



# METROPOLITAN PLANNING COMMISSION MINUTES

**Thursday, December 11, 2014**

**4:00 pm Regular Meeting**

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

## **MISSION STATEMENT**

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

**Commissioners Present:**

Greg Adkins, Vice Chair  
Stewart Clifton  
Hunter Gee  
Jeff Haynes  
Lillian Blackshear  
Jessica Farr  
Councilman Walter Hunt  
Andree LeQuire

**Staff Present:**

Rick Bernhardt, Executive Director  
Doug Sloan, Deputy Director  
Kelly Adams, Administrative Services Officer III  
Craig Owensby, Public Information Officer  
Bob Leeman, Planning Manager II  
Jennifer Carlat, Special Projects Manager  
Kathryn Withers, Planning Manager II  
Stephanie McCullough, Planner II  
Melissa Sajid, Planner II  
Lisa Milligan, Planner II  
Jen Nalbantyan, Planner I  
Alex Deus, Planner I  
Justin Wallace, Planner I

Commissioners Absent: Jim McLean, Derrick Dalton

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

Secretary and Executive Director, Metro Planning Commission

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

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## Notice to Public

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

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

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

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

### Writing to the Commission

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

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

### Speaking to the Commission

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

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

### Legal Notice

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



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# MEETING AGENDA

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## A. CALL TO ORDER

Commissioner Clifton called the meeting to order at 4:05 p.m.

## B. ADOPTION OF AGENDA

Mr. Adkins moved and Mr. Haynes seconded the motion to adopt the agenda. (7-0)

## C. APPROVAL OF NOVEMBER 13, 2014, MINUTES

Ms. Farr arrived at 4:06 p.m.

Mr. Adkins moved and Mr. Gee seconded the motion to approve the November 13, 2014 minutes. (8-0)

## D. RECOGNITION OF COUNCILMEMBERS

## E. NASHVILLENEXT UPDATE

Ms. Carlat presented the NashvilleNext Update.

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## F. ITEMS FOR DEFERRAL / WITHDRAWAL

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### 1a. 2014CP-010-002

GREEN HILLS MIDTOWN PLAN AMENDMENT

### 4. 2013NL-001-002

WADE SCHOOL (FINAL)

### 6a. 2014CP-011-002

SOUTH NASHVILLE PLAN AMENDMENT

### 6b. 2014SP-082-001

WEDGEWOOD LOFTS

### 13. 2014SP-085-001

2208 EASTLAND AVENUE

### 14. 2014SP-086-001

204 BEN ALLEN SP

### 15. 2014SP-087-001

HAWKEYE HILL

### 19. 158-77P-005

HICKORY HOLLOW RETAIL CENTER (PERIODIC REVIEW)

Mr. Haynes moved and Mr. Adkins seconded the motion to approve the deferred items. (8-0)

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## **G. CONSENT AGENDA**

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

- 1b. 2014SP-019-001**  
ELITE PHYSICAL THERAPY
- 7. 2014Z-022TX-001**  
PROCEDURES RELATED TO FEES, IN-LIEU CONTRIBUTIONS OR OTHER ASSESSMENT
- 8. 2007SP-114-001**  
4000 WAYLAND
- 9. 2013SP-041-003**  
THE POST AT RAIL STATION, PHASE 2
- 10. 2014SP-077-001**  
SHELTON & WINDSOR
- 11. 2014SP-079-001**  
1614 & 1616 4TH AVENUE NORTH
- 17. 144-66P-003**  
OVERLOOK AT NASHVILLE WEST (REVISION & FINAL)
- 18. 154-79P-001**  
LIONS HEAD VILLAGE WEST (PARKING LOT REVISIONS)
- 20. 74-79P-012**  
NASHBORO VILLAGE (THE GOLF RETREAT AT NASHVILLE)
- 21. 2013S-123-002**  
WESTMORELAND PLACE, RESUB LOTS 70-71 & PART OF LOT 72
- 22. 2014S-224-001**  
TENNESSEE AVENUE (UNNUMBERED)
- 24. 2013UD-002-002**  
MURFREESBORO PIKE UDO (MODIFICATION: MAPCO MART)
- 25. Employee contract renewal for Mary Beth Stephens, Kyle Lampert and Tifinie Capehart**
- 29. Accept the Director's Report and Approve Administrative Items**

Ms. Blackshear recused herself from Item 17 and Item 20.

Mr. Haynes moved and Mr. Gee seconded the motion to approve the Consent Agenda. (7-0-1)

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## H. PREVIOUSLY DEFERRED ITEMS

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

### **Community Plan Amendments**

#### **1a. 2014CP-010-002**

##### **GREEN HILLS MIDTOWN PLAN AMENDMENT**

Map 117-11, Parcel(s) 028  
Council District 25 (Sean McGuire)  
Staff Reviewer: Cynthia Wood

A request to amend the Green Hills-Midtown Community Plan to add Special Policy language to the Suburban Neighborhood Maintenance (T3 NM) policy that applies to the property located at 2001 Woodmont Boulevard to support the continuation of an existing non-residential use, at the southwest corner of Woodmont Boulevard and Benham Avenue (2.36 acres), requested by Civil Site Design Group, PLLC, applicant; Green Hills Property Partners, LLC, owner (also see Specific Plan case # 2014SP-019-001).

**Staff Recommendation: Defer indefinitely.**

**The Metropolitan Planning Commission deferred 2014CP-010-002 indefinitely. (8-0)**

#### **1b. 2014SP-019-001**

##### **ELITE PHYSICAL THERAPY**

Map 117-11, Parcel(s) 028  
Council District 25 (Sean McGuire)  
Staff Reviewer: Jason Swaggart

A request to rezone from R40 to SP-INS zoning for property located at 2001 Woodmont Boulevard, at the southwest corner of Woodmont Boulevard and Benham Avenue, (2.36 acres), to permit physical therapy, medical office and associated uses in the existing building, requested by Civil Site Design Group, applicant; Green Hills Property Partners, LLC, owner (See also Community Plan Application # 2014CP-010-002).

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

##### **APPLICANT REQUEST**

**Preliminary SP to permit physical therapy, medical office and associated uses.**

##### Preliminary SP

A request to rezone from One and Two-Family Residential (R40) to Specific Plan – Institutional (SP-INS) zoning for property located at 2001 Woodmont Boulevard, at the southwest corner of Woodmont Boulevard and Benham Avenue, (2.36 acres), to permit physical therapy, medical office and associated uses in the existing building.

##### **Existing Zoning**

One and Two-Family Residential (R40) requires a minimum 40,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 1.16 dwelling units per acre including 25 percent duplex lots. *R40 would permit a maximum of 2 lots with 2 duplex lots for a total of 4 units.*

The property at 2001 Woodmont Boulevard has been used for various office and limited institutional purposes over the past 33 years. The uses that were classified under “community assembly community facility” under the previous code were permitted through the Board of Zoning Appeals under conditional use permits. When the most recent Zoning Code was adopted in 1998, this category of uses was discontinued and the property became a lawful nonconforming use under Tennessee State Law. A letter from the Zoning Administrator detailing the history of this site follows this report.

The current property owners would like to have the property zoned in accordance with its use rather than continuing to go through future approval processes through the Board of Zoning Appeals. The property has most recently been used for a variety of wellness activities including physical therapy, massage therapy, and fitness classes. The prospective buyer wants to use the property in the same manner and will not be increasing the degree of nonconformity.

##### **Proposed Zoning**

Specific Plan-Institutional (SP-INS) 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 several uses, including physical therapy, medical office and uses associated with physical therapy.

**CRITICAL PLANNING GOALS**

N/A

**GREEN HILLS-MIDTOWN COMMUNITY PLAN**

**CURRENT POLICY**

Suburban Neighborhood Maintenance (T3 NM) policy is intended to preserve the general character of suburban neighborhoods as characterized by their development pattern, building form, land use and associated public realm. T3 NM areas will experience some change over time, primarily when buildings are expanded or replaced. When this occurs, efforts should be made to retain the existing character of the neighborhood, in terms of its development pattern, building form, land use, and the public realm. Where not present, enhancements may be made to improve pedestrian, bicycle and vehicular connectivity.

**PROPOSED POLICY**

The proposal is to designate the property as a Special Policy Area within the Suburban Neighborhood Maintenance policy area that would support the continued limited institutional use of the property consistent with how it has been used in the past under the nonconforming use provisions of the Zoning Code.

Consistent with Policy?

Staff has determined that a policy amendment is not necessary. This is because the existing land use policy provides adequate guidance for and supports legally nonconforming uses.

**PLAN DETAILS**

The property is located on the southwest corner of Woodmont Boulevard and Benham Avenue. Benham Avenue is unimproved. A residential SP was recently approved on the southeast corner of Benham Avenue. The plan calls for a pedestrian walkway within the ROW from Woodmont to Graybar Lane. The subject property is currently developed and contains a two story 16,700 square foot building and associated parking.

This site has not been used as a residential structure since the late 1960s. The physical therapy and associated uses were permitted under previous zoning. The uses are currently nonconforming, but are protected by state statute.

Site Plan

The plan limits the floor area on the site to the current size of the existing building (16,700 square feet). The only improvement shown on the plan includes a new 17 space parking lot. The lot is located in front of the building approximately 80 feet from Woodmont.

The SP proposes the following uses:

- Single and two-family residential;
- Physical therapy;
- Sports training & fitness;
- Nutrition and wellness services;
- Therapeutic message and aesthetics (skin care) services, provided that these uses shall be provided only as an accessory use to other permitted uses, and no more than 2,000 square feet of the building may be used for aesthetics services that are not part of the uses permitted under the other sections hereof;
- Chiropractic and acupuncture services;
- In-office medical services including medical imaging and any other in-office procedures, not more than 2 physicians and/or midlevel providers (nurse practitioners or physician's assistant), at any one time may provide medical services. No more than 6,000 square feet of the building may be used for medical office use.
- Incidental sales of items that are accessory to another permitted use. Incidental sales shall not be permitted when the primary, permitted use to which such sales is an accessory is not in operation.

**ANALYSIS**

Staff recommends approval with conditions. The Zoning Administrator has indicated that the current and proposed uses are permitted today, as they are protected by state statute.

Staff has included conditions to the approval. Staff conditions of approval include a condition to require a sidewalk along Woodmont Boulevard and to provide an internal walkway connection to that sidewalk. While there are no sidewalks in the immediate area, the SP that was recently approved on the opposite side of Benham includes a sidewalk along Woodmont and also includes a pedestrian path within the unimproved ROW of Benham. Since the neighboring plan is providing sidewalks, a sidewalk with this project will help extend the pedestrian network in an area where it is needed.

**FIRE MARSHAL'S OFFICE**

N/A

**PUBLIC WORKS RECOMMENDATION**

**Approved with conditions**

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- If sidewalks are required, then they should be shown on the plan per Public Works standards with the required curb and gutter and grass strip.

**STORMWATER RECOMMENDATION**

**Approved**

**WATER SERVICES**

**Approved**

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

1. Uses shall be limited to all uses identified in the SP.
2. Any future residential shall be subject to all Zoning Code and Subdivision Regulations and notice requirements for the R40 zoning district as of the date of the applicable request or application.
3. Prior to the issuance of any use permits, a sidewalk shall be provided along Woodmont Boulevard. The sidewalk shall be consistent with the Major and Collector Street Plan.
4. Prior to the issuance of any use permits, an internal walkway connection shall be made from the building entrance to the required sidewalk along Woodmont Boulevard.
5. All landscaping shall meet current landscaping requirements of the Metro Zoning Code, including tree protection and placement.
6. Signage shall be limited to signage permitted within the ON zoning district, except that any ground sign shall be monument type, shall not be more than five feet in height and shall not be illuminated.
7. Hours of operation shall be limited to the specific hours cited on the SP plan.
8. Screening for the northern parking lot shall be provided and must be approved by planning staff prior to the approval of any final site plan or building permit approval. Screening shall include a three foot tall knee wall. Landscaping shall be provided in front of the wall and shall meet 17.24.150 of the Metro Zoning Code.
9. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the ON zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
10. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
11. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Approve with conditions and disapprove without all conditions. (8-0), Consent Agenda

**Resolution No. RS2014-299**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2014SP-019-001 is **Approved with conditions and disapproved without all conditions. (8-0)**"

**CONDITIONS**

1. **Uses shall be limited to all uses identified in the SP.**
2. **Any future residential shall be subject to all Zoning Code and Subdivision Regulations and notice requirements for the R40 zoning district as of the date of the applicable request or application.**
3. **Prior to the issuance of any use permits, a sidewalk shall be provided along Woodmont Boulevard. The sidewalk shall be consistent with the Major and Collector Street Plan.**
4. **Prior to the issuance of any use permits, an internal walkway connection shall be made from the building entrance to the required sidewalk along Woodmont Boulevard.**
5. **All landscaping shall meet current landscaping requirements of the Metro Zoning Code, including tree protection and placement.**
6. **Signage shall be limited to signage permitted within the ON zoning district, except that any ground sign shall be monument type, shall not be more than five feet in height and shall not be illuminated.**
7. **Hours of operation shall be limited to the specific hours cited on the SP plan.**
8. **Screening for the northern parking lot shall be provided and must be approved by planning staff prior to the approval of any final site plan or building permit approval. Screening shall include a three foot tall knee wall.**

Landscaping shall be provided in front of the wall and shall meet 17.24.150 of the Metro Zoning Code.  
9. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the ON zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.  
10. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.  
11. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

## **Specific Plans**

### **2. 2014SP-081-001**

#### **LC GERMANTOWN**

Map 082-09, Parcel(s) 375  
Council District 19 (Erica S. Gilmore)  
Staff Reviewer: Lisa Milligan

A request to rezone from IR and IG to SP-MU zoning for property located at 1226 2nd Avenue North, at the northeast corner of 2nd Avenue North and Madison Street, (4.74 acres), to permit a mixed-use development, requested by Civil Site Design Group, PLLC, applicant; Anita Sheridan, owner.

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

#### **APPLICANT REQUEST**

**Preliminary SP to permit mixed-use development.**

#### Preliminary SP

A request to rezone from Industrial Restrictive (IR) and Industrial General (IG) to Specific Plan-Mixed Use (SP-MU) zoning for property located at 1226 2<sup>nd</sup> Avenue North (4.74 acres) to permit a mixed-use development.

#### **Existing Zoning**

Industrial Restrictive (IR) is intended for a wide range of light manufacturing uses at moderate intensities within enclosed structures.

Industrial General (IG) is intended for a wide range of intensive manufacturing uses.

#### **Proposed Zoning**

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

#### **CRITICAL PLANNING GOALS**

- Creates walkable neighborhoods
- Supports a variety of transportation choices
- Provides a range of housing choices
- Supports infill development

The proposed LC Germantown development includes a network of sidewalks throughout the development to encourage pedestrian activity and create a walkable neighborhood. The development is a near an existing bus line, allowing for future residents to have transportation choice. Bike parking will be provided on site for both the residential uses and the nonresidential uses. The proposed mixed-use buildings are providing for intensified development on an underutilized urban site.

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

T4 Urban Mixed Use Neighborhood (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 nonresidential 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.



Consistent with Policy?

Yes. The proposed development incorporates both residential and nonresidential land uses and creates a more intense development pattern on an infill site.

**PLAN DETAILS**

The site is located at 1226 2<sup>nd</sup> Avenue North on the northeast corner of 2<sup>nd</sup> Avenue North and Madison Street. The site is located west of 1<sup>st</sup> Avenue North, east of 2<sup>nd</sup> Avenue North, south of Monroe Street and north of Madison Street. The site is approximately 4.74 acres in size. The current use of the property is a surface parking lot used for storage of truck trailers.

Site Plan

The proposed project includes four buildings with a variety of uses. Up to 450 multi-family residential units are proposed along with up to 25,000 square feet of nonresidential uses. The development includes an internal private drive with on-street parking, pedestrian areas, and sidewalks. The nonresidential uses are proposed to front on the internal drive. The height of the buildings will range from 4 stories to 6 stories.

Sidewalks are being provided along Madison, Monroe, 2<sup>nd</sup> Avenue and the internal drive. Bicycle parking is being provided consistent with the adopted Bicycle Parking ordinance. Structured parking is also proposed in 3 of the 4 buildings.

The applicant is proposing that the buildings be industrial/warehouse style buildings and have proposed specific design standards to achieve this design. Conceptual elevations and imagery have been provided and finalized elevations will be reviewed with the Final SP.

**ANALYSIS**

The plan is consistent with the land use policy and adds a mixed-use development on an infill site. The plan meets several critical planning goals including creating a more pedestrian friendly, walkable streetscape; providing a range of housing choices; and supporting a variety of transportation choices.

Given the amount of new development in the area of 2<sup>nd</sup> Avenue North and Madison Street, special consideration needs to be given to the pedestrian movements at the intersection. At the time of Final SP approval, additional enhancements will be required to improve pedestrian safety. These improvements will be coordinated with Metro Planning and Public Works.

**FIRE DEPARTMENT RECOMMENDATION**

**Approve with conditions**

- 1. No part of any building shall be more than 500 ft from a fire hydrant via an approved hard surface road. Metro Ordinance 095-1541 Sec: 1568.020 B. Fire Code issues for the structures will be addressed at permit application review

**STORMWATER RECOMMENDATION**

**Approved**

**WATER SERVICES**

**Approved**

- 1. Approved as a Preliminary SP only. The required capacity fees (1-year commitment) must be paid by Final SP stage.

**PUBLIC WORKS RECOMMENDATION**

**Approved with conditions**

- 1. The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- 2. The road design and streetscape design must be coordinate with MPW Staff in conjunction with Metro Planning. The road design should meet MPW Standards and the sidewalk/ street scape design should meet the standards of ADA and MPW. Lane widths, lane assignments, parking lane locations, etc. to be coordinated with the TIS approval. Pedestrian improvements, cyclist improvements, etc. to be coordinated with TIS approval.
- 3. All sidewalks along the public street should be located within the ROW.
- 4. Comply with the MPW Traffic Engineer conditions.
- 5. Indicate on the plans the location of Solid Waste and Recycling, as well as move in/ out zones. These locations should be from development's internal street network.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

Approved traffic conditions may be modified based on subsequent review and approval by the Metro Traffic Engineer and the Planning Commission of a new or revised Traffic Impact Study.

In accordance with, TIS findings, the developer shall comply with the TIS recommendations and the following:

- 1. The road cross sections, ROW and easements for private and public roads shall be determined prior to final SP approval. Additional traffic analysis may be required.

2. Additional analysis may be required as part of the final SP approval for the project's internal roads if one way travel operation is proposed.
3. At the intersection of 2nd Avenue, N. and Madison Street, dedicated left turn lanes may be required on the eastbound and westbound approaches of Madison Street as determined by the Metro traffic engineer during the submittal of the final SP. If required, each of these turn lanes should include at least 50 feet of storage and should be designed and constructed according to AASHTO standards with appropriate transitions.
4. Any proposed angled parking on the internal roads will require approval by the Metro Traffic Engineer.
5. If the entrances to the parking garage are gated, at least 25 feet should be provided between the gate and Madison Street / Monroe Street so that a vehicle can safely wait for the gate without stopping traffic on the main street. Also, gates should be designed to operate in a way that lets as many as three consecutive vehicles enter without closing the gate in between vehicles. In conjunction with construction documents, turning templates should be provided to show that moving vehicles and delivery vehicles will be able to complete turns into and out of the project accesses. Denial lanes may be required.
6. In conjunction with the restaurant(s) within the project site, no valet parking or taxi stands should be provided on 2nd Avenue, N. Specifically, any valet and taxi stands should be located on the project's internal roadway, immediately adjacent to the restaurant(s), and valet parking should be provided within the parking garage. Additional analysis may be required if valet circulation uses the public streets to access the garage facilities.
7. In conjunction with the multi-family units within the project site, no delivery or move-in/loading zones should be provided on 2nd Avenue, N. Specifically, delivery and move-in/loading zones should be established on the project's internal roadway. Final SP documents shall address loading zone locations.
8. Each of the multi-family buildings should have a designed trash collection area that can be accessed by trash trucks from Madison Street, Monroe Street, and the project's internal roadway in accordance with MPW standards.
9. At a minimum, provide parking per Metro Code.
10. Provide adequate sight distance at all proposed driveways and internal roads.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	2.37	0.6 F	61,942 SF	221	19	20

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	2.37	0.6 F	61,942 SF	221	19	20

Maximum Uses in Proposed Zoning District: **SP-MU**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (230)	4.74	-	450 U	2381	172	207

Maximum Uses in Proposed Zoning District: **SP-MU**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	4.74	-	25,000 SF	1108	28	82

Traffic changes between maximum: **IR** and **IG** and **SP-MU**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-		+3,047	+162	+249

## **METRO SCHOOL BOARD REPORT**

**Projected student generation existing IR and IG district: 0 Elementary 0 Middle 0 High**

**Projected student generation proposed SP-MU district: 2 Elementary 1 Middle 3 High**

The proposed SP-MU zoning district could generate 5 more students than what is typically generated under the existing IR and IG zoning district, utilizing the urban infill factor. Students would attend Buena Vista Elementary, John Early Middle School, and Pearl Cohn High School. All three schools have been identified as having additional capacity. This information is based upon data from the school board last updated September 2013.

### **STAFF RECOMMENDATION**

Staff recommendation is to approve with conditions and disapprove without all conditions.

### **CONDITIONS**

1. Permitted land uses shall be limited to multi-family residential, artisan distillery, and all other uses in MUG-A. Residential shall be limited to up to 450 units.
2. In order to enhance the safety of pedestrian traffic that is expected to be generated by this project, additional modifications to the intersection of 2<sup>nd</sup> Avenue and Madison Street will be required at the time the Final SP construction plans are developed. These improvements may include but not be limited to modification or removal of free flow turning movement(s), changes to pavement markings on Madison between 2<sup>nd</sup> Avenue and 3<sup>rd</sup> Avenue, and additional signage. These improvements shall be approved by Metro Planning and Public Works.
3. After complying with condition #2 above, to the greatest extent practicable, comply with Public Works conditions in regards to traffic improvements.
4. Prior to the issuance of any permits, provide documentation that notices have been sent to all property owners within 1,000 feet of the project boundary detailing the project's construction schedules and name, phone number and email of a contact person for questions regarding the project and construction.
5. Signage shall meet the standards of the MUL-A zoning district. The following types of signage are prohibited: LED and digital signs, pole signs, and billboards.
6. With the final site plan, primary pedestrian entrances shall be required from each building to the public right of way, or alternative design as approved by the Planning Commission.
7. With the submittal of the corrected copy, update the parking data to meet the requirements of the Zoning Ordinance for the UZO.
8. Finalized elevations shall be submitted with the final site plan. Elevations must be consistent with the Conceptual Elevations on Sheet A1.00, the Concept Imagery on Sheet A2.00, the specific design standards of the SP and shall include architectural elements for structured parking consistent with the remainder of the facade.
9. 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 MUG-A zoning district as of the date of the application request or application.
10. A corrected copy of the preliminary SP plan incorporating the conditions of approval by the Metro Council shall be provided to the Planning Commission prior to or with the final site plan application.
11. 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.
12. 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.

Ms. Milligan presented the staff recommendation of approval with conditions and disapproval without all conditions.

Hal Clark, 630 Southgate Ave, spoke in favor of the application and noted agreement with all conditions.

**Commissioner Clifton closed the Public Hearing.**

**Mr. Adkins left the meeting at 4:42 p.m.**

**Mr. Gee moved and Mr. Haynes seconded the motion to approve with conditions and disapprove without all conditions. (7-0)**

## **Resolution No. RS2014-300**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2014SP-081-001 is **Approved with conditions and disapproved without all conditions. (7-0)**”

### **CONDITIONS**

1. Permitted land uses shall be limited to multi-family residential, artisan distillery, and all other uses in MUG-A. Residential shall be limited to up to 450 units.
2. In order to enhance the safety of pedestrian traffic that is expected to be generated by this project, additional modifications to the intersection of 2<sup>nd</sup> Avenue and Madison Street will be required at the time the Final SP construction plans are developed. These improvements may include but not be limited to modification or removal of free flow turning movement(s), changes to pavement markings on Madison between 2<sup>nd</sup> Avenue and 3<sup>rd</sup> Avenue, and additional signage. These improvements shall be approved by Metro Planning and Public Works.
3. After complying with condition #2 above, to the greatest extent practicable, comply with Public Works conditions in regards to traffic improvements.
4. Prior to the issuance of any permits, provide documentation that notices have been sent to all property owners within 1,000 feet of the project boundary detailing the project’s construction schedules and name, phone number and email of a contact person for questions regarding the project and construction.
5. Signage shall meet the standards of the MUL-A zoning district. The following types of signage are prohibited: LED and digital signs, pole signs, and billboards.
6. With the final site plan, primary pedestrian entrances shall be required from each building to the public right of way, or alternative design as approved by the Planning Commission.
7. With the submittal of the corrected copy, update the parking data to meet the requirements of the Zoning Ordinance for the UZO.
8. Finalized elevations shall be submitted with the final site plan. Elevations must be consistent with the Conceptual Elevations on Sheet A1.00, the Concept Imagery on Sheet A2.00, the specific design standards of the SP and shall include architectural elements for structured parking consistent with the remainder of the facade.
9. 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 MUG-A zoning district as of the date of the application request or application.
10. A corrected copy of the preliminary SP plan incorporating the conditions of approval by the Metro Council shall be provided to the Planning Commission prior to or with the final site plan application.
11. 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.
12. 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.

## **Planned Unit Developments**

### **3. 300-84P-001**

#### **FOREST BEND**

Map 052-01, Parcel(s) 148

Council District 09 (Bill Pridemore)

Staff Reviewer: Latisha Birkeland

A request to revise the preliminary plan and for final site plan approval for a portion of the Residential Planned Unit Development Overlay District for property located at 501 Forest Park Road, approximately 760 feet north of Neelys Bend Road, zoned RS5, (4.05 acres), to permit the development of 47 multi-family dwelling units where 47 multi-family units were previously approved, requested by TSquare Engineering, applicant; Arrington Developers, LLC, owner.

**Staff Recommendation: Approve with conditions.**

#### **APPLICANT REQUEST**

**Revise a portion of a Planned Unit Development and for final site plan to permit the development of 47 multifamily units where 47 units were previously approved.**

#### Revise Preliminary PUD and Final Site Plan

A request to revise the preliminary plan and for final site plan approval for a portion of the Residential Planned Unit Development Overlay District for property located at 501 Forest Bend Road, approximately 760 feet north of Neely’s Ben Road, zoned RS5, (4.05 acres), to permit the development of 47 multi-family dwelling units where 47 units were previously approved.

## **Existing Zoning**

Single-Family Residential Districts (RS5) requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 7.41 dwelling units per acre. *RS5 would permit a maximum of 35 units.*

Planned Unit Development Overlay District (PUD) is an alternative zoning process that allows for the development of land in a well-planned and coordinated manner, providing opportunities for more efficient utilization of land than would otherwise be permitted by the conventional zoning provisions of this title. The PUD district may permit a greater mixing of land uses not easily accomplished by the application of conventional zoning district boundaries, or a framework for coordinating the development of land with the provision of an adequate roadway system or essential utilities and services. In return, the PUD district provisions require a high standard for the protection and preservation of environmentally sensitive lands, well-planned living, working and shopping environments, and an assurance of adequate and timely provision of essential utilities and streets. *The subject PUD is approved for multi-family uses.*

## **CRITICAL PLANNING GOALS**

**N/A**

### Original Plan and history

The original preliminary plan for this PUD as adopted by Council Bill 84-611, was for 90 units including 10 flats and 80 town homes. This PUD and the PUD to the north are linked and the properties were once under common ownership. In 2004 a revision of the PUD was approved by the Commission for *47 multi-family units* with a pool and pool house.

### 2007

In 2007, the applicant requested a revision to the PUD overlay to remove the pool and pool house from the plan and permit the construction of *47 multi-family units*. The application was approved by the Planning Commission as a revision.

## **PROPOSED PUD PLAN**

The 2014 request to revise the preliminary plan and for final site plan approval of a Planned Unit Development District proposes 47 multi-family units on approximately 4 acres for a density of approximately 12 units per acre. All units will be accessed from a private drive off Forest Park Road.

The 2014 revision and final site plan is consistent with the 2007 site plan with a few differences. One of the differences includes a new leasing office building along the northwest side of the development. The units are grouped in sets of buildings throughout the PUD. The units per building are slightly different than in 2007, because the unit sizes, in square footage, have become more consistent throughout the PUD than in 2007. Each unit has three bedrooms and 2 bathrooms. Surface parking has increased from 97 stalls to 117 because of the removal of individual garages and driveways to some units and placement of the private drive. The proposed revision and final site plan no longer requires a secondary access, per the Fire Marshal, so the private drive will no longer extend north into Coventry Woods, Phase 1.

The proposed revision and final site plan includes the same type "B" buffer yard along the southeastern property line and additional landscaping throughout the development including the western property line. The 2007 revision to the preliminary plan and final site plan included a six foot tall wooden (opaque) fence that was not included on the proposed revision. A condition has been added to require fencing to be installed in the same locations along the property line.

## **ANALYSIS**

The 47 multi-family units are an approved use in the Coventry Woods, Section Two (Forest Bend) PUD. The changes in the proposed site plan are consistent with the revised preliminary approval in 2007.

Section 17.40.120.G permits the Planning Commission to approve "minor modifications" under certain conditions. Staff is recommending that the request be approved with conditions because the request is consistent with all the requirements of Section 17.40.120.G, and is provided below for review.

G. Status of Earlier Planned Unit Developments (PUDs). The following provisions shall apply to a planned unit development (PUD) approved under the authority of a previous zoning code and remaining a part of the official zoning map upon the enactment of this title.

1. The planned unit development (PUD) shall be recognized by this title according to the master development plan and its associated conditions specified in the PUD ordinance last approved by the metropolitan council prior to the effective date of the ordinance codified in this title.
2. The planning commission may consider and approve minor modifications to a previously approved planned unit development subject to the following limitations. All other modifications shall be considered by the planning commission as an amendment to the previously approved planned unit development and shall be referred back to the council for approval according to the procedures of Section 17.40.120(A)(5). That portion of a planned unit development master plan being amended by the council shall adhere to all provisions of this code:
  - a. In the judgment of the commission, the change does not alter the basic development concept of the PUD;
  - b. The boundary of the planned unit development overlay district is not expanded;

- c. There is no change in general PUD classification (e.g. residential to any classification of commercial or industrial PUD; any change in general classification of a commercial PUD; or any change in general classification of an industrial PUD);
- d. There is no deviation from special performance criteria, design standards, or other specific requirements made part of the enacting ordinance by the council;
- e. There is no introduction of a new vehicular access point to an existing street, road or thoroughfare not previously designated for access;
- f. There is no increase in the total number of residential dwelling units originally authorized by the enacting ordinance;
- g. There is no change from a PUD approved exclusively for single-family units to another residential structure type;
- h. The total floor area of a commercial or industrial classification of PUD shall not be increased more than ten percent beyond the total floor area last approved by the council;
- i. If originally limited to office activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
- j. If originally limited to office, retail and other general commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to include industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
- k. If originally limited to commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
- l. In the determination of the commission, the nature of the change will have no greater adverse impact on those environmentally sensitive features identified in Chapter 17.28 of this code than would have occurred had the development proceeded in conformance with the previous approval.
- m. In the judgment of the commission, the planned unit development or portion thereof to be modified does not meet the criteria for inactivity of Section 17.40.120.H.4.a.

**FIRE MARSHAL RECOMMENDATION**

**Approval with conditions**

- Fire Code issues for the structures will be addressed at permit application review

**STORMWATER RECOMMENDATION**

**Approved with comments**

- Minor changes required which won't affect the overall layout of the site.

**WATER RECOMMENDATION**

**Approved with conditions**

- Approved on the condition that plan will be revised in accordance with mws markup and comments.

**MADISON SUBURBAN UTILITY DISTRICT**

**Approved**

- The District agrees to serve the above-referenced property from existing water mains providing all installation meet the District's specifications.
- The owner/developer will be responsible to pay any and all development costs and any and all appropriate tap and meter fees.

**TRAFFIC AND PARKING RECOMMENDATION**

**Conditions if approved**

- Comply with previous PUD conditions.

**PUBLIC WORKS RECOMMENDATION**

**Approve with conditions**

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- Submit recorded access easements to parcel 146 and adjoining development to the north~prior to building permit.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions.

## CONDITIONS

1. Wooden (opaque) fencing, six feet in height, shall be installed along the north and south property lines consistent with the approved site plan from 2007.
2. Prior to the issuance of building permits, a recorded access easement to parcel 146 shall be submitted.
3. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
4. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
5. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metro Planning Commission.
6. The PUD final site plan as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans may require reapproval by the Planning Commission and/or Metro Council.
7. 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.

**Ms. Blackshear recused herself from Item 3 and stepped out of the room.**

Ms. Milligan presented the staff recommendation of approval with conditions.

Kris Ainsworth, applicant, spoke in favor of the application and noted that THDA is providing funding along with an MDHA grant for affordable housing.

Councilman Pridemore spoke in opposition to the application on behalf of the community members that never had an opportunity to speak in 2007.

Rick Williams, 1733 Neely's Bend Road, spoke in opposition to the application and asked for deferral to allow the community more time to find out more information and come out and speak at the next meeting.

Ken Johnson, 1040 Berwick Trail, spoke in opposition to the application due to possible decreased property values, safety concerns, and lack of a proper play area for children.

Kris Ainsworth noted that there will be an on-site manager to watch the tenants and stated that this can't be deferred or disapproved just because it's affordable housing.

### **Commissioner Clifton closed the Public Hearing.**

Councilman Hunt spoke in support of deferral to give the community time to come out and speak.

Mr. Haynes expressed an inclination to support the application due to the minor nature of the revisions.

Ms. Farr stated that while she recognizes the community concerns, she is not sure what additional public comments would accomplish due to the minor nature of the revisions.

Mr. Clifton noted that more people may have shown up had they not thought there was a fire department issue and had they known that the case would be heard tonight.

**Mr. Gee moved and Mr. Haynes seconded the motion to approve staff recommendation. (3-3-1) Mr. Clifton, Ms. LeQuire, and Councilman Hunt voted against; Ms. Blackshear recused herself.**

The motion failed.

Ms. LeQuire moved and Councilman Hunt seconded the motion to defer one meeting and reopen the Public Hearing.

Ms. LeQuire withdrew her motion and Councilman Hunt withdrew his second.

**Ms. Farr moved and Mr. Haynes seconded the motion to reconsider the motion to approve. (6-0)**

**Ms. Farr moved and Mr. Haynes seconded the motion to approve with conditions. (5-1-1) Mr. Clifton voted against and Ms. Blackshear recused herself.**

Ms. Blackshear stepped back in the room at 5:32 p.m.

### **Resolution No. RS2014-301**

“BE IT RESOLVED by The Metropolitan Planning Commission that 300-84P-001 is **Approved with conditions. (5-1-1)**”

#### **CONDITIONS**

1. **Wooden (opaque) fencing, six feet in height, shall be installed along the north and south property lines consistent with the approved site plan from 2007.**
2. **Prior to the issuance of building permits, a recorded access easement to parcel 146 shall be submitted.**
3. **This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.**
4. **The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.**
5. **Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metro Planning Commission.**
6. **The PUD final site plan as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans may require reapproval by the Planning Commission and/or Metro Council.**
7. **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.**

## **Neighborhood Landmark Overlays**

### **4. 2013NL-001-002**

#### **WADE SCHOOL (FINAL)**

Map 067, Parcel(s) 056

Council District 01 (Lonnell Matthews, Jr.)

Staff Reviewer: Lisa Milligan

A request for approval of a Neighborhood Landmark Development Plan for property located at 5022 Old Hydes Ferry Pike, approximately 200 feet west of Old Hickory Boulevard and partially located within the Floodplain Overlay District (8.76 acres), zoned RS20, to permit a cafe/restaurant use, a working farm and special events in addition to the general office use previously approved, requested by Millarrich Properties, LLC, owner.

**Staff Recommendation: Defer to the January 8, 2015, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2013NL-001-002 to the January 8, 2015, Planning Commission meeting. (8-0)**

## **Subdivision: Final Plats**

### **5. 2014S-218-001**

#### **POWELL SUBDIVISION, RESUB LOT 6, 1ST REVISION**

Map 083-03, Parcel(s) 335

Council District 07 (Anthony Davis)

Staff Reviewer: Latisha Birkeland

A request for final plat approval to create two lots for property located at 2312 Campbell Drive, approximately 300 feet west of Campbell Street, zoned R10 (0.78 acres), requested by S & A Surveying, Inc. for Upside LLC, owner.

**Staff Recommendation: Approve with conditions.**

#### **APPLICANT REQUEST**

**Create two lots.**

#### Final Plat

A request for final plat approval to create two lots on property located at 2312 Campbell Drive, approximately 300 feet west of Campbell Street, zoned One and Two-Family Residential District (R10) (0.78 acres).



**Existing Zoning**

One and Two-Family Residential District (R10) requires a minimum 10,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25 percent duplex lots. *R10 would permit a maximum of 3 lots with 3 duplex lots for a total of 6 units.*

**CRITICAL PLANNING GOALS**

- Supports Infill Development

The proposed subdivision creates infill housing opportunity in an area that served by existing infrastructure. Development in areas with adequate infrastructure is more appropriate than development not served with adequate infrastructure such as roads, water and sewer, because it does not burden Metro with the cost of maintaining new infrastructure. The subdivision requirements a minimum building setback line and a height limitation that will ensure infill development compatible with the surrounding character of the community.

**PLAN DETAILS**

The final plat proposes two lots. The existing lot has street frontage on both Riverside Drive and Campbell Drive; the existing frontages are not changing. The existing lot has an existing duplex fronting along Campbell Drive. Proposed Lot 2 is duplex eligible and will gain access from Riverside Drive.

The proposed subdivision does not meet the infill compatibility analysis that is outlined in Section 3-5.2 of the Subdivision Regulations because Lot 1 and Lot 2 do not meet the frontage requirement calculated from the surrounding parcels to determine compatibility. The applicant requests approval under Section 3-5.2(f) of the Subdivision Regulations; under this section, the Planning Commission may grant approval of a subdivision that does not meet the compatibility criteria, if the subdivision can provide for harmonious development within the community.

**Proposed Lots**

- Lot 1: 15,582 Sq. Ft., (0.357 Acres), and 40.00 Ft of frontage (existing);
- Lot 2: 18,663 Sq. Ft., (0.428 Acres), and 49.90 Sq. Ft. of frontage (existing).

**ANALYSIS**

Lot Compatibility

Section 3-5.2 of the Subdivision Regulations outlines the criteria for reviewing infill subdivisions located within the Urban Neighborhood Maintenance policy area. Lot 1 is compared to lots along Campbell Drive, while Lot 2 is compared to lots along Riverside Drive. The proposed plat does not change the existing frontage for Lot 1 and Lot 2. The proposed lots will have the same frontages that exist currently.

Staff reviewed the final plat against the following criteria as required by the Subdivision Regulations:

Zoning Code

Proposed lots meet the minimum standards of the R10 zoning district.

Street Frontage Proposed lots have frontage on a public street.

Density

Urban Neighborhood Maintenance land use policy supports density up to 20 dwelling units per acre. The proposed infill subdivision provides a density of 2.56 dwelling units per acres, which falls within the range supported by policy.

Community Character

1. Lot frontage: The proposed lots must have frontage either equal to or greater than 70% of the average frontage of surrounding parcels or equal to or greater than the surrounding lot with the least amount of frontage, whichever is greater. The frontage is not changing.

<b>Lot 1 Frontage Analysis</b>	
Minimum Proposed (existing)	40.0'
<b>70% of Average</b>	<b>64.12'</b>
Smallest Surrounding Parcel	40'

<b>Lot 2 Frontage Analysis</b>	
Minimum Proposed (existing)	49.90'
<b>70% of Average</b>	<b>77.88'</b>
Smallest Surrounding Parcel	60'

2. Lot size: The proposed lots must have lot area that is either equal to or greater than 70% of the lot size of the average size of surrounding parcels or equal to or larger than smallest surrounding lot, whichever is greater.

<b>Lot 1 Size Analysis</b>	
Minimum Proposed	15,582 SF
70% of Average	8,781 SF
<b>Smallest Surrounding Parcel</b>	<b>9,583 SF</b>

<b>Lot 2 Size Analysis</b>	
Minimum Proposed	18,663 SF
<b>70% of Average</b>	<b>14,483 SF</b>
Smallest Surrounding Parcel	11,325 SF

3. Street Setback: The existing duplex on Lot 1 will remain along with the 20 foot minimum building setback line. Lot 2, along Riverside Drive, shall have a minimum building setback of 55 feet, consistent with the neighboring houses. No parking shall be permitted between Riverside Drive and future structures.

4. Lot Orientation: Lots 1 will remain orientated to Campbell Drive. Lot 2 will be oriented to Riverside Drive.

To make the development harmonious with the surrounding community character, the applicant has agreed to the following conditions: Lot 2, along Riverside Drive, shall have a minimum setback of 55 feet which is consistent with the surrounding setbacks. No parking shall be permitted in the front setback and a maximum of one driveway point per lot. Parking, driveways and all other impervious services in the required street setback shall not exceed 12 feet in width. The maximum of all structures shall not exceed two stories within 35 feet in height, to the roofline.

**FIRE MARSHAL RECOMMENDATION**  
N/A

**PUBLIC WORKS RECOMMENDATION**  
Approved

**STORMWATER RECOMMENDATION**  
Approved with conditions

- Correctly label the drainage easements as Public Utility and Drainage Easement on the plat.

**WATER SERVICES RECOMMENDATION**  
Approved

**STAFF RECOMMENDATION**

Staff finds that the proposed final plat provides harmonious development with the surrounding area and recommends approval with conditions.

**CONDITIONS**

1. Lot 2 shall have a minimum front setback of 55 feet. The minimum setback line shall be depicted on the plat.
2. The maximum of all structures shall not exceed two stories within 35 feet in height, to the roofline.
3. Add Note No. 22 "Parking, driveways and all other impervious surfaces in the required street setback shall not exceed twelve feet in width." Add "See Note 22" to Lot 2.
4. Add Note No. 23 "A maximum one driveway point per lot." Add "See Note 23" to Lot 1 and Lot 2.
5. Sidewalks are required along the Campbell Drive frontage of Lot 1 of the proposed subdivision. Therefore, prior to final plat recordation, one of the options must be chosen related to sidewalks:
  - a. Submit a bond application and post a bond with the Planning Department,
  - b. Construct sidewalk and have it accepted by Public Works,
  - c. Submit contribution in-lieu of construction to the Planning Department, one additional lot will require a \$500 contribution to Pedestrian Benefit Zone 4-A. (This fee is based on the fees at the time of application.)
  - d. Construct an equal length of sidewalk within the same Pedestrian Benefit Zone, in a location to be determined in consultation with the Public Works Department, or
  - e. Add the following note to the plat: "No building permit is to be issued on any of the proposed lots until the required sidewalk is constructed per the Department of Public Works specifications." Sidewalk shall be shown and labeled on the plan per Public Works Standards with the required curb and gutter.

Ms. Milligan presented the staff recommendation of approval with conditions.

March Egerton, 3940 Moss Rose Drive, spoke in favor of the application.

Rick Starks, 1429 Riverside Drive, spoke in opposition to the application due to it being a non-harmonious development.

March Egerton stated that it is his impression that Councilman Anthony Davis is in support of the project.

**Commissioner Clifton closed the Public Hearing.**

Ms. Farr stated that the lot is very odd-shaped and seems too narrow for a duplex; understands the compatibility concerns.

Mr. Gee stated that the plan makes sense; the harmony here is the extraordinary inconsistency.

Mr. Haynes spoke in favor of the application based on the NashvilleNext observation that additional housing stock is needed besides single-family and mid/high rise. If you expand out beyond the five lot comparison, this satisfies the goals of what is needed.

**Mr. Haynes moved and Mr. Gee seconded the motion to approve with conditions. (7-0)**

**Resolution No. RS2014-302**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2014S-218-001 is **Approved with conditions. (7-0)**”  
**CONDITIONS**

1. Lot 2 shall have a minimum front setback of 55 feet. The minimum setback line shall be depicted on the plat.
2. The maximum of all structures shall not exceed two stories within 35 feet in height, to the roofline.
3. Add Note No. 22 “Parking, driveways and all other impervious surfaces in the required street setback shall not exceed twelve feet in width.” Add “See Note 22” to Lot 2.
4. Add Note No. 23 “A maximum one driveway point per lot.” Add “See Note 23” to Lot 1 and Lot 2.
5. Sidewalks are required along the Campbell Drive frontage of Lot 1 of the proposed subdivision. Therefore, prior to final plat recordation, one of the options must be chosen related to sidewalks:
  - a. Submit a bond application and post a bond with the Planning Department,
  - b. Construct sidewalk and have it accepted by Public Works,
  - c. Submit contribution in-lieu of construction to the Planning Department, one additional lot will require a \$500 contribution to Pedestrian Benefit Zone 4-A. (This fee is based on the fees at the time of application.)
  - d. Construct an equal length of sidewalk within the same Pedestrian Benefit Zone, in a location to be determined in consultation with the Public Works Department, or
  - e. Add the following note to the plat: "No building permit is to be issued on any of the proposed lots until the required sidewalk is constructed per the Department of Public Works specifications." Sidewalk shall be shown and labeled on the plan per Public Works Standards with the required curb and gutter.

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## **I. COMMUNITY PLAN POLICY CHANGES AND ASSOCIATED CASES**

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

### **Community Plan Amendments**

#### **6a. 2014CP-011-002**

##### **SOUTH NASHVILLE PLAN AMENDMENT**

Map 105-11, Parcel(s) 231

Council District 17 (Sandra Moore)

Staff Reviewer: Stephanie McCullough

A request to amend the South Nashville Community Plan by changing the Community Character policy from a T4 Neighborhood Maintenance policy to a T4 Mixed Use Neighborhood policy for property located at Wedgewood Avenue (unnumbered), approximately 750 feet west of Bransford Avenue (1.25 Acres), requested by Civil Site Design Group, PLLC, applicant; Delta Four, LLC, owner (See also Specific Plan Case No. 2014SP-082-001).

**Staff Recommendation: Defer to the January 8, 2015, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2014CP-011-002 to the January 8, 2015, Planning Commission meeting. (8-0)**

**6b. 2014SP-082-001**

**WEDGEWOOD LOFTS**

Map 105-11, Parcel(s) 231  
Council District 17 (Sandra Moore)  
Staff Reviewer: Jason Swaggart

A request to rezone from R6 to SP-MU zoning for property located at Wedgewood Avenue (unnumbered), approximately 750 feet west of Bransford Avenue, (1.25 acres), to permit a mixed-use development, requested by Civil Site Design Group, PLLC, applicant; Delta Four, LLC, owner (See also Community Plan Amendment Case No. 2014CP-011-002).

**Staff Recommendation: Defer to the January 8, 2015, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2014SP-082-001 to the January 8, 2015, Planning Commission meeting. (8-0)**

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**J. RECOMMENDATIONS TO METRO COUNCIL**

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

**Zoning Text Amendments**

**7. 2014Z-022TX-001**

**PROCEDURES RELATED TO FEES, IN-LIEU CONTRIBUTIONS OR OTHER ASSESSMENT**

Staff Reviewer: Carrie Logan

A request to amend Title 13, Title 15 and Title 17 of the Metropolitan Code to clarify procedures related to fees, in-lieu contributions and other assessments, estimates or payments, requested by Metro Planning Department, applicant.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Clarify procedures related to fees, in-lieu contributions and other assessments, estimates or payments.**

Text Amendment

A request to amend Title 13, Title 15 and Title 17 of the Metropolitan Code to clarify procedures related to fees, in-lieu contributions and other assessments, estimates or payments.

**ANALYSIS**

In April 2014, the Tennessee General Assembly enacted the Vested Property Rights Act of 2014, which vests a development in the development standards in place at the time the development is preliminarily approved. BL2014-947 is the first bill introduced to clarify how Metro will address the requirements of the Vested Property Rights Act of 2014.

BL2014-947 clarifies that fees, in-lieu contributions and other assessments, estimates or payments required by Title 13, Title 15 and Title 17 are determined by the fee or rate at the time of assessment or payment, whichever is later. Fees, in-lieu contributions and other assessments, estimates or payments are updated by the various departments over time to reflect current standards and/or changes in market rates. The Planning Commission does not make a recommendation to the Metro Council on Title 13 or Title 15.

**STAFF RECOMMENDATION**

Staff recommends approval.

**ORDINANCE NO. BL2014-947**

**An Ordinance amending Title 13, Title 15 and Title 17 of the Metropolitan Code to clarify procedures related to fees, in-lieu contributions and other assessments, estimates or payments (Proposal No. 2014Z-022TX-001).**

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

Section 1. That Title 13 of the Metropolitan Code is hereby amended by adding the following Chapter 13.02 (General provisions):

13.02.010 Fees, in-lieu contributions and other assessments, estimates or payments

Fees, in-lieu contributions and other assessments, estimates or payments required by this title or by the Metropolitan Government in furtherance of this title for single or multi-phase developments shall be determined by the fee or rate at the time of assessment or payment, whichever is later. The Metropolitan Government of Nashville & Davidson County may update fees and rates over time to reflect current standards and/or changes in market rates.

Section 2. That Title 15 of the Metropolitan Code is hereby amended by adding the following Chapter 15.02 (General provisions):

15.02.010 Fees, in-lieu contributions and other assessments, estimates or payments

Fees, in-lieu contributions and other assessments, estimates or payments required by this title or by the Metropolitan Government in furtherance of this title for single or multi-phase developments shall be determined by the fee or rate at the time of assessment or payment, whichever is later. The Metropolitan Government of Nashville & Davidson County may update fees and rates over time to reflect current standards and/or changes in market rates.

Section 3. That Title 17 of the Metropolitan Code is hereby amended by adding the following Section 17.04.055 (Fees, in-lieu contributions and other assessments, estimates or payments):

Fees, in-lieu contributions and other assessments, estimates or payments required by this title or by the Metropolitan Government in furtherance of this title for single or multi-phase developments shall be determined by the fee or rate at the time of assessment or payment, whichever is later. The Metropolitan Government of Nashville & Davidson County may update fees and rates over time to reflect current standards and/or changes in market rates.

Section 4. That this Ordinance shall take effect five (5) days from and after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Sponsored by: Anthony Davis, Walter Hunt

Approve. (8-0), Consent Agenda

**Resolution No. RS2014-303**

**"BE IT RESOLVED by The Metropolitan Planning Commission that 2014Z-022TX-001 is Approved. (8-0)"**

## **Specific Plans**

### **8. 2007SP-114-001**

**4000 WAYLAND**

Map 130-11-0-B, Parcel(s) 001-003

Council District 34 (Carter Todd)

Staff Reviewer: Jason Swaggart

A request for final site plan approval to permit a minor modification to a Specific Plan – Residential District (SP-R) for properties located at 4000 and 4000 B Wayland Drive and 4408 Beacon Drive, at the northwest corner of Wayland Drive and Beacon Drive, (1.19 acres), to permit a different home on Lot 1 than what is currently approved, requested by Anderson, Delk, Epps & Associates, Inc., applicant; Charles and Amanda Welch and Thomas and Elizabeth Molteni, owners.

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

#### **APPLICANT REQUEST**

**SP Final Site Plan to permit the development of one single-family home.**

#### SP Final Site Plan

A request for final site plan approval to permit a minor modification to a Specific Plan – Residential District (SP-R) for properties located at 4000 and 4000 B Wayland Drive and 4408 Beacon Drive, at the northwest corner of Wayland Drive and Beacon Drive, (1.19 acres), to permit a different home on Lot 1 than what is currently approved.

### **Existing Zoning**

Specific Plan-Residential (SP-R) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. *This Specific Plan is approved for two single-family homes.*

### **CRITICAL PLANNING GOALS**

N/A

### **PLAN DETAILS**

The SP is located on the northwest corner of Wayland Drive and Beacon Drive. The SP was approved by Council in 2007. The plan adopted by Council includes two residential units on separate lots. The SP included very detailed elevations for each home. The property has not been subdivided, but the home on proposed Lot 2 has been constructed. The final site plan is for the unit that has not been constructed which would sit at the corner of Wayland Drive and Beacon Drive (proposed Lot 1).

### **ANALYSIS**

The original application was submitted as an amendment to the SP zoning, which would have required Council approval. After further review, staff determined that the proposed change to the SP is minor in nature and could be approved as a minor modification. The applicant withdrew their application to amend the SP, which would have required council approval, and submitted a new application for final site plan approval, which only requires Planning Commission approval.

The enacting ordinance included language permitting the Planning Commission or its designee to approve minor adjustments upon final architectural, engineering or site design and actual site conditions. Any adjustment must be consistent with the principle and further the objectives of the approved plan. Council must approve any changes that increase the permitted density or intensity, add uses, eliminates specific conditions or requirements contained in the plan as adopted through the enacting ordinance.

The plan proposes a different architectural design for the subject home than what is currently approved. However, the scale, massing, orientation and overall layout is consistent with the Council approved plan. All conditions that are included in the original bill, including the amendment to the bill are maintained. Staff finds that the proposed request is minor since it does not alter any specific conditions in the enacting ordinance, or propose changes that significantly deviate from the Council adopted plan, thus maintaining the integrity of the Council approved plan. This is similar to the final site plan that was approved for the subject home by the Planning Commission in 2008. That plan included modifications to the home approved on the original SP adopted by Council. Staff found and the Planning Commission agreed that the proposed modifications to the original SP were minor, thus, not requiring Council approval.

While minor modifications can be approved at an administrative level, staff determined that the final decision should be left to the Planning Commission, consistent with the previous final site plan process in 2008. Staff did require that public hearing notices be sent out and that a public hearing sign be placed on the site.

This proposal is associated with a final plat (2014S-229-001) that would create separate lots for the existing home (proposed Lot 2) and the proposed home (proposed Lot 1). The SP does not relieve a project from adhering to the Subdivision Regulations. Under Section 3-8 of the Subdivision Regulations, sidewalk requirements are triggered with the proposed subdivision. There are no sidewalks in the area, so the regulations provide three options:

1. Build the sidewalks along the entire street frontage of both lots.
2. Make a financial contribution to the pedestrian network.
3. Construct an equal length of sidewalk within the same Pedestrian Benefit Zone.

While this concern could be handled with the proposed subdivision plat, staff finds that it is more appropriate to deal with it at this stage since the subject application includes a site plan. If the applicant agrees to build the sidewalk (Option 1, above), then the site plan must identify the sidewalk and provide details for its construction, thus the reason to address it at this stage in the process. The sidewalk would also need to be constructed or bonded prior to the final plat being recorded. If the applicant chooses one of the other options, then they will also need to be satisfied prior to the plat being recorded.

The applicant may also choose to make a contribution to the sidewalk fund in lieu of constructing the sidewalk on site. The current average cost for the construction of sidewalks in Metro is \$96 a linear foot. The subject site contains approximately 496' of frontage. The total contribution required would be \$47,616 (496 x 96).

Finally the applicant could construct an equal length of sidewalk within the same Pedestrian Benefit Zone (PBZ). The site is located in in PBZ 4-B. If this option is chosen then the applicant would work with the Department of Public Works to determine the location within the PBZ.

Staff finds that the changes are minor in nature and do not require Council approval. Sidewalks would be required with the associated subdivision plat. Staff recommends that the sidewalk requirement be met consistent with the Subdivision Regulations.

**FIRE MARSHAL'S OFFICE**

**Approved with conditions**

- Fire Code issues for the structures will be addressed at permit application review.

**PUBLIC WORKS RECOMMENDATION**

**No Exceptions Taken**

**STORMWATER RECOMMENDATION**

**Approved**

**WATER SERVICES**

**Approved**

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

1. Prior to the issuance of any building permits for Lot 1, a final plat shall be recorded subdividing Lot 1 and Lot 2 as depicted on the SP plan.
2. Uses shall be limited to two single-family residential units (one per lot).
3. Sidewalks are required. Prior to approval of the final plat, the applicant shall:
  - a. Build the sidewalks along the entire street frontage of both lots (or bond). The final site plan shall be modified to include the sidewalk if this option is chosen.
  - b. Make a financial contribution to the pedestrian network in the amount of \$47,616.
  - c. Construct an equal length of sidewalk within Pedestrian Benefit Zone 4-B.
4. The proposed wall shall be consistent with the existing wall.

Approve with conditions and disapprove without all conditions. (8-0), Consent Agenda

**Resolution No. RS2014-304**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007SP-114-001 is **Approved with conditions and disapproved without all conditions. (8-0)**”

**CONDITIONS**

1. Prior to the issuance of any building permits for Lot 1, a final plat shall be recorded subdividing Lot 1 and Lot 2 as depicted on the SP plan.
2. Uses shall be limited to two single-family residential units (one per lot).
3. Sidewalks are required. Prior to approval of the final plat, the applicant shall:
  - a. Build the sidewalks along the entire street frontage of both lots (or bond). The final site plan shall be modified to include the sidewalk if this option is chosen.
  - b. Make a financial contribution to the pedestrian network in the amount of \$47,616.
  - c. Construct an equal length of sidewalk within Pedestrian Benefit Zone 4-B.
4. The proposed wall shall be consistent with the existing wall.

**9. 2013SP-041-003**

**THE POST AT RAIL STATION, PHASE 2**

Map 116-13, Parcel(s) 018

Council District 23 (Emily Evans)

Staff Reviewer: Lisa Milligan

A request to rezone from RS40 to SP-R zoning for property located at 5704 Old Harding Pike, approximately 230 feet south of Sedberry Road, (0.57 acres), to up to four detached residential units, requested by Dale & Associates, applicant; West End Circle Properties, owner.

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

**APPLICANT REQUEST**

**Preliminary SP to permit up to four detached residential units and to amend a portion of the property rezoned by BL2013-630.**

Preliminary SP

A request to rezone from Single-Family Residential (RS40) to Specific Plan-Residential (SP-R) zoning for property located at 5470 Old Harding Pike, approximately 230 feet south of Sedberry Road, (0.60 acres), to permit up to four detached residential dwelling units and to amend a portion of the property rezoned by BL2013-630.

### **Existing Zoning**

Single-Family Residential (RS40) requires a minimum 40,000 square foot lot and is intended for single-family dwellings at a density of .93 dwelling units per acre. *RS40 would permit a maximum of 1 unit.*

### **Proposed Zoning**

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

### **CRITICAL PLANNING GOALS**

- Supports Infill Development
- Creates Walkable Neighborhoods

This proposal meets two critical planning goals. Development in areas with adequate infrastructure is more appropriate than development not served with adequate infrastructure such as roads, water and sewer, because it does not burden Metro with the cost of maintaining new infrastructure. Sidewalks are being added to create a safer pedestrian environment and encourage walking.

### **WEST NASHVILLE COMMUNITY PLAN**

T3 Suburban Neighborhood Evolving (T3 NE) policy is intended to create suburban neighborhoods that are compatible with the general character of classic suburban neighborhoods as characterized by their building form, land use and associated public realm, with opportunities for housing choice and improved pedestrian, bicycle and vehicular connectivity. The resulting development pattern will have higher densities than classic suburban neighborhoods and/or smaller lot sizes, with a broader range of housing types providing housing choice. This reflects the scarcity of easily developable land (without sensitive environmental features) and the cost of developing housing - challenges that were not faced when the original classic, suburban neighborhoods were built.

Special Policy Area 2 is identified as a small pocket of homes at the corner of Sedberry and Post Road. It is intended to provide a transition from the adjacent neighborhood center to the single-family neighborhood to the west and north, and identifies design standards which require front facades along both streets of a corner unit, allow shallower but transitional setbacks, and suggest a slight increase in density.

### Consistent with Policy?

Yes. The proposed SP zoning is consistent with the T3 Suburban Neighborhood Evolving policy. The plan provides for a development pattern in the classic suburban form with improved connectivity for bicycles and pedestrians. Design standards are included to ensure that the corner unit addresses both streets. The proposed density is consistent with both the NE policy which supports between 4-20 dwelling units per acre, and the Special Policy Area 2 which suggests that density remain on the lower end of the Neighborhood Evolving range.

### **PLAN DETAILS**

The site is located at 5704 Old Harding Pike, south of Sedberry Road and north of Haverford Road. The site is approximately 0.60 acres in size. The property currently has 1 single-family detached home.

### Site Plan

The plan proposes Phase 2 of The Post at Rail Station. Phase 1 was approved in March 2014 and allowed for up to 8 detached single-family units. Phase 2 proposes up to 4 additional single-family detached dwelling units. The access for Phase 2 will be from the private drive that was approved with Phase 1 and will amend a small portion of the property included in Phase 1 to allow for driveway connections to the private drive.

The plan includes 2 detached single-family units fronting on Old Harding Pike. These units will have rear garages and no driveway access to Old Harding Pike. Two additional units will face on the private drive. A landscape buffer consistent with the buffer approved with Phase 1 will continue along the southern boundary of Phase 2. Architectural standards consistent with those provided in Phase 1 have been included with the SP. Elevations will be provided with the Final SP.

Sidewalks and a bike lane will be installed along the Old Harding Pike frontage.

### **ANALYSIS**

The plan is consistent with the land use policy for the area and is consistent with the approved Phase 1 of The Post at Rail Station. The plan also creates a more pedestrian friendly environment.

### **FIRE DEPARTMENT RECOMMENDATION**

#### **Approve with conditions**

- Fire Code issues for the structures will be addressed at permit application review



**STORMWATER RECOMMENDATION**

**Approve with conditions**

- Storm infrastructure along the ROW may need to be installed by this development.

**WATER SERVICES**

**Approved**

- Approved as Prelim SP. Applicant will need to pay required Capacity Fees before approval will be issued at the Final SP stage.

**PUBLIC WORKS RECOMMENDATION**

**Approved 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.
- Coordinate the final design of the proposed Old Harding Pk. improvements with MPW prior to Final SP.
- ROW dedication must be recorded prior to building permit signoff.

**TRAFFIC AND PARKING RECOMMENDATION**

**No exceptions taken**

Maximum Uses in Existing Zoning District: **RS40**

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)	0.57	1.08 D	0 U	-	-	-

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
Single-Family Residential (210)	0.57	-	4 U	39	3	5

Traffic changes between maximum: **RS40 and SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+ 4 U	+39	+3	+5

**METRO SCHOOL BOARD REPORT**

Projected student generation existing RS40 district: 0 Elementary 0 Middle 0 High

Projected student generation proposed SP-R district: 0 Elementary 0 Middle 0 High

The proposed SP-R will generate no additional students.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

1. Permitted land uses shall be limited to up to 4 detached single-family residential dwelling units.
2. Per the conditions of approval of Phase 1, add the following notes to the corrected copy to be provided to Planning Staff:
  - a. All grading and construction work on the property shall take place between the hours of 7:00 am and 7:00 pm Monday through Friday, and 9:00 am through 7:00 pm on Saturday and Sunday. The Department of Codes Administration shall have the authority to enforce such work hour limitations.
  - b. All construction-related parking and staging shall be onsite. No construction vehicles shall be permitted to use on-street parking
  - c. The exterior façade of all structures shall be constructed using brick, stone, and/or fiber cement siding.
3. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Council approval, the property shall be subject to the standards, regulations and requirements of the RM9 zoning district as of the date of the application request or application.

4. A corrected copy of the preliminary SP plan incorporating the conditions of approval by the Metro Council shall be provided to the Planning Commission prior to or with the final site plan application.
5. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering, or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
6. 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.

Approve with conditions and disapprove without all conditions. (8-0), Consent Agenda

**Resolution No. RS2014-305**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2013SP041-003 is **Approved with conditions and disapproved without all conditions. (8-0)**”

**CONDITIONS**

1. Permitted land uses shall be limited to up to 4 detached single-family residential dwelling units.
2. Per the conditions of approval of Phase 1, add the following notes to the corrected copy to be provided to Planning Staff:
  - a. All grading and construction work on the property shall take place between the hours of 7:00 am and 7:00 pm Monday through Friday, and 9:00 am through 7:00 pm on Saturday and Sunday. The Department of Codes Administration shall have the authority to enforce such work hour limitations.
  - b. All construction-related parking and staging shall be onsite. No construction vehicles shall be permitted to use on-street parking
  - c. The exterior façade of all structures shall be constructed using brick, stone, and/or fiber cement siding.
3. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Council approval, the property shall be subject to the standards, regulations and requirements of the RM9 zoning district as of the date of the application request or application.
4. A corrected copy of the preliminary SP plan incorporating the conditions of approval by the Metro Council shall be provided to the Planning Commission prior to or with the final site plan application.
5. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering, or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

**10. 2014SP-077-001**

**SHELTON & WINDSOR**

Map 072-03, Parcel(s) 343

Council District 07 (Anthony Davis)

Staff Reviewer: Melissa Sajid

A request to rezone from RS7.5 to SP-R zoning for property located at 1126 Shelton Avenue, at the southwest corner of Shelton Avenue and Windsor Avenue, (0.31 acres), to permit up to three detached residential dwelling units, requested by Dale & Associates, applicant; Jeff Kendig, owner.

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

**APPLICANT REQUEST**

**Permit three residential dwelling units.**

Preliminary SP

A request to rezone from Single-Family Residential (RS7.5) to Specific Plan-Residential (SP-R) zoning for property located at 1126 Shelton Avenue, at the southwest corner of Shelton Avenue and Windsor Avenue, (0.31 acres), to permit up to three detached residential dwelling units.

### **Existing Zoning**

Single-Family Residential (RS7.5) requires a minimum 7,500 square foot lot and is intended for single-family dwellings at a density of 4.94 dwelling units per acre. *RS7.5 would permit a maximum of 1 unit.*

### **Proposed Zoning**

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

### **CRITICAL PLANNING GOALS**

- Supports Infill Development
- Supports a Variety of Transportation Choices

The SP creates an opportunity for infill housing as it adds additional density in an area served by adequate infrastructure. In addition, the site is served by an existing transit routes that runs along Gallatin Pike and Greenfield Avenue which will be supported by the additional density proposed by the SP.

### **EAST NASHVILLE COMMUNITY PLAN**

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

#### Consistent with Policy?

Yes, the proposed SP is consistent with the Urban Neighborhood Maintenance policy. The policy is intended to preserve the character of the existing neighborhood in terms of its development pattern, building form, land use and the public realm. Also, the rezoning request is a site plan based district that encourages flexibility in design so that the result is well suited to the subject property and the neighborhood.

### **PLAN DETAILS**

The site is located at the southwest corner of the intersection of Shelton Avenue and Windsor Avenue, east of Gallatin Pike. Currently the site is vacant. Surrounding zoning is RS7.5, CL, MUL-A, and PUD, and the area is characterized by a mixture of uses. The site is also located within the Inglewood Place National Register Eligible Historic District.

#### Site Plan

The plan proposes three detached residential units. Unit 1 is oriented toward Shelton Avenue and includes a side façade on Windsor Avenue while units 2 and 3 both front Windsor Avenue. The maximum height of the units will be two stories in 35' measured to the roof pitch.

Architectural elevations have not been included with the preliminary SP, but notes that address design are incorporated into the SP. The design notes address doorway placement, glazing, window orientation and porches. Also, EIFS and vinyl siding will not be permitted as building materials. The architectural notes also address the side façade of Unit 1 that fronts on Windsor Avenue; this side façade is also subject to the 25% glazing requirement for front façades.

Vehicular access to the site for all proposed units is from Windsor Avenue. All units include two parking spaces located in individual garages. Existing sidewalks are located along the Shelton Avenue frontage, and the SP proposes to continue the existing sidewalk network along the Windsor Avenue frontage. Interior sidewalks are provided that connect the units to the public sidewalks.

### **ANALYSIS**

The proposed SP is consistent with the Urban Neighborhood Maintenance and meets two critical planning goals. Although Historical Commission staff has recommended disapproval, planning staff finds that the proposed design is appropriate as the site is located at a corner and is in close proximity of a commercial corridor. Therefore, staff recommends approval with conditions and disapproval without all conditions.

### **FIRE MARSHAL RECOMMENDATION**

#### **Approved with conditions**

- Fire Code issues for the structures will be addressed at permit application review

### **HISTORICAL COMMISSION RECOMMENDATION**

#### **Disapprove with conditions**

- The plan is located within the Inglewood Place National Register--Eligible Historic District. The Metropolitan Historical Commission (MHC) recommends disapproval of the plan as submitted. The MHC would recommend approval of the plan with the following conditions: combine Units 1 and 2 into one principal building oriented to Shelton with the separate, subordinate Unit 3 oriented to Windsor. The principal building should follow the setbacks established by adjacent historic buildings, and both

infill buildings should be visually compatible (height, scale, massing, etc.) with adjacent historic buildings to best align with historic development patterns and preserve the historic context of the National Register-Eligible Inglewood Place Historic District.

- The MHC is charged to apply the Secretary of the Interior’s Standards for the Treatment of Historic Properties (the Standards) to all National Register-listed and National Register-eligible properties and districts when reviewing cases. Additionally, the MHC is a Certified Local Government (CLG). The National Register of Historic Places, the CLG program, and the Standards were created through the National Historic Preservation Act of 1966 and subsequent amendments as well as the Tax Reform Act of 1976 and subsequent codified regulations.

**STORMWATER RECOMMENDATION**

**Conditional if approved**

- Show a site discharge into an adequate downstream conveyance (if adding pipe, can add note stating that it may be required but will be evaluated during construction drawing review).

**TRAFFIC & PARKING RECOMMENDATION**

**No exception taken**

**WATER SERVICES RECOMMENDATION**

**Approved**

- Approved as Preliminary SP.
- For Final SP approval, the required public construction plans must be approved, and the required capacity fees (1-year commitment) must be paid.

**PUBLIC WORKS RECOMMENDATION**

**No exception taken**

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

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.31	5.80 D	1U	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
Single-Family Residential (210)	0.31	-	3 U	29	3	4

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+ 2 U	+19	+2	+2

**SCHOOL BOARD REPORT**

**Projected student generation existing RS7.5 district: 0 Elementary 0 Middle 0 High**

**Projected student generation proposed SP-R district: 0 Elementary 0 Middle 0 High**

The proposed SP-R zoning district would not generate any more students than what is typically generated under the existing RS7.5 district. Students would attend Dan Mills Elementary School, Isaac Litton Middle School, and Stratford High School. Dan Mills Elementary School has been identified as over capacity. There is capacity within the cluster for elementary school students. This information is based upon data from the school board last updated September 2013.

## STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

### CONDITIONS

1. Uses within the SP shall be limited to three residential units.
2. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM9 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
3. The final site plan shall include architectural elevations showing raised foundations of 18-36" for residential buildings.
4. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
5. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
6. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Approved with conditions and disapprove without all conditions. (8-0), Consent Agenda

### **Resolution No. RS2014-306**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2014SP-077-001 is **Approved with conditions and disapproved without all conditions. (8-0)**"

### CONDITIONS

1. **Uses within the SP shall be limited to three residential units.**
2. **If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM9 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.**
3. **The final site plan shall include architectural elevations showing raised foundations of 18-36" for residential buildings.**
4. **A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.**
5. **Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.**
6. **The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.**

## 11. 2014SP-079-001

### 1614 & 1616 4TH AVENUE NORTH

Map 082-05, Parcel(s) 106-107

Council District 19 (Erica S. Gilmore)

Staff Reviewer: Jason Swaggart

A request to rezone from CS to SP-R zoning for properties located at 1614 and 1616 4th Avenue North, approximately 115 feet south of Garfield Street, (0.4 acres), to permit up to seven detached residential dwelling units, requested by Dale & Associates, applicant; T & J Holdings IV, LLC, owner.

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

### APPLICANT REQUEST

**Preliminary SP to permit seven residential units.**

#### Preliminary SP

A request to rezone from Commercial Services (CS) to Specific Plan – Residential (SP-R) zoning for properties located at 1614 and 1616 4th Avenue North, approximately 115 feet south of Garfield Street, (0.4 acres), to permit up to seven detached residential dwelling units.

### **Existing Zoning**

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

### **Proposed Zoning**

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

### **CRITICAL PLANNING GOALS**

- Supports Infill Development
- Provides a Range of Housing Choices
- Creates Walkable Neighborhoods
- Supports a Variety of Transportation Choices

This area is served by adequate infrastructure, such as roads, water and sewer. Development in areas with adequate infrastructure is more appropriate than development not served with adequate infrastructure because it does not burden Metro with the cost of maintaining new infrastructure. The request provides for an additional housing option in the area. Additional housing options are important to serve a wide range of people with different housing needs. The area is served with a sidewalk network, which provides a safe pedestrian environment, and encourages walking. More intense development fosters walkability and better public transportation because housing, work and conveniences are located within a smaller area, making them more accessible by foot and or public transportation. The immediate area is served by bus service.

### **NORTH NASHVILLE COMMUNITY PLAN**

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

### Consistent with Policy?

Yes. The proposed SP is consistent with the T4 NE land use policy. The proposal would create additional density in an urban area where density is appropriate. As proposed units fronting onto 4<sup>th</sup> Avenue have shallower setbacks consistent with a more urban form. Access is limited to the rear alley which also helps preserve a more urban form.

### **PLAN DETAILS**

The subject site consists of two properties totaling approximately 0.04 acres. The land use on the site is currently office. The site is located on the east side of 4<sup>th</sup> Avenue between Garfield Street and Hume. It is directly across the street from Feher Elementary School which is within a Historic Landmark District. The property adjacent the south side of the property is also within the landmark district (Warner House). This stretch of 4<sup>th</sup> Ave. consist of a variety of uses and housing types including two-family and multi-family residential, office, auto body shop and vacant commercial land.

### Site Plan

Three units front onto 4<sup>th</sup> Avenue and the remaining units sit behind the front three units and face a small open space area.

Structures are limited to two stories in 35 feet. Elevations are not provided; however, the plan provides the following architectural requirements:

- Primary entrances shall be on the street side or courtyard side.
- Glazing shall include at least 25% of the front façade.
- Windows are to be vertically oriented at a ratio of 2:1 or greater.
- EIFIS and vinyl siding are prohibited.
- Finished floor elevations must be elevated between 18" and 30".
- Porches must be at least six feet deep.

Vehicular access will be from the rear alley. Ten perpendicular parking spaces are shown off the ally. The plan also calls for three on street parking spaces. As proposed the plan calls for a ten foot right-of-way (ROW) dedication which is intended to provide adequate room for on street parking and a five foot sidewalk. The plan also shows a ROW dedication along the alley.

### **ANALYSIS**

Staff recommends approval of the proposed plan The plan is consistent with the North Nashville Community plan and meets several critical planning goals.

**HISTORIC ZONING COMMISSION**

N/A

- No comments, per Historic Zoning Administrator.

**FIRE MARSHAL’S OFFICE**

**Approved with conditions**

- Hydrants shall be located within 500' of all parts of every structure via approved hard-surfaced roads. Fire Code issues for the structures will be addressed at permit application review.

**PUBLIC WORKS RECOMMENDATION**

**Approved 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.
- Remove striping for parking within ROW.
- Provide parking on site per Metro Code.

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
Retail (814)	0.4	0.6 F	10,454 SF	485	16	47

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 (230)	0.4	-	7 U	53	6	6

Traffic changes between maximum: **CS** and **SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-432	-10	-41

**STORMWATER RECOMMENDATION**

**Approved with conditions**

- An offsite storm system will be required for this site (may be eliminated during Construction Drawing review if field conditions warrant removal).

**WATER SERVICES RECOMMENDATION**

**Approved**

**METRO SCHOOL BOARD REPORT**

Projected student generation existing **CS** district: 0 Elementary 0 Middle 0 High

Projected student generation proposed **SP-R** district: 0 Elementary 0 Middle 0 High

The proposed development would not generate more students than what would be generated under the existing zoning. Any new student would attend Buena Vista Elementary, John Early Middle School and Pearl – Cohn High School. This information is based upon data from the school board last updated September 2014.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions as it is consistent with the North Nashville Community plan and meets several critical planning goals.

**CONDITIONS**

1. Use in the SP is limited to up to 7 residential units.

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 RM15 zoning district as of the date of the applicable request or application.
3. 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.
4. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Approve with conditions and disapprove without all conditions. (8-0), Consent Agenda

**Resolution No. RS2014-307**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2014SP-079-001 is **Approved with conditions and disapproved without all conditions. (8-0)**”

**CONDITIONS**

1. Use in the SP is limited to up to 7 residential units.
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 RM15 zoning district as of the date of the applicable request or application.
3. 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.
4. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

**12. 2014SP-084-001**

**519 & 521 WEAKLEY AVENUE**

Map 071-10, Parcel(s) 031, 188  
 Council District 02 (Frank R. Harrison)  
 Staff Reviewer: Melissa Sajid

A request to rezone from RS5 to SP-R zoning for properties located at 519 and 521 Weakley Avenue, opposite Fern Avenue, (0.34 acres), to permit up to four residential dwelling units, requested by Ben Jordan, applicant; Margurita Jackson, owner.  
**Staff Recommendation: Disapprove.**

**APPLICANT REQUEST**

**Preliminary SP to permit up to 4 residential units.**

Preliminary SP

A request to rezone from Single-Family Residential (RS5) to Specific Plan-Residential (SP-R) zoning for properties located at 519 and 521 Weakley Avenue, opposite Fern Avenue, (0.34 acres), to permit up to four residential dwelling units.

**Existing Zoning**

Single-Family Residential (RS5) requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 7.41 dwelling units per acre. *RS5 would permit a maximum of 2 units.*

**Proposed Zoning**

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

**CRITICAL PLANNING GOALS**

N/A

**BORDEAUX-WHITES CREEK COMMUNITY PLAN**

Urban Neighborhood Evolving (T4 NE) policy is intended to create and enhance urban neighborhoods that are compatible with the general character of existing urban neighborhoods as characterized by their development pattern, building form, land use and associated public realm, with opportunities for housing choice and improved pedestrian, bicycle and vehicular connectivity. The resulting development pattern may have higher densities than existing urban neighborhoods and/or smaller lots sizes, with



a broader range of housing types providing housing choice. This reflects the scarcity of easily developable land (without sensitive environmental features) and the cost of developing housing.

Consistent with Policy?

No. The Urban Neighborhood Evolving policy is intended to create and enhance the character of the existing neighborhood in terms of its development pattern, building form, land use and the public realm. The policy also emphasizes a high level of pedestrian connectivity. While the proposed residential use is consistent with the Urban Neighborhood Evolving policy, the design of the SP ignores the policy objective to enhance the pedestrian environment. The plan proposes front loaded garages with individual driveways for all four units. This creates an environment that is auto-centric and fails to foster pedestrian connectivity. Staff recommends incorporating one shared driveway which will not only reduce the amount of pavement but also reduce the extent of conflicts between pedestrians and automobiles.

**PLAN DETAILS**

The site is located at 519 and 521 Weakley Avenue, northeast of Baptist World Center Drive and opposite Fern Avenue. Surrounding zoning includes RS5, IWD and IR, and the area is characterized by a variety of land uses. Access to the site is from Weakley Avenue. Alley # 1069 is unbuilt.

Site Plan

The plan proposes two attached duplexes for a total of 4 residential units. The maximum height for all units is 3 stories in 22' at the front setback and 40' maximum.

Access and parking for the units are provided by individual front loaded garages which create two 27' curb cuts that are separated by 23' of grass between the structures. Staff finds that the proposed curb cuts are excessive and do not help to create a pedestrian friendly environment. Furthermore, staff recommends incorporating only one driveway that will serve all units and relocating parking to the rear. The plan could utilize the existing topography which slopes down from the street to provide tuck under garages behind the structures which would provide an alternative to the proposed front loaded garages.

Existing sidewalks are located on the east side of Weakley Avenue; installation of a sidewalk in front of the subject property is not proposed with the SP.

**ANALYSIS**

The SP includes several design elements that do not align with the goals of the Urban Neighborhood Evolving land use policy. The proposed front loaded garages and individual driveways along with the scale and massing fail to provide a consistent streetscape that enhances pedestrian connectivity. Staff recommends incorporating a shared driveway and parking in the rear to minimize negative impacts on the pedestrian environment. As the SP is not consistent with the goals of the Urban Neighborhood Evolving policy to create and enhance the pedestrian environment, staff recommends disapproval.

**FIRE MARSHAL RECOMMENDATION**

**Approve with conditions**

- Fire Code issues for the structures will be addressed at permit application review.

**STORMWATER RECOMMENDATION**

**Approve**

**TRAFFIC & PARKING RECOMMENDATION**

**Returned**

- Comply with road section conditions.

**WATER SERVICES RECOMMENDATION**

**Approve**

**PUBLIC WORKS RECOMMENDATION**

**Returned**

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- If sidewalks are required, then they should be shown on the plan per Public Works standards with the required curb and gutter and grass strip.
- Submit plan to scale. Scale listed appears to be incorrect.
- Indicate that driveway connections to Weakley are to be per ST-323. Driveways are to be a maximum of 22' wide each, at the ROW.
- Indicate only one driveway per lot.
- Submit vertical and horizontal sight distance for the driveway connections for each lot.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.34	8.71 D	2 U	20	2	3

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 (210)	0.34	-	4 U	39	3	5

Traffic changes between maximum: **RS5** and **SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+ 2 U	+19	+1	+2

**SCHOOL BOARD REPORT**

Projected student generation existing RS5 district: 0 Elementary 0 Middle 0 High

Projected student generation proposed SP-R district: 1 Elementary 1 Middle 1 High

The proposed SP-R zoning district would generate three more students than what is typically generated under the existing RS5 zoning district. Students would attend Lillard Elementary School, Joelton Middle School, and Whites Creek High School. All three schools have been identified as having additional capacity. This information is based upon data from the school board last updated October 2014.

**STAFF RECOMMENDATION**

Staff recommends disapproval of the SP as it is not consistent with the goals of the Urban Neighborhood Evolving land use policy.

**CONDITIONS (if approved)**

1. Uses within the SP shall be limited to 4 residential units.
2. Correct purpose note: "The purpose of this SP is to permit up to 4 residential units."
3. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RS3.75 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
4. The final site plan shall include architectural elevations showing raised foundations of 18-36" for residential buildings.
5. The preliminary SP plan approved by the metropolitan council is of such detail that the executive director of the planning department or his designee may waive the submittal of a final site plan.
6. 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 or with final site plan application.
7. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
8. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Ms. Sajid presented the staff recommendation of disapproval.

Ben Jordan, 1011 N 5<sup>th</sup> Street, representing applicant, spoke in favor of the application and clarified that the applicant will live in the area. This project will enhance the area and bring in more people.

**Commissioner Clifton closed the Public Hearing.**

Ms. Farr inquired if staff suggested different design options to the applicant.

Ms. Sajid clarified that staff met with Mr. Jordan early on and urged them to look at that and incorporate that in the design but he was not interested in going in that direction.

Ms. LeQuire asked if the duplexes could be stacked instead of side-by-side to allow for a driveway.

Ms. Sajid noted that stacked would probably address staff concerns but a design to that effect was not presented.

Ms LeQuire suggested leaving two side-by-side and stacking the other two.

Mr. Jordan stated safety concerns and investment concerns due to a 20% crime increase in this area; front loaded garages are preferred.

Councilman Hunt spoke in favor of the application and noted that this area has a lot of potential; trying to help evolve this area into something that is safe and good.

Mr. Blackshear noted that she is leaning towards supporting the application.

Mr. Gee pointed out that there are a lot of different configurations that could be considered and expressed concern that if this is approved, the entire neighborhood will end up garages.

Mr. Clifton stated that he is not sure that he can agree with the staff recommendation due to the specific things that have been mentioned.

**Ms. LeQuire moved and Mr. Gee seconded the motion to disapprove due to the design.**

Ms. Blackshear asked Mr. Jordan if the applicant would be willing to go back and work with planning to find alternate ways to where it would be more consistent with policy.

Mr. Jordan stated that the owner is not a traditional developer; she is just a private citizen and may not have the financial means to continue to go back and forth with the designer.

Ms. Farr noted that there could be some design changes made that may not be terribly expensive.

Ms. LeQuire asked Mr. Jordan if he would consider a deferral.

Mr. Jordan noted that he would consider it, but the owner doesn't have the financial resources to go to great lengths to find another design.

Ms. Blackshear stated that while she likes the design, she can't support it the way it is structured right now.

Mr. Gee clarified that the commission is only making a recommendation to the council; they can do what they wish.

**Vote taken: (4-3) Mr. Haynes, Councilman Hunt, and Mr. Clifton voted against.**

### **Resolution No. RS2014-308**

**"BE IT RESOLVED by The Metropolitan Planning Commission that 2014SP-084-001 is Disapproved. (4-3)"**

## **13. 2014SP-085-001**

### **2208 EASTLAND AVENUE**

Map 083-07, Parcel(s) 300

Map 083-11, Parcel(s) 076, 209

Council District 06 (Peter Westerholm)

Staff Reviewer: Melissa Sajid

A request to rezone from RS7.5 to SP-R zoning for properties located at 2208 Eastland Avenue and Skyview Drive (unnumbered), approximately 775 feet west of Riverside Drive, (3.27 acres), to permit up to 25 detached dwelling units, requested by Dale & Associates, applicant; Upside, LLC, owner.

**Staff Recommendation: Defer indefinitely.**

**The Metropolitan Planning Commission deferred 2014SP-085-001 indefinitely. (8-0)**

**14. 2014SP-086-001**

**204 BEN ALLEN SP**

Map 060, Parcel(s) 050  
Council District 08 (Karen Bennett)  
Staff Reviewer: Melissa Sajid

A request to rezone from RS10 to SP-R zoning for property located at 204 Ben Allen Road, approximately 990 feet east of Dickerson Pike, (4.18 acres), to permit up to 17 dwelling units, requested by Dale & Associates, applicant; Teesdale Properties, owner.

**Staff Recommendation: Defer indefinitely.**

**The Metropolitan Planning Commission deferred 2014SP-086-001 indefinitely. (8-0)**

**15. 2014SP-087-001**

**HAWKEYE HILL**

Map 083-09, Parcel(s) 453-454  
Council District 06 (Peter Westerholm)  
Staff Reviewer: Jennifer Nalbantyan

A request to rezone from R6 to SP-R zoning for properties located at 1505 and 1507 Holly Street, at the northwest corner of Holly Street and Lindsley Park Drive and located within the Lockeland Springs-East End Neighborhood Conservation Overlay District, (0.34 acres), to permit up to four dwelling units on three individual lots, including an existing two-family lot and single-family lot, in addition to a new lot for a single-family dwelling, requested by REM3 Studio, applicant; Allen and Janice Williams and Hawkeye Realty, LLC, owners.

**Staff Recommendation: Defer to the January 8, 2015, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2014SP-087-001 to the January 8, 2015, Planning Commission meeting. (8-0)**

**16. 2014SP-088-001**

**BURCHWOOD BUNGALOW**

Map 072-10, Parcel(s) 063  
Council District 05 (Scott Davis)  
Staff Reviewer: Latisha Birkeland

A request to rezone from R6 and CS to SP-R zoning for property located at 1033 Burchwood Avenue, approximately 140 feet west of Gallatin Pike, (0.47 acres), to permit up to eight detached residential dwelling units, requested by SEC, Inc., applicant; Chiquita Hall, owner.

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

**APPLICANT REQUEST**

**Zone change to permit eight detached dwelling units.**

Preliminary SP

A request to rezone from One and Two-Family Residential (R6) and Commercial Service (CS) to Specific Plan-Residential (SP-R) zoning for property located at 1033 Burchwood Avenue, approximately 140 feet west of Gallatin Pike, (0.47 acres), to permit up to eight detached residential dwelling units.

**Existing Zoning**

One and Two-Family Residential (R6) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25 percent duplex lots. *Half of the lot (.235 acres) is zoned R6 and would permit a maximum of 1 lot with 1 duplex lots for a total of 2 units.*

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

**Proposed Zoning**

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

## **CRITICAL PLANNING GOALS**

- Supports a Variety of Transportation Choices
- Creates Walkable Neighborhoods
- Supports Infill Development
- Provides a Range of Housing Choices

The proposal meets several critical planning goals based on its location and design. This site is located in an area that is served by adequate infrastructure. Development in areas with adequate infrastructure is more appropriate than development not served with adequate infrastructure such as roads, water and sewer, because it does not burden Metro with the cost of maintaining new infrastructure. Bus service is present along Gallatin Pike, one block away. Increased density through infill development makes bus service and similar transit services more feasible because it generates more riders. The proposal includes a much needed sidewalk to help provide an improved pedestrian connection to Gallatin Pike.

## **EAST NASHVILLE COMMUNITY PLAN**

T4 Urban Community Center (T4 CC) policy is intended to preserve, enhance, and create urban community centers encouraging their development and redevelopment as intense mixed use areas that are compatible with the general character of urban neighborhoods as characterized by the service area, development pattern, building form, land use, and associated public realm. Where not present, enhance infrastructure and transportation networks to improve pedestrian, bicycle and vehicular connectivity. T4 Urban Community Centers are pedestrian friendly areas, generally located at intersections of prominent urban streets. T4 Urban Community Centers serve urban communities within a 5 minute drive or a 5 to 10 minute walk.

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

### Consistent with Policy?

Yes. The property is split between T4 Urban Community Center policy on the portion closest to Gallatin Pike and T4 Urban Neighborhood Maintenance Policy on the portion furthest from Gallatin Pike. The Detailed Land Use Policies contained in the East Hill, Renraw, and South Inglewood (West) Detailed Neighborhood Design Plan (DNBP) identifies Mixed Use on the east side of the parcel, and Single Family Detached, on the west side of the parcel. This plan identifies the need to redevelop properties with a mixture of retail, office and residential uses within. The proposed detached residential units provide a mixture of single-family housing types in a strategic location within Subdistrict 1 and 4. New housing in this location will support the businesses along Gallatin Pike and established transit service, while providing a transition to the established residential neighborhood.

## **PLAN DETAILS**

The site is located along Burchwood Avenue, west of Gallatin Pike in East Nashville. The proposed plan permits up to eight detached residential units. The existing structure is noted as being worthy of conservation; the applicant is not retaining the structure. The dwelling units will have vehicular access from Burchwood Avenue served by two, 20 foot private drives. Each dwelling unit will have two car garages, meeting the parking requirement for the units.

The proposed SP provides a sidewalk along the frontage of 1033 Burchwood Avenue and unit will have a connection to the new sidewalk. A six foot tall wooden (opaque) shadowbox fence shall be required along the west and north sides of the parcel. The applicant has provided some landscaping along the property lines. However, staff recommends that a Type "B" landscape buffer yard be established along the west and north property line to buffer the surrounding residential buildings. Additional landscaping will be placed within the courtyard the SP.

Conceptual building elevation drawings have been submitted and architectural standards been included on the plan. Final elevation drawings shall be provided with the final site plan. The standards include that buildings shall have façade requirements on all facades fronting a street, courtyard and parking area. The front facades for type "B" buildings shall include porches. The proposed residential units shall have a maximum height limitation of 38 feet, measured to roofline.

## **ANALYSIS**

The SP is consistent with the proposed community character policy and meets several critical planning goals. Metro Historic Zoning Commission has identified this building as Worthy of Conservation. Currently the building on the site is not protected by a historic overlay and could be demolished to permit new development consistent with the existing R6 and CS zoning districts. Metro Historic Zoning Staff is recommending approval of the project and encouraging the applicant to consider salvaging some of the elements of the house.

The proposed SP supports both policies by allowing more density, in an ideal location, that will support the commercial uses along Gallatin Pike and the existing transit service. The proposed detached residential units will also provide a strategic transition from a major corridor to the existing detached residential structures along Burchwood Avenue.

**HISTORIC ZONING COMMISSION RECOMMENDATION****Approved**

- The project will result in the demolition of a Worth of Conservation property. Staff encourages the applicant to consider salvage of some elements of the house.

**FIRE MARSHAL RECOMMENDATION****Approve with conditions**

- Received revised plans showing a 20' wide FD access road as required. Hydrants shall be located within 500' of all parts of every structure via approved hard-surfaced roads. Water flow requirements for single-family homes that do not exceed 3600 sq. ft. is a minimum of 1000 gpm @ 20 psi. Provide this data to pre-approve the future homes.

**STORMWATER RECOMMENDATION****Approved with comments**

- Detention may be required (to be determined during construction drawing review).
- Downstream improvements may be required (to be determined during construction drawing review).

**WATER SERVICES RECOMMENDATION****Approved**

- Approved as Preliminary SP. Applicant will need to pay required Capacity Fees and have approved Construction Plans before the Final SP can be approved.

**TRAFFIC AND PARKING RECOMMENDATION****Conditions if approved**

- Post no parking along Burchwood frontage. Parking restriction may require T&P approval.

**PUBLIC WORKS RECOMMENDATION****Approve with conditions**

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

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential (210)	0.235	7.26 D	2 U*	20	2	3

\*Based on one two-family lot.

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
Retail (814)	0.235	0.6 F	6,141 SF	301	13	37

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
Single-Family Residential (210)	0.47	-	8 U	77	6	9

Traffic changes between maximum: R6 and CS and SP-R

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-244	-9	-31

**METRO SCHOOL BOARD REPORT**

Projected student generation existing R6 and CS district: 0 Elementary 0 Middle 0 High

Projected student generation proposed SP-R district: 1 Elementary 1 Middle 1 High

The proposed SP-R zoning district could generate 3 more students than what is typically generated under the existing R6 and CS zoning district. Students would attend Hattie Cotton Elementary, Gra- Mar Middle School, and Maplewood High School. Hattie Cotton Elementary has been identified as over capacity. There is capacity within the cluster for elementary school students. This information is based upon data from the school board last updated September 2014.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions. The proposed SP is consistent with the T4 Urban Community Center and T4 Neighborhood Maintenance of the East Nashville Community Plan.

**CONDITIONS**

1. No structure shall be more than three stories and shall be limited to a maximum height of 38 feet, measured to the roofline. Building elevations for all street facades shall be provided with the final site plan. Each of the proposed street facades shall have a distinct design and composition. The following standards shall be met:
  - a. Building facades fronting a street, courtyard and parking area shall provide a minimum of one principal entrance (doorway) and a minimum of 25% glazing. Type "B" buildings shall have front porches facing Burchwood Avenue.
  - b. Windows shall be vertically oriented at a ratio of 2:1 or greater.
  - c. EIFS and vinyl siding shall be prohibited.
2. Type "B" landscape buffer yard shall be required along the west and north property lines.
3. A 6 foot opaque fence shall be required along the west and north property lines. Fence elevations shall be submitted with the final site plan.
4. Uses within this SP shall be limited to a maximum of eight residential units.
5. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM20-A zoning district as of the date of the applicable request or application.
6. The final site plan shall include architectural elevations showing raised foundations of 18-36" for residential buildings.
7. Add the following note to plan: Ownership for units may be divided by a Horizontal Property Regime or a subdivision with a minimum lot size of 1,000 square feet.
8. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
9. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
10. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
11. In association with the final site plan application, architectural elevations shall be submitted and approved by the Planning Department showing units facing the courtyard and Burchwood to be consistent with the elevations submitted on November 17, 2014, and consistent with all other conditions of approval. The recommended approval for the preliminary SP does not include the architectural elevations submitted December 8, 2014.

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

Gary Wisniewski, 6064 Central Pike, spoke in favor of the application.

Doug Jenkins, engineer, spoke in favor of the application.

Councilman Scott Davis spoke in favor of the application with a condition to keep parking off Burchwood.

Mr. Bernhardt clarified that all parking is on-site, not on the street.

Mr. Leeman stated that the plan before them is the one that was presented, not the one the applicant handed out. The second plan might be approved but the other reviewing agencies have not had a chance to review it.

Mr. Bernhardt noted that it is unclear from the applicant which plan he wants approval on.

Mr. Leeman stated that he would recommend a one meeting deferral to allow the other agencies to review.

Mr. Wisniewski clarified that he is good with either plan; he just wants the project to move forward.

Kathy Parris, 1006 Burchwood Ave, spoke in opposition to the application.

Steve Hager, 1027 Burchwood Ave, spoke in opposition to the application due to safety concerns with service vehicles trying to get in and out of the area.

Ruben (last name unclear), 1026 Burchwood Ave, spoke in opposition to the application and asked why four couldn't work instead of eight. It is not pedestrian friendly for the entire neighborhood.

Jeanette Porrazzo, 915 Spain Avenue, spoke in opposition to the application and asked why beautiful houses that are in good condition are being torn down.

Shan Canfield, 1016 Spain Ave, spoke in opposition to the application and noted that the area is too congested and that is too many houses for that property.

Mr. Wisniewski asked for approval.

**Commissioner Clifton closed the Public Hearing.**

Mr. Gee noted that the discussion needs to be related to the plan that was presented and noted that from a historical standpoint, he hates to lose a beautiful stone bungalow.

Ms. LeQuire asked why we are doing anything in this area; could it just stay the way it is.

Mr. Leeman noted that rezoning this would allow for a multi-unit development that would provide a slightly higher density transition to the main corridor.

Ms. Farr noted that this feels like a very suburban development stuck right in the middle of Gallatin Road; does not feel compatible and does not seem like the appropriate way to get to increased density off of Gallatin Road.

Mr. Clifton stated that there is some confusion due to two different proposals – property owners, developers, and neighbors deserve our best analysis but we don't seem to be getting there tonight.

Mr. Gee noted concerns with some design issues related to both plans.

Mr. Gee moved and Ms. Farr seconded the motion to disapprove for design purposes and compatibility with the neighborhood.

Mr. Gee stated that he would entertain a deferral, also.

Mr. Clifton noted that deferral seems to be the way to go.

Mr. Gee withdrew his motion; Ms. Farr withdrew her second.

**Mr. Gee moved and Mr. Haynes seconded the motion to defer in order to allow the applicant the opportunity to meet with the community and the councilman, discuss the concerns, and potentially bring back a different plan. (7-0)**

**The Metropolitan Planning Commission deferred 2014SP-088-001 to the January 8, 2015, Planning Commission meeting. (7-0)**



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## K. PLANNING COMMISSION ACTIONS

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

### **Planned Unit Developments: final site plans**

#### **17. 144-66P-003**

##### **OVERLOOK AT NASHVILLE WEST (REVISION & FINAL)**

Map 102, Parcel(s) 050

Council District 20 (Buddy Baker)

Staff Reviewer: Jason Swaggart

A request to revise the preliminary plan and for final site plan approval for a portion of the Overlook at Nashville West Commercial Planned Unit Development Overlay District for property located at 6834 Charlotte Pike, approximately 525 feet west of Templeton Drive, zoned CL, (6.04 acres), to revise a portion of the approved PUD and for final site plan to permit 9,800 SF of restaurant uses and 70,000 SF of hotel uses where 10,101 square feet of restaurant uses and 70,000 SF of hotel uses were previously approved, requested by Littlejohn, applicant; Nashville West Shopping Center, LLC, owner.

**Staff Recommendation: Approve with conditions.**

##### **APPLICANT REQUEST**

**Revision and final to a portion of a Planned Unit Development to permit 9,800 SF of restaurant uses and 70,000 SF of hotel uses.**

##### Revise Preliminary PUD and Final Site Plan

A request to revise the preliminary plan and for final site plan approval for a portion of the Overlook at Nashville West Commercial Planned Unit Development Overlay District for property located at 6834 Charlotte Pike, approximately 525 feet west of Templeton Drive, zoned Commercial Limited (CL), (6.04 acres), to revise a portion of the approved PUD and for final site plan to permit 9,800 SF of restaurant uses and 70,000 SF of hotel uses where 10,101 square feet of restaurant uses and 70,000 SF of hotel uses were previously approved.

##### **Existing Zoning**

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

Planned Unit Development Overlay District (PUD) is an alternative zoning process that allows for the development of land in a well-planned and coordinated manner, providing opportunities for more efficient utilization of land than would otherwise be permitted by the conventional zoning provisions of this title. The PUD district may permit a greater mixing of land uses not easily accomplished by the application of conventional zoning district boundaries, or a framework for coordinating the development of land with the provision of an adequate roadway system or essential utilities and services. This PUD plan in return, the PUD district provisions require a high standard for the protection and preservation of environmentally sensitive lands, well-planned living, working and shopping environments, and an assurance of adequate and timely provision of essential utilities and streets. *The subject PUD permits a variety of commercial uses.*

##### **CRITICAL PLANNING GOALS**

N/A

##### **PLAN DETAILS**

The site is located on the north side of Charlotte Pike abutting I-40 to the north. Nashville West is just to the east. Abandoned buildings including an old hotel and old restaurant sit on the subject site. The Planned Unit Development (PUD) was originally approved in 1966 for various commercial uses. In 2009, the Planning Commission approved a revision and final site plan for a 10,101 square foot restaurant and a 70,000 square foot hotel. The 2009 approval is the last approved plan.

##### Site Plan

The plan identifies two phases. Phase 1 includes two buildings that are identified as restaurants. The total floor area between the buildings is 9,800 square feet. Phase 2 includes a 70,000 square foot, 117 room hotel.

Primary access into the site will be from Charlotte Pike. Access is also proposed to Nashville West. Parking is provided as required by Code. Sidewalks are shown along Charlotte Pike. An internal sidewalk network is also shown.

##### **ANALYSIS**

The primary change to the plan is to the area currently approved for a restaurant. The plan calls for two smaller buildings where one larger building is approved. There is little to no change proposed elsewhere on the plan. Being minor in nature, staff finds that the proposal is consistent with the overall plan approved by Council. Since the request does not propose any

major changes then staff finds the request can be approved as a revision not requiring Council approval.

Section 17.40.120.G permits the Planning Commission to approve "minor modifications" under certain conditions. Staff finds that the request is consistent with all the requirements of Section 17.40.120.G, which is provided below for review.

G. Status of Earlier Planned Unit Developments (PUDs). The following provisions shall apply to a planned unit development (PUD) approved under the authority of a previous zoning code and remaining a part of the official zoning map upon the enactment of this title.

1. The planned unit development (PUD) shall be recognized by this title according to the master development plan and its associated conditions specified in the PUD ordinance last approved by the metropolitan council prior to the effective date of the ordinance codified in this title.
2. The planning commission may consider and approve minor modifications to a previously approved planned unit development subject to the following limitations. All other modifications shall be considered by the planning commission as an amendment to the previously approved planned unit development and shall be referred back to the council for approval according to the procedures of Section 17.40.120(A)(5). That portion of a planned unit development master plan being amended by the council shall adhere to all provisions of this code:
  - a. In the judgment of the commission, the change does not alter the basic development concept of the PUD;
  - b. The boundary of the planned unit development overlay district is not expanded;
  - c. There is no change in general PUD classification (e.g. residential to any classification of commercial or industrial PUD; any change in general classification of a commercial PUD; or any change in general classification of an industrial PUD);
  - d. There is no deviation from special performance criteria, design standards, or other specific requirements made part of the enacting ordinance by the council;
  - e. There is no introduction of a new vehicular access point to an existing street, road or thoroughfare not previously designated for access;
  - f. There is no increase in the total number of residential dwelling units originally authorized by the enacting ordinance;
  - g. There is no change from a PUD approved exclusively for single-family units to another residential structure type;
  - h. The total floor area of a commercial or industrial classification of PUD shall not be increased more than ten percent beyond the total floor area last approved by the council;
  - i. If originally limited to office activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
  - j. If originally limited to office, retail and other general commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to include industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
  - k. If originally limited to commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
  - l. In the determination of the commission, the nature of the change will have no greater adverse impact on those environmentally sensitive features identified in Chapter 17.28 of this code than would have occurred had the development proceeded in conformance with the previous approval.
  - m. In the judgment of the commission, the planned unit development or portion thereof to be modified does not meet the criteria for inactivity of Section 17.40.120.H.4.a.

#### **FIRE MARSHAL'S OFFICE**

##### **Approved with conditions**

- Fire Code issues for the structures will be addressed at permit application review.

#### **PUBLIC WORKS RECOMMENDATION**

##### **Approved 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.
- Prior to any construction within the ROW on Charlotte, submit TDOT approval letter to MPW. Revisions to the plan may be requested to obtain TDOT approval. Identify existing eastbound merge striping area on Charlotte Pk from 2 lanes to 1 lane section on the road construction plan.
- Remove the proposed steps from within the ROW prior to building permit approval.

#### **STORMWATER RECOMMENDATION**

##### **Approve with conditions**

1. Please succinctly verify the area of disturbance in this phase of the project. It will affect the plan review fee, grading permit fee, calculations, and the technical review comments.
2. Please verify the plan review and grading permit fees and remit payment for both.
3. Submit executed Long Term Maintenance Plan documents and associated fees (\$5/page + \$2 flat fee).
4. Provide documentation that clearly demonstrates the BMPs proposed will (bioretention, ponds) treat the first 1 inch of water that falls to your site and remove 80%TSS. The engineering report and segmenting of the site is confusing.
  - a. Provide a cogent executive summary or some similar report. Include:
    - i. Calculations showing the flows to the site for each design storm
    - ii. Proportions of the flow handled by each BMP and the equivalent volumetric flow
    - iii. The modified land use characteristics: CN, Tv required, Tv provided.
5. Clean silt fences at 1/3 full not 1/2.
6. Stabilize steep slopes within 15 days, not 20.
7. No dirt is allowed to be tracked from the site. See C1 Note 13.
8. Are you planning to disturb off-site areas? See C1 note 4.
9. No inlet protection is allowed in the right of way.
10. Add headwalls to the culvert beneath the construction entrance
11. Add riprap to all headwall outlets.
12. Modify the sedimentation basin to meet TDEC Standards. Provide calculations to support sizing.
  - a. See page 222/406 of the pdf version of the Erosion Control Handbook by TDEC
  - b. Add a forebay
  - c. Check the volumes and elevations
  - d. Modify the design to obtain the 4:1 length to width ratio
    - i. Add a baffle if necessary
    - ii. Move the outlet if necessary
13. In general:
  - a. All pipe connected to MWS infrastructure is to be RCP or CMP 15" or larger.
14. All storm sewer pipe runs 50' or less shall be 15". Longer runs shall be 18" diameter or equivalent or larger. See MWS Volume 2 Section 6.1.4 for details. Update drainage structures on C4.0 accordingly.
15. On drawing C4.0, I could not
  - a. Locate B3, B4, and F2.
  - b. Identify: D3, O3, or C5
16. Drawing C4.0 shows storm flow spread over the footpaths. Please follow-up with Public Works on this issue.
17. The detail on drawing C6.2 for downspout collectors references lead and oakum caulk. These materials are not permitted.
18. Limit spread to 8'. See SWMM Vol. 2.
19. Provide elevations showing the hydraulic grade lines and the grade elevations. Make sure there is 1' minimum between them.
20. RCP and CMP pipe are required in all Metro right of ways. Plastic storm pipe is not permitted.
21. C4.1 shows a note regarding pervious pavement. I did not see calculations or details for this pavement elsewhere. Please provide details.
22. All stone to be prewashed and free of fines.
23. Use the MWS standard proportions for bioretention media and show it on drawing C6.1
24. The bottom storage stone layer is to be flat.
25. Resize the underdrain to meet Volume 4.
26. Provide a list of plantings showing ratio of trees to shrubs, quantities, and species used.
27. Provide a landscape plan on drawing L1.
28. Provide citation for the Metro requirements in the engineer's report.
29. Submit a certification from the BMPs manufacturer stating that they chose the model and sized the proprietary unit according to MWS standards.

## **WATER SERVICES**

### **Approved with conditions**

- This approval only applies if Phase 1 and Phase 2 are contained on the same lot. If Phase 2 is to be parcelled off from Phase 1 as a separate lot, than public construction plans will be required for Phase 2. Separate lots may not share private water or sewer service lines.
- The required capacity fees are paid at Permits stage.

### **STAFF RECOMMENDATION**

Staff recommends approval with conditions.

### **CONDITIONS**

1. The Nashville West PUD must be revised to include the connection identified on the plan. The current approval is for the portion of the drive located within the subject PUD only.
2. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.

3. 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.
4. 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. Billboards are prohibited.
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. 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.
7. 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.

Approve with conditions. (7-0-1), Consent Agenda.

**Resolution No. RS2014-309**

"BE IT RESOLVED by The Metropolitan Planning Commission that 144-66P-003 is **Approved with conditions. (7-0-1)**"

**CONDITIONS**

1. The Nashville West PUD must be revised to include the connection identified on the plan. The current approval is for the portion of the drive located within the subject PUD only.
2. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
3. 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.
4. 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. Billboards are prohibited.
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. 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.
7. 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.

**18. 154-79P-001**

**LIONS HEAD VILLAGE WEST (PARKING LOT REVISIONS)**

Map 103-14, Parcel(s) 115  
 Council District 24 (Jason Holleman)  
 Staff Reviewer: Lisa Milligan

A request to revise the preliminary plan and for final site plan approval for a portion of the Lions Head Village West Planned Unit Development Overlay District for property located at 26 White Bridge Pike, approximately 115 feet north of Brookwood Terrace, zoned SCC, (9.24 acres), to add a traffic signal at an existing entrance location and to permit a revised parking lot layout to accommodate the proposed traffic signal, requested by Kimley-Horn, applicant; Dayton-Hudson, Corp., owner.

**Staff Recommendation: Approve with conditions.**

**APPLICANT REQUEST**

**Revise preliminary plan and final site plan approval for portion of Lions Head Village West PUD.**

Revise Preliminary PUD and Final Site Plan

A request to revise the preliminary plan and for final site plan approval for a portion of the Lions Head Village West Planned Unit Development Overlay District for property located at 26 White Bridge Pike, opposite Brookwood Terrace, zoned Shopping Center Community (SCC) (9.24 acres), to add a traffic signal at an existing entrance location and to permit a revised parking lot layout to accommodate the proposed traffic signal.

**Existing Zoning**

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

## CRITICAL PLANNING GOALS

N/A

## ANALYSIS

The Lions Head Village West PUD is located on the north side of White Bridge Road, opposite Brookwood Terrace. The PUD was approved by Council in 1979 to allow for retail and office uses. The most recent revision in July 2005 was to allow for an expansion of the retail building.

The requested revision is to add a traffic signal at an existing entrance location and to revise the parking lot layout to accommodate the proposed traffic signal. The number of parking spaces will be reduced from 502 to 469. Even with the reduction, the number of spaces provided will exceed the minimum required by the Zoning Ordinance by 50 spaces.

No changes are being proposed that conflict with the concept of the Council approved plan. No additional building area is being added and no uses are being added. Consequently, staff finds that the proposed revision is a minor modification.

Section 17.40.120.G permits the Planning Commission to approve "minor modifications" under certain conditions. Staff finds that the request is consistent with all the requirements of Section 17.40.120.G, and is provided below for review.

G. Status of Earlier Planned Unit Developments (PUDs). The following provisions shall apply to a planned unit development (PUD) approved under the authority of a previous zoning code and remaining a part of the official zoning map upon the enactment of this title.

1. The planned unit development (PUD) shall be recognized by this title according to the master development plan and its associated conditions specified in the PUD ordinance last approved by the metropolitan council prior to the effective date of the ordinance codified in this title.
2. The planning commission may consider and approve minor modifications to a previously approved planned unit development subject to the following limitations. All other modifications shall be considered by the planning commission as an amendment to the previously approved planned unit development and shall be referred back to the council for approval according to the procedures of Section 17.40.120(A)(5). That portion of a planned unit development master plan being amended by the council shall adhere to all provisions of this code:
  - a. In the judgment of the commission, the change does not alter the basic development concept of the PUD;
  - b. The boundary of the planned unit development overlay district is not expanded;
  - c. There is no change in general PUD classification (e.g. residential to any classification of commercial or industrial PUD; any change in general classification of a commercial PUD; or any change in general classification of an industrial PUD);
  - d. There is no deviation from special performance criteria, design standards, or other specific requirements made part of the enacting ordinance by the council;
  - e. There is no introduction of a new vehicular access point to an existing street, road or thoroughfare not previously designated for access;
  - f. There is no increase in the total number of residential dwelling units originally authorized by the enacting ordinance;
  - g. There is no change from a PUD approved exclusively for single-family units to another residential structure type;
  - h. The total floor area of a commercial or industrial classification of PUD shall not be increased more than ten percent beyond the total floor area last approved by the council;
  - i. If originally limited to office activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
  - j. If originally limited to office, retail and other general commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to include industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
  - k. If originally limited to commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
  - l. In the determination of the commission, the nature of the change will have no greater adverse impact on those environmentally sensitive features identified in Chapter 17.28 of this code than would have occurred had the development proceeded in conformance with the previous approval.
  - m. In the judgment of the commission, the planned unit development or portion thereof to be modified does not meet the criteria for inactivity of Section 17.40.120.H.4.a.

The proposal is for a revision to the preliminary plan and for final site plan approval to add a traffic signal at an existing entrance location and to revise the parking lot layout to accommodate the proposed traffic signal. As the proposed revision keeps with the overall intent of the PUD and the final site plan is consistent with the Zoning Code, planning staff recommends approval of the request.

**FIRE MARSHAL RECOMMENDATION**

N/A

**STORMWATER RECOMMENDATION**

Ignore

**PUBLIC WORKS RECOMMENDATION**

**Approved 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.
- Prior to initiation of construction submit verification of TDOT approval to MPW.
- Signal Plans must be approved by the Metro Traffic and Parking Commission.

**TRAFFIC & PARKING RECOMMENDATION**

**Approve with conditions**

- Signal plans will require approval by Metro traffic engineer and T&P commission.

**WATER SERVICES**

**Approved with conditions**

- Add the following note to the plans: Concerning paving work, casting adjustments shall be made on all public water and sewer infrastructure, if needed, according to Metro Water requirements. Anything added to the new parking islands shall not interfere with the operation and maintenance of public water and sewer infrastructure underneath.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions.

**CONDITIONS**

1. 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.
2. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
3. 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.
4. 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.
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. 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.
7. 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.

Approve with conditions. (8-0), Consent Agenda

**Resolution No. RS2014-310**

"BE IT RESOLVED by The Metropolitan Planning Commission that 154-79P-001 is **Approved with conditions. (8-0)**"

**CONDITIONS**

1. 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.
2. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
3. 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.
4. 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.
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. 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.

7. 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.

## 19. 158-77P-005

### HICKORY HOLLOW RETAIL CENTER (PERIODIC REVIEW)

Map 163, Parcel(s) 307

Council District 32 (Jacobia Dowell)

Staff Reviewer: Jason Swaggart

A request to the Metro Planning Department for a periodic review of a portion of a Planned Unit Development Overlay District, located at 771 Bell Road, at the corner of Bell Road and Mt. View Road, zoned R8 (5.87 acres), approved for commercial development, requested by Councilmember Jacobia Dowell, applicant; The Corner, LLC, owner.

**Staff Recommendation: Withdraw.**

**The Metropolitan Planning Commission withdrew 158-7P-005. (8-0)**

## 20. 74-79P-012

### NASHBORO VILLAGE (THE GOLF RETREAT AT NASHVILLE)

Map 135, Part of Parcel(s) 308

Council District 29 (Karen Y. Johnson)

Staff Reviewer: Jason Swaggart

A request to revise a portion of the preliminary plan for the Nashboro Village Planned Unit Development Overlay District for a portion of property located at 171 Bell Road, approximately 1,000 feet south of Nashboro Boulevard, zoned R10 (1.2 acres), to permit up to 20 residential units where a 100-unit, five-story building was previously approved, requested by Wamble & Associates, PLLC, applicant; Nashboro Golf Course, LLC, owner.

**Staff Recommendation: Approve with conditions.**

#### APPLICANT REQUEST

**Revise a portion of a Planned Unit Development to permit 20 residential units.**

#### Revise Preliminary PUD and Final Site Plan

A request to revise a portion of the preliminary plan for the Nashboro Village Planned Unit Development Overlay District for a portion of property located at 171 Bell Road, approximately 1,000 feet south of Nashboro Boulevard, zoned One and Two-Family Residential (R10) (1.2 acres), to permit up to 20 residential units where a 100-unit, five-story building was previously approved.

#### Existing Zoning

*One and Two-Family Residential (R10)* requires a minimum 10,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25 percent duplex lots. *Uses including density on this site is dictated by the PUD Overlay.*

*Planned Unit Development Overlay District (PUD)* is an alternative zoning process that allows for the development of land in a well-planned and coordinated manner, providing opportunities for more efficient utilization of land than would otherwise be permitted by the conventional zoning provisions of this title. The PUD district may permit a greater mixing of land uses not easily accomplished by the application of conventional zoning district boundaries, or a framework for coordinating the development of land with the provision of an adequate roadway system or essential utilities and services. This PUD plan In return, the PUD district provisions require a high standard for the protection and preservation of environmentally sensitive lands, well-planned living, working and shopping environments, and an assurance of adequate and timely provision of essential utilities and streets. *The subject site is part of a larger PUD that permits a variety of residential types including nonresidential uses. The subject site is approved for 100 residential units.*

#### CRITICAL PLANNING GOALS

N/A

#### PLAN DETAILS

The Nashboro Village PUD is located between Murfreesboro Pike and Bell Road south of Smith Springs Road in the Antioch area of Davidson County. The PUD was originally approved by the Metro Council in 1979 for a range of housing types, commercial uses, recreational facilities and a day care center. The PUD was divided into 28 development sites and these have been developed in phases over time. Portions of the PUD have been revised and the master plan updated a number of times.

The main recreational facilities include a golf course, which is the central feature of the PUD, and a tennis facility.

A maintenance building for the golf course is currently on this site. The site is currently approved for a five story multi-family building with a maximum of 100 units. In 2012, a periodic review of the subject site was initiated by the District Councilmember. The Commission determined that it was inactive. The Commission recommended that the PUD be amended to remove the five story building but permit development that is in scale with other development along Bell Road not exceeding 100 units. Furthermore, the Commission indicated in the resolution that this change could be considered as a revision. The PUD was not amended as recommended by the Commission.

#### Site Plan

The plan calls for a total of 20 multi-family townhome units. Units are divided into four separate pods. Access into the site will be from a single, gated drive from Bell Road. The plan provides a cart pathway to the existing cart pathway located on the neighboring golf course.

#### **ANALYSIS**

The plan is consistent with the Commission's previous recommendation to Council and the changes are minor in nature and do not require Council approval. Sidewalks are required for this project. Sidewalks shall be required on site along Bell Road, off site at an appropriate location or a payment may be made in lieu of constructing the sidewalks. If off site sidewalks are the preferred option of the applicant, then the developer shall work with Planning and Public Works to determine the appropriate location for the required 404 feet of sidewalk. Construction plans for any off site sidewalks shall be approved by the Planning Department and the Public Works prior to the approval of any final site plan. The contribution shall be \$38,784 and must be paid prior to the approval of any final site plan.

Staff finds that the proposal is a minor revision and does not require Council approval. Section 17.40.120.G permits the Planning Commission to approve "minor modifications" under certain conditions. Staff finds that the request is consistent with all the requirements of Section 17.40.120.G, which is provided below for review.

G. Status of Earlier Planned Unit Developments (PUDs). The following provisions shall apply to a planned unit development (PUD) approved under the authority of a previous zoning code and remaining a part of the official zoning map upon the enactment of this title.

1. The planned unit development (PUD) shall be recognized by this title according to the master development plan and its associated conditions specified in the PUD ordinance last approved by the metropolitan council prior to the effective date of the ordinance codified in this title.
2. The planning commission may consider and approve minor modifications to a previously approved planned unit development subject to the following limitations. All other modifications shall be considered by the planning commission as an amendment to the previously approved planned unit development and shall be referred back to the council for approval according to the procedures of Section 17.40.120(A)(5). That portion of a planned unit development master plan being amended by the council shall adhere to all provisions of this code:
  - a. In the judgment of the commission, the change does not alter the basic development concept of the PUD;
  - b. The boundary of the planned unit development overlay district is not expanded;
  - c. There is no change in general PUD classification (e.g. residential to any classification of commercial or industrial PUD; any change in general classification of a commercial PUD; or any change in general classification of an industrial PUD);
  - d. There is no deviation from special performance criteria, design standards, or other specific requirements made part of the enacting ordinance by the council;
  - e. There is no introduction of a new vehicular access point to an existing street, road or thoroughfare not previously designated for access;
  - f. There is no increase in the total number of residential dwelling units originally authorized by the enacting ordinance;
  - g. There is no change from a PUD approved exclusively for single-family units to another residential structure type;
  - h. The total floor area of a commercial or industrial classification of PUD shall not be increased more than ten percent beyond the total floor area last approved by the council;
  - i. If originally limited to office activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
  - j. If originally limited to office, retail and other general commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to include industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
  - k. If originally limited to commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.



- l. In the determination of the commission, the nature of the change will have no greater adverse impact on those environmentally sensitive features identified in Chapter 17.28 of this code than would have occurred had the development proceeded in conformance with the previous approval.
- m. In the judgment of the commission, the planned unit development or portion thereof to be modified does not meet the criteria for inactivity of Section 17.40.120.H.4.a.

#### **FIRE MARSHAL'S OFFICE**

##### **Approved with conditions**

- Fire Code issues for the structures will be addressed at permit application review

#### **PUBLIC WORKS RECOMMENDATION**

##### **Approved 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.
- Prior to building permit approval, add note to the plans indicating that the developer may be required to remove vegetation along the ROW to ensure adequate sight distance for the proposed driveway.
- Gates shall be located a minimum of 40 Ft. from Bell Road. Remove median in driveway.

#### **STORMWATER RECOMMENDATION**

##### **Approved with conditions**

- All roof drains / pavement shall be routed to the water quality feature.

#### **WATER SERVICES**

##### **Approved**

#### **STAFF RECOMMENDATION**

Staff recommends approval with conditions.

#### **CONDITIONS**

1. Any entrance gate shall be located a minimum of 40 feet from Bell Road.
2. Sidewalks are required for this project. Sidewalks shall be required on site along Bell Road, off site at an appropriate location or a payment may be made in lieu of constructing the sidewalks. If off site sidewalks are the preferred option of the applicant, then the developer shall work with Planning and Public Works to determine the appropriate location for the required 404 feet of sidewalk. Construction plans for any off site sidewalks shall be approved by the Planning Department and the Public Works prior to the approval of any final site plan. The contribution shall be \$38,784 and must be paid prior to the approval of any final site plan.
3. All units along Bell Road (11 – 20) shall front onto Bell Road, including doors and windows.
4. 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.
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.

Approve with conditions. (7-0-1), Consent Agenda.

#### **Resolution No. RS2014-311**

"BE IT RESOLVED by The Metropolitan Planning Commission that 74-79P-012 is **Approved with conditions. (7-0-1)**"

#### **CONDITIONS**

1. Any entrance gate shall be located a minimum of 40 feet from Bell Road.
2. Sidewalks are required for this project. Sidewalks shall be required on site along Bell Road, off site at an appropriate location or a payment may be made in lieu of constructing the sidewalks. If off site sidewalks are the preferred option of the applicant, then the developer shall work with Planning and Public Works to determine the appropriate location for the required 404 feet of sidewalk. Construction plans for any off site sidewalks shall be approved by the Planning Department and the Public Works prior to the approval of any final site plan. The contribution shall be \$38,784 and must be paid prior to the approval of any final site plan.
3. All units along Bell Road (11 – 20) shall front onto Bell Road, including doors and windows.
4. 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.
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.**

## **Subdivision: Final Plats**

### **21. 2013S-123-002**

#### **WESTMORELAND PLACE, RESUB LOTS 70-71 & PART OF LOT 72**

Map 104-15, Parcel(s) 011-012  
Council District 18 (Burkley Allen)  
Staff Reviewer: Melissa Sajid

A request for final plat approval to create three lots within the Hillsboro-West End Neighborhood Conservation Overlay District on properties located at 2509 and 2511 Natchez Trace, approximately 375 feet south of Ashwood Avenue, zoned RS7.5 (0.7 acres), requested by Greenway Avenue Investors, LLC, owner; HFR Design, Inc., applicant.

**Staff Recommendation: Approve with conditions.**

#### **APPLICANT REQUEST**

**Final plat to create three lots.**

#### Final Plat

A request for final plat approval to create three lots within the Hillsboro-West End Neighborhood Conservation Overlay District on properties located at 2509 and 2511 Natchez Trace, approximately 375 feet south of Ashwood Avenue, zoned Single-Family Residential (RS7.5) (0.7 acres).

#### **Existing Zoning**

Single-Family Residential (RS7.5) requires a minimum 7,500 square foot lot and is intended for single-family dwellings at a density of 4.94 dwelling units per acre. *RS7.5 would permit a maximum of 4 lots.*

#### **CRITICAL PLANNING GOALS**

N/A

#### **PLAN DETAILS**

The plat proposes three single-family lots located at 2509 and 2511 Natchez Trace. The proposed subdivision is considered an infill subdivision and also is located in the Hillsboro-West End Neighborhood Conservation Overlay. Therefore, the subdivision is reviewed against the criteria for determining compatibility for designated historic districts that is outlined in Section 3-5.4 of the Subdivision Regulations.

The subdivision is served by an improved alley located to the west of the site, and the plat includes a note restricting vehicular access to the alley and prohibiting vehicular access from Natchez Trace. An existing sidewalk network is located along the Natchez Trace frontage.

The existing two lots encompass approximately 0.7 acres and are proposed to be subdivided into three single-family lots with the following areas and street frontages:

- Lot 1: 10,468 Sq. Ft., (0.24 Acres), and 50 Ft. of frontage;
- Lot 2: 10,468 Sq. Ft., (0.24 Acres), and 50 Ft. of frontage;
- Lot 3: 10,468 Sq. Ft., (0.24 Acres), and 50 Ft. of frontage.

#### **ANALYSIS**

#### Lot Compatibility

Section 3-5.4 of the Subdivision Regulations outlines the criteria for reviewing infill subdivisions located within a designated historic district. Staff reviewed the final plat against the following criteria as required by the Subdivision Regulations:

#### Designated Historic Districts

The subject property is located within Hillsboro-West End Neighborhood Conservation Overlay which is a historic overlay district that has been adopted by Metro Council.

#### Zoning Code

All lots meet the minimum standards of the RS7.5 zoning district.

#### Historic Zoning Commission Recommendation

The Historic Zoning Commission has reviewed the subdivision and recommends approval.

Agency Review

All reviewing agencies recommend approval.

**FIRE MARSHAL RECOMMENDATION**

**Approve with conditions**

- Fire Code issues for the structures will be addressed at permit application review

**HISTORIC ZONING RECOMMENDATION**

**Approve**

**PUBLIC WORKS RECOMMENDATION**

**No exception taken**

**STORMWATER RECOMMENDATION**

**Approve**

**WATER SERVICES RECOMMENDATION**

**Approve**

**STAFF RECOMMENDATION**

Staff recommends approval with conditions of the subdivision as the Metro Historic Zoning Commission recommends approval and it is consistent with the Subdivision Regulations.

**CONDITIONS**

1. Correct case number on the plat – 2013S-123-002.

Approve with conditions. (8-0), Consent Agenda.

**Resolution No. RS2014-312**

“BE IT RESOLVED by The Metropolitan Planning Commission that is **Approved with conditions. (8-0)**”

**CONDITIONS**

1. Correct case number on the plat – 2013S-123-002.

**22. 2014S-224-001**

**TENNESSEE AVENUE (UNNUMBERED)**

Map 091-07, Parcel(s) 384

Council District 20 (Buddy Baker)

Staff Reviewer: Latisha Birkeland

A request for final plat approval to create two lots on property located at Tennessee Avenue (unnumbered), approximately 325 feet east of 51st Avenue North, zoned RS3.75 (0.21 acres), requested by Campbell, McRae & Associates Surveying, Inc., applicant; West Nashville Development Co., LLC, owner.

**Staff Recommendation: Approve with conditions.**

**APPLICANT REQUEST**

**Create two lots.**

Final Plat

A request for final plat approval to create two lots on property located at Tennessee Avenue (unnumbered), approximately 325 feet east of 51st Avenue North, zoned Single-Family Residential District (RS3.75) (0.21 acres).

**Existing Zoning**

Single-Family Residential District (RS3.75) requires a minimum 3,750 square foot lot and is intended for single-family dwellings at a density of 9.87 dwelling units per acre. *RS3.75 would permit a maximum of 2 units.*

**CRITICAL PLANNING GOALS**

- Supports Infill Development

The proposed subdivision creates infill housing opportunity in an area that served by existing infrastructure. Development in areas with adequate infrastructure is more appropriate than development not served with adequate infrastructure such as roads, water and sewer, because it does not burden Metro with the cost of maintaining new infrastructure. The subdivision requires a minimum building setback line and a height limitation that will ensure infill development compatible with the surrounding character of the community.

**PLAN DETAILS**

In March 2004, the Council closed a portion of 50<sup>th</sup> Avenue North between Tennessee Avenue and Kentucky Avenue. Twenty-five (25) feet, of the fifty (50) foot right-of-way, was dedicated to the parcel to the west. In May 2013, the Council abandoned the easement rights for the former right-of-way of 50<sup>th</sup> Avenue North. In early 2014, the Planning Commission and Council approved a rezoning to the existing parcel from R6 to RS3.75. With the right-of-way and easements abandoned, the final plat proposes two lots with frontage on Tennessee Avenue. Both lots will only have access via the improved alley to the south of the property.

The proposed subdivision does not meet the infill compatibility analysis that is outlined in Section 3-5.2 of the Subdivision Regulations because Lot 1 and Lot 2 do not meet the area requirement calculated from the surrounding parcels to determine compatibility. The applicant requests approval under Section 3-5.2(f) of the Subdivision Regulations; under this section, the Planning Commission may grant approval of a subdivision that does not meet the compatibility criteria, if the subdivision can provide for harmonious development within the community.

**Proposed Lots**

- Lot 1: 4,500 Sq. Ft., (0.105 Acres), and 30.00 Ft of frontage
- Lot 2: 4,500 Sq. Ft., (0.105Acres), and 30.00 Ft of frontage

**ANALYSIS**

Lot Compatibility

Section 3-5.2 of the Subdivision Regulations outlines the criteria for reviewing infill subdivisions located within the Urban Neighborhood Maintenance policy area. Lot 1 and Lot 2 are compared to lots along Tennessee Drive, excluding the church located at 4905 Tennessee Avenue. Both proposed lots meet the required frontage, but do not meet the required area. Both proposed lots are six square feet short of the 4,506 square feet required.

Staff reviewed the final plat against the following criteria as required by the Subdivision Regulations:

Zoning Code

Proposed lots meet the minimum standards of the RS37.5 zoning district.

Street Frontage

Proposed lots have frontage on a public street.

Density

Urban Neighborhood Maintenance land use policy supports density up to 20 dwelling units per acre. The proposed infill subdivision provides a density of 9.92 dwelling units per acres, which falls within the range supported by policy.

Community Character

1. Lot frontage: The proposed lots must have frontage either equal to or greater than 70% of the average frontage of surrounding parcels or equal to or greater than the surrounding lot with the least amount of frontage, whichever is greater.

<b>Lot 1 Frontage Analysis</b>	
Minimum Proposed	30.00'
<b>70% of Average</b>	<b>29.16'</b>
Smallest Surrounding Parcel	25'

<b>Lot 2 Frontage Analysis</b>	
Minimum Proposed	30.00'
<b>70% of Average</b>	<b>29.16'</b>
Smallest Surrounding Parcel	25'

2. Lot size: The proposed lots must have lot area that is either equal to or greater than 70% of the lot size of the average size of surrounding parcels or equal to or larger than smallest surrounding lot, whichever is greater.

<b>Lot 1 Size Analysis</b>	
Minimum Proposed	4,500 SF
<b>70% of Average</b>	<b>4,506 SF</b>
Smallest Surrounding Parcel	3,920.40 SF

<b>Lot 2 Size Analysis</b>	
Minimum Proposed	4,500 SF
<b>70% of Average</b>	<b>4,506 SF</b>
Smallest Surrounding Parcel	3,920.40 SF

3. Street Setback: Lot 1 and Lot 2 shall have a minimum building setback of 20 feet, consistent with the neighboring houses. No parking shall be permitted between Tennessee Avenue and future structures.

4. Lot Orientation: Lot 1 and Lot 2 will be orientated to Tennessee Avenue.

To make the development harmonious with the surrounding community character, the applicant has agreed to the following conditions: Lot 1 and Lot 2 shall have a minimum setback of 20 feet, which is consistent with the surrounding setbacks. Lot 1 and Lot 2 shall only have access via the existing alley. No access to Tennessee Avenue is permitted. No parking shall be permitted in the front setback and a maximum of one driveway point per lot. Parking, driveways and all other impervious services in the required street setback shall not exceed 12 feet in width. The maximum of all structures shall not exceed 35 feet in height, to the roofline.

**FIRE MARSHAL RECOMMENDATION**

N/A

**PUBLIC WORKS RECOMMENDATION**

**Conditions if approved**

- Prior to recording the final plat, add to the beginning of the title "Plan of West Nashville Subdivision."

**STORMWATER RECOMMENDATION**

Approved

**WATER SERVICES RECOMMENDATION**

Approved

- As all our previous issues have been addressed on the latest re-plat (stamped received Dec 1 2014), including payment of capacity fees, we recommend approval.

**STAFF RECOMMENDATION**

Staff finds that the proposed final plat provides harmonious development with the surrounding area and recommends approval with conditions.

**CONDITIONS**

1. Lot 1 and 2 shall have a minimum front setback of 20 feet. The minimum setback line shall be depicted on the plat.
2. The maximum of all structures shall not exceed 35 feet in height, to the roofline.
3. Add Note No. 16 "Parking, driveways and all other impervious surfaces in the required street setback shall not exceed twelve feet in width." Add "See Note 16" to Lot 1 and Lot 2.
4. Sidewalks are required. The total payment for this proposal is \$5,760.00 (\$ 96 per linear foot x 60 feet) and would apply to Pedestrian Benefit Zone 1-A. Prior to the plat being recorded one of the following must take place:
  - Submit bond application for the sidewalk and post bond with the Planning Department.
  - Submit payment in-lieu of construction to the Planning Department (please see above for details on required fee).
  - Construct sidewalk and have it accepted by Public Works.
  - Construct an equal length of sidewalk within the same Pedestrian Benefit Zone (1-A), in a location to be determined in consultation with the Public Works Department.

Approve with conditions. (8-0), Consent Agenda

**Resolution No. RS2014-313**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2014S-224-001 is **Approved with conditions. (8-0)**"

**CONDITIONS**

1. Lot 1 and 2 shall have a minimum front setback of 20 feet. The minimum setback line shall be depicted on the plat.
2. The maximum of all structures shall not exceed 35 feet in height, to the roofline.
3. Add Note No. 16 "Parking, driveways and all other impervious surfaces in the required street setback shall not exceed twelve feet in width." Add "See Note 16" to Lot 1 and Lot 2.
4. Sidewalks are required. The total payment for this proposal is \$5,760.00 (\$ 96 per linear foot x 60 feet) and would apply to Pedestrian Benefit Zone 1-A. Prior to the plat being recorded one of the following must take place:
  - Submit bond application for the sidewalk and post bond with the Planning Department.
  - Submit payment in-lieu of construction to the Planning Department (please see above for details on required fee).
  - Construct sidewalk and have it accepted by Public Works.
  - Construct an equal length of sidewalk within the same Pedestrian Benefit Zone (1-A), in a location to be determined in consultation with the Public Works Department.

## 23. 2014S-234-001

### BUSH SPAIN SUBDIVISION RESUB LOT 29

Map 072-09, Parcel(s) 154

Council District 05 (Scott Davis)

Staff Reviewer: Melissa Sajid

A request for final plat approval to create two lots on property located at 906 Spain Avenue, approximately 165 feet east of Gear Street, zoned R6 (0.37 acres), requested by Doyle Elkins, applicant; Anne House, owner.

**Staff Recommendation: Approve with conditions.**

### APPLICANT REQUEST

**Create two lots.**

#### Final Plat

A request for final plat approval to create two lots on property located at 906 Spain Avenue, approximately 165 feet east of Gear Street, zoned One and Two-Family Residential (R6) (0.37 acres).

### Existing Zoning

One and Two Family Residential (R6) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25 percent duplex lots. *R6 would permit a maximum of 2 lots with 2 duplex lots for a total of 4 units.*

### CRITICAL PLANNING GOALS

- Supports Infill Development

### PLAN DETAILS

The applicant requests final plat approval for a two lot subdivision of property located on Spain Avenue in the East Nashville community plan area. The existing single-family structure on the site is proposed to be demolished to permit the development of detached duplexes on both proposed lots. The proposed subdivision is located in an Urban Neighborhood Maintenance policy area and also falls under the Single-Family Detached Special Policy. The proposed subdivision does not meet the infill compatibility analysis that is outlined in Section 3-5.2 of the Subdivision Regulations. The applicant requests approval under Section 3-5.2(f) of the Subdivision Regulations; under this section, the Planning Commission may grant approval of a subdivision that does not meet the compatibility criteria, if the subdivision can provide for harmonious development within the community.

The existing lot is 16,297 square feet and has 98.28' feet of frontage on Spain Avenue and is proposed to be subdivided into two lots with the following areas and street frontages:

- Lot 1: 8,153 Sq. Ft., (0.187 Acres), and 49.14 Ft. of frontage;
- Lot 2: 8,144 Sq. Ft., (0.189 Acres), and 49.14 Ft. of frontage.

The applicant proposes to limit development to detached duplexes, incorporate a contextual street setback of 43.3 feet, and provide joint access for the lot as required by the Subdivision Regulations.

### ANALYSIS

#### Lot Compatibility

Section 3-5.2 of the Subdivision Regulations outlines the criteria for reviewing infill subdivisions located within the Urban Neighborhood Maintenance policy area. Staff reviewed the final plat against the following criteria as required by the Subdivision Regulations:

#### Zoning Code

Both lots meet the minimum standards of the R6 zoning district.

#### Street Frontage

Both lots have frontage on a public street.

#### Density

Urban Neighborhood Maintenance land use policy supports density up to 20 dwelling units per acre. The proposed infill subdivision provides a density of 10.3 dwelling units per acres which falls within the range supported by policy.

Community Character

1. Lot frontage: The proposed lots must have frontage either equal to or greater than 70% of the average frontage of surrounding parcels or equal to or greater than the surrounding lot with the least amount of frontage, whichever is greater. In this case, the lots created must be equal to or greater than 50 ft which is the smallest frontage of the surrounding parcels. The proposed subdivision does not meet the lot frontage requirement.

<b>Lot Frontage Analysis</b>	
Minimum Proposed	49.14'
70% of Average	40.83'
<b>Smallest Surrounding Parcel</b>	<b>50'</b>

2. Lot size: The proposed lots must have lot area that is either equal to or greater than 70% of the lot size of the average size of surrounding parcels or equal to or larger than smallest surrounding lot, whichever is greater. In this case, the minimum lot area must be at least 7,819 square feet, which is the lot area of the smallest surrounding parcel. The proposed subdivision meets the lot size requirement.

<b>Lot Size Analysis</b>	
Minimum Proposed	8,144 SF
70% of Average	6,684 SF
<b>Smallest Surrounding Parcel</b>	<b>7,819 SF</b>

3. Street setback: A contextual front setback of 43.3 feet is proposed.

4. Lot orientation: Both proposed lots are orientated toward Spain Avenue which is consistent with the existing lot pattern.

Agency Review

All reviewing agencies recommend approval.

Compatibility with Surrounding Area

The proposed subdivision does not meet the Community Character criteria. However, the Planning Commission may grant approval if it determines that the subdivision provides for the harmonious development of the community. In this case, the applicant has proposed several conditions to to meet this provision: platting a contextual front setback and limiting access to a joint access easement on Spain Avenue. Staff finds that the conditions proposed by the applicant overcome the incompatibility of the proposed lots with regard to lot frontage to provide for the harmonious development of the community.

Special Policy

The proposed subdivision is consistent with the Single-Family Detached Special Policy. Both lots are duplex eligible, and the applicant proposes limiting development to detached duplexes which maintains a single-family context at the street.

**FIRE MARSHAL RECOMMENDATION**

N/A

**PUBLIC WORKS RECOMMENDATION**

No exception taken

**STORMWATER RECOMMENDATION**

Approved

**WATER SERVICES RECOMMENDATION**

Approved

**STAFF RECOMMENDATION**

Staff finds that the proposed subdivision provides for the harmonious development of the community as the conditions proposed by the applicant overcome the incompatibility of the proposed lots with regard to lot frontage. Therefore, staff recommends approval with conditions.

**CONDITIONS (if approved)**

1. Prior to recordation a note shall be added stating: "Any two-family residential development shall be limited to detached duplexes."

2. Prior to recordation a note shall be added stating: "Parking pads shall not be permitted within the front setback."
3. The existing house shall be demolished and removed from the plat prior to recordation.
4. Prior to recordation, the existing curb cuts shall be consolidated and only one curb cut shall be permitted for access.
5. Prior to recordation, the plat shall show proposed front setback on the lots.
6. Prior to recordation, all references to side and rear setbacks shall be removed from the plat.

Ms. Sajid presented the staff recommendation of approval with conditions.

Richard Sisk, 906 Spain Ave, spoke in favor of the application.

Dave Clark , Old Hickory, spoke in favor of the application.

Kathy Parris, 1006 Burchwood Ave, spoke in opposition to the application due to the fact that there are already 22 new houses on Spain; traffic and additional infrastructure is not supportive of this lot being split.

Shan Canfield, 1016 Spain Ave, spoke in opposition to the application due to too much density in the area already, traffic concerns, and the effect it would have on public services.

Kristil Lyle, 905 Spain Ave, spoke in opposition to the application due to traffic issues and 26 new houses built already in seven months.

Jeanette Porrazzo, 915 Spain Ave, spoke in opposition to the application due to safety and traffic concerns.

Richard Sisk noted that the construction is only a temporary inconvenience; once it's completed, it will be aesthetically pleasing and in line with what NashvilleNext is pushing.

**Commissioner Clifton closed the Public Hearing.**

Ms. Farr noted support of the subdivision but not sure why they need to be duplexes.

Ms. Sajid clarified that they wouldn't have to be duplexes but they would be an option if approved.

Ms. Farr expressed that she can understand the concerns regarding increasing the density in this small area.

Mr. Gee noted that what makes sense is that if subdivided into two 50' lots, they should be single family homes because of the policy. Two 50' single lots make sense.

**Mr. Gee moved and Councilman Hunt seconded the motion to approve with conditions including a condition that only one single-family home will be allowed on each lot. (7-0)**

**Resolution No. RS2014-314**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2014S-234-001 is **Approved with conditions including a condition that only one single-family home will be allowed on each lot. (7-0)**"

**CONDITIONS**

1. Prior to recordation a note shall be added stating: "Any two-family residential development shall be limited to detached duplexes."
2. Prior to recordation a note shall be added stating: "Parking pads shall not be permitted within the front setback."
3. The existing house shall be demolished and removed from the plat prior to recordation.
4. Prior to recordation, the existing curb cuts shall be consolidated and only one curb cut shall be permitted for access.
5. Prior to recordation, the plat shall show proposed front setback on the lots.
6. Prior to recordation, all references to side and rear setbacks shall be removed from the plat.



## **Urban Design Overlays: variances**

### **24. 2013UD-002-002**

#### **MURFREESBORO PIKE UDO (MODIFICATION: MAPCO MART)**

Map 164, Parcel(s) 201

Council District 33 (Robert Duvall)

Staff Reviewer: Brenda Diaz

A request for a modification to the Murfreesboro Pike Urban Design Overlay District standards for property located at Murfreesboro Pike (unnumbered), at the corner of Murfreesboro Pike and Hobson Pike, zoned CS, to permit a modification of the front setback and the perimeter landscaping requirements, requested by Perry Engineering, LLC, applicant; Belz-McDowell Properties, owner.

**Staff Recommendation: Approve with conditions.**

#### **APPLICANT REQUEST**

**UDO modifications for landscaping and setback requirements.**

##### Modification

**A request for a modification to the Murfreesboro Pike Urban Design Overlay District standards for property located at Murfreesboro Pike (unnumbered), at the corner of Murfreesboro Pike and Hobson Pike, zoned Commercial Service (CS), to permit a modification of the front setback and the perimeter landscaping requirements.**

##### Modification Details

A request for a Modification to the Murfreesboro Pike Urban Design Overlay (UDO) front setback and the perimeter landscaping requirements for the property to permit an additional 16' to the maximum front setback requirement of 80' and a reduction in the perimeter landscape strip for 140' of the perimeter from 10' to 0'.

##### **Existing Zoning**

Commercial Service (CS) is the underlying base zoning and is intended for a diverse range of commercial uses that include retail trade and consumer services, automobile sales and repair, small scale custom assembly, restaurants, entertainment and amusement establishments, financial, consulting and administrative services.

Murfreesboro Pike UDO: the intent of the Urban Design Overlay is to foster suburban development that is pedestrian friendly while still accommodating for the market needs of suburban development. This UDO focuses on broad design standards while emphasizing best practices for quality suburban design.

##### **CRITICAL PLANNING GOALS FROM THE MURFREESBORO UDO**

Goal 1. Enhance values along Murfreesboro Pike corridor through high-quality design and cohesive placemaking.

Goal 2. Provide accommodations for all transit modes including vehicular, bicycle, transit, and pedestrians with the design of the site.

Goal 3. Utilize stormwater best management practices to reduce/eliminate stormwater run-off from the site, reduce impervious surfaces, and enhance overall water quality.

Goal 4. Provide high-quality landscaping on the site, enhancing the site aesthetically, reducing the heat island effect and providing adequate buffers for cars, adjacent properties and unsightly site elements.

Goal 5. Reduce the visual impact of surface parking lots and provide cross-access easements connecting to future development on adjacent properties.

Goal 6. Provide high-quality architecture and place the building(s) so that Murfreesboro Pike is addressed prominently.

Goal 7. Design signage as an integral part of the overall building design.

##### **MODIFICATION REQUEST DETAILS**

The following modifications to the front setback and perimeter landscape of the Murfreesboro Pike UDO are being requested by the applicant:

##### **1) Front Setback**

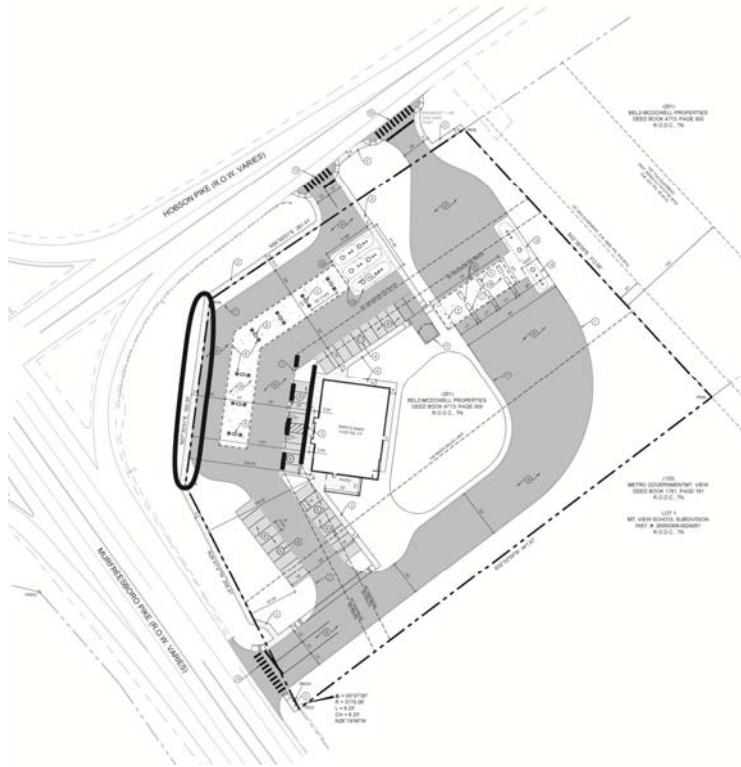
UDO Requirement: 0' minimum and maximum of 80' shown in the dashed thick black line in the graphic below.

Modification Request: Up to 16 ft. of additional front setback along the Murfreesboro Pike frontage shown in the thick black line in the graphic below.

##### **2) Perimeter Landscape Strip**

UDO Requirement: Parking areas and driveways shall be separated from the edge of the right-of-way by a perimeter landscape strip a minimum of 10 feet wide and planted with evergreen shrubs to screen parking area.

Modification Request: Reduce the perimeter landscape strip from 10' to 0' for 140' of the perimeter at the corner of the site shown in the outlined oval in the graphic below.



## ANALYSIS

1. **Front Setback.** The Modification request consists of additional 16' (for a total of 96') to the maximum front setback from Murfreesboro Pike and Hobson Pike, where a maximum of 80' is allowed. The right-of-way at the site exceeds the built roadway on both Hobson Pike and on Murfreesboro Pike. With 66' of excess right-of-way between the property line and the roadway at the corner, the proposed building still wouldn't have a strong street presence even if it were constructed at the maximum 80' front setback in the UDO. The proposed plan alleviates disconnection with the street through a network of sidewalks in the right-of-way adjacent to the property line to provide pedestrian connectivity to adjacent sites.

2. **Perimeter Landscape Strip.** The second modification request consists of reducing the perimeter landscape strip from 10' to 0'. The 10' perimeter landscape strip is required to serve as a buffer between the sidewalk and any driveway or parking lot. The modification is requested for 140' of the perimeter at the corner of the site where the existing right-of-way is 66' above what is designated in the Major and Collector Street Plan. The 66' of excess right-of-way will serve as a buffer between the proposed sidewalk and the roads following the UDO's goal to protect pedestrians from vehicles and busy streets.

The modification requests are considered in keeping with the UDO's goals and the Antioch-Priest Lake Community Plan to provide a walkable and pedestrian friendly site while establishing quality suburban design that supports suburban development. The site plan proposal also provides high-quality landscaping to buffer the site and pedestrians from cars and a busy intersection at Murfreesboro Pike and Hobson Pike.

## PUBLIC WORKS RECOMMENDATION

For Modification:

- No issues related to the setback amendment.

For any Final Site Plan Stage:

- Applicant should work with MPW prior final site plan design for roadside cross section design and traffic mitigations. MPW Traffic Engineer has requested a TIS prior to final site plan design.

## WATER SERVICES RECOMMENDATION

NA

## STORMWATER RECOMMENDATION

NA

**STAFF RECOMMENDATION**

Staff recommends approval of both modifications with conditions. The requested modifications are consistent with the Murfreesboro UDO's vision for walkable and pedestrian friendly development, and are unique to this individual site due to its location and excess right-of-way condition.

**CONDITIONS**

1. The modification decision in no way infers final site plan approval for the project. The applicant shall apply for a final site plan approval, submitting the required application and all required drawings, for review through the development review process with all pertinent agencies.

Approve with conditions. (8-0), Consent Agenda

**Resolution No. RS2014-315**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2013UD-002-002 is **Approved with conditions. (8-0)**"

**CONDITIONS**

**1. The modification decision in no way infers final site plan approval for the project. The applicant shall apply for a final site plan approval, submitting the required application and all required drawings, for review through the development review process with all pertinent agencies.**

**L. OTHER BUSINESS**

25. Employee contract renewal for Mary Beth Stephens, Kyle Lampert and Tifinie Capehart

Approve. (8-0), Consent Agenda

**Resolution No. RS2014-316**

"BE IT RESOLVED by The Metropolitan Planning Commission that the employee contract renewal for Mary Beth Stephens, Kyle Lampert and Tifinie Capehart is **Approved. (8-0)** "

26. Historic Zoning Commission Report

27. Board of Parks and Recreation Report

28. Executive Committee Report

29. Accept the Director's Report and Approve Administrative Items

Approve. (8-0), Consent Agenda

**Resolution No. RS2014-317**

"BE IT RESOLVED by The Metropolitan Planning Commission that the Director's Report and Administrative Items are **Approved. (8-0)**"

30. Legislative Update

**M. MPC CALENDAR OF UPCOMING MATTERS**

**December 11, 2014**

MPC Meeting

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

**January 8, 2015**

MPC Meeting

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

**January 22, 2015**

MPC Meeting

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

**February 12, 2015**

MPC Meeting

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

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## **N. ADJOURNMENT**

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The meeting adjourned at 7:52 p.m.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary



**METROPOLITAN GOVERNMENT  
OF NASHVILLE AND DAVIDSON COUNTY**  
Planning Department  
Metro Office Building, 2<sup>nd</sup> Floor  
800 Second Avenue South  
Nashville, Tennessee 37219

Date: December 11, 2014  
To: Metropolitan Nashville-Davidson County Planning Commissioners  
From: Richard C. Bernhardt, FAICP, CNU-A   
Re: Executive Director's Report

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The following items are provided for your information.

**A. Planning Commission Meeting Projected Attendance (6 members are required for a quorum)**

1. Planning Commission Meeting:
  - a. Attending: McLean; Haynes; Blackshear; LeQuire; Gee; Hunt; Clifton
  - b. Leaving Early: Adkins (5:00 pm; Farr (7:30 pm)
  - c. Absent: Dalton
2. Legal Representation – Jon Michael will be attending

**B. December 11, 2014 MPC meeting NashvilleNext MPC Topic**

1. Implementation Update – (Carlat)
2. Upcoming - January 8, 2015 – Guiding Principles Overview – (Bernhardt)

**C. Communications**

1. A short video explaining the Preferred Future is complete and up at [www.nashvillenext.net](http://www.nashvillenext.net)

**D. Community Planning**

1. Justin Wallace started with the Design Studio on December 10.

**E. Land Development**

1. Brandon Burnette's last day is January 2, 2015 to begin his new duties with Dale and Associates). We are advertising for a Planning Development Services Director (Planner 3) and hope to fill his position as soon as possible.

**F. GIS**

1. Jason Rust will begin as on December 15, 2014 as GIS Technician I position in the Mapping Section.
2. Continuing to prepare launch for Cityworks in January 2015.

## **G. Executive Director Presentations**

1. MPO, Technical Coordinating Committee, Preferred Future Book-A-Planner Presentation
2. City of Chattanooga Development Visit, Form-based Plans and Coding
3. Conexion Americas Board of Directors, Preferred Future Book-A-Planner Presentation

## **H. NashvilleNext**

1. **Guiding Principles** – They have been vetted and in final Draft Stage. They will form the basis for Draft Plan.

### **Be Nashville**

- Nashvillians lift one another up and help people help themselves.
- Our culture celebrates creativity, respect for history, and optimism for the future.
- Nashville's welcoming nature represents the best of Southern hospitality and celebrates our cultural and economic diversity, bringing new and old Nashvillians together.

### **Foster Strong Neighborhoods**

- Neighborhoods are the building blocks of our community: they are where we live, work, shop and gather as a community.
- Our neighborhoods are healthy, safe, and affordable – friendly to pedestrians, with vibrant parks, welcoming libraries, accessible shopping and employment, valued and protected natural and historic features, and strong schools.
- Our neighborhoods offer Nashvillians choice in where and how to live, including rural, suburban, urban, and downtown options. They grow with us as we move into the future.

### **Expand Accessibility**

- Nashville is accessible, allowing all Nashvillians to come together to work, to play, to learn, and to create community and contribute to civic life, regardless of background or ability.
- Nashville has a complete and efficient transportation system, adding transit, walking, and biking options to our existing road network.
- Nashvillians have genuine access to employment and educational opportunities, online capabilities, civic representation, nature and recreation, and government services.

### **Create Economic Prosperity**

- Nashville's economy is diverse, dynamic and open. It benefits from our culture of arts, creativity and entrepreneurialism.
- Our strong workforce and quality of life make Nashville competitive in the evolving international economy.
- Nashville's success is based on promoting opportunities for growth and success for individuals from all communities in all sizes and kinds of businesses.
- To provide a foundation for future growth and prosperity, Nashville meets its infrastructure needs in an environmentally responsible way.

### **Advance Education**

- Nashville recognizes that education is a lifelong endeavor; it is how we prepare our children for tomorrow's challenges, and how all Nashvillians remain able to successfully participate in the

workforce and civic life. Life-long learning also benefits from the community's investment in continuing education, retraining opportunities and literacy.

- Nashvillians support children and families by ensuring quality PK-12 education for all through support from neighborhoods, businesses, institutions, non-profits, individuals, and governments.
- Nashville's excellent colleges and universities are community assets and tremendous resources for the community that add to its prestige.

### **Champion the Environment**

- Nashville has unique natural environments of breath-taking beauty, exceptional parks and greenways, abundant water and agricultural land that supports local food production. The natural landscapes of Nashville – from the Cumberland River to the steep slopes in the west and the lush tree canopy – are part of our identity.
- We protect these landscapes because they contribute to our health and quality of life and provide a competitive advantage to Nashville.
- Nashville enables sustainable living through transportation options, housing choices, economic and social diversity and thoughtful design of buildings and infrastructure.

### **Ensure Equity for All**

- Nashville is stronger because we value diversity in all its forms and welcome all Nashvillians, regardless of age, race, ethnicity, ability or limitation, income, gender, sexual orientation, where you were born or where you live.
- Ensuring equity has been and continues to be central to Nashville's culture. As Nashville changes, we remain committed to removing unjust differences.
- We are vigilant in protecting human rights for all to ensure that all are engaged in decision making and share in the city's growth, prosperity and quality of life.

## **2. NashvilleNext Overall Schedule**

- a. Creating and Adopting the Plan (Fall 2014/Summer 2015)
  - i. Community Vision and Guiding Principles Statements
  - ii. Goals, Policies and Actions
  - iii. Preferred Development Scenario
  - iv. Community Plan Updates
  - v. Implementation Schedule
  - vi. Planning Commission Adoption

## **3. NashvilleNext Key Activities:**

- a. **Participation** - Phase 4 (of 5) of the process is completed with over 5,000 participants.
  - i. Sign-ins at Preferred Future meetings - Southeast Library at the Global Mall (47)
- b. **Draft Plan** – The draft plan is being prepared between the staff and Resource Teams. All input received by January 23, 2015 will be evaluated and considered prior to the release of the draft plan in late February.
- c. **Community Engagement** - Preferred Future and Community Plan Update Presentations are underway and will continue through January 23, 2015.
- d. **Online** - Preferred Future Mapping and Information tool is now up and live at [www.nashvillenext.net](http://www.nashvillenext.net).

**4. Resource Teams:**

- a. NashvilleNext Resource Teams have moved into Phase 3 (of 3) of their process. The purpose of this Phase is to develop final goals, policies and actions for the Draft Plan.

Resource Team - Phase 3	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>
Economic/Workforce Development	●	●	○	○
Arts, Culture, & Creativity	●	●	○	○
Natural Resources/Hazard Adaptation	●	●	○	○
Education & Youth	●	●	○	○
Housing	●	●	○	○
Health, Livability, & Built Environment	●	●	○	○
Land Use, Transportation, & Infrastructure	●	●	●	○

**5. NashvilleNext Special Studies**

- a. **Cost of Service Tool – RCL.** Nashville was chosen as a test case for this study. The cost of service tool aims to quantify the varying per household and employee cost of providing municipal and county services at different densities of development. Rather than focusing on infrastructure/capital costs, RCL will focus on ongoing operating costs that are the backbone of municipal budgets. Upon completion, this tool will be used to: a) estimate a gradient by which costs of municipal and county services are expected to increase or decrease depending on density and b) allow municipalities to better estimate the cost of future development at varying densities. RCL hopes that the tool will allow municipalities and counties to improve on the traditional average cost methodology of fiscal impact analysis by taking density, and its cost impact, into account

RCL’s goal is to measure the cost of service across densities for road, fire, police, water and sewage, waste and school bussing services. By measuring costs individually by services in existing sheds and collecting data across municipalities and counties for a richer dataset, they hope to bring data specificity to the literature, which currently tends to rely on case studies.

**A. Planning Commission Workshops** (all include 1.5 hours Planning Commissioners Training credits)



**B. APA Training Opportunities Specifically for Planning Commissioners (cosponsored by Lincoln Institute of Land Policy)** (all include 1.5 hours Planning Commissioners Training credits). These programs are designed for planning commissioners; some are also appropriate for planners.

1. Scheduled APA Webinars
2. Nashville Room, 2<sup>nd</sup> floor MOB.
3. All are scheduled from 3:00 – 4:30 pm (except April 20, 2015 meeting)
4. All have 1.5 hours AICP and Planning Commissioner training credit

Date	Topic (Live Program and Online Recording )
February 18, 2015	Sustaining Places through the Comprehensive Plan
April 20, 2015 (time TBD)	Planning Commissioner Ethics (Live Webcast from APA’s National Planning Conference)

**A. APA Training Opportunities**

1. Scheduled APA Webinars
2. Nashville Room, 2<sup>nd</sup> floor MOB.
3. All are scheduled from 3:00 – 4:30 pm
4. All have 1.5 hours AICP and Planning Commissioner training credit

Date	Topic (Live Program and Online Recording )
January 14, 2015	<a href="#">Safe Mobility Planning</a>
June 3, 2015	<a href="#">The Planning Office of the Future</a>
June 24, 2015	<a href="#">2015 Planning Law Review</a>

## Administrative Approved Items and Staff Reviewed Items Recommended for approval by the Metropolitan Planning Commission

In accordance with the Rules and Procedures of the Metropolitan Planning Commission, the following applications have been reviewed by staff for conformance with applicable codes and regulations. Applications have been approved on behalf of the Planning Commission or are ready to be approved by the Planning Commission through acceptance and approval of this report. Items presented are items reviewed through 12/05/2014.

APPROVALS	# of Applications	Total # of Applications 2014
Specific Plans	3	41
PUDs	0	6
UDOs	0	1
Subdivisions	5	132
Mandatory Referrals	13	154
<b>Total</b>	<b>21</b>	<b>334</b>

SPECIFIC PLANS (finals only): MPC Approval						
Finding: Final site plan conforms to the approved development plan.						
Date Submitted	Staff Determination		Case #	Project Name	Project Caption	Council District # (CM Name)
5/15/2014 11:13	11/12/2014	RECOM APPR	2014SP-012-002	4TH AVENUE COTTAGES (FINAL)	A request for final site plan approval for property located within the Salemtown Neighborhood Conservation Overlay District at 1706 4th Avenue North, approximately 175 feet north of Garfield Street, zoned SP (0.40 acres), to permit six single-family detached units, requested by Civil Site Design Group, applicant; Aerial Investment Properties, LLC, owner.	19 (Erica S. Gilmore)
10/23/2014 11:50	12/2/2014	RECOM APPR	2014SP-049-002	16TH & BOSCOBEL (FINAL)	A request for final site plan approval for property located within the Lockeland Springs-East End Neighborhood Conservation Overlay District at 404 South 16th Street, at the southwest corner of South 16th Street and Boscobel Street, zoned SP (0.14 acres), to permit three detached dwelling units, requested by Dale & Associates, applicant; Dan Sloss, owner.	06 (Peter Westerholm)
1/27/2012 14:32	12/2/2014	RECOM APPR	2012SP-003-002	VF IMAGEWEAR (FINAL)	A request for final SP site plan approval for property located at 554 Hickory Hills Boulevard, approximately 1,000 feet north of Old Hickory Boulevard (25.0 acres), to permit a 34,561 square foot addition to an existing manufacturing facility, requested by J & S Construction, applicant, for Red Kap Industries, Inc., owner.	03 (Walter Hunt)

**URBAN DESIGN OVERLAYS (finals and variances only) : MPC Approval**

**Finding: all design standards of the overlay district and other applicable requirements of the code have been satisfied.**

Date Submitted	Staff Determination	Case #	Project Name	Project Caption	Council District # (CM Name)
NONE					

**MANDATORY REFERRALS: MPC Approval**

Date Submitted	Staff Determination	Case #	Project Name	Project Caption	Council District # (CM Name)
11/3/2014	11/11/2014 RECOM APPR	2014M - 028PR-001	FRIENDS OF WARNER PARK PROPERTY DONATION	A request to authorize the Director of Public Property Administration, or his designee, to accept, execute and record a quitclaim deed from The Friends of the Warner Parks, Inc., to The Metropolitan Government of Nashville and Davidson County for certain parcels of property located on Highway 100 for use as part of the public park system but excluding a 5.01 acre tract and granting an easement for ingress and egress across the tract, requested by the Metropolitan Department of Finance and the Metropolitan Department of Parks and Recreation, applicants.	34 (Carter Todd)
11/7/2014	11/11/2014 RECOM APPR	2014M -076ES-001	SULFUR DELL EASEMENT ACQUISITION	A request to authorize the acceptance of easements from the State of Tennessee for public right-of-way and greenway maintenance purposes in connection with development of the new minor league baseball park in the area known as Sulphur Dell requested by Metro Department of Finance, applicant.	19 (Erica S. Gilmore)
11/7/2014	11/11/2014 RECOM APPR	2014M - 029PR-001	MFP REAL ESTATE LLC PROPERTY EXCHANGE	A request approving an exchange of real property interests between the Metropolitan Government and MFP Real Estate LLC for construction of a minor league baseball stadium and related improvements, requested by the Metro Finance Department, applicant.	19 (Erica S. Gilmore)

## MANDATORY REFERRALS: MPC Approval (continued)

Date Submitted	Staff Determination		Case #	Project Name	Project Caption	Council District (CM Name)
11/12/2014	11/14/2014	RECOM APPR	2014M - 030PR-001	MNPD WEST PRECINCT LEASE AGREEMENT	A request to approve an intergovernmental agreement between the Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Nashville Police Department ("MNPD"), and the State of Tennessee, acting by and through the Department of General Services, to use space inside the MNPD West Precinct as a State of Tennessee Driver's License Kiosk facility, requested by the Metropolitan Department of Finance and the Metropolitan Nashville Police Department, applicants.	24 (Jason Holleman)
11/11/2014	11/18/2014	RECOM APPR	2014M -077ES-001	FORMER ALLEY #1517	A request to abandon a portion of the retained easement rights in the former Alley #1517 (previously retained in Council Bill No. 2014-912), requested by Metro Water Services, applicant.	20 (Buddy Baker)
11/17/2014	11/24/2014	RECOM APPR	2014M - 032PR-001	STEM PREPARATORY ACADEMY LEASE AGREEMENT	A request to approve a lease agreement by and between the Metropolitan Government of Nashville and Davidson County and STEM Preparatory Academy, requested by the Metropolitan Department of Finance, applicant.	17 (Sandra Moore)
11/17/2014	11/24/2014	RECOM APPR	2014M - 031PR-001	METRO PUBLIC WORKS WEST SERVICE CENTER PROPERTY DISPOSAL	A request to approve the disposal of 0.179 acres of property located at 3800 Charlotte Avenue (Metro Public Works West Service Center) for use in the I-40 East Ramp Improvement Project, requested by the Metropolitan Department of Public Works and the Metropolitan Department of Public Property, applicants.	24 (Jason Holleman)
11/17/2014	11/24/2014	RECOM APPR	2014M -078ES-001	VILLAGES OF RIVERWOOD, PH 6C, SEC 1 PUBLIC UTILITIES ACCEPTANCE	A request to abandon approximately 293 linear feet of 10" sewer force main and to relocate and accept the same and to accept approximately 1,350 linear feet of 8" DIP water main and three fire hydrant assemblies and to accept approximately 230 linear feet of 10" Sanitary DIP sewer main, to accept approximately 786 linear feet of 10" sanitary PVC sewer main and to also accept approximately 385 linear feet of 8" sanitary PVC sewer main on a portion of properties located at Dodson Chapel Road (unnumbered) and Hoggett Ford Road (unnumbered), Metro Water Services Project #'s 14-WL-68 and 14-SL-80, requested by Metro Water Services and Ragan Smith Associates, applicants.	14 (James Bruce Stanley)

## MANDATORY REFERRALS: MPC Approval (continued)

Date Submitted	Staff Determination		Case #	Project Name	Project Caption	Council District (CM Name)
11/18/2014	11/25/2014	RECOM APPR	2014M -079ES- 001	GRAYMONT DEVELOPMENT ABANDONMENT & RELOCATION	A request to abandon approximately 230 linear feet of an 8" sanitary sewer line and easement and to accept approximately 1,215 linear feet of 8" PVC sanitary sewer and approximately 1,074 linear feet of 8" DIP water main and approximately 369 linear feet of 4" water main on properties located at 1804 and 1808 Graybar Lane, 3505 Hopkins Street and 1919 and 1921 Woodmont Boulevard, Metro Water Services Project #'s 14-WL-48 and 14-SL-49, requested by Metro Water Services and Walter Davidson and Associates, applicants.	25 (Sean McGuire)
10/27/2014	11/25/2014	RECOM APPR	2014M -074ES- 001	SkyHouse Nashville Abandonment of Retained Easement Rights	A request to abandon the retained easement rights in the former Alley # 236 (previously retained in Council Ordinance BL 2007-104) on properties located at 1701 and 1707 Broadway and 115 17th Avenue South, requested by Metro Water Services and Kimley-Horn, applicants; West End Capital, LLC, owner.	19 (Erica S. Gilmore)
11/19/2014	11/26/2014	RECOM APPR	2013M - 041PR- 002	DIVISION STREET EXTENSION PROJECT, AMENDMENT # 1	A request to authorize Amendment One (1) to the Division Street Extension Phase 1 Right-of-Way Acquisition, for additional acquisition of certain right-of-way, slope and temporary construction easements and property rights between 4th Avenue South and 8th Avenue South, and including Fogg Street and 7th Avenue South, for closure of the CSXT crossing for use by the Metropolitan Government, requested by the Metro Public Works Department, applicant.	19 (Erica S. Gilmore)
11/21/2014	12/1/2014	RECOM APPR	2014M - 021EN- 001	SKY HOUSE AERIAL ENCROACHMENT	A request to allow aerial encroachments for "SkyHouse" comprised of awnings and signage encroaching above the public right-of-way at 1701 Broadway and 115 17th Avenue South, zoned CF and located within the Music Row Urban Design Overlay District, requested by Kimley-Horn and Associates, applicant; West End Capital, LLC, owner.	19 (Erica S. Gilmore)
11/26/2014	12/3/2014	RECOM APPR	2014M -080ES- 001	627 GALLATIN PIKE SANITARY SEWER EASEMENT ABANDONMENT	A request to abandon approximately 90 linear feet of existing sewer easement and to retain a portion of the existing sewer easement dedicated in Book 3342, Page 240, on property located at 627 Gallatin Pike, requested by Metro Water Services and Walgreens Co., applicants.	09 (Bill Pridemore)

**PLANNED UNIT DEVELOPMENTS (finals and variances only) : MPC Approval**

Date Submitted	Staff Determination	Case #	Project Name	Project Caption	Council District # (CM Name)
NONE					

**INSTITUTIONAL OVERLAYS (finals and variances only) : MPC Approval**

**Finding: Final site plan conforms to the approved campus master development plan and all other applicable provisions of the code.**

Date Submitted	Staff Determination	Case #	Project Name	Project Caption	Council District # (CM Name)
NONE					

**SUBDIVISIONS: Administrative Approval**

Date Submitted	Date Approved	Action	Case #	Project Name	Project Caption	Council District # (CM Name)
5/14/2014	11/11/2014	APADMIN	2014S-114-001	KENMORE PLACE, RESUB LOT 45	A request for final plat approval to create two lots on property located at 1223 McGavock Pike, approximately 380 feet east of Kenmore Place, zoned RS7.5 (0.59 acres), requested by Campbell, McRae & Associates Surveying, Inc., applicant; Southern Comfort Development, LLC, owner.	07 (Anthony Davis)
6/12/2014	11/11/2014	APADMIN	2014S-154-001	1812 ELLIOTT AVENUE	A request for final plat approval to create two lots on property located at 1812 Elliott Avenue, approximately 280 feet south of W. Argyle Avenue, zoned R8 (0.57 acres), requested by Delle Land Surveying, applicant; James Boulton, owner.	17 (Sandra Moore)
9/12/2014	11/19/2014	APADMIN	2014S-212-001	BLAIR'S BELMONT PARK, RESUB LOT 24	A request for final plat approval to shift property lines between properties located at 1601 Shackleford Road and Shackleford Road (unnumbered), at the southeast corner of Shackleford Road and Belmont Boulevard, zoned R10 (1.07 acres), requested by Delta Associates, Inc., applicant; Gilbert and April Ezell, owners.	25 (Sean McGuire)

### SUBDIVISIONS: Administrative Approval (continued)

Date Submitted	Date Approved	Action	Case #	Project Name	Project Caption	Council District (CM Name)
3/26/2014	11/23/2014	APADMIN	2014S-076-001	CLOVERDALE, RESUB LOT 88	A request for final plat approval to create two lots on property located at 441 Adair Road, at the corner of Adair Road and Larimore Drive, zoned RS10 (1.06 acres), requested by Patrick Coode and Company, LLC, applicant; SDIA Holdings, LLC, owner.	15 (Phil Claiborne)
6/12/2014	12/1/2014	APADMIN	2014S-152-001	1224 KENMORE PLACE	A request for final plat approval to shift lot lines between properties located at 1224 Kenmore Place and Kenmore Place (unnumbered), approximately 250 feet north of McGavock Pike, zoned RS7.5 (0.44 acres), requested by Delle Land Surveying, applicant; Billy Meeks et ux, owners.	07 (Anthony Davis)

### Performance Bonds: Administrative Approvals

Date Approved	Administrative Action	Bond #	Project Name
11/10/2014	Approved Release	2012B-034-003	CHARTWELL HOSPITALITY BEDFORD AVENUE
11/10/2014	Approved Extension/Reduction	2006B-013-008	RIVENDELL WOODS, PHASE 1, SECTION 1
11/12/2014	Approved Extension	2012B-035-003	LEE CHAPEL AME CHURCH
11/17/2014	Approved Release	2013B-012-002	AUTUMN OAKS, PHASE 10A
11/17/2014	Approved Release	2013B-020-002	EAST SIDE APARTMENTS
11/18/2014	Approved Extension	2012B-021-003	CLEVELAND HALL, PHASE 5
11/20/2014	Approved Extension	2006B-029-007	SUMMERFIELD, SECTION 6
11/21/2014	Approved Release	2012B-033-003	CARMAX AUTO SUPERSTORE
11/24/2014	Approved Release	2013B-027-002	2722 MURFREESBORO PIKE
11/24/2014	Approved Extension/Increase	2008B-031-005	ABBINGTON PARK, PHASE 2, SECTION 1
11/24/2014	Approved Extension/Reduction	2013B-030-002	BURKITT SPRINGS, PHASE 1
11/24/2014	Approved Release	2012B-026-003	HIGH POINT, PHASE 1, SECTION 4
12/1/2014	Approved Release	2007B-048-009	DELVIN DOWNS, PHASE 1, SECTION 1
12/1/2014	Approved Extension	2009B-013-006	CHATEAU VALLEY, PHASES 6 AND 7
12/1/2014	Approved Extension/Reduction	2007B-083-007	SUGAR VALLEY, SECOND ADDITION, PHASE 3, SECTION 1
12/3/2014	Approved Release	2006B-094-009	HALLMARK, SECTION 2
12/4/2014	Approved Extension	2007B-028-005	CAMBRIDGE FOREST, PHASE 6
12/4/2014	Approved Extension	2006B-081-005	CAMBRIDGE FOREST, SECTION 10

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## Schedule

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- A. **Thursday, January 8, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- B. **Tuesday; January 27, 2015** - [NashvilleNext Steering Committee](#) (Jim McLean; Jeff Haynes; Andree LeQuire)
- C. **Thursday, January 22, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- D. **Thursday, February 12, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- E. **Thursday, February 26, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- F. **Thursday, March 12, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- G. **Thursday, March 26, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- H. **Thursday, April 9, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- I. **Thursday, April 23, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- J. **Thursday, May 14, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- K. **Thursday, May 28, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- L. **Thursday, June 11, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- M. **Thursday, June 25, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- N. **Thursday, July 23, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- O. **Thursday, August 13, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- P. **Thursday, August 27, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- Q. **Thursday, September 10, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- R. **Thursday, September 24, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- S. **Thursday, October 8, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- T. **Thursday, October 22, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- U. **Thursday, November 12, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center



- V. **Thursday, December 10, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- W. **Thursday, January 14, 2016** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center