



METROPOLITAN PLANNING COMMISSION MINUTES

**Thursday, October 13, 2011
4:00 pm Regular Meeting**

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

MISSION STATEMENT

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

Commissioners Present:

Jim McLean, Chairman
Hunter Gee, Vice Chair
Judy Cummings
Derrick Dalton
Jeff Haynes
Phil Ponder
Councilmember Phil Claiborne
Andrée LeQuire, representing Mayor Karl Dean

Staff Present:

Ann Hammond, Assistant Executive Director
Kelly Armistead, Administrative Services Officer III
Craig Owensby, Public Information Officer
Dennis Corrieri, Planning Technician I
Bob Leeman, Planning Manager II
Brenda Bernards, Planner III
Jason Swaggart, Planner II
Greg Johnson, Planner II
Brian Sexton, Planner I
Cindy Wood, Planner III
Rebecca Ratz, Planner
Doug Sloan, Legal

Commissioners Absent:

Stewart Clifton

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 schedu

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 4:10 p.m.

Chairman McLean presented former Councilmember Jim Gotto with a plaque commemorating his service on the Planning Commission.

B. ADOPTION OF AGENDA

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

C. APPROVAL OF SEPTEMBER 8, 2011 MINUTES

Mr. Ponder moved and Mr. Gee seconded the motion to approve the September 8, 2011 minutes. (7-0)

D. RECOGNITION OF COUNCILMEMBERS

Councilmember Hunt thanked the commission for their support of Item 4.

Councilmember McGuire spoke against staff recommendation of Item 10.

E. ITEMS FOR DEFERRAL / WITHDRAWAL

11. 2011Z-012TX-001

BL2011-26 / BARRY

MAJOR STREET AND COLLECTOR PLAN

Mr. Gee moved and Mr. Ponder seconded the motion to approve the Deferred and Withdrawn Items. (7-0)

F. CONSENT AGENDA

1. 2011CP-013-003

ANTIOCH PRIEST LAKE PLAN AMENDMENT

2. 2007SP-080U-13

RUSSELL'S RETREAT

4. 2011SP-018-001

BL2011-17 / HUNT

RHINO DISCOUNT MUFFLER

5a. 68-72P-002

BL2011-22 / CLAIBORNE

WILLIE'S NIGHTLIFE

5b. 2011SP-021-001

BL2011-23 / CLAIBORNE

CAMPING WORLD OF TENNESSEE

6. 2005UD-007-001

LENOX VILLAGE, PH 3

7. 117-83P-001

BL2011-24 / CLAIBORNE

MUSIC CITY OUTLET CENTER

8. 165-79P-001

RIVERGATE MARKETPLACE (PANDA EXPRESS)

9. **2003P-010-002**
JARDIN DE BELLE (REV. LOTS 5 & 6)
13. **2006SP-075U-08**
TAYLOR PLACE
14. **2006SP-093G-06**
OLDE MILL
15. **2007SP-065U-10**
SHARONDALE DRIVE
16. **78-74P-001**
LIONS HEAD VILLAGE (DALTS RESTAURANT)
17. **2008S-079-001**
WESTPORT BUSINESS PARK
18. **2011S-078-001**
1617 GLEN ECHO
19. **Contract between the Metropolitan Government of Nashville and Davidson County (on behalf of the Nashville Area MPO) and Westat, Inc. for Professional Services related to Data Collection Activities for Regional Planning Models.**
20. **2012 Planning Commission Filing Deadlines & Meeting Schedule**

Dr. Cummings arrived at 4:20 p.m.

Item 3 was added to the Consent Agenda for disapproval.

3. **2011SP-016-001**
BL2011-18/ MATHEWS
4608 ASHLAND CITY HIGHWAY

Mr. Gee recused himself from voting on the Consent Agenda.

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

G. PREVIOUSLY DEFERRED ITEMS

Community Plan Amendments

1. **2011CP-013-003**
ANTIOCH PRIEST LAKE PLAN AMENDMENT
Map 120-01, Parcel(s) 167
Council District 13 (Josh Stites)
Staff Reviewer: Cynthia Wood

A request to amend the Antioch- Priest Lake Community Plan: 2003 Update to change the Land Use Policy from Residential Low-Medium Density (RLM) to Commercial Arterial Existing (CAE) for property located at Murfreesboro Pike (unnumbered), approximately 350 feet south of Vultee Boulevard (1.04 acres), requested by the Metropolitan Planning Department, applicant, Sam Bernhard, owner.

Staff Recommendation: APPROVE

APPLICANT REQUEST - Amend the land use policy from Residential Low Medium to Commercial Arterial Existing. Housekeeping Plan Amendment A request to amend the Antioch- Priest Lake Community Plan: 2003 Update to change the Land Use Policy from Residential Low-Medium Density (RLM) to Commercial Arterial Existing (CAE) for property located at Murfreesboro Pike (unnumbered), approximately 350 feet south of Vultee Boulevard (1.04 acres).

CRITICAL PLANNING GOALS N/A

ANTIOCH – PRIEST LAKE COMMUNITY PLAN

Existing Land Use Policy

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

Proposed Land Use Policy

Commercial Arterial Existing (CAE) CAE policy is applied to existing areas of “strip commercial,” characterized by commercial uses that are situated in a linear pattern along arterial streets between major intersections. Within CAE areas, small to moderate-sized development is important. Predominant uses found in CAE areas are retail and office activities, such as restaurants and consumer services.

BACKGROUND The Planning Commission recommended approval of a zone change from R10 to CL on this property (2011Z-005PR-001) at its April 14, 2011 meeting. As part of its approval, the Commission directed staff to initiate a housekeeping amendment to change the land use policy to Commercial Arterial Existing (CAE). The Commission found that the request would allow the property to develop with improved consistency with the existing commercial character of the area.

Subsequently, the zone change from R10 Residential district to CL Commercial Limited district was enacted by Metro Council on July 19, 2011, Ordinance Number BL2011-934.

Analysis The proposed request meets the direction established by the Planning Commission and is consistent with the existing and planned character of the surrounding area. Staff recommends that the request be approved.

STAFF RECOMMENDATION Staff recommends approval.

Approved, Consent Agenda (7-0-1)

Resolution No. RS2011-193

“BE IT RESOLVED by The Metropolitan Planning Commission that 2011CP-013-003 is **APPROVED. (7-0-1)**”

Specific Plans

2. 2007SP-080U-13

RUSSELL'S RETREAT

Map 136, Parcel(s) 071, 113

Map 136-14, Parcel(s) 167-169

Council District 29 (Karen Johnson)

Staff Reviewer: Brian Sexton

The periodic review of an approved Specific Plan (R) district known as "Russell's Retreat", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code (Review of a Development Plan), for properties located at 2801 and 2803 Smith Springs Road and at Starboard Drive (unnumbered) (15.43 acres), approved for 138 townhomes via Council Bill BL2007-1497 effective on August 7, 2007, review initiated by the Metro Planning Department.

Staff Recommendation: FIND THE SP ACTIVE

APPLICANT REQUEST -Four year SP review to determine activity

SP Review The periodic review of an approved Specific Plan - Residential (SP-R) district known as "Russell's Retreat", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code (Review of a Development Plan), for properties located at 2801 and 2803 Smith Springs Road and at Starboard Drive (unnumbered) (15.43 acres), approved for 138 townhomes via Council Bill BL2007-1497 effective on August 7, 2007.

Zoning Code Requirement Section 17.40.106.I of the Zoning Code requires the review of each SP District four years from the date of Council approval and every four years after until the development has been deemed complete by the Planning Commission.

Development within each SP District is to be reviewed in order to determine if the project is complete or actively under development to implement the approved development concept. If the review determines that the project is complete or actively under development, then no further review is necessary at this time. If the review determines that the project is inactive then the Planning Commission is to determine if its continuation as an SP district is appropriate.

DETAILS OF THE SP DISTRICT The purpose of this SP is to permit 138 townhomes.

Analysis On September 5, 2008 the Metro Planning Commission administratively approved a final site plan for this SP. Staff visited the site August 2011. The removal and clearing of previous residences have been completed. Construction plans have been

approved by Metro Public Works and Metro Water Services. The property owners have also paid for Water and Sewer fees.

Staff notes that the SP remains appropriate for the Residential Medium land use policy of the Antioch-Priest Lake Community Plan. In reviewing the documentation provided by the owner, staff finds that the owner has described an aggregate of actions that indicates activity. Staff recommends that this SP be found active and that it be placed back on the four-year review list. At that time, if the SP is not found to be complete, the owner will need to demonstrate that additional activity has taken place in the SP District during the period between the four year reviews in order for it to be found active.

STAFF RECOMMENDATION Staff recommends that Russell's Retreat SP be found to be active.

Find the SP District Active, Consent Agenda (7-0-1)

Resolution No. RS2011-194

"BE IT RESOLVED by The Metropolitan Planning Commission that 2007SP-080U-13 is APPROVED, finding the SP District ACTIVE. (7-0-1)"

3. 2011SP-016-001

BL2011-18 / MATTHEWS

4608 ASHLAND CITY HIGHWAY

Map 057, Part of Parcel(s) 120

Map 068, Part of Parcel(s) 062 and Part of 085

Council District 01 (Lonnell Matthews, Jr.)

Staff Reviewer: Jason Swaggart

A request to rezone from AR2a to SP-MU zoning and for final site plan approval for part of properties located at 4608 Ashland City Highway and part of properties located at Ashland City Highway (unnumbered), approximately 3,450 feet west of Briley Parkway (2.99 acres), to permit Building Contractor Supply and all uses permitted in the AR2a zoning district, requested by Charles Huddleston, owner.

Staff Recommendation: DISAPPROVE

APPLICANT REQUEST -Zone change to permit contractor supply and all other uses permitted in the AR2a zoning district and for final site plan approval

Preliminary SP and Final Site Plan A request to rezone from Agricultural and Residential (AR2) to Specific Plan – Mixed Use (SP-MU) zoning and for final site plan approval for part of properties located at 4608 Ashland City Highway and Ashland City Highway (unnumbered), approximately 3,450 feet west of Briley Parkway (2.99 acres), to permit Building Contractor Supply and all uses permitted in the AR2a zoning district.

Existing Zoning

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

Proposed Zoning

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

DEFERRAL This request was originally submitted for Commercial-Service (CS) zoning, but the applicant later amended the application to SP. The request has been deferred from two previous meetings (June 23, 2011 and July 28, 2011). The applicant requested the last deferral in order to meet with the community. Since that time, the acreage requested to be rezoned has been reduced from 5.61 acres to 2.9 acres. The SP now covers a portion of three properties (map 068, parcel 62 and 85, and map 057, parcel 120), where the previous included all of map 068, parcel 62. The reduced size and shifting of the SP boundary are the results of community meetings with the Councilmember.

CRITICAL PLANNING GOALS/N/A

BORDEAUX/WHITES CREEK COMMUNITY PLAN

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

Natural Conservation (NCO) NCO policy is intended for undeveloped areas with the presence of steep terrain, unstable soils, and floodway/floodplain. Low intensity community facility development and very low density residential development (not exceeding one

dwelling unit per two acres) may be appropriate land uses.

Consistent with Policy? No. While the proposed Specific Plan District would permit some uses consistent with the land use policies, the primary intent is to permit a non-residential use (Building Contractor Supply) that is not consistent with the RLM policy.

PLAN DETAILS The portion of properties proposed to be rezoned from AR2a to SP-MU are located on the north side of Ashland City Highway, west of Briley Parkway. The area contains numerous structures and equipment and is currently being used for building contractor supply (construction business) and for agricultural related activities.

The properties are currently zoned AR2a which does not permit commercial uses such as the existing construction business. The owner has been cited by Metro Codes for using the property for uses not permitted under the zoning district, as well as for the accumulation of motor vehicles, equipment and open storage. The property owner is currently working with the Codes department on all existing violations, but because the construction business is not permitted in the AR2a zoning district, the applicant has requested a SP in order to keep the business at this location.

SP Site Plan The plan does not propose any specific construction of new buildings, but is a regulatory plan which will limit current and future use of the district. As proposed the district would permit building contractor supply as well as all other uses permitted by the AR2a zoning district.

The SP would also permit outdoor storage. Any outside storage would not be permitted within 25 feet of the property boundary with map 068, parcel 61 or within 800 feet of Ashland City Highway.

The SP would prohibit signage. Other standards which are not specified in the proposed SP, including bulk, parking and landscaping would be subject to the standards, regulations and requirements of the AR2A zoning district. At this time no new construction is proposed; however, any future construction within the district will require review by planning staff and could require approval by the Planning Commission and/or Council.

STORMWATER RECOMMENDATION No sign off is required

PUBLIC WORKS RECOMMENDATION Approve with conditions

Prior to any building permit or final site plan approval a comprehensive traffic study and development plan may be required to determine the number and location of access points along with any off-site conditions that may be necessary to mitigate traffic impact.

STAFF RECOMMENDATION Staff recommends disapproval because the proposed SP permits a non-residential use that is not consistent with the properties Residential Low Medium land use policy.

CONDITIONS (If Approved)

1. Outdoor storage is permitted but shall not be within 25 feet of the property boundary with map 068, parcel 61 or within 800 feet of Ashland City Highway.
2. Signage shall not be permitted.
3. Uses permitted by this SP district include Building Contractor Supply and all uses permitted by the AR2a zoning district.
4. Any new construction in the district shall require approval by the planning department and may require approval from the Planning Commission.
5. Prior to any building permit or final site plan approval a comprehensive traffic study and development plan may be required to determine the number and location of access points along with any off-site conditions that may be necessary to mitigate traffic impact.
6. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the AR2a zoning district as of the date of the applicable request or 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.

Resolution No. RS2011-195

“BE IT RESOLVED by The Metropolitan Planning Commission that 2011SP-016-001 is **DISAPPROVED. (7-0-1)**

The proposed SP district would permit a non-residential use that is not consistent with the property’s Residential Low Medium land use policy.”

4. 2011SP-018-001

BL2011-17 / HUNT
RHINO DISCOUNT MUFFLER
Map 050, Part of Parcel(s) 035
Council District 03 (Walter Hunt)
Staff Reviewer: Greg Johnson

A request to rezone from CS to SP-A zoning and for final site plan approval for a portion of property located at 3556 Dickerson Pike, approximately 700 feet south of Due West Avenue and partially located within the Floodplain Overlay District (0.86 acres), to permit automobile sales (used), automobile repair, automobile service and all other uses permitted by the CS District, requested by Saed Y. Qiqieh, owner.

Staff Recommendation: APPROVE preliminary SP WITH CONDITIONS with a housekeeping amendment to the Community Plan; defer final SP approval until conditions of approval are met.

APPLICANT REQUEST -Permit automobile sales, repair, and service and all other uses permitted by CS district

Preliminary and Final SP A request to rezone from Commercial-Service (CS) to Specific Plan – Auto (SP-A) zoning and for final site plan approval for a portion of property located at 3556 Dickerson Pike, approximately 700 feet south of Due West Avenue and partially located within the Floodplain Overlay District (0.86 acres), to permit automobile sales (used), automobile repair, automobile service and all other uses permitted by the Commercial Service (CS) District.

Existing Zoning

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

Proposed Zoning

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

Deferral This request was deferred from the September 8, 2011, meeting at the request of Councilmember Hunt in order to allow time for the applicant to revise the site plan to address some of the design issues expressed by Planning staff. The revised site plan also includes a larger portion of the property than originally proposed.

CRITICAL PLANNING GOALS N/A

PARKWOOD/ UNION HILL COMMUNITY PLAN

Detailed Policy

Mixed Housing (MH) MH is intended for single family and multi-family housing that varies on the size of the lot and the placement of the building on the lot. Housing units may be attached or detached, but are not encouraged to be randomly placed. Generally, the character should be compatible to the existing character of the majority of the street.

General Policy

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

Consistent with Policy? The proposed SP is inconsistent with the residential intent of the land use policy. The Parkwood – Union Hill Community Plan Updated of 2006 included detailed land use policies for Dickerson Pike.

Planning staff has reviewed the appropriateness of the current land use policy and believes that the residential policy is out-of-date based on the current uses and character of this portion of Dickerson Pike. With direction from the Planning Commission, Planning staff is prepared to introduce a housekeeping policy amendment to change the land use policy along Dickerson Pike to T3 Mixed Use Corridor from just north of Briley Parkway to Old Hickory Boulevard. The T3 Mixed Use Corridor policy promotes a combination of residential and non-residential

development and would permit an expansion of auto-related land uses on the subject site.

With approval of a housekeeping amendment to T3 Mixed Use Corridor policy, the preliminary SP can be approved. Without a policy amendment, the preliminary SP should be disapproved under the current Mixed Housing policy.

PLAN DETAILS In 2006, a Council bill removed used automobile sales, automobile repair, and automobile service uses from the list of uses permitted under the CS zoning classification. This SP request proposes to have these uses added back to the uses permitted for the subject property.

Existing conditions The site is currently occupied by a discount muffler business that predated the Council bill that excluded auto-related land uses from the CS zoning district. The business is a legally non-conforming use.

Site plan The applicant submitted a site plan with the SP application. The proposed parking layout does not demonstrate compliance with the parking requirements of the Zoning Code in either the layout of parking spaces or the overall number of parking spaces for the proposed spaces. The applicant intends to maintain the existing muffler business and add an auto sales use. According to the site plan, the applicant intends to do this without the addition of paved surface and parking to the current conditions. Conditions of approval are proposed to meet the Zoning Code standards for the number and design of parking spaces for the existing and proposed land uses.

The site plan does not demonstrate the installation of other design elements that are generally required with auto-related SP requests. Because the site is located outside of the Urban Zoning Overlay (UZO) in an area that is generally less-urban than other auto SP proposals, inclusion of all of these design elements is not necessary. However, provisions for signage and landscaping have been added to the conditions of approval. A condition of approval is proposed to limit any proposed ground signage to monument-style signs with a maximum height of six feet and maximum display area of 32 square feet. Another condition of approval requires separating the parking/car display area and the street frontage with canopy trees and either shrubs or a minimum 3 foot tall knee wall.

Because these recommended conditions require some significant changes to the site plan, staff recommends deferral of final SP approval. Final SP approval for compliance with the final conditions from Council can be handled by Planning staff prior to the approval of a use and occupancy permit.

METRO STORMWATER RECOMMENDATION Final SP conditionally approve (Stormwater)
-No grading is anticipated.

PUBLIC WORKS RECOMMENDATION Revise and Resubmit

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- Show single driveway connection, not to exceed 24 ft.
- Show parking per Metro Code.
- Add professional seal to plan.

Traffic Comments:

- Redesign parking to eliminate head in parking and to prevent backing into Dickerson Rd.
- Minimize open curb cut.
- Provide required parking per Metro Code.

The addition of the proposed auto-related land uses will not create an increase the total potential number of vehicle trips of the CS zoning district. Therefore, a traffic table was not prepared for this case.

STAFF RECOMMENDATION Staff recommends approval with conditions of the proposed SP. Although the proposal is not consistent with current land use policy, staff recognizes that the current policy could be out-of-date and is prepared to introduce a housekeeping amendment to update the land use policy along Dickerson Pike to permit mixed-use development.

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. Prior to final SP approval, the site plan shall limit access to the site to a single driveway connection, not to exceed 24 feet in width along Dickerson Pike.
3. Ground signs placed on the site shall be monument signs with a maximum of six feet in height and shall not exceed 32 square feet in display area.
4. Prior to final SP approval, separation from the parking/car display area and the street frontage through a planter strip with canopy trees and either shrubs or a minimum 3 foot tall knee wall shall be shown on the site plan.
5. On-site parking shall be defined and constructed to provide sufficient parking to meet the requirement of the Zoning Code for the proposed uses, to eliminate head-in parking, and to prevent backing into Dickerson Rd and minimize the existing curb cut. Final Parking

layout shall be approved by Metro Planning Department staff and Public Works staff prior to final SP approval.

6. This SP shall permit Automobile sales (used), Automobile repair, and Automobile service land uses in addition to all uses permitted by the CS zoning district.
7. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Council approval, the property shall be subject to the standards, regulations and requirements of the CS zoning district as of the date of the applicable request or application.
8. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no later than 120 days after the effective date of the enacting ordinance. The corrected copy provided to the Planning Department shall include printed copy of the preliminary SP plan and a single PDF that contains the plan and all related SP documents. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.
9. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
10. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
11. The SP final site plan as approved by the Planning Commission will be used to determine compliance, both in the issuance of permits for construction and field inspection. While minor changes may be allowed, significant deviation from the approved site plans may require reapproval by the Planning Commission and/or Metro Council.

Approved preliminary SP with conditions with a housekeeping amendment to the Community Plan; defer final SP approval until conditions of approval are met. Consent Agenda (7-0-1)

Resolution No. RS2011-196

"BE IT RESOLVED by The Metropolitan Planning Commission that 2011SP-018-001 is **APPROVED WITH CONDITIONS preliminary SP with a housekeeping amendment to the Community Plan; DEFER final SP approval until conditions of approval are met. (7-0-1)**

Planning staff is preparing a land use policy amendment for a portion of Dickerson Pike that will include the subject property. The proposed policy in the amendment will be T3 Mixed Use Corridor. The SP is consistent with the proposed land use policy."

5a. 2011SP-021-001

BL2011-23 / CLAIBORNE

CAMPING WORLD OF TENNESSEE

Map 062, Parcel(s) 121, 141

Council District 15 (Phil Claiborne)

Staff Reviewer: Brian Sexton

A request to change from Commercial Attraction (CA) to Specific Plan - Auto (SP-A) zoning and for final site plan approval for properties located at 2620 and 2622 Music Valley Drive, approximately 1,965 feet east of Pennington Bend Road (7.31 acres), to permit "Heavy Equipment Sales and Service", and all other uses permitted by the CA zoning district, requested by L.H.M. & M., Inc., and AGRP of Nashville, LLC, owners. (See also PUD Cancellation Proposal No. 68-72P-002).

Staff Recommendation: APPROVE WITH CONDITIONS

APPLICANT REQUEST -Permit Heavy Equipment Sales and Service, and all other uses permitted by the CA zoning district.

Preliminary and final SP A request to change from Commercial Attraction (CA) to Specific Plan – Auto (SP-A) zoning and for final site plan approval for properties located at 2620 and 2622 Music Valley Drive, approximately 1,965 feet east of Pennington Bend Road (7.31 acres), to permit Heavy Equipment Sales and Service, and all other uses permitted by the CA zoning district.

Existing Zoning

CA District - Commercial Attraction is intended for a wide range of amusement, recreational, and retail support uses typically associated with the tourist industry.

Proposed Zoning

SP-A District - Specific Plan-Auto 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 auto uses.*

CRITICAL PLANNING GOALS N/A

DONELSON/HERMITAGE COMMUNITY PLAN

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

Consistent with Policy? Yes. The proposed specific plan zoning is consistent with the property's CMC policy. The land use policy accommodates a wide variety of commercial uses which includes heavy equipment sales and service.

PLAN DETAILS The proposed SP district is approximately 7.31 acres in size and is located along Music Valley Drive, east of the Cumberland River. The SP district is made up of two developed parcels. Parcel 141 consists of an existing one-story, 31,000 square foot retail facility. Parcel 121 consists of a 7,850 square foot restaurant and bar. There is also a 6,600 square foot building used for heavy equipment sales and service located on this parcel. This SP is regulatory in nature and does not propose any additional building construction or square footage beyond what is currently on the site. The proposed SP plan would permit Heavy Equipment Sales and Service as well as all uses allowed by the CA zoning district on parcels 141 and 121. Any new construction within the proposed SP would need to meet the development standards of the CA zoning district.

Access/Parking Access to the site is located along Music Valley Drive. There are approximately 153 on-site parking spaces on parcel 141 and 138 on-site parking spaces on parcel 121. All parking standards of the Metro Zoning Code shall be met on both parcels with the exception of Building A on parcel 121 which was previously approved for 105 parking spaces.

Signs While signage details for this SP were not submitted by the applicant, the SP does include signage regulations. Approval of a sign permit shall be required prior to new signs being placed on the property. In addition to signs prohibited by Section 17.32.050 of the Metro Zoning Ordinance, prohibited signs include roof mounted signs, pole mounted signs, billboards, and signs that flash, rotate, scintillate, blink, flicker or vary in intensity or color, including all electronic signs. All signage shall be monument style or building mounted. Monument signs shall have a maximum sign area of 48 square feet, and shall not exceed six feet in height or three feet in height if any portion of the sign is located within 15 feet of a driveway.

Wall mounted building signs on building faces located up to 50 feet from the property boundary along the public right of way shall have a maximum sign area of 48 square feet. Building faces located more than 50 feet from the property boundary along the public right of way may add an additional one square foot of sign area for every foot over 50 feet that the building face is located from the street, up to a maximum size of 100 square feet. Awning signs shall have a maximum sign area of 50 percent of the surface area of the awning.

PUBLIC WORKS RECOMMENDATION No exception taken

STAFF RECOMMENDATION Staff recommends approval with conditions of the zone change request. The proposed SP zoning district is consistent with the area's CMC land use policy. The land use policy accommodates a wide variety of commercial uses which includes heavy equipment sales and service.

CONDITIONS

1. The SP is limited to Heavy Equipment Sales and Service, and all other uses permitted by the CA zoning district.
2. All parking standards of the Metro Zoning Code shall be met on both parcels with the exception of Building A on parcel 121 which shall require 105 parking spaces.
3. Approval of a sign permit shall be required prior to new signs being placed on the property. In addition to signs prohibited by Section 17.32.050 of the Metro Zoning Ordinance, prohibited signs include roof mounted signs, pole mounted signs, billboards, and signs that flash, rotate, scintillate, blink, flicker or vary in intensity or color, including all electronic signs. All signage shall be monument style or building mounted. Monument signs shall have a maximum sign area of 48 square feet, and shall not exceed six feet in height or three feet in height if any portion of the sign is located within 15 feet of a driveway.
4. Wall mounted building signs on building faces located up to 50 feet from the property boundary along the public right of way shall have a maximum sign area of 48 square feet. Building faces located more than 50 feet from the property boundary along the public right of way may add an additional one square foot of sign area for every foot over 50 feet that the building face is located from the street, up to a maximum size of 100 square feet. Awning signs shall have a maximum sign area of 50 percent of the surface area of the awning.
5. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the CA zoning district as of the date of the applicable request or application.

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

Approved with conditions, Consent Agenda (7-0-1)

Resolution No. RS2011-197

"BE IT RESOLVED by The Metropolitan Planning Commission that 2011SP-021-001 is **APPROVED WITH CONDITIONS. (7-0-1)**

Conditions of Approval:

1. The SP is limited to Heavy Equipment Sales and Service, and all other uses permitted by the CA zoning district.
2. All parking standards of the Metro Zoning Code shall be met on both parcels with the exception of Building A on parcel 121 which shall require 105 parking spaces.
3. Approval of a sign permit shall be required prior to new signs being placed on the property. In addition to signs prohibited by Section 17.32.050 of the Metro Zoning Ordinance, prohibited signs include roof mounted signs, pole mounted signs, billboards, and signs that flash, rotate, scintillate, blink, flicker or vary in intensity or color, including all electronic signs. All signage shall be monument style or building mounted. Monument signs shall have a maximum sign area of 48 square feet, and shall not exceed six feet in height or three feet in height if any portion of the sign is located within 15 feet of a driveway.
4. Wall mounted building signs on building faces located up to 50 feet from the property boundary along the public right of way shall have a maximum sign area of 48 square feet. Building faces located more than 50 feet from the property boundary along the public right of way may add an additional one square foot of sign area for every foot over 50 feet that the building face is located from the street, up to a maximum size of 100 square feet. Awning signs shall have a maximum sign area of 50 percent of the surface area of the awning.
5. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the CA zoning district as of the date of the applicable request or application.
6. A corrected copy of the preliminary SP plan incorporating the conditions of approval by the 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.
7. The SP final site plan as approved by the Planning Commission will be used to determine compliance, both in the issuance of permits for construction and field inspection. While minor changes may be allowed, significant deviation from the approved site plans may require reapproval by the Planning Commission and/or Metro Council.
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.

The SP district is consistent with the area's CMC land use policy. The land use policy accommodates a wide variety of commercial uses, including heavy equipment sales and service."

5b. 68-72P-002

BL2011-22 / CLAIBORNE

WILLIE'S NIGHTLIFE

Map 062, Parcel(s) 121, 141

Council District 15 (Phil Claiborne)

Staff Reviewer: Brian Sexton

A request to cancel a portion of the Willie's Nightlife Commercial Planned Unit Development Overlay District located at 2620 and 2622 Music Valley Drive, approved for a campground, restaurant and maintenance garage, (7.31 acres), zoned Commercial Attraction (CA), requested by L.H.M. & M. Inc. and AGRP of Nashville, LLC, owners (See also Specific Plan Proposal No. 2011SP-021-001).

Staff Recommendation: APPROVE

APPLICANT REQUEST - Cancel a portion of a PUD

PUD Cancellation A request to cancel a portion of the Willie's Nightlife Commercial Planned Unit Development Overlay District on property located at 2620 and 2622 Music Valley Drive, approved for a campground, restaurant, and maintenance garage (7.31 acres), zoned Commercial Attraction (CA).

Existing Zoning

CA District - Commercial Attraction is intended for a wide range of amusement, recreational, and retail support uses typically associated with the tourist industry.

CRITICAL PLANNING GOALS N/A

REQUEST DETAILS This is a request to cancel a portion of the Willie's Nightlife PUD. The PUD was originally approved in 1972 as a campground. In 1983, the Council approved an amendment to the PUD for a restaurant use. In 1995, the Planning Commission approved a revision to the final PUD plan to permit the development of a tour bus parking and maintenance facility on parcel 121. The area proposed to be canceled from the PUD is approximately 7.31 acres in size and includes an existing 28,000 square foot retail facility, and 6,600 square foot building that is being used for heavy equipment sales and service. There is also an existing 7,850 square foot restaurant and bar included within this cancellation.

Parcel 121 is accessed by two driveways along Music Valley Drive and parcel 141 is accessed by one driveway along Music Valley Drive. There are no stub streets, which would provide connectivity to adjacent properties, nor are there any other vital development components approved in this section of the PUD. If the cancellation is approved it will not have a negative impact on the existing development in the remainder of the PUD.

PUBLIC WORKS COMMENTS No Exceptions Taken

STORMWATER RECOMMENDATION Approved

STAFF RECOMMENDATION Staff recommends that the request be approved.

Approved, Consent Agenda (7-0-1)

Resolution No. RS2011-198

"BE IT RESOLVED by The Metropolitan Planning Commission that 68-72P-002 is **APPROVED. (7-0-1)**

Approval of the PUD cancellation request will not have a negative impact on the existing development in the remainder of the PUD."

Urban Design Overlays

6. 2005UD-007-001

LENOX VILLAGE, PH 3

Map 172, Part of Parcel(s) 093

Council District 31 (Fabian Bedne)

Staff Reviewer: Scott Morton

A request for final site plan approval and a modification to the build-to zone standards for a portion of the Lenox Village Urban Design Overlay District located on a portion of property at 6130 Nolensville Pike, at the northeast corner of Nolensville Pike and Bienville Drive (8.39 acres), zoned Mixed Use Limited (MUL), to permit the development of 185 multi-family dwelling units within eight buildings, a swimming pool and to extend the right-of-way for Persia Way, requested by Batson & Associates, applicant, for Lenox Village III LLC, owner.

Staff Recommendation: APPROVE WITH CONDITIONS

APPLICANT REQUEST -Permit 185 multi-family units

Final Site Plan A request for final site plan approval and a modification to the build-to zone standards for a portion of the Lenox Village Urban Design Overlay District located on a portion of property at 6130 Nolensville Pike, at the northeast corner of Nolensville Pike and Bienville Drive (8.39 acres), zoned Mixed Use Limited (MUL), to permit the development of 185 multi-family dwelling units within eight buildings, a swimming pool and to extend the right-of-way for Persia Way.

LAND USE POLICY

NG District - Neighborhood General is intended for areas that are primarily residential in character.

APPLICATION DETAILS The applicant has requested final site plan approval to permit the development of 185 multi-family dwelling units within eight buildings and a swimming pool within the Lenox Village Urban Design Overlay (UDO). The request also includes the extension of the right-of-way for Persia Way along the northern edge of the property.

The majority of the development is designed in accordance with the UDO requirements. A modification is requested to exceed the required build-to-zone per the UDO for buildings A, D, E, and H.

Buildings fronting Nolensville Pike are required to be built between 5 feet and 20 feet of the property line and all other buildings have a build-to-zone between 5 feet and 10 feet. An existing 20 foot drainage easement prevents the development of buildings A and H within the required build-to-zone. The building placement proposed for buildings A and H starts behind the existing easement, approximately 50 feet from the property line, exceeding the maximum build-to-zone set forth in the UDO. Buildings D and E are setback 23 to 28 feet from the property line exceeding the maximum build-to-zone set forth in the UDO. The modification is requested due to the existing steep topography of the site and the need to provide an at-grade building entrance at the rear of the property for handicap accessibility. Staff finds these modifications are appropriate and necessary due to the existing site constraints, preventing the buildings from being located within the required build-to-zone.

PUBLIC WORKS COMMENTS

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. Grading adjacent to Nolensville sidewalk shall not exceed 3:1 slope.
3. Prior to the issuance of building permits, the developer shall conduct a signal warrant analysis for the Nolensville Road and Bienville Road intersection. The warrant analysis and traffic counts shall be submitted to the Metro Traffic Engineer for review and approval. The developer shall design and install a traffic signal when approved by the Traffic and Parking Commission. The results of this analysis may require revisions to the development plan and amendment of the final site plan.

STAFF RECOMMENDATION Staff recommends approval with conditions of the request as the proposed development meets the goals and objectives set forth in the Lenox Village Urban Design Overlay.

CONDITIONS

1. Prior to the issuance of building permits, the developer shall conduct a signal warrant analysis for the Nolensville Pike and Bienville Drive intersection. The warrant analysis and traffic counts shall be submitted to the Metro Traffic Engineer for review and approval. The developer shall design and install a traffic signal when approved by the Traffic and Parking Commission. The results of this analysis may require revisions to the development plan and amendment of the final site plan.
2. Grading between public streets and building frontage shall not include a landscaped "berm" or graded raised area that restricts the view of the building frontages from public streets.
3. The number, location, and spacing of sidewalk connections and building entrances as displayed on the building elevations submitted to the Planning Department on September 15, 2011, shall be reflected on the final site plan before final building permit approval.

Approved with conditions, Consent Agenda (7-0-1)

Resolution No. RS2011-199

"BE IT RESOLVED by The Metropolitan Planning Commission that 2005UD-007-001 is **APPROVED WITH CONDITIONS. (7-0-1)**

Conditions of Approval:

1. Prior to the issuance of building permits, the developer shall conduct a signal warrant analysis for the Nolensville Pike and Bienville Drive intersection. The warrant analysis and traffic counts shall be submitted to the Metro Traffic Engineer for review and approval. The developer shall design and install a traffic signal when approved by the Traffic and Parking Commission. The results of this analysis may require revisions to the development plan and amendment of the final site plan.
2. Grading between public streets and building frontage shall not include a landscaped "berm" or graded raised area that restricts the view of the building frontages from public streets.
3. The number, location, and spacing of sidewalk connections and building entrances as displayed on the building elevations submitted to the Planning Department on September 15, 2011, shall be reflected on the final site plan before final building permit approval."

Planned Unit Developments

7. 117-83P-001

BL2011-24 / CLAIBORNE
MUSIC CITY OUTLET CENTER
 Map 062, Parcel(s) 248
 Council District 15 (Phil Claiborne)
 Staff Reviewer: Brian Sexton

A request to cancel a portion of the Music City Outlet Center Planned Unit Development District Overlay on property located at 2471 McGavock Pike, approved for a 4,400 square foot convenience market (1.13 acres), zoned Commercial Attraction (CA) within the Floodplain Overlay District, requested by Hobbs & Sons L.P., owner.

Staff Recommendation: APPROVE

APPLICANT REQUEST - Cancel a portion of a PUD

PUD Cancellation A request to cancel a portion of the Music City Outlet Center Planned Unit Development District Overlay on property located at 2471 McGavock Pike, approved for a 4,400 square foot convenience market (1.13 acres), zoned Commercial Attraction (CA) within the Floodplain Overlay District.

Existing Zoning

CA District - Commercial Attraction is intended for a wide range of amusement, recreational, and retail support uses typically associated with the tourist industry.

Floodplain Overlay District (FO) The FO represents all properties or portions of properties within the floodway, the 100 year FEMA floodplain, including specific local flood basin studies, and is established to preserve the function and value of floodplains and floodways to store and convey floodwater flows through existing and natural flood conveyance systems to minimize damage to property and human life. **The proposed PUD cancellation request will not remove this property from the FO.**

CRITICAL PLANNING GOALS/N/A

REQUEST DETAILS This is a request to cancel a portion of the Music City Outlet Center Planned Unit Development Overlay (PUD). The PUD was originally approved in 1983 for retail, hotel, restaurant and general office uses. The property is located at the northwest corner of McGavock Pike. The area proposed to be canceled from the PUD is approximately 1.13 acres in size and includes an existing 4,400 square foot convenience market, and gas station.

The property is accessed by two driveways on the east side of the site. The property also shares joint access with a hotel to the west along McGavock Pike. While the hotel shares joint access with this property, the hotel is also accessible via a secondary driveway on the northeast portion of the hotel's property. The shared access easement for the two properties will remain.

If the cancellation is approved it will not have a negative impact on the existing development in the remainder of the PUD.

PUBLIC WORKS COMMENTS No Exceptions Taken

STORMWATER RECOMMENDATION Approved

STAFF RECOMMENDATION Staff recommends that the request be approved.

Approved, Consent Agenda (7-0-1)

Resolution No. RS2011-200

“BE IT RESOLVED by The Metropolitan Planning Commission that 117-83P-001 is **APPROVED. (7-0-1)**

Approval of the PUD cancellation request will not have a negative impact on the existing development in the remainder of the PUD.”

8. 165-79P-001

RIVERGATE MARKETPLACE (PANDA EXPRESS)

Map 026-15, Parcel(s) 001

Council District 10 (Doug Pardue)

Staff Reviewer: Jason Swaggart

A request to revise the preliminary plan and for final site plan approval for a portion of the Rivergate Marketplace Commercial Planned Unit Development Overlay located at 2125 Gallatin Pike, approximately 450 feet north of Twin Hills Drive, zoned SCR and OR20 (10.18 acres), to permit the development of a 2,448 square foot fast food restaurant with one drive-thru lane, requested by Interplan LLC, applicant, for Price Tennessee Properties, L.P., owner.

Staff Recommendation: APPROVE WITH CONDITIONS

APPLICANT REQUEST -Revise preliminary plan and final to permit a fast food restaurant

Revise Preliminary Plan and final site plan approval A request to revise the preliminary plan and for final site plan approval for a portion of the Rivergate Marketplace Commercial Planned Unit Development Overlay located at 2125 Gallatin Pike, approximately 450 feet north of Twin Hills Drive, zoned Shopping Center Regional (SCR) and Office/Residential (OR20), (10.18 acres) to permit the development of a 2,448 square foot fast food restaurant with one drive-thru lane.

Existing Zoning

SCR District - Shopping Center Regional is intended for high intensity retail, office, and consumer service uses for a regional market area.

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

CRITICAL PLANNING GOALS/N/A

REQUEST DETAILS The Rivergate Marketplace Planned Unit Development (PUD) is located in Madison on the east side of Gallatin Pike just south of the county line. The existing shopping center on the site consists of approximately 168,036 square feet of floor area. The PUD was originally approved in 1979, and has been revised numerous times in the past.

This request is to permit the addition of a 2,448 square foot fast food restaurant within the existing parking lot. The request will also permit a drive thru window for take- out orders. The request does not propose a new out parcel. To accommodate the new use, the parking lot within the project area will need to be modified. As proposed, the total floor area will be increased to 170,484 square feet which is less than ten percent of the floor area last approved by Council.

Parking A total of 67 existing parking spaces will be removed in order to accommodate the project. Seventeen new spaces will be constructed with the project resulting in a net loss of 50 spaces. Currently the development does not contain the required 962 parking spaces specified by the Metro Zoning Code. There are currently only 710 parking spaces. The Code permits fewer spaces for shared parking when a shared parking study indicates that there is adequate parking. Any parking study must be approved by the metropolitan traffic engineer. A shared parking study was conducted and indicated that, due to the nature of existing uses, the actual parking demand is lower than the number of spaces required by the Code. According to the study, which has been approved by the metro traffic engineer, the actual parking demand is 502 spaces, and therefore, the provided 710 spaces are adequate. It is important to note that any future changes in use within the development may require a new parking study and may not be permitted if sufficient parking cannot be documented and approved by the metro traffic engineer.

Analysis The proposed request is within the limits of a revision, and it does not require Council approval. While the proposal does not provide the minimum number of parking spaces required for the various uses in the development, a parking study approved by the Metro traffic engineer indicates that sufficient parking is being provided. As proposed, the request meets all zoning requirements with the approval of the shared parking study and staff recommends that the request be approved with conditions.

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.

STORMWATER RECOMMENDATION Approved for conditions

1. Provide 2 additional sets of plans.
2. Provide Dedication of Easement forms, Long Term Maintenance Plan, and Detention Agreement.
3. Provide the recording fees for said documents.

STAFF RECOMMENDATION Staff recommends that the request be disapproved because the plans have not been approved by Metro

Stormwater. If Metro Stormwater approves plans prior to the meeting, then staff recommends approval with conditions including any additional Stormwater conditions as the proposed request meets all zoning requirements.

CONDITIONS

1. A revised shared parking study may be required with any change of use within the shopping center. Use changes may not be permitted if sufficient parking cannot be provided.
2. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
3. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
4. 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.
5. 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.
6. 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.

Approved with conditions, Consent Agenda (7-0-1)

Resolution No. RS2011-201

"BE IT RESOLVED by The Metropolitan Planning Commission that 165-79P-001 is **APPROVED WITH CONDITIONS. (7-0-1)**

Conditions of Approval:

1. A revised shared parking study may be required with any change of use within the shopping center. Use changes may not be permitted if sufficient parking cannot be provided.
2. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
3. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
4. 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.
5. 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.
6. 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."

9. 2003P-010-002

JARDIN DE BELLE (REV. LOTS 5 & 6)

Map 130-13-0-A, Parcel(s) 005-006
Council District 34 (Carter Todd)
Staff Reviewer: Greg Johnson

A request to revise the preliminary plan and for final site plan approval for a portion of the Jardin de Belle Planned Unit Development

Overlay District on properties located at 620 and 624 Belle Park Circle, on the north side of Forrest Park Drive, zoned R8 (0.26 acres), to consolidate Lots 5 and 6 into one lot, reducing the overall number of lots in the development from 28 to 27, requested by Jesse Walker Engineering, applicant, for Fortuna Partners LLC, owners.

Staff Recommendation: APPROVE WITH CONDITIONS

APPLICANT REQUEST - Reduce overall number of lots from 28 to 27

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 Jardin de Belle Planned Unit Development Overlay District on properties located at 620 and 624 Belle Park Circle, on the north side of Forrest Park Drive, zoned One and Two Family Residential (R8) (0.26 acres), to consolidate Lots 5 and 6 into one lot, reducing the overall number of lots in the development from 28 to 27.

CRITICAL PLANNING GOALS N/A

PLAN DETAILS The Jardin de Belle PUD is located off Page Road adjacent to Warner Park. It was approved originally in 2003 for 34 single-family lots. Several lots have been consolidated and the PUD currently includes 28 lots.

This preliminary PUD revision proposes to consolidate two existing lots into one lot. Lots 5 and 6 in the northeastern corner of the subdivision would become one lot with the proposed PUD revision and subsequent subdivision request.

Consolidation of these lots will not impact conditions of approval of the original PUD approval or the variances granted by the Board of Zoning Appeals for building setbacks, lot size, building coverage, and buffer yard requirements. Each individual building permit plan will still need to meet the original requirements of the PUD approved by the Metro Council.

PUBLIC WORKS RECOMMENDATION No exception taken

STORMWATER RECOMMENDATION Jardin De Belle, lots 5 and 6, are approved.

STAFF RECOMMENDATION Staff recommends approval of the preliminary PUD revision and final site plan with conditions. The proposed changes are consistent with the approved PUD plan.

CONDITIONS

1. Prior to any additional development applications for this property, and in no event later than 120 days after the date of conditional approval by the Planning Commission, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan. Failure to submit a corrected copy of the preliminary PUD within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.
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. 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. This PUD revision shall comply with all conditions of Metro Council bill: BL2003-91.

Approved with conditions, Consent Agenda (7-0-1)

Resolution No. RS2011-202

"BE IT RESOLVED by The Metropolitan Planning Commission that 2003P-010-002 is **APPROVED WITH CONDITIONS. (7-0-1)**

Conditions of Approval:

1. Prior to any additional development applications for this property, and in no event later than 120 days after the date of conditional approval by the Planning Commission, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan. Failure to submit a corrected copy of the preliminary PUD within 120 days will void the

Commission's approval and require resubmission of the plan to the Planning Commission.

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. 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. This PUD revision shall comply with all conditions of Metro Council bill: BL2003-91."

Subdivision: Concept Plans

10. 2011S-052-001

DUNCANWOOD RESERVE

Map 131-08, Part of Parcel(s) 018

Council District 25 (Sean McGuire)

Staff Reviewer: Greg Johnson

A request for concept plan approval to create 15 clustered lots within Phase I on a portion of property located at 1120 Glendale Lane, on the southern side of Duncanwood Drive (30.2 acres), zoned R20, requested by Anchor Investments, LLC, applicant, Monroe-Harding Inc., owner.

Staff Recommendation: APPROVE WITH CONDITIONS

APPLICANT REQUEST -Concept plan for 15 lots

Concept plan A request for concept plan approval to create 15 clustered lots within Phase I on a portion of property located at 1120 Glendale Lane, on the southern side of Duncanwood Drive (30.2 acres), zoned One and Two Family Residential (R20).

Existing Zoning

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

CRITICAL PLANNING GOALS N/A

PLAN DETAILS The concept plan proposal consists of two phases within a portion of a 30 acre parcel currently owned by Monroe Harding Inc. The only occupant within the parcel is the Monroe Harding Home campus, which is located on the western half of the parcel. The concept plan outlines the Monroe Harding campus, placing it mostly outside of the two phases proposed for development. Phase I consists of a 15 lot single-family residential subdivision with a new public street. Phase II covers the remainder of the parcel outside of the Monroe Harding campus and does not show a plan for future subdivision, except for a note requiring the road to be extended to Glendale which would create two lots.

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

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

The concept plan identifies a portion of the required open space to the east of the proposed lots. However, a walkway connection to this open space is not provided for lots that are not adjacent to it. A condition of approval is to require a walkway and an easement to provide access if

the concept plan is approved.

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

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

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

Since the July 28, 2011, Planning Commission meeting, two revisions to the concept plan have been made that support the concept plan in meeting the intent of the Subdivision Regulations to provide street connectivity. First, the concept plan now includes the entire 30 acre parcel owned by Monroe Harding, not just the eight acres of Phase I as originally submitted. By dividing the parcel into phases and by reserving the campus area, the concept plan now identifies areas intended for development.

Second, a note has been added to the concept plan that requires a street connection meeting the requirements of the Subdivision Regulations with development of Phase II. The note states that *any future subdivision of land within Phase II shall include the dedication and construction (or bond for the construction) of a public street to connect Glendale Lane to the public street in Phase I in a manner that will comply with section 3.9 (Requirements for Streets) of the Subdivision Regulations for providing street connectivity with design elements to encourage the reduction and calming of traffic*. Although the current concept plan does not show a future street connection from the proposed subdivision in Phase I, it shows the intent to provide an appropriate connection with future development within Phase II.

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

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

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

PUBLIC WORKS RECOMMENDATION No Exception Taken with the Following Conditions:

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- Document adequate intersection sight distance for the 30 mph Duncanwood Drive intersection as per AASHTO prior to the preparation of final construction drawings, or, submit speed study data if speed limit on Duncanwood at Duncanwood Ct is recommended to be reduced to 20mph. Show appropriate signage in curve section.
- Extend the sidewalks through the radius returns at Duncanwood Drive and the western sidewalk to the property line. Curb and gutters to be PW Standard ST-200.

STORMWATER RECOMMENDATION Concept plan approved except as noted (stormwater):

- Some areas are bypassing water quality / quantity features. Additional conveyances (ditches / pipes) will be required.

NES RECOMMENDATION

- 1) Developer to provide a civil duct and gear (pad/switch) locations for NES review and approval. This shall cover the entire project area.
- 2) Developer drawing should show any existing utilities easements on property and the utility poles on the property and/or r-o-w.
- 3) 20-foot public utility easement required adjacent to all public r-o-w.

- 4) Any addition easements required that are not part of this parcel must be obtained by the developer or the engineer for the developer.
- 5) Street names are required before NES's final construction drawings can be issued.
- 6) NES can meet with developer/engineer upon request to determine electrical service options
- 7) NES needs any drawings that will cover any road improvements to Duncanwood Dr r-o-w that Public Works will require (i.e., turning lanes or lane improvements). Any of these items may require electric facilities to be relocated and may be an impact to the developers.
- 8) NES follows the National Fire Protection Association rules; Refer to NFPA 70 article 450-27; and NESC Section 15 - 152.A.2 for complete rules (see NES Construction Guidelines under "Builders and Contractors" tab @ www.nespower.com).
- 9) NES needs to know if the developer has other options on property next to this area, if so NES needs an overall concept plan.
- 10) All street lighting shall meet Metro/NES requirements for the public r-o-w. The conduit, footings, poles and fixtures must be installed by developer – NES needs locations of street light bases for conduit stub-outs to those general areas.
- 11) Building phase lines are required at the design stage.
- 12) If porches or fire escapes are allowed to be constructed beyond the minimum setback limits and into the public utility easements; then the easement will be considered reduced by that much of the easement. Such encroachments may increase the cost of electrical infrastructure to allow for reduced or limited access to equipment. *NES reserves the right to enter and to erect, maintain, repair, rebuild, operate and patrol electric power overhead and underground conductors and communications circuits with all necessary equipment reasonably incident thereto including the right to clear said easement and keep the same clear of brush, timber, inflammable structures, buildings, permanent structures, and fire hazards; all over, under, upon, and across the easement as granted on any plats.*

STAFF RECOMMENDATION Staff recommends approval with conditions. With the added provisions to ensure street connectivity, the proposal meets the intent of the Subdivision Regulations, to plan for street connectivity. The proposed 15 lot subdivision meets all other requirements of the Zoning Code and Subdivision Regulations.

CONDITIONS

1. The concept plan shall comply with requirements of Metro Stormwater, NES and Metro Public Works.
2. Sidewalk shall be required along the entire roadway that will be constructed to serve the proposed development in Phase I.
3. The requirements of the Subdivision Regulations for sidewalks shall apply to all phases of this concept plan.
4. Development of the concept plan area shall meet the requirements of the State of Tennessee Division of Archaeology for development on potential archaeological sites.
5. A paved walkway within a public easement or right-of-way shall be provided from the proposed public street sidewalk to the proposed open space to the east within Phase I.
6. The portion of the Monroe Harding campus that is used for the orphanage use shall be identified on the concept plan as either 1) not part of the concept plan, 2) a portion of the concept plan that is not available for future development not related to the current orphanage use, 3) part of Phase II of the concept plan, or 4) Phase III of the concept plan.

Mr. Johnson presented the staff recommendation of approval with conditions.

Nicky Wells, engineer for the applicant, spoke in support of staff recommendation.

David Kleinfelter, 424 Church Street, spoke in support of staff recommendation.

Mary Baker, CEO of Monroe Harding, spoke in support of staff recommendation.

John Olert, 5304 Lancelot Road, spoke in support of staff recommendation.

Kate Stephenson, 2719 Wortham Avenue, spoke in support of staff recommendation.

John Brittle, 5474 Franklin Pike Circle, spoke in support of staff recommendation.

Hermin Partin, 1114 Brookmeade Drive, spoke against staff recommendation.

Hank Keeling, 1145 Duncanwood Drive, spoke against staff recommendation.

Richard Wright, 1130 Duncanwood Drive, spoke against staff recommendation.

Patsy Partin, 1114 Brookmeade Drive, spoke against staff recommendation.

Josh Burgener, 1140 Brookmeade Drive, spoke against staff recommendation.

Elizabeth Griggs Brandau, 1122 Duncanwood Drive, spoke against staff recommendation.

Pam Pilcher, 1132 Duncanwood Drive, spoke against staff recommendation.

Allison Lott, 1140 Duncanwood Drive, spoke against staff recommendation.

Alex Brandau, 1122 Duncanwood Drive, spoke against staff recommendation.

Kris Lott, 1140 Duncanwood Drive, spoke against staff recommendation.

Betty White, 1126 Duncanwood Drive, spoke against staff recommendation.

Leslie Reese, 1107 Brookemeade Drive, spoke against staff recommendation.

Jerry Kimbrough, 1141 Brookemeade Drive, spoke against staff recommendation.

Bill Sanders, 1133 Duncanwood Drive, spoke against staff recommendation.

Nicky Wells, engineer for applicant, spoke again in favor of staff recommendation.

Mr. Haynes moved and Mr. Gee seconded the motion to close the Public Hearing. (7-0)

Mr. Gee asked staff to respond to the suggestion that the plan does not meet subdivision regulations, specifically 2.8 and 3.9.

Mr. Johnson noted that by putting the note on the plat and by including the entire property in the concept plan, they are stating that they intend with future development on Phase II to provide the interconnecting street network consistent with Subdivision Regulations.

Mr. Gee inquired if the conditions state that the property cannot be further developed without road connections?

Mr. Johnson stated that there could not be any further subdivisions without the road connection.

Mr. Johnson also noted that the cul-de-sac isn't connected to the rest of the neighborhood but it does provide a turn around for emergency vehicles and the length does meet subdivision regulations.

Mr. Gee inquired if it is unusual for a city to require a reserved right-of-way.

Mr. Johnson clarified that it is not unusual.

Mr. Haynes noted concerns with the lack of resourcefulness and creativity from the applicant and stated that not much progress has been made by the applicant to come up with a win/win situation.

Mr. Dalton inquired if an interconnected street system is required or encouraged in the subdivision regulations.

Mr. Johnson clarified that it is required.

Ms. LeQuire stated interest in other concept plans brought by the neighbors and noted that new solutions have been offered but no explanation as to why they wouldn't work.

Ms. LeQuire also inquired if it would be possible for staff to do a charrette with the neighbors and developers and stated that there seem to be other potential choices that haven't been explored enough. Did staff review these other proposals?

Mr. Johnson stated that the proposals were presented and staff worked with the applicant over the past several months looking at other options.

Ms. LeQuire asked why the other proposals are not feasible.

Mr. Johnson stated that he did not want to speak for the applicant.

Ms. LeQuire inquired if the developer considered connecting to Brookemeade.

Mr. Johnson stated that Glendale and Duncanwood were seen as the most viable connections.

Dr. Cummings stated that the only difference in the concept plan today and the one in July seems to be that they have broken it out into Phases.

Dr. Cummings also noted that more work could be done to find a mutually satisfying way to develop this area and that the neighbors need to understand that this area will be developed at some point. If we didn't do a traffic study, how do we know about the site distance.

Mr. Johnson clarified that it is a requirement of Public Works that the applicant will be required to demonstrate site distance, but it hasn't been

demonstrated yet.

Mr. Ponder stated that the neighborhood came up with interesting alternatives but inquired if there is any way we can required the owner to buy additional land or come in from a different angle.

Mr. Sloan stated no, we can not require them to do that.

Mr. Ponder asked if a gated community had been considered.

Mr. Johnson stated that a public road with a street connection cannot be gated.

Mr. Ponder also inquired about traffic calming devices that would discourage people from coming in to the subdivision and stated that there seems to be more room for improvement.

Councilmember Claiborne stated concerns with destroying a historical building, concern with the State's remarks regarding archaeological remains that may still be in the area, concern for the neighborhood over the construction traffic that they will have to bear during development, and concern regarding the lack of a traffic study.

Councilmember Claiborne stated that the only difference in the concept plans seems to be the designation of the Phases and also inquired why Phase II wasn't developed first.

Mr. Gee stated that there may not be a win/win situation and he is inclined to suggest that an actual reserved right-of-way is established with the subdivision.

Mr. Gee also noted that he would welcome any further suggestions from the applicant or property owner about why a connection to the south has not been presented or offered.

Ms. LeQuire stated that if we were really planning, we would see this as a great co-housing site.

Ms. LeQuire also noted that not showing where the roads would go or potential tie-ins to surrounding streets makes it an inadequate plan.

Mr. Ponder asked if deferral is an option.

Mr. Sloan stated that a decision has to be made within 30 days.

Ms. LeQuire inquired if the developer could explain why some of the other presented options are not feasible.

Nicky Wells, engineer for the applicant, clarified on the map why the other presented options are not feasible.

Ms. LeQuire asked if developing Phase II first was considered.

Mr. Haynes asked if a plan for Phase II future development has been done.

Nicky Wells stated that Monroe Harding does not want to show any roads or even a layout for Phase II at this point and noted that development in Phase I does not jeopardize any options for whoever develops Phase II.

Chairman McLean inquired why Monroe Harding wants to hide Phase II information.

Mr. Wells noted that they do not want to be obligated in to anything as there is currently no buyer or developer for Phase II.

Chairman McLean noted that the neighbors would feel better if Monroe Harding is open and upfront with the Phase II layout and also stated that it would help the commissioners.

Chairman McLean stated that Phase II development needs to be shown in order to move forward.

Mr. Gee noted that he would like to ask Monroe Harding the same questions regarding connectivity to Glendale and the willingness to consider the sale of Phase II now and Phase I later.

Mary Baker, CEO of Monroe Harding, stated that Phase I is 8.1 acres that Duncanwood is most interested in as it is the easiest to be developed and it is not in the floodplain. Much of the remaining property is in the floodplain and the hope is that someone will purchase Phase II as green space.

Mr. Gee stated that he would like to suggest to the community that connectivity might ultimately help the traffic situation.

Mr. Gee moved and Mr. Ponder seconded the motion to defer to the November 10, 2011 Planning Commission meeting and keep the Public Hearing open. (8-0)

Resolution No. RS2011-203

“BE IT RESOLVED by The Metropolitan Planning Commission that 2011S-052-001 is **DEFERRED to the November 10, 2011, Planning Commission meeting, keeping the public hearing open. (8-0)**”

H. COMMUNITY PLAN POLICY CHANGES AND ASSOCIATED CASES

No Cases on this Agenda

I. RECOMMENDATIONS TO METRO COUNCIL

Zoning Text Amendments

11. 2011Z-012TX-001

BL2011-26 / BARRY

MAJOR STREET AND COLLECTOR PLAN

Staff Reviewer: Kathryn Withers/Rebecca Ratz

A request to amend Metro Zoning Code Table 17.020.D (Alternative Zoning Districts Bulk Standards) and Section 17.12.030 (Street Setback Standards) by deleting a phrase from footnote 4.a. in Table 17.12.020.D. and amending 17.12.030 by adding in standards for the measurement of street setbacks on local streets and within Urban Design Overlay Districts, requested by the Metro Planning Department, applicant.

Staff Recommendation: DEFER INDEFINITELY

The Metropolitan Planning Commission DEFERRED INDEFINITELY 2011Z-012TX-001 at the request of the applicant. (7-0)

12. 2011Z-013TX-001

BL2011-27 / BARRY

**DISTRICT BULK TABLES: RIGHT-OF-WAY DEDICATION
AND MINIMUM LOT SIZE REQUIREMENTS**

Staff Reviewer: Brenda Bernards

A request to amend Chapter 17.12 (District Bulk Provisions) of the Metro Zoning Code by adding a note to the District Bulk Tables to clarify minimum lot requirements when a right-of-way dedication is required, requested by the Metro Planning Department, applicant.

Staff Recommendation: APPROVE

APPLICANT REQUEST - Clarify minimum lot requirements when a right-of-way dedication is required

Text Amendment A request to amend Chapter 17.12 (District Bulk Provisions) of the Metro Zoning Code by adding a note to the District Bulk Tables to clarify minimum lot requirements when a right-of-way dedication is required.

CRITICAL PLANNING GOALS N/A

PURPOSE This text amendment is intended to clarify how a minimum lot size is determined when a right-of-way dedication is required.

ANALYSIS

Existing Law The District Bulk Tables of chapter 17.12 of the Zoning Code provide minimum lot sizes for the zoning districts. The Subdivision Regulations require that a subdivision of property meet the requirements of the Zoning Code. When property is subdivided, a dedication of right-of-way may be required and the minimum lot size is based on property area, less the portion required for dedication. A property that may have been greater than the minimum lot size prior to the dedication may become non-compliant with the minimum lot size requirements of the Metro Zoning Code and would no longer be of sufficient area to be subdivided.

Proposed Bill The proposed bill adds a note to Tables 17.12.020.A and 17.12.020.B that would allow the lot area prior to the dedication of right-of-way to be used to meet the minimum lot standards. The newly created lots would need to meet all other bulk standards of the Zoning Code based on the dimensions after the dedication of the right of way.

STAFF RECOMMENDATION Staff recommends approval of this bill. This amendment will allow property to be subdivided without penalizing for the dedication of right-of-way.

ORDINANCE NO. BL2011-27

An ordinance to amend Chapter 17.12 (District Bulk Provisions) of the Metropolitan Zoning Code by adding a note to the District Bulk Tables to clarify minimum lot requirements when a right-of-way dedication is required. (Proposal 2011Z-013TX-001)

WHEREAS, Mayor Karl Dean signed Executive Order No. 40 Complete Streets Policy on October 6, 2010, to support and encourage a transportation system that is safe and convenient for all users, regardless of age, ability, or mode of transportation; and

WHEREAS, the Metropolitan Planning Commission has recently adopted the 2011 update to the Major and Collector Street Plan (MCSP); and

WHEREAS, the MCSP establishes right-of-way dimensions for arterial and collector streets consistent with the Complete Streets Policy to ensure the public's health, safety, and welfare; and,

WHEREAS the MCSP established for right-of-way dedications requirements for when real property located on an arterial or collector street is subdivided; and

WHEREAS a right-of-way dedication may be required for real property located on a local street where the existing street's right-of-way is too narrow; and

WHEREAS right-of-way dedication may result in real property being non-compliant with the minimum lot size requirements of the Metro Zoning Codes; and

WHEREAS, a right-of-way dedication ensures consistency with the MCSP and Complete Streets Policy and without the subdivision the right-of-way would not be dedicated.

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

Section 1. Chapter 17.12 is hereby amended by adding the following as Note 2 to Table 17.12.020.A and Note 7 to Table 17.12.020.B:

When a right-of-way dedication is required for an existing lot or parcel along an existing street that could be subdivided into two or more lots that would each meet the minimum lot requirements for the zoning district prior to the dedication of right of way, the minimum lot area shall be considered to be the area prior to the dedication. The newly created lots shall meet all other bulk standards of the zoning code based on the dimensions after the dedication of the right of way.

Section 2. Be it further enacted, that this ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY: Councilmember Megan Barry

Ms. Bernards presented the staff recommendation of approval.

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

Dr. Cummings moved and Mr. Dalton seconded the motion to approve staff recommendation. (6-0)

Chairman McLean and Mr. Ponder out at 6:12 p.m.

Resolution No. RS2011-204

"BE IT RESOLVED by The Metropolitan Planning Commission that 2011Z-013TX-001 is **APPROVED. (6-0)**

The amendment will allow property to be subdivided without penalizing for the dedication of right-of-way.

Mr. Haynes out at 6:18 p.m.

Specific Plans

13. 2006SP-075U-08

TAYLOR PLACE

Map 081-12, Parcel(s) 441

Council District 19 (Erica S. Gilmore)

Staff Reviewer: Brian Sexton

The periodic review of an approved Specific Plan (R) district known as "Taylor Place", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code (Review of a Development Plan), for property located at 1329 7th Avenue North (0.18 acres), approved for four single-family lots via Council Bill BL2006-1162 effective on August 21, 2007, review initiated by the Metro Planning Department.

Staff Recommendation: FIND THE SP INACTIVE and direct staff to prepare a report to the Council to continue the implementation of the development plan as adopted and that no rezoning is recommended on this property.

APPLICANT REQUEST - Four year SP review to determine activity

SP Review The periodic review of an approved Specific Plan (R) district known as "Taylor Place", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code (Review of a Development Plan), for property located at 1329 7th Avenue North (0.18 acres), approved for 4 single-family lots via Council Bill BL2006-1162 effective on August 21, 2007.

Zoning Code Requirement Section 17.40.106.I of the Zoning Code requires that a SP district be reviewed four years from the date of Council approval and every four years after until the development has been deemed complete by the Planning Commission.

Each development within a SP District is to be reviewed in order to determine if the project is complete or actively under development to implement the approved development concept. If the review determines that the project is complete or actively under development, then no further review is necessary at this time. If the review determines that the project is inactive then the Planning Commission is to determine if its continuation as an SP District is appropriate.

DETAILS OF THE SP DISTRICT The plan proposes four single-family homes. Three of the single-family homes front Taylor Street while a corner lot fronts Taylor Street and 7th Avenue. The plan also proposes four on-site parking spaces and two on-street parking spaces along 7th Avenue. Access to the site is provided by an existing alley.

SPECIFIC PLAN REVIEW Staff conducted a site visit on August 2011. There did not appear to be any construction activity on the site. A letter was sent to the property owner of record requesting details that could demonstrate that the SP was active.

The owner did not respond to the letter. As no documentation of activity was submitted, the staff preliminary assessment of inactivity remains in place.

FINDING OF INACTIVITY When the assessment of an SP is that it is inactive, staff is required to prepare a report for the Planning Commission with recommendations for Council Action including:

1. An analysis of the SP district's consistency with the General Plan and compatibility with the existing character of the community and whether the SP should remain on the property, or
2. Whether any amendments to the approved SP district are necessary, or
3. To what other type of district the property should be rezoned.

If the Planning Commission agrees with the staff assessment, staff will prepare a written report of the Commission's determination to Council with a recommendation on the following:

1. The appropriateness of the continued implementation of the development plan or phase(s) as adopted, based on current conditions and circumstances; and
2. Any recommendation to amend the development plan or individual phase(s) to properly reflect existing conditions and circumstances, and the appropriate base zoning classification(s) should the SP district be removed, in whole or in part, from the property.

Permits on Hold Section 17.40.106.I.1 of the Zoning Code requires that once the review of an SP with a preliminary assessment of inactivity is initiated, no new permits, grading or building, are to be issued during the course of the review. For purposes of satisfying this requirement, a hold shall be placed on all properties within the SP on the date the staff recommendation is mailed to the Planning Commission so that no new permits will be issued during the review.

ANALYSIS

Consistency with the General Plan This property is within the North Nashville Community Plan. The land use policy in place is T4 Urban Mixed Use Neighborhood (T4-MU) which is intended to accommodate a variety of uses such as residential, retail and office in a layout that is pedestrian friendly. The SP is consistent with this policy.

Amendments/Rezoning As the SP is consistent with the T4-MU policy of the North Nashville Community Plan, at this time the SP remains appropriate for the site and area. There are no amendments to the plan proposed and no new zoning district is proposed for the property.

Recommendation to Council If the Planning Commission agrees with the staff assessment, staff will prepare a written report of the Commission's determination to Council to continue the implementation of the development plan as adopted and that no rezoning is required

on this property.

STAFF RECOMMENDATION Staff recommends that the Taylor Place SP be found to be inactive and that the Planning Commission direct staff to prepare a report to the Council to continue the implementation of the development plan as adopted and that no rezoning is recommended on this property.

Find the SP District Inactive and direct staff to prepare a report to the Council to continue the implementation of the development plan as adopted and that no rezoning is recommended on this property. Consent Agenda, (7-0-1)

Resolution No. RS2011-205

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006SP-075U-08 is APPROVED, finding the SP District INACTIVE and directing staff to prepare a report to the Council to continue the implementation of the development plan as adopted and that no rezoning is recommended on this property.” (7-0-1)

14. 2006SP-093G-06

OLDE MILL

Map 140, Parcel(s) 009 Map 141, Parcel(s) 001
Council District 22 (Sheri Weiner); 35 (Bo Mitchell)
Staff Reviewer: Brian Sexton

The periodic review of an approved Specific Plan (MR) district known as "Olde Mill", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code (Review of a Development Plan), for properties located at 8733 and 8811 Newsom Station Road (141.4 acres), approved for 16 two-family units, 35 townhomes, and 197 single-family homes via Council Bill BL2007-1405 effective on June 19, 2007, review initiated by the Metro Planning Department.

Staff Recommendation: FIND THE SP INACTIVE and direct staff to prepare a report to the Council to continue the implementation of the development plan as adopted and that no rezoning is recommended on this property

APPLICANT REQUEST - Four year SP review to determine activity

SP Review The periodic review of an approved Specific Plan (MR) district known as "Olde Mill", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code (Review of a Development Plan), for property located at 8733 and 8811 Newsome Station Road (131.06 acres), approved for 16 two-family units, 35 townhomes, and 197 single-family homes via Council Bill BL2007-1405 effective on June 19, 2007.

Zoning Code Requirement Section 17.40.106.I of the Zoning Code requires that a SP district be reviewed four years from the date of Council approval and every four years after until the development has been deemed complete by the Planning Commission.

Each development within a SP District is to be reviewed in order to determine if the project is complete or actively under development to implement the approved development concept. If the review determines that the project is complete or actively under development, then no further review is necessary at this time. If the review determines that the project is inactive then the Planning Commission is to determine if its continuation as an SP District is appropriate.

DETAILS OF THE SP DISTRICT The site plan calls for a mixture of housing types with a total of 248 units. Housing types consists of 16 two-family units, 35 townhomes, and 197 single-family lots. The single-family lots are broken into four different lot sizes: 86 lots are 31 feet wide, 67 lots are 41 feet wide, 11 lots are 51 feet wide, and 33 lots are 65 feet wide. A community pool is also included in the plan.

The plan proposes two access points. One access point is located along Newsom Station Road. The second access point includes a bridge over the CSX railroad, providing a connection to the Westside of Newsom Station Road.

SPECIFIC PLAN REVIEW In May 2010, this property experienced extensive flooding. Approximately 90 acres of the property is located within the Floodplain. Staff conducted a site visit on August 2011. There did not appear to be any construction activity on the site. A letter was sent to the property owner of record requesting details that could demonstrate that the SP was active.

The owner's legal representative did respond to the letter.
The letter provided details of work done by the developer during 2008, before the economic recession.

Expenditures for the Olde Mill SP include the following:

- Road, bridge and subdivision development plans: \$129,083.81.
- Geotechnical engineering services for site development issues: \$16,927.50.
- Topographical and land surveying: \$18,000.00
- Engineering fees for the railroad bridge plus CSX engineering fees: \$61,629.22.
- Design fees for the amenity areas: \$25,700.00.

Staff's preliminary assessment of inactivity remains in place.

FINDING OF INACTIVITY When the assessment of an SP is that it is inactive, staff is required to prepare a report for the Planning Commission with recommendations for Council Action including:

1. An analysis of the SP district's consistency with the General Plan and compatibility with the existing character of the community and whether the SP should remain on the property, or
2. Whether any amendments to the approved SP district are necessary, or
3. To what other type of district the property should be rezoned.

If the Planning Commission agrees with the staff assessment, staff will prepare a written report of the Commission's determination to Council with a recommendation on the following:

1. The appropriateness of the continued implementation of the development plan or phase(s) as adopted, based on current conditions and circumstances; and
2. Any recommendation to amend the development plan or individual phase(s) to properly reflect existing conditions and circumstances, and the appropriate base zoning classification(s) should the SP district be removed, in whole or in part, from the property.

Permits on Hold Section 17.40.106.1.1 of the Zoning Code requires that once the review of an SP with a preliminary assessment of inactivity is initiated, no new permits, grading or building, are to be issued during the course of the review. For purposes of satisfying this requirement, a hold shall be placed on all properties within the SP on the date the staff recommendation is mailed to the Planning Commission so that no new permits will be issued during the review.

ANALYSIS

Consistency with the General Plan This property is within the Bellevue Community Plan. The land use policy in place is Residential Low Medium (RLM) which is intended to accommodate residential development at a density of two to four units per acre. The density of the project falls within the lower range of the policy.

Amendments/Rezoning Due its consistency with the RLM policy, at this time the SP remains appropriate for the site and area. Staff will review this SP again in four years against the land use policy to determine if the SP needs to be amended. At this time, the Bellevue Community Plan is being updated and the land use policies will be amended to the CCM policies. If the SP is still inactive in four years, staff will evaluate the SP based on the amended policies and make a recommendation based on the consistency of the plan with the Community Plan policy in place at that time.

Recommendation to Council If the Planning Commission agrees with the staff assessment, staff will prepare a written report of the Commission's determination to Council to continue the implementation of the development plan as adopted and that no rezoning is required on this property.

STAFF RECOMMENDATION Staff recommends that the Olde Mill SP be found to be inactive and that the Planning Commission direct staff to prepare a report to the Council to continue the implementation of the development plan as adopted and that no rezoning is recommended on this property.

Find the SP District Inactive and direct staff to prepare a report to the Council to continue the implementation of the development plan as adopted and that no rezoning is recommended on this property. Consent Agenda, (7-0-1)

Resolution No. RS2011-206

"BE IT RESOLVED by The Metropolitan Planning Commission that 2006SP-093G-06 is **APPROVED, finding the SP District INACTIVE and direct staff to prepare a report to the Council to continue the implementation of the development plan as adopted and that no rezoning is recommended on this property. (7-0-1)**"

15. 2007SP-065U-10

SHARONDALE DRIVE

Map 104-14, Parcel(s) 040-041

Map 117-02, Parcel(s) 025.01, 027.01, 024-036, 158-160, 181, 207-209, 223, 226, 227, 229-231

Map 117-03, Parcel(s) 063-065, 067-069, 072-102, 105, 107, 109-113, 116, 138, 140-141

Council District 25 (Sean McGuire)

Staff Reviewer: Brian Sexton

The periodic review of an approved Specific Plan (MR) district known as "Sharondale Drive", to determine its completeness pursuant to Section 17.40.106.1 of the Metro Zoning Code (Review of a Development Plan), for various properties located along Sharondale Drive between Hillsboro Pike and Woodlawn Drive on Sharon Hill Circle and Sharondale Court (26.85 acres), approved to limit to the number of duplex units permitted on each street to 33 percent, limit each duplex unit to 6,000 square feet, limit new single-family homes to 4,500 square feet, limit the the maximum height of each residential unit to 30 feet and limit the maximum lot coverage to 40 percent via Council Bill BL2007-1485 effective on August 21, 2007, review initiated by the Metro Planning Department.

Staff Recommendation: FIND THE SP ACTIVE

APPLICANT REQUEST - Four year SP review to determine activity

SP Review The periodic review of an approved Specific Plan (MR) district known as "Sharondale Drive", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code (Review of a Development Plan), for various properties located along Sharondale Drive between Hillsboro Pike and Woodlawn Drive on Sharon Hill Circle and Sharondale Court (26.85 acres), approved to limit the number of duplex units permitted on each street to 33 percent, limit each duplex to 6,000 square feet, limit new single-family homes to 4,500 square feet, limit the maximum height of each residential unit to 30 feet and limit the maximum lot coverage to 40 percent via Council Bill BL2007-1485 effective on August 21, 2007.

Zoning Code Requirement Section 17.40.106.I of the Zoning Code requires the review of each SP District four years from the date of Council approval and every four years after until the development has been deemed complete by the Planning Commission.

Development within each SP District is to be reviewed in order to determine if the project is complete or actively under development to implement the approved development concept. If the review determines that the project is complete or actively under development, then no further review is necessary at this time. If the review determines that the project is inactive then the Planning Commission is to determine if its continuation as an SP district is appropriate.

DETAILS OF THE SP DISTRICT This SP has a number of purposes including:

- limiting the number of duplex units permitted on each street to 33 percent,
- limiting each duplex to 6,000 square feet,
- limiting new single-family homes to a maximum size of 4,500 square feet,
- limiting the maximum height of each residential unit to 30 feet, and
- limiting the maximum lot coverage to 40 percent.

Analysis Staff visited the site August 2011. Various properties have been developed within the boundaries of this SP district. Staff recommends that this SP be found active and that it be placed back on the four-year review list. Staff notes that the SP remains appropriate for the Residential Low Medium land use policy of the Green Hills-Midtown Community Plan.

STAFF RECOMMENDATION Staff recommends that the Sharondale Drive SP be found to be active.

Find the SP District Active, Consent Agenda (7-0-1)

Resolution No. RS2011-207

"BE IT RESOLVED by The Metropolitan Planning Commission that 2007SP-065U-10 is **APPROVED, finding the SP District ACTIVE."** (7-0-1)

J. PLANNING COMMISSION ACTIONS

Planned Unit Developments: final site plans

16. 78-74P-001

LIONS HEAD VILLAGE (DALTS RESTAURANT)

Map 103-15, Parcel(s) 046

Council District 24 (Jason Holleman)

Staff Reviewer: Greg Johnson

A request to revise the preliminary plan and for final site plan approval for a portion of the Lions Head Village Planned Unit Development Overlay District on property located at 4415 Post Place, approximately 250 feet north of White Bridge Pike, zoned SCC (1.38 acres), to permit the enclosure of an existing patio totaling 800 square feet for additional seating at Dalts Restaurant for a total of 6,985 square feet of restaurant use, requested by Atkisson & Associates Architecture, applicant, for Randolph Lagasse, owner.

Staff Recommendation: APPROVE WITH CONDITIONS

APPLICANT REQUEST - 800 square foot addition to existing restaurant

PUD Revision A request to revise the preliminary plan and for final site plan approval for a portion of the Lions Head Village Planned Unit Development Overlay District on property located at 4415 Post Place, approximately 250 feet north of White Bridge Pike, zoned Shopping Center Community (SCC) (1.38 acres), to permit the enclosure of an existing patio totaling 800 square feet for additional seating at Dalts Restaurant for a total of 6,985 square feet of restaurant use.

Existing Zoning

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

CRITICAL PLANNING GOALS N/A

PUD AMENDMENT

Plan Details This PUD was originally approved by Council in 1978, for commercial development. The current request would revise the PUD to expand dining space within an existing restaurant in the PUD. Because this is a small addition and would not significantly increase the amount of square footage within the PUD from the Council approval, it is considered a revision and will not require Council approval. The existing restaurant uses on the site will not change through this PUD revision.

The proposed revision meets all requirements of the Zoning Code for parking and setback requirements.

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.

FIRE MARSHAL RECOMMENDATION Existing sprinkler system shall be updated to protect enclosed space.

STORMWATER RECOMMENDATION If no storm pipe is located under the addition, then approved. If a storm pipe is located under proposed enclosure, then revised / relocated storm pipe information is required.

STAFF RECOMMENDATION Staff recommends approval with conditions of the PUD revision because it is consistent with the original PUD approval and complies with applicable requirements of the Zoning Code.

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. 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.
4. Prior to any additional development applications for this property, and in no event later than 120 days after the date of conditional approval by the Planning Commission, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan. Failure to submit a corrected copy of the preliminary PUD within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.

Approved with conditions, Consent Agenda (7-0-1)

Resolution No. RS2011-208

"BE IT RESOLVED by The Metropolitan Planning Commission that 78-74P-001 is **APPROVED WITH CONDITIONS. (7-0-1)**

Conditions of Approval:

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. 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.
4. Prior to any additional development applications for this property, and in no event later than 120 days after the date of conditional approval by the Planning Commission, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan. Failure to submit a corrected copy of the preliminary PUD within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission."

Subdivision: Concept Plans

17. 2008S-079-001

WESTPORT BUSINESS PARK

Map 079, Parcel(s) 050, 052, 097

Council District 20 (Buddy Baker)

Staff Reviewer: Jason Swaggart

A request to revise a previously approved concept plan to create ten lots on properties located at 7261 and 7273 Centennial Boulevard and at Centennial Boulevard (unnumbered), approximately 5,200 feet north of Cockrill Bend Boulevard, (31.76 acres), zoned IR, requested by Centennial Place Realty LLC, and Cline Development LLC, owners, William S. Payne, engineer.

Staff Recommendation: APPROVE WITH CONDITIONS

APPLICANT REQUEST - Revise concept plan for ten lots

Revise Concept Plan A request to revise a previously approved concept plan to create ten lots on properties located at 7261 and 7273 Centennial Boulevard and at Centennial Boulevard (unnumbered), approximately 5,200 feet north of Cockrill Bend Boulevard, (31.76 acres), zoned Industrial Restrictive (IR).

Existing Zoning

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

CRITICAL PLANNING GOALS N/A

SUBDIVISION DETAILS The property proposed for this subdivision is in Cockrill Bend adjacent to the eastern boundary of the John C. Tune Airport. The property is mostly flat and has been graded. A concept plan for the Westport Business Park subdivision was approved by the Planning Commission in April 2008, for 14 industrial lots. A Development Plan for Phase I was approved in December 2008, and a final plat was submitted for Phase I, but was never approved or recorded. *The Commission approved an extension of the approval for the Concept Plan on August 25, 2011.*

Site Plan The site plan calls for ten lots. Lots 1 through 5, which are mostly consistent with the original concept plan, are served by a cul-de-sac from Centennial Boulevard. The remaining five lots will be served by a private drive which will access both Centennial Boulevard and Centennial Place. The smallest lot is approximately three acres and the largest lot is approximately 28 acres.

Metro Subdivision Regulations do not require sidewalks on new streets in areas zoned industrial; however, Metro Zoning would require sidewalks along Centennial Boulevard adjacent Lots 1, 2 and three. Because there are no sidewalks on the same block face as the proposed subdivision, then the Code also allows for a financial contribution be made in lieu of the construction of sidewalks. The applicant plans to make the financial contribution which is noted on the plan.

Analysis The proposed Concept Plan meets all Subdivision Regulation and Zoning Code requirements. Since the request meets all Subdivision and Zoning requirements, staff recommends that the Concept Plan be approved with conditions.

PUBLIC WORKS RECOMMENDATION

1. Traffic study may be required at time of development.
2. Provide adequate sight distance at access roads.
3. 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.

STORMWATER RECOMMENDATION Concept Plan Approved with Conditions:

1. All water quality is to be 80% TSS.

STAFF RECOMMENDATION Staff recommends that the request be approved with conditions. As proposed the request meets all subdivision and zoning requirements.

CONDITIONS

1. The owner of Map 079, Parcel 052 shall sign the development plan application.
2. Pursuant to 2-3.4.e of the Metro Subdivision Regulations, because this application has received conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to any application for a final plat, and in no event more than 30 days after the date of conditional approval by the Planning Commission.

Approved with conditions, Consent Agenda (7-0-1)

Resolution No. RS2011-209

"BE IT RESOLVED by The Metropolitan Planning Commission that 2008S-079-001 is **APPROVED WITH CONDITIONS. (7-0-1)**

Conditions of Approval:

1. The owner of Map 079, Parcel 052 shall sign the development plan application.
2. Pursuant to 2-3.4.e of the Metro Subdivision Regulations, because this application has received conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to any application for a final plat, and in no event more than 30 days after the date of conditional approval by the Planning Commission."

Subdivision: Final Plats

18. 2011S-078-001

1617 GLEN ECHO

Map 117-15, Parcel(s) 072

Map 117-16, Parcel(s) 006

Council District 25 (Sean McGuire)

Staff Reviewer: Brenda Bernards

A request for final plat approval to create three lots and to remove the 50 foot recorded setback on properties located at 1613 and 1617 Glen Echo Road, approximately 370 feet west of Belmont Boulevard (0.73 acres), zoned R10, requested by Cypress Batson Family LLC and Lynne and Zac Cypress, owners, Dale & Associates, surveyor.

Staff Recommendation: APPROVE

APPLICANT REQUEST - Final plat to create three lots

Final Plat A request for final plat approval to create three lots and to remove the 50 foot recorded setback on properties located at 1613 and 1617 Glen Echo Road, approximately 370 feet west of Belmont Boulevard (0.73 acres), zoned One and Two Family Residential (R10).

CRITICAL PLANNING GOALS

- Supports Infill Development

This subdivision is on a previously-developed property. Where there were three residential units, there will be up to six units using the existing infrastructure.

PLAN DETAILS

Final Plat The applicant requests final plat approval for a three lot subdivision on Glen Echo Road west of Belmont Boulevard. Sidewalks are required on the lots and are shown on the plat. The plat is one of a series of subdivisions along Glen Echo Road beginning at Belmont Boulevard. The access to Glen Echo has been limited with shared driveways that connect to a rear access easement that runs along the south property line. This plat does not include an access point and access will be taken from a lot to the west shown on an adjacent plat for 1621 Glen Echo Road.

The land use policy on the properties is Residential Medium (RM) which is intended to accommodate residential development within a density range of four to nine dwelling units per acre. The area to be subdivided is .73 acres in size and up to six units would be permitted with a density of 8.25 units per acre. The subdivision is consistent with the RM policy. In addition Special Policy Area #11 of the Green Hills/Midtown Community Plan applies to this property. This policy calls for providing clear definition to street by placing buildings to create a "street wall" consistent with the width of the street. The proposed plat includes the removal of a platted setback which will allow buildings to be placed closer to the street.

Special Policy Area #11. *1. Development within this area should be limited to one- and two-family structures and townhouse type structures that are on separate lots designed for individual ownership.*

2. Any development within this area should create a sustainable and walkable neighborhood. Buildings shall form an appropriate street wall consistent with the width of the street. This is critical for scale and to provide a clear definition to the street. The streetscape elements (sidewalks, street trees, street furnishings, etc.) shall fully support the development form. The massing of buildings shall complement each other in quality of construction and materials, scale, height, massing, and rhythm of buildings solid to open void. Any redevelopment shall achieve sensitive transition to surrounding development.

STAFF RECOMMENDATION Staff recommends approval with conditions as the plat meets the requirements of the Subdivision Regulations and is in compliance with the RM policy and Special Policy Area #11.

Approved, Consent Agenda (7-0-1)

Resolution No. RS2011-210

“BE IT RESOLVED by The Metropolitan Planning Commission that 2011S-078-001 is **APPROVED. (7-0-1)**”

K. OTHER BUSINESS

- 19.** Contract between the Metropolitan Government of Nashville and Davidson County (on behalf of the Nashville Area MPO) and Westat, Inc. for Professional Services related to Data Collection Activities for Regional Planning Models.

Approved, Consent Agenda (7-0-1)

Resolution No. RS2011-211

“BE IT RESOLVED by The Metropolitan Planning Commission that the contract between Metro Government of Nashville and Davidson County (on behalf of the Nashville Area MPO) and Westat, Inc. is **APPROVED. (7-0-1)**”

- 20.** 2012 Planning Commission Filing Deadlines & Meeting Schedule

Approved, Consent Agenda (7-0-1)

Resolution No. RS2011-212

“BE IT RESOLVED by The Metropolitan Planning Commission that the 2012 Planning Commission Filing Deadlines & Meeting Schedule is **APPROVED. (7-0-1)**”

- 21.** Historic Zoning Commission Report
- 22.** Board of Parks and Recreation Report
- 23.** Executive Committee Report
- 24.** Executive Director Report
- 25.** Legislative Update

L. MPC CALENDAR OF UPCOMING MATTERS

October 12, 2011

MPC Training Opportunity

3:00 to 4:30, 800 Second Avenue South, Metro Office Building, Davidson Room

Topic: Planning for Solar Energy

October 13, 2011

MPC Meeting

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

October 18, 2011

Recognition Event

1:00 pm, Bicentennial Capitol Mall State Park (Jefferson St. entrance to park)

Bicentennial Mall 2011 Great Places Designation by American Planning Association

Court of Three Stars and Bell Carillon

October 27, 2011

MPC Meeting

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

November 3, 2011

Bellevue Community Meeting

6pm, 7675 HWY 70s, Cross Point Church

Topic: Bellevue Community Plan Update – draft plan review

November 4, 2011

Continuing Education

1:30-4:30pm, Second Floor, Metro Office Building, Nashville Conference Room
Sustainable Development -- New Perceptions and Political Realities for Planning

November 10, 2011

Work Session

1:45pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center

Topic: Midtown Plan Amendment and Broadway/West End Alternatives Analysis (MTA)

MPC Meeting

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

M. ADJOURNMENT

The meeting was adjourned at 6:24 p.m.

Chairman

Secretary