



# **METROPOLITAN PLANNING COMMISSION**

## **DRAFT MINUTES**

**Thursday, May 9, 2013**

**4:00 pm Regular Meeting**

**700 Second Avenue South**  
(between Lindsley Avenue and Middleton Street)  
Howard Office Building, Sonny West Conference Center (1st Floor)

### **MISSION STATEMENT**

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

**Commissioners Present:**

Jim McLean, Chair  
Phil Ponder  
Jeff Haynes  
Derrick Dalton  
Greg Adkins  
Councilmember Phil Claiborne

**Staff Present:**

Rick Bernhardt, Executive Director  
Jennifer Carlat, Assistant Director  
Kelly Adams, Admin Services Officer III  
Craig Owensby, Public Information Officer  
Bob Leeman, Planning Manager II  
Kathryn Withers, Planning Manager II  
Carrie Logan, Planner III  
Anita McCaig, Planner III  
Jason Swaggart, Planner II  
Greg Johnson, Planner II  
Duane Cuthbertson, Planner II  
Amy Diaz-Barriga, Planner I  
Susan Jones, Legal

**Commissioners Absent:** Stewart Clifton, Hunter Gee, Judy Cummings, Andree LeQuire

**Richard C. Bernhardt, FAICP, CNU-A**

Secretary and Executive Director, Metro Planning Commission

**Metro Planning Department of Nashville and Davidson County**  
800 2nd Avenue South P.O. Box 196300 Nashville, TN 37219-6300  
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## Notice to Public

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**Please remember to turn off your cell phones.**

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

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

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

### Writing to the Commission

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

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

### Speaking to the Commission

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

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

### Legal Notice

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



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# MEETING AGENDA

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## A. CALL TO ORDER

The meeting was called to order at 4:00 p.m.

## B. ADOPTION OF AGENDA

Mr. Haynes moved and Mr. Ponder seconded the motion to adopt the agenda. (6-0)

## C. APPROVAL OF APRIL 25, 2013 MINUTES

Mr. Haynes moved and Mr. Dalton seconded the motion to approve the April 25, 2013 minutes. (6-0)

## D. RECOGNITION OF COUNCILMEMBERS

Councilman Buddy Baker was in attendance but did not speak.

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

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## E. ITEMS FOR DEFERRAL / WITHDRAWAL

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### 3. 2013SP-009-001 CAHAL CORNERS

Mr. Ponder moved and Councilmember Claiborne seconded the motion to approve the Deferred Item. (6-0)

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## F. CONSENT AGENDA

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**NOTICE TO THE PUBLIC:** Items on the Consent Agenda will be voted on at a single time. No individual public hearing will be held, nor will the Commission debate these items unless a member of the audience or the Commission requests that the item be removed from the Consent Agenda.

### 2a. 2013CP-007-002 WEST NASHVILLE COMMUNITY PLAN AMENDMENT

### 2b. 2013SP-019-001 6734 CHARLOTTE PIKE

### 5. 2013Z-014PR-001

### 6. 2013Z-015PR-001

### 7. 2008S-027G-06 BEAUTIFUL VALLEY PLACE

### 8. 2013S-060-001 CONNERS TWO LOT SUBDIVISION

### 9. 2013S-066-001 HG HILLS CENTER DICKERSON PIKE, RESUB LOT 1

10. New employee contracts for Andrew Collins and Brenda Diaz.

11. Contract amendment No. 1 between the Nashville-Davidson County Metropolitan Planning Commission on behalf of the Nashville Area MPO and Gresham, Smith and Partners for professional services related to the conduct of the Southeast Area Transportation and Land Use Study.

12. Set Public Hearing date for amendments to Section 6-1 of the Subdivision Regulations (Improvements and Performance Bond) on June 13, 2013, or if notices cannot be completed at least 30 calendar days prior to June 13, 2013, then June 27, 2013.

Mr. Ponder moved and Mr. Adkins seconded the motion to approve the Consent Agenda. (6-0)

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## G. PREVIOUSLY DEFERRED ITEMS

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The items below were deferred from a previous Planning Commission meeting at the request of the applicant or by the commissioners. For Community Plan Policy items, see H. Community Plan Policy Changes and Associated Cases.

### 1a. 2013CP-007-001

#### WEST NASHVILLE COMMUNITY PLAN AMENDMENT

Map 103-04, Parcel(s) 161-162  
Council District 24 (Jason Holleman)  
Staff Reviewer: Anita McCaig

A request to amend the West Nashville Community Plan: 2009 Update by changing the Community Character Policy from Urban Neighborhood Maintenance (T4-NM) to Urban Neighborhood Center policy for properties located at 132 and 134 46<sup>th</sup> Avenue North, at the southeast corner of Utah Avenue and 46<sup>th</sup> Avenue North (0.54 acres), requested by Laodice, LLC, owner and applicant.

**Staff Recommendation: Approve**

#### APPLICANT REQUEST

**Change the policy from Urban Neighborhood Maintenance to Urban Neighborhood Center.**

#### Amend the Community Plan

A request to amend the *West Nashville Community Plan: 2009 Update* by changing the current Community Character Policy Urban Neighborhood Maintenance (T4-NM) to Urban Neighborhood Center (T4-NC) for properties located at 132 and 134 46<sup>th</sup> Avenue North (0.54 acres).

#### CURRENT POLICY

Urban Neighborhood Maintenance (T4-NM) policy is intended to preserve the general character of urban neighborhoods, including their development pattern, building form, land use, and associated public realm. T4 NM areas will experience some change over time, primarily when buildings are expanded or replaced. When this occurs, efforts should be made to retain the existing character of the neighborhood. Where not present, enhancements should be made to improve pedestrian, bicycle, and vehicular connectivity.

#### PROPOSED POLICY

Urban Neighborhood Center (T4-NC) policy is intended to preserve, enhance, and create urban neighborhood centers that are compatible with the general character of urban neighborhoods. T4 NC areas are pedestrian-friendly areas, generally located at intersections of urban streets that contain commercial, mixed use, civic and public benefit land uses, with residential present in mixed use buildings. These areas serve urban neighborhoods within a five minute walk. Where not present, infrastructure and transportation networks should be enhanced to improve pedestrian, bicycle, and vehicular connectivity.

#### BACKGROUND

The properties at 132 and 134 46<sup>th</sup> Avenue North are located on the east side of 46<sup>th</sup> Avenue, and the south side of Utah Avenue. The northernmost property is zoned RS7.5 and currently contains one single-family house that fronts onto 46<sup>th</sup> Avenue. It is comprised of two residential lots, which have been combined into a single tax parcel. The southernmost lot is zoned Commercial Neighborhood (CN) and currently contains a small commercial building, presently operating as a market. The commercial building is approximately 3,000 square feet and was constructed in the 1950s.

The current property owners have requested a plan amendment and rezoning in order to redevelop these two properties. Their plans include three single-family houses facing Utah Avenue and a 4,900 square foot commercial building facing 46<sup>th</sup> Avenue North, which would contain two businesses – a local restaurant or retail use and a smaller business.

The *West Nashville Community Plan* was last updated in 2009. These two properties are located in the Sylvan Park Neighborhood, a developed urban neighborhood. These two properties were included as part of the larger established neighborhood and, as such, Urban Neighborhood Maintenance policy was placed here. The commercially-zoned property was recognized as “non-conforming” to the policy at that time. The Sylvan Park Neighborhood’s desire is to protect their residential houses while also enhancing the pedestrian environment and bicycle usage.

## COMMUNITY PARTICIPATION

A community meeting was held by the Planning Department on April 4, 2013. The meeting was attended by approximately 35 people from the surrounding Sylvan Park Neighborhood. Several attendees were supportive of the project and mentioned that the proposed rezoning, if approved, would:

- Be a much needed improvement to the site since the current house and commercial building have fallen into disrepair;
  - Provide a sidewalk along the property's frontage with 46<sup>th</sup> Avenue North and complete the sidewalk along the length of 46<sup>th</sup> Avenue as this block is currently the only missing segment;
  - Provide houses that complement the surrounding residences;
  - Provide local businesses that would benefit the community;
- 
- Provide a gathering spot and destination to walk or bike to; and
  - Be a better neighbor than the current business that is located there as that business is noisy at night.

Other attendees expressed concerns about the proposed development's impact to the neighborhood and future impact if the property were rezoned. These attendees were mainly concerned that the proposed rezoning, if approved, would:

- Create three residential lots that are smaller in size than the surrounding residential lots and might set a precedent for smaller lot sizes in the neighborhood;
- Allow a business, such as a local restaurant, that might need more parking than is being provided (proposed parking meets required parking of Zoning Code), cause patrons to park on the street, and create parking problems for residents, especially those without driveways;
- Create additional traffic in the alley, which is at the southern end of the property; and
- Create noise and lighting concerns for the immediate neighbor to the east.

In addition to this community meeting, the applicant has been working with the Sylvan Park Neighborhood Association since November 2012, has participated in six additional neighborhood meetings to discuss their development proposal, and has revised their plans throughout that time period based on neighborhood thoughts and concerns.

## ANALYSIS

The properties at 132 and 134 46<sup>th</sup> Avenue North are located along a busy corridor in the Sylvan Park Neighborhood. Immediately adjacent to the east are single-family homes. Across Utah Avenue, which borders the properties to the north, are single-family homes. Across 46<sup>th</sup> Avenue to the west are more single-family homes.

These properties are seven blocks south of businesses and services along Charlotte Pike and approximately two blocks north of the 46<sup>th</sup> Avenue/Murphy Road neighborhood center that contains several restaurants and shops. The Music City Bikeway runs along 46<sup>th</sup> Avenue North.

As previously mentioned, these two properties currently contain an older, commercial building and a dilapidated, single-family house. With one property currently zoned Commercial Neighborhood (CN) and the other zoned RS7.5, today's property rights allow for a commercial building and two single-family houses oriented towards 46<sup>th</sup> Avenue North. The applicant proposes three single-family houses, oriented toward Utah Avenue, that match the lot pattern and character of homes along Utah Avenue. In addition, the applicant wants to replace the commercial building with a newer, commercial building that would allow two businesses. Under the accompanying Specific Plan zoning, a restaurant or retail use is defined for one space. The second, smaller space is restricted to office, retail, personal care, and take-out restaurant. The most recent business discussed for the smaller space is a local bakery.

The applicant's proposal meets the intent of Urban Neighborhood Center policy. The proposal enhances the character and built form of the site while adding to the pedestrian and bicycle infrastructure.

Planning staff believes the proposed Specific Plan zoning, which requires a plan amendment, improves the aesthetics and building form of these two properties by:

- Completing the single-family housing pattern along the Utah Avenue frontage with houses that complement the existing neighborhood character in form, setbacks, materials, and size;
- Utilizing the largest of the three houses to anchor the corner with 46<sup>th</sup> Avenue by wrapping the porch around both frontages;
- Completing the sidewalk network along the east side of 46<sup>th</sup> Avenue North, along with an 8 foot-wide sidewalk (even wider in certain locations), street trees, and on-street parking;
- Creating a mixed use neighborhood center that encourages pedestrian and bicycle use through pedestrian-oriented site and business design;
- Constructing a small, one-story, commercial building that frames the street (46<sup>th</sup> Avenue) with well-designed storefronts and includes outdoor dining, which further encourages street level activity;
- Providing parking at the rear of the commercial building, along with a sidewalk connecting the parking with the frontage along 46<sup>th</sup> Avenue;
- Creating a landscape buffer and fence that screens the commercial uses and parking from the adjacent single-family residence to the east;
- Restricting commercial uses to small, neighborhood-scale services; and

- Using low impact development techniques, including a bio-retention swale and pervious pavement, to keep and filter stormwater on site.

### **STAFF RECOMMENDATION**

Staff recommends approval of the Urban Neighborhood Center (T4-NC) policy.

Since appropriate transition language is included in the *Community Character Manual*, there are no special policies associated with the T4-NC policy area in the *West Nashville Community Plan: 2009 Update* that need to be added with the proposed amendment.

Chairman McLean requested that Mr. Ponder chair the meeting.

Items 1a and 1b were heard and discussed together.

Ms. McCaig presented the staff recommendation of approval.

Councilman Holleman spoke in support of Items 1a and 1b and noted that the developers have been very engaged in the community process for a long time by attending many neighborhood meetings as well as community meetings held specifically to discuss this issue. More conversation is needed regarding the restaurant, but that can and will be addressed going forward.

Brian Adams, applicant, 132 46<sup>th</sup> Ave N, spoke in support of the application and noted that he has and will continue to consistently work with the Councilmember as well as the neighbors.

Joseph Mella, 4506 Wyoming Ave, spoke in support of the application and expressed excitement about the improvements to the neighborhood. He noted that the developers have made every effort to engage the community and that this project will be a great improvement to the neighborhood and the quality of life in Sylvan Park.

Caroline Trost, 4310 Dakota Ave, spoke in support of the application. She noted that the proposed plans look great and expressed excitement about having a bakery and restaurant within walking distance.

Tricia Herzfeld, 4710 Dakota Ave, spoke in support of the application and noted that her family is especially excited about the bakery. She noted that this will be a lovely addition to the neighborhood and that the developers have done a fantastic job of reaching out and engaging the community.

Trey Tally, 4607 Utah Avenue, spoke in support of the application and noted excitement about the entire project, especially the bakery. He also noted that the developers have answered all questions along the way.

Craft Hayes, 4302 Elkins, spoke in support of the application. He noted that the developers have done a fantastic job of communicating what they want to accomplish as well as understanding the neighbor's concerns.

John Houghton, 4412 Utah Ave, spoke in opposition to the application and asked for either disapproval or a deferral. He noted approval of the residential changes but disapproval of the proposed commercial changes due to parking concerns.

Mike Irwin, 4506 Utah Ave, stated that he supports development of this site but the restaurant and parking are the main areas of concern. He noted that this is a residential area, not a commercial area. He said that the developers have been great to work with and he would like to see them limit the size of the restaurant.

Carlos Vanoye, 4402 Utah Ave, spoke in opposition to the application. He stated that he is okay with the housing and excited about the bakery, but he noted concerns with the size of the restaurant and the overflow parking. He asked to limit the size of the restaurant.

Annie Bergeson, 4504 Utah Ave, expressed concerns regarding the rezoning setting a precedent in the neighborhood and also stated that she does not want parking in front of her house.

Don Harper, 4505 Utah Ave, spoke in opposition to the application. He expressed excitement about the bakery, but concerns with losing the open space to three houses.

Mekayle Houghton, 4412 Utah Ave, spoke in opposition to the application and passed out a petition that she went door-to-door in the neighborhood having people sign opposing the rezoning.

Pat Bergeson, 4504 Utah Ave, spoke in support of some aspects of the application but spoke in opposition to having such a large density shoved in such a small space.

Brian Adams, applicant, stated that he will continue to have discussion with the Councilmember and the neighbors to ensure that all issues are addressed.

**Mr. Haynes moved and Mr. Adkins seconded the motion to close the Public Hearing. (6-0)**

Mr. Adkins spoke in support of the application and noted that even though the biggest concern would be the parking, the development actually will fix a dangerous parking situation. He stated that the development will support transit, walkability due to the new sidewalks, and increased density. The Councilmember, developer, and neighborhood are all working hard at trying to resolve this situation. He explained that from a planning perspective, sometimes you have to give a little to get a little and this development could lead to good energy for this neighborhood.

Mr. Dalton spoke in support of the application due to the fact that it supports a walkable community and promotes infill development. He stated that there are still some conversations that need to take place in order to address a few specific issues that have been raised, but feels that the Councilmember will do a great job bringing both sides to the table and finding a meaningful solution that will be beneficial to all involved.

Mr. Haynes stated that he would be in favor of a deferral until the Councilmember can work out the balance of the 4900 square foot commercial building. He noted that the balance between parking and use is critical and he isn't sure the financial flexibility is there with only 4,900 square feet.

Chairman McLean expressed concerns regarding parking and the size of the development but noted that the Councilmember will work these issues out.

Councilmember Claiborne expressed total confidence in the Councilmember's ability to shepherd this project. He also noted that a deferral would allow time to resolve the parking concerns.

**Councilmember Claiborne moved and Mr. Haynes seconded the motion to defer to the May 23, 2013 Planning Commission meeting. (6-0)**

**Resolution No. RS2013-82**

**"BE IT RESOLVED** by The Metropolitan Planning Commission that 2013CP-007-001 is **Deferred to the May 23, 2013, Planning Commission meeting. (6-0)**

**1b. 2013SP-012-001**

**46TH AND UTAH**

Map 103-04, Parcel(s) 161-162  
Council District 24 (Jason Holleman)  
Staff Reviewer: Greg Johnson

A request to rezone from RS7.5 and CN to SP-MU zoning for properties located at 132 and 134 46th Avenue North, at the southeast corner of Utah Avenue and 46th Avenue North (.54 acres), to permit up to three single-family residential units, office, restaurant, and or retail uses; requested by Laodice, LLC, owner and applicant.

**Staff Recommendation: Approve with conditions if associated plan amendment is approved, and disapprove without all conditions. Disapprove preliminary SP if plan amendment is not approved.**

**APPLICANT REQUEST**

**Rezone to permit three single-family dwellings and 4,900 square feet of commercial space.**

Preliminary SP

A request to rezone from Single-Family Residential (RS7.5) and Commercial Neighborhood (CN) to Specific Plan – Mixed Use (SP-MU) zoning for properties located at 132 and 134 46th Avenue North, at the southeast corner of Utah Avenue and 46th Avenue North (.54 acres), to permit up to three single-family residential units, office, restaurant, and/or retail uses.

**Existing Zoning**

Single-Family Residential (RS7.5) requires a minimum 7,500 square foot lot and is intended for single-family dwellings at a density of 4.94 dwelling units per acre. *The portion of the site currently zoned RS7.5 would permit a maximum of two dwellings based on land area within the zoning district.*

Commercial Neighborhood (CN) is intended for very low intensity retail, office, and consumer service uses which provide for the recurring shopping needs of nearby residential areas. The CN zoned area would permit a maximum of 2,300 square feet of commercial uses because of the floor-area ratio requirements of the CN zoning district. However, there is a legally non-conforming, existing commercial building of 3,000 square feet on the site.

## **Proposed Zoning**

Specific Plan-Mixed Use (SP-MU) 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 proposes three single-family residential uses in addition to 4,900 square feet of commercial uses.

## **CRITICAL PLANNING GOALS**

- Creates Walkable Neighborhoods
- Supports a Variety of Transportation Choices
- Supports Infill Development
- Promotes Compact Building Design

The SP proposes the redevelopment of a site in an established residential neighborhood, served by existing infrastructure. Installation of sidewalks and removal of existing head-in parking along the 46<sup>th</sup> Avenue street frontage, along with the addition of outdoor seating will improve the walkability of the neighborhood. Small-scale, mixed-use development of this kind supports a variety of transportation choices because it provides additional choices for residents within walking and bicycling distances. Residential development proposed on the site will have a compact footprint compared to surrounding dwellings, but have been designed to be consistent with setbacks of surrounding residential development.

## **WEST NASHVILLE COMMUNITY PLAN**

### **Existing Policy**

T4 Neighborhood Maintenance (T4 NM) policy is intended to preserve the general character of urban neighborhoods as characterized by their development pattern, building form, land use and associated public realm. T4 NM areas will experience some change over time, primarily when buildings are expanded or replaced. When this occurs, efforts should be made to retain the existing character of the neighborhood, in terms of its development pattern, building form, land use and the public realm. Where not present, enhancements are made to improve pedestrian, bicycle and vehicular connectivity.

### **Proposed policy**

T4 Urban Neighborhood Center (T4-NC) policy is intended to preserve, enhance, and create urban neighborhood centers that are compatible with the general character of urban neighborhoods. T4 NC areas are pedestrian-friendly areas, generally located at intersections of urban streets that contain commercial, mixed use, civic and public benefit land uses, with residential present in mixed use buildings. These areas serve urban neighborhoods within a five minute walk. Where not present, infrastructure and transportation networks should be enhanced to improve pedestrian, bicycle, and vehicular connectivity.

### Consistent with Policy?

Yes, this rezoning is consistent with the proposed policy. This SP requires an amendment to the West Nashville Community Plan policy to permit the proposed commercial uses even though the existing CN zoning permits some of these uses currently. As discussed in the plan amendment report, the T4 Neighborhood Center policy is appropriate in this location. The SP complies with the T4 Neighborhood Center policy. It provides a mixed use project with residential development completing the residential block along Utah Avenue and commercial development facing 46<sup>th</sup> Avenue, which is an arterial street with a bike lane.

## **SITE/PLAN DETAILS**

The site is currently divided into three lots of approximately equal size facing 46<sup>th</sup> Avenue North. The two northern lots are zoned RS7.5, and would permit a single-family dwelling on each lot. These two residential lots have been combined by deed into one parcel, but could be divided back to the previously-platted two lots. Currently, one single-family dwelling occupies these two lots. The third lot is zoned CN or Commercial Neighborhood, which is intended for low-intensity retail and office uses. This property has been zoned for commercial development since 1974. A commercial building with a size of approximately 3,000 square feet occupies this site. A market currently operates within the commercial building.

### Plan layout

The SP divides the site into approximately two halves: a residential portion on the northern half of the site that would face Utah Avenue and a commercial portion that would face 46<sup>th</sup> Avenue.

Three single-family residential lots are proposed to face Utah Avenue. These lots, which would have sizes between 3,750 and 4,000 square feet, would be smaller than the surrounding residential lots. However, these new lots would maintain the character of surrounding development. The widths of all three lots will be consistent with the prevailing lots widths on this block of 50-55 feet. Additionally, the proposed single-family detached dwellings will have similar street setbacks to surrounding houses on the same block. Each lot will be accessed by a driveway connection to Utah Avenue, which is also similar to other lots on this block. The dwellings proposed for the Utah Avenue frontage will have a maximum size of 3,000 square feet and a maximum height of three stories for the corner lot and the center lot. The dwelling proposed for the eastern lot will have a maximum size of 2,600 square feet and a maximum height of two stories. The shorter height of the interior dwelling will allow the maximum height to transition to the shorter height of surrounding dwellings on this block which are mostly one-story with some two-story dwellings.

A one-story commercial building is proposed on the southern half of the site. It will contain two tenant spaces totaling 4,900 square feet. Two sets of permitted land uses are permitted for the tenant spaces.

- Tenant space A would permit general office, restaurant (take-out), medical office, general retail, convenience retail, and/or personal care service.



- Tenant space B would permit full service restaurant or retail uses. Front entrances for both tenant spaces will face 46<sup>th</sup> Avenue. According to the site plan, tenant space B includes an outdoor dining area along the 46<sup>th</sup> Avenue street frontage.

Sidewalks

Sidewalks are proposed along both street frontages along the site. Sidewalks are not currently present along Utah Avenue. The addition of sidewalk along that frontage will provide a critical link that could be extended in the future. The block face along 46<sup>th</sup> Avenue North is currently the only block between Charlotte Avenue and Murphy Road, a distance of approximately three-quarters of a mile, without a sidewalk. The proposed sidewalk will complete an important gap in sidewalk connectivity. Along the 46<sup>th</sup> Avenue block frontage, the sidewalk will have a width of 12 feet, except in one location where a tree planter will narrow the width to 8 feet.

Landscape buffer

A 10 foot wide alley right-of-way separates the site from the residential lot to the east; the alley has never been constructed. Even though the site does not share a property line with the closest residential lot to the east, a landscape buffer is proposed along the edge of the rear parking lot of the commercial portion of the site where it would be visible from that lot.

Parking

The SP complies with the parking requirements of the Zoning Code for the intended residential and commercial uses. Fourteen spaces are shown behind the commercial building along an alley to the south of the site. Five on-street parking spaces are shown along 46<sup>th</sup> Avenue North. The existing parking layout along 46<sup>th</sup> Avenue includes “head-in” perpendicular spaces in front of the restaurant use. This is a parking standard that is no longer permitted because it requires vehicles to back-up into traffic. The SP would resolve this parking design issue by placing buildings along the street frontage, providing formal parking behind the commercial building, and providing on-street parallel parking spaces along the block frontage.

Signage

Signage proposed for the commercial building is intended to be modestly-sized and illuminated. Ground signs are prohibited by the SP plan. Each business may have one wall sign facing 46<sup>th</sup> Avenue. Internally-illuminated box signs are prohibited. If signs are illuminated, it shall be from an external source or from a diffused internal source that illuminates only letters and logos.

**ANALYSIS**

The maximum square footage of commercial development will increase from the existing 3,000 square foot legally non-conforming building to the proposed 4,900 square foot commercial building. The number of dwellings will increase from two to three. The applicant has taken steps to improve the interaction of development with the surrounding neighborhood through compatible design. The SP will add neighborhood amenities of sidewalks, on-street parking, street trees, and outdoor seating to the 46<sup>th</sup> Avenue street frontage. Along Utah Avenue, new residential lots will allow for single-family dwellings that screen the side and rear of the commercial use while blending with the character of surrounding residential uses.

**STORMWATER RECOMMENDATION**

Approved

**PUBLIC WORKS RECOMMENDATION**

1. The developer’s final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
2. With final SP, submit sight distance calculations for any proposed landscaping within the bulb outs at the intersection of the Alley and Utah with 46th Avenue.
3. With the final SP, sidewalks along the property frontage must be ADA compliant and provide curb ramps at the terminus of the sidewalk on this project where they abut public streets or alleys.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	0.34	7.41 D	2 L	20	2	3

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Specialty Retail (814)	0.20	0.25 F	2,178 SF	131	9	27

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
Single-Family Detached (210)	0.54	-	3 U	29	3	4

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
Retail (814)	0.54	-	1,700 SF	111	9	26

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
Restaurant Full Service (932)	0.54	-	3,200 SF	407	37	36

Traffic changes between maximum: **RS7.5** and proposed **SP-MU**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-		+9	+1	+1

Traffic changes between maximum: **CN** and proposed **SP-MU**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-		+387	+37	+35

**SCHOOL BOARD REPORT**

Projected student generation    0 Elementary    0 Middle    0 High

Students would attend Sylvan Park Elementary School, West End Middle School, or Hillsboro High School. Of these, West End Middle School has been identified as being over capacity by the Metro School Board. However, the proposed development is not anticipated to generate any additional students. This information is based upon data from the school board last updated October 2012.

**STAFF RECOMMENDATION**

With approval of the associated community plan amendment, staff recommends approval of the preliminary SP with conditions and disapproval without all conditions. Staff recommends disapproval of the SP if the associated plan amendment is disapproved. The SP is consistent with the intent of the T4 Neighborhood Center policy. Residential development will be used to allow the SP to blend with surrounding residential development. The small-scale commercial building will provide a walkable destination within the neighborhood. With the installation of sidewalks along the street frontages and the revised parking layout, street frontages will be improved.

**CONDITIONS**

1. Permitted land uses shall be limited to single-family residential development, and for the non-residential building the following non-residential land uses: general office, restaurant (take-out), medical office, general retail, convenience retail, personal care service, and full service restaurant. The financial institution use shall be removed from the list of permitted uses within the SP.
2. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Council approval, the property shall be subject to the standards, regulations and requirements of the RS3.75 zoning

district for the residential lots and the CN zoning district for the commercial lot, as of the date of the applicable request or application.

3. Sight distance calculations for any proposed landscaping within the bulb-outs at the intersection of the alley and Utah with 46th Avenue shall be submitted with the final SP application.
4. Sidewalks along the property frontage must be ADA compliant. Curb ramps at the terminus of the sidewalk on this project where they abut public streets or alleys shall be shown on the final SP plan.
5. 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.
6. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
7. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Mr. Johnson presented the staff recommendation of approval with conditions if associated plan amendment is approved, and disapproved without all conditions.

Items 1a and 1b were heard and discussed together.

Councilman Holleman spoke in support of Items 1a and 1b and noted that the developers have been very engaged in the community process for a long time by attending many neighborhood meetings as well as community meetings held specifically to discuss this issue. More conversation is needed regarding the restaurant, but that can and will be addressed going forward.

Brian Adams, applicant, 132 46<sup>th</sup> Ave N, spoke in support of the application and noted that he has and will continue to consistently work with the Councilmember as well as the neighbors.

Joseph Mella, 4506 Wyoming Ave, spoke in support of the application and expressed excitement about the improvements to the neighborhood. He noted that the developers have made every effort to engage the community and that this project will be a great improvement to the neighborhood and the quality of life in Sylvan Park.

Caroline Trost, 4310 Dakota Ave, spoke in support of the application. She noted that the proposed plans look great and expressed excitement about having a bakery and restaurant within walking distance.

Tricia Herzfeld, 4710 Dakota Ave, spoke in support of the application and noted that her family is especially excited about the bakery. She noted that this will be a lovely addition to the neighborhood and that the developers have done a fantastic job of reaching out and engaging the community.

Trey Tally, 4607 Utah Avenue, spoke in support of the application and noted excitement about the entire project, especially the bakery. He also noted that the developers have answered all questions along the way.

Craft Hayes, 4302 Elkins, spoke in support of the application. He noted that the developers have done a fantastic job of communicating what they want to accomplish as well as understanding the neighbor's concerns.

John Houghton, 4412 Utah Ave, spoke in opposition to the application and asked for either disapproval or a deferral. He noted approval of the residential changes but disapproval of the proposed commercial changes due to parking concerns.

Mike Irwin, 4506 Utah Ave, stated that he supports development of this site but the restaurant and parking are the main areas of concern. He noted that this is a residential area, not a commercial area. He said that the developers have been great to work with and he would like to see them limit the size of the restaurant.

Carlos Vanoye, 4402 Utah Ave, spoke in opposition to the application. He stated that he is okay with the housing and excited about the bakery, but he noted concerns with the size of the restaurant and the overflow parking. He asked to limit the size of the restaurant.

Annie Bergeson, 4504 Utah Ave, expressed concerns regarding the rezoning setting a precedent in the neighborhood and also stated that she does not want parking in front of her house.

Don Harper, 4505 Utah Ave, spoke in opposition to the application. He expressed excitement about the bakery, but concerns with losing the open space to three houses.

Mekayle Houghton, 4412 Utah Ave, spoke in opposition to the application and passed out a petition that she went door-to-door in the neighborhood having people sign opposing the rezoning.

Pat Bergeson, 4504 Utah Ave, spoke in support of some aspects of the application but spoke in opposition to having such a large density shoved in such a small space.

Brian Adams, applicant, stated that he will continue to have discussion with the Councilmember and the neighbors to ensure that all issues are addressed.

**Mr. Haynes moved and Mr. Adkins seconded the motion to close the Public Hearing. (6-0)**

Mr. Adkins spoke in support of the application and noted that even though the biggest concern would be the parking, the development actually will fix a dangerous parking situation. He stated that the development will support transit, walkability due to the new sidewalks, and increased density. The Councilmember, developer, and neighborhood are all working hard at trying to resolve this situation. He explained that from a planning perspective, sometimes you have to give a little to get a little and this development could lead to good energy for this neighborhood.

Mr. Dalton spoke in support of the application due to the fact that it supports a walkable community and promotes infill development. He stated that there are still some conversations that need to take place in order to address a few specific issues that have been raised, but feels that the Councilmember will do a great job bringing both sides to the table and finding a meaningful solution that will be beneficial to all involved.

Mr. Haynes stated that he would be in favor of a deferral until the Councilmember can work out the balance of the 4900 square foot commercial building. He noted that the balance between parking and use is critical and he isn't sure the financial flexibility is there with only 4900 square feet.

Chairman McLean expressed concerns regarding parking and the size of the development but noted that the Councilmember will work these issues out.

Councilmember Claiborne expressed total confidence in the Councilmember's ability to shepherd this project. He also noted that a deferral would allow time to resolve the parking concerns.

**Councilmember Claiborne moved and Mr. Haynes seconded the motion to defer to the May 23, 2013 Planning Commission meeting to allow time to address the commercial aspect of the development. (6-0)**

**Resolution No. RS2013-83**

**"BE IT RESOLVED by The Metropolitan Planning Commission that 2013SP-012-001 is Deferred to the May 23, 2013, Planning Commission meeting to address the commercial aspect of development.**

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## H. COMMUNITY PLAN POLICY CHANGES AND ASSOCIATED CASES

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The Planning Commission will make the final decision on a Community Plan Amendment. The Commission will make a recommendation to the Metro Council on any associated cases(s). The Metro Council will make the final decision to approve or disapprove the associated case(s).

### Community Plan Amendments

#### 2a. 2013CP-007-002

##### WEST NASHVILLE COMMUNITY PLAN AMENDMENT

Map 102, Part of Parcel(s) 025  
Council District 20 (Buddy Baker)  
Staff Reviewer: Tifinie Capehart

A request to amend the West Nashville Community Plan: 2009 Update by changing the Community Character Policy from T3 Suburban Open Space to T3 Suburban Community Center policy for a portion of property located at 6734 Charlotte Pike, approximately 2,000 feet west of Hillwood Boulevard (3.8 acres), requested by the Metro Planning Department, applicant; Metro Government Park Board, owner.

**Staff Recommendation: Approve**

##### APPLICANT REQUEST

**Amend the Community Plan from Suburban Open Space (T3 OS) to T3 Suburban Community Center policy (T3 CC).**

##### Major Plan Amendment

A request to amend the West Nashville Community Plan: 2009 Update by changing the Community Character Policy from T3 Suburban Open Space (T3 OS) to T3 Suburban Community Center (T3 CC) policy for property located at 6734 Charlotte Pike.

##### CRITICAL PLANNING GOALS

- Supports Infill Development

The application of Suburban Community Center on this site creates opportunity for infill development on an under-developed site served by existing infrastructure and that is surrounded by a developing commercial shopping center to the north, east and west.

##### WEST NASHVILLE COMMUNITY PLAN

###### Existing Policy

Suburban Open Space (T3 OS) policy is intended to preserve and enhance existing open space in suburban areas. T3 OS policy includes public parks and may also include private land held in conservation by land trusts and private groups or individuals.

###### Proposed Policy

T3 Suburban Community Center (T3 CC) policy is intended to enhance suburban community centers encouraging their redevelopment as intense mixed use areas that are compatible with the general character of suburban neighborhoods as characterized by the service area, development pattern, building form, land use, and associated public realm. Infrastructure and transportation networks to improve pedestrian, bicycle and vehicular connectivity should be provided or enhanced. 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.

##### COMMUNITY PARTICIPATION

Planning staff held a community meeting regarding the Community Plan Amendment request on Monday, April 29, 2013, with the District Councilmember and stakeholders; approximately nine people attended the meeting. A Metro Parks representative was also present to answer questions from the community. Notification of the amendment request was provided on the Metro Nashville Development Tracker and mailed to surrounding property owners and known groups and organizations within 1,300 feet of the subject site. There was no opposition from stakeholders in attendance. One stakeholder did express general concerns about the lack of open space in the area and noted that they would follow up with Metro Parks with additional questions about park allocation in the West Nashville community.

##### BACKGROUND

In 1988, H.G. Hill Realty gave the Metro Government 8.4 acres of land to use for a police station and future community center or library. Currently, over four acres of the donated land is being used as a park (northern portion) and the police station located on the southern portion of the land has been closed. The deed for the property included reversionary language to allow the property to return to H.G. Hill Realty if the property ceases to be used for these purposes. Metro Government has no plans to develop this

property as a community center or library, and it is no longer being used as a police station; therefore Metro Government is considering returning the property back to the original owner. H.G. Hill Realty is interested in redeveloping the property as non-residential land uses (office) and therefore a plan amendment and zone change are necessary.

H.G. Hill Realty has offered to purchase Metro Government's existing interest in the southern portion of the property. H.G. Hill Realty is interested in developing the property for office use. The existing zoning only allows residential and institutional (e.g. church, day care) land uses and will require a zone change and plan amendment for non-residential development to take place.

#### **ANALYSIS**

Suburban Community Center (T3 CC) policy is proposed for the site. T3 CC policy will be applied to the 4.22 acres on the southern portion of the property; the northern portion of the property is not a part of this application and will remain in Suburban Open Space policy.

T3 CC policy encourages suburban, yet pedestrian friendly development that is within a 10 – 20 minute drive distance to residential areas; T3 CC areas should also be accessible to pedestrians within a 5 – 10 minute walk. The application of T3 CC is appropriate in this location because it encourages pedestrian connectivity, it encourages accessible and inviting open space as an amenity to suburban community center development, and it encourages future development to be complementary to the existing suburban retail development surrounding the site.

The T3 CC policy encourages pedestrian connectivity. For this site, maintaining a pedestrian connection to the existing park on the northern portion of the 8.4 acre site is important. In addition, providing pedestrian connections to future development adjacent to the site is encouraged.

The T3 CC policy also encourages the incorporation of an open space amenities within mixed use development. This is especially important given that the West Nashville Community Plan encouraged the use of the property as open space if the property were to remain publicly owned. Providing an open space feature on the southern portion of the site would honor this policy objective. The T3 CC policy has also been applied to the existing Nashville West Shopping Center which surrounds the subject site. It is a suburban shopping center that includes a mixture of retail and restaurant uses. The proposed land use on the subject site is office. Office development would complement the existing retail and restaurant uses given that there would be more day time users (i.e. the employees of any future office development) with future redevelopment.

#### **CONCLUSION**

The proposed request would apply T3 CC policy to the site. The application of the T3 CC policy on this site encourages pedestrian connectivity, access to an open space feature, and development that is compatible with existing suburban retail in the area.

#### **STAFF RECOMMENDATION**

Staff recommends approval.

Approved (6-0), Consent Agenda

#### **Resolution No. RS2013-84**

**"BE IT RESOLVED** by The Metropolitan Planning Commission that 2013CP-007-002 is **Approved. (6-0)**

## **2b. 2013SP-019-001**

### **6734 CHARLOTTE PIKE**

Map 102, Part of Parcel(s) 025  
Council District 20 (Buddy Baker)  
Staff Reviewer: Duane Cuthbertson

A request to rezone from R6 to SP-O zoning for a portion of property located at 6734 Charlotte Pike, approximately 2,000 feet west of Hillwood Boulevard (3.8 acres), to permit an office development, requested by the Metropolitan Planning Department, applicant; the Metro Park Board, owner.

**Staff Recommendation: Approve with conditions if associated plan amendment is approved, and disapprove without all conditions. Disapprove preliminary SP if plan amendment is not approved.**

#### **APPLICANT REQUEST**

**Permit office development.**

#### Preliminary SP

A request to rezone from One and Two Family Residential (R6) to Specific Plan – Office (SP-O) zoning property located at 6734 Charlotte Pike, approximately 2,000 feet west of Hillwood Boulevard (3.8 acres), to permit an office development.

### **Existing Zoning**

One and Two Family Residential (R6) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25% duplex lots. *R6 would permit a maximum of 27 lots with 6 duplex lots for a total of 33 units.*

### **Proposed Zoning**

Specific Plan-Office (SP-O) 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 proposes office redevelopment of the site.

### **CRITICAL PLANNING GOALS**

- Supports Infill Development

This SP creates additional office development opportunity on an under-developed site served by existing infrastructure and surrounded by a developing commercial shopping center to the north, east and west.

### **WEST NASHVILLE COMMUNITY PLAN**

#### **Existing Policy**

T3 Suburban Open Space (T3 OS) policy is intended to preserve and enhance existing open space in suburban areas. T3 OS policy includes public parks and may also include private land held in conservation by land trusts and private groups or individuals. Enhancements to existing open space are guided by the *Metropolitan Parks and Greenways Master Plan*.

#### **Proposed policy**

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

#### **Consistent with Policy?**

Yes, the proposed SP zoning is consistent with the proposed policy. This SP requires an amendment to the West Nashville Community Plan to permit the proposed office uses. As discussed in the plan amendment report, the T3 Community Center policy is appropriate in this location. The SP is consistent with the T3 Community Center policy in that it establishes a development pattern that is pedestrian friendly and maintains a transition between the commercial development on the north side of Charlotte Pike and the residential neighborhood to the south. The proposed office uses contribute to the policy's desire for a mixture of uses for the surrounding area.

### **PLAN DETAILS**

This SP proposes redevelopment, with uses permitted in the OL district, on the southern portion of a parcel previously occupied by the West Nashville police precinct. The northern portion of the parcel remains a public park with the HG Hill Park. An internal driveway for the neighboring shopping center divides the subject parcel and forms the north boundary of the SP site. A walkway under the driveway connects the SP site with the park on the north side. Except for requiring the maintenance of a pedestrian connection between the SP site and the park, this SP does not impact the existing park.

The SP site is located on Charlotte Pike, an arterial street, and surrounded by a developing shopping center to the north, east and west. The surrounding center is guided by a PUD, approved in 2005, which permits predominantly commercial uses, as well as limited residential and office uses, in two to three story buildings. Charlotte Pike separates the site from a residential neighborhood to the south.

The redevelopment may include re-use of the existing police precinct building for office uses. Any new buildings are required to be oriented to Charlotte Pike and include a pedestrian entrance on the street façade. Each building will provide pedestrian connections to the sidewalk on Charlotte Pike and pedestrian connections to the park and shopping center to the north. Buildings are limited to three stories in height in order to create a scale consistent with the surrounding shopping center.

The SP permits only one vehicular entrance to the site from Charlotte Pike. Parking is required per the OL district and will be located beside, under or behind buildings. The existing sidewalk along Charlotte Pike and the pedestrian connection to the park to the north are required to be maintained. Additional pedestrian connections to the surrounding shopping center are required to the east and west.

Signage on the site will be limited to monument and building type signs as permitted by the OL district, with the additional restriction that monument signs will be limited to six feet in height. The site contains approximately 465 feet of frontage on Charlotte Pike and the OL district would allow up to three monument signs on the site. Pole signs, billboards and LED signs are prohibited by the SP.

Redevelopment of the site is required to comply with the landscape provisions of the Zoning Code for the OL district.

**ANALYSIS**

The SP is appropriately sited on an increasingly urban corridor, but also provides a transition between the shopping center on the north side of Charlotte Pike and the residential neighborhood to the south. The SP will create a pedestrian scale along and be oriented toward Charlotte Pike. The SP manages vehicular access, while maintaining and enhancing pedestrian access.

**STORMWATER RECOMMENDATION**

Approved

**PUBLIC WORKS RECOMMENDATION**

1. The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
2. Prior to Final SP site plan approval, document adequate sight distance for proposed driveway and locate driveway approximately 500 feet from Brook Hollow Rd/ Charlotte Pk signalized intersection. A Traffic Impact Study may be required to determine roadway improvements.

Maximum Uses in Existing Zoning District: **R6**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	4.1	7.71 D	38 U*	427	37	45

\*Based on 7 duplex units

Maximum Uses in Existing Zoning District: **SP-O**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	4.1	0.75 F	133,947 SF	1671	237	200

Traffic changes between maximum: **R6 and proposed SP-O**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+1244	+200	+155

**WATER SERVICES RECOMMENDATION**

Approved as a preliminary SP only. Applicant must complete the availability review process, and obtain any necessary construction plan approvals by Final SP or Final Plat stage.

**STAFF RECOMMENDATION**

Approve the Preliminary SP with conditions, if the associated plan amendment is approved, and disapprove without all conditions. Disapprove preliminary SP if the plan amendment is not approved. The SP is consistent with the proposed Suburban Community Center policy and compatible with the surrounding development pattern.

**CONDITIONS**

1. The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works.
2. This SP shall only permit uses as allowed by the OL district.
3. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Council approval, the property shall be subject to the standards, regulations and requirements of the OL 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. 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.

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

Approved with conditions and disapproved without all conditions (6-0), Consent Agenda

**Resolution No. RS2013-85**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2013SP-019-001 is **Approved with conditions and disapproved without all conditions. (6-0)**

**The SP is consistent with the Suburban Community Center policy and compatible with the surrounding development pattern.**

**CONDITIONS**

**1. The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works.**

**2. This SP shall only permit uses as allowed by the OL district.**

**3. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Council approval, the property shall be subject to the standards, regulations and requirements of the OL 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. 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.**

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

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## I. RECOMMENDATIONS TO METRO COUNCIL

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The Planning Commission will make a recommendation to the Metro Council on the requests below. The Metro Council will make the final decision to approve or disapprove the request.

### Specific Plans

#### 3. 2013SP-009-001

##### CAHAL CORNERS

Map 072-14, Parcel(s) 266-267  
Council District 07 (Anthony Davis)  
Staff Reviewer: Greg Johnson

A request to rezone from R6 to SP-MR zoning for properties located at 1621 and 1623 Cahal Avenue and for a portion of property located at 1629 Cahal Avenue, approximately 225 feet west of Scott Avenue (1.32 acres), to permit up to 10 residential units, requested by Builder Ventures, LLC, owner and applicant.

**Staff Recommendation: Defer Indefinitely**

**The Metropolitan Planning Commission deferred indefinitely 2013SP-009-001. (6-0)**

#### 4. 2013SP-017-001

##### SALEMTOWN COTTAGES

Map 081-08, Parcel(s) 181-187, 198, 519-520  
Council District 19 (Erica S. Gilmore)  
Staff Reviewer: Greg Johnson

A request to rezone from R6 to SP-R zoning for properties located at 1800, 1802, 1804, 1806, 1808, 1810, 1812, and 1814 Rosa L. Parks Boulevard and at 1811 B, 1813 A and 1813 B 7th Avenue North, at the southeast corner of I-65 and Rosa L. Parks Boulevard (1.53 acres), to permit up to 24 detached single-family dwelling units, requested by Civil Site Design Group, applicant; various owners.

**Staff Recommendation: Approve with conditions and disapprove without all conditions.**

##### APPLICANT REQUEST

**Preliminary SP for 24 detached multi-family dwellings.**

##### Preliminary SP

A request to rezone from One and Two Family Residential (R6) to Specific Plan – Residential (SP-R) zoning for properties located at 1800, 1802, 1804, 1806, 1808, 1810, 1812, and 1814 Rosa L. Parks Boulevard and at 1811 B, 1813 A and 1813 B 7th Avenue North, at the southeast corner of Interstate 65 and Rosa L. Parks Boulevard (1.53 acres), to permit up to 24 detached single-family dwelling units.

##### Existing Zoning

One and Two Family Residential (R6) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25 percent duplex lots. *R6 zoning combined with the current lot configuration would permit a maximum of 10 lots with 8 duplex lots for a total of 18 units.*

##### Proposed Zoning

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

##### CRITICAL PLANNING GOALS

- Supports Infill Development
- Provides a Range of Housing Choices
- Promotes Compact Building Design
- Creates Walkable Neighborhoods
- Supports a Variety of Transportation Choices

This SP proposes a new residential development for a largely-vacant block in a historic Nashville neighborhood. Detached residential dwellings will mimic the pattern of the surrounding neighborhood along the Buchanan Street and 7<sup>th</sup> Avenue frontages, acknowledging the existing context while providing a new housing type. Though detached, the proposed dwellings are arranged compactly to preserve some usable open space within the block. Construction of the SP will improve sidewalk access the surrounding area, provide a more direct route to public transportation, and improve the appearance of a major arterial road frontage.

#### **NORTH NASHVILLE COMMUNITY PLAN**

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

T4 Urban Neighborhood Maintenance (T4 NM) policy is intended to preserve the general character of urban neighborhoods as characterized by their development pattern, building form, land use and associated public realm. T4 NM areas will experience some change over time, primarily when buildings are expanded or replaced. When this occurs, efforts should be made to retain the existing character of the neighborhood, in terms of its development pattern, building form, land use and the public realm. Where not present, enhancements are made to improve pedestrian, bicycle and vehicular connectivity.

#### Consistent with Policy?

Yes. Development of the SP is consistent with both Mixed Use Corridor and Neighborhood Maintenance policies. The proposal for detached dwellings provides additional density while maintaining the single-family detached character of the surrounding neighborhood. These building types are compatible with existing development in terms of both building form and placement along street frontages. The inclusion of additional detached dwellings between the interior alley and the Rosa Parks Boulevard frontage will allow this development to reach higher densities consistent with the Mixed Use Corridor policy.

#### **PLAN DETAILS**

The site is located at the northwest corner of the Salemtown neighborhood in North Nashville, on a portion of a block bordered by Rosa Parks Boulevard on the west, Buchanan Street to the south, and 7<sup>th</sup> Avenue North to the east. It is currently divided into 11 lots, which includes all eight lots on the block facing Rosa Parks Boulevard and three additional vacant lots facing 7<sup>th</sup> Avenue North. All lots are zoned R6. Only one building currently exists on the site: a dwelling at the corner of Buchanan Street and Rosa Parks Boulevard.

#### Plan Layout

The only vehicular access proposed into the SP site is an existing alley off of Buchanan Street. Seventeen of the 24 proposed dwellings are shown on the west side of the block. Other than the four dwellings facing Buchanan Street, all of the dwellings on this side of the block will face interior courtyard spaces. According to the plan, no stormwater features will be included in these spaces. Seven additional dwellings are provided on the east side of the alley. Three of these will face the 7<sup>th</sup> Avenue frontage; four will face an interior courtyard space. The dwellings along 7<sup>th</sup> Avenue will have a setback averaging the setbacks of the adjacent dwellings on both sides.

#### Parking

The SP complies with the parking requirements of the Zoning Code. Thirty-two spaces are provided on-site, mostly placed directly along the existing alley. Eight additional spaces are shown along the Buchanan Street and 7<sup>th</sup> Avenue frontages. The four spaces along the Buchanan frontages will be constructed by an indentation in the curb line for a total of 40 spaces on-site and off-site.

#### Sidewalks and Walkways

The block has existing sidewalks along all or portions of all street frontages. This SP will extend sidewalk along the Buchanan Street frontage to allow it to connect to the sidewalk along the Rosa Parks Boulevard sidewalk. Walkways are proposed throughout the site, which will provide a walkway connection from the front door of each dwelling to a public street frontage and also to a nearby parking area.

#### Landscape Buffer

Landscape buffers are proposed throughout the SP site. Along with a wall and fence proposal for the Rosa Parks Boulevard frontage, trees and shrubs are proposed to enhance the appearance of the site from Rosa Parks Boulevard and to provide a visual screen for residents within the SP. A variation of a landscape buffer is provided on the north and south sides of the lots facing 7<sup>th</sup> Avenue. These buffers will provide fences and trees along property lines that are shared with R6 zoned lots.

#### Rosa Parks Boulevard Frontage

Rosa Parks Boulevard is a limited access road next to the site. Because of this, direct access to the site from this road is not available. A chain link fence with a barbed-wire top runs along the property frontage from Buchanan Street to the on-ramp to Interstate 40. As part of this application, the applicant proposes to go through the necessary approvals with the Tennessee Department of Transportation (TDOT) to remove this fence. The applicant proposes a combination of a masonry wall and wood privacy fence to replace the chain link fence. A condition of approval has been added to specify a maximum height of the wall and fence.

**Building Elevations**

Building elevations have been provided within the SP, which divides them among four different building types: A through D. Building types B and C will be located along the public street frontages. All building types will be represented interior to the site. Four options are provided for façade designs of building types A, B, and C. A condition of approval has been added to require that no single option is used for more than 50% of building types A through C.

**Stormwater**

On the west side of the alley, stormwater detention will occur at one point underground, near the intersection of the alley with the Buchanan Street frontage. On the east side of the alley, rain gardens along the 7<sup>th</sup> Avenue frontage will handle the stormwater requirements. A rain garden section detail and landscaping plan are included in the SP plans.

**ANALYSIS**

The density of the development (13 dwellings per acre) is within the recommended density of the T4 CM and T4 NM policies. Several design aspects of the development would allow it to maintain consistency with surrounding lots in terms of the single-family detached building form, the building setbacks along 7<sup>th</sup> Avenue, and the placement of parking along the alley in the middle of the site. Additionally, the site provides open spaces within the development to compensate for a dearth of usable open space in the immediate area.

**FIRE MARSHAL RECOMMENDATION**

No issues with Fire Marshal requirements.

**STORMWATER RECOMMENDATION**

All water quality / quantity features are to be located in Open Space / PUDE (not in residential lots).

**PUBLIC WORKS RECOMMENDATION**

**Conditions if approved**

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. Label the TDOT access control fence. Indicate the limits of the fence. ~ Field verification does not match the TDOT Access control fence shown on the plans.
3. Provide onsite parking per Metro Code.
4. Connect sidewalk along Buchanan to Rosa L Parks Blvd. May require removal or revision to TDOT access control fence. Applicant must document approval from TDOT to perform modification to access control fence.

Maximum Uses in Existing Zoning District: **R6**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family (220)	1.7	7.71 D	16 U*	154	12	17

\*Based on three duplex units

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family (210)	1.7	-	24 U	160	13	15

Traffic changes between maximum: **R6** and proposed **SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+8	+6	+1	-2

**SCHOOL BOARD REPORT**

Projected student generation    1 Elementary    0 Middle    0 High

Students would attend Buena Vista Elementary School, John Early Middle School, or Pearl-Cohn High School. Of these, only John Early Middle School has been identified as being over capacity by the Metro School Board. There is capacity for middle students within the cluster. This information is based upon data from the school board last updated October 2012.

### **STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions. The proposal is consistent with the T4 CM and T4 NM policies of the North Nashville Community Plan.

### **CONDITIONS**

1. For building types A through C, no single elevation option shall be used for more than 50% of the dwellings.
2. Prior to building permit approval, provisions for maintenance of the proposed wall and fence along the Rosa Parks Boulevard frontage shall be included in the homeowners' association documents for this development.
3. Prior to final site plan approval, all necessary approvals shall be obtained from the Tennessee Department of Transportation for the proposed sidewalk connection to the Rosa Parks frontage and for removal of the existing chain-link fence along that frontage.
4. The proposed wall along Rosa Parks Boulevard shall be a concrete masonry design consistent with the images included in the SP application. The design shall include piers spaced a minimum of every 15 feet. The maximum height shall be 6 feet for the wall and 7 feet for piers.
5. Permitted land uses shall be limited to a maximum of 24 detached residential dwellings.
6. The location and limits of the TDOT access control fence shall be labeled on the preliminary SP plan. Label the TDOT access control fence.
7. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Council approval, the property shall be subject to the standards, regulations and requirements of the RM20 zoning district.
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. 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.
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.

Mr. Johnson presented the staff recommendation of approval with conditions and disapproval without all conditions.

Mike Kenner, 4605 Indiana Ave, spoke in support of the application. He noted that he has worked closely with Council Lady Gilmore on this project and has seen overwhelming community support at most of the community meetings.

Georgia Harris, 700 Buchanan, spoke in opposition to the application due to increased density, parking, noise, and loss of green space.

Ronald Peoples, 708 Buchanan, spoke in opposition to the application due to parking and density concerns.

Mike Kenner noted that the parking has been looked at, but the demographics of the area allow for a little less parking.

**Mr. Haynes moved and Mr. Dalton seconded the motion to close the Public Hearing. (6-0)**

Chairman McLean moved and Mr. Adkins seconded the motion to approve with conditions and disapprove without all conditions. (6-0)

**Resolution No. RS2013-86**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2013SP-017-001 is **Approved with conditions and disapproved without all conditions.** (6-0)

The proposal is consistent with the T4 Mixed Use Corridor and T4 Neighborhood Maintenance policies of the North Nashville Community Plan.

**CONDITIONS**

1. For building types A through C, no single elevation option shall be used for more than 50% of the dwellings.
2. Prior to building permit approval, provisions for maintenance of the proposed wall and fence along the Rosa Parks Boulevard frontage shall be included in the homeowners' association documents for this development.
3. Prior to final site plan approval, all necessary approvals shall be obtained from the Tennessee Department of Transportation for the proposed sidewalk connection to the Rosa Parks frontage and for removal of the existing chain-link fence along that frontage.
4. The proposed wall along Rosa Parks Boulevard shall be a concrete masonry design consistent with the images included in the SP application. The design shall include piers spaced a minimum of every 15 feet. The maximum height shall be 6 feet for the wall and 7 feet for piers.
5. Permitted land uses shall be limited to a maximum of 24 detached residential dwellings.
6. The location and limits of the TDOT access control fence shall be labeled on the preliminary SP plan. Label the TDOT access control fence.
7. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Council approval, the property shall be subject to the standards, regulations and requirements of the RM20 zoning district.
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. 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.
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.

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**Zone Changes**

**5. 2013Z-014PR-001**

Map 071-14, Parcel(s) 029, 031, 059  
Council District 02 (Frank R. Harrison)  
Staff Reviewer: Greg Johnson

A request to rezone from SP to MUG-A zoning for properties located at 1204 and 1206 Brick Church Pike and at 40 Evergreen Avenue, at the southwest corner of Brick Church Pike and Fern Avenue (1.3 acres), requested by Amber Properties, LLC, and the Metro Planning Department, applicants; Amber Properties, LLC, owner.

**Staff Recommendation: Approve**

## **APPLICANT REQUEST**

### **Zone change from SP-R to MUG-A.**

#### Zone Change

A request to rezone from SP to Mixed Use General – Alternative (MUG-A) zoning for properties located at 1204 and 1206 Brick Church Pike and at 40 Evergreen Avenue, at the southwest corner of Brick Church Pike and Fern Avenue (1.3 acres).

#### **Existing Zoning**

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

#### **Proposed Zoning**

Mixed Use General – Alternative (MUG-A) is intended for a moderately high intensity mixture of residential, retail, and office uses and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards.

#### **CRITICAL PLANNING GOALS**

- Creates Walkable Neighborhoods
- Supports a Variety of Transportation Choices
- Supports Infill Development
- Promotes Compact Building Design
- Provides a Range of Housing Choices

The MUG-A zoning district is one of the alternative zoning districts that was created to implement the Community Character policies. One primary goal of these policies is the improvement of the pedestrian realm. This district will require the placement of building form along all street frontages and the placement of parking away from street frontages, which will strengthen the design of the street frontage to promote pedestrian activity. Pedestrian-related improvements combined with the location of the site along two bus routes will promote a variety of transportation choices in an area that is already developed and already served by infrastructure. Because of the relatively small size of the site, the MUG-A zoning district will encourage compact development. Housing developed under the MUG-A district will likely be of a more compact type than surrounding single-family residential types.

#### **BORDEAUX – WHITES CREEK COMMUNITY PLAN**

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

#### Consistent with Policy?

Yes, the proposed MUG-A district is consistent with the CC policy. The proposed MUG-A zoning district is the closest zoning district to the existing SP district. The MUG-A would require a similar building layout to the SP with required build-to zones along the street frontages. It would also permit a 4-5 story building within the build-to zones, much like the current SP district.

The alternative districts are also appropriate districts for implementing the design principles of the CC policy, which encourages shallow building setbacks typical of a main street design.

#### **REQUEST DETAILS**

The Fern Lofts SP was originally approved for 45 residential units. This was amended by the Council, and the SP is now approved for 64 residential units. This SP was designed as a four-story rectangular building that filled out the site with frontage on Brick Church Pike, Fern Avenue, and Evergreen Avenue street edges of the property. An interior courtyard was included to provide open space for the residents.

This SP was reviewed as part of a four-year SP review on June 28, 2012, and was found to be inactive because construction had not begun. The Planning Commission recommended to Council to allow the SP to remain or to rezone the property to the MUL-A or the MUG-A zoning district. The property owner has submitted this application as a zone change to the MUG-A district as recommended by the Planning Commission.

#### **ANALYSIS**

This MUG-A zoning district is compatible with surrounding zoning and development. The site is located along an arterial street, Brick Church Pike, which is characterized by commercial development. Fern Avenue is generally single-family residential in character to the east and west, which is considerably less intense than the proposed zoning district. However, this site would be separated from these residential areas by Interstate 65 to the east and by topography to the west. The base elevation of the site is significantly lower than that of the residential development to the west. The closest single-family residential dwelling is located

more than 200 feet away and is approximately 20 feet higher in elevation. Both of these existing elements will provide sufficient separation from smaller-scaled residential uses.

**PUBLIC WORKS RECOMMENDATION**

Traffic study may be required at time of development.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family (220)	1.3	-	64 U	563	37	61

\*Based on two duplex lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	1.3	3 F	169,884 SF	2007	287	270

Traffic changes between maximum: **SP** and proposed **MUG-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+1444	+250	+209

**SCHOOL BOARD REPORT**

Projected student generation    17 Elementary    8 Middle    5 High

Students would attend Bordeaux Elementary School, Brick Church Middle School, or Whites Creek High School. Of these, only Bordeaux Elementary School has been identified as being over capacity by the Metro School Board. There is capacity for elementary students within the cluster. This information is based upon data from the school board last updated October 2012.

**STAFF RECOMMENDATION**

Staff recommends approval of the MUG-A zoning district. This district is the closest zoning district to the currently-approved SP, and will positively implement the design principles of the CC policy.

Approved (6-0), Consent Agenda

**Resolution No. RS2013-87**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2013Z-014PR-001 is **Approved. (6-0)**

**This MUG-A district is the closest zoning district to the currently-approved SP, and will positively implement the design principles of the Community Corridor/Center policy.**

**6. 2013Z-015PR-001**

BL2013-448 \ LANGSTER  
 Map 092-09, Parcel(s) 299  
 Council District 21 (Edith Taylor Langster)  
 Staff Reviewer: Jason Swaggart

A request to rezone from R6 to OR20 zoning for property located at 602 33rd Avenue North, at the northeast corner of Trevor Street and 33rd Avenue North (0.49 acres), requested by Land Deleot, applicant; Linda McGillem, owner.

**Staff Recommendation: Approve OR20 and direct staff to prepare a policy amendment to support limited office and multi-family residential uses.**

**APPLICANT REQUEST**

**Zone change from R6 to OR20.**



**This request was originally submitted as a zone change to OL and a council bill has been filed. The applicant has changed the request to OR20. A substitute council bill has been provided to the Council Office.**

#### Zone Change

A request to rezone from Single and Two-Family Residential (R6) to Office Residential (OR20) zoning for property located at 602 33rd Avenue North, at the northeast corner of Trevor Street and 33rd Avenue North (0.49 acres).

#### **Existing Zoning**

One and Two Family Residential (R6) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25 percent duplex lots. *R6 would permit a maximum of 3 lots with 3 duplex lots for a total of 6 units.*

Office/Residential is intended for office and/or multi-family residential units at up to 20 dwelling units per acre. *OR20 would permit a maximum of 9 residential units.*

#### **CRITICAL PLANNING GOALS**

N/A

#### **WEST NASHVILLE COMMUNITY PLAN**

Conservation (CO) policy is intended to preserve and enhance environmentally sensitive land within all Transect Categories except T6 Downtown. CO policy identifies land with sensitive environmental features including, but not limited to, steep slopes, floodway/floodplains, rare or special plant or animal habitats, wetlands and unstable or problem soils.

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

#### Consistent with Policy?

No. The proposed OR20 zoning district is not consistent with either the Conservation or the Urban Neighborhood Evolving land use policies. While the request is not consistent with the land use policy, staff finds that the proposed OR20 zoning district may be appropriate given the nature of the site and surrounding area.

The property is situated near the bottom of a steep hill bordered to the east by the on-ramp from I-40 to I-440. To the west and at the top of the steep hill are large utility towers. The property contains steep slopes that drop toward Interstate 440. The property has been graded and contains a large, incomplete structure. The structure was constructed under a residential permit.

Due to the topography of the site and noise generated by proximity to the interstate, single-family residential is likely not the best use for this site, the properties immediately north of this site or the properties south of the site and east of 33<sup>rd</sup> Avenue North. The five properties immediately to the north of the subject site are encumbered by significantly steep slopes (>25%) and would be difficult to develop. The properties immediately south of the site, towards Charlotte, east of 33<sup>rd</sup> are all on a downward slope that slopes to the south. The slope towards Charlotte is steep, but would permit development that works with the slopes.

In principle, the area's Conservation and Neighborhood Evolving policies are appropriate; however, given the unique characteristics of the area, limited non-residential uses may also be appropriate. Staff would support a special transitional policy that would permit residential as well as office uses. Any special policy would be in addition to the current policies so the areas evolving character and environmental constraints would continue to be recognized. Staff supports the proposed OR20 district because it permits all types of residential as well as office. Staff recommends that the OR20 district be approved if the Commission finds that a special transitional policy, as described above, would be appropriate and instructs staff to initiate a policy amendment. If the Commission does not support a policy amendment then staff recommends disapproval. The specific area for the policy amendment would be determined after more analysis during the amendment process.

The original request was to rezone to Office Limited (OL) and a council bill has been filed for OL. Staff does not support the OL district because it does not permit any form of residential; therefore, staff recommends disapproval of the OL district. The applicant has modified the request to OR20.

#### **PUBLIC WORKS RECOMMENDATION**

Traffic study may be required at time of development.

Maximum Uses in Existing Zoning District: **R6**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.49	7.71	3 L	29	3	4

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
Multi-Family Residential (220)	0.49	20 U	9 U	63	10	12

Traffic changes between maximum: **R6** and proposed **OR20**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+34	+7	+8

**STAFF RECOMMENDATION**

Staff recommends disapproval of OL, but recommends that the OR20 district be approved subject to the Commission finding that a special transitional policy supporting the proposed OR20 district is appropriate, and that the Commission directs staff to initiate a policy amendment.

**Approved OR20 and direct staff to prepare a policy amendment to support limited office and multi-family residential uses (6-0), Consent Agenda**

**Resolution No. RS2013-88**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2013Z-015PR-001 is **Approved for OR20 zoning and staff is directed to prepare a policy amendment to support limited office and multi-family residential uses. (6-0)**

**The OR20 zoning district is an appropriate zoning district because it will allow for multi-family and small office uses. Because of the steep topography of the site and the noise generated by the adjacent interstate, these uses are more appropriate than the single-family residential uses permitted by the R6 district.**

**J. PLANNING COMMISSION ACTIONS**

The Planning Commission will make the final decision on the items below.

**Subdivision: Concept Plans**

**7. 2008S-027G-06**

**BEAUTIFUL VALLEY PLACE**  
 Map 126, Parcel(s) 147, 565  
 Council District 35 (Bo Mitchell)  
 Staff Reviewer: Jason Swaggart

A request for concept plan approval to create 13 cluster lots on properties located at 7972 McCrory Lane and Beautiful Valley Drive (unnumbered), approximately 1,100 feet north of Newsom Station Road (3.87 acres), zoned RS10, requested by Joe Rodgers, Steve Adcock, and John Valiquette, owners; Civil Site Design Group; applicant.

**Staff Recommendation: Approve with conditions**

**APPLICANT REQUEST**

**Concept plan approval for 13 single-family cluster lots.**

Concept Plan

A request for concept plan approval to create 13 cluster lots on properties located at 7972 McCrory Lane and Beautiful Valley Drive (unnumbered), approximately 1,100 feet north of Newsom Station Road (3.87 acres), zoned Single-Family Residential (RS10).

**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. *RS10 would permit a maximum of 14 cluster lots.*

**SUBDIVISION DETAILS**

The Beautiful Valley Concept Plan was originally submitted in 2008. The applicant requested indefinite deferral prior to the request being placed on a Planning Commission agenda.

The property is located on the east side of McCrory Lane, north of Interstate 40, and just west of Boone Trace Subdivision. This project functions like a phase of the Travis Place Subdivision, because all the proposed lots are along streets that were approved with the Travis Place subdivision. Travis Place was originally approved by the Planning Commission in 2006. The Commission has approved several preliminary plat extensions; the most recent approval was on January 24, 2013.

Site Plan

The plan calls for 13 single-family cluster lots with a density of 3.3 dwelling units an acre. Lots are clustered down to the RS5 zoning district which permits a minimum lot size of 5,000 square feet. As shown, lots range from 9,041 square feet to 6,924 square feet. Lots will be accessed by Beautiful Valley Drive. Approximately 0.59 acres in open space is provided.

**ANALYSIS**

This request is consistent with all Zoning Code and Subdivision requirements. This development is dependent upon the development of the Travis Place Subdivision. A staff condition of approval is that no final subdivision plats for this subdivision be recorded until the roadway and other infrastructure for the Travis Place Subdivision has been completed and accepted by Metro unless an alternative arrangement is approved by the relevant Metro agency.

**STORMWATER RECOMMENDATION**

Approved

**PUBLIC WORKS RECOMMENDATION**

No Exceptions Taken

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

**STAFF RECOMMENDATION**

Staff recommends approval with conditions as the request is consistent with all Zoning Code and Subdivision requirements.

**CONDITIONS**

1. Add the following note to the concept plan: "Prior to the approval of any final subdivision plat, the roadway and other infrastructure for the Travis Place Subdivision must be completed and accepted by Metro unless an alternative arrangement is approved by the relevant Metro agency."

2. Pursuant to 2-3.4.e of the Metro Subdivision Regulations, because this application has received conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to any application for a final plat, and in no event more than 30 days after the date of conditional approval by the Planning Commission.

Approved with Conditions (6-0), Consent Agenda

**Resolution No. RS2013-89**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2008S-027G-06 is **Approved with conditions. (6-0)**

**CONDITIONS**

**1. Add the following note to the concept plan: "Prior to the approval of any final subdivision plat, the roadway and other infrastructure for the Travis Place Subdivision must be completed and accepted by Metro unless an alternative arrangement is approved by the relevant Metro agency."**

**2. Pursuant to 2-3.4.e of the Metro Subdivision Regulations, because this application has received conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to any application for a final plat, and in no event more than 30 days after the date of conditional approval by the Planning Commission.**

## **Subdivision: Final Plats**

### **8. 2013S-060-001**

#### **CONNERS TWO LOT SUBDIVISION**

Map 129-03, Parcel(s) 027

Council District 23 (Emily Evans)

Staff Reviewer: Greg Johnson

A request for final plat approval to create two lots on property located at 6323 East Valley Road, at the southeast corner of Robin Hill Road and East Valley Road, zoned RS80 (3.85 acres), requested by John T. Conners Family Trust, owner; Donlon Land Surveying, LLC, applicant.

**Staff Recommendation: Approve with conditions**

#### **APPLICANT REQUEST**

**Final Plat to create two lots.**

#### Final Plat

A request for final plat approval to create two lots on property located at 6323 East Valley Road, at the southeast corner of Robin Hill Road and East Valley Road, zoned Single-Family Residential (RS80) (3.85 acres).

#### **Existing Zoning**

Single-Family Residential (RS80) requires a minimum 80,000 square foot lot and is intended for single-family dwellings at a density of .46 dwelling units per acre. *RS80 would permit a maximum of 2 units within this subdivision.*

#### **CRITICAL PLANNING GOALS**

N/A

#### **REQUEST DETAILS**

The West Meade Farms Subdivision, Section 1 was originally platted in 1946. Lots within this subdivision have remained relatively unchanged since then. Subdivisions of lots that were originally platted in 1946 have generally occurred near street intersections, similar to this proposed subdivision. Existing lots within the West Meade Farms Subdivision, Section 1 generally range from two to five acres in size.

The proposed two-lot subdivision would create two single-family lots. Lot 1 contains an existing dwelling and would maintain lot widths of approximately 200 feet along Robin Hill Road and 260 feet along East Valley Road. Lot 2 would have a lot width of 268 feet along East Valley Road, which would be consistent with several other lots within the surrounding area. Because these lots are in the RS80 zoning district, development would be limited to a maximum of one single-family detached dwelling on each lot.

The lots have the following land area:

Lot 1: 1.95 Acres (85,096 SF)

Lot 2: 1.84 Acres (80,000 SF)

#### Sidewalks

Because the subdivision is located within the Urban Services District, sidewalks are required. However, because there are no sidewalks present on the East Valley Road or Robin Hill Road frontages, the subdivision is eligible for a \$500 contribution to the sidewalk fund in lieu of sidewalk construction.

#### **ANALYSIS**

For infill subdivisions in R and RS zoning districts that are in areas that are previously subdivided and predominantly developed, lots must be generally compatible with surrounding lots. For determining compatibility in T3 NM policy areas, the Subdivision Regulations state that the lots must be consistent in terms of community character. The definition of community character from the Subdivision Regulations is shown below:

*Community Character – The image of a community or area defined by such factors as its built environment, natural features and open space elements, types of housing, infrastructure, and the type and quality of public facilities and services. It is the intent of Neighborhood Maintenance areas to preserve the general character of the neighborhood as characterized by its development pattern, building form, land use and associated public realm. These areas will experience some change over time but efforts should be made to retain the existing character...*

The proposed subdivision is consistent with the community character of the surrounding area for three reasons. First, development of Lot 2 to the east of the existing dwelling will be limited to single-family detached residential, which is the predominant building type of the surrounding area. Second, the lot sizes for both lots will remain above the minimum lot size required by the RS80

zoning district. The surrounding blocks contain several lots that are only slightly above this minimum lot size. Similar to this site, these lots tend to be located around street intersections. Finally, the lot widths of the two proposed lots along East Valley Road are not out-of-the-ordinary for lot widths along this street. These lot widths will remain greater than the existing lot width of 202 feet along Robin Hill Road.

Within the surrounding area, dwellings are generally placed with relatively short street setbacks where they surround street intersections. Dwellings on interior lots generally have deeper setbacks. Because Lot 2 will be a newly-created interior lot, the applicant has added a minimum 100 foot required setback to the plat along East Valley Road, as required by interior lots on the original plat. This will help to ensure that the placement of this dwelling will be consistent with the placement of other dwellings along East Valley Road.

The subdivision will also maintain characteristics of natural features and open space elements. A portion of Lot 2 appears to have naturally steep slopes. To account for this, the applicant has designated Lot 2 as a critical lot, which will require the submittal of a critical lot plan prior to the application for a building permit. The critical lot plan will be reviewed for its effectiveness to preserve the natural features of the lot and stormwater flow management details.

### **STORMWATER RECOMMENDATION**

#### **Condition of approval**

1. Provide Public Utility and Drainage Easements along ROW and for ditches not along ROW (show on plat - not by note alone).

### **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. If sidewalks are required, then they should be shown on the plan per Public Works standards with the required curb and gutter and grass strip
3. Label and dimension the ROW for the centerline of the road at the property corners on Robin Hill and East Valley.

### **STAFF RECOMMENDATION**

Staff recommends approval with conditions. Staff finds that the proposed subdivision meets the requirements of the Subdivision Regulations for community character, and meets all other requirements of the Subdivision Regulations.

### **CONDITIONS**

1. Prior to plat recordation, the final plat shall be revised to show a Public Utility and Drainage Easements along ROW and for ditches not along ROW (show on plat - not by note alone).
2. The right-of-way for the centerline of the road at the property corners on Robin Hill Road and East Valley Road shall be labeled and dimensioned.
3. Sidewalks are required along East Valley Road and Robin Hill Road frontages. This requirement can be satisfied in one of four ways prior the recording of the final plat:
  - a) Construct sidewalk and have it accepted by Public Works, or
  - b) Submit a bond application and post a bond with the Planning Department, or
  - c) Construct an equal length of sidewalk within the same Pedestrian Benefit Zone, in a location to be determined in consultation with the Public Works Department, or
  - d) Make a contribution to the sidewalk fund. The contribution for this subdivision would be \$500 for Pedestrian Benefit Zone 4-B.

Approved with conditions (6-0), Consent Agenda

### **Resolution No. RS2013-90**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2013S-060-001 is **Approved with conditions. (6-0)**

### **CONDITIONS**

1. **Prior to plat recordation, the final plat shall be revised to show a Public Utility and Drainage Easements along ROW and for ditches not along ROW (show on plat - not by note alone).**
2. **The right-of-way for the centerline of the road at the property corners on Robin Hill Road and East Valley Road shall be labeled and dimensioned.**
3. **Sidewalks are required along East Valley Road and Robin Hill Road frontages. This requirement can be satisfied in one of four ways prior the recording of the final plat:**
  - a.) Construct sidewalk and have it accepted by Public Works, or**
  - b.) Submit a bond application and post a bond with the Planning Department, or**
  - c.) Construct an equal length of sidewalk within the same Pedestrian Benefit Zone, in a location to be determined in consultation with the Public Works Department, or**

## 9. 2013S-066-001

### HG HILLS CENTER DICKERSON PIKE, RESUB LOT 1

Map 060-04, Parcel(s) 119

Council District 08 (Karen Bennett)

Staff Reviewer: Amy Diaz-Barriga

A request for final plat approval to create four lots on property located at Hillside Road (unnumbered), approximately 100 feet north of Broadmoor Drive, zoned RS10 (1.02 acres), requested by M.D.H.A., owner; Barge, Waggoner, Sumner & Cannon, Inc., applicant.

**Staff Recommendation: Approve with conditions**

#### APPLICANT REQUEST

**Create four lots.**

##### Final Plat

A request for final plat approval to create four lots on property located at Hillside Road (unnumbered), approximately 100 feet north of Broadmoor Drive, zoned RS10 (1.02 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 4.35 dwelling units per acre without clustering the lots. *RS10 would permit a maximum of 4.4 units.*

#### REQUEST DETAILS

The applicant proposes to create four single-family residential lots on property that is currently vacant land. Each proposed single-family residential lot will contain more than 10,000 square feet of lot area as required by the applicable RS10 zoning district.

A stream is located adjacent to the platted boundary, so stream water quality buffers are provided along the south property boundary.

##### Sidewalks

Because the property is located within the Urban Services District (USD), sidewalks are required on Hillside Drive. However, since there is not an existing sidewalk network abutting or near the property, the applicant is provided the opportunity to contribute to the sidewalk fund in-lieu of constructing the required sidewalks.

##### Community Character

For infill subdivisions in R and RS zoning districts that are in areas that are previously subdivided and predominantly developed, lots must be generally compatible with surrounding lots. For determining compatibility in Neighborhood General (NG) policy areas, the Subdivision Regulations state that the lots must be consistent in terms of community character. The definition of community character from the Subdivision Regulations is shown below:

*Community Character – The image of a community or area defined by such factors as its built environment, natural features and open space elements, types of housing, infrastructure, and the type and quality of public facilities and services. It is the intent of Neighborhood General areas to meet a spectrum of housing needs with a variety of housing that is carefully arranged, not randomly located.*

This proposed subdivision is consistent with the community character of the surrounding area. First, each lot is limited to single family residential units, which is the predominant housing type of the area. Second, the size for each lot is above the minimum 10,000 square feet as regulated by the Zoning Code. Third, the proposed subdivision meets the policy of Neighborhood General in terms of allowable density. Although NG policy advises for density to remain below 20 units an acre, both the subdivision of the lot itself and the addition of four residential units onto Hillside Road maintain a density of less than four units per acre.

#### STORMWATER RECOMMENDATION

- Change PUE along Hillside to a PUDE

#### 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.
- If sidewalks are required, then they should be shown on the plan per Public Works standards with the required curb and gutter and grass strip.

#### STAFF RECOMMENDATION

As this is consistent with all of the Subdivision Regulations, staff recommends approval with conditions of this subdivision.

**CONDITIONS:**

As this property is in the Urban Services Districts, sidewalks are required along Hillside Road. This requirement can be satisfied in one of five ways:

- a) Construct sidewalk and have it accepted by Public Works, or
- b) Submit a bond application and post a bond with the Planning Department, or
- c) Construct an equal length of sidewalk within the same Pedestrian Benefit Zone, in a location to be determined in consultation with the Public Works Department, or
- d) Prior to the recording of the plat, make a contribution to the sidewalk fund. The contribution for this subdivision would be \$2,430.

Approved with conditions (6-0), Consent Agenda

**Resolution No. RS2013-91**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2013S-066-001 is **Approved with conditions. (6-0)**

**CONDITIONS:**

As this property is in the Urban Services Districts, sidewalks are required along Hillside Road. This requirement can be satisfied in one of five ways:

- a) Construct sidewalk and have it accepted by Public Works, or
- b) Submit a bond application and post a bond with the Planning Department, or
- c) Construct an equal length of sidewalk within the same Pedestrian Benefit Zone, in a location to be determined in consultation with the Public Works Department, or
- d) Prior to the recording of the plat, make a contribution to the sidewalk fund. The contribution for this subdivision would be \$2,430.

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## **K. OTHER BUSINESS**

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10. New employee contracts for Andrew Collins and Brenda Diaz.

Approved (6-0), Consent Agenda

**Resolution No. RS2013-92**

"BE IT RESOLVED by The Metropolitan Planning Commission that the new employee contracts for Andrew Collins and Brenda Diaz are **Approved. (6-0)**

11. Contract amendment No. 1 between the Nashville-Davidson County Metropolitan Planning Commission on behalf of the Nashville Area MPO and Gresham, Smith and Partners for professional services related to the conduct of the Southeast Area Transportation and Land Use Study.

Approved (6-0), Consent Agenda

**Resolution No. RS2013-93**

"BE IT RESOLVED by The Metropolitan Planning Commission that the contract amendment No. 1 between the Nashville-Davidson County Metropolitan Planning Commission on behalf of the Nashville Area MPO and Gresham, Smith and Partners for professional services related to the conduct of the Southeast Area Transportation and Land Use Study is **Approved. (6-0)**

12. Set Public Hearing date for amendments to Section 6-1 of the Subdivision Regulations (Improvements and Performance Bond) on June 13, 2013, or if notices cannot be completed at least 30 calendar days prior to June 13, 2013, then June 27, 2013.

Approved (6-0), Consent Agenda

**Resolution No. RS2013-94**

"BE IT RESOLVED by The Metropolitan Planning Commission that the Public Hearing date for amendments to Section 6-1 of the Subdivision Regulations (Improvements and Performance Bond) is set for June 13, 2013, or if notices cannot be completed at least 30 calendar days prior to June 13, 2013, then June 27, 2013.

13. Historic Zoning Commission Report
14. Board of Parks and Recreation Report
15. Executive Committee Report
16. Executive Director Report
17. Legislative Update

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## **L. MPC CALENDAR OF UPCOMING MATTERS**

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**May 23, 2013**

MPC Meeting

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

**June 13, 2013**

MPC Meeting

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

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## **M. ADJOURNMENT**

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Chairman

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Secretary