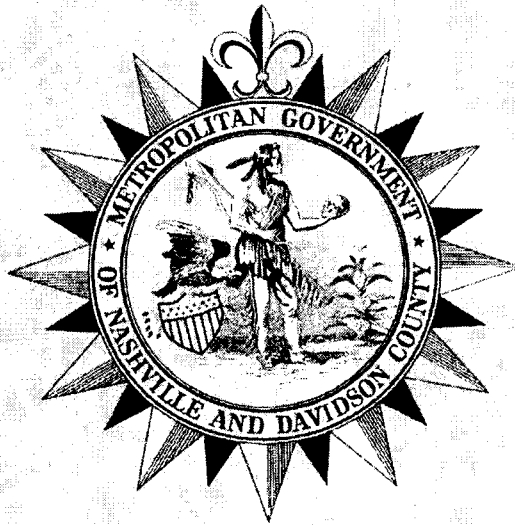


Metropolitan Planning Commission



Staff Reports

November 10, 2011

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

PREVIOUSLY DEFERRED ITEM

- **Subdivision (Concept)**



2011S-052-001
DUNCANWOOD RESERVE
Map 131-08, Part of Parcel(s) 018
Green Hills - Midtown
25 - Sean McGuire



Project No.
Project Name
Council District
School District
Requested by

Subdivision 2011S-052-001
Duncanwood Reserve

25 – McGuire
8 – Hayes

Anchor Investments, LLC, applicant, Monroe-Harding Inc., owner

Deferral

This item was deferred indefinitely at the July 28, 2011 Planning Commission meeting at the request of the applicant. It was deferred by the Planning Commission at the October 13, 2011 meeting.

Staff Reviewer
Staff Recommendation

Johnson
Approve with conditions

APPLICANT REQUEST

Concept plan for 18 lots

Concept plan

A request for concept plan approval to create 15 clustered lots within Phase I, two lots within Phase II and one lot within Phase III for the Monroe Harding Campus, on property located at 1120 Glendale Lane, on the southern side of Duncanwood Drive (30.2 acres), zoned One and Two Family Residential (R20).

Existing Zoning
R20 District

R20 requires a minimum 20,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 2.31 dwelling units per acre including 25 percent duplex lots.

CRITICAL PLANNING GOALS

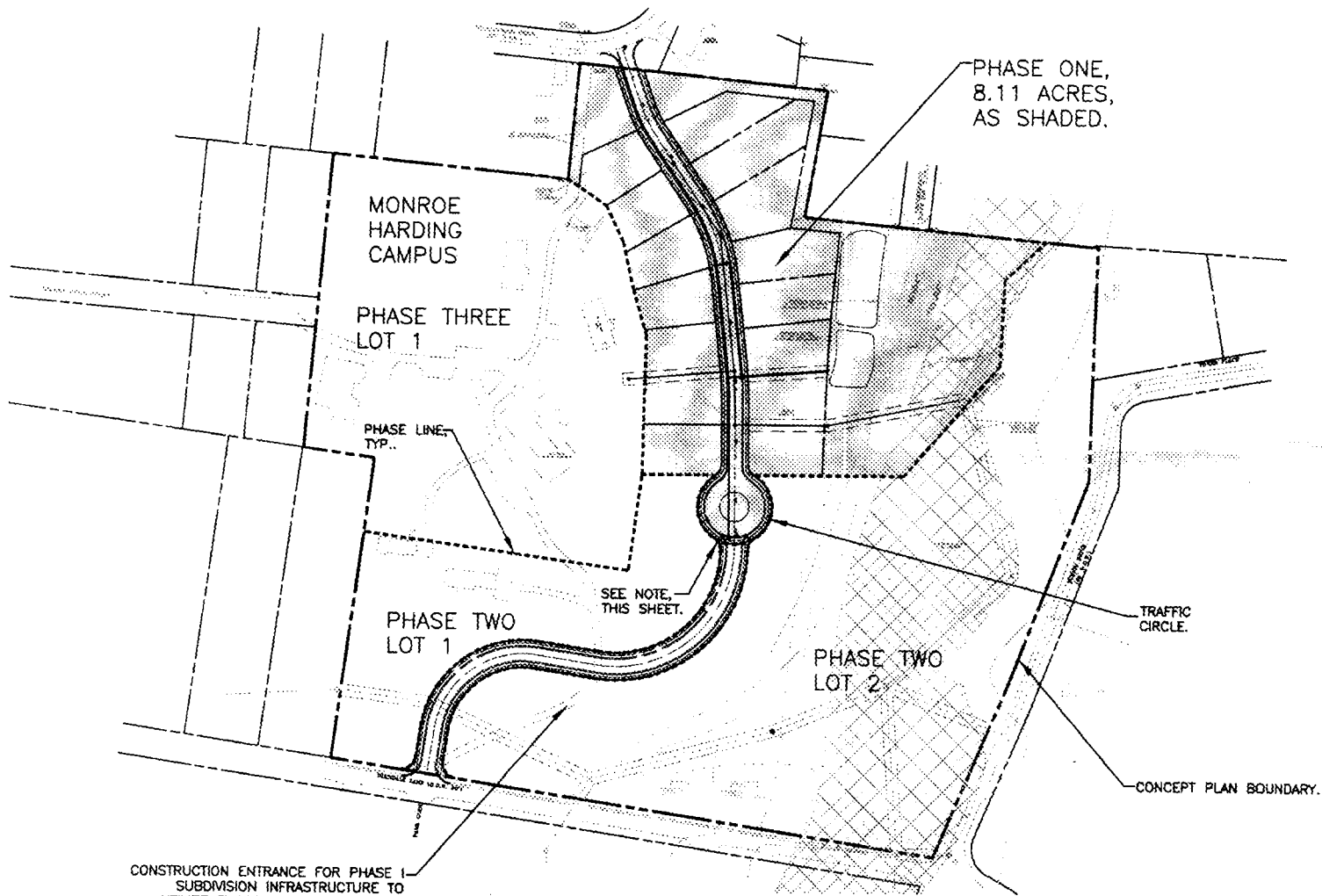
N/A

PLAN DETAILS

The concept plan proposal consists of three phases within a 30 acre parcel currently owned by Monroe Harding Inc. The only occupant within the parcel is the Monroe Harding Home campus, which is located on the western half of the parcel. The concept plan outlines the Monroe Harding campus, identifying it as Phase III, separate from the two phases proposed for development. Phase I consists of a 15 lot single-family residential subdivision with a new public street. Phase II covers the remainder of the parcel outside of the Monroe Harding campus and includes a proposed street connection from Phase I to Glendale Lane.

Phase I

The proposed subdivision within Phase I includes a new public street that would extend from Duncanwood Drive to the north and terminate in a turnaround at the southern boundary of Phase I. The turnaround will serve as a stub



NOTE

ANY FUTURE SUBDIVISION OF LAND WITHIN PHASE TWO SHALL INCLUDE THE DEDICATION AND CONSTRUCTION (OR BOND FOR THE CONSTRUCTION) OF A PUBLIC STREET TO CONNECT GLENDALE LANE TO THE PUBLIC STREET IN PHASE ONE IN A MANNER THAT WILL COMPLY WITH SECTION 3.9 (REQUIREMENTS FOR STREETS) OF THE SUBDIVISION REGULATIONS FOR PROVIDING STREET CONNECTIVITY WITH DESIGN ELEMENTS TO ENCOURAGE THE REDUCTION AND CALMING OF TRAFFIC.



Metro Planning Commission Meeting of 11/10/2011

street connection to serve future development within Phase II to the south.

The proposed lots within Phase I are cluster-lots, which allows for a minimum lot size of 10,000 square feet. Cluster lot subdivisions allow for smaller lot sizes, but also require the provision of open space within the subdivision. Approximately 40 percent of the subdivision within Phase I consists of open space.

BZA Master Plan

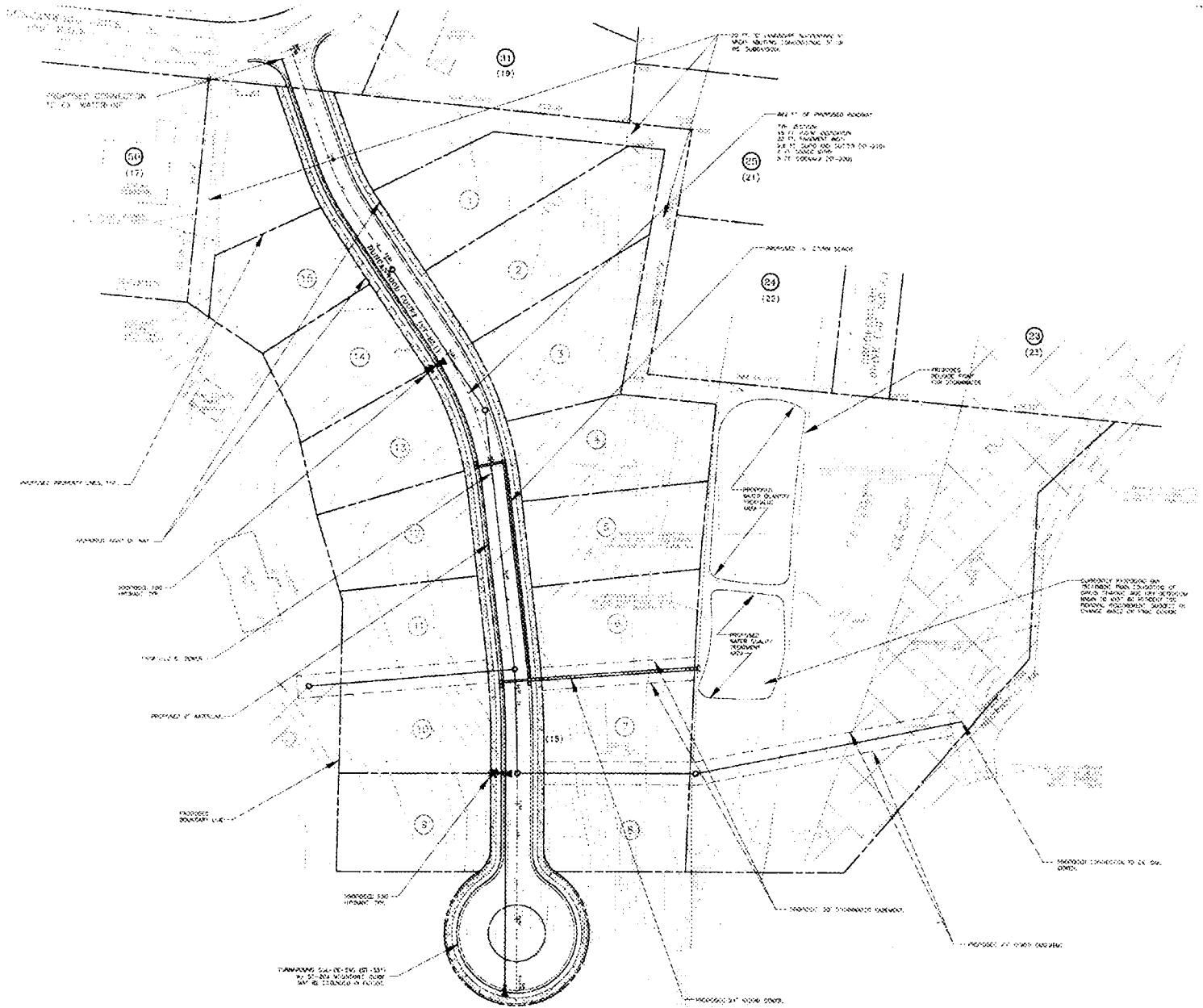
A Master Plan for the Monroe Harding property was approved by the Board of Zoning Appeals in 2007. On that plan, the campus portion of the site is confined to the western half of the site. Much of the currently undeveloped area on the eastern half of the Monroe Harding property shows no plan for campus-related development, possibly identifying this area for future development not related to the Monroe Harding school.

Street connectivity

The proposed concept plan was originally presented before the Planning Commission on July 28, 2011. The primary concern from Planning staff at that meeting was the lack of an overall concept plan for the entire parcel to show street connections from the proposed 15 lot subdivision to the surrounding street network.

The recommendation from Planning staff at that meeting expressed the need to plan for street connectivity to Glendale Lane or other surrounding streets with future development of the parcel. The previous layout with only one stub street connection conflicted with the Subdivision Regulations, which require an interconnected street system in order to *broadly disperse internal traffic and provide maximum alternatives for access to property for both public and private movement*. The Subdivision Regulations set additional design criteria for street connections with goals to *provide for the efficient dispersal of internal traffic while discouraging high volumes of through traffic*.

Since the initial July 28, 2011, Planning Commission meeting, several revisions have been made to the concept plan to bring it into compliance with the requirements of the Subdivision Regulations for street connectivity. For the October 13, 2011, meeting, the boundary of the concept plan was enlarged to include the entire Monroe Harding parcel and a note was added to the concept plan to ensure that street connections within future phases of



Concept Plan for Phase 1



Metro Planning Commission Meeting of 11/10/2011

development would comply with the requirements of the Subdivision Regulations. The note states that *any future subdivision of land within Phase II shall include the dedication and construction (or bond for the construction) of a public street to connect Glendale Lane to the public street in Phase I in a manner that will comply with section 3.9 (Requirements for Streets) of the Subdivision Regulations for providing street connectivity with design elements to encourage the reduction and calming of traffic.* These additions ensure street connectivity within the Monroe Harding property with future subdivisions within it.

The newest revision maintains the note for street connectivity and adds a proposed street right-of-way within Phase II to connect the Phase I development to Glendale Lane to the south. With the inclusion of the entire Monroe Harding parcel in the boundary, the street connectivity note, and a proposed street right-of-way shown on the plan, the proposal meets the requirements of the Subdivision Regulations for concept plans.

Stormwater Regulations

If the Concept Plan is approved, the subdivision will require a Development Plan for each phase to comply with the regulations of Metro Stormwater. A portion of the proposed open space is located within the floodplain. However, because no development is proposed within the floodplain, standards of the floodplain overlay do not apply.

Archaeological Sites

The applicant submitted a letter dated July 26, 2011 from the State of Tennessee Division of Archaeology regarding possible archaeological sites within the proposed concept plan area. The letter has identified a *reasonable potential for intact archaeological features (including human burials) to be present within the proposed tract.* The letter recommends an evaluation of the proposed tract by a qualified professional archaeologist prior to any earthmoving activity. The letter also states that *if human remains are encountered or accidentally uncovered by earthmoving activities, all activity within the immediate area must cease.* A condition of approval has been added incorporating these recommendations. If remains are found, a revised concept plan and/or development plan may be required.



Metro Planning Commission Meeting of 11/10/2011

Construction Entrance

The applicant has included a construction entrance that will be required to be used for all portions of the concept plan. This ingress/egress utilizes the existing Monroe Harding driveway on Glendale Lane. Metro Public Works has reviewed and approved this construction entrance.

METRO HISTORICAL COMMISSION RECOMMENDATION

The Metropolitan Historical Commission and the Tennessee Historical Commission have determined the campus (main and secondary buildings) of the Monroe Harding Children's Home to be eligible for listing in the National Register of Historic Places for its significance in local social history as well as its architecture. As presented, the Duncanwood Reserve concept plan will require the demolition of a building that contributes to the significance of the district. The residence hall/library appears to be one of the first buildings constructed for the campus when the Monroe Harding Children's Home moved to its current location in 1934. The Historical Commission encourages the applicant to retain this contributing building and recommends adapting the building for another use.

PUBLIC WORKS RECOMMENDATION

No Exception Taken with the Following Conditions:

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- Document adequate intersection sight distance for the 30 mph Duncanwood Drive intersection as per AASHTO prior to the preparation of final construction drawings, or, submit speed study data if speed limit on Duncanwood at Duncanwood Ct is recommended to be reduced to 20mph. Show appropriate signage in curve section.
- All street grades and curvature must meet the minimum requirements per AASHTO 30 mph design criteria.
- The proposed Phase two street connection to Glendale Lane appears to have a substandard horizontal curve and may require redesign.
- Document adequate intersection sight distance for the 30 mph Glendale Lane intersection as per AASHTO prior to the preparation of final construction drawings.



Metro Planning Commission Meeting of 11/10/2011

STORMWATER RECOMMENDATION

Concept plan approved except as noted (stormwater):
Some areas are bypassing water quality / quantity
features. Additional conveyances (ditches / pipes) will be
required.

NES RECOMMENDATION

- 1) Developer to provide a civil duct and gear (pad/switch) locations for NES review and approval. This shall cover the entire project area.
- 2) Developer drawing should show any existing utilities easements on property and the utility poles on the property and/or r-o-w.
- 3) 20-foot public utility easement required adjacent to all public r-o-w.
- 4) Any addition easements required that are not part of this parcel must be obtained by the developer or the engineer for the developer.
- 5) Street names are required before NES's final construction drawings can be issued.
- 6) NES can meet with developer/engineer upon request to determine electrical service options
- 7) NES needs any drawings that will cover any road improvements to Duncanwood Dr r-o-w that Public Works will require (i.e., turning lanes or lane improvements). Any of these items may require electric facilities to be relocated and may be an impact to the developers.
- 8) NES follows the National Fire Protection Association rules; Refer to NFPA 70 article 450-27; and NESC Section 15 - 152.A.2 for complete rules (see NES Construction Guidelines under "Builders and Contractors" tab @ www.nespower.com).
- 9) NES needs to know if the developer has other options on property next to this area, if so NES needs an overall concept plan.
- 10) All street lighting shall meet Metro/NES requirements for the public r-o-w. The conduit, footings, poles and fixtures must be installed by developer – NES needs locations of street light bases for conduit stub-outs to those general areas.
- 11) Building phase lines are required at the design stage.
- 12) If porches or fire escapes are allowed to be constructed beyond the minimum setback limits and into the public utility easements; then the easement will be considered reduced by that much of the easement. Such encroachments may increase the cost of electrical infrastructure to allow for reduced or limited access to



Metro Planning Commission Meeting of 11/10/2011

equipment. *NES reserves the right to enter and to erect, maintain, repair, rebuild, operate and patrol electric power overhead and underground conductors and communications circuits with all necessary equipment reasonably incident thereto including the right to clear said easement and keep the same clear of brush, timber, inflammable structures, buildings, permanent structures, and fire hazards; all over, under, upon, and across the easement as granted on any plats.*

STAFF RECOMMENDATION

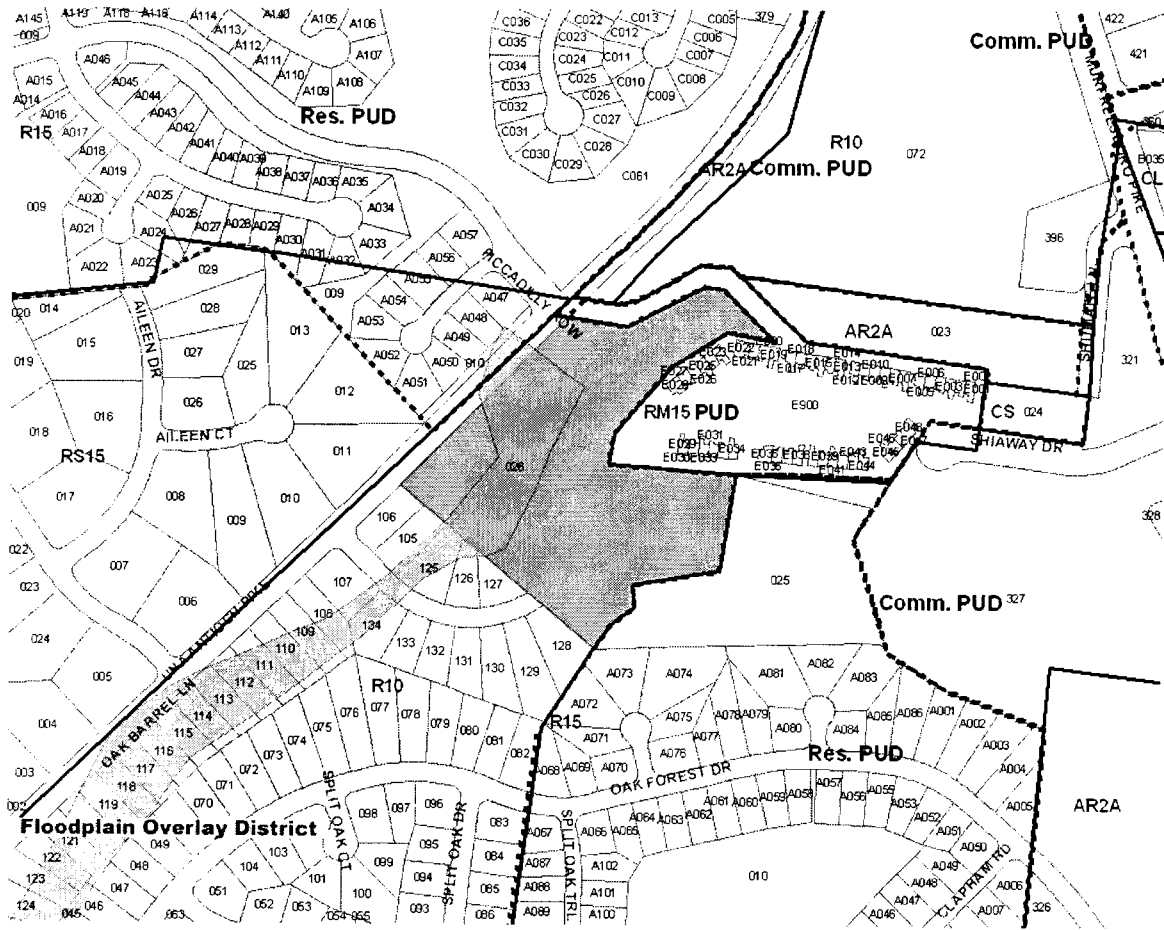
Staff recommends approval with conditions. With the added provisions to ensure street connectivity, the proposal meets the requirements of the Subdivision Regulations for a Concept Plan, which is to plan for street connectivity and future subdivision of the property. The proposed 18 lot Concept Plan meets all other requirements of the Zoning Code and Subdivision Regulations, as well.

CONDITIONS

1. The concept plan and future subdivision applications related to the concept plan proposal shall comply with requirements of Metro Stormwater, NES and Metro Public Works.
2. The requirements of the Subdivision Regulations for sidewalks shall apply to all phases of this concept plan, including along Glendale Lane and Scenic Lane frontage of the property.
3. Development of the concept plan area shall meet the requirements of the State of Tennessee Division of Archaeology for development on potential archaeological sites. If remains are discovered during construction, work is to stop and any necessary mitigation measures shall be taken in compliance with the State of Tennessee requirements. A revised Concept Plan may be required if remains would be impacted by the approved layout.

COMMUNITY PLAN POLICY CHANGES and ASSOCIATED CASES

- **Plan Amendment**
- **Specific Plan**



2011CP-013-004
ANTIOCH-PRIEST LAKE COMMUNITY PLAN: 2003 UPDATE

Map 149, Parcel(s) 026
 Antioch-Priest Lake: 2003 Update
 28 - Duane A. Dominy



**Project No.
Project Name**

**Community Plan 2011CP-013-004
Amend the *Antioch – Priest Lake Community
Plan: 2003 Update***

**Associated Case
Council District
School Districts
Requested by**

2011SP-024-001
28 – Dominy
6 – Mayes
Anderson, Delk, Epps and Associates, Inc., applicant,
Pamela Meadows, owner

**Staff Reviewer
Staff Recommendation**

Capehart
*Defer to the December 8, 2011, Planning Commission
meeting*

APPLICANT REQUEST

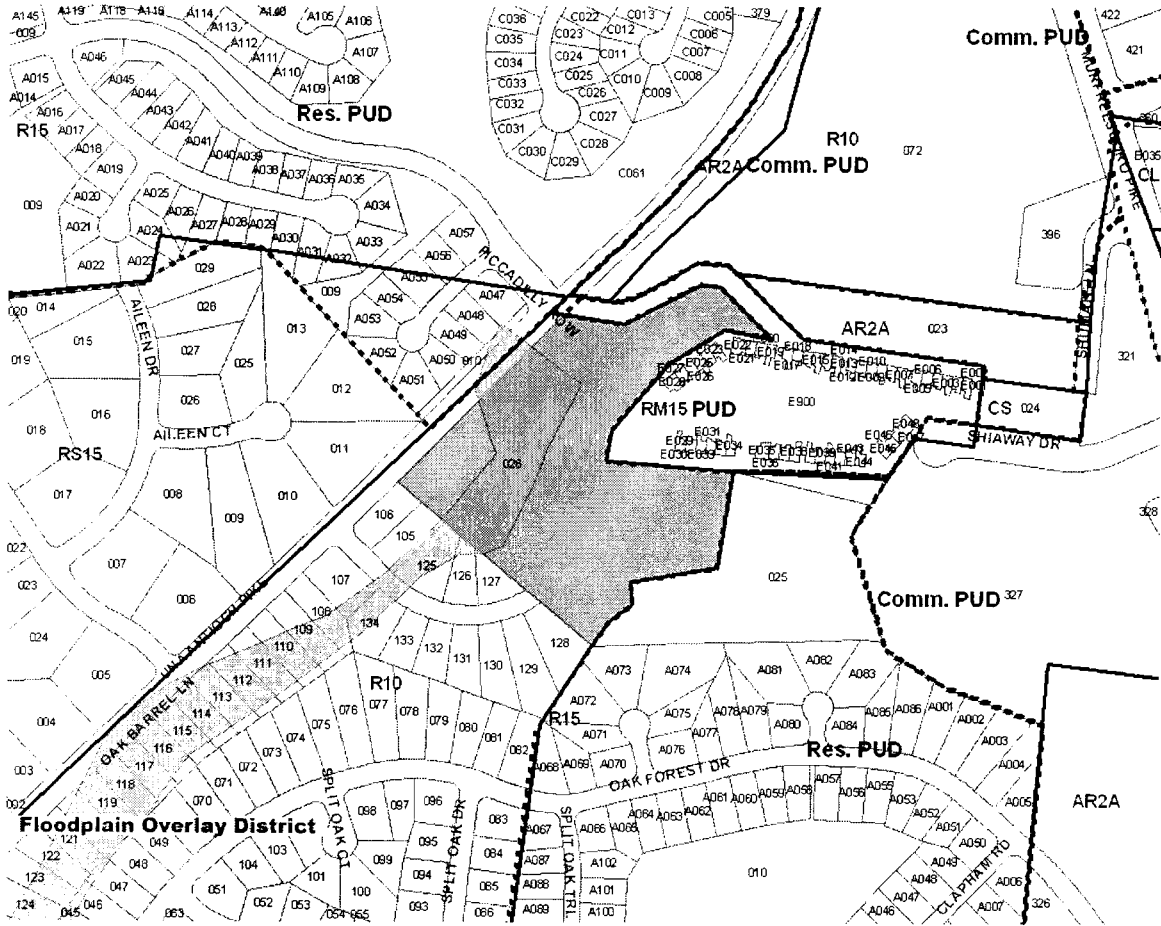
**Amend land use policy from Residential Low Medium
Density to T3 Suburban Neighborhood Evolving and
Conservation.**

Community Plan Amendment

**A request to amend the Antioch-Priest Lake Community
Plan: 2003 Update to change the land use policy from
Residential Low Medium Density (RLM) to T3 Suburban
Neighborhood Evolving (T3 NE) and Conservation (CO)
for property located at 2158 Una Antioch Pike,
approximately 1,915 feet south of Murfreesboro Pike (8.9
acres), zoned One and Two Family Residential (R10) and
within the Floodplain Overlay District (FO).**

STAFF RECOMMENDATION

The applicant submitted a request in writing to defer this application to the December 8, 2011, Planning Commission meeting in order to revise the community plan and associated SP proposals.



2011SP-024-001
MEADOWS DOWNS
 Map 149, Parcel(s) 026
 Antioch - Priest Lake
 28 - Duane A. Dominy



Project No. Zone Change 2011SP-024-001
Project Name Meadows Downs
Associated Case 2011CP-013-004
Council District 28 – Dominy
School Districts 6 – Mayes
Requested by Anderson, Delk, Epps and Associates, Inc., applicant,
Pamela Meadows, owner

Staff Reviewer Johnson
Staff Recommendation *Defer to the December 8, 2011, Planning Commission meeting*

APPLICANT REQUEST

134 multi-family units consisting of assisted living and attached homes

Preliminary SP

A request to rezone from One and Two Family Residential (R10) to Specific Plan – Mixed Residential (SP-MR) zoning property located at 2158 Una Antioch Pike, approximately 1,915 feet south of Murfreesboro Pike (8.9 acres) and within the Floodplain Overlay District (FO), to permit 134 multifamily units consisting of an assisted living facility, an independent living facility and attached homes.

STAFF RECOMMENDATION

The applicant submitted a request in writing to defer this application to the December 8, 2011, Planning Commission meeting in order to revise the SP and associated community plan proposals.



2011CP-014-003
 Donelson-Hermitage-Old Hickory Community Plan Amendment (GAYLORD)
 Map 062, Parcel(s) 023, 026, 269, 020
 Donelson - Hermitage
 15 - Phil Claiborne



Project Number
Project Name

Community Plan 2011CP-014-003
Amend the *Donelson-Hermitage-Old Hickory*
Community Plan: 2004 Update

Associated Cases
Council District
School Districts
Requested by

2007SP-014-001
15 – Claiborne
4 – Shepherd
Gresham Smith and Partners applicant, John R. Padgett, Trustee, the Saint Thomas Foundation, Opryland Attractions, Inc., and Gaylord Entertainment Company, owners

Staff Reviewer
Staff Recommendation

Wood
Approve with Special Policy

APPLICANT REQUEST

Amend the land use policies

Community Plan Amendment

A request to amend the Donelson-Hermitage-Old Hickory Community Plan: 2004 Update by changing the current land use policy from Residential Low-Medium Density (RLM) and Neighborhood Center (NC) policies to Commercial Mixed Concentration (CMC) Policy for properties located at 2716, 2728, and 2730 Pennington Bend Road and at McGavock Pike (unnumbered).

CRITICAL PLANNING GOALS

N/A

**DONELSON-HERMITAGE
COMMUNITY PLAN**

Existing Land Use Policies

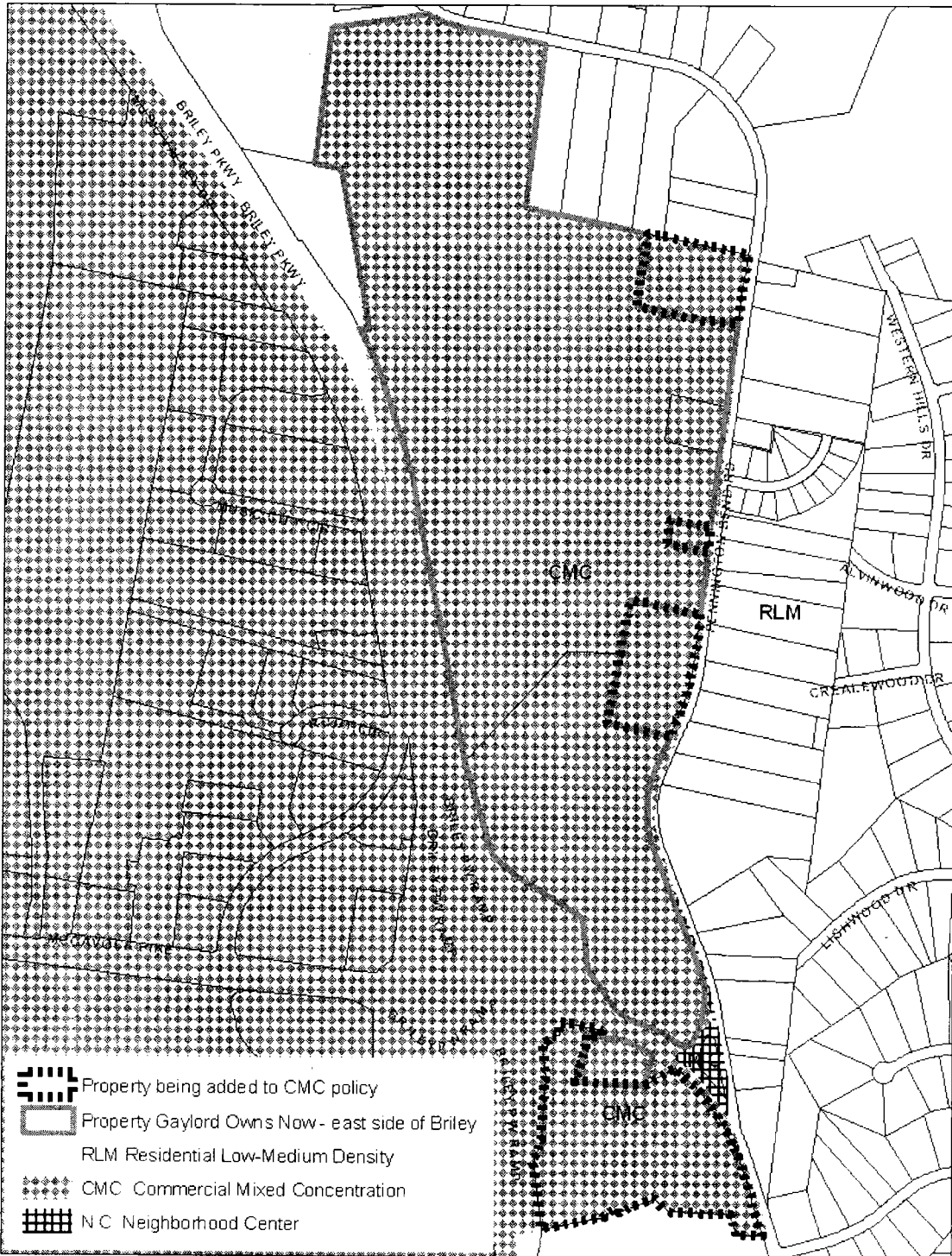
Residential Low-Medium (RLM)

RLM policy accommodates residential development within a density range of two to four dwelling units per acre. The predominant development type is single-family homes, although townhomes and other forms of attached housing may be appropriate.

Neighborhood Center (NC)

NC policy accommodates small, intense areas that may contain multiple functions and act as local centers of activity. Ideally, a neighborhood center is a "walk-to" area within a five-minute walk of the surrounding neighborhood it serves. NC areas have land uses that meet daily convenience needs and/or provide a place to gather and socialize.

2011CP-014-003 Amended Policies





Metro Planning Commission Meeting of 11/10/2011

Proposed Land Use Policy Commercial Mixed Concentration (CMC)

CMC policy accommodates significant concentrations of mixed commercial development providing both consumer goods and services and employment. Unlike strictly retail concentrations, CMC areas may contain an equal or greater proportion of other commercial uses such as offices. Good accessibility to and within CMC areas is of particular importance due to the amount of traffic generated by the uses in these areas.

BACKGROUND

In 2007, the Planning Commission approved a community plan amendment from RLM and NC to CMC with a special policy for approximately 107 acres located at the northwest corner of McGavock Pike and Pennington Bend Road (east of Briley Parkway) that was added to the holdings of Gaylord Entertainment. Gaylord is the owner of the Opry complex of hotel, shopping, and entertainment located on the west side of Briley Parkway. A Specific Plan zone change accompanied the community plan amendment request. The Planning Commission also recommended approval with conditions of the SP, which was subsequently approved by Metro Council.

Now Gaylord is requesting to add a small amount of property to the original community plan amendment area and Specific Plan. The property is located on the west side of Pennington Bend Road and on the west side of McGavock Pike at the Briley Parkway interchange (four parcels, 22 acres in total). The added property is at the periphery of the original amendment area and SP.

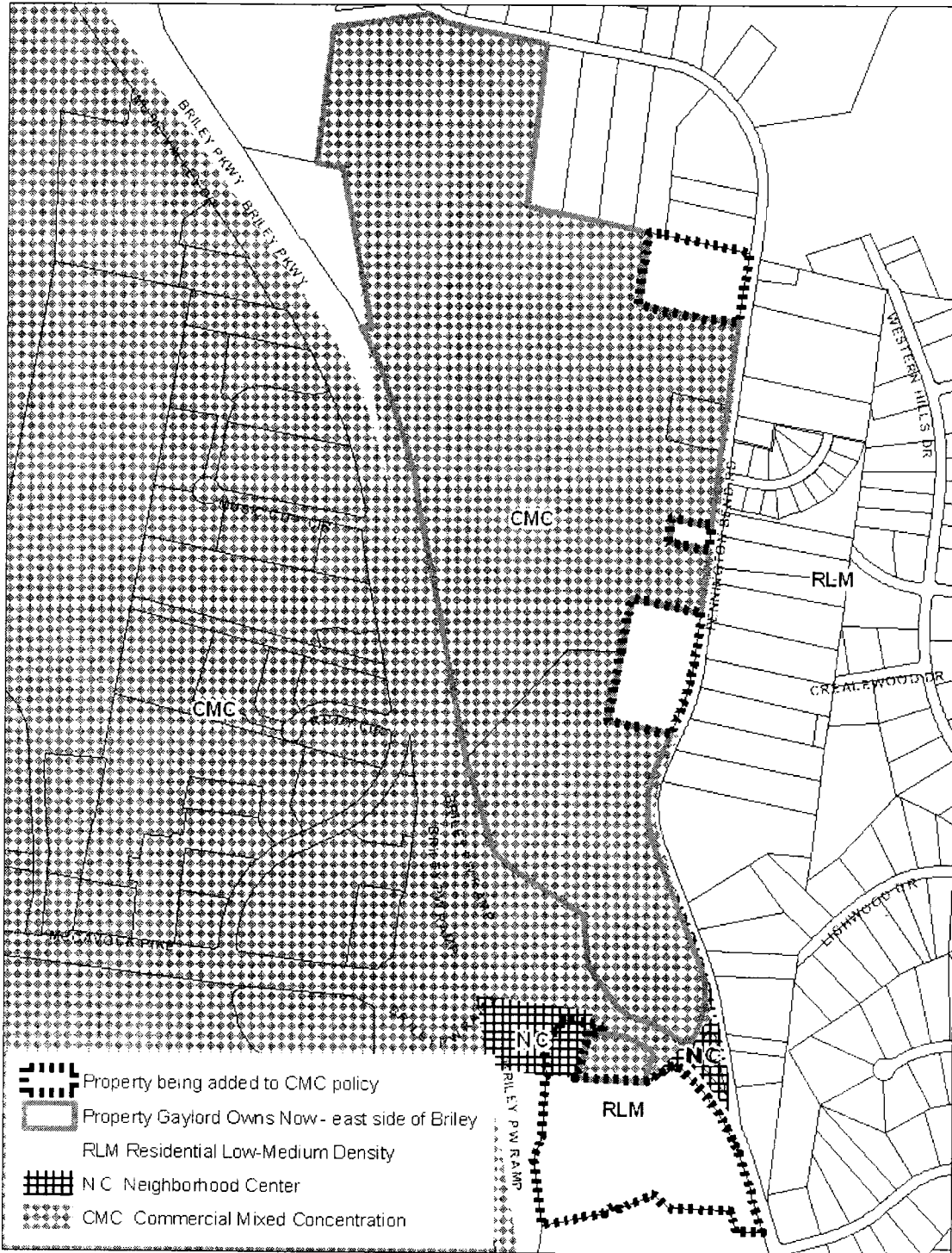
A community meeting, attended by approximately 80 community stakeholders, was held Monday, October 24, 2011, to discuss the plan amendment and SP. Attendees were mainly accepting of the land additions, but continue to be concerned about overall traffic issues in Pennington Bend, which has few roads accessing it.

ANALYSIS

The applicant has requested CMC policy, which is appropriate in light of the following considerations:

- a. the location, like the original amendment area it adjoins, has good access to a high-capacity urban interchange, Briley Parkway, which would be necessary for the type of development proposed;
- b. due to the location of the property abutting Briley Parkway, a lower-density pattern of housing as

2011CP-014-003 Current Policies





Metro Planning Commission Meeting of 11/10/2011

called for in the current policy is not desirable or sustainable;

- c. the applicant's property, if developed as generally proposed, would be a good complement to the similar development across Briley Parkway.

STAFF RECOMMENDATION

Staff recommends approval of the proposed amendment with the application of Special Policy 18 to the added land. Special Policy 18 was applied to the land in the original amendment area and the accompanying SP. A minor wording change to Special Policy 18 is also needed to address the added parcels. The proposed changes to the special policy are below. Strikethrough is used to indicate language to be deleted and **bold underline** indicates the language to be added.

Special Policy Area 18

*This Special Policy applies to the property at the ~~northeast quadrant~~ **east side** of the Briley Parkway / McGavock Pike Interchange, property currently owned by Gaylord **and a few other owners**. Because of this site's location in close proximity to a residential area with only a residential arterial street as a boundary, the following measures should be taken to minimize the negative impacts of development of the property on surrounding neighborhoods:*

- *No vehicular access from the property to Pennington Bend Road, except that of emergency and construction vehicles;*
- *Utilize a variety of techniques to minimize traffic accessing the site from McGavock Pike South;*
- *Develop a quality view and visual transition for the homes on the east side of Pennington Bend Road, closest to the development (e.g., not a paved parking lot);*
- *Include a landscape buffer between surrounding residential beyond that required in the zoning code for CA zoning abutting residential districts. Such buffering is needed to preserve and enhance the residentially-oriented design of the Pennington Bend Road streetscape, ensure Pennington Bend's continued success as a desirable residential street, and begin to buffer impacts of development such as noise;*
- *Lighting is to be located, scaled, and directed so as not to shine on adjacent residential areas;*



Metro Planning Commission Meeting of 11/10/2011

- *Lit signage is to be located, scaled, and directed so as not to shine on adjacent residential areas;*
- *Restrict certain allowed land uses in the Commercial Attraction Zoning District, further described in the Specific Plan Zoning District with the intent of ensuring maximum compatibility with adjacent neighborhoods;*
- *This CMC area is not intended to expand to the east side of Pennington Bend Road;*
- *Explore possible pedestrian connections to surrounding neighborhoods, greenways and shopping areas;*
- *Provide a trail or sidewalk along the west side of Pennington Bend Road and the north side of McGavock Pike;*
- *New developments within this Special Policy Area are to utilize the Specific Plan zoning district as the most effective tool to implement the intent of this Special Policy.*

SEE NEXT PAGE



2007SP-014-001
GAYLORD (AMENDMENT #1)
 Map 062, Parcel(s) 020, 023.01, 023, 026, 030, 111, 249, 269
 Donelson - Hermitage
 15 - Phil Claiborne



Project No. Zone Change 2007SP-014-001
Project Name Gaylord (Amendment # 1)
Associated Case 2011CP-014-003
Council District 15 – Claiborne
School District 4 – Shepherd
Requested by Gresham, Smith and Partners, applicant, on behalf of Gaylord Entertainment Company, John Padgett Trustee and the Saint Thomas Foundation, owners.

Staff Reviewer Swaggart
Staff Recommendation *Approve with conditions*

APPLICANT REQUEST

Add property to Gaylord SP district

SP Amendment

A request to amend the SP District (adopted with Council Bill BL2007-1357) for the previously approved Gaylord Specific Plan District (106.9 acres), and to add properties zoned One and Two-Family Residential (R15) and Commercial Limited (CL), located at 2716, 2728 and 2730 Pennington Bend Road and at McGavock Pike (unnumbered) (22.24 acres) for a total of 129.14 acres within the Specific Plan district.

Existing Zoning
R15 District

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

CL District

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

Proposed Zoning
SP-C District

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

CRITICAL PLANNING GOALS

N/A



Metro Planning Commission Meeting of 11/10/2011

DONELSON/HERMITAGE COMMUNITY PLAN

Existing Policies

Residential Low-Medium (RLM)

RLM is intended to accommodate residential development within a density range of two to four dwelling units per acre. The predominant development type is single-family homes, although some townhomes and other forms of attached housing may be appropriate.

Neighborhood Center (NC)

Neighborhood Center is intended to accommodate small, intense areas that may contain multiple functions and are intended to act as local centers of activity. Ideally, a neighborhood center is a "walk-to" area within a five-minute walk of the surrounding neighborhood it serves. NC areas are intended to have land uses that meet daily convenience needs and/or provide a place to gather and socialize.

Proposed Policies

Commercial Mixed Concentration (CMC)

CMC is a policy that accommodates significant concentrations of mixed commercial development providing both consumer goods and services and employment. Unlike strictly retail concentrations, CMC areas may contain an equal or greater proportion of other commercial uses such as offices. Good accessibility to and within CMC areas is of particular importance due to the amount of traffic generated by the uses in these areas.

Special Policy Area 18

Special Policy Area 18 was applied in response to original SP and it is to be applied to the expanded area.

This Special Policy applies to the property at the east side of the Briley Parkway / McGavock Pike Interchange, property currently owned by Gaylord and a few other owners. Because of this site's location in close proximity to a residential area with only a residential arterial street as a boundary, the following measures should be taken to minimize the negative impacts of development of the property on surrounding neighborhoods:

- No vehicular access from the property to Pennington Bend Road, except that of emergency and construction vehicles;



Metro Planning Commission Meeting of 11/10/2011

- Utilize a variety of techniques to minimize traffic accessing the site from McGavock Pike South;
- Develop a quality view and visual transition for the homes on the east side of Pennington Bend Road, closest to the development (e.g., not a paved parking lot);
- Include a landscape buffer between surrounding residential beyond that required in the zoning code for CA zoning abutting residential zoning districts. Such buffering is needed to preserve and enhance the residentially-oriented design of the Pennington Bend Road streetscape, ensure Pennington Bend's continued success as a desirable residential street, and begin to buffer impacts of development such as noise;
- Lighting is to be located, scaled, and directed so as not to shine on adjacent residential areas;
- Lit signage is to be located, scaled, and directed so as not to shine on adjacent residential areas;
- Restrict certain allowed land uses in the Commercial Attraction Zoning District, further described in the Specific Plan Zoning District with the intent of ensuring maximum compatibility with adjacent neighborhoods;
- This CMC area is not intended to expand to the east side of Pennington Bend Road;
- Explore possible pedestrian connections to surrounding neighborhoods, greenways and shopping areas;
- Provide a trail or sidewalk along the west side of Pennington Bend Road and the north side of McGavock Pike;
- New developments within this Special Policy Area are to utilize the Specific Plan zoning district as the most effective tool to implement the intent of this Special Policy.

Consistent with Policy?

Yes, if associated policy amendment is approved. This request is to add property into the existing Gaylord Specific Plan. As proposed the policies which apply to the existing SP will be expanded to the properties to be added. The SP is written in accordance with the proposed policies. This SP provides regulatory standards for future development, not an actual building layout. The standards will provide controls for



Metro Planning Commission Meeting of 11/10/2011

development within the district. A Final Site plan will be required to be submitted and approved prior to the issuance of any building permits.

REQUEST DETAILS

History (SP Plan)

The Gaylord SP was approved by Council in 2007. The SP does not contain a specific site plan, but is a regulatory zoning district. Its regulations are similar to the requirements of the Commercial Amusement (CA) zoning district in the Metro Zoning Code, but is more restrictive than what would be permitted under CA zoning. It specifically prohibits some uses which are permitted under CA. It provides specific buffer yard, sign and other operational requirements to ensure minimal impact on surrounding residential properties. It also provides specific language regarding traffic and prohibits ingress/egress onto Pennington Bend Road.

Request

This request is to amend the Gaylord SP by rezoning four properties into the existing SP. Three of the properties are zoned single and two-family residential (R15) and are located along the west side of Pennington Bend Road (8.64 acres). The fourth property is zoned for commercial and is located along the south side of McGavock Pike (13.6 acres). All four of the properties are adjacent to the Gaylord SP. The current SP district is approximately 106 acres. As proposed the SP district will contain approximately 129 acres.

ANALYSIS

The properties proposed to be added to the Gaylord SP are adjacent to the current zoning district. By adding the three residential properties along Pennington Bend Road, there are fewer residential properties that will be directly adjacent to the SP. While the SP requires wide buffers adjacent to residential properties, it would still be better if the SP were not adjacent to residential. The conflict between incompatible land uses is reduced by utilizing the required buffer and the additional separation provided by Pennington Bend Road.

PUBLIC WORKS RECOMMENDATION

A traffic analysis was conducted for the original SP rezoning request and indicates significant offsite improvements may be required at the time of development. More detailed traffic analyses will be required at the time of development to determine the specific improvements required to mitigate the



Metro Planning Commission Meeting of 11/10/2011

traffic impacts.

Any improvements shall be coordinated with the Metropolitan Department of Public Works.

STAFF RECOMMENDATION

Staff recommends that the request to add property to the Gaylord SP be approved subject to the approval of the associated land use policy amendment. If the associated policy amendment is not approved then staff recommends disapproval.

CONDITIONS

1. Traffic analysis shall be required for any final site plan per Metro Public Works' specifications. Approval of any final site plan shall be subject to traffic/roadway improvements as determined by the Metro Public Works.
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 CA zoning district as of the date of the applicable request or application.
3. 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.



Metro Planning Commission Meeting of 11/10/2011

4. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
5. The SP final site plan as approved by the Planning Commission will be used to determine compliance, both in the issuance of permits for construction and field inspection. While minor changes may be allowed, significant deviation from the approved site plans may require reapproval by the Planning Commission and/or Metro Council.

RECOMMENDATIONS TO THE METRO COUNCIL

- **Text Amendment**
- **Specific Plans**
- **Zone Changes**
- **PUD**
- **Mandatory Referral**

NO SKETCH



Project No.
Project Name
Council Bills
Council District
School District
Sponsored by

Text Amendment 2011Z-016TX-001
Tri-Face Billboards
BL2011-30
Countywide
Countywide
Councilmember Johnson

Staff Reviewer
Staff Recommendation

Bernards
Disapprove

APPLICANT REQUEST

Prohibit conversion to Tri-Face Billboards

Text Amendment

A request to amend Chapter 17.40 of the Metro Zoning Code to prohibit the conversion of non-conforming static billboards to tri-face billboards.

CRITICAL PLANNING GOALS

N/A

PURPOSE

This text amendment is intended to prohibit non-conforming billboards from being converted to tri-face billboards. Currently, the Zoning Code does not distinguish between static and tri-face billboards. These are both considered conventional billboards.

ANALYSIS
Existing Law

A tri-faced billboard is defined in the Zoning Code as “...a non-internally illuminated billboard consisting of a sign face comprised of a series of vertical triangular louvers that can be rotated to show up to three separate sign messages.

Section 17.32.050.G, tri-face billboards are specifically excluded from the height restrictions.

“Signs with any copy, graphics, or digital displays that change messages by electronic or mechanical means, other than tri-face billboards, shall not be permitted in the CA, CS, CF, CC, SCR, IWD, IR and IG districts unless the following distance requirements are satisfied, based upon the overall height of the sign:”

When regulations for changeable message signs were added to the Zoning Code, tri-face billboards were inadvertently placed in this new category. By adding a definition for tri-faced billboards and excluding them from the height restrictions imposed on digital signs, tri-face billboards were once again treated as conventional



Metro Planning Commission Meeting of 11/10/2011

Proposed Bill

billboards. The text amendment to add the definition and exclude this type of sign from height restrictions was recommended for approval by the Planning Commission at its December 9, 2010, meeting. The Council agreed with the Planning Commission and approved the changes to the Zoning Code on January 18, 2011.

The proposed bill would partially reverse the earlier text amendment and treat tri-face billboards differently than static billboards by limiting where they can be located. If adopted, non-conforming static billboards could not be converted to tri-face billboards. This proposed amendment does not classify tri-face billboards as a digital sign; rather it creates a third category of billboard.

Non-Conforming Billboards

Billboards are considered to be a use and the Zoning Code defines a non-conforming use in the following way:

"Nonconforming use" means a use originally legally established, but which now does not currently conform to the applicable use regulations of the zoning district in which it is located.

There are many billboards that were legally installed but changes in the Zoning Code have made them non-conforming including:

- Increasing the spacing distance between billboards from 750 feet to 1,000 feet;
- Requiring all billboards to be on a single pole; or
- Requiring all billboards to be located on a street at least four lanes in width.

Alternatively, a change in circumstance may have made the billboard non-conforming. For example, the required setback for a billboard is 20 feet. But if a street is widened, the billboard may no longer be 20 feet from the property line and would become non-conforming. The proposed text amendment would no longer permit these static billboards to be converted to tri-face billboards.

STAFF RECOMMENDATION

Staff recommends disapproval of this bill. This amendment would partially reverse the Planning Commission's earlier recommendation to treat tri-face billboards similar to static billboards.



Metro Planning Commission Meeting of 11/10/2011

ORDINANCE NO. BL2011-030

An Ordinance amending Chapter 17.40 of the Metropolitan Code to prohibit the conversion of nonconforming static billboards to tri-face billboards, all of which is more particularly described herein (Proposal No. 2011Z-016TX-001).

WHEREAS, tri-face billboards are potentially more distracting to motorists than static billboards, and have a more intensive impact on the surrounding community; and

WHEREAS, the Metropolitan Council recognizes that Tennessee Code Annotated § 13-7-208 provides certain protections to non-conforming uses; and

WHEREAS, the Metropolitan Council desires to allow nonconforming static billboards to continue to be used as such in accordance with Tennessee Code Annotated § 13-7-208, but to clarify that static billboards are separate structures from tri-face billboards.

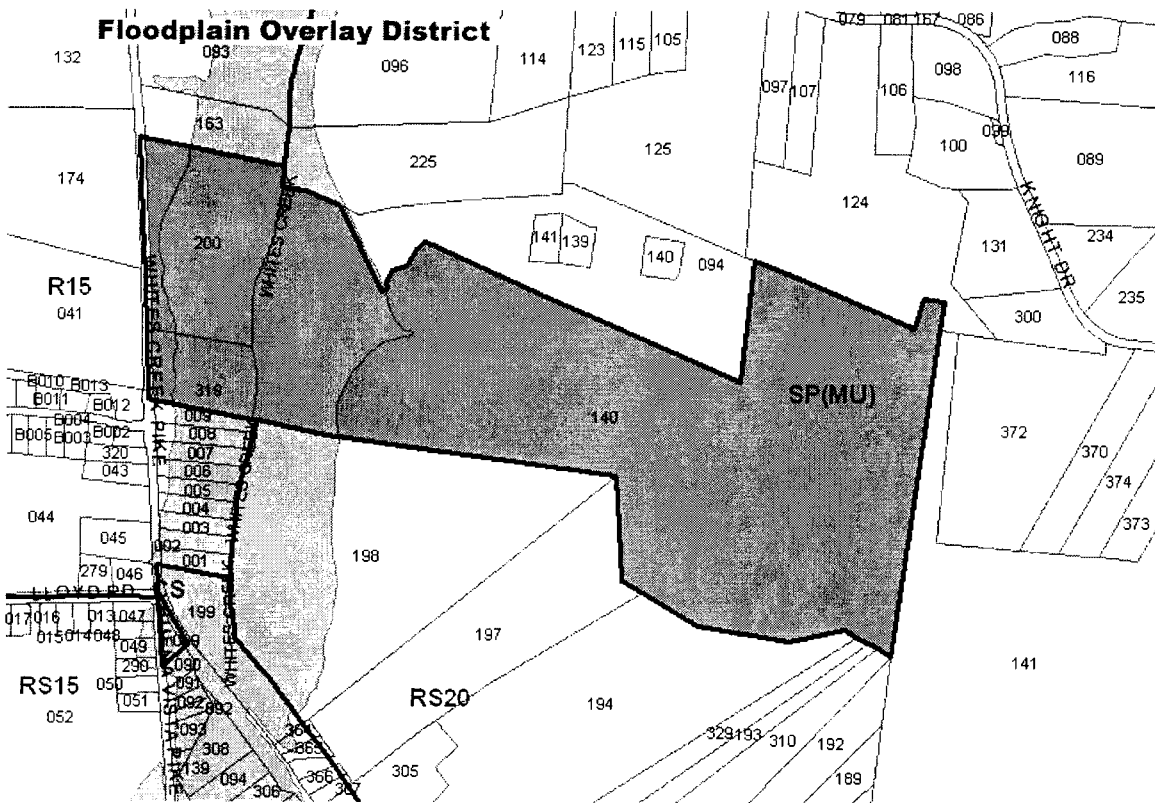
BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Title 17 of the Code of The Metropolitan Government of Nashville and Davidson County, Zoning Regulations, is hereby amended by amending Section 17.40.690 by adding the following provision as a new subsection at the end thereof:

“A nonconforming static billboard shall not be altered, modified, converted, changed, or replaced to result in the billboard becoming a tri-face billboard as defined in section 17.04.060. Static billboards and tri-face billboards shall be considered separate structures.”

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

INTRODUCED BY: Karen Johnson



2009SP-022-004
 THE MANSION AT FONTANEL (AMEND #2)
 Map 049, Parcel(s) 200.01, 140, 319
 Bordeaux - Whites Creek
 03 - Walter Hunt



Project No.	Specific Plan 2009SP-022-004
Project Name	Mansion at Fontanel SP
Council Districts	3 – Hunt
School Districts	3 – North
Requested by	EDGE Planning, Landscape Architects, applicant, for Fontanel Properties LLC, owner
Staff Reviewer	Bernards
Staff Recommendation	<i>Approve with conditions</i>

APPLICANT REQUEST

Permit the serving of liquor within an existing full-service restaurant.

Amend SP

A request to amend the SP District (adopted with Council Bill BL2010-780) for the previously approved and amended Mansion at Fontanel Specific Plan District for properties located at 4105, 4125, and 4225 Whites Creek Pike, approximately 1,000 feet north of Lloyd Road (136.04 acres) and within the Floodplain Overlay District, to modify the condition regarding alcoholic beverages sold in the full-service restaurant along Whites Creek Pike to permit liquor to be served in addition to beer and wine currently permitted.

Existing Zoning
SP-MU District

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

CRITICAL PLANNING GOALS

N/A

**BORDEAUX/WHITES CREEK
COMMUNITY PLAN**

Existing Policy
Natural Conservation (NCO)

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

Rural (R)

R is intended for areas that are physically suitable for urban or suburban development but the community has chosen to remain predominantly rural in character.



Metro Planning Commission Meeting of 11/10/2011

Whites Creek Historic District

Agricultural uses, low intensity community facility uses, and low density residential uses (one dwelling unit per two acres or lower) may be appropriate.

This property is within Nashville's only National Register-listed rural historic district. Development is encroaching on the Whites Creek Historic District and should be limited to reduce negative impacts on this significant area.

Conservation subdivisions, rural conservation overlays and roadway cross-sections appropriate for rural areas should be used to preserve the rural character of the Whites Creek Historic District. The plan discourages typical suburban design and subdivision of the property along Whites Creek Pike into small lots that front the road. New development should blend into the natural landscape and protect the existing views from Whites Creek Pike.

Consistent with policy?

Yes. The original finding of consistency of the SP with the Natural Conservation (NCO) and Rural (R) land use policies was based upon the following factors:

- The proposed use, scale and location of buildings were consistent with the intent of the policies to support low intensity development and preserve sensitive environmental features of the property.
- While commercial uses are no longer contemplated in the NCO and R policies, the SP brought this property more into compliance with the intensity, design, building orientation and location of development envisioned by the policies than the R15 and RS20 zoning districts. (While the site has constraints in terms of floodplain and steep slopes, it is still developable for one and two-family residences at a density higher than the one unit per two acres called for in the policy.)
- The uses, types of building and location of buildings supported the Whites Creek Historic District.

The proposed amendment does not change the buildings along Whites Creek Pike and the SP does continue to support the Whites Creek Historic District.

PLAN DETAILS

The Planning Commission approved the Mansion at Fontanel SP, including final site plan approval for Phase I on October 22, 2009. The final site plan for Phase II was approved on February 11, 2010. The SP was amended in November 2010 to expand the capacity of the Seasonal Performance Entertainment venue. The proposed



Metro Planning Commission Meeting of 11/10/2011

amendment would delete a condition of the original Council Bill that limits the full service restaurant to wine and beer sales only.

a. Alcoholic beverages served in the full service restaurant along Whites Creek Pike shall be limited to beer and wine only.

There are no similar restrictions for any of the other portions of the property. Currently the restaurant serves beer and allows patrons to bring their own wine. The amendment will allow the restaurant to provide liquor as well.

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

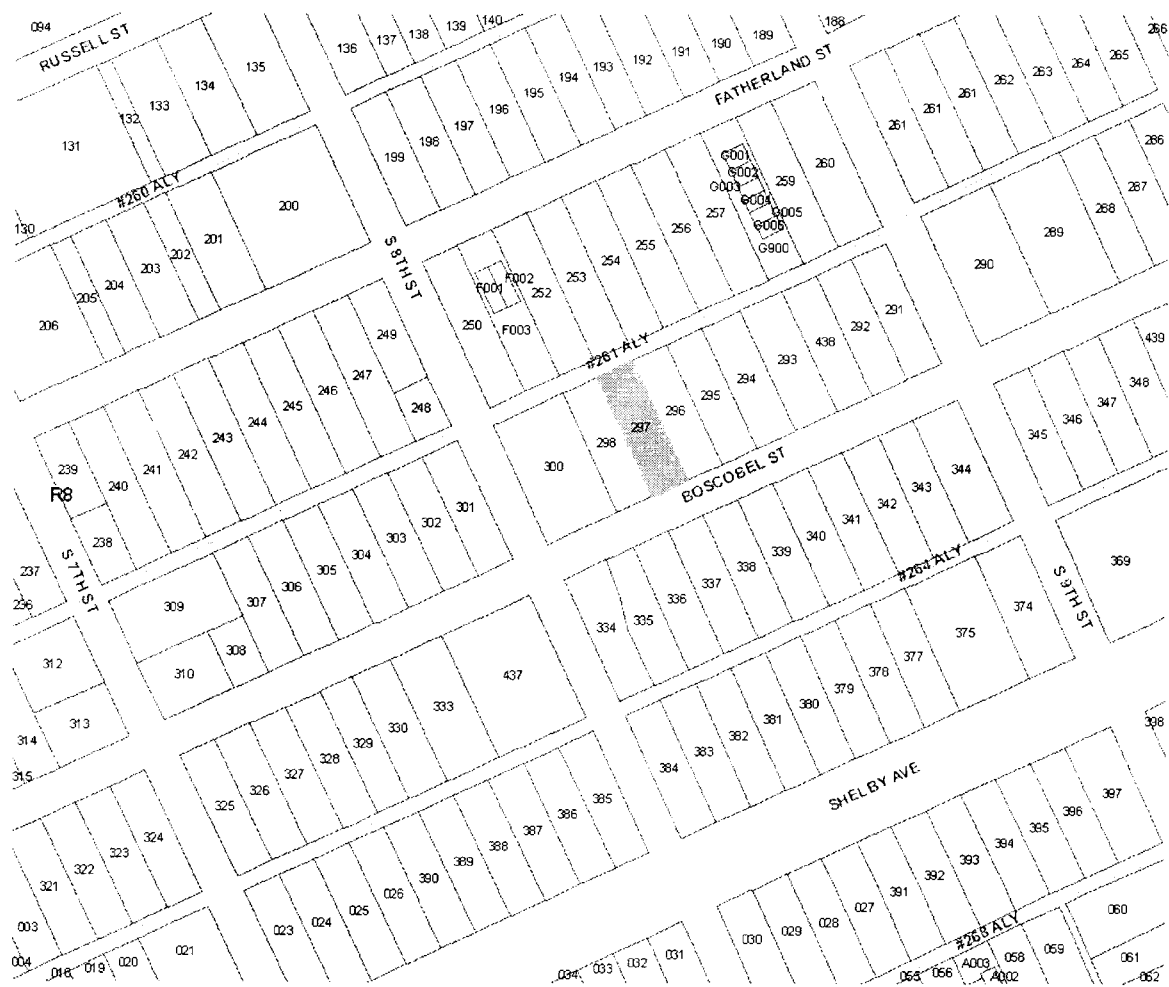
1. All other conditions of the SP adopted with Council Bill BL2009-561 and as amended by BL2010-780 shall apply.
2. References to limiting the full service restaurant to wine and beer only shall be deleted on page 15 of the plan booklet and from the permitted land use table for Phase II and note 24 on page L-1.00 of the plan.
3. A corrected copy of the SP final site plan incorporating the conditions of approval by the Planning Commission shall be provided to the Planning Department prior to the issuance of any permit for this property, and in any event no later than 120 days after consideration by Planning Commission. If a corrected copy of the SP final site plan incorporating the conditions therein is not provided to the Planning Department within 120 days after the date of conditional approval by the Planning Commission, then the corrected copy of the SP final site plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, or any other development application for the property.
4. The SP final site plan as approved by the Planning Commission will be used to determine compliance, both in the issuance of permits for construction and field inspection. While minor changes may be allowed, significant deviation from the approved site



Metro Planning Commission Meeting of 11/10/2011

plans may require reapproval by the Planning Commission and/or Metro Council.

SEE NEXT PAGE



2011SP-023-001
BOSCOBEL STREET TOWNHOMES (PRELIM & FINAL)
Map 082-16, Parcel(s) 297
East Nashville
06 - Peter Westerholm



Project No.	Zone Change 2011SP-023-001
Project Name	Boscobel Street Townhomes (Prelim & Final)
Council District	6 – Westerholm
School District	5 – Porter
Requested by	Laura Mitchell, applicant, on behalf of Amy Gleaves and Brian Mitchell, owners
Staff Reviewer	Swaggart
Staff Recommendation	<i>Disapprove</i>

APPLICANT REQUEST

Rezone to permit five multi-family units

Preliminary and Final SP

A request to rezone from Single and Two-Family Residential (R8) to Specific Plan – Residential (SP-R) zoning and for final site plan approval for property located at 807 Boscobel Street within the Edgefield Historic Preservation Overlay District, approximately 180 feet east of South 8th Street (0.2 acres), to permit five multi-family units where four multi-family units currently exist as a legal non-conforming use.

Existing Zoning

R8 District

R8 requires a minimum 8,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 5.79 dwelling units per acre including 25% duplex lots. *This district would permit one duplex unit on the subject property (0.2 acres).*

Proposed Zoning

SP-R District

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

CRITICAL PLANNING GOALS

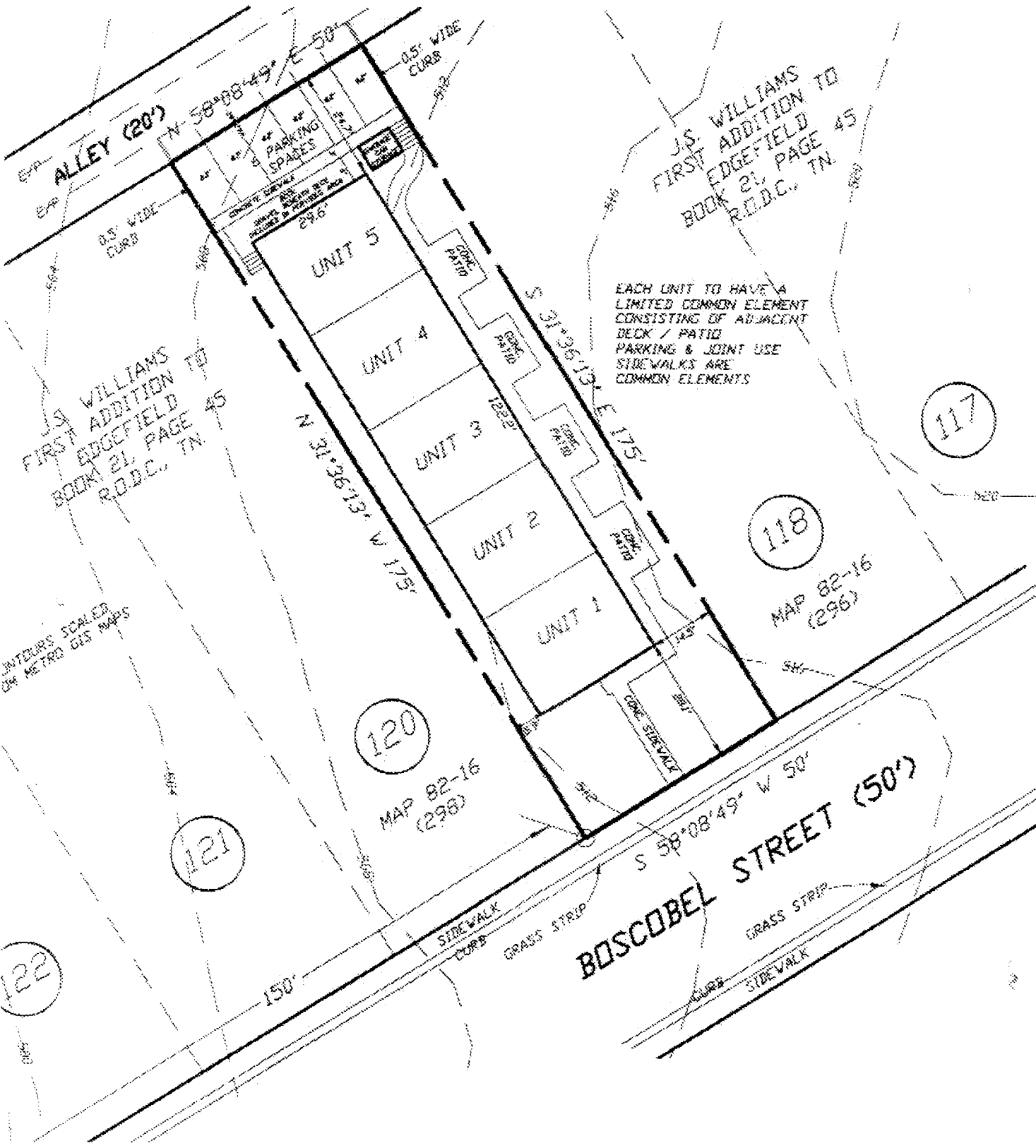
N/A

**EAST NASHVILLE
COMMUNITY PLAN**

Land Use Policy

Neighborhood General (NG)

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



ALLEY (20')

N 58°08'49" E 50'

0.5' WIDE CURB

0.5' WIDE CURB

PARKING SPACES

UNIT 5

CONC. PATIO

UNIT 4

CONC. PATIO

UNIT 3

CONC. PATIO

UNIT 2

CONC. PATIO

UNIT 1

CONC. PATIO

J.S. WILLIAMS FIRST ADDITION TO EDGEFIELD BOOK 21, PAGE 45 R.O.D.C., TN.

EACH UNIT TO HAVE A LIMITED COMMON ELEMENT CONSISTING OF ADJACENT BECK / PATIO PARKING & JOINT USE SIDEWALKS ARE COMMON ELEMENTS

J.S. WILLIAMS FIRST ADDITION TO EDGEFIELD BOOK 21, PAGE 45 R.O.D.C., TN.

INTERIORS SCALED OFF METRO GIS MAPS

118

MAP 82-16 (296)

120

MAP 82-16 (298)

121

122

BOSCOBEL STREET (50')

S 58°08'49" W 50'

SIDEWALK CURB

GRASS STRIP

GRASS STRIP

SIDEWALK CURB

150'



Metro Planning Commission Meeting of 11/10/2011

the type of development conforms to the intent of the policy.

Consistent with Policy?

No. While the policy supports higher density residential, the proposed density (25 units per acre) exceeds the maximum density supported by the policy (20 units per acre).

REQUEST DETAILS

The subject property is developed and contains a single building with six residential units. According to the applicant the building was constructed in 1968. Metro records indicate that four units are permitted as a non-conforming use. The extra two units were built illegally and according to the applicant are currently boarded up.

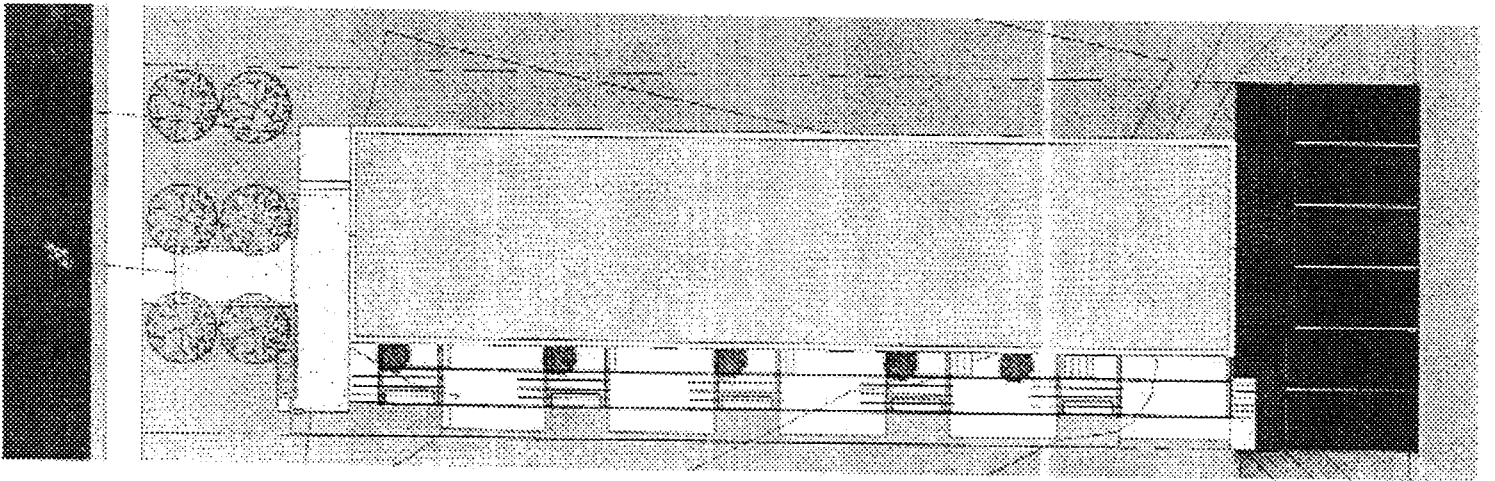
As proposed the existing building will be renovated (interior and exterior) to include five two-bedroom residential units. The Metro Zoning Code requires one parking space per studio or one-bedroom unit, and 1.5 spaces per two-bedroom unit within the Urban Zoning Overlay (UZO). A total of eight parking spaces are required for the five units. The plan calls for six on-site parking spaces which will be located at the rear of the property along the alley. On-street parking may also be counted towards parking requirements within the UZO. The property has approximately 50 feet of frontage which translates into two parking spaces that can be counted towards the parking requirement. Between the on-site parking and on-street parking, the SP will meet the Zoning Code parking required. No vehicular access is proposed along Boscobel, but pedestrian access will remain.

This property is within the National Register Edgefield Historic District and Edgefield Historic Overlay District. The SP does not supersede the requirements of the overlay district. While elevations have been provided they must ultimately be approved by the Metropolitan Historic Zoning Commission (MHZC) for compliance with their guidelines.

It is important to note that the revised drawings were submitted after the submittal deadline. At the time this report was written Public Works had not reviewed the revised plan.

ANALYSIS

While higher density residential is appropriate within urban neighborhoods, this request exceeds the density supported by the property's land use policy. The policy



Proposed site plan.



Metro Planning Commission Meeting of 11/10/2011

would support four units, and if the proposed number of units were reduced by one, then staff could recommend approval with conditions. MHZC staff will continue to work with the applicant on the elevations but has agreed to let the zoning move forward under the condition that in the event the SP is approved, no building permits would be issued until such a time as the elevations have been approved by MHZC. This is appropriate since the SP would not supersede the overlay district. *Since the request exceeds the density supported by the policy, then staff is recommending disapproval.* If it is approved then staff has included a condition which would address the Historic Zoning Commission's comments.

PUBLIC WORKS RECOMMENDATION

The revised drawings were submitted after the submittal deadline, and have not been reviewed at the time the staff report was written. Any additional comments will be provided at the Planning Commission meeting.

Maximum Uses in Existing Zoning District: R8

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.2	5.79	1 L	10	1	2

Maximum Uses in Proposed Zoning District: SP-R

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	0.2	-	5 U	34	3	4

Traffic changes between maximum: R8 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
-	-	-	-	+24	+2	+2

METRO SCHOOL BOARD REPORT

Projected student generation 1 Elementary 0 Middle 0 High

Schools Over/Under Capacity

Students would attend Warner Elementary School, Bailey Middle School, and Stratford High School. The elementary is identified as over capacity; however, there is additional capacity for elementary school students within the cluster. This information is based upon data from the school board last updated October 2010.



Metro Planning Commission Meeting of 11/10/2011

Fiscal Liability

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

STAFF RECOMMENDATION

Staff recommends that the request be disapproved. As proposed the request exceeds the 20 units per acre density supported by the Neighborhood General land use policy that applies to the property.

CONDITIONS (if approved)

1. Applicant shall work with Planning staff in order to provide adequate information on the site plan prior to third reading at Council.
2. Any comments from Public Works shall be addressed prior to third reading at Council.
3. Approval of this SP does not include exterior elevations or materials. All exterior renovations shall be approved by the Metropolitan Historic Zoning Commission prior to the issuance of any building permits.
4. 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 as of the date of the applicable request or application.
5. A corrected copy of the preliminary SP plan incorporating the conditions of approval by 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,



Metro Planning Commission Meeting of 11/10/2011

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 SP final site plan as approved by the Planning Commission will be used to determine compliance, both in the issuance of permits for construction and field inspection. While minor changes may be allowed, significant deviation from the approved site plans may require reapproval by the Planning Commission and/or Metro Council.



2011Z-019PR-001
 5102, 5104, 5106 & 5108 DELAWARE AVENUE
 Map 091-11, Parcel(s) 258-261
 West Nashville
 20 - Buddy Baker



Project No.
Council District
School District
Requested by

Zone Change 2011Z-019PR-001

20 – Baker
1 – Gentry
Ward Pace, owner

Staff Reviewer
Staff Recommendation

Swaggart
Approve

APPLICANT REQUEST

Rezone from commercial to mixed-use

Zone Change

A request to rezone from the Commercial Services (CS) to Mixed-Use Limited – Alternative (MUL-A) district properties located at 5102, 5104, 5106 and 5108 Delaware Avenue, approximately 150 feet west of 51st Avenue North (0.69 acres), requested by Ward Pace, owner.

Existing Zoning
CS District

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

Proposed Zoning
MUL-A District

Mixed Use Limited-Alternative is intended for a moderate intensity mixture of residential, retail, restaurant, and office uses and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards.

CRITICAL PLANNING GOALS

N/A

**WEST NASHVILLE
COMMUNITY PLAN**

Land Use Policy
T4 Urban Mixed Use Corridor
(T4 CM)

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

Consistent with Policy?

Yes. The proposed zoning permits a variety of uses consistent with the land use policy. The zoning district requires a building to be built closer to the street which is



Metro Planning Commission Meeting of 11/10/2011

intended to create a more urban character consistent with the policy.

PUBLIC WORKS RECOMMENDATION

1. An access study may be required at development.
2. The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.

Typical Uses in Existing Zoning District: CS

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Specialty Retail (814)	0.69	0.128 F	3,847 SF	203	11	31

Typical Uses in Proposed Zoning District: MUL-A

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Specialty Retail (814)	0.69	0.041 F	1,232 SF	91	9	25

Traffic changes between typical: CS and proposed MUL-A

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-2,615 SF	-112	-2	-6

Maximum Uses in Existing Zoning District: CS

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Specialty Retail (814)	0.69	0.6	18,033 SF	810	22	65

Maximum Uses in Proposed Zoning District: MUL-A

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Specialty Retail (814)	0.69	1	30,056 SF	1324	32	94

Traffic changes between maximum: CS and proposed MUL-A

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+12,023 SF	+514	+10	+29



Metro Planning Commission Meeting of 11/10/2011

METRO SCHOOL BOARD REPORT

Projected student generation

6 Elementary 5 Middle 3 High

Schools Over/Under Capacity

Students would attend Cockrill Elementary School, Bass Middle School, and Perl-Cohn High School. The elementary and middle schools are identified as over capacity. There is no capacity for additional elementary school students within the cluster, but there is capacity within the cluster for middle school students. This information is based upon data from the school board last updated October 2010.

Fiscal Liability

The fiscal liability for six new elementary students is \$120,000, and the fiscal liability for five new middle school students is \$117,500. This is only for information purposes to show the potential impact of this proposal, it is not a staff condition of approval.

STAFF RECOMMENDATION

Staff recommends that the request be approved. The proposed MUL-A zoning district is consistent with the land use policy that applies to the subject properties.



2011Z-020PR-001
 6028 & 6030 NEIGHBORLY AVENUE; 317, 319 & 321 BALMY AVENUE
 Map 103-01, Parcel(s) 053-056, 154
 West Nashville
 20 - Buddy Baker



Project No.
Council District
School District
Requested by

Zone Change 2011Z-020PR-001

20 – Baker

9 – Simmons

Anderson, Delk, Epps and Associates, Inc., applicant for Jerome Rosenblum, Robert Dougher, and John Ginther, owners

Staff Reviewer
Staff Recommendation

Swaggart

Approve and direct staff to initiate a policy amendment to support the new zoning district.

APPLICANT REQUEST

Rezone from commercial to industrial

Zone Change

A request to rezone from the Commercial Services (CS) to Industrial Warehousing District (IWD) district properties located at 6028 and 6030 Neighborly Avenue and at 317, 319 and 321 Balmy Avenue, at the northwest corner of Neighborly Avenue and Balmy Avenue (0.99 acres).

Existing Zoning
CS District

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

Proposed Zoning
IWD District

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

CRITICAL PLANNING GOALS

N/A

**WEST NASHVILLE
COMMUNITY PLAN**

Land Use Policy
T4 Urban Mixed Use Neighborhood
(T4 MU)

T4 MU policy is intended to preserve, enhance, and create urban, mixed use neighborhoods characterized by a development pattern that contains a diverse mix of residential and non-residential land uses, and that are envisioned to remain or develop in a mixed use pattern. T4 MU areas are areas intended to be mixed use in nature with the presence of commercial and even light industrial uses, but also a significant amount of moderate to high density residential development.



Metro Planning Commission Meeting of 11/10/2011

Consistent with Policy?

No. The proposed zoning is not consistent with the existing policy. While the proposed zoning is not consistent with the land use policy *it is consistent with the surrounding development pattern* which consists primarily of automobile repair, body shops and small warehouses. It is unlikely that this pattern will change in the foreseeable future. The subject property currently contains an automobile repair shop, and, as it is unlikely that the area will change in the near future. Staff recommends that the policy be amended to a policy that reflects the nature of the area. ***Staff recommends that the Commission direct staff to initiate a policy amendment which would support the proposed zoning.***

PUBLIC WORKS RECOMMENDATION

1. An access study may be required at development.
2. The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.

Typical Uses in Existing Zoning District: CS

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Specialty Retail (814)	0.99	0.128 F	5,519 SF	274	12	35

Typical Uses in Proposed Zoning District: IWD

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	0.99	0.237 F	10,220 SF	37	4	4

Traffic changes between typical: CS and proposed IWD

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-237	-8	-31

Maximum Uses in Existing Zoning District: CS

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Specialty Retail (814)	0.99	0.6 F	25,874 SF	1145	28	84



Metro Planning Commission Meeting of 11/10/2011

Maximum Uses in Proposed Zoning District: IWD

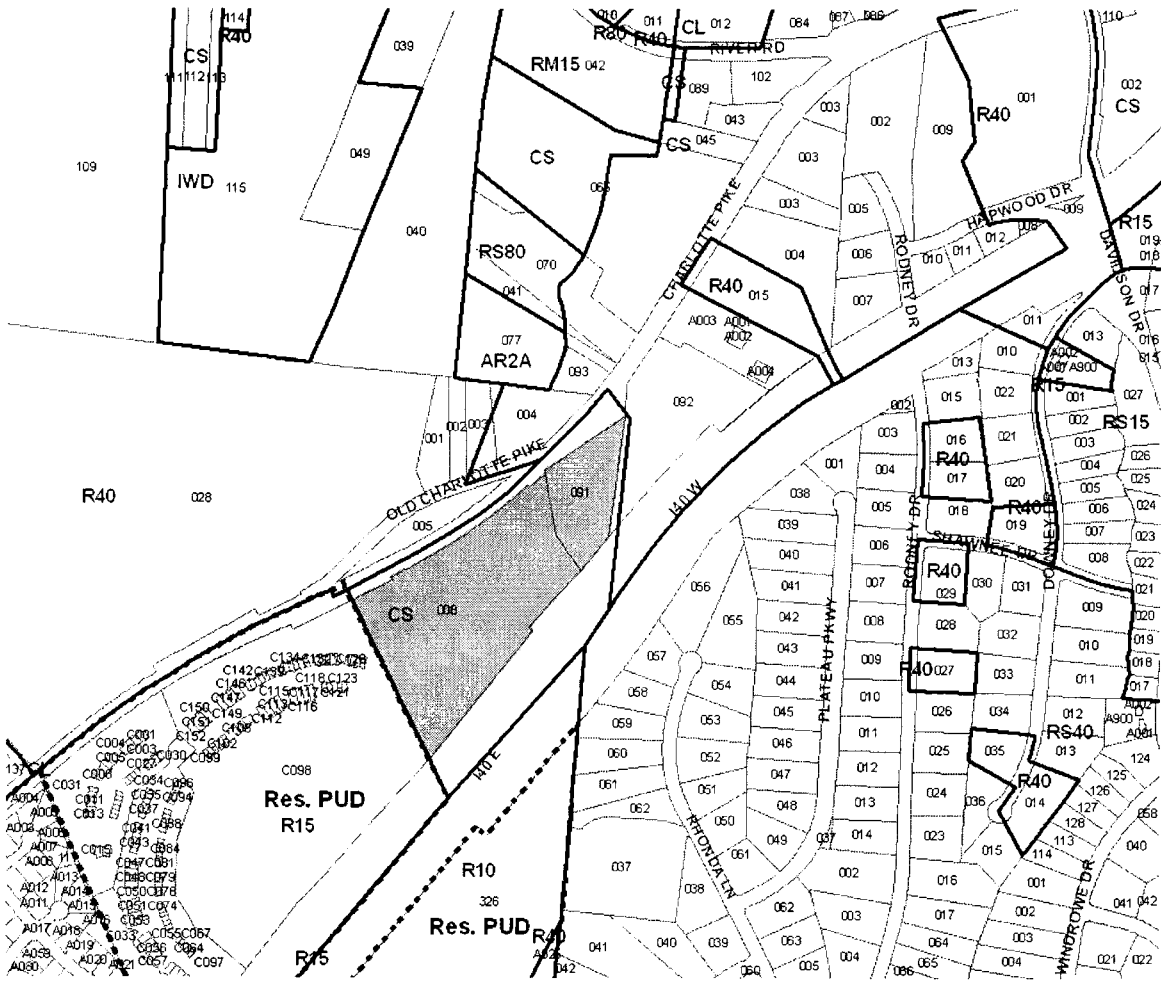
Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	0.99	0.8 F	34,499 SF	123	11	12

Traffic changes between maximum: CS and proposed IWD

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-1022	-17	-72

STAFF RECOMMENDATION

Staff recommends that the request be approved and that the Commission direct staff to initiate an amendment to the West Nashville Community Plan to change the current policy to a policy that is consistent with the area's development pattern and would support the proposed industrial zoning district.



2011Z-021PR-001
7201 CHARLOTTE PIKE & CHARLOTTE PIKE (UNNUMBERED)
Map 115, Parcel(s) 008, 091
Bellevue
22 - Sheri Weiner



Project No.
Council District
School District
Requested by

Zone Change 2011Z-021PR-001
22 – Weiner
9 – Simmons
F. Clay Bailey Jr., Executor.

Staff Reviewer
Staff Recommendation

Swaggart
Disapprove

APPLICANT REQUEST

Rezone from commercial to office and residential

Zone Change

A request to rezone from Commercial Services (CS) to Office and Residential (OR20) district properties located at 7201 Charlotte Pike and at Charlotte Pike (unnumbered), approximately 3,400 feet east of Old Hickory Boulevard (15.98 acres).

Existing Zoning
CS District

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

Proposed Zoning
OR20 District

Office/Residential is intended for office and/or multi-family residential units at up to 20 dwelling units per acre.

CRITICAL PLANNING GOALS

N/A

**BELLEVUE
COMMUNITY PLAN**

Land Use Policy
Commercial Mixed-Use Concentration (CMC)

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

Special Policy # 1

The special policy that applies to the subject properties recognizes steep slopes that are unsuitable for nonresidential or intensive residential use. The policy supports small scale commercial uses with a low floor area ratio (0.1 to 0.15), and residential uses limited to 15 units per acre and lower where topographic conditions are severe. Any changes in zoning should be Specific Plan (SP) or be accompanied with a Planned Unit Development (PUD) or other overlay that will ensure that the environmentally sensitive areas are protected.



Metro Planning Commission Meeting of 11/10/2011

Consistent with Policy?

No. While the policy could support the proposed zoning district it also requires that it be accompanied by a PUD, or that a site plan based zoning district be used. Without an enforceable plan the Commission has no means to enforce the policy intended to protect the environmentally sensitive areas on the property. The maximum commercial floor area that would be supported by the policy is approximately 104,413 square feet. The proposed OR20 zoning would support 556,877 square feet while the current CS zoning district permits 417,653 square feet. The policy would support a maximum of 239 units where the proposed OR20 zoning district would support 319 units (see below table).

	CS Zoning Max	OR20 Zoning Max	Policy Max
Non-Residential	417,653 SF	556,877 SF	104,413 SF
Residential	0	319	239

The Metro Zoning Code does contain hillside development standards which are intended to protect sensitive hillsides from development. While the code contains development standards for hillside protection, it is written in a way that severely limits its effectiveness. Every zoning district has a maximum Impervious Surface Ratio (ISR). Impervious surfaces are any hard surfaces, man-made area that does not absorb or retain water, such as roofs, parking lots, streets and sidewalks. The ISR is a performance standard used to limit the intensity of development on a given site. The hillside development standards require that the maximum ISR be adjusted for sites with steep slopes. The adjustment factor is based on the steepness of the slopes – the steeper the slope the lower the maximum ISR. While this site contains numerous steep hillsides the code is enforced in a way that would not require any adjustment; therefore, the ISR would be applied as if there were no steep slopes on the site. The code also permits disturbance of slopes greater than 25 percent which is not consistent with the special policy.

PUBLIC WORKS RECOMMENDATION

1. An access study may be required at development.
2. The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.



Metro Planning Commission Meeting of 11/10/2011

Typical Uses in Existing Zoning District: CS

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Specialty Retail (814)	15.98	0.066	45,941 SF	2004	44	132

Typical Uses in Proposed Zoning District: OR20

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	15.98	0.054 F	37,588 SF	629	86	121

Traffic changes between typical: CS and proposed OR20

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-1375	+42	-11

Maximum Uses in Existing Zoning District: CS

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (820)	15.98	0.6 F	417,652 SF	17198	358	1658

Maximum Uses in Proposed Zoning District: OR20

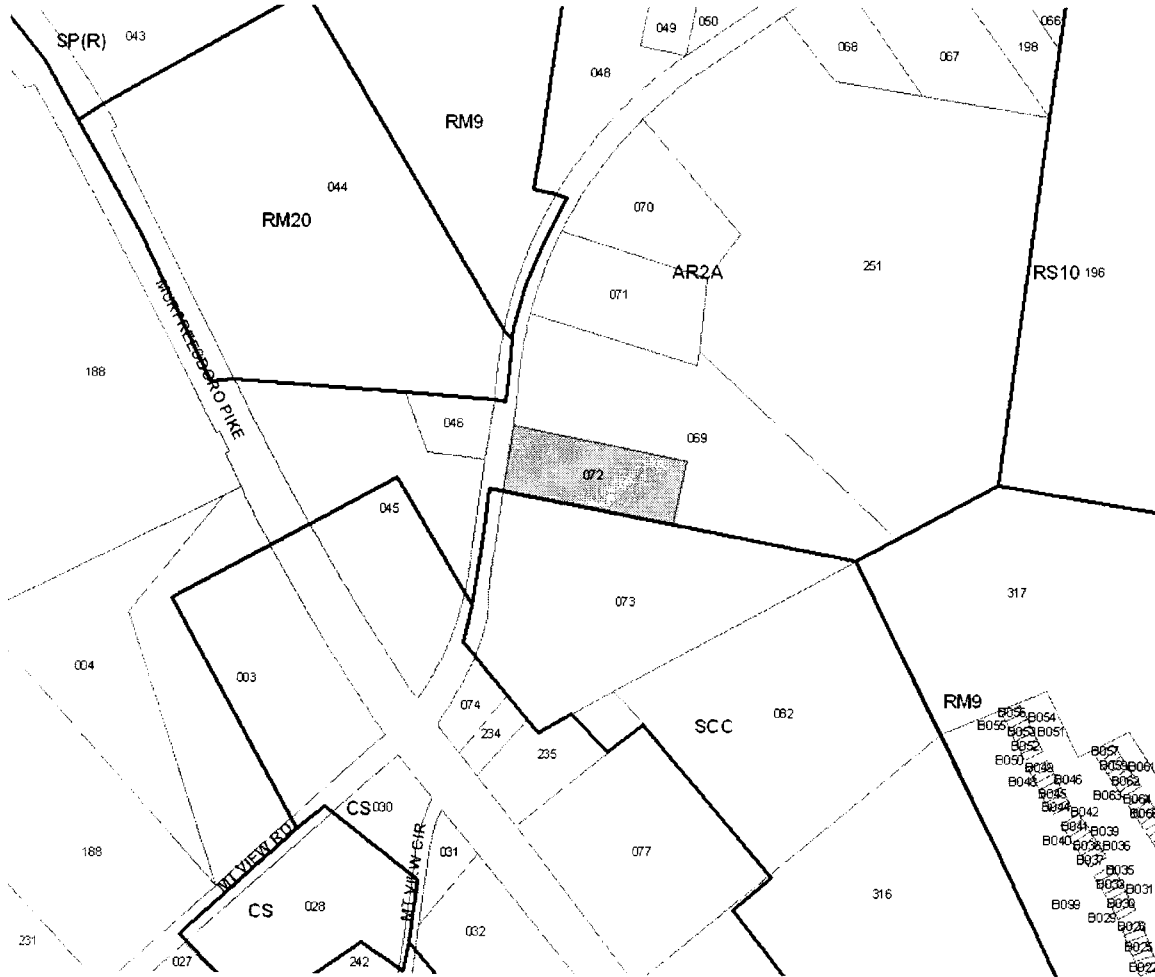
Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	15.98	0.8 F	556,870 SF	5006	741	703

Traffic changes between maximum: CS and proposed OR20

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-12192	+383	-955

STAFF RECOMMENDATION

Staff recommends that the request be disapproved. On its own, the proposed OR20 zoning district does not implement the special policy intended to protect the steep hillsides on the site.



2011Z-022PR-001
 5924 MT VIEW ROAD
 Map 164, Parcel(s) 072
2011P-001-001
 PRO N STALL
 Map 164, Parcel(s) 072
 Antioch - Priest Lake
 33 - Robert Duvall



Project No.

Zone Change 2011Z-022PR-001

Project Name

Planned Unit Development 2011P-001-001

Council District

Pro N'Stall PUD

School District

33 – Duvall

Requested by

6 – Mayes

Dale & Associates, applicant, for Frank, David and Patricia Chilton, owners

Staff Reviewer

Johnson

Staff Recommendation

Disapprove zone change and PUD.

APPLICANT REQUEST

Use existing property for commercial business and permit future commercial development

Zone change

A request to rezone from the Agricultural/Residential (AR2a) to Commercial-Service (CS) district property located at 5924 Mt View Road, approximately 600 feet north of Murfreesboro Pike (1.28 acres).

Planned Unit Development (PUD)

A request for preliminary approval for the Pro N Stall Commercial Planned Unit Development Overlay for property located at 5924 Mt View Road, approximately 600 feet north of Murfreesboro Pike (1.28 acres), zoned Agricultural/Residential (AR2a) and proposed for Commercial-Service (CS), to permit the conversion of an existing 2,300 square foot single-family home into building contractor supply and in the future to replace the 2,300 square foot building with two future buildings for a total of 11,350 square feet of office and commercial uses.

Existing Zoning

AR2a District

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

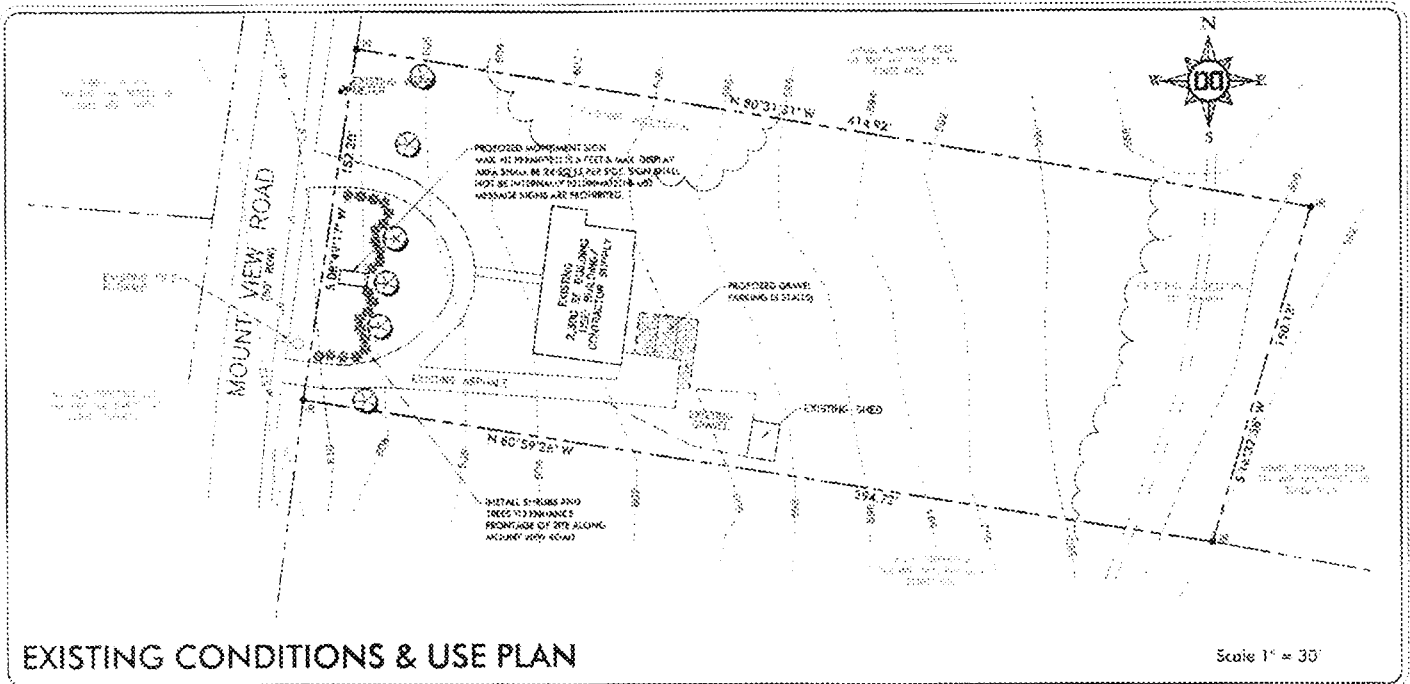
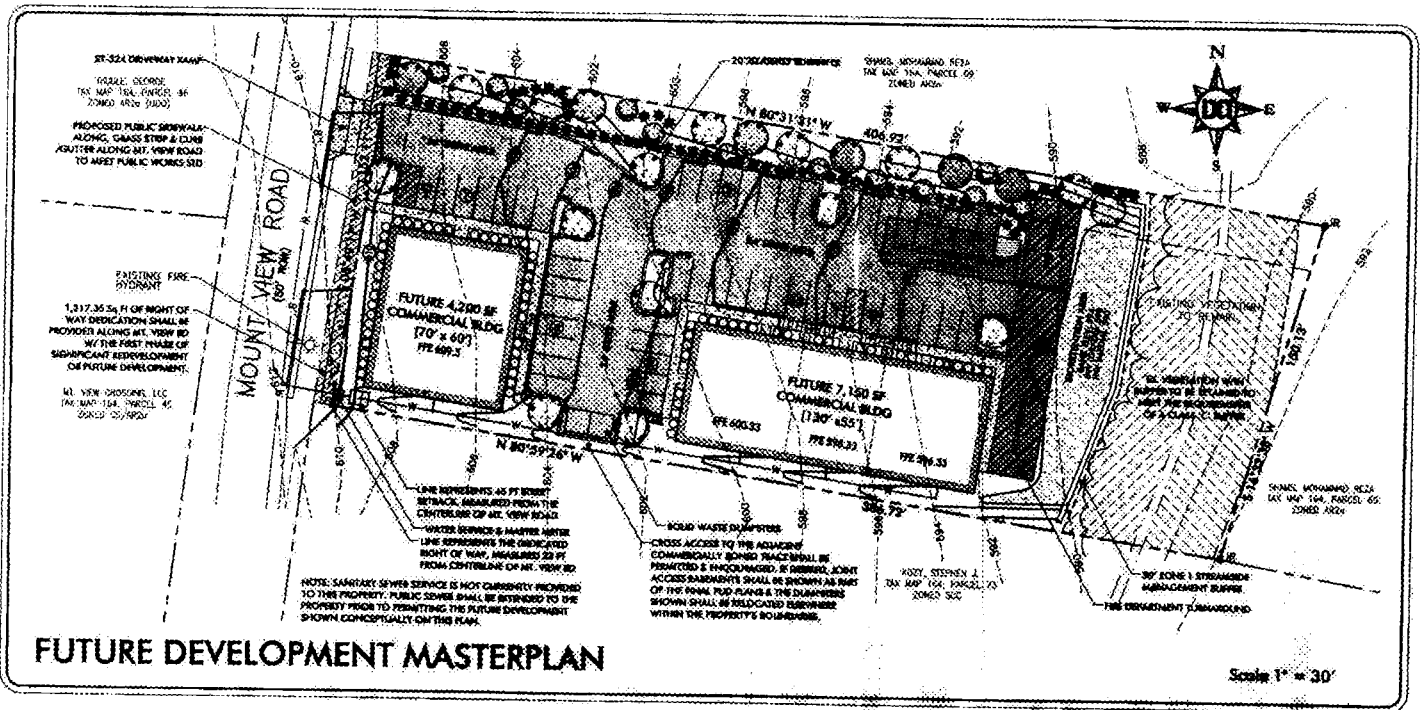
Proposed Zoning

CS District

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

CRITICAL PLANNING GOALS

N/A





Metro Planning Commission Meeting of 11/10/2011

ANTIOCH-PRIEST LAKE COMMUNITY PLAN

Corridor General (CG)

Corridor General is intended for areas at the edge of a neighborhood that extend along a segment of a major street and are predominantly residential in character. CG areas are intended to contain a variety of residential development along with larger scale civic and public benefit activities. Examples might include single family detached, single-family attached or two-family houses; but multi-family development might work best on such busy corridors. An Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

Consistent with Policy?

No. Corridor General policy is a residential policy. A non-residential policy is located nearby along Murfreesboro Pike. The subject property is located among other single-family residential properties along Mt. View Road.

ZONE CHANGE

The applicant requests a zone change for a single parcel along Mt. View Road. The requested CS zone is intended to implement a PUD for a building contractor use and possible future commercial and retail uses. The property is located in Corridor General policy, which is a residential-only policy. Additionally, the property is located adjacent to single-family residential development although the properties are not all zoned residential. But, because of the presence of existing residential structures and the intended future residential character assumed by the policy, the zone change is not appropriate.

As noted above, the property is located adjacent to properties that have non-residential zoning:

- The property is located immediately north of a property zoned Shopping Center Commercial (SCC). This adjacent land was rezoned to SCC in 1999 with the intent of allowing for a cohesive shopping center oriented to Murfreesboro Pike. The current application for CS zoning and a building contractor use would not add to the shopping center intent of the adjacent land and would be oriented to Mt. View Road.
- The property is located across the street from land within the Hamilton Hills Urban Design Overlay that is intended to develop into a pedestrian-friendly neighborhood commercial center. However, this land



Metro Planning Commission Meeting of 11/10/2011

within the UDO is still zoned AR2a and requires a zone change to a mixed use or commercial zoning district before it can include non-residential uses. This area has not shown signs of transitioning to non-residential development.

The applicant points to these adjacent properties to show that commercial development is appropriate. However, these adjacent properties have not yet developed commercially. Additionally, commercial development in these two adjacent areas is more appropriate because of their locations adjacent to Murfreesboro Pike.

The proposed zone change is not appropriate because:

- The proposed CS zone is not consistent with the residential intent of the Corridor General policy.
- The property is located adjacent to single-family residential development.
- The intent of land use policy in this area promotes commercial development along Murfreesboro Pike, not Mt. View Road.
- Adjacent land along Murfreesboro Pike with non-residential zoning has not yet developed significantly.

With future commercial development along Murfreesboro Pike and an increase in residential development in the surrounding area to serve this area, non-residential development along Mt. View Road could be appropriate sometime in the future. Under the current conditions, the proposal for CS zoning is premature.

PLANNED UNIT DEVELOPMENT

Plan Details

The PUD proposal associated with the zone change includes two phases. Initially, the applicant intends to use the existing residential building for a building contractor use. Beyond that initial intent, the PUD also includes a plan for the development of future commercial and/or retail buildings on the site.

As discussed in the zone change section above, the proposal for non-residential uses in this location is premature. If approved, any non-residential use should maintain the surrounding residential character.

Signage

A ground sign is proposed with the building contractor use. Ground signs are generally not permitted in residential areas. If a ground sign is permitted, it should be a



Metro Planning Commission Meeting of 11/10/2011

monument-style sign with a maximum height of six feet, a maximum display area of 32 square feet, and should be non-illuminated.

Outdoor storage and landscape buffer

Building contractor supply may include outdoor storage of materials. Implementation of the required landscape buffer will be an important aspect of the PUD. A type C landscape buffer is required to separate a CS zone from an AR2a zone. The applicant will be required to construct the landscape buffer along the north and east property lines prior to approval of a use permit for a non-residential use.

Future development

The PUD includes a plan for future development on the site that includes a total of 11,350 square feet of commercial and retail development. The site plan generally meets Zoning Code requirements for CS zoning. Fifty-one parking spaces are proposed. To ensure that development does not exceed the proposed parking, retail uses shall be limited to a maximum of 6,400 square feet.

FIRE MARSHAL RECOMMENDATION

Approved

Per Michael Garrigan, P. E. with Dale & Associates, new construction will be sprinklered.

PUBLIC WORKS RECOMMENDATION

No Exception Taken With Conditions:

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- A TIS may be required at the time of development of future development masterplan for commercial and retail building construction.
- Prior to any further development plans preparation documentation of adequate sight distance at the proposed driveway location per AASHTO must be submitted.

Maximum Uses in Existing Zoning District: AR2a

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	1.28	0.05 D	1 L	10	1	2



Metro Planning Commission Meeting of 11/10/2011

Maximum Uses in Proposed Zoning District: CS (PUD Alt: 1)

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Building Contractor Supply (812)	1.28	-	2,300 SF*	101	6	10

*Based on associated PUD Plan (2011P-001-001)

Traffic changes between maximum: AR2a and proposed CS (PUD Alt: 1)

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+91	+5	+8

Maximum Uses in Existing Zoning District: AR2a

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	1.28	0.05 D	1 L	10	1	2

Maximum Uses in Proposed Zoning District: CS (PUD Alt: 2)

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Retail (814)	1.28	-	11,350 SF*	524	17	49

*Based on associated PUD Plan (2011P-001-001)

Traffic changes between maximum: AR2a and proposed CS (PUD Alt: 2)

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+514	+16	+47

STAFF RECOMMENDATION

Staff recommends disapproval of the zone change and PUD requests. The proposed CS zoning is not consistent with Corridor General policy.

PUD CONDITIONS (if approved)

1. Ground signage shall be monument-style only with a maximum height of six feet, a maximum display area of 24 square feet, and shall be non-illuminated.
2. All future final site plan and occupancy permit applications shall demonstrate compliance with the parking requirements of the Zoning Code.
3. Prior to the issuance of a Use and Occupancy Permit, a Type C Landscape Buffer shall be installed along the north property line of the PUD.



Metro Planning Commission Meeting of 11/10/2011

4. The development shall comply with conditions of approval from Metro Public Works.
5. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
6. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.
7. Prior to any additional development applications for this property, and in no event later than 120 days after the effective date of the enacting ordinance, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan. If a corrected copy of the preliminary PUD plan incorporating the conditions of approval therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the preliminary PUD plan shall be presented to the Metro Council as an amendment to this PUD ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.



98P-007-002
 SEVEN SPRINGS (amend #3: st martin square)
 Map 160, Parcel(s) 046
 Southeast
 04 - Brady Banks



Project No. **Planned Unit Development 98P-007-002**
Project Name **Seven Springs (Amendment #3)**
Council District 4 – Banks
School District 2 – Brannon
Requested by Civil Site Design Group PLLC, applicant, for St. Martin Square Inc., owner

Staff Reviewer Johnson
Staff Recommendation *Disapprove. Approve with conditions if the current development achieves compliance with the requirements of Metro Stormwater prior to the November 10, 2011, Planning Commission meeting.*

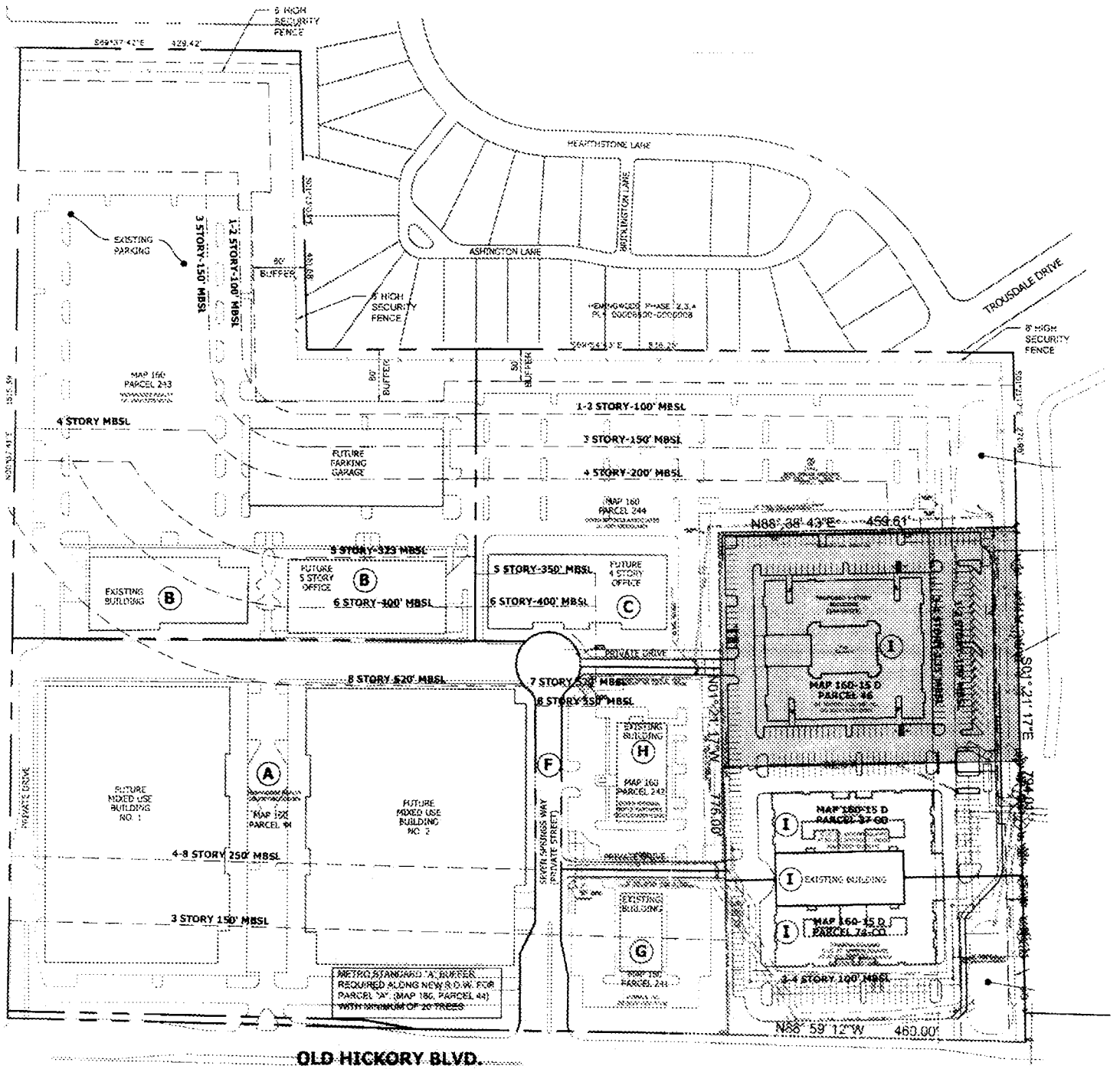
APPLICANT REQUEST **Increase the number of residential units from 72 to 144**

PUD Amendment **A request to amend a portion of the Seven Springs Planned Unit Development Overlay District for property located at 323 Seven Springs Way, opposite Cloverland Drive (3.71 acres), zoned Office/Residential (OR40), to permit 144 multi-family units in a four-story building where 72 multi-family units were previously approved.**

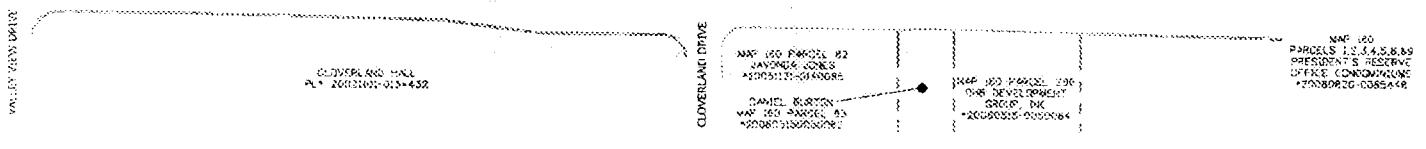
EXISTING ZONING
OR40 District Office/Residential is intended for office and/or multi-family residential units at up to 40 dwelling units per acre.

CRITICAL PLANNING GOALS N/A

PLAN DETAILS This PUD was originally approved by Council in 1999, and was amended in 2004, and 2009. In addition to residential buildings, the PUD approval includes approximately 1.2 million square feet of office and retail space on several lots. The proposed plan asks to amend a portion of the Seven Springs PUD to permit additional residential units beyond the 2004 PUD amendment. Under that amendment, two four-story residential buildings were permitted on the east side of the PUD. Each building included 72 residential units for a total of 144 units. One of the two buildings has been constructed and is currently occupied. The current amendment proposal intends to double the number of dwelling units in the unbuilt residential building from 72 to 144, which would increase the total number of residences within the PUD from 144 to 216. Council approval through a PUD amendment is required for an increase in the number of permitted residential units from the last Council-approved PUD.



OLD HICKORY BLVD.



MAP 160
 PARCELS 1, 2, 3, 4, 5, 8, 59
 PRESIDENT'S RESERVE
 OFFICE CONDOMINIUM
 *20876020-0085A48



Metro Planning Commission Meeting of 11/10/2011

The PUD amendment from 2004 permitted two residential buildings on the east side of the PUD. Each residential building is shown on its own lot surrounded by associated parking. Although the proposed amendment would increase the total number of dwellings in one of the buildings, it will not have a major impact on the lot configuration depicted in the preliminary PUD approval. The residential building will maintain a location on its own lot, surrounded by required parking, and meeting the maximum height of four stories. In addition to consistency with the 2004 preliminary PUD amendment, the proposed residential building complies with applicable requirements of the Zoning Code.

Although the increase in the number of residential dwellings requires an amendment to the PUD, the residential density on each lot will remain within the maximum of the OR40 base zoning district.

PUBLIC WORKS RECOMMENDATION

Revise and Resubmit

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- Provide general plan for solid waste management and recycling. A single dumpster is insufficient for 144 units.

Traffic Comments:

- Comply with revised PUD amendment #2 conditions. Construct WB right turn lane on Old Hickory Blvd at Seven Springs and modify ped facilities and signal as necessary or submit Traffic study that indicates that this project's increased units do not trigger right turn lane construction.
- At development of each remaining parcel conduct TIS update to determine phasing for conditioned roadway improvements.

STORMWATER RECOMMENDATION

Amendment rejected (Stormwater):

Existing development is currently in non-compliance for failure to provide water quality and for occupying without final Stormwater Approvals. No amendments (# 3) will be



Metro Planning Commission Meeting of 11/10/2011

approved by Metro Stormwater until the current development is in compliance.

STAFF RECOMMENDATION

Staff recommends disapproval. If the current development achieves compliance with the requirements of Metro Stormwater prior to the November 10, 2011 Planning Commission meeting, staff recommends approval with conditions.

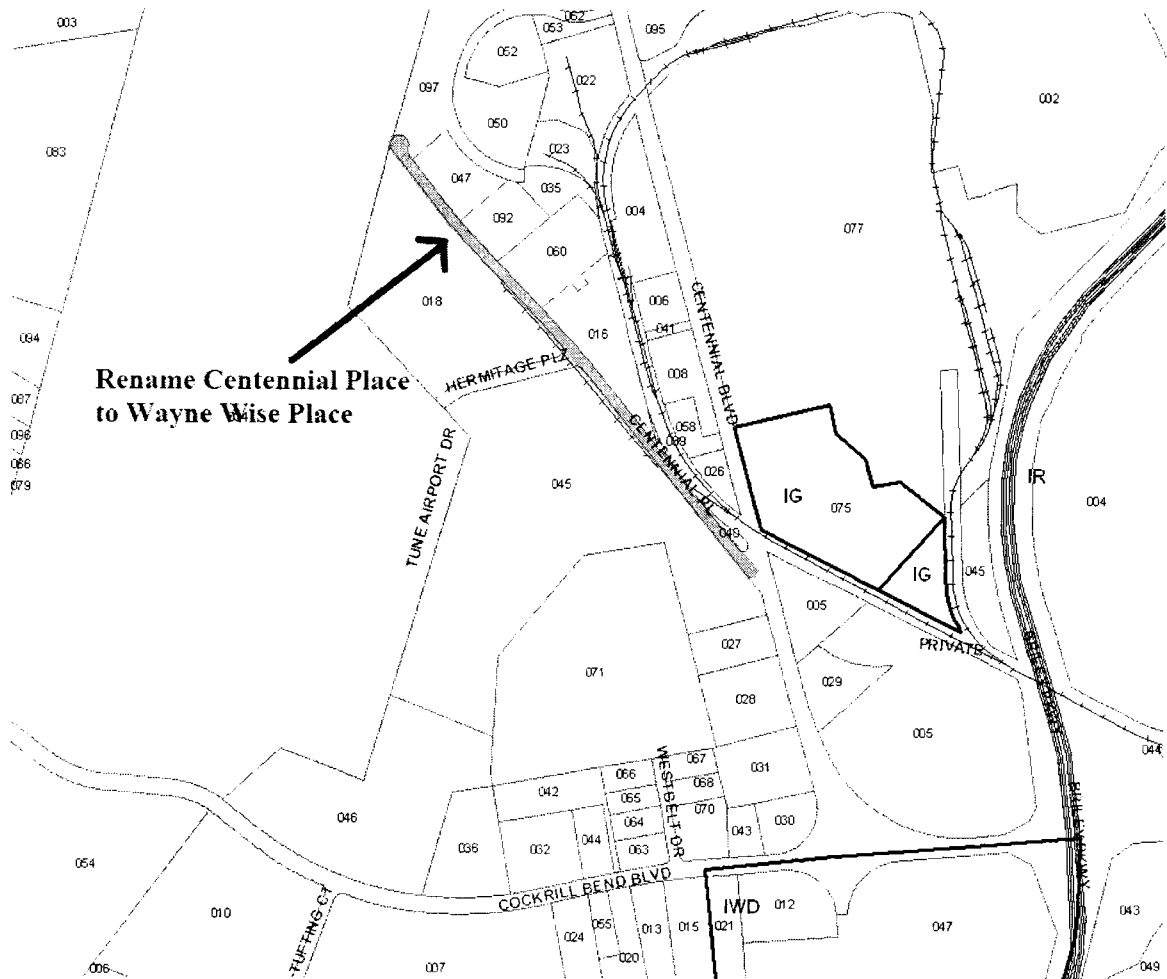
CONDITIONS (if approved)

1. All conditions adopted with Council Bill O98-1491 for the Seven Springs PUD, and as amended by BL2004-219 and BL2009-564 shall apply.
2. Provide landscaping on the homeowner side of the landscape berm per Metro Government Code. The Zoning Code requires a type C landscape buffer between OR40 and R40 zoning districts. Provide a landscaping plan with a type C landscape buffer along the eastern property line.
3. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
4. The zone change and preliminary PUD shall comply with conditions of approval from Metro Public Works shown above.
5. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
6. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.
7. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.



Metro Planning Commission Meeting of 11/10/2011

8. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metro Department of Public Works for all improvements within public rights of way.
9. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metro Planning Commission.
10. The PUD final site plan as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans may require reapproval by the Planning Commission and/or Metro Council.
11. Prior to any additional development applications for this property, and in no event later than 120 days after the effective date of the enacting ordinance, the applicant shall provide the Planning Department with a corrected copy of the preliminary and final PUD plan. If a corrected copy of the preliminary final PUD plan incorporating the conditions of approval therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the preliminary PUD plan shall be presented to the Metro Council as an amendment to this PUD ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.



2011M-001SR-001
STREET NAME CHANGE OF CENTENNIAL PLACE TO WAYNE WISE
 Map 079, Parcel(s) 016, 018, 026, 034, 040, 045, 047, 060, 092, 097
 West Nashville
 20 – Buddy Baker



Project No.
Project Name

Mandatory Referral 2011M-001SR-001
Street Name Change of Centennial Place to Wayne Wise Place

Council Bill
Council District
School District
Requested by

BL2011-16
20 – Baker
9 – Simmons
Councilmember Buddy Baker

Staff Reviewer
Staff Recommendation

Bernards
Approve if there are no objections

APPLICANT REQUEST

Rename Centennial Place to Wayne Wise Place

Street Renaming

A request to rename Centennial Place to "Wayne Wise Place" from its intersection with Centennial Boulevard to its terminus.

STREET RENAMING PROCEDURE

Street names can only be changed by the Metro Council through the adoption of an ordinance. The Planning Department is required to notify all property owners on the street of the proposed name change, and to give owners the opportunity to provide written comments in support of or in opposition to the proposed name change.

Why is this being requested?

This street renaming is being proposed to honor the late Wayne Wise who founded Western Express, a trucking company operating from 7131 Centennial Place.

DEPARTMENT AND AGENCY COMMENTS

Centennial Place is a dead-end street off Centennial Boulevard near the John C. Tune Airport that serves a number of industrially zoned properties. All reviewing agencies have recommended approval of this name change.

The Metro Historic Commission, as required by BL2010-789, has prepared a report on the historical significance of the street name:

Centennial Place branches off of Centennial Boulevard near the John C. Tune Airport in the Cockrill Bend of the Cumberland River. It was unofficially known as "Prison Farm Road" until 1975. Although earlier maps showed the route and deeds referenced the "drive to the Prison Farm," it was not identified as Prison Farm Road in public works records until 1974, when it appeared on the Cockrill Bend Industrial Subdivision Section Two (Revised) plat recorded on November 20, 1974. This



Metro Planning Commission Meeting of 11/10/2011

recording appears to be the first public dedication of the Prison Farm Road right-of-way. Several months later, the name was changed to Centennial Place as part of the Cockrill Bend Industrial Subdivision Section Two (Second Revision) plat recorded on June 11, 1975. The Second Revision also changed the name of Boxwell Drive to Centennial Plaza, which is now known as Hermitage Plaza. The owner or developer likely made the decision to record the Second Revision with these name changes, but this is not confirmed.

The Historic Commission staff raised no issues to keep the existing name or change the street name to Wayne Wise Place. Similarly, there are no planning issues related to keeping or changing the street name and staff recommends approval if there are no objections.

This matter is before the Planning Commission because an objection was received by the Planning Department to this name change from Sysco Nashville, a food service distribution corporation located off Centennial Place since 1972. In a letter, Nick Taras, President of Sysco Nashville wrote:

“This type of change will be a hardship to our company and would involve a great deal of work.”

STAFF RECOMMENDATION

Staff recommends approval if there are no objections raised at the Planning Commission meeting to this request to rename Centennial Place to Wayne Wise Place.

PLANNING COMMISSION ACTIONS

- **Subdivision (Final)**



2006S-256U-05
 HAYNIES CENTRAL PARK PLAN, RESUB PART OF LOT 86 (RESCIND
 RECORDED PLAT)
 Map 094-05, Parcel(s) 116-120
 East Nashville
 Westerholm



Project Number
Project Name

Subdivision 2006S-256U-05
Resubdivision of Part of Lot 86 on the Map of Haynie's Central Park Plan

Council District
School District
Requested By

06 – Westerholm
05 – Porter
Metro Planning Department, applicant, Kelley Properties, LLC, owner

Staff Reviewer
Staff Recommendation

Edwards
Approve

APPLICANT REQUEST

Rescind a recorded plat due to absence of bond

Rescind plat

A request to rescind the recorded plat containing five lots known as Haynie's Central Park Plan, Resubdivision of Part of Lot 86, located at 1101, 1103, 1105 and 1107 Ozark Street and at 1007 South 11th Street, (0.75 acres), zoned RS5.

Existing Zoning
RS5 District

RS5 requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 7.42 dwelling units per acre.

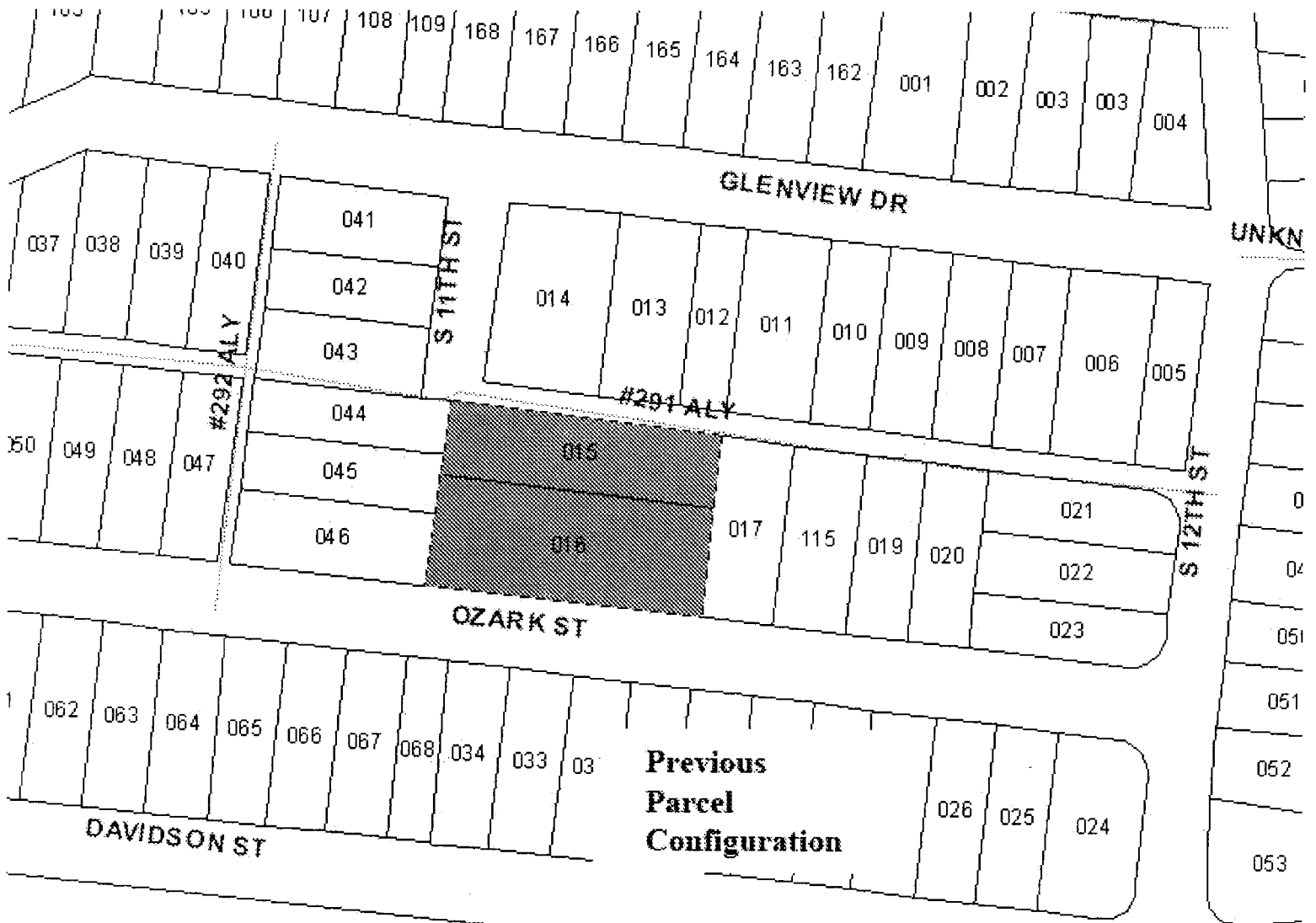
STAFF ANALYSIS

The final plat for Resubdivision of Part of Lot 86 on the Map of Haynie's Central Park Plan was approved on August 24, 2006. The staff report from August 24, 2006, is included at the end of this staff report as a reference.

The final plat was recorded on May 9, 2007, and created five lots. Generally, in order to record a final plat, the construction plans for the required infrastructure must be approved by Public Works, Stormwater, and Water Services, (the reviewing Departments). If the developer chooses not to install the required infrastructure prior to recording the final plat, the reviewing Departments determine a bond amount based on the approved construction plans. The developer then posts a bond prior to recording the final plat.

The bond is comprised of two parts:

- 1) The performance agreement, which is the contract signed by the developer stating that they will complete the infrastructure, and
- 2) The security in the form of a Letter of Credit, cashier's check, or surety bond.





Metro Planning Commission Meeting of 11/10/2011

The bond ensures that the Metro Government will be able to complete the infrastructure in the event that the developer is unwilling or unable to do so.

In this case, the bond was approved on April 27, 2007, and was secured with a Letter of Credit. The Letter of Credit expired on November 1, 2008. A new Letter of Credit or other form of security has not been submitted for this bond. The case was referred to the Department of Law on June 4, 2010.

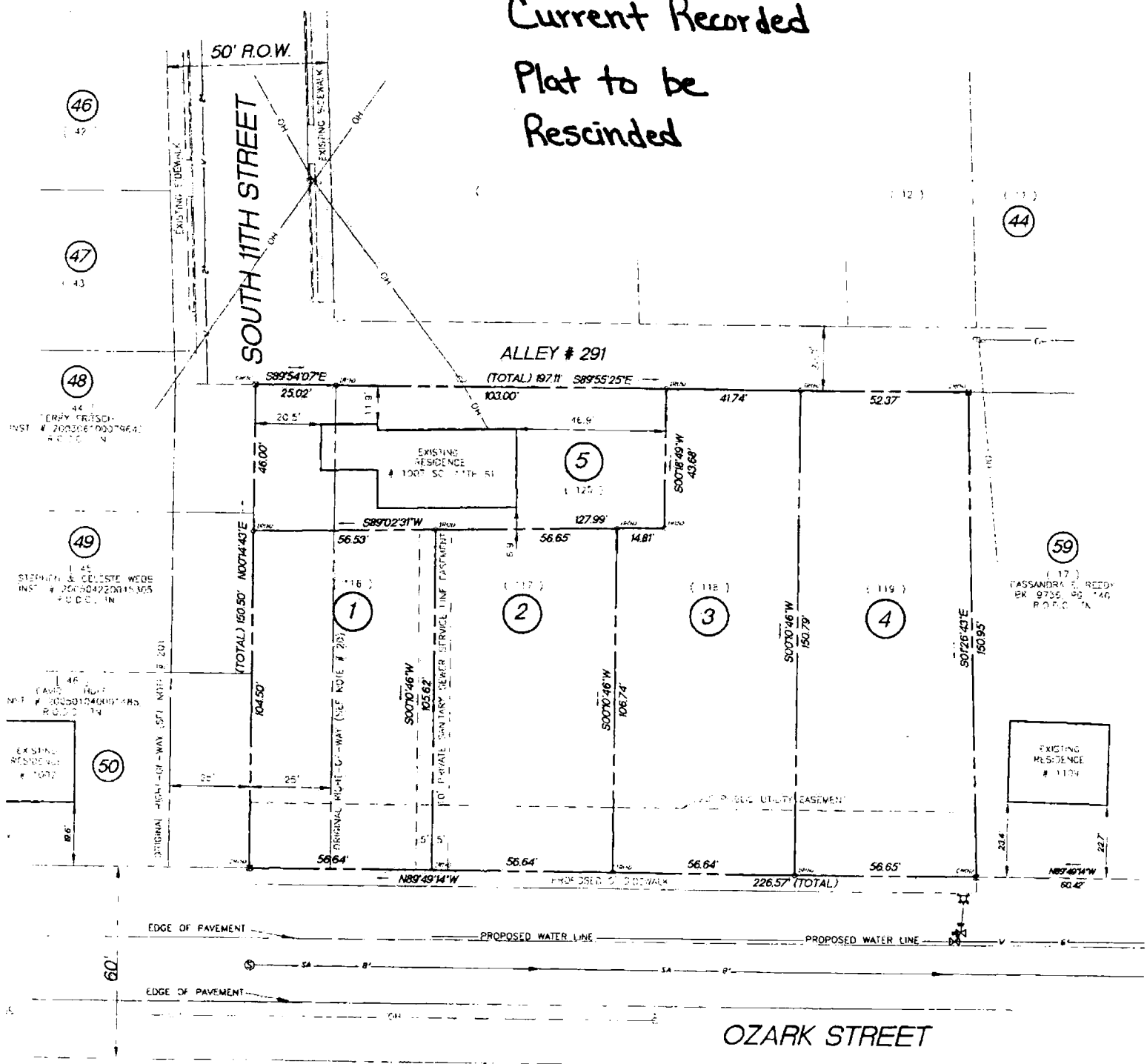
On June 22, 2010, the property owner submitted a bond application requesting to use a surety bond as security. Staff processed the application and discussed the process of getting a surety bond in place with the owner and with the owner's insurance broker. Staff followed up with the property owner and insurance broker several times in July and August 2010. The owner was unable to obtain a surety bond at the time, and the case remained referred to the Department of Law.

In September 2011, staff once more contacted the property owner regarding getting new security in place for this bond. The property owner again indicated that he would get a surety bond in place as security. The property owner and insurance broker were called and e-mailed multiple times in September and October regarding the status of obtaining the surety bond. The property owner was again unable to obtain a surety bond or other form of security for this performance bond.

A performance bond cannot be in place without an active form of security. Because the property owner has not been able to obtain new security for the performance bond, the Planning Department has requested that the recorded plat dated May 9, 2007 containing five lots be rescinded. By rescinding the recorded plat, the property will go back to its condition as shown prior to May 9, 2007 (two lots rather than five), and the \$31,000 bond requirement for the alley improvements, sidewalks, and water line will be no longer required. In order to avoid the rescinding of the plat, the property owner needs to submit new security in the amount of \$31,000 to the Planning Department prior to the November 10 Planning Commission meeting.

If the Planning Commission votes to rescind the plat, the resolution will be recorded at the Register of Deeds.

Current Recorded Plat to be Rescinded



LOT 1 AREA: 5944.32 SQUARE FEET (0.13 ACRES +/-)
 LOT 2 AREA: 6014.28 SQUARE FEET (0.13 ACRES +/-)
 LOT 3 AREA: 7887.44 SQUARE FEET (0.18 ACRES +/-)
 LOT 4 AREA: 8221.93 SQUARE FEET (0.18 ACRES +/-)
 LOT 5 AREA: 5738.67 SQUARE FEET (0.13 ACRES +/-)
 TOTAL AREA: 33,806.64 SQUARE FEET (0.77 ACRES +/-)

OWNER/DEVELOPER
 JANET MCGRAE & MICHELE DAVIS
 3610 WHITLAND AVENUE
 NASHVILLE, TN 37205
 (615) 383-7483



Metro Planning Commission Meeting of 11/10/2011

**METRO PUBLIC WORKS
RECOMMENDATION**

Approved.

**METRO STORMWATER
RECOMMENDATION**

Approved.

**METRO WATER SERVICES
RECOMMENDATION**

Approved.

STAFF RECOMMENDATION

Because construction of this project has not commenced and security is not in place for this performance bond, staff recommends approval of rescinding the plat.

STAFF REPORT FOR AUGUST 24, 2006 APPROVAL OF THE SUBDIVISION

The proposed plan includes five single-family lots on 0.73 acres. The property slopes approximately 18-19% from the front of the lots to the back with the grade rising from the street. Since the slopes are below 20%, the lots will not be designated as critical lots. Four lots front on Ozark Street, while one lot (Lot 5) will have access to South 11th Street. Lot 5 is an existing house that will remain on this lot.

Since this property falls within an area with a Sidewalk Priority Index of greater than 20, sidewalks are required. Sidewalks are proposed along the frontage of Ozark Street.

Section 3-5.1 of the Subdivision Regulations state that new lots in areas that are predominantly developed are to be generally in keeping with the lot frontage and lot size of the existing surrounding lots.

A lot comparability analyses was conducted. The lot comparability analysis yielded the following information:

	Minimum Lot Frontage	Minimum Lot Size
Ozark Avenue	43.77 feet	5,724 sq. ft.

All lots meet the lot comparability requirements with lots ranging in size from 5,738 square feet to 8,221 square feet, and lot frontages of 56 linear feet.

Since there is an existing alley to the rear of two of the new lots, staff recommends that rear access be provided on lots 3 and 4 to insure a streetscape consistent with the surrounding area.



Metro Planning Commission Meeting of 11/10/2011

CONDITIONS

1. Prior to final plat recordation, a revised plat must be submitted labeling lots 1 through 4 as Critical Lots.
2. Prior to final plat recordation, a revised plat must be submitted with a new note that reads: "Lots 3 and 4 shall have rear access only to alley #291."

Resolution No. RS2006-292

"BE IT RESOLVED by The Metropolitan Planning Commission that 2006S-256U-05 is **APPROVED WITH CONDITIONS, including the elimination of condition #1. (6-3)**

Conditions of Approval:

1. Prior to final plat recordation, a revised plat must be submitted labeling lots 1 through 4 as Critical Lots.
2. Prior to final plat recordation, a revised plat must be submitted with a new note that reads: "Lots 3 and 4 shall have rear access only to alley #291."