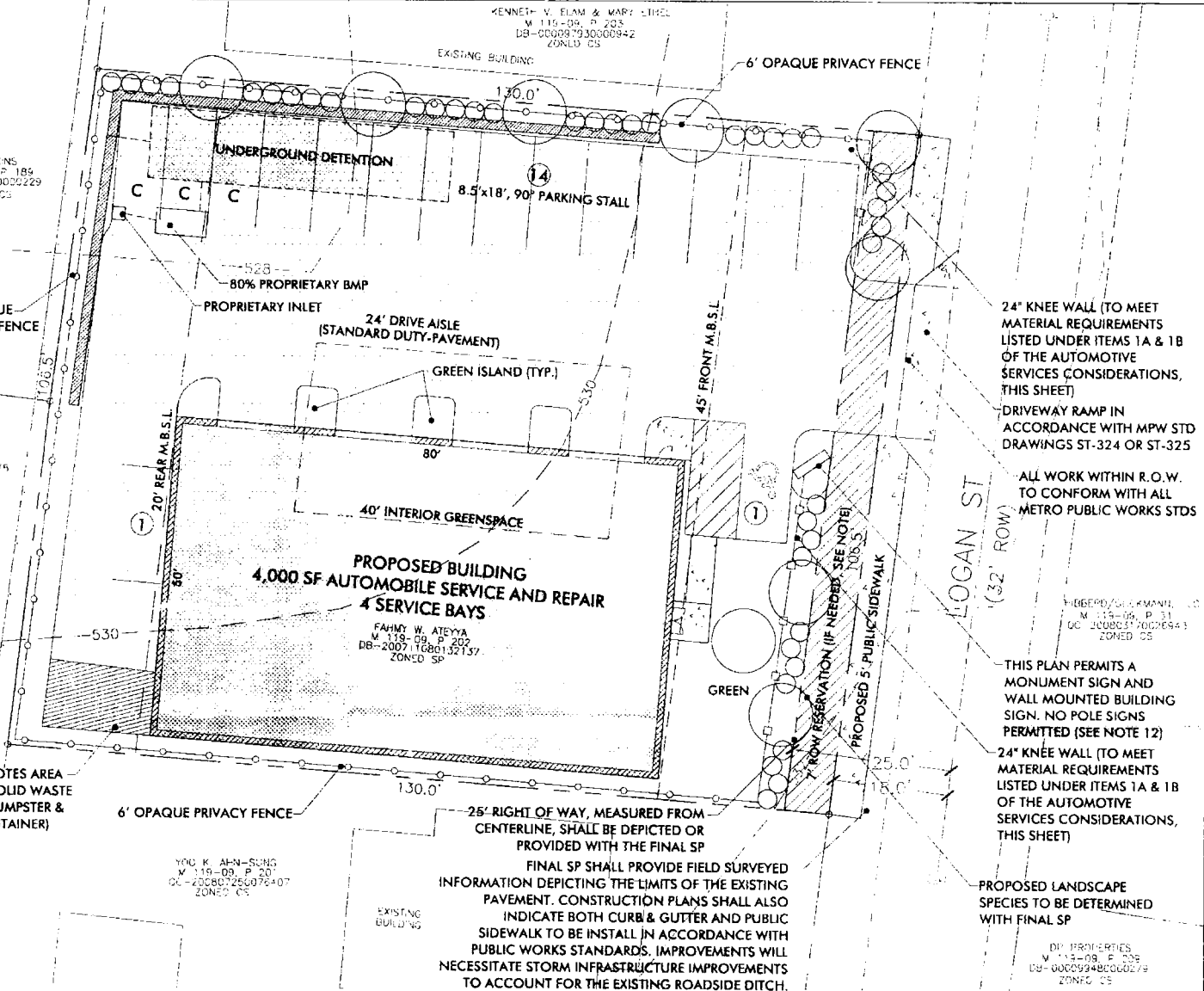
25' RIGHT OF WAY, MEASURED FROM CENTERLINE, SHALL BE DEPICTED OR PROVIDED WITH THE FINAL SP

FINAL SP SHALL PROVIDE FIELD SURVEYED INFORMATION DEPICTING THE LIMITS OF THE EXISTING PAVEMENT. CONSTRUCTION PLANS SHALL ALSO INDICATE BOTH CURB & GUTTER AND PUBLIC SIDEWALK TO BE INSTALLED IN ACCORDANCE WITH PUBLIC WORKS STANDARDS. IMPROVEMENTS WILL NECESSITATE STORM INFRASTRUCTURE IMPROVEMENTS TO ACCOUNT FOR THE EXISTING ROADSIDE DITCH.

YOUNG K. AHN-SUNG
M 115-09, P 201
DB-200807250076407
ZONED CS

EXISTING BUILDING

DR PROPERTIES
M 115-09, P 209
DB-00009480000279
ZONED CS





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but are not encouraged to be randomly placed. Generally, the character should be compatible to the existing character of the majority of the street. This site is located within the Nolensville Pike Corridor Detailed Neighborhood Design Plan boundary.

Consistent with Policy?

While the requested SP district is not consistent with the areas predominant residential policy, the request is consistent with area's commercial and light industrial development pattern. The property is currently zoned for an auto use and is surrounded by commercial, office, and light industrial uses along Logan Street. When this policy is updated in the future, staff will recommend changing the policy to reflect the area's commercial and light industrial development pattern with which this SP is consistent.

PLAN DETAILS

In 2007, the Metro Planning Commission approved an SP on this property for a 7,500 square foot automobile repair and service facility. The facility was never constructed and the property is undeveloped. While the uses are similar, the new property owner is proposing a different layout and building footprint. This SP request proposes a 4,000 square foot automobile repair and service facility. The plan calls for a total of 16 parking spaces which meets the Zoning Code requirement for parking. Primary access to the site continues to be from Logan Street. The proposed facility has four garage bays that front the interior parking area on the north side of the building. A list of building materials was not submitted and will be required prior to Final Site Plan approval for this development. Prohibited building materials will include unfinished concrete blocks, plywood, and aluminum.

Landscaping/Sidewalks

While the proposed plan shows a variety of canopy trees and shrubs along the perimeter of the property and onsite, adequate landscape details were not submitted. Prior to Final Site Plan approval, adequate landscape details shall be submitted to staff for review. A seven foot right of way reservation and five foot sidewalk is proposed along the property frontage. Prior to the issuance of Use and Occupancy permits, the sidewalk shall be constructed and accepted by Metro Public Works.

The proposed plan also shows a physical separation between the front parking area and the street in the form of a knee wall. The proposed knee wall has a maximum height of two feet. A list of building materials for the knee wall was not submitted and will be required prior to Final Site Plan approval for this development. The knee wall shall be constructed of concrete, stone, split-face masonry or other similar material. Pillars with wrought iron or similar material between the pillars are also permitted.

Signage

The plan proposes one monument sign along Logan Street. Adequate sign details for the monument sign were not included in this SP. Sign elevations will need to be submitted with the Final Site Plan for review and approval by staff. All signage shall be monument style or wall mounted. Monument signs shall have maximum sign area of 48 square feet, and shall not exceed six feet in height or three feet in height if any portion of the sign is located within 15 feet of a driveway. Wall mounted building signs shall have a maximum sign area of 48 square feet. Pole signs are not permitted. In addition to signs prohibited by Section 17.32.050 of the Metro Zoning Ordinance, prohibited signs



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include roof mounted signs, pole mounted signs, billboards, and signs that flash, rotate, scintillate, blink, flicker or vary in intensity or color, including all electronic signs.

Future Development

In order to provide flexibility for future redevelopment in an Auto SP district, future redevelopment within the district shall meet the standards of a mixed use zoning district consistent with the general plan. Minor modifications to the approved site plan may still be approved by the Planning Commission, but new construction shall generally be subject to the prescribed mixed use district. A note shall be added to the site plan that states:

“Auto related uses shall be consistent with the approved site plan. Minor modifications to the site plan may be approved by the Planning Commission including changes in use, but shall be subject to the standards, regulations and requirements of the MUL zoning district. Expansions of 25 percent of the total floor area of the originally approved final site plan or total redevelopment shall meet the standards, regulations and requirements for the MUL zoning district. Minor modifications may require a new final site plan and expansions of 25 percent of the total floor area of the approved site plan or total redevelopment shall require that a final site plan be approved by the Planning Commission.”

PUBLIC WORKS RECOMMENDATION

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions. With the final SP and/or construction plans the following will be required:
- With the construction drawings a right of way dedication may be required to fully encompass the public sidewalk. The construction drawings should include the following ROW elements 20' minimum pavement width, curb and gutter, four foot grass strip and five foot sidewalk.
- Show curb and gutter on plans with edge of the gutter at the existing EOP.
- Detail for how the existing roadside ditch is to be relocated, coordinate with MPW and MWS.
- Add details ST-200, ST-210, and either ST-24 or ST-325.

FIRE RECOMMENDATION

- No part of any building shall be more than 500 feet from a fire hydrant via an approved hard surface road - Metro Ordinance 095-1541 Sec: 1568.020 B. Fire-flow shall meet the requirements of the International Fire Code - 2006 edition - B105.1.

STAFF RECOMMENDATION

Staff recommends approval with conditions of the preliminary SP and disapproval of the preliminary SP without all conditions of approval. The proposed SP is consistent with area's commercial and light industrial development pattern.

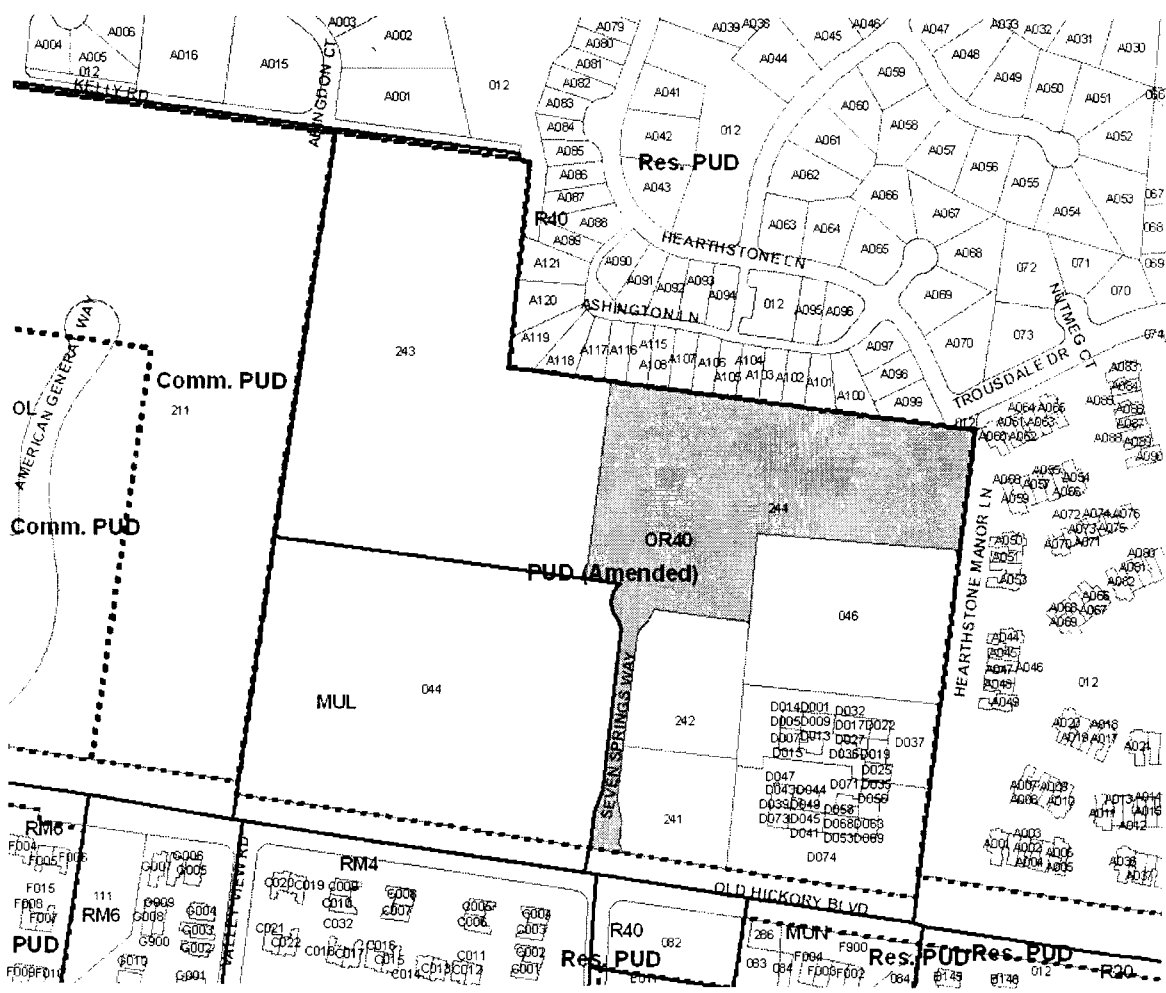
CONDITIONS

1. Permitted land uses within the SP shall be limited to automobile repair and service.
2. Prior to Final Site Plan approval, a list of building materials shall be submitted. Prohibited building materials include unfinished concrete blocks, plywood, and aluminum.



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3. Prior to Final Site Plan approval, adequate landscape details shall be submitted, including specific species types for landscaping shown on the plan.
4. Prior to the issuance of a Use and Occupancy permit, a sidewalk shall be constructed and accepted by Metro Public Works.
5. Prior to Final Site Plan approval, a list of materials for a knee wall shall be submitted. The knee wall shall be constructed of concrete, stone, split-face masonry or other similar material. Pillars with wrought iron or similar material between the pillars are also permitted.
6. Prior to final site plan approval, adequate sign details shall be submitted. All signage shall be monument style or wall mounted. Monument signs shall have maximum sign area of 48 square feet, and shall not exceed six feet in height or three feet in height if any portion of the sign is located within 15 feet of a driveway. Wall mounted building signs shall have a maximum sign area of 48 square feet. Pole signs are not permitted. In addition to signs prohibited by Section 17.32.050 of the Metro Zoning Ordinance, prohibited signs include roof mounted signs, pole mounted signs, billboards, and signs that flash, rotate, scintillate, blink, flicker or vary in intensity or color, including all electronic signs.
7. The following note shall be added to the site plan: Auto related uses shall be consistent with the approved site plan. Minor modifications to the site plan may be approved by the Planning Commission including changes in use, but shall be subject to the standards, regulations and requirements of the MUL zoning district. Expansions of 25 percent of the total floor area of the originally approved final site plan or total redevelopment shall meet the standards, regulations and requirements for the MUL zoning district. Minor modifications may require a new final site plan and expansions of 25 percent of the total floor area of the approved site plan or total redevelopment shall require that a final site plan be approved by the Planning Commission.
8. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no later than 120 days after the effective date of the enacting ordinance. The corrected copy provided to the Planning Department shall include printed copy of the preliminary SP plan and a single PDF that contains the plan and all related SP documents. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.
9. 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.



98P-007-004
SEVEN SPRINGS (AMEND #4: MULTI-FAMILY)
 Map 160, Parcel(s) 244
 Southeast
 04 - Brady Banks



Project No.	Planned Unit Development 98P-007-004
Project Name	Seven Springs (Amendment #4)
Council District	4 – Banks
School District	2 – Brannon
Requested by	Barge Cauthen & Associates, applicant, for Seven Springs Associates, owner
Staff Reviewer	Johnson
Staff Recommendation	<i>Disapprove</i>

APPLICANT REQUEST

PUD Amendment to replace office uses with multi-family units

PUD Amendment

A request to amend a portion of the Seven Springs Planned Unit Development Overlay District for property located at 300 Seven Springs Way, approximately 575 feet north of Old Hickory Boulevard (7.76 acres), zoned Office/Residential (OR40), to permit 280 multi-family units where 125,000 square feet of office space was previously approved.

Existing Zoning

Office/Residential (OR40) is intended for office and/or multi-family residential units at up to 40 dwelling units per acre.

Seven Springs Planned Unit Development (PUD) overlay – The Seven Springs PUD includes office, retail, and residential land uses. This specific site is currently approved for a four story, 125,000 square foot office building.

CRITICAL PLANNING GOALS

N/A

SOUTHEAST COMMUNITY PLAN

Office Concentration (OC) policy is intended for existing and future large concentrations of office development. It is expected that certain types of commercial uses that cater to office workers, such as restaurants, will also locate in these areas. Residential uses of at least nine to twenty dwelling units per acre (RMH density) are also an appropriate secondary use.

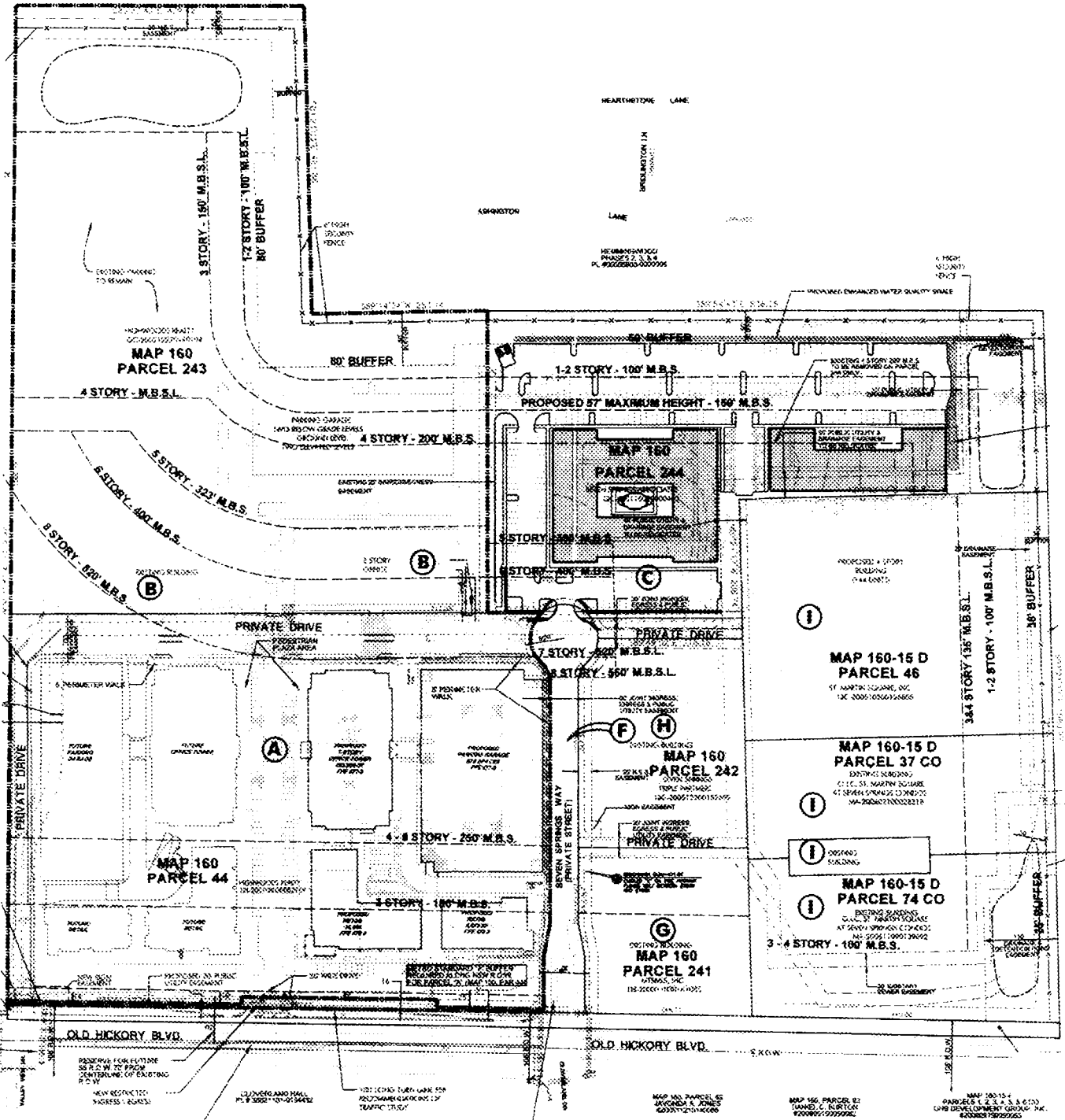
Consistent with Policy?

Yes. Multi-family residential development is appropriate within OC policy to support nearby office uses. The Seven Springs PUD contains several office uses and recently received final PUD approval for approximately 200,000 square feet of additional office space.

REQUEST DETAILS

History

This PUD was originally approved by Council in 1999 and was amended in 2004, 2009, and 2011. In addition to residential buildings, the PUD approval includes approximately 1.2 million square feet of office and retail space on several lots. The proposed plan seeks to amend a portion of the Seven Springs PUD to permit additional residential units beyond the number last approved by



VALLEY VIEW RELEASE NO. 82000029-000010

RESERVE FOR FUTURE 55 FT. W. 75' FROM CENTERLINE OF EXISTING PAV.

NEW RESTRICTIONS ACCESS - EASES

CONCRETE AND REBAR P.L. 2022-10-27-0442

100' CONC. TURN LANE 150' 20' W. MARKING OF TRAFFIC TRUCK

MAP 160, PARCEL 46 (BROOKDALE S. JONES) 40001210-0000

MAP 160, PARCEL 81 (LANNING C. BURTON) 40000012200000

MAP 160-15 D (PARCELS 46, 37, 74, 81, 82) OPH DEVELOPMENT GROUP, INC. 40000012200000



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Council. Currently, the only approved residential development within the PUD is located to the south of the site along the eastern boundary of the PUD. Two residential buildings were approved in 2004. In 2011, the number of permitted residential units increased 144 to 216. To date, 72 dwelling units have been constructed within the PUD.

Layout

This PUD amendment will add 280 dwelling units within the PUD. The site plan includes two four-story residential buildings. Access to the site is proposed from two locations: from the terminus of Seven Springs Way, which extends into the site from Old Hickory Boulevard; and from a shared driveway along the west property line of the site. Both access points to the site are private access drives. This proposal will not add new street or driveway connections directly to adjacent public streets. The proposal complies with requirements of the Zoning Code for the OR40 base zoning district. Parking associated with the proposed dwellings units is shown on the plan. All required parking spaces are shown. Additionally, the residential density is within the maximum 40 dwelling units per acre.

Amendments

Two elements within the proposal require Council approval through a PUD amendment application:

- 1) The addition of residential units
- 2) Changes to the building height requirements of the PUD.

As described above, any increase in residential units requires a PUD amendment. In addition, this PUD amendment proposes to alter a building height setback line within the PUD. The Seven Springs PUD was originally approved with building height setback lines that were intended to permit shorter buildings within the PUD adjacent to residential development outside of the PUD, and taller buildings located farther away from residential development. The two four-story buildings shown on the plan are primarily within the area of the PUD that permits four-story buildings. However, a portion of both buildings is located within an area of the PUD that permits a maximum height of three stories. To account for crossing this setback line, the applicant proposes to move the line farther to the north and to redefine that line to permit a maximum height of 57 feet instead of the previous definition of four stories. The proposed increase in the number of residential units and the proposal to change the building height setback lines are the elements that require Council approval.

The site is located along Seven Springs Way as it turns from a private north-south street that connects to Old Hickory Boulevard into an east-west private street internal to the PUD. Amendments to this PUD after the initial Council approval have tended to promote more pedestrian-friendly street and building design.

ANALYSIS

The disapproval recommendation from Planning staff is based on two aspects of the site plan:

- 1) The height of the proposed buildings, which creates the need to amend the building height
- 2) The lack of consistency between the proposed site layout and the approved PUD plan in its pedestrian-friendly layout.

The building height requirements were an important element of the original PUD approval to address the concerns of surrounding residential property owners. Based on the distance from surrounding residential development, the PUD includes setback lines to determine appropriate



Metro Planning Commission Meeting of 05/10/2012

building heights throughout the PUD. The goal was to permit shorter building heights adjacent to existing residential neighborhoods and taller buildings away from these areas. The site with this application is located in the northeast corner of the PUD and is adjacent to two separate residential neighborhoods. Altering the originally-approved building height setbacks to move development closer to the residential neighborhoods is not consistent with this significant element of the original PUD approval.

In contrast to the strong street frontage currently approved under the PUD, the site plans shows a parking area separating the residential building from the street frontage along Seven Springs Way. Placing parking between the building and the street will weaken the pedestrian-friendly frontage that was emphasized by the original Council approval, and strengthened by the 2009 amendment that reorganized office and retail along the front of the PUD to provide additional sidewalk and pedestrian-friendly continuity within the PUD.

Under the approved PUD plan, the east-west portion of Seven Springs Way includes three office buildings along its north side. These office buildings are shown at the front of each building site placed adjacent to the sidewalk along the street frontage. Parking is located to the side and rear of each building, which helps to emphasize the front entrance of each building and create a strong pedestrian-friendly frontage. The strength of the frontage is evident at the front of the lone office building that has been constructed along this portion of Seven Springs Way in the northwest corner of the PUD, whose site placement helps to create a strong pedestrian-friendly environment along Seven Springs Way. Future development along this street should be encouraged to continue the precedent set by this building. The proposed residential project would replace the easternmost office building along the north of Seven Springs Way.

The site plan could be reorganized to eliminate or reduce these concerns of building height and pedestrian-oriented design. The proposed residential development should be reorganized to include stronger building placement at the site frontage along Seven Springs Way that is consistent with the current PUD approval. Parking can be placed at the rear of the site, as currently approved for all development on the north side of Seven Springs Way. Moving the western residential building farther to the south and placing parking on the north side of the building would also lessen the encroachment of the development into the building height setbacks within the PUD.

FIRE MARSHAL RECOMMENDATION

In a meeting with Ron Holt, John Kelly and Veronica Duker several questions were raised.

1. Fire main size and flow data?
2. Construction type?
3. Type of sprinkler system?
4. Aerial access (shall comply with 2006 IFC D105)?
5. Dead ends in parking lot >150'.
6. Turn radius in the ends of the parking lot.
7. White lines through the drawing make it unclear if this is one solid building.

STORMWATER RECOMMENDATION

Approved



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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. Indicate solid waste plan – dumpster and recycling container locations. (1 dumpster and 1 recycling container is insufficient)
3. Once TIS is received and reviewed further comments may follow regarding public sidewalks and ROW.

SCHOOL BOARD REPORT

Projected student generation 15 Elementary 9 Middle 8 High

Students would attend Granbery Elementary School, Oliver Middle School, or Overton High School. All three of the 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 (Cane Ridge Glencilff, and Hillsboro).**

The fiscal liability for 15 elementary students is \$300,000. The fiscal liability for 9 middle school students is \$207,000. 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 2011.

STAFF RECOMMENDATION

Staff recommends disapproval of the request. The proposed site layout is not consistent with the intent of the approved PUD in terms of proposed building height, which would disrupt a fundamental element of the initial PUD approval to lessen the impact of development adjacent to residential neighborhoods; and in the its placement of development in relation to the internal street system of the PUD.

CONDITIONS (if approved)

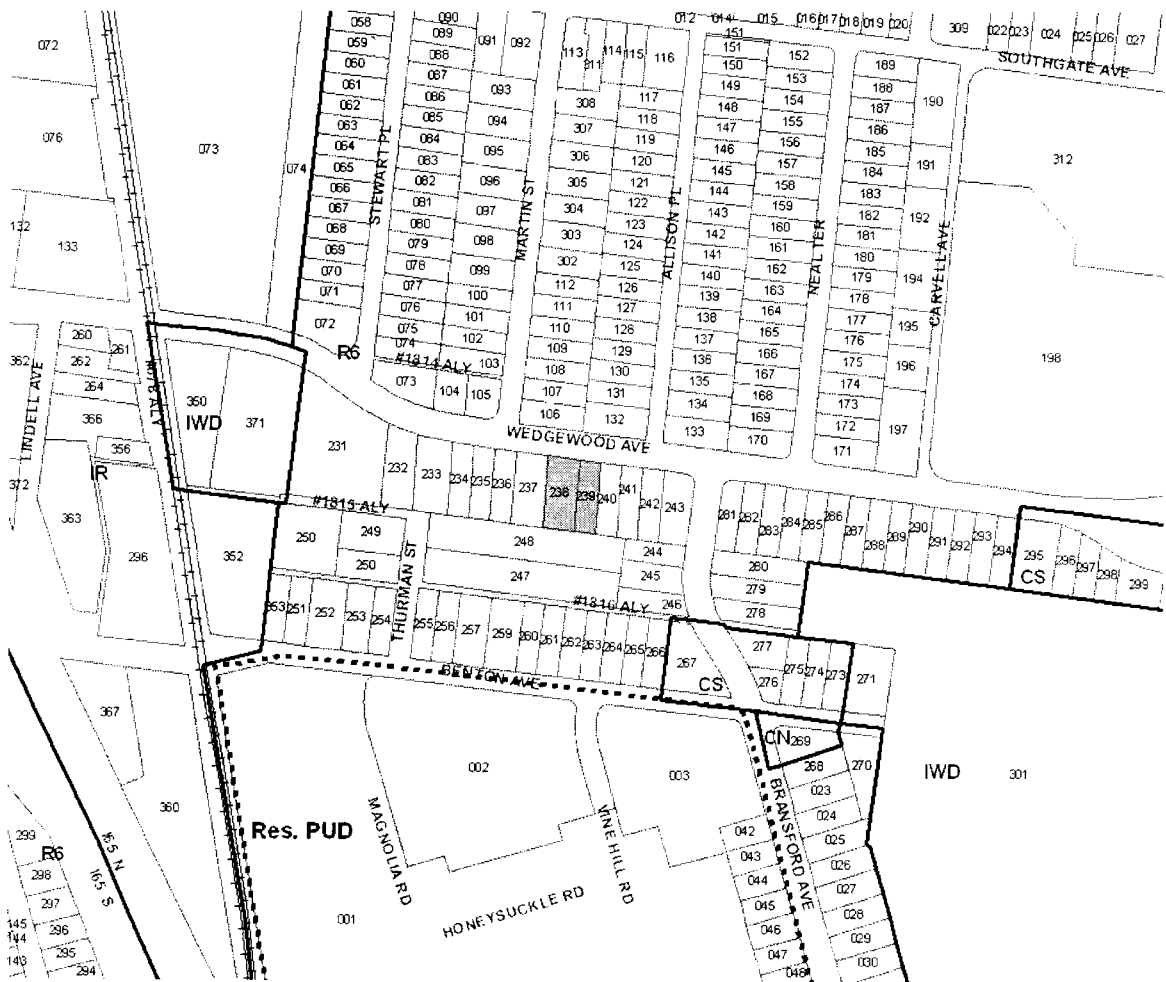
1. Development on this site shall comply with previous Council approvals: O98-1491, BL2004-219, BL2008-564, and BL2011-75.
2. Comments listed above from Metro Public Works and the Fire Marshal shall be met.
3. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
4. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.
5. Prior to any additional development applications for this property, and in no event later than 120 days after the 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



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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



2012NL-001-001
 HOT ROD GRILLE
 Map 105-11, Parcel(s) 238-239
 South Nashville
 17 - Sandra Moore



Project No.	Neighborhood Landmark 2012NL-001-001
Project Name	609 and 611 Wedgewood Avenue
Council District	17 – Moore
School District	7 – Kindall
Requested by	Chris Michaels, applicant, Kenneth M. Ballew and Louise and Robert Armstrong, owners
Staff Reviewer	Bernards
Staff Recommendation	<i>Approve</i>

APPLICANT REQUEST

Apply a Neighborhood Landmark Overlay District

Apply Neighborhood Landmark Overlay District

A request to apply a Neighborhood Landmark Overlay District on properties located at 609 and 611 Wedgewood Avenue, approximately 260 feet west of Bransford Avenue (0.41 acres), zoned One and Two Family Residential (R6).

Existing Zoning

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

Proposed Zoning

Neighborhood Landmark Overlay District (NLOD) is intended to preserve and protect landmark features whose demolition or destruction would constitute an irreplaceable loss to the quality and character of the neighborhood or community.

CRITICAL PLANNING GOALS

N/A

PROPERTY HISTORY

The property at 611 Wedgewood Avenue was acquired by the Ballew family in 1947 for a family-operated grocery store. The property was leased to the Davis family in the mid-1950's to 2001 to operate the grocery store. In the late 1970's the adjacent lot, 609 Wedgewood Avenue, was purchased and used for parking. When the grocery store was closed, the building remained vacant for a short period and was then used for a restaurant until 2005. The building was re-leased for a new restaurant but more than 30 months have passed since the previous restaurant closed and the non-conforming status was lost.

The building has served as a neighborhood grocery, deli, market and a restaurant since 1947. According to the applicant, the building exterior has changed little over the past 60 plus years. Any remodeling will maintain the current character of the building.

CRITERIA FOR CONSIDERATION

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



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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:

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.

As noted above, this commercial building has been in place since 1947 and has provided neighborhood services for much of that time. Rezoning this property to a district that would permit commercial uses would be inconsistent with the surrounding residentially zoned properties. Retaining the building will preserve a recognizable structure within this neighborhood.

Section 17.40.160 of the Zoning Code requires that Neighborhood Landmark meet the following six criteria:

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 Neighborhood Landmark 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 Neighborhood Landmark designation and return the district to the base zoning district prior to the application of the district.
5. It is in the community’s and neighborhood’s best interest to allow the consideration of an appropriate Neighborhood Landmark 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 Neighborhood Landmark is to preserve and protect neighborhood features that are important to maintain and enhance the neighborhood character. By placing a Neighborhood Landmark District Overlay on these properties, the structure can be preserved. With the ability to adaptively reuse the site, improvements and maintenance to the structure can be made.

Based on the criteria outlined in the Zoning Code, this property meets the standards to be considered as a landmark. However, staff recommends that the Commission also consider what information surrounding neighbors bring to the public hearing since the neighbors may be able to provide additional insight into the history and relevance of the site.



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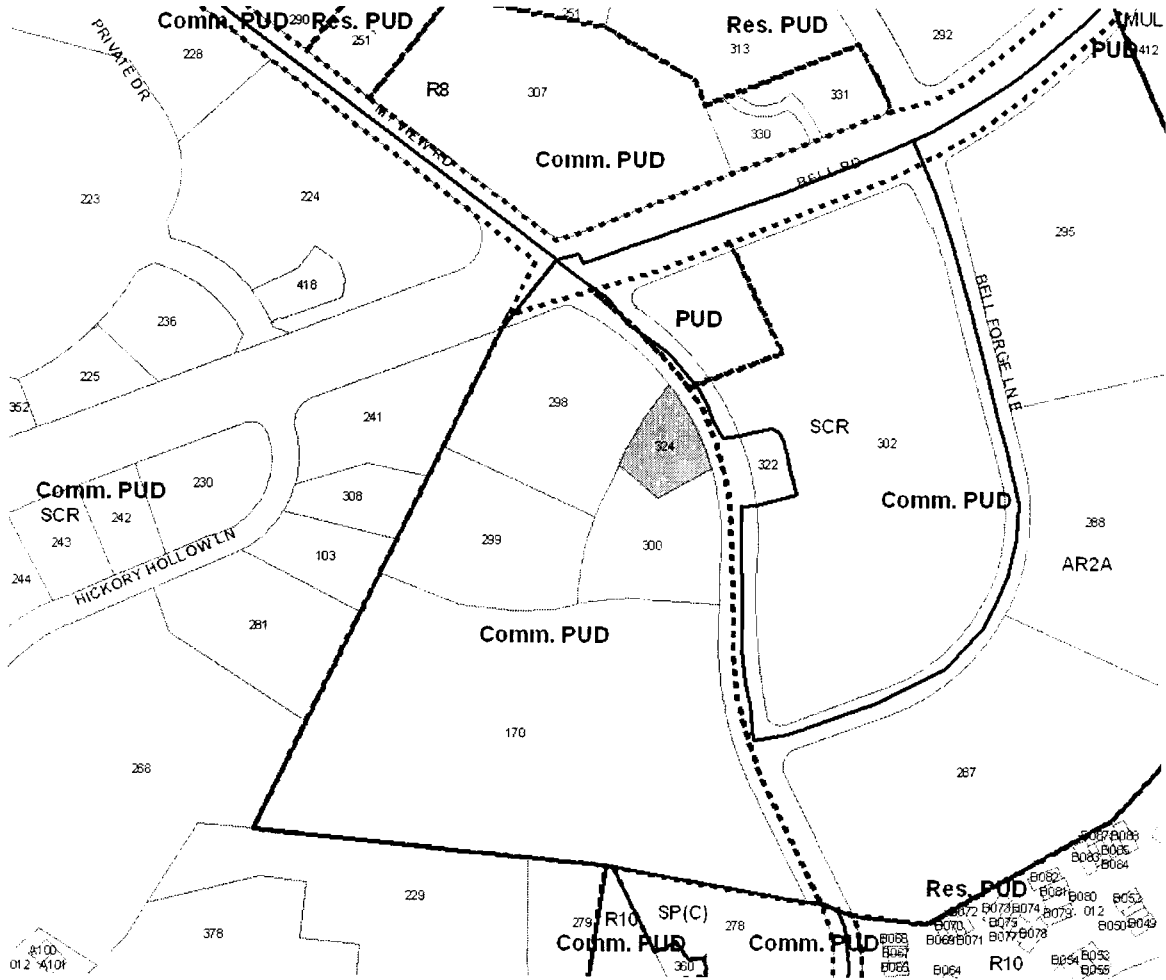
STAFF RECOMMENDATION

Staff recommends that the Neighborhood Landmark District be approved. The proposed District meets the criteria for consideration found in the Zoning Code. Staff also recommends that the Commission consider what information surrounding neighbors bring to the public hearing since the neighbors may be able to provide additional insight into the history and relevance of the site.

SEE NEXT PAGE

PLANNING COMMISSION ACTIONS

- **PUD**
- **Subdivisions (Final)**



111-79P-001
BELL FORGE SHOPPING CENTER (TN QUICK CASH)
 Map 163, Parcel(s) 324
 Antioch - Priest Lake
 32 - Jacobia Dowell



Project No.	Planned Unit Development 111-79P-001
Project Name	Bell Forge Shopping Center
Council District	32 – Dowell
School District	6 – Mayes
Requested by	Dale & Associates, applicant, for Conoly Brown and David Hood, owners
Staff Reviewer	Johnson
Staff Recommendation	<i>Approve with conditions</i>

APPLICANT REQUEST

PUD Revision to construct a 3,200 square foot cash advance, check cashing and title loan facility

PUD Revision

A request to revise the preliminary plan for a portion of the Bell Forge Shopping Center Commercial Planned Unit Development Overlay District located on property at 5302 Mt. View Road, approximately 365 feet south of Bell Road (0.69 acres), zoned Agricultural/Residential (AR2a), to permit a 3,200 square foot cash advance, check cashing and title loan facility where a 1,170 square foot ATM was previously approved.

Existing Zoning

Bell Forge Shopping Center Planned Unit Development (PUD) was approved in 1979 and includes the site. The PUD permits office and retail land uses. Although the base zoning is AR2a, the permitted uses are determined by the PUD overlay district.

CRITICAL PLANNING GOALS

N/A

ANTIOCH – PRIEST LAKE COMMUNITY PLAN

Regional Activity Center (RAC) is intended for concentrated mixed-use areas anchored by a regional mall. Other uses common in RAC policy are all types of retail activities, offices, public uses, and higher density residential areas. An Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

Consistent with Policy?

Yes. The RAC policy recommends a variety of retail and office use types. The proposed use and development form are appropriate within the RAC policy.

PLAN DETAILS

The Bell Forge Shopping Center PUD was approved by Council in 1979 for approximately 152,550 square feet of commercial development including office and retail land uses. The shopping center is essentially built-out except for the site that is the subject of this application.

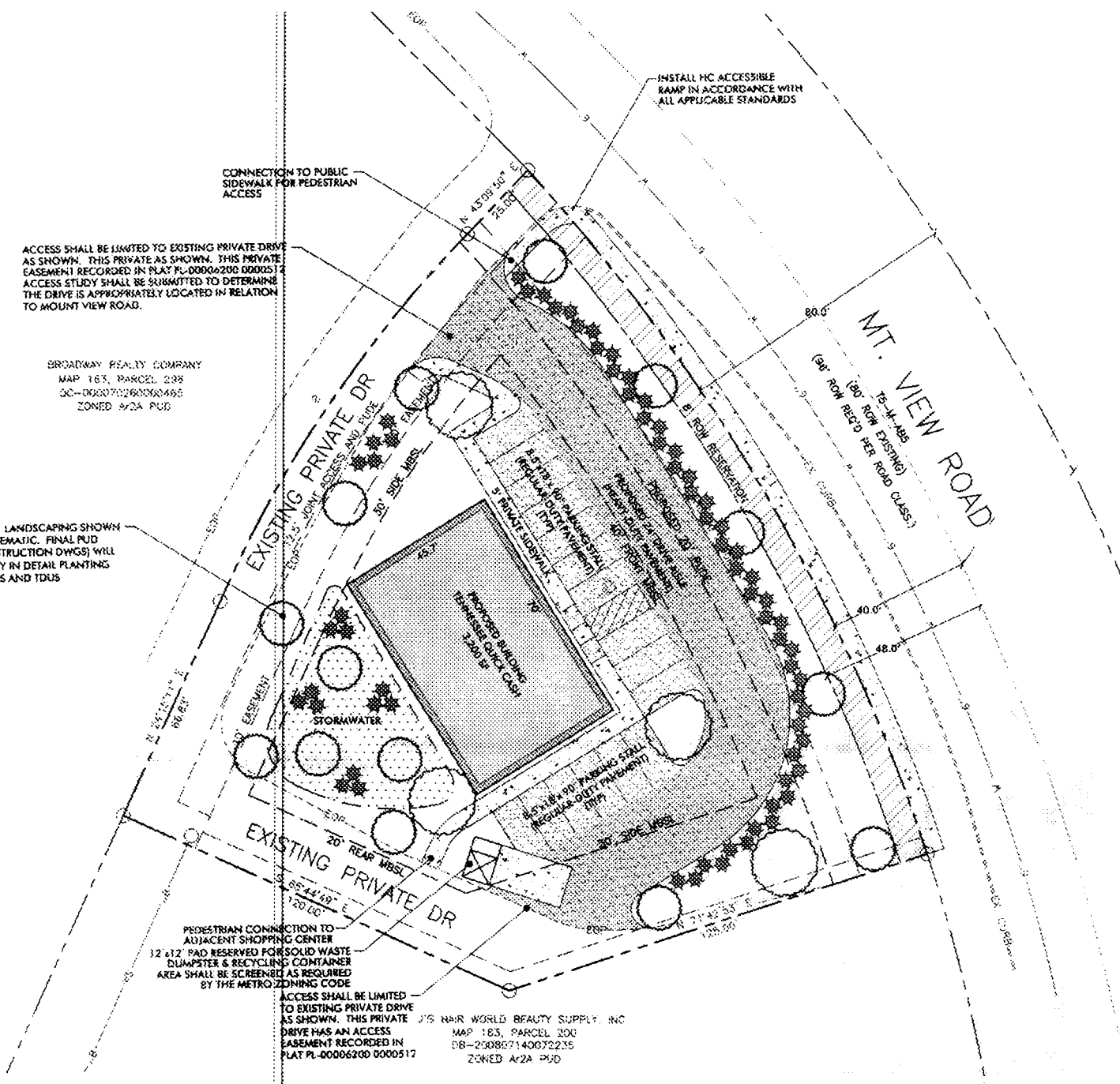
INSTALL HC ACCESSIBLE RAMP IN ACCORDANCE WITH ALL APPLICABLE STANDARDS

CONNECTION TO PUBLIC SIDEWALK FOR PEDESTRIAN ACCESS

ACCESS SHALL BE LIMITED TO EXISTING PRIVATE DRIVE AS SHOWN. THIS PRIVATE AS SHOWN. THIS PRIVATE EASEMENT RECORDED IN PLAT PL-00006200 0000517 ACCESS STUDY SHALL BE SUBMITTED TO DETERMINE THE DRIVE IS APPROPRIATELY LOCATED IN RELATION TO MOUNT VIEW ROAD.

BROADWAY REALTY COMPANY
MAP 163, PARCEL 235
DC-0000701290060492
ZONED Ar2A PUD

NOTE: LANDSCAPING SHOWN IS SCHEMATIC. FINAL PUD (CONSTRUCTION DWGS) WILL SPECIFY IN DETAIL PLANTING SPECIES AND TDUS



PEDESTRIAN CONNECTION TO ADJACENT SHOPPING CENTER
12' x 12' PAD RESERVED FOR SOLID WASTE DUMPSTER & RECYCLING CONTAINER AREA SHALL BE SCREENED AS REQUIRED BY THE METRO ZONING CODE

ACCESS SHALL BE LIMITED TO EXISTING PRIVATE DRIVE AS SHOWN. THIS PRIVATE DRIVE HAS AN ACCESS EASEMENT RECORDED IN PLAT PL-00006200 0000517
J/S HAIR WORLD BEAUTY SUPPLY, INC
MAP 163, PARCEL 300
DB-200867140072235
ZONED Ar2A PUD

MT. VIEW ROAD
75'-0" ABSE
180' ROW EXISTING
(90' ROW REQ'D PER ROAD CLASS.)



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The plan includes a 3,200 square foot commercial building to house the cash advance business. Required parking spaces for the business are located in one row along the front and south side of the building. Access to the site is proposed from the existing driveway system within the PUD.

PUD revision vs. amendment application

The application was submitted as a revision to the PUD. PUD revisions require approval from the Planning Commission only. Council approval is not required for a PUD revision, but is required for an amendment. For the reasons stated below, Planning staff agrees with the applicant that the application is within the permitted boundaries of a revision.

1. This PUD allowed office uses under its original approval. The Zoning Code, at that time and now, defines a financial institution under the general category of office uses. BL2008-169 was adopted by the Metro Council in 2008, which separated many of the financial institution uses into separate uses, such as cash advance, title loan, and check cashing uses. However, all of the separate categories remain within the office category. This PUD was approved prior to January 1, 1998, when a new Zoning Code adopted by the Metro Council went into effect, and is considered a grandfathered PUD. As a grandfathered PUD, Council-approved land uses are permitted to remain.
2. The proposed uses: check cashing, cash advance, and title loan were previously approved in a different portion of this same PUD. In 2006, the Cash 2 Day establishment within this same PUD was permitted under the then existing definition of Financial Institution. Therefore, since this PUD now has this use, staff is recommending consideration as a PUD revision for the current proposal.
3. The total constructed square footage of the PUD stands at approximately 158,000 square feet, which exceeds the permitted square footage of the Council approval in 1979. However, PUD revisions may allow the total square footage to exceed the square footage last approved by Council by not more than 10 percent. With the proposed development, the total square footage of the PUD will exceed the Council approval by approximately 5.7 percent. This amount of increase allows the development to receive approval from the Planning Commission without going to Council for approval.

Section 17.40.120G2 of the Metro Zoning Code outlines the procedures for how the Metro Planning Commission is to review changes to previously approved PUD overlay districts. Based on the requirements of the Zoning Code, Planning staff recommends the review of this application as a minor revision that would require review by only the Planning Commission.

ANALYSIS

As described above, the PUD revision application is appropriate because the proposed uses currently exist within the Bell Forge Shopping Center PUD and were permitted under the original Council approval. The expansion of the PUD square footage will not exceed 10 percent of the original approval, which would require Council approval.

Compatibility with the Regional Activity Center land use policy is demonstrated by the site plan. Parking along the front of the lot is limited to one row. Access to the site is provided through existing driveways. Regional Activity Center policy allows for a wide range of commercial uses, including the proposed check cashing, cash advance, and title loan uses.



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FIRE MARSHAL RECOMMENDATION

- Plans for construction shall show fire hydrant locations with flow data showing compliance with the Fire Codes before a building permit will be issued.

STORMWATER RECOMMENDATION

- Unsure of site discharge location (GIS indicates no downstream storm structures within vicinity)?

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. The sidewalks shown on the plans should be per Public Works standards with the required curb and gutter, and be built or bonded prior to recording the plat. Additionally, they should be located completely in the public ROW.
3. Remove new access drive connection to northern existing private drive or submit an Access study to determine appropriate distance from Mt View Rd. for access drive location.

STAFF RECOMMENDATION

Staff recommends approval with conditions. The proposed check cashing/ cash advance/ title loan uses are permitted within the Bell Forge Shopping Center PUD. The form of the development is consistent with the approved PUD plans and the Regional Activity Center policy.

CONDITIONS

1. Conditions listed above from Metro Public Works shall be met.
2. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
3. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
4. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.
5. Prior to any additional development applications for this property, and in no event later than 120 days after the date of conditional approval by the Planning Commission, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan. Failure to 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



2012S-036-001
WHERRY, RESUB LOT 1
Map 061-04, Parcel(s) 027
East Nashville
07 - Anthony Davis



Project No.	Subdivision 2012S-036-001
Project Name	Wherry Subdivision
Council District	7 – A. Davis
School District	5 – Porter
Requested by	Douglas and Judy Reinhard, owners, Stanley K. Draper, surveyor
Staff Reviewer	Sexton
Staff Recommendation	<i>Approve and grant a variance to the Subdivision Regulations for sidewalks</i>

APPLICANT REQUEST

Final plat to create two lots

Final Plat

A request for final plat approval to create two lots on properties located at 5000 Ruskin Avenue and a sidewalk variance, approximately 800 feet north of Haysboro Avenue, zoned Single-Family Residential (RS10) (1.03 acres).

Existing Zoning

Single Family Residential (RS10) requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre.

CRITICAL PLANNING GOALS

N/A

PLAN DETAILS

Final Plat

This residentially-zoned property is located south of the Briley Parkway on Ruskin Avenue. While a two lot subdivision that meets all of the requirements of the Subdivision Regulations can be approved administratively, the applicant has requested a variance to the sidewalk requirements of Section 3-8.2. Lot 1 is approximately 53,859 square feet in size and has approximately 372 feet of frontage along Ruskin Avenue. Lot 2 is approximately 16,527 square feet in size and has approximately 140 feet of frontage along Ruskin Avenue. There is an existing single family residence and detached garage on Lot 1 that will remain. Lot 2 is undeveloped.

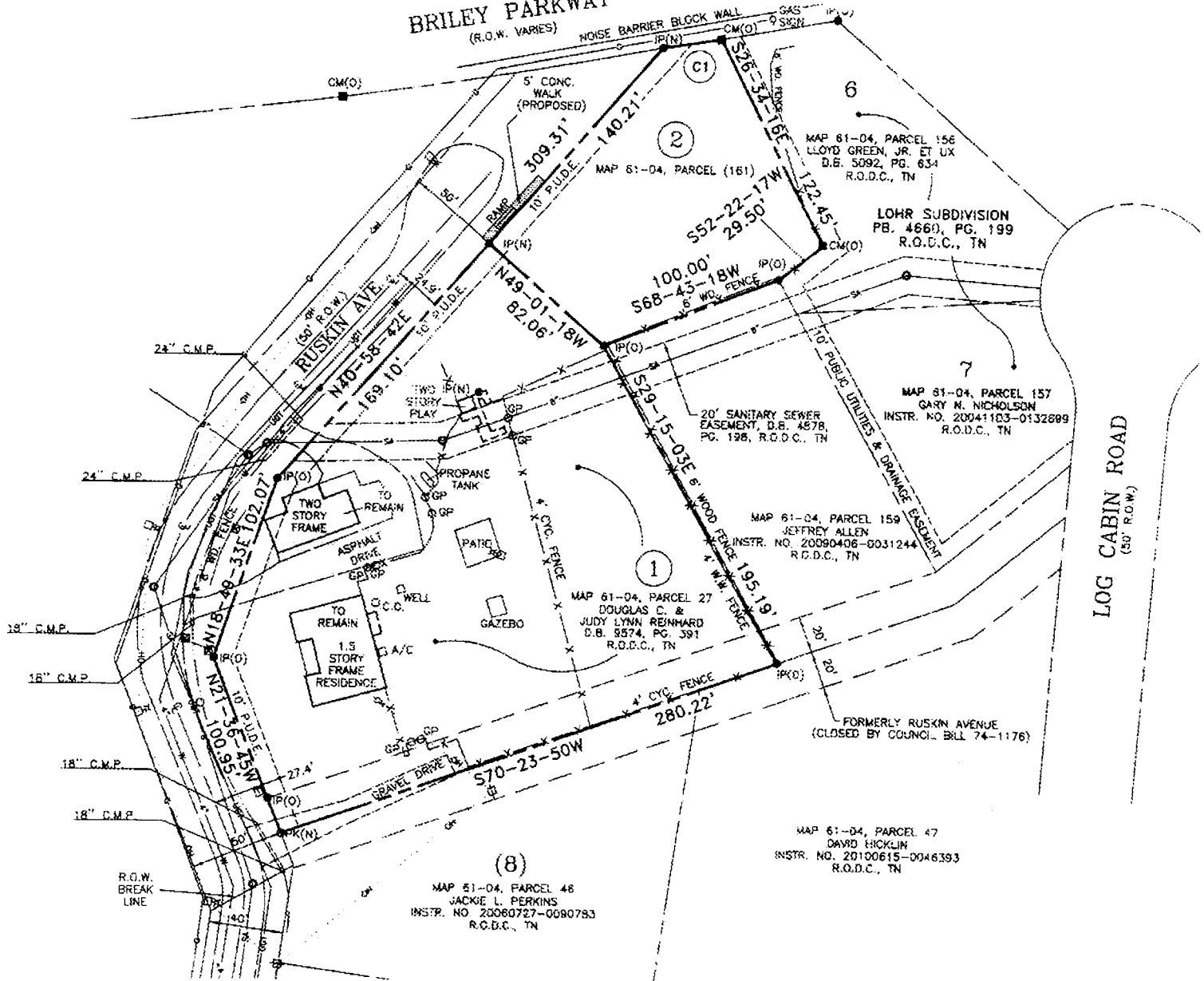
Infill Subdivisions

Lots 1 and 2 meet the requirements of the infill subdivisions section (Section 3-5) of the Subdivision Regulations and the Metro Zoning Code for lot size and orientation. Section 3-5 of the Subdivision Regulations states that new lots in areas that are predominantly developed are to be generally comparable with surrounding lots. Development on the proposed lots will be limited to single-family dwellings. The development is within the density requirement of one to two units per acre called for by the Residential Low policy.

Sidewalk requirements

Section 3.8.2 of the Subdivision Regulations requires sidewalks on all existing streets abutting proposed subdivisions within the Urban Services District (USD). The applicant has requested a

BRILEY PARKWAY (R.O.W. VARIES)



MAP 61-04, PARCEL 156
LLOYD GREEN, JR. ET UX
D.B. 5092, PG. 634
R.O.D.C., TN

LOHR SUBDIVISION
PB. 4660, PG. 199
R.O.D.C., TN

MAP 61-04, PARCEL 157
GARY M. NICHOLSON
INSTR. NO. 20041103-0132889
R.O.D.C., TN

MAP 61-04, PARCEL 159
JEFFREY ALLEN
INSTR. NO. 20090406-0031244
R.O.D.C., TN

MAP 61-04, PARCEL 27
DOUGLAS C. &
JUDY LYNN REINHARD
D.B. 9574, PG. 391
R.O.D.C., TN

(8)
MAP 61-04, PARCEL 46
JACKIE L. PERKINS
INSTR. NO. 20060727-0090783
R.O.D.C., TN

MAP 61-04, PARCEL 47
DAVID HICKLIN
INSTR. NO. 20100615-0046393
R.O.D.C., TN

LOG CABIN ROAD
(50' R.O.W.)

FORMERLY RUSKIN AVENUE
(CLOSED BY COUNCIL BILL 74-1176)



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variance to this requirement, stating that the construction of a sidewalk along Ruskin Avenue would provide no pedestrian benefit due to the location and topographical features of the property. The variance application also points out that the property to be subdivided is located at the end of a dead end street and that the street will never be extended due to its terminus at Briley Parkway.

Variance to the Subdivision Regulations

In order for a variance to be granted, the applicant needs to meet the requirements of Section 1-11 regulating variances.

1-11 Variances

1. *General. If the Planning Commission finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations, a variance from these regulations may be granted, provided that such variance shall not have the effect of nullifying the intent and purpose of these regulations. The Planning Commission shall make findings based upon the evidence presented to it in each specific case that:*
 - a. *The granting of the variance shall not be detrimental to the public safety, health, or welfare or injurious to other property or improvements in the neighborhood in which the property is located.*
 - b. *The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property.*
 - c. *Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations were carried out.*
 - d. *The variance shall not in any manner vary from the provisions of the adopted General Plan, including its constituent elements, the Major Street Plan, or the Zoning Code for Metropolitan Nashville and Davidson County (Zoning Code).*

The intent of the regulations for which the variances are sought are to ensure that, as property is subdivided in already developed areas, additions are made to the pedestrian network. The granting of the variance will not nullify the intent of the regulation. In addition, staff finds the following as evidence for this variance consistent with Section 1-11.1, a – d above:

- a. There are no other sidewalks within a quarter mile of this location. As Ruskin Avenue terminates at Briley Parkway with a negligible possibility of extension, this action is not detrimental to the pedestrian network for this neighborhood.
- b. This parcel is unique due to its irregular shape and exceptionally long frontage because of the snaking nature of Ruskin Avenue in this location. Other lots in the area are generally developed and more regularly shaped.
- c. The lot frontage is characterized by a significant number of mature trees that would need to be removed in order to accommodate a sidewalk. In addition a portion of the lot's frontage is also characterized by slopes. This topographical condition would require the property owner to cut into the existing hillside to provide for a sidewalk that would not be connected to any other sidewalk.
- d. Sidewalks are a key element in the pedestrian network in Nashville and subdivisions provide an opportunity to add to the network in residential areas over time. There are no sidewalks on Ruskin Avenue and limited opportunity for future subdivisions to add sidewalks. In addition, it is likely that Ruskin Avenue will always terminate at Briley Parkway. Given these factors, there



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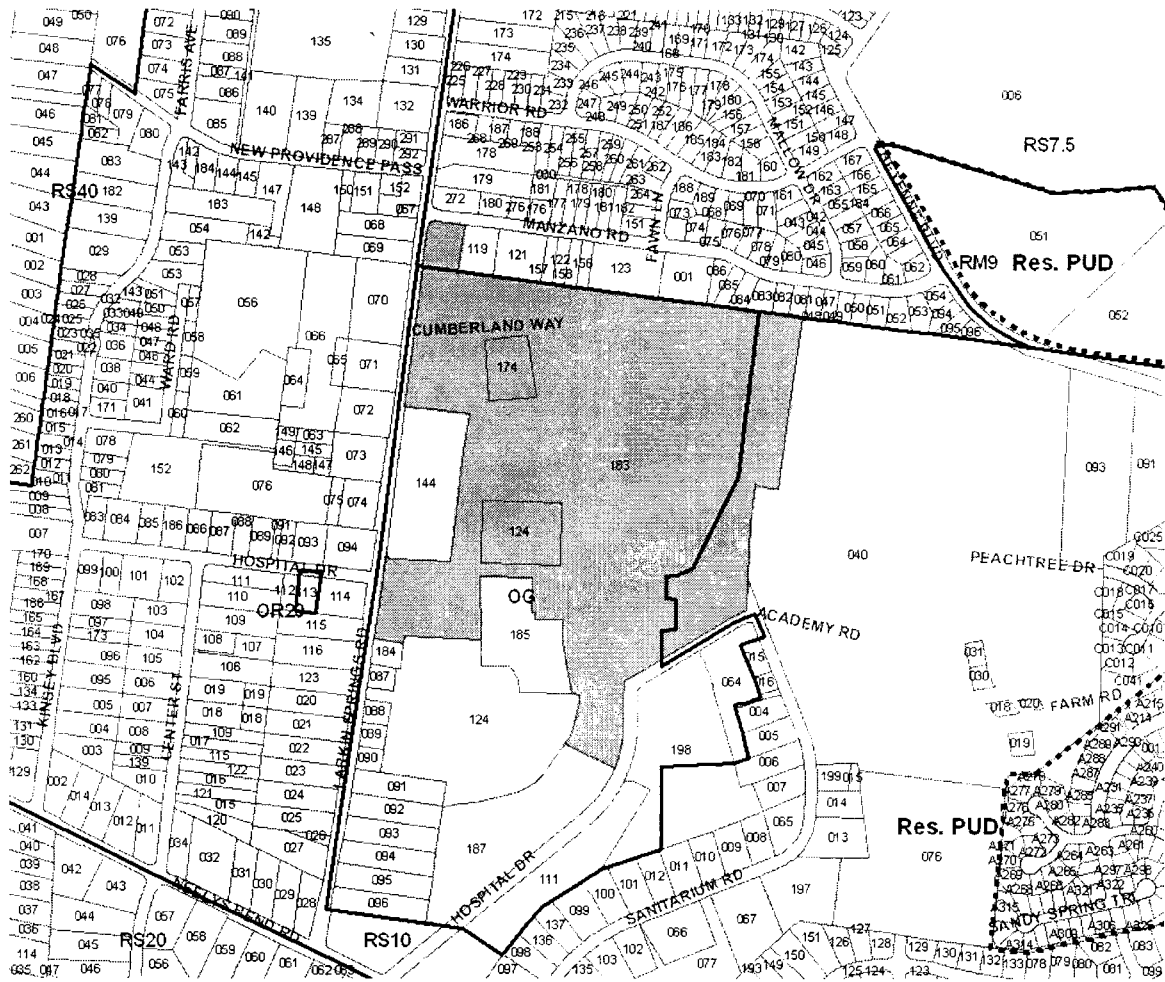
is little prospect that a sidewalk in this location would be added to or ever be a meaningful element in the overall pedestrian network.

When taken individually, the mature trees, the slopes, the exceptionally long frontage, the irregularly shaped lot and the permanent terminus of the street may not be sufficient to warrant a variance to the Subdivision Regulations. But, when taken as a whole, staff finds that there is sufficient hardship to recommend that a variance be granted.

STAFF RECOMMENDATION

Staff recommends approval of the subdivision and variance request to the sidewalk requirements of the Subdivision Regulations.

SEE NEXT PAGE



2012S-048-001
 SEVENTH DAY ADVENTIST & TENNESSEE CHRISTIAN MEDICAL CENTER,
 3rd Rev.
 Map 052-03, Parcel(s) 124, 174, 183
 Madison
 09 - Bill Pridemore



Project No.	Subdivision 2012S-048-001
Project Name	Seventh Day Adventist and Tennessee Christian Medical Center Subdivision
Council District	9 – Pridemore
School District	3 – North
Requested by	HTI Memorial Hospital Corporation, owner, Atwell LLC, surveyor
Staff Reviewer	Sexton
Staff Recommendation	<i>Approve with conditions</i>

APPLICANT REQUEST

Final plat to create nine lots and dedicate easements

Final Plat

A request for final plat approval to create nine lots and dedicate easements on property located at 312 Hospital Drive and Hospital Drive (unnumbered), approximately 1,050 feet north of Neelys Bend Road (51.31 acres), zoned Office General (OG) and Single Family Residential (RS7.5).

Existing Zoning

Office General (OG) is intended for moderately high intensity office uses.

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

CRITICAL PLANNING GOALS

N/A

PLAN DETAILS

Final Plat

The applicant is requesting final plat approval for a nine lot subdivision and to dedicate easements on the property. Subdivisions of three or more lots must be approved by the Metro Planning Commission.

The proposed subdivision is located south of State Route 45 and abuts Larkin Springs Road. An existing hospital is located on a portion of the property proposed for Lot 1. The hospital will remain. Existing structures located on Lots 3, 9, 11 and 12 will remain. Access to the subdivision is located off of Larkin Springs Road. There are three existing private drives within the proposed subdivision that provide connectivity and access to each lot. A 20 foot Public Utility Drainage Easement is proposed on a portion of Lot 1 and Lot 13. A 45 foot Access and Utility Easement is proposed on a portion of Cumberland Way Drive to the east.

Sidewalks/Right-of-Way Reservation

Sidewalks are not present along Larkin Springs Road and Manzano Road. The property subdivision proposal is located within the Sidewalk Priority Index. Sidewalks at the corner of Manzano Road and Larkin Springs will need to be shown on a revised plat prior to recordation. The applicant has placed a note on the plat prohibiting the issuance of building permits on any lot with a required



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sidewalk until the sidewalk is constructed per the Department of Public Works specifications. Larkin Springs Road has been identified as being a Collector in the Major and Collector Street Plan and a future right of way reservation is required. The applicant has placed a note on the plat indicating future right of way reservation along Larkin Springs Road.

STORMWATER RECOMMENDATION

Final plat approved with conditions (Stormwater):

1. Provide Public Utility and Drainage Easements for any pipes / ditches along ROW and for any pipes / ditches that cross proposed property lines.

WATER SERVICES RECOMMENDATION

Final plat approved with conditions (Water Services):

1. Provide revised plat addressing agency comments

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

1. Prior to final plat recordation, all requirements of Metro Stormwater shall be satisfied.
2. Prior to final plat recordation, all requirements of Metro Water Services shall be satisfied.
3. Prior to final plat recordation, a revised plat shall be submitted to staff showing a proposed sidewalk at the corner of Manzano Road and Larkin Springs.



2012S-051-001
ARMSTRONG ACRES
Map 009, Parcel(s) 028
Joelton
01 - Lonell Matthews, Jr.



Project No.	Subdivision 2012S-051-001
Project Name	Armstrong Acres Subdivision
Council District	1 – Matthews
School District	3 – North
Requested by	Betty Joyce Cooper, Trustee, owner, HFR Design Survey Division, surveyor
Staff Reviewer	Bernards
Staff Recommendation	<i>Approve</i>

APPLICANT REQUEST

Final plat to create four lots

Final Plat

A request for final plat approval to create four lots on property located at 7700 Greenbrier Road, at the southeast corner of Whites Creek Pike and Greenbrier Road, zoned AR2a (10.3 acres).

Existing Zoning

Agricultural/Residential (AR2a) requires a minimum lot size of 2 acres and is intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per 2 acres. The AR2a District is intended to implement the natural conservation or rural land use policies of the general plan.

CRITICAL PLANNING GOALS

N/A

PLAN DETAILS

This is a request to subdivide an existing 10.3 acre parcel into four lots ranging in size from 2.0 acres to 4.1 acres. Three lots will front onto Greenbrier Road and the fourth lot will front onto Whites Creek Pike. Each lot will be served by a septic system.

STORMWATER RECOMMENDATION

Approve

PUBLIC WORKS RECOMMENDATION

No exception taken.

WATER SERVICES RECOMMENDATION

Approve

STAFF RECOMMENDATION

As the final plat meets all the requirements of the Subdivision Regulations, staff recommends approval.

