



METROPOLITAN PLANNING COMMISSION MINUTES

Thursday, October 10, 2013

4:00 pm Regular Meeting

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

MISSION STATEMENT

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

Commissioners Present:
Stewart Clifton, Vice Chair
Hunter Gee
Judy Cummings
Phil Ponder
Jeff Haynes
Greg Adkins
Andree LeQuire
Councilmember Walter Hunt

Staff Present:
Rick Bernhard, Executive Director
Kelly Adams, Administrative Services Officer III
Craig Owensby, Public Information Officer
Bob Leeman, Planning Manager II
Carrie Logan, Planner III
Jason Swaggart, Planner II
Duane Cuthbertson, Planner II
Amy Diaz-Barriga, Planner I
Susan Jones, Legal

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
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Notice to Public

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 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 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

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 and our summary regarding how Planning Commission public hearings are conducted at 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

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

A. CALL TO ORDER

The meeting was called to order at 4:01 p.m.

B. ADOPTION OF AGENDA

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

C. APPROVAL OF SEPTEMBER 26, 2013 MINUTES

Mr. Haynes moved and Mr. Ponder seconded the motion to approve the September 26, 2013 minutes. (7-0)

D. RECOGNITION OF COUNCILMEMBERS

Councilmember Anthony Davis spoke in support of Item 5.

E. ITEMS FOR DEFERRAL / WITHDRAWAL

1. 2013Z-031PR-001

MCGAVOCK PIKE (UNNUMBERED)

4. 2013SP-034-001

COTTAGE PARK

Mr. Ponder moved and Mr. Gee seconded the motion to approve the deferred items. (7-0)

F. CONSENT AGENDA

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.

2. 2013S-154-001

BUGEL THREE LOT SUBDIVISION

6. 2013Z-036PR-001

VANTAGE WAY (UNNUMBERED)

7. 157-74P-001

ULTIMATE STORAGE INC. (PRELIM & FINAL)

8. 2013S-171A-001

FIRST REVISION OF EASTLAND OAKS, RESERVE PARCEL &
EASTLAND ACRES, PARCEL A

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

G. PREVIOUSLY DEFERRED ITEMS

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.

1. 2013Z-031PR-001

MCGAVOCK PIKE (UNNUMBERED)

Map 134, Parcel(s) 013, 297

Council District 13 (Josh Stites)

Staff Reviewer: Duane Cuthbertson

A request to rezone from R10 to IWD zoning for properties located at McGavock Pike (unnumbered), approximately 1,850 feet north of Harding Place and partially located within the Floodplain Overlay District (88.81 acres), requested by Hawkins Development Company, applicant; Metropolitan Nashville Airport Authority and the Estate of Louise M. Miles, owners.

Staff Recommendation: Defer to the October 24, 2013, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2013Z-031PR-001 to the October 24, 2013, Planning Commission meeting. 7-0

2. 2013S-154-001

BUGEL THREE LOT SUBDIVISION

Map 129-04, Parcel(s) 047

Council District 23 (Emily Evans)

Staff Reviewer: Duane Cuthbertson

A request for final plat approval to create three lots on property located at 200 Haverford Avenue, at the corner of Haverford Avenue and West Meade Drive, zoned RS20 (2.41 acres), requested by Harry Joseph Bugel et ux, owners; Donlon Land Surveying, LLC, applicant.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Create three lots.

Final Plat

A request for final plat approval to create three lots on property located at 200 Haverford Avenue and West Meade Drive, zoned Single-Family Residential (RS20) (2.55 acres).

Existing Zoning

Single-Family Residential RS20 requires a minimum of 20,000 square foot lot and is intended for single-family dwellings at a density of 1.85 dwelling units per acre. *RS20 would permit a maximum of five lots.*

CRITICAL PLANNING GOALS

- Supports Infill Development

The subdivision creates additional residential development opportunity consistent with the land use policy in an area where infrastructure and services exist. The subdivision is located within close proximity to commercial and employment districts and served well by existing road networks.

REQUEST DETAILS

The property is located at the northwest corner of West Meade Drive and Haverford Avenue and is in an area of transition between a more dense residential area to the south and east and a less dense residential area to the north and west. The site does not contain any significant slopes or other environmentally sensitive features.

The request is to create three single-family lots. The existing dwelling will be removed from the property. Lot 1 fronts West Meade Drive. Lot 2 is a corner lot and has frontage on West Meade Drive and Haverford Avenue and Lot 3 fronts Haverford Avenue. Each lot will be accessed individually. The lots have the following land area:

Lot 1: 0.89 Acres (38,955 SF);

Lot 2: 0.87 Acres (38,073 SF);

Lot 3: 0.78 Acres (34,059 SF).

ANALYSIS

For infill subdivisions in R and RS zoning districts that are in areas that are previously subdivided and predominantly developed, lots must be generally compatible with surrounding lots. For determining compatibility in T3 NM (Neighborhood Maintenance) policy areas, the Subdivision Regulations require that the lots must be consistent in terms of community character. Community character is defined as:

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

The proposed subdivision is consistent with the community character of the surrounding area.

- The proposed lot sizes are comparable with many of the lots found in the immediate surrounding area and larger than the minimum lot size permitted by the RS20 zoning district.
- Minimum building setback lines are provided on the plat in order to maintain the present character along both West Meade Drive and Haverford Avenue.
- All other setbacks are consistent with Metro Zoning Code requirements.

The site is located within the Urban Services District. Therefore, sidewalks are required along West Meade Drive and Haverford Avenue. However, because there is not an existing sidewalk network surrounding the site, the applicant may elect to contribute to the sidewalk fund in-lieu of constructing the required sidewalks.

STORMWATER RECOMMENDATION

Approved

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.
- 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.

WATER SERVICES

Approval is contingent on construction and completion of Metro Project #'s 13-SL-101 and 13-WL-108.

STAFF RECOMMENDATION

Approve with conditions if Metro Water Services recommends approval prior to the October 10, 2013, Planning Commission meeting. The subdivision complies with all Metro Subdivision Regulations and Zoning Code requirements and meets a critical planning goal.

CONDITIONS

1. Prior to recordation of the final plat, a performance bond for public infrastructure shall be executed, or said public infrastructure shall be completed and accepted by the relevant Metro agency.
2. Existing buildings shall be removed from the property and the final plat prior to recordation of the subdivision.
3. Sidewalks are required along the Haverford Avenue and West Meade Drive frontages 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, two additional lots will require a \$ 1,000 contribution to Pedestrian Benefit Zone 4-B.
 - 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.
4. Comply with Public Works conditions.

Resolution No. RS2013-186

"BE IT RESOLVED by The Metropolitan Planning Commission that 2013S-154-001 is Approved with conditions. (7-0)

CONDITIONS

1. **Prior to recordation of the final plat, a performance bond for public infrastructure shall be executed, or said public infrastructure shall be completed and accepted by the relevant Metro agency.**
2. **Existing buildings shall be removed from the property and the final plat prior to recordation of the subdivision.**
3. **Sidewalks are required along the Haverford Avenue and West Meade Drive frontages 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, two additional lots will require a \$ 1,000 contribution to Pedestrian Benefit Zone 4-B.**
 - 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.**
4. **Comply with Public Works conditions.**

H. COMMUNITY PLAN POLICY CHANGES AND ASSOCIATED CASES

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).

No Cases on this Agenda

I. RECOMMENDATIONS TO METRO COUNCIL

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

Specific Plans

3. 2013SP-033-001

WHITE AVENUE COTTAGES

Map 105-14, Parcel(s) 123-124, 303

Council District 17 (Sandra Moore)

Staff Reviewer: Jason Swaggart

A request to rezone from R6 to SP-R zoning for properties located within the Woodland-in-Waverly Historic Preservation District at 2107, 2111, and 2115 White Avenue, approximately 195 feet south of Prentice Avenue (0.57 acres), to permit up to 8 residential dwelling units, requested by Dale and Associates, applicant; J. Miller Enterprises, LLC., owners.

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

APPLICANT REQUEST

Preliminary SP to permit 8 residential units.

Preliminary SP

A request to rezone from One and Two-Family Residential (R6) to Specific Plan – Residential (SP-R) for properties located within the Woodland-in-Waverly Historic Preservation District at 2107, 2111, and 2115 White Avenue, approximately 195 feet south of Prentice Avenue (0.57 acres), to permit up to 8 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. *All three properties could develop with two-family homes for a total of six units.*

Proposed Zoning

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

CRITICAL PLANNING GOALS

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

This is an example of infill development in an area with adequate infrastructure, which is appropriate because it does not burden Metro with the cost of maintaining new infrastructure. The additional density also helps support the 8th Avenue corridor, which provides a mixture of goods and services for area residents. The area surrounding the site consists of mostly single-family uses. This proposal will provide an additional housing option. All the units are detached, which helps to preserve the single-family form. The area is served by an adequate sidewalk network and bus service is located along 8th Avenue, which supports transportation options.

GREEN HILLS – MIDTOWN COMMUNITY PLAN

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

Single Family Detached (SFD) is intended for single family housing that varies based on the size of the lot. Detached houses are single units on a single lot.

Consistent with Policy?

Yes. The proposed SP provides an additional housing option in the area, which creates housing choices for a variety of people, consistent with the NG policy. The plan provides a design that engages the street and provides a central courtyard for leisure and recreational opportunities. The proposal is also consistent with the SFD policy which supports detached housing. Each unit will be under a single-owner utilizing a horizontal property regime.

PLAN DETAILS

This SP proposes eight detached residential units on approximately 0.57 acres. The project site consists of three existing lots, which could result in six units under current zoning. The site is located on the west side of White Avenue, east of 8th Avenue south. The property is also located within the Urban Zoning Overlay (UZO) and the Woodland-in-Waverly Historic Preservation District.

Site Plan

The SP proposes a layout in which the eight detached residential units are oriented around a central green space. Three units front onto White Avenue and include front porches. Six units front onto the open space and include porches. Units are limited to two stories in height.

All vehicular access will be from Alley #675 which runs along the rear, western property line. Parking is provided at 1.5 stalls per unit. The plan provides 12 surface parking spaces along the alley, and one garage space in the center unit. On street parking is also provided.

The plan utilized Low Impact Design (LID) to address stormwater requirements. Rain gardens are included along White Avenue and the rear parking area is surfaced with bricked pavers which are pervious. The plan calls for a five foot buffer along the northern and southern property lines.

ANALYSIS

The SP is consistent with NG policy and provides a housing type that is supported by the SFD policy. The plan also meets several critical planning goals. While the proposal does not include any conceptual elevations, the elevations must be evaluated and approved by Metro Historic Zoning Commission prior to final site plan approval.

METRO HISTORIC ZONING COMMISSION

No Exceptions Taken

STORMWATER RECOMMENDATION

Preliminary SP approved

PUBLIC WORKS RECOMMENDATION

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- Dedicate alley ROW prior to building permit application.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.57	7.71	6 U*	58	5	7

*Based on three two-family lots.

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
Residential (210)	0.57	-	8 U	77	6	9

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

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

SCHOOL BOARD REPORT

This proposed SP would not generate any more students than what would be generated by the current R6 district.

Any students would attend Percy Priest Elementary School, JT Moore Middle School, and Hillsboro High School. This information is based upon data from the school board last updated September 2012.

STAFF RECOMMENDATION

Staff recommends that the request be approved with conditions and disapproved without all staff conditions.

CONDITIONS

1. Permitted land uses shall be limited to up to 8 residential units.
2. Architectural elevations shall be approved by Metro Historic Zoning Commission prior to final site plan approval.
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 RM15 zoning district as of the date of the applicable request or application.
4. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no later than 120 days after the effective date of the enacting ordinance. The corrected copy provided to the Planning Department shall include printed copy of the preliminary SP plan and a single PDF that contains the plan and all related SP documents. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.
5. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
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

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

Roy Dale, 1657 Stokley Lane, spoke in favor of the application on behalf of the applicant. He noted that this development will be similar to Germantown Court, but this will be slightly larger, although lower density, and will keep with the rhythm of the neighborhood. This development is far superior to what exists currently and far superior to what could be built under the current zoning.

Mary O'Neil, 2109 Grantland Avenue, spoke in opposition to the application and requested no more than two units be placed on each lot.

Tom Lerner, 2215 Grantland Avenue, spoke in opposition to the application. He noted concerns with future resale values and also noted that the density is too high.

Elizabeth Horton, 726 Benton, spoke in opposition to the application and stated that the historic overlay is supposed to prevail even over the SP. She urged the commission to consider the legality of this development.

Pete Horton, 726 Benton, spoke in opposition to the application and noted that the density is too high.

Betty Smith, 2101 Lyndell Avenue, spoke in opposition to the application due to concerns of similar developments moving to her area.

Carol Simpson, 2217 White Avenue, spoke in opposition to the application due to parking concerns for this type of density.

Mr. Ponder moved and Dr. Cummings seconded the motion to close the Public Hearing. (8-0)

Susan Jones, Legal, clarified that Historic guidelines will cover the design and exterior – not the density. Historic will have the final say on architectural requirements.

Robin Zeigler, Historic Zoning Commission, clarified that the role of the Planning Commission is to review the zoning and the number of units. If approved, it will come before the Historic Zoning Commission for review of the exterior of all four sides of all of the buildings.

Dr. Cummings inquired if the Historic Zoning Commission will also review the height of the units; Ms. Zeigler confirmed.

Mr. Bernhardt noted that there will be a two-story limit.

Ms. LeQuire stated that the Germantown Cottages have held their value and their resale value. She noted that the Historic Zoning Commission will be attentive to the rhythm of the street, parking in the rear will help keep cars off the street, and this will contribute to the neighborhood with a variety of housing types.

Mr. Adkins stated that this project seems to make more sense for the character of the community rather than building three really large duplexes that do not fit in with the neighborhood. It is transit oriented and walkable.

Mr. Gee expressed support and noted that these types of projects have really added value to neighborhoods.

Mr. Ponder expressed support and noted that a net increase of four cars doesn't seem to be significant enough to negatively affect traffic.

Mr. Adkins moved and Mr. Ponder seconded the motion to approve with conditions and disapprove without all conditions. (7-0-1) Ms. LeQuire abstained.

Resolution No. RS2013-187

"BE IT RESOLVED by The Metropolitan Planning Commission that 2013SP-033-001 is Approved with conditions and disapproved without all conditions. (7-0-1)

CONDITIONS

- 1. Permitted land uses shall be limited to up to 8 residential units.**

2. Architectural elevations shall be approved by Metro Historic Zoning Commission prior to final site plan approval.
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 RM15 zoning district as of the date of the applicable request or application.
4. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no later than 120 days after the effective date of the enacting ordinance. The corrected copy provided to the Planning Department shall include printed copy of the preliminary SP plan and a single PDF that contains the plan and all related SP documents. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.
5. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
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.

4. 2013SP-034-001

COTTAGE PARK

Map 060, Parcel(s) 041

Council District 02 (Frank R. Harrison)

Staff Reviewer: Jason Swaggart

A request to rezone from RS7.5 to SP-R zoning for property located at Surf Drive (unnumbered), approximately 435 feet west of Dickerson Pike (16.58 acres), to permit up to 81 residential dwelling units, requested by Dale and Associates, applicant; Danny and Melanie Eaton, owners.

Staff Recommendation: Defer indefinitely.

The Metropolitan Planning Commission deferred indefinitely 2013SP-034-001. 7-0

Zone Changes

5. 2013Z-034PR-001

RIVERSIDE DRIVE

Map 072-07, Parcel(s) 131-135, 228-230, 232, 233, 235, 238, 273, 290-296, 371

Council District 07 (Anthony Davis)

Staff Reviewer: Duane Cuthbertson

A request to rezone from CL, MUL, SP, RS10, OR20, CN and R6 to MUN-A and MUL-A zoning for various properties located along Maxey Lane, McGavock Pike, Oxford Street and Riverside Drive, between Oxford Street and Geneva Drive, (5.92 acres), requested by Councilmember Anthony Davis and the Metro Planning Department, applicants; various property owners.

Staff Recommendation: Approve with a housekeeping amendment to the Community Plan.

APPLICANT REQUEST

Zone Change from various districts to MUL-A and MUN-A.

Zone Change

A request to rezone from Commercial Limited (CL), Mixed Use Limited (MUL), Specific Plan – Commercial (SP-C), Single-Family Residential (RS10), Office Residential (OR20), Commercial Neighborhood (CN) and One and Two-Family Residential (R6) to Mixed Use Limited - A (MUL-A) and Mixed Use Neighborhood – A (MUN-A) zoning for various properties located along Maxey Lane, McGavock Pike, Oxford Street and Riverside Drive, between Oxford Street and Geneva Drive, (5.92 acres).

Existing Zoning

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

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

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

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

Office/Residential (OR20) is intended for office and/or multi-family residential units at up to 20 dwelling units per acre.

Commercial Neighborhood (CN) is intended for very low intensity retail, office, and consumer service uses which provide for the recurring shopping needs of nearby residential areas.

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.

Proposed Zoning

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

Mixed Use Neighborhood-A (MUN-A) is intended for a low intensity mixture of residential, retail, and office uses and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards.

CRITICAL PLANNING GOALS

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

The proposed A districts will encourage redevelopment in Riverside Village at higher intensities and permit a mix of uses, including residential, within single buildings and within the center. The zoning districts will encourage new development in a form that supports a strong pedestrian environment by locating and orienting new buildings toward the sidewalk, reducing the number of vehicular access points and minimizing prominence of parking facilities.

The additional development opportunities of MUN-A and MUL-A allow services to be provided closer to neighborhoods, which increases the viability of other modes of transportation, including transit and cycling, and helps create an environment in which individuals park and walk to multiple destinations or walk from surrounding neighborhoods. The properties included in the zone change are served by existing infrastructure, which allows additional development without burdening Metro with the cost of maintaining new infrastructure.

A robust neighborhood center also strengthens the health and viability of the surrounding neighborhood. Stronger, more complete urban neighborhoods combat urban sprawl by mitigating the need to build in suburban and rural areas.

EAST NASHVILLE COMMUNITY PLAN

Neighborhood Center (NC) is intended for small, intense areas that may contain multiple functions and are intended to act as local centers of activity. Ideally, a neighborhood center is a "walk-to" area within a five minute walk of the surrounding neighborhood it serves. The key types of uses intended within NC areas are those that meet daily convenience needs and/or provide a place to gather and socialize. Appropriate uses include single- and multi-family residential, public benefit activities and small scale office and commercial uses. An Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

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

This policy applies only to parcel 238.

Special Policy (applying to Parcels 294-296)

This area is intended to serve as a transition from the more intense mixed uses along McGavock Pike to the residential uses further south along Riverside Drive, which is intended to retain its character as a residential boulevard with occasional compact Neighborhood Center nodes found at key intersections. To this end, uses within the Special Policy area should be more limited in scale and intensity than those to the north. To achieve this difference in scale and intensity, if rezoning of this

area is requested, the provisions of the Mixed Use Neighborhood District as it exists as of the date of the establishment of this Special Policy should be used as a guide for developing zoning for the site rather than the more intense Mixed Use Limited District that has been used elsewhere in this Neighborhood Center.

Consistent with Policy?

Yes. The proposed zoning allows a mixture of office, commercial and residential uses as well development intensities that will continue the growth of this neighborhood center. The proposed MUN-A districts on properties to the south of those that front McGavock Pike recognize and implement the Special Policy.

MUN-A is proposed for Parcel 238, a triangular shaped property with frontage on Maxey Lane that currently has Neighborhood General Policy. Staff is recommending a housekeeping amendment to change the policy applied to this property from Neighborhood General to Neighborhood Center. The property is adjacent to parcels east and northwest that are included in the Neighborhood Center policy. The parcel to the northwest is proposed for MUL-A zoning. Including this parcel in this rezoning will provide continuity in the neighborhood center boundary and allow for a better transition into the neighborhood to the south and west. The site may also be used to support the more intense uses intended for properties zoned MUL-A.

ANALYSIS

The parcels included in this application form an existing neighborhood center in East Nashville's Inglewood neighborhood at the intersection of two major streets, Riverside Drive and McGavock Pike. The majority of the properties have frontage on McGavock Pike and are proposed for MUL-A zoning while MUN-A zoning is proposed for parcels on the south side of the neighborhood center. The center is wholly surrounded by residential neighborhoods.

The mixed use -A districts encourage the redevelopment of the Riverside Village neighborhood center in a manner that will support an improved walking environment and the two existing MTA bus lines serving the center. The land uses permitted with the proposed districts will encourage more neighborhood oriented services.

The proposed zoning districts will simplify the zoning pattern over the neighborhood center and create a consistent expectation for future growth in terms of uses and development form. The mixed use-A districts will enable redevelopment of the center at a scale consistent and compatible with the surrounding neighborhood.

The properties in this zone change were included in an expansion of the Urban Zoning Overlay (UZO) in 2007, which is intended to promote reinvestment in areas of metro Nashville originally developed before the mid-1950's.

The following development standards would be applicable with the proposed zoning.

Mixed Use Limited-A (MUL-A):

Height:	max - 3 stories (45 feet) at the setback; total up to 4 stories (60 feet)
Floor Area Ratio:	1.00 maximum
Front Build-to Zone:	5' to 15' from street property line (new building shall occupy corner)
Parking:	Per Zoning Code – located to rear or side of building(s)

Mixed Use Neighborhood-A (MUN-A):

Height:	max – 3 stories (45 feet) at the setback; total up to 4 stories (60 feet)
Floor Area Ratio:	0.6 maximum
Front Build-to Zone:	5' to 15' from street property line (new building shall occupy corner)
Parking:	Per Zoning Code – located to rear or side of building(s)

Signage permitted in the proposed mixed use districts would be more compatible with the surrounding neighborhood context. Properties included in the neighborhood center would be limited to one on-premise ground sign with display area no greater than 64 square feet and a maximum height of 20 feet.

PUBLIC WORKS RECOMMENDATION

- Traffic study may be required at time of development.

STAFF RECOMMENDATION

Staff recommends approval with a housekeeping amendment to the Community Plan from Neighborhood General to Neighborhood Center policy for parcel 238, as the proposed MUL-A and MUN-A zoning districts are consistent with the Neighborhood Center policy.

Mr. Cuthbertson presented the staff recommendation of approval with a housekeeping amendment to the Community Plan.

Councilmember Anthony Davis spoke in favor of the application.

James and Olene Mims, 2212 Riverside Drive, spoke in opposition to the proposal and expressed concerns regarding increased storm water runoff.

Mr. Haynes moved and Mr. Gee seconded the motion to close the Public Hearing. (8-0)

Mr. Gee noted that, with the potential increase in commercial development rights, there will also be increased parking demand. Having some additional properties that could turn into parking lots is not necessarily a bad thing for the neighborhood.

Steve Mishu, Metro Storm Water, spoke regarding the storm water concerns and stated that, hopefully, the owner of the two properties that are affecting Mr. & Mrs. Mims will offer to help with the current runoff issues.

Mr. Gee inquired if Public Works is planning an improvement project for this area. Public Works confirmed but had no additional details.

Mr. Gee moved and Mr. Adkins seconded the motion to approve with a housekeeping amendment to the Community Plan. (8-0)

Resolution No. RS2013-188

“BE IT RESOLVED by The Metropolitan Planning Commission that 2013Z-034PR-001 is **Approved with a housekeeping amendment to the Community Plan. (8-0)**

6. 2013Z-036PR-001

VANTAGE WAY (UNNUMBERED)

Map 081-04, Parcel(s) 221

Council District 02 (Frank R. Harrison)

Staff Reviewer: Duane Cuthbertson

A request to rezone from IWD to MUG zoning for property located at Vantage Way (unnumbered), approximately 290 feet east of French Landing Way (11.18 acres), requested by The Residential Group, LLC, applicant; Horsepower Realty, LLC, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone Change from IWD to MUG.

Zone Change

A request to rezone from Industrial Warehousing/Distribution (IWD) to Mixed Use General (MUG) zoning for property located at Vantage Way (unnumbered), approximately 290 feet east of French Landing Way (11.18 acres).

Existing Zoning

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

Proposed Zoning

Mixed Use General (MUG) is intended for a moderately high intensity mixture of residential, retail, and office uses.

CRITICAL PLANNING GOALS

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

The property is located in MetroCenter and just north of downtown both of which provide a concentration of employment. The proposed MUG zoning district allows a variety of commercial and residential uses that would support the surrounding employment environment. Residential development on the site would support existing service commercial in the surrounding area while not disrupting the functionality of the surrounding employment center. Housing on the site would create an additional opportunity for living near employment, which is favorable as it would allow for shorter commutes and opportunity to use other modes of transportation using the existing network.

The proposal allows development opportunity on a site that has been vacant. Development on the site would utilize existing public infrastructure, which is appropriate as it doesn't burden Metro with the cost of maintaining new infrastructure.

NORTH NASHVILLE COMMUNITY PLAN

District Office Concentration (D OC) policy is intended to preserve, enhance, and create Districts where office use is predominant and where opportunities for the addition of complementary uses are present. The development and redevelopment of such Districts occurs in a manner that is complementary of the varying character of surrounding communities as characterized by development patterns, building form, land use, and associated public realm.

Special Policy

MetroCenter has been successful as a business and light industrial park. Existing IWD zoning in the area is supportive of these uses and may remain and continue to support such uses during this planning period. Over time, however, it is envisioned that this area transition from light industrial/distribution to more office with a mixture of commercial and residential land uses. In such cases where commercial and/or residential land uses are desired, zone districts as outlined in the D Office Concentration Community Character Policy to permit those uses may be considered on their merits.

Consistent with Policy?

Yes. The MUG zoning district permits a variety of office, commercial and residential uses that are consistent with and complimentary to the Office Concentration policy as provided for in the Special Policy.

ANALYSIS

The property, located on the south side of Vantage Way east of French Landing Drive, is currently vacant. The property backs up to I-65 to the south and is surrounded by office uses and an Automobile Sales use to the east. Access to the site would be gained from Vantage Way.

The proposed MUG zoning district permits a variety of uses compatible with those found in the surrounding area. The size and shape of the site would accommodate a large development at a scale consistent with the surrounding IWD zoned property.

Floodplain exists on a portion of the property. Any development on the site under the current or proposed zoning will be required to meet Metro Stormwater requirements.

PUBLIC WORKS RECOMMENDATION

- Traffic study may be required at time of development.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	11.18	0.8 F	389,600 SF	3802	557	516

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	11.18	3 F	487,000 SF	4515	666	625

Traffic changes between maximum existing: **IWD** and proposed **MUG**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+ 97,400 SF	+713	+109	+109

STAFF RECOMMENDATION

Staff recommends approval as the proposed MUG district is consistent with the District Office Concentration policy and special policy.

Approved (7-0), Consent Agenda

Resolution No. RS2013-189

"BE IT RESOLVED by The Metropolitan Planning Commission that 2013Z-036PR-001 is **Approved. (7-0)**"

J. PLANNING COMMISSION ACTIONS

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

Planned Unit Developments: Final Site Plans

7. 157-74P-001

ULTIMATE STORAGE INC. (PRELIM & FINAL)

Map 149-08, Parcel(s) 029

Council District 29 (Karen Y. Johnson)

Staff Reviewer: Jason Swaggart

A request to revise the preliminary plan and for final site plan approval for a Commercial Planned Unit Development Overlay District located at 458 Bell Road, approximately 125 feet north of Murfreesboro Pike (3.16 acres), zoned CS and R10, to permit the addition of a 3,400 square foot self-storage building, requested by Azimtech Engineering, applicant; Ultimate Storage, Inc., owner.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Revise a portion of a Planned Unit Development and final site plan to permit a self-storage facility.

Revise Preliminary PUD and Final Site Plan

A request to revise the preliminary plan and for final site plan approval for the Commercial Planned Unit Development Overlay District located at 458 Bell Road, approximately 125 feet north of Murfreesboro Pike (3.16 acres), zoned Commercial Service (CS) and One and Two-Family Residential (R10), to permit the addition of a 3,400 square foot self-storage building.

Existing Zoning

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

One and Two-Family Residential (R10) *This is a commercial PUD that does not permit residential uses. When this PUD was approved, the Code did not require the base zoning district to match the uses permitted in the PUD; therefore, when it was approved by Council the R10 base district was not changed to match the commercial PUD.*

Murfreesboro Urban Design Overlay (UDO) is intended to allow for the application and implementation of special design standards with the intent of achieving a sense of place by fostering a scale and form of development that emphasizes sensitivity to the pedestrian environment, minimizes intrusion of the automobile into the built environment, and provides for the sensitive placement of open spaces in relationship to building masses, street furniture and landscaping features in a manner otherwise not insured by the application of the conventional bulk, landscaping and parking standards of the Zoning Code.

CRITICAL PLANNING GOALS

N/A

PLAN DETAILS

The subject site is located on the east side of Bell Road just north of Murfreesboro Pike. The commercial PUD was originally approved in 1984 for a 24,750 square foot plant (manufacturing) and an 8,400 square foot office building. It currently consists of a two story office building located along Bell Road and two large storage buildings located at the rear of the site.

The proposal is to change the use from manufacturing to self-storage, while maintaining the office use. The plan calls for one additional building, which will be located at the back of the site, where it is not visible from Bell Road. The current build out is 30,616 square feet and the proposed new building is 3,400 square feet, for a total of 34,016 square feet. The plan also calls for additional landscaping, including two trees along Bell Road in front of the existing office building.

ANALYSIS

The proposed use is permitted under the current CS base zoning district and is also a permitted use under the previous zoning in place when the PUD was originally approved. With this proposal, the floor area will be 34,016 square feet. The last Council approved plan was approved for 51,586 square feet. As proposed the additional building will not increase the floor area above what was approved by Council. Additionally, landscaping is provided, including two trees in compliance with the Murfreesboro Road UDO. Accordingly, this request is being considered as a PUD revision/minor modification 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, 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.

STORMWATER RECOMMENDATION

Ignore

This application does not require stormwater approval because it meets the grading permit exemption criteria.

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.
- Comply with the previously approved building permit, T201322509.

STAFF RECOMMENDATION

Staff recommends that the request be approved with conditions. The proposed request is consistent with the original PUD concept and is in compliance with the Murfreesboro Road UDO. The proposed use is permitted by the current CS base zoning district.

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. Comply with the previously approved building permit, T201322509.

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.
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.
8. A corrected copy of the PUD final site plan incorporating the conditions of approval by the Planning Commission shall be provided to the Planning Department prior to the issuance of any permit for this property, and in any event no later than 120 days after the date of conditional approval by the Planning Commission. Failure to submit a corrected copy of the final PUD site plan within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.

Approve with conditions (7-0), Consent Agenda

Resolution No. RS2013-190

"BE IT RESOLVED by The Metropolitan Planning Commission that 157-74P-001 is **Approved with conditions. (7-0)**

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. Comply with the previously approved building permit, T201322509.**
- 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.**
- 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.**
- 8. A corrected copy of the PUD final site plan incorporating the conditions of approval by the Planning Commission shall be provided to the Planning Department prior to the issuance of any permit for this property, and in any event no later than 120 days after the date of conditional approval by the Planning Commission. Failure to submit a corrected copy of the final PUD site plan within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.**

Subdivision: Amendments

8. 2013S-171A-001

FIRST REVISION OF EASTLAND OAKS, RESERVE PARCEL & EASTLAND ACRES, PARCEL A

Map 083-07, Parcel(s) 230, 343
Council District 06 (Peter Westerholm)
Staff Reviewer: Duane Cuthbertson

A request to amend a previously approved plat to remove a note restricting the future lot to single-family uses only on properties located at Dalebrook Court (unnumbered), approximately 330 feet west of Dalebrook Lane, (0.35 acres), zoned R10, requested by Cornerstone Investment, Inc., owner.

Staff Recommendation: Approve with a condition.

APPLICANT REQUEST

Remove a note from a plat.

Final Plat

A request to amend a previously approved plat to remove a note restricting the future lot to single-family uses only on properties located at Dalebrook Court (unnumbered), approximately 330 feet west of Dalebrook Lane (0.38 acres), zoned One and Two-Family Residential (R10).

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. *R10 would permit a maximum of 1 duplex lot for a total of 2 units.*

CRITICAL PLANNING GOALS

- Supports Infill Development

The consolidation plat with the note removed to allow duplex use would provide additional building opportunity on a vacant parcel where adequate infrastructure exists, which is appropriate because it does not burden Metro with the cost of maintaining new infrastructure. The proposal also permits housing on a parcel that has never been developed and has been a gap in the surrounding residential neighborhood, particularly on Dalebrook Lane.

REQUEST DETAILS

A final plat removing the reserve status and permitting the consolidation of two triangular lots into one lot containing 16,962 square feet was approved by the Planning Commission on July 25, 2013, as Case No. 2013S-111-001. The plat was approved with a condition to restrict the lot to one single family dwelling.

The condition to limit the use on the property to one single family residential dwelling was required as reflection of an interpretation from the Department of Codes Administration. Upon re-evaluation it has been determined by the Department of Codes Administration that a duplex would be permitted.

Planning Commission approval is required to remove the note because the single-family use limitation on the plat was a condition of the Planning Commission's approval.

ANALYSIS

The consolidated property meets the minimum lot area required by the R10 zoning and is compatible with the lots existing on Dalebrook Court. A two-family use on the 16,962 sq. ft. consolidated lot is permitted by the R10 zoning district as expressed in the Zoning Administrator's recommendation below.

ZONING ADMINISTRATOR RECOMMENDATION

Approve:

Upon consolidation, the new parcel is conforming as to lot area. Because the new parcel is conforming, a duplex is allowed if the conditions set forth in M.C.L. § 17.16.030 (D) are satisfied. M.C.L. § 17.16.030 (D)(1) allows a duplex if the lot was legally created and of record prior to August 1, 1984. In this case, we have the merger of two existing parcels, both created and of record prior to August 1, 1984. Therefore, pursuant to M.C.L. § 17.16.030 (D)(1), a two-family dwelling (duplex) in a single residential structure is permitted. Further, because parcels 230 and 343 were each entitled to a single-family residence prior to merger/consolidation, no additional building rights are being conferred beyond those which existed prior to merger/consolidation, and there is no increase in density.

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.

WATER SERVICES RECOMMENDATION

Approved contingent on the capacity fee payment for the second unit. Building permits will not be issued until this payment had been made.

STAFF RECOMMENDATION

Approve with a condition.

CONDITION

1. Comply with Water Services requirement: Pay capacity fee for the second unit prior to issuance of a building permit.

Approved with a condition (7-0), Consent Agenda

Resolution No. RS2013-191

"BE IT RESOLVED by The Metropolitan Planning Commission that 2013S-171A-001 is **Approved with a condition. (7-0)**

CONDITION

1. Comply with Water Services requirement: Pay capacity fee for the second unit prior to issuance of a building permit.

K. OTHER BUSINESS

9. Historic Zoning Commission Report
10. Board of Parks and Recreation Report
11. Executive Committee Report
12. Executive Director Report
13. Legislative Update

L. MPC CALENDAR OF UPCOMING MATTERS

October 24, 2013

Informal Work Session

2:30pm, 800 Second Ave. South, Metro Office Building, Nashville Conference Room

October 24, 2013

MPC Meeting

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

November 14, 2013

MPC Meeting

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

M. ADJOURNMENT

The meeting adjourned at 5:39 p.m.

Chairman

Secretary



METROPOLITAN GOVERNMENT
OF NASHVILLE AND DAVIDSON COUNTY
Planning Department
Metro Office Building, 2nd Floor

Date: October 10, 2013

To: Metropolitan Nashville-Davidson County Planning Commissioners

From: Richard C. Bernhardt, FAICP, CNU-A

Re: Executive Director's Report

The following items are provided for your information.

A. Internal Audit review underway

1. Will continue through November

B. Employee News

C. Communications

D. Community Planning

E. Land Development - Interviews continue for the vacant Planner 2 position.

F. GIS

G. NashvilleNext

1. **Growth Mapping – Saturday, October 12, 2013** - NashvilleNext outreach continues, both online and in community events; our first Growth Mapping exercise will be held this Saturday, October 12, from 9 am to 3:30 pm at the Bridge Building at the east end of the Shelby Avenue pedestrian bridge. The mapping exercise **will begin every hour**, and should last 1½ hours. I have attached an invitation.

2. **Survey of community priorities (Phase 2)** is now complete
 - a. Participants
 - i. Just over 8,700 community inputs so far:
 - (1) 1,093 in a phone survey when we first started the process
 - (2) 1,698 from “visioning” meetings
 - (3) 4,918 surveys in Phase 2

 - b. Survey Results
 - i. Safe streets, good schools, and efficient government were **not** included in the survey – we assumed that those were fundamental issues which would be considered during any planning activity. The survey listed 34 issues affecting our future and asked respondents to pick the most important five; with tabulation just about complete, leading issues include:

(1) Affordable living	33%
(2) Transit improvements	32%
(3) Growing economy	26%
(4) Walkable neighborhoods	25%
(5) Strong neighborhoods	21%

3. **Resource Teams:**
 - a. Resource Team progress in identifying Driving forces for each plan element

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

4. NashvilleNext presence:

a. **Past 2 weeks** – Last Saturday we were at the 5th Annual Hispanic Festival hosted by the Metro Police Department’s El Protector Program at the Global Mall. We were able to collect 55 surveys in Spanish and 30 in English!

b. **Next 2 weeks**

- i. October 12 Growth Mapping
- ii. October 16 Metro Tree Advisory Committee
- iii. October 17 NAIOP Nashville Membership Meeting
- iv. October 23 CEO Conversations Group

H. NashvilleNext Special Studies

1. **Jefferson Street Economic Analysis** - Purpose: Identification of inner-city commercial districts comparable to Jefferson Street in other cities that have achieved sustained economic revitalization. Analysis of public policies, private investments, and other public- private interventions that was instrumental to the successful revitalization. Focus of the study is to identify cases, interventions and factors that lead to revitalization without gentrification-related displacement of existing residents and small businesses. The case studies will include identification of programs beyond the typical public sector approaches of land acquisition, rezoning, and streetscape improvements. Vanderbilt (Dr. Doug Perkins and Karl Jones) and TSU (Dr. David Patchett)
2. **ULI Governor’s Assistance Panel** - “‘Increasing Opportunities for Infill/Redevelopment’ in Nashville” scheduled for October. ULI Governors will present their findings on October 24th at the Hilton Downtown. Please share this announcement, <http://e2.ma/message/9qu0d/5za4o>, with your colleagues and invite them to register to attend!

- 3. Suburban Retrofit** - A \$10,000 grant from the National Association of Realtors will provide real life retrofit examples to make suburban areas more sustainable. Potential study situations include:
- a. Strip commercial abutting residential
 - b. Introducing missing middle housing into suburban post-war single-family neighborhoods
 - c. Introducing neighborhood commercial into suburban post-war single-family neighborhoods
 - d. Diversifying post-war suburban multifamily concentrations
 - e. Taming strip commercial areas
 - f. Design or transition of high traffic roadways with adjacent single-family residential
 - g. Transition or reuse of big box sites for public schools
 - h. If teams are available, mall retrofit

That grant, provided through the Greater Nashville Association of Realtors and matched by a similar contribution from the Metropolitan Planning Commission, will fund research by a key team of urban planners and strategists from Georgia Tech University, led by Professor Ellen Dunham-Jones, a nationally recognized expert in urban retrofitting. The University of Tennessee design studio, under the direction of T. K. Davis, will also be part of this effort.

- 4. Trends, Preferences and Opportunities Study (Nelson) – 400 attendees**
- a. PowerPoint Presentation available (www.nashvillenext.net)
 - b. Full Report available (www.nashvillenext.net)
 - i. The report covers Davidson County and the surrounding 10 counties.
 - ii. **Part 1** explores emerging market trends that will influence market choices over the next several decades. One key trend is that fundamental changes will reduce the home ownership rate. Another is that demographic changes will reshape the demand for types of homes and their locations.
 - iii. **Part 2** synthesizes surveys to determine what Americans generally and residents of the Mid-South states specifically want in their neighborhoods and communities, and for their homes.
 - iv. **Part 3** identifies the kinds of jobs that occupy space, estimates the total number of workers who will occupy built space, and estimates the space used by workers in 2010, 2030 and 2040. The analysis includes estimating the volume of workspace existing in 2010 that will be replaced and/or repurposed or “recycled” to 2025 and then to 2040.
 - v. **Part 4** synthesizes research, analysis and findings of the first three parts to show that, at least in theory, all the demand for new attached residential and nonresidential development to 2040 could be accommodated through the redevelopment of nonresidential spaces, especially along transit-ready commercial corridors and nodes.
 - c. Full video soon to be available

- I. Planning Commission Workshops** (all include 1.5 hours Planning Commissioners Training credits)
1. **Thursday, January 23, 2013 – [MPC Workshop – Retrofitting Suburbia and Suburbanization of Poverty and Legislative Issues](#)**; 2:00 pm, 800 Second Ave. South, Metro Office Building, Nashville Room
 2. **Thursday, March 27, 2013 – [MPC Workshop – Nashville Next Scenario Review](#)** 2:00 pm, 800 Second Ave. South, Metro Office Building, Nashville Room

J. APA Training Opportunities

1. Scheduled APA Webinars
2. Nashville Room, 2nd floor MOB.
3. All are scheduled from 3:00 – 4:30 pm

4. All have 1.5 hours AICP credit and 1.5 hours Planning Commissioner training credit

Date	Topic (Live Program and Online Recording)
November 6, 2013	Smart Growth in Small Towns and Rural Areas
December 4, 2013	Fiscal Impact Analysis as a Decision Support Tool
January 15, 2014	Administering Zoning Codes
March 12, 2014	Using Subdivision Regulations in the 21st Century
May 14, 2014	Jane Jacob's Legacy and New Urbanism
June 4, 2014	Introducing New Density to the Neighborhood
June 25, 2014	2014 Planning Law Review

Calendar of Events

- A. Saturday, October 12, 2013 – NashvilleNext**
 i. Growth Mapping Exercise; 9:00 – 2:00; Bridge Building
- B. Wednesday, October 16, 2013 - NashvilleNext**
 i. Conexion Americas - Prosperous Business Class
 ii. Metro Tree Advisory Committee
- C. Thursday, October 17, 2013 – NashvilleNext**
 i. NAIOP Nashville Membership Meeting
- D. Saturday, October 19, 2013 – NashvilleNext**
 i. Nashville Neighborhoods Celebration
- E. Thursday, October 10, 2013 - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center**
- F. Thursday, October 24, 2013 – [MPC Workshop – Infill Development, Redevelopment and Community Character](#) ; 2pm, 800 Second Ave. South, Metro Office Building, Nashville Room**
- G. Thursday, October 24, 2013 - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center**
- H. Thursday, November 14, 2013 - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center**
- I. Thursday, December 12, 2013 - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center**
- J. Thursday, January 9, 2014 - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center**
- K. Thursday, January 23, 2013 – [MPC Workshop – Retrofitting Suburbia and Suburbanization of Poverty and Legislative Issues](#); (tentative) 2pm, 800 Second Ave. South, Metro Office Building, Nashville Room**

- L. **Thursday, January 23, 2014** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- M. **Thursday, February 13, 2014** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- N. **Thursday, February 27, 2014** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- O. **Thursday, March 13, 2014** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- P. **Thursday, March 27, 2014** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- Q. **Thursday, March 27, 2013** – [MPC Workshop – NashvilleNext Scenario Review](#); (tentative) 2pm, 800 Second Ave. South, Metro Office Building, Nashville Room
- R. **Thursday, April 10, 2014** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- S. **Thursday, April 24, 2014** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- T. **Thursday, May 8, 2014** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- U. **Thursday, May 22, 2014** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- V. **Thursday, June 12, 2014** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- W. **Thursday, June 26, 2014** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- X. **Thursday, July 24, 2014** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- Y. **Thursday, August 14, 2014** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- Z. **Thursday, August 28, 2014** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- AA. **Thursday, September 11, 2014** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- BB. **Thursday, September 25, 2014** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- CC. **Thursday, October 9, 2014** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- DD. **Thursday, October 23, 2014** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- EE. **Thursday, November 13, 2014** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- FF. **Thursday, December 11, 2014** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- GG. **Thursday, January 8, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center