



METROPOLITAN PLANNING COMMISSION MINUTES

Thursday, October 23, 2014

4:00 pm Regular Meeting

2601 Bransford Avenue

Metropolitan Public Schools Administration Building

MISSION STATEMENT

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

Commissioners Present:

Jim McLean, Chair
Greg Adkins, Vice Chair
Stewart Clifton
Hunter Gee
Derrick Dalton
Jeff Haynes
Jessica Farr
Andree LeQuire

Staff Present:

Rick Bernhardt, Executive Director
Doug Sloan, Deputy Director
Kelly Adams, Administrative Services Officer III
Craig Owensby, Public Information Officer
Bob Leeman, Planning Manager II
Kathryn Withers, Planning Manager II
Carrie Logan, Planner III
Cindy Wood, Planner III
Jason Swaggart, Planner II
Tifinie Capehart, Planner II
Greg Claxton, Planner II
Melissa Sajid, Planner II
Latisha Birkeland, Planner II
Lisa Milligan, Planner II
Jen Nalbantyan, Planner I
Jon Michael, Legal

Commissioners Absent: Lillian Blackshear

Richard C. Bernhardt, FAICP, CNU-A

Secretary and Executive Director, Metro Planning Commission

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

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Notice to Public

Please remember to turn off your cell phones.

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

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

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

Writing to the Commission

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

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

Speaking to the Commission

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

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

Legal Notice

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



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MEETING AGENDA

A. CALL TO ORDER

The meeting was called to order at 4:02 p.m.

B. ADOPTION OF AGENDA

Mr. Gee moved and Mr. Clifton seconded the motion to adopt the agenda. (9-0)

C. APPROVAL OF OCTOBER 9, 2014 MINUTES

Mr. Gee moved and Ms. LeQuire seconded the motion to amend the Item 15 motion of the October 9, 2014 to read:

“Mr. Gee moved and Ms. LeQuire seconded the motion to approve with conditions and disapprove without all conditions including a condition that the developers work with the Executive Director of the Metro Historic Zoning Commission to consider the possibility of relocating the historic structure or, if demolition is approved, of salvaging and incorporating materials from the historic structure if practicable.”

Ms. Farr moved and Mr. Gee seconded the motion to approve the October 9, 2014 minutes as amended. (9-0)

D. RECOGNITION OF COUNCILMEMBERS

Councilmember Glover spoke in favor of the staff recommendation of Item 8.

Council Lady Dowell spoke in favor of the staff recommendation of Item 8.

Councilmember Bedne spoke in favor of the staff recommendation of Item 8.

Council Lady Johnson spoke in favor of the staff recommendation of Item 8.

E. NASHVILLENEXT UPDATE

Mr. Claxton presented the NashvilleNext Update.

F. ITEMS FOR DEFERRAL / WITHDRAWAL

4. 2014DT-001-001

US BANK (DTC SIGNAGE MODIFICATION APPEAL)

5. 2014S-162-001

AMBERWOOD APARTMENTS, RESUB RESERVE PARCEL A

7a. 2014CP-007-006

WEST NASHVILLE PLAN AMENDMENT

7b. 2014SP-062-001

53RD AVENUE NORTH

12. 2014S-205-001

LAUREL ACRES, RESUB LOT 39

Mr. Clifton moved and Mr. Dalton seconded the motion to approve the deferred items. (9-0)

G. CONSENT AGENDA

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

- 1. 2014SP-041-001**
1212 HAWKINS STREET
- 3. 2004UD-002-006**
VILLAGES OF RIVERWOOD, PH 5, 6, & 7
- 9. 2014Z-021TX-001**
BL2014-909\Allen, Tygard
SHORT TERM RENTAL PROPERTY
- 11. 98P-007-007**
SEVEN SPRINGS WEST
- 13. New employee contract for Alex Deus**
- 14. Contract amendment for Brandon Burnette**
- 15. Reinstate Lexon Insurance Company, which was excluded from providing surety bonds for one year pursuant to Section 6-1.2.d of the Metro Subdivision Regulations at the January 9, 2014, Metropolitan Planning Commission meeting, to be permitted to provide surety bonds.**
- 20. Accept the Director's Report and Approve Administrative Items**

Mr. Clifton moved and Mr. Gee seconded the motion to approve the Consent Agenda. (8-0-1) Mr. Adkins abstained from Item 9.

H. PREVIOUSLY DEFERRED ITEMS

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

Specific Plans

1. 2014SP-041-001

1212 HAWKINS STREET

Map 093-13, Parcel(s) 276-277, 299
Council District 19 (Erica S. Gilmore)
Staff Reviewer: Jason Swaggart

A request to rezone from RM20 to SP-R zoning for properties located at 1212 Hawkins Street and 1119 and 1121 Sigler Street, approximately 330 feet west of 12th Avenue South, (0.71 acres), to permit up to 19 multifamily units, requested by Barge Cauthen & Associates, applicant; Gulchetto Enterprises, Inc., owner.

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

APPLICANT REQUEST

Preliminary SP to permit 19 residential units.

Preliminary SP

A request to rezone from Multi-Family Residential (RM20) to Specific Plan - Residential (SP-R) zoning for properties located at 1212 Hawkins Street and 1119 and 1121 Sigler Street, approximately 330 feet west of 12th Avenue South, (0.71 acres), to permit up to 19 multi-family units.

Existing Zoning

Multi-Family Residential (RM20) is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre. *RM20 would permit a maximum of 14 units on this site.*

Proposed Zoning

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

DEFERALS AND PUBLIC HEARING

This request has been deferred several times. Since the last deferral, the plan has been changed substantially. The previous plan before the Commission was for 45 flats. The current plan calls for 19 townhomes. Staff is recommending that the public hearing be reopened since the plan has changed significantly and the request has been deferred numerous times. Public Hearing notices were mailed.

CRITICAL PLANNING GOALS

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

This area is served by adequate infrastructure, such as roads, water and sewer. Development in areas with adequate infrastructure is more appropriate than development not served with adequate infrastructure because it does not burden Metro with the cost of maintaining new infrastructure. The request provides for an additional housing option in the area. Additional housing options are important to serve a wide range of people with different housing needs. The area is served with a sidewalk network, which provides a safe pedestrian environment, and encourages walking. More intense development fosters walkability and better public transportation because housing, work and conveniences are located within a smaller area, making them more accessible by foot and or public transportation. Bus service is located about 400 feet to the east on 12th Avenue South.

GREENHILLS/MIDTOWN COMMUNITY PLAN

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

Mixed Housing (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.

Consistent with Policy?

Yes. The proposed SP is consistent with the MH in NG land use policy. The plan provides for an additional housing option for the area in an urban form, which is appropriate for the site.

PLAN DETAILS

The site is located along the east side 13th Avenue South between Sigler Street to the north and Hawkins Street to the south. This is approximately 400 feet west of 12th Avenue South and just south of I-40. The development pattern on Hawkins Street and Sigler Street is primarily one and two-family residential. A portion of the site, closest to Hawkins contains a small multi-family use. The site does not have any environmentally sensitive areas.

Site Plan

The plan calls for 19 townhomes. All units front onto Hawkins Street, 13th Avenue or Sigler Street. The plan also provides conceptual elevations.

Vehicular access will be provided from two existing alleys. One alley which splits the development in half, provides access to 13th Avenue S. The second alley is located at the rear of the site and will provide access to Sigler Street. The existing sidewalk along Hawkins Avenue and 13th Avenue S. will be widened to six feet. A four foot wide planting strip is shown along 13th Avenue S. The plan requires that parking meet Metro Zoning requirements. It would also permit UZO reductions. Each unit contains a two car garage.

ANALYSIS

The plan is consistent with the Green Hills/Midtown Community plan and meets several critical planning goals.

FIRE MARSHAL'S OFFICE

N/A

STORMWATER RECOMMENDATION

Approved

PUBLIC WORKS RECOMMENDATION

Conditional if approved

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

Maximum Uses in Existing Zoning District: **RM20**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	0.71	20 D	14 U	209	11	26

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	0.71	-	19 U	225	13	31

Traffic changes between maximum: **RM20** and proposed **SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+ 5 U	+16	+3	+5

WATER SERVICES RECOMMENDATION

Approved

METRO SCHOOL BOARD REPORT

Projected student generation existing RM20 district: 0 Elementary 0 Middle 0 High

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

The proposed development would not generate more students than what would be generated under the existing zoning. These numbers are based on the Urban Infill Factor (UIF). The UIF takes into account that these type developments typically do not generate many new students because the units tend to be small. The proposed site plan only calls for one and two bedroom units. Any students that did live in the development would attend Eakin Elementary, West End Middle School and Hillsboro High School. Eakin Elementary and West End Middle School are over capacity. There is capacity within the Hillsboro cluster for additional elementary and middle school students. This information is based upon data from the school board last updated September 2013.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions as it is consistent with the Green Hills/Midtown Community plan and meets several critical planning goals.

CONDITIONS

1. Use in the SP is limited to up to 19 residential units.
2. Final architectural drawing must be approved by the Planning Department prior to final site plan approval. Final drawings must be consistent with the preliminary concept and the community plan policy.
3. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Council approval, the property shall be subject to the standards, regulations and requirements of the RM40-A zoning district as of the date of the applicable request or application.
4. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance.
5. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Approve with conditions and disapprove without all conditions. (9-0), Consent Agenda

Resolution No. RS2014-273

"BE IT RESOLVED by The Metropolitan Planning Commission that 2014SP-041-001 is **Approved with conditions and disapproved without all conditions. (9-0)**"

CONDITIONS

1. Use in the SP is limited to up to 19 residential units.
2. Final architectural drawing must be approved by the Planning Department prior to final site plan approval. Final drawings must be consistent with the preliminary concept and the community plan policy.
3. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Council approval, the property shall be subject to the standards, regulations and requirements of the RM40-A zoning district as of the date of the applicable request or application.
4. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance.
5. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

2. 2014SP-046-001

CHURCH STREET TOWNHOMES

Map 171, Parcel(s) 041-042, 071, 072, 100, 105, 114

Map 171-02, Parcel(s) 005, 006 and P/O 002, 003 and 004

Council District 04 (Brady Banks)

Staff Reviewer: Jason Swaggart

A request to rezone from R40 to SP-MR zoning for properties located at 500, 524, 532, 554, 558, 552, 556 Church Street East, 5665, 5669, 5671 Valley View Road and 5693, 5689 Cloverland Drive, (17.58 acres), to permit up to 107 residential units, requested by Lands End, applicant; various property owners.

Staff Recommendation: Open the public hearing, approve with conditions and disapprove without all conditions if the Planning Commission finds that the plan provides an appropriate transition.

APPLICANT REQUEST

Preliminary SP to permit 107 residential units.

Preliminary SP

A request to rezone from One and Two-Family Residential (R40) to Specific Plan – Mixed Residential (SP-MR) zoning for properties located at 500, 524, 532, 554, 558, 552, 556 Church Street East, 5665, 5669, 5671 Valley View Road and 5693, 5689 Cloverland Drive, (17.58 acres), to permit up to 107 residential units.

Existing Zoning

One and Two-Family Residential (R40) requires a minimum 40,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 1.16 dwelling units per acre including 25 percent duplex lots. *R40 would permit a maximum of 19 lots with 4 duplex lots for a total of 23 units.*

Proposed Zoning

Specific Plan-Mixed Residential (SP-MR) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes a mixture of housing types.

DEFERALS AND PUBLIC HEARING

A public hearing for this request was held at the August 28, 2014, Planning Commission meeting. The public hearing was closed. The Commission deferred the request to the September 25, 2014, Planning Commission meeting in order to give the applicant more time to work with staff and the community before making a final recommendation to Council. The request was subsequently deferred to provide additional time. Since the deferral, the plan has changed significantly and staff has revised the recommendation from disapproval to approval with conditions. Staff is recommending that the public hearing be reopened since the plan and staff's recommendation have changed. Public Hearing notices were mailed to surrounding property owners.

PREVIOUS RECOMMENDATION

Staff's previous recommendation was to disapprove. Staff found that the original plan that was presented at the August 28, 2014, Planning Commission meeting did not provide an adequate transition from the multi-family area west of the site to the single-family area to the east.

CRITICAL PLANNING GOALS

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

The area is served by roads, water and sewer. Development in areas with existing infrastructure is more appropriate than development in areas not served with infrastructure because it does not burden Metro with the cost of extending and maintaining new infrastructure. The request provides for an additional housing option in the area. Additional housing options are important to serve a wide range of people with different housing needs. The plan calls for an internal sidewalk system as well as new sidewalks along Church Street and Cloverland Drive.

SOUTHEAST COMMUNITY PLAN

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

Consistent with Policy?

The plan provides an appropriate transition, then the proposed plan would be consistent with the land use policy. At approximately six units per acre, the proposal is less than the maximum of the 20 units per acre that could be supported by the policy. While the policy supports up to 20 units per acre, the plan should fit within the general character of the surrounding area. This site sits between a higher density apartment complex to the west and a single-family neighborhood to the immediate north. The development pattern on the east side of Cloverland is also single-family uses. The site is an ideal location for a transition between the two areas. The plan transitions the density from west to east with the higher density located on the western area of the site. The density decreases towards the east. The plan also calls for detached units at the eastern end of the site along Church Street and Cloverland Drive.

PLAN DETAILS

The approximately 17 acre site is located on the northwest quadrant of Church Street East and Cloverland Drive. It consists of several properties and portions of properties. Several of the lots contain single-family homes and a large portion of the site consists of dense wooded areas. There is a small stream that bisects the property.

Site Plan

The plan proposes 107 residential units. There are two unit types:

- 24 – 30' detached units;
- 83 – 24' attached units.

Units along Church Street East consist of 13 attached units and seven detached units. All 24 units are alley-loaded. Five detached units are proposed along Cloverland Drive. All units, with the exception of four units, front onto a street or open space. The remaining four units, which are located at the north western corner of the site, front onto an alley. The plan also provides conceptual elevations.

Setbacks along Church Street are approximately 35 feet, and the setbacks along Cloverland Drive are approximately 40 feet. Internal setbacks vary, but all units are relatively close to the street.

Units would be accessed by new public streets or alleys. New streets would connect to Church Street East at two locations. New sidewalks are proposed along Church Street East and Cloverland Drive.

ANALYSIS

The plan has changed significantly from the last plan. The current plan provides mostly rear loaded units, which creates a better streetscape than the previous plan, which included mostly front loaded units requiring numerous curb cuts. The plan also provides more usable open space than the previous plan. It also provides a better transition between the multi-family use to the west and single-family use to the east. While staff finds that the current plan is a substantial improvement over the previous plan, and provides a better transition, staff is recommending that it only be approved if the Commission finds that the plan provides the appropriate transition.

FIRE MARSHAL'S OFFICE

N/A

PUBLIC WORKS RECOMMENDATION

Conditions if approved

- 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.
- Sidewalks along the roads must be located within the ROW, may require dedication along Church St.
- With Final SP, remove concrete feature from the alley in Phase III, and add guest parking off alley on Phase IV and II.

TRAFFIC AND PARKING

Conditions if approved

Developer shall install the following recommended road improvements. Developer shall design signal plan and submit to Metro traffic engineer for approval. Developer shall submit construction plans for road and signal improvements.

TIS Conclusions and Recommendations

The following specific recommendations will provide safe and efficient traffic operations within the study area following the completion of the proposed project:

- Extend the southbound right turn lane on Cloverland Drive approximately 200 feet and provide taper to AASHTO standards.
- The final design of each of the project access drives should have one exiting lane and one entering lane.

- The final design of each of the project access drives should be completed such that departure sight triangles, as specified by AASHTO, will be clear of all potential sight obstructions, including horizontal and vertical curvature, landscaping, monument signs, etc.

- Sidewalk should be provided on along the project site frontage on Church Street East and Cloverland Drive.

Maximum Uses in Existing Zoning District: **R40**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential (210)	17.58	1.08 D	23 U*	221	18	24

*Based on R40 allowing 25% duplex lots.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	17.58	-	107 U	845	63	84

Traffic changes between maximum: **R40** and proposed **SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+ 89 U	+624	+45	+60

STORMWATER RECOMMENDATION

Approved with conditions

- Minimum Finished Floor Elevations must be obtained for each structure.
- Final Site Plan is subject to final approval from the Metro Stormwater Variance Committee.

WATER SERVICES

Approved

METRO SCHOOL BOARD REPORT

Projected student generation existing R40 district: 2 Elementary 1 Middle 1 High

Projected student generation proposed SP-MR district: 7 Elementary 3 Middle 2 High

The proposed SP-MR zoning district could generate 8 more students than what is typically generated under the existing R40 zoning district. Students would attend Granbery Elementary, Oliver Middle School, and Overton High School. All three schools are over capacity. There is additional capacity within the cluster for additional middle school students, but there is no additional capacity in the cluster for elementary or high school students. There is capacity for additional high school students in the adjacent Antioch, Glenclyff and Hillsboro high school clusters. This information is based upon data from the school board last updated September 2013.

Fiscal Liability

The fiscal liability of 5 new elementary students is \$107,500 (\$21,500 per student). This is only for information purposes to show the potential impact of this proposal, it is not a staff condition of approval.

STAFF RECOMMENDATION

Staff recommends that the public hearing be reopened and that the request be approved with conditions and disapproved without all conditions if the Planning Commission finds that the plan provides an appropriate transition.

CONDITIONS

1. Uses shall be limited to 107 residential units.
2. The number of front loaded units shall not be increased and the location of front loaded units shall not be modified, except through an ordinance adopted by the Metropolitan Council.
3. Building design along Church Street East shall vary for each building of units.
4. All units shall have a raised foundation between 18" and 36" at the front façade.

5. Units fronting onto Cloverland shall be limited to a maximum of two stories in 35 feet.
6. Prior to the approval of any final site plan any additional ROW along Church Street East or Cloverland needed to meet the Major and Collector Street plan shall be dedicated.
7. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM9 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
8. 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.
9. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Mr. Swaggart presented the staff recommendation of approval with conditions and disapproval without all conditions if the Planning Commission finds that the plan provides an appropriate transition.

Mr. Clifton moved and Ms. LeQuire seconded the motion to reopen the Public Hearing. (9-0)

Tom White, 36 Old Club Court, spoke in favor of the application due to rear loaded properties; a better streetscape; more usable open space; better density transition; and a greater elimination of curb cuts.

Mr. Heinze with Littlejohn Engineering spoke in favor of the application.

Roy Dale, 516 Heather Place, spoke in favor of the application.

Kathy Santisteban, 519-539 Church Street, spoke in favor of the application and noted that the proposed development will raise the tax base to allow for sidewalks, parks, and road improvements.

Loretta Shelton, 552 Church Street E, spoke in favor of the application.

Robert Shelton, 552 Church Street E, spoke in favor of the application.

Ben Claybaker, 808 Baker Circle, spoke in favor of the application due to the excellent quality of the development and the transition.

Fernando Santisteban, 519-539 Church Street, spoke in favor of the application and noted that this development is very well done.

Don Branham, 5689 Cloverland, spoke in favor of the application and stated that the new plan totally fits with the character of the neighborhood, there will be little or no increase in traffic, no increased burden on the school system, no burden on the city in terms of infrastructure, and the increased tax revenue.

Charles Blackwood, 5650 Cloverland, spoke in opposition to the application and noted that this development is not an appropriate transition and is not appropriate for this neighborhood.

Paul Reiter, 5672/5680 Cloverland, spoke in opposition due to lack of buses and sidewalks, poor stormwater drainage issues.

Chad High, 5652 Valley View Rd, spoke in opposition to the application and stated that while the plan does look different, it is still 107 units and not an appropriate transition into the community.

Betsy Stubblefield, 5711 Clover Hill Dr, spoke in opposition to the application, noted that it does not preserve the general character of the neighborhood, and also stated that it is the wrong developer for this property.

Amy Greer, 5801 Cloverland, spoke in opposition to the application, stated that it is not consistent with what is currently there, and asked the commission to please consider community feedback.

Edith Streams, 5617 Cloverland, spoke in opposition to the application and stated that this development is not the right fit for this area; would like to find a developer with a vision to build appropriate homes within the existing zoning.

Brenda Martin, 5680 Cloverland, spoke in opposition to the application and noted that this development will disturb the neighborhood; it is a cookie cutter development.

John Sherlock, 5613 Valley View Rd, spoke in opposition to the application due to density and inadequate infrastructure to support an additional 107 units.

William Hansard, 5655 Valley View Rd, spoke in opposition to the application and noted that the neighborhood is strongly opposed.

Butch Ely, 217 Jones Pkwy, spoke in opposition to the application and stated that if we are going to continue as the "it" city, we've got to have thoughtful, well thought out development and managed growth.

Garrett Mehawk spoke in opposition to the application and noted that traffic is almost impassable as it is now.

Charles Fentress, 5601 Cloverland, spoke in opposition to the application due to density and traffic concerns.

Councilmember Banks spoke in opposition to the application and stated that the issue is whether this transition is truly the one that gets you down Cloverland the best way for the community; unable to get this to a place where it really fits for this property.

David Hooland (?), 5811 Cloverland, spoke in opposition to the application and noted that it's the wrong development for this property.

Bob Murphy, traffic engineer, spoke in favor of the application and stated that the traffic impact study showed a 2.4% increase and was reviewed and approved by Metro Public Works.

Tom White clarified that from a planning perspective there is no good reason why this shouldn't be approved.

Vice Chair Adkins closed the Public Hearing.

Ms. LeQuire spoke regarding preserving slopes and trees and inquired if the property could be developed to the east and southeast of the creek in order to accomplish that.

Ms. Farr noted that this doesn't seem to be the right location for this number of units and it doesn't promote a walkable area.

Mr. Dalton spoke in opposition to the application and noted that this doesn't preserve the general character of the existing area. Cloverland is already saturated with vehicles and traffic, this will affect quality of life for the community and is not an adequate transition.

Mr. Haynes recused himself.

Chairman McLean stated that the product blends in with the area, it meets policy, and if approved it still goes to Council.

Mr. Clifton noted that the existing infrastructure and traffic situation makes it hard to justify adding additional density. The infrastructure needs to be improved before we can approve something of this magnitude.

Mr. Gee stated that this community has difficult decisions to make in the future regarding connectivity, widening roads, etc.

Councilmember Hunt stated that he'd like to see structures built around traffic/parking rather than traffic/parking around structures. This seems to be too many cars and not enough space. It doesn't provide an appropriate transition.

Mr. Clifton moved and Mr. Dalton seconded the motion to disapprove. (8-0-1) Mr. Haynes recused himself.

Resolution No. RS2014-274

"BE IT RESOLVED by The Metropolitan Planning Commission that 2014SP-046-001 is Disapproved. (8-0-1)"

Urban Design Overlays

3. 2004UD-002-006

VILLAGES OF RIVERWOOD, PH 5, 6, & 7

Map 097-00; Parcel (s) 163

Council District 14 (James Bruce Stanley)

Staff Reviewer: Latisha Birkeland

A request for revision to preliminary UDO for Phases 5, 6 and 7 and final site plan approval for Phase 6 only for a portion of the Villages of Riverwood Urban Design Overlay located at Hoggett Ford Road (unnumbered), at the terminus of Stonewater Drive (23.55 acres), to permit 228 dwelling units, zoned Multi-Family Residential (RM9), requested by Ragan-Smith-Associates Inc., applicant; Beazer Homes Corp., owner.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Revise a portion of the Urban Design Overlay for Phases 5, 6 and 7 and for final site plan for Phase 6.

Revise Preliminary Plan and Final Site Plan

A request for revision to preliminary UDO for Phases 5, 6 and 7 and final site plan approval for Phase 6 only for a portion of the Villages of Riverwood Urban Design Overlay located at Hoggett Ford Road (unnumbered), at the terminus of Stonewater Drive (23.55 acres), to permit 228 dwelling units, zoned Multi-Family Residential (RM9).

Existing Zoning

Multi-Family Residential (RM9) is intended for single-family, duplex, and multi-family dwellings at a density of nine dwelling units per acre.

VILLAGES OF RIVERWOOD UDO

In 2004, the preliminary Villages of Riverwood Urban Design Overlay (UDO) was approved by Metro Council. The plan included a total of 1,978 dwelling units and 65,000 square feet of mixed-use development, including the possibility of office and retail, and a future assisted-living facility.

The residential portion of the plan is comprised of single-family detached units, townhouse units, and stacked flats. The southernmost portion of the site, adjacent to the Stones River, is planned to include a 776-unit assisted living facility. Final site plan approvals have been granted for other phases of this UDO.

SITE PLAN

The site plan shows a revision to phases 5, 6 and 7 of the Urban Design Overlay. The application is only for a final approval for phase 6. Final site plan for phases 5 and 7 are not included in this application and will happen in the future. This final site plan for Phase 6 is located along the southwestern edge of the UDO boundary. Access to this area is provided by Whitebirch Drive that connects to Hoggett Ford Road, along the north side of the other phases. The preliminary plan limits the overall number of single-family dwellings within the UDO boundary to 702; Phases 5 – 7 reduce the total amount housing units in the UDO to 694 units. The preliminary plan limits the overall number of townhome style dwelling units within the UDO boundary to 291; Phases 5-7 increase the total to 337 total units. The overall unit mix is to vary by 15%.

The following table illustrates the proposed changes for the Villages of Riverwood - Phases 5, 6, and 7.

2004		Phase 5	Phase 6	Phase 7	Total Housing Type
	Single Family	61	83	46	190
Townhome	16	45	0	61	
2004 Total (251)	77	128	46	251	
2014	Single Family - General	68	67	28	163
	Townhome	21	24	20	65
	2014 Total (228)	89	91	48	228
	Total Change	+12	-37	+4	-23

The revision to preliminary UDO for Phases 5 and 7 and final site plan and construction plans for Phase 6 has a slightly different design layout than what was previously approved. These changes are minor and allow the same access points within the UDO to remain the same, providing interconnectivity between the phases.

With approval of the final site plan for Phase 6, easements for the greenway trail will be dedicated and the developer will build a greenway trail along the Stones River, to the southwest of Phase 6. The greenway trail will provide connections into Phase 6. On the final site plan for Phases 5 and 7 all proposed greenway easements and open spaces will be identified to provide interconnectivity between the phases.

FIRE MARSHAL RECOMMENDATION

Approved with Conditions

- Grade (slightly over 10%) approved by T. Wallace. This subdivision has submitted engineering data that supports the approval for construction of homes up to 3,600 sq. ft. Any home over 3,600 sq. ft. will require an independent permit review by the Fire Marshal's Office. 1,000 gpm @ 20 psi required, 1,918 gpm @ 20 psi provided per Metro Water 1/31/12.

PARKS RECOMMENDATION

Approved with Conditions

- A greenway/conservation easement acceptable to Metro Parks shall be recorded prior to the issuance of any building permits in Phase 6. The greenway/conservation easement shall include all of the floodway and floodway buffer area between the trail and the river and including the trail area.

NES RECOMMENDATION

Recommendation will be provided at the meeting if it is received prior to the meeting.

STORMWATER RECOMMENDATION

Approved

WATER RECOMMENDATION

Approved with Conditions

- Approved contingent upon construction plans being submitted and approved at the Final Plat Stage.

PUBLIC WORKS RECOMMENDATION

Approved with Conditions

- Complete roadway repairs on Riverwood Village Blvd prior to recording final plats in Phase 6.

TRAFFIC & PARKING

No exception taken

STAFF RECOMMENDATION

Staff recommends approval with conditions. The proposed modification is consistent with the intent of the UDO.

CONDITIONS

1. Prior to recordation of the final plat for phase 6, the applicant shall provide confirmation that the "Dedicated Conservation Greenway Public Access Trail Easement Area," associated with phase 6, has been recorded.
2. A "Dedicated Conservation Greenway Public Access Trail Easement Area" easement shall include all of the floodway and floodway buffer area between the trail and the river and including the greenway.
3. Provide access easements for all greenway connection points to public rights-of-way.
4. If the greenway in Phase 6 is not constructed prior to the approval of a final plat for phase 5 or 7, whichever comes first, the greenway in phase 6 shall be bonded with phase 5 or 7, whichever comes first.
5. Prior to the construction of the greenway, construction plans for the greenway shall be reviewed and approved by Metro Parks.
6. 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.
7. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
8. 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.
9. The UDO 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.
10. Prior to any additional development applications for this property, and in no event later than 120 days after the effective date of the enacting ordinance, the applicant shall provide the Planning Department with a corrected copy of the preliminary UDO plan. If a corrected copy of the preliminary UDO plan incorporating the conditions of approval therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the preliminary UDO plan shall be presented to the Metro Council as an amendment to this UDO ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.

Resolution No. RS2014-275

“BE IT RESOLVED by The Metropolitan Planning Commission that 2004UD-002-006 is **Approved with conditions. (9-0)**”

CONDITIONS

1. Prior to recordation of the final plat for phase 6, the applicant shall provide confirmation that the “Dedicated Conservation Greenway Public Access Trail Easement Area,” associated with phase 6, has been recorded.
2. A “Dedicated Conservation Greenway Public Access Trail Easement Area” easement shall include all of the floodway and floodway buffer area between the trail and the river and including the greenway.
3. Provide access easements for all greenway connection points to public rights-of-way.
4. If the greenway in Phase 6 is not constructed prior to the approval of a final plat for phase 5 or 7, whichever comes first, the greenway in phase 6 shall be bonded with phase 5 or 7, whichever comes first.
5. Prior to the construction of the greenway, construction plans for the greenway shall be reviewed and approved by Metro Parks.
6. 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.
7. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
8. 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.
9. The UDO 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.
10. Prior to any additional development applications for this property, and in no event later than 120 days after the effective date of the enacting ordinance, the applicant shall provide the Planning Department with a corrected copy of the preliminary UDO plan. If a corrected copy of the preliminary UDO plan incorporating the conditions of approval therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the preliminary UDO plan shall be presented to the Metro Council as an amendment to this UDO ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.

4. 2014DT-001-001

US BANK (DTC SIGNAGE MODIFICATION APPEAL)

Map 093-06-2, Parcel(s) 007
Council District 19 (Erica S. Gilmore)
Staff Reviewer: Andrew Collins

A request to appeal the denial of a modification to the Downtown Code Signage Regulations to allow for signage for 'U.S. Bank' for property located at 333 Commerce Street, at the southeast corner of 4th Avenue North and Commerce Street, zoned DTC and located within the Capitol Mall Redevelopment District, requested by Joslin Sign Company, applicant; Prefco XIV Limited Partnership, et al, owners.

Staff Recommendation: Withdraw.

MPC Action: Withdraw. (9-0)

Subdivision: Final Plats

5. 2014S-162-001

AMBERWOOD APARTMENTS, RESUB RESERVE PARCEL A

Map 128, Parcel(s) 141
Council District 23 (Emily Evans)
Staff Reviewer: Jason Swaggart

A request for final plat approval to remove the reserve status and create one lot on property located at Old Hickory Boulevard (unnumbered), approximately 2,430 feet north of Highway 70 South, zoned R15 (4.13 acres), requested by Chapdelaine & Associates, applicant; Edmund and Anne Attebury, owner.

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

MPC Action: Defer to January 8, 2015, Planning Commission meeting. (9-0)

I. COMMUNITY PLAN POLICY CHANGES AND ASSOCIATED CASES

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

Community Plan Amendments

6a. 2014CP-005-004

EAST NASHVILLE PLAN AMENDMENT

Map 083-05, Parcel(s) 131

Council District 05 (Scott Davis)

Staff Reviewer: Cynthia Wood

A request to amend the East Nashville Community Plan: 2006 Update by changing the Community Character Policy from T4 Urban Neighborhood Maintenance to T4 Urban Community Center for a portion of the property located at 1034 W. Eastland Avenue, approximately 200 feet west of Gallatin Avenue (2.92 acres), requested by Smith Gee Studio, applicant; Sophia's Heart Foundation, Inc., owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Change from T4 Urban Neighborhood Maintenance to T4 Urban Community Center.

Major Plan Amendment

A request to amend the *East Nashville Community Plan: 2006 Update* by changing the Community Character Policy from T4 Urban Neighborhood Maintenance to T4 Urban Community Center for a portion of the property located at 1034 W. Eastland Avenue, approximately 200 feet west of Gallatin Avenue (2.92 acres)

CRITICAL PLANNING GOALS

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

This proposal meets several critical planning goals. Development in areas with adequate infrastructure is more appropriate than development not served with adequate infrastructure such as roads, water and sewer, because it does not burden Metro with the cost of maintaining new infrastructure. The development will have building entrances along the street frontages and parking placed away from street frontages, improving upon the walkable design of the surrounding streets.

EAST NASHVILLE COMMUNITY PLAN

Current Policy

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

Proposed Policy

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

BACKGROUND

The East Nashville Community Plan was last updated in 2006. The zoning for 1034 West Eastland at that time was the same as it is today – OR20, Office/Residential, which permits office uses and residential uses at a density of up to 20 units per acre. The *Land Use Policy Application* policy manual for community plans was still in place in 2006. The property was placed in a residential policy classification called Neighborhood General through the plan update. This was done despite the OR20 zoning because it could serve the purpose of providing a transition in land use and intensity between the higher intensity mixed use development planned along Gallatin Pike and the single- and two-family residential neighborhood to the west of the site.

The property on the north side of West Eastland Avenue (1035 West Eastland Avenue) was also zoned OR20 when the community plan was updated, but it was placed within the adjacent Mixed Use in Community Center detailed land use policy because it is not as deep. The property at 1035 West Eastland is currently going through a Specific Plan rezoning process to allow for multi-story mixed use development that is similar to the development proposed at 1034 West Eastland. The Planning Commission recommended approval with conditions of the 1035 West Eastland SP at its August 14, 2014, meeting. If this community plan amendment is approved, the Urban Community Center policy will line up on both side of West Eastland Avenue.

In 2014, the policies for all of the nine community plans that still used policies in the *Land Use Policy Application* manual were translated to the equivalent newer *Community Character Manual* policies. *The Community Character Manual* policies provide more detailed guidance than the Land Use Policy Application policies did, particularly with regard to urban design issues such as massing, orientation and scale of buildings, setbacks and spacing, location of access and parking, etc. The Neighborhood General policy for the site and adjacent neighborhood was translated to the current T4 Urban Neighborhood Maintenance policy. The Community Center policy along Gallatin Pike was translated to T4 Urban Community Center policy.

The applicants filed a community plan amendment application along with their application to rezone the property to SP-MU. The community plan amendment application is only for the portion of the property that will include a mixed use component. The zone change application is for the entire property. The two policy areas will be separated by a continuation of Bailey Street. Bailey Street is a street that runs north to south above and below the project site but does not extend through it. The development facing both sides of the Bailey Street extension will be purely residential.

COMMUNITY PARTICIPATION

Community meeting notices were mailed out to property owners within 1,300 feet of the site on September 19th. Local neighborhood associations were also notified. A copy of the notice was also placed on the Planning Department website. The community meeting was held on October 2, 2014, at the East Police Precinct on East Trinity Lane. It was attended by 7 people in addition to the development team and Metro Planning staff. The major topics of discussion were:

- How traffic bottlenecks at the intersection of Gallatin Pike and West Eastland Avenue would be addressed;
- How the impacts of other proposed developments in the area, such as the one at 1035 West Eastland opposite the site, were being taken into consideration along with potential impact of the 1034 West Eastland proposal;
- The potential for local neighborhood residents to use some of the proposed development amenities, such as the pool and community room;
- Questions about parking.

Public hearing notices were mailed out to property owners within the same area on October 10th. Local neighborhood associations were again notified and a copy of the notice was placed on the Planning Department website.

ANALYSIS

Gallatin Pike is one of the major transportation corridors leading to Downtown Nashville. It is planned and zoned for intense mixed use, walkable, and transit-supportive development. The concentration of retail goods and services at Gallatin and West Eastland was identified as one of the major nodes along the corridor during the East Nashville Community Plan update process in 2006. The Gallatin Pike Bus Rapid Transit Lite service runs along Gallatin Pike, along with local bus service, and there are BRT stations at its intersection with West Eastland. In addition, the portion of 1034 West Eastland that is proposed for amendment to T4 Urban Community Center will face the same policy on the north side of West Eastland. Finally, the Metro Public Works Department has begun the process of making intersection improvements to the Gallatin-West Eastland intersection that will address some of the concerns expressed by local residents. Developments proposed around the intersection, including this one at 1034 West Eastland and the one pending approval for 1035 West Eastland, will also be contributing to addressing the needs for traffic improvements and increased walkability.

Both the T4 NM and T4 CC policies in the *Community Character Manual* contain policy guidance for transitional areas between more intense mixed use areas along major corridors such as Gallatin Pike and lower-intensity developed neighborhoods further away from the corridors. The following excerpts are some of the language regarding transitional areas in both T4 NM and T4 CC policy in the *Community Character Manual*:

T4 NM transitions:

- Areas with adequate infrastructure, access, and the ability to form transitions and support future mass transit and the viability of consumer businesses, are most appropriate for higher density. These are primarily areas along corridors internal to the neighborhood or near larger centers and corridors adjacent to the neighborhood.

T4 CC transitions:

- Transitions in scale and massing may be formed at the edges of the Urban Community Center where it adjoins lower intensity community character areas, with thoughtful attention given to the placement and orientation of buildings within these edges as they relate to their surroundings. Implementation through rezoning occurs as proposals as judged on their merits and ability to meet the goals of the Community Plan.

STAFF RECOMMENDATION

Staff recommends approval of the request for T4 Urban Community Center.

Mr. Gee recused himself from 6a and 6b and stepped out of the room.

Ms. Wood presented the staff recommendation of approval.

Items 6a and 6b were heard and discussed together.

Councilman Scott Davis spoke in favor of the application.

Rob Crumpton and Andrew Murray, developers, spoke in favor of the application.

Shawn Henry, 315 Deaderick St, spoke in favor of the policy change and noted that his client has had at least eight community meetings.

Scott Morton, architect at Smith Gee Studio, spoke in favor of the application and noted that this will provide much needed housing options as well as providing opportunities for neighborhood retail; internal parking will be provided for the structure along with 50 additional on-street parking spaces.

Brett Withers, 1113 Granada Ave, spoke in favor of the application and expressed appreciation for the amount of effort that has gone into reaching out to the community.

Dane Forlines, 805 N 2nd St, spoke in favor of the application due to the increased connectivity and minimal encroachment on the single family character of the adjacent neighborhood.

Hsing Liu, 720 Waller Rd, spoke in favor of the application.

James Sweeney, 1035 Chickamauga, expressed height concerns as well as concerns with how his water pressure will be affected.

Lisa Spells, 611 N 5th St, spoke in opposition to the application due to density and parking concerns.

Christine McCullen, 1027 W Eastland Ave, spoke in opposition to the application due to density and traffic concerns.

Vice Chair Adkins closed the Public Hearing.

Mr. Clifton spoke in favor of the application and noted that it will be much better than what is currently there.

Councilmember Hunt spoke in favor of the application and noted that it will be much better than what is currently there.

Ms. LeQuire spoke in favor of the application and stated that there are a lot of great points to this development.

Ms. Farr spoke in favor of the application.

Mr. Clifton moved and Mr. Haynes seconded the motion to approve. (7-0)

Resolution No. RS2014-276

"BE IT RESOLVED by The Metropolitan Planning Commission that 2014CP-005-004 is Approved. (7-0)"

6b. 2014SP-075-001

1034 WEST EASTLAND (LIV EAST)

Map 083-05, Parcel(s) 131

Council District 05 (Scott Davis)

Staff Reviewer: Lisa Milligan

A request to rezone from OR20 to SP-MU zoning for property located at 1034 W. Eastland Avenue, approximately 200 feet west of Gallatin Avenue, (4.66 acres), to permit a mixed-use development, requested by Smith Gee Studio, applicant; Sophia's Heart Foundation, Inc., owner (See Also Community Plan Amendment Case # 2014CP-005-004).

Staff Recommendation: Approve with conditions and disapprove without all conditions if the associated policy amendment is approved; disapprove if the associated policy amendment is disapproved.

APPLICANT REQUEST

Preliminary SP to permit mixed-use development.

Preliminary SP

A request to rezone from Office/Residential (OR20) to Specific Plan-Mixed Use (SP-MU) zoning for property located at 1034 West Eastland Avenue (4.66 acres), to permit a mixed-use development.

Existing Zoning

Office/Residential (OR20) is intended for office and/or multi-family residential units at up to 20 dwelling units per acre. *OR20 would permit a maximum of 93 units.*

Proposed Zoning

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

CRITICAL PLANNING GOALS

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

This proposal meets several critical planning goals. Development in areas with adequate infrastructure is more appropriate than development not served with adequate infrastructure such as roads, water and sewer, because it does not burden Metro with the cost of maintaining new infrastructure. The development will have building entrances along the street frontages and parking placed away from street frontages, improving upon the walkable design of the surrounding streets.

The project will replace an existing office building, intensifying development on an infill site. The proposed multi-family units will provide additional housing choice within the surrounding community. Located near a bus line, the development would allow residents to use public transportation and non-residential uses to provide a destination for public transportation users. The concentration of high density residential will foster walking, biking and the use of public transportation.

EAST NASHVILLE COMMUNITY PLAN

Existing Land Use Policy

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

Proposed Land Use Policy

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

Consistent with Policy?

Yes. The proposed SP zoning is consistent with the proposed T4 CC policy. The proposed SP would redevelop an underutilized site into an intense mixed use project, providing for infill multi-family units where infrastructure currently exists. The project is proposing sidewalks and other improvements to enhance the pedestrian connectivity of the area.

PLAN DETAILS

The site is located at 1034 West Eastland Avenue, west of Gallatin Avenue, south of West Eastland Avenue and north of Maxwell Avenue. The site is approximately 4.66 acres in size. The current use of the property is Sophia's Heart Foundation, which is classified as Medical Offices and Professional Services, and a large surface parking lot.

Site Plan

The plan proposes a mixed-use development including up to 320 multi-family dwelling units, 6,000 square feet of nonresidential space, and 17 townhomes. There are a total of 337 residential units that would be permitted with this SP. The multi-family dwelling units and the nonresidential space will be located in the building closest to Gallatin Avenue and the townhomes will be adjacent to the existing residential area. The mixed-use building is proposed to range in height from 4 stories in 65 feet along

Maxwell Street to 5 stories in 75 feet for the remainder of the building. The townhomes are proposed to be a maximum of 3 stories in 36 feet.

The plan includes an extension of Bailey Street to the south, connecting to Maxwell Street. The Bailey Street extension will include on street parking. Access to the mixed-use building will be from West Eastland and Maxwell Street. Structured parking is incorporated into the mixed-use building. Along the West Eastland frontage and Bailey Street adjacent to the mixed use building, a 4' planting zone and 8' sidewalk are provided. Along Maxwell Street and Bailey Street adjacent to the townhomes, a 4' planting area and 6' sidewalk are provided. Bicycle parking will meet the requirements of the Bike Parking Ordinance.

Architectural standards state that the façade plane must be interrupted every 50' with either a change in building material, a horizontal undulation of 3' or greater, or a porch, stoop, or balcony. For the ground floor residential units on street facing facades, a minimum of 45% of the units will have a porch or stoop with direct access to a public sidewalk. The townhome units will have a minimum raised foundation of 18 inches measured at the front setback, with minor reductions for topographically challenged areas.

ANALYSIS

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

FIRE DEPARTMENT RECOMMENDATION

Approve with conditions

1. This approval is for the rezoning only. The developer shall provide the Fire Marshal's office with additional details before the development plans can be approved.

STORMWATER RECOMMENDATION

Approved

WATER SERVICES

Approved

1. Approved as a Preliminary SP only. The required capacity fees (1-year commitment) must be paid, and any required public construction plans must be approved, before the Final SP can be approved.

PUBLIC WORKS RECOMMENDATION

Conditions if approved

1. The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
2. MPW will coordinate with the developer prior to Final SP design regarding the roadway design elements and the streetscapes.
3. With the final SP, remove the bulb-outs from Maxwell St and the bulb-outs adjacent to the alley at Baily St extension.
4. Note that on-street parking will require right-of-way dedications and widening of W. Eastland and Maxwell St.
5. All ROW must be dedicated prior to building permit submittal.

TRAFFIC AND PARKING RECOMMENDATION

Conditions if approved

1. In accordance with TIS findings, developer shall coordinate pedestrian and signal improvements with the MPW signal improvement construction plan for the Gallatin Ave. and W. Eastland intersection. On -street parking restrictions and cross walk signage may require application to the T&P operations department.
2. Developer shall comply with the TIS recommendations listed below:
 - Developer shall provide a center two-way left turn lane on West Eastland Avenue from Bailey Street to Gallatin Avenue to facilitate westbound left turns into the parking structure access and onto the Bailey Street extension as well as provide additional eastbound left turn storage for the traffic signal at Gallatin Avenue. A minimum of three 11-foot lanes should be provided on West Eastland Avenue between Gallatin Avenue and Bailey Street.
 - Provide signal timing and offset adjustments for the signalized intersections of Gallatin Avenue with Eastland Avenue and West Eastland Avenue during the PM peak period to improve traffic operations.
 - On-street parking on the south side of West Eastland Avenue should not be provided between the Bailey Street extension and the Alley in order to provide adequate intersection sight distance for vehicles turning onto West Eastland Avenue from the Bailey Street extension. "No Parking Anytime" sign(s) (R7-1) should be provided on the south side of West Eastland Avenue between the proposed Bailey Street extension and the alley to the west.
 - Modifications to the cross-section of West Eastland Avenue should be provided in order to minimize or remove the curve in the roadway at Bailey Street. The concept plan indicates improvements can be accomplished by widening West Eastland Avenue to the south along the length of the curve and providing a pedestrian median refuge in the excess right-of-way as well as a bulb-out on the north side of West Eastland Avenue. The concept plan should improve traffic flow and safety, while

providing a traffic calming and streetscape feature with the median island. Detailed designs including pavement striping and signing plans should be provided with the site plan submittal. Vehicle turning paths should be evaluated in order to finalize designs of the median and lane widths in this section of West Eastland Avenue at Bailey Street.

- A stop sign should be provided on the northbound approach of the Bailey Street extension at West Eastland Avenue. The stop sign on the southbound approach of Bailey Street should be relocated if a bulb-out is constructed on the northwest corner.
- A stop sign should be provided on the southbound approach of the Bailey Street Extension at Maxwell Avenue.
- The proposed Bailey Street extension should be aligned with Bailey Street at West Eastland Avenue.
- The proposed Bailey Street extension should be designed to include a minimum of one 10-foot travel lane in each direction. Sidewalks should be provided on both sides of the proposed Bailey Street extension.
- Per Metro-Nashville standards, the existing and new alleys should include 20 feet of ROW with minimum of 18 feet of pavement for two-way travel.
- Refurbish the pedestrian crosswalks on the north, south, and west legs of the intersection of Gallatin Avenue and West Eastland Avenue.
- Refurbish the pedestrian crosswalk on the north leg of the intersection of Gallatin Avenue and Eastland Avenue.
- Pedestrian crosswalks and curb ramps should be provided on the south and west legs of the unsignalized intersection of West Eastland Avenue and Bailey Street/ Bailey Street extension. Pedestrian warning signs (W11-2) with diagonal arrow (W16-7P) should be provided for the crosswalk on the west leg of West Eastland Avenue.
- The garage accesses on West Eastland Avenue and Maxwell Avenue should be designed to include sufficient width for one entering travel lane and a minimum of one exiting travel lane.
- Remove the existing pedestrian warning sign (W11-2) with diagonal arrow (W16-7P) on the south side of West Eastland Avenue near the service access for the adjacent property at 604 Gallatin Avenue. Metro may consider installing "Cross Only at Crosswalks" signs (R9-2) on each side of West Eastland Avenue at the pedestrian access to the parking deck located on the north side of West Eastland Avenue.

Maximum Uses in Existing Zoning District: **OR20**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	4.66	20 D	93 U	688	50	69

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	4.66	-	337 U	2166	169	203

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	4.66	-	6,000 SF	295	12	36

Traffic changes between maximum: **OR20** and **SP-MU**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+1,773	+131	+170

METRO SCHOOL BOARD REPORT

Projected student generation existing OR20 district: 0 Elementary 0 Middle 1 High

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

The proposed SP-MU zoning district could generate 3 more students than what is typically generated under the existing OR20 zoning district, utilizing the urban infill factor. Students would attend Glenn Elementary, Jere Baxter Middle School, and Maplewood High School. All three schools have been identified as having additional capacity. This information is based upon data from the school board last updated September 2013.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions if the associated policy amendment is approved; disapproval if the associated policy amendment is disapproved.

CONDITIONS

1. Permitted land uses shall be limited to multi-family residential and all other uses in MUG-A. Residential shall be limited to up to 337 units. Non-residential uses shall be limited to 6,000 square feet.
2. Detailed construction drawings for the streetscape elements shall be reviewed and determined if they are appropriate with the final site application.
3. Comply with the requirements of Traffic and Parking in regards to traffic.
4. Comply with the following conditions of the Public Works Department:
 - a. MPW will coordinate with the developer prior to Final SP design regarding the roadway design elements and the streetscapes.
 - b. Note that on-street parking will require right-of-way dedications and widening of W. Eastland and Maxwell St.
 - c. All ROW must be dedicated prior to building permit submittal.
5. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Council approval, the property shall be subject to the standards, regulations and requirements of the MUG-A zoning district as of the date of the application request or application.
6. A corrected copy of the preliminary SP plan incorporating the conditions of approval by the Metro Council shall be provided to the Planning Commission prior to or with the final site plan application.
7. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering, or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
8. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Ms. Milligan presented the staff recommendation of approval with conditions and disapproval without all conditions if the associated policy amendment is approved; disapproval if the associated policy amendment is disapproved.

Item 6a and Item 6b were heard and discussed together.

Councilman Scott Davis spoke in favor of the application.

Rob Crumpton and Andrew Murray, developers, spoke in favor of the application.

Shawn Henry, 315 Deaderick St, spoke in favor of the policy change and noted that his client has had at least eight community meetings.

Scott Morton, architect at Smith Gee Studio, spoke in favor of the application and noted that this will provide much needed housing options as well as providing opportunities for neighborhood retail; internal parking will be provided for the structure along with 50 additional on-street parking spaces.

Brett Withers, 1113 Granada Ave, spoke in favor of the application and expressed appreciation for the amount of effort that has gone into reaching out to the community.

Dane Forlines, 805 N 2nd St, spoke in favor of the application due to the increased connectivity and minimal encroachment on the single family character of the adjacent neighborhood.

Hsing Liu, 720 Waller Rd, spoke in favor of the application.

James Sweeney, 1035 Chickamauga, expressed height concerns as well as concerns with how his water pressure will be affected.

Lisa Spells, 611 N 5th St, spoke in opposition to the application due to density and parking concerns.

Christine McCullen, 1027 W Eastland Ave, spoke in opposition to the application due to density and traffic concerns.

Vice Chair Adkins closed the Public Hearing.

Mr. Clifton spoke in favor of the application and noted that it will be much better than what is currently there.

Councilmember Hunt spoke in favor of the application and noted that it will be much better than what is currently there.

Ms. LeQuire spoke in favor of the application and stated that there are a lot of great points to this development.

Ms. Farr spoke in favor of the application.

Mr. Dalton moved and Ms. Farr seconded the motion to approve with conditions and disapprove without all conditions. (7-0)

Mr. Clifton stepped out of the room at 6:34 p.m.

Mr. Gee stepped back in the room at 6:34 p.m.

Resolution No. RS2014-277

“BE IT RESOLVED by The Metropolitan Planning Commission that 2014SP-075-001 is **Approved with conditions and disapproved without all conditions. (7-0)**”

CONDITIONS

1. Permitted land uses shall be limited to multi-family residential and all other uses in MUG-A. Residential shall be limited to up to 337 units. Non-residential uses shall be limited to 6,000 square feet.
2. Detailed construction drawings for the streetscape elements shall be reviewed and determined if they are appropriate with the final site application.
3. Comply with the requirements of Traffic and Parking in regards to traffic.
4. Comply with the following conditions of the Public Works Department:
 - a. MPW will coordinate with the developer prior to Final SP design regarding the roadway design elements and the streetscapes.
 - b. Note that on-street parking will require right-of-way dedications and widening of W. Eastland and Maxwell St.
 - c. All ROW must be dedicated prior to building permit submittal.
5. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Council approval, the property shall be subject to the standards, regulations and requirements of the MUG-A zoning district as of the date of the application request or application.
6. A corrected copy of the preliminary SP plan incorporating the conditions of approval by the Metro Council shall be provided to the Planning Commission prior to or with the final site plan application.
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.

7a. 2014CP-007-006

WEST NASHVILLE PLAN AMENDMENT

Map 091-15, Parcel(s) 039-040
Council District 24 (Jason Holleman)
Staff Reviewer: Tifinie Capehart

A request to amend the West Nashville Community Plan: 2009 Update by changing the Community Character Policy from a T4 Urban Neighborhood Maintenance policy to a T4 Urban Mixed Use Corridor policy for properties located at 333 and 335 53rd Avenue North, approximately 260 feet south of Charlotte Avenue and partially located within the Floodplain Overlay District (0.34 acres), requested by Dale & Associates, applicant; Henry and Sarah Hood, owners.

Staff Recommendation: Defer to the November 13, 2014, Planning Commission meeting.

MPC Action: Defer to the November 13, 2014, Planning Commission meeting. (9-0)

7b. 2014SP-062-001

53RD AVENUE NORTH

Map 091-15, Parcel(s) 039-040
Council District 24 (Jason Holleman)
Staff Reviewer: Melissa Sajid

A request to rezone from OR20 and CS to SP-C zoning for properties located at 333 and 335 53rd Avenue North, approximately 260 feet south of Charlotte Avenue and partially located within the Floodplain Overlay District, (0.34 Acres), to permit a restaurant and grocery store, requested by Dale & Associates, applicant; Henry and Sarah Hood, owners.

Staff Recommendation: Defer to the November 13, 2014, Planning Commission meeting.

MPC Action: Defer to the November 13, 2014, Planning Commission meeting. (9-0)

J. RECOMMENDATIONS TO METRO COUNCIL

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

Zoning Text Amendments

8. 2014Z-020TX-001

BL2014-908\Dowell, Johnson, Bedne
CASH ADVANCE, CHECK CASHING, PAWNSHOP & TITLE LOAN
Staff Reviewer: Lisa Milligan

A request to amend Chapters 17.04, 17.08 and 17.16 of the Metropolitan Zoning Code to designate cash advance, check cashing, pawnshop, and title loans as uses permitted with conditions and adding conditions applicable to these uses, requested by Councilmembers Jacobia Dowell, Karen Johnson and Fabian Bedne, applicants.

Staff Recommendation: Approve with an amendment.

APPLICANT REQUEST

Modify definition of financial institution and provide land use development standards for cash advance, check cashing, pawnshop and title loan establishments

Text Amendment

A request to amend Title 17 of the Metropolitan Code, Zoning Regulations, pertaining to cash advance, check cashing, pawnshop , and title loan establishments.

CURRENT TEXT

The Zoning Code has definitions for Financial Institutions, Cash Advance, Check Cashing, Pawnshop, and Title Loan Establishments. The Code also provided Land Use Development Standards for zoning districts in which these uses are permitted subject to certain conditions (PC).

From Chapter 17.040.060 of the Zoning Code, the existing definitions are as follows:

Financial Institution means any building, room, space or portion thereof where an establishment provides a variety of financial services, including generally, banks, credit unions and mortgage companies.

Cash Advance means any building, room, space or portion thereof where unsecured, short term cash advances are provided, including those made against future pay checks, as regulated by Title 45, Chapter 17, of the Tennessee Code Annotated.

Check Cashing means any building, room, space or portion thereof where checks are cashed in exchange for a fee, as regulated by Title 45, Chapter 18, of the Tennessee Code Annotated.

Pawnshop means any building, room, space or portion thereof where a pawnbroker regularly conducts business, as regulation by Title 45, Chapter 6, of the Tennessee Code Annotated.

Title Loan means any building, room, space or portion thereof where a business operates that makes loans in exchange for possession of the certificate of title to property or a security interest in titled property, as regulated by Title 45, Chapter 15, or the Tennessee Code Annotated.

From Chapter 17.080.030 of the Zoning Code, the existing district land use table is as follows:

USE	MUN and MUN-A	MUL and MUL-A	MUG and MUG-A	MUI and MUI-A	ON	OL	OG	OR20 thru AR40-A	ORI and ORI-A
Cash Advance	PC	P	P	P	PC	P	P	P	P
Check Cashing	PC	P	P	P	PC	P	P	P	P
Financial Institution	PC	P	P	P	PC	P	P	P	P
Title loan	PC	P	P	P	PC	P	P	P	P
Pawnshop	PC	P	P	P					PC

USE	CN	CL	CS	CA	CF	DTC	SCN	SCC	SCR	IWD	IR	IG
Cash Advance	PC	P	P	P	P		P	P	P	P		
Check Cashing	PC	P	P	P	P		P	P	P	P		
Financial Institution	PC	P	P	P	P	P	P	P	P	P		
Title loan	PC	P	P	P	P		P	P	P	P		
Pawnshop	PC	P	P	P	P		PC	PC	P	PC	PC	PC

Section 17.16.050 provides the conditions for districts where financial institutions, cash advance, check cashing and title loans are permitted with conditions (PC):

A. Financial Institution, Cash Advance, Check Cashing and Title Loan. A financial institution, cash advance, check cashing or title loan office shall be limited to two thousand five hundred square feet of gross floor area.

Section 17.16.070 provides the conditions for districts where pawnshops are permitted with conditions (PC):

P. Pawnshop.

1. In the MUN, ORI and CN zone districts, each establishment shall be limited to five thousand square feet of gross floor area, maximum.
2. In the IWD, IR and IG zone districts, each establishment shall be limited to two thousand five hundred square feet of gross floor area, maximum.

PROPOSED TEXT

This text amendment would revise the definition of financial institution to specifically exclude cash advance, check cashing and title loans as follows:

Financial Institution means any building, room, space or portion thereof where an establishment provides a variety of financial services, including generally, banks, credit unions and mortgage companies, **but excluding cash advance, check cashing, and title loan establishments.**

The amendment would also amend the District Land Use Tables to designate cash advance, check cashing, pawnshop and title loan as uses permitted with conditions (PC), and amend the conditions for districts in which uses are permitted with conditions.

Section 17.16.050 subsection A is deleted in its entirety and replaced with the following:

A. Financial Institution. A financial institution shall be limited to two thousand five hundred (2,500) square feet of gross floor area, per establishment.

Section 17.16.050 is amended by adding subsection D as follows:

D. Cash Advance, Check Cashing and Title Loan

1. A cash advance, check cashing, or title loan office shall be limited to two thousand five hundred (2,500) square feet of gross floor area per establishment.
2. In the mixed use, office, and commercial zoning districts, a cash advance, check cashing, or title loan office shall not be located less than one thousand three hundred twenty (1,320) linear feet from the property line of another property upon which a cash advance, check cashing, or title loan office is located.

Section 17.16.070 is amended by adding the following provision to the end of subsection P.

1. No pawnshop establishment shall be located less than one thousand three hundred and twenty (1,320) linear feet from the property line of another property upon which another pawnshop establishment is located.

ANALYSIS

The number of check cashing, cash advance, pawnshop, and title loan facilities has increased dramatically in recent years. From 1996 to 2001, the number of check cashing establishments more than doubled. In 1985, there were approximately 5,000 pawnshops. This number has grown to over 14,000.

Research has shown that there is a concentration of alternative financial institutions along major thoroughfares within Nashville. There have been studies and reports in regards to the impact of the concentrations of this type of business. One study, prepared by the Regional Planning Agency of Chattanooga-Hamilton County, found that a concentration of alternative financial institutions may have a negative effect on the appreciation of nearby property values. A report by the St. Louis County Planning Department found that communities perceive areas with a high concentration of alternative financial institutions as having underlying economic problems.

A recent study by the Federal Reserve Board, showed that the highest concentrations of payday lending stores on a per capita basis are in southern states, including Tennessee, that do not explicitly prohibited payday lending. The number of pawnshops is also relatively high in the south. In Nashville, there is a concentration of cash advance, check cashing, pawnshops, and title loans along major thoroughfares. Negative perceptions of alternative financial service providers can lead to a disincentive for new business development and economic redevelopment of an area. Also, a concentration of one particular type of business may limit commercial choice for nearby residents.

ZONING ADMINISTRATOR RECOMMENDATION

The Zoning Department takes no exception with the proposed legislation.

STAFF RECOMMENDATION

Staff recommends approval of the bill with the following amendments:

Section 17.080.030 : Clarify that the District Land Use Tables are modified to make cash advance, check cashing, pawnshop, and title loan as uses permitted with condition (PC) in all zoning districts in which cash advance, check cashing, pawnshop, and title loan are currently permitted (P).

Section 17.16.050 D: Modify 2 so that the distance requirement applies to mixed use, office, commercial, shopping center, and industrial zoning districts.

ORDINANCE NO. BL2014-908

An Ordinance amending Chapters 17.04, 17.08, and 17.16 of the Metropolitan Zoning Code to designate cash advance, check cashing, pawnshop, and title loan as uses permitted with conditions and adding conditions applicable to these uses (Proposal No. 2014Z-020TX-001).

WHEREAS, a study conducted by the Regional Planning Agency of Chattanooga-Hamilton County, Tennessee, concluded that the proliferation and clustering of cash advance, check cashing, pawnshops, and title loan establishments (frequently called "Alternative Financial Services") can have a detrimental effect on local property values and economic redevelopment; and

WHEREAS, a 2009 examination of the locations of alternative financial service providers by the Board of Governors of the Federal Reserve System provides evidence that these businesses tend to locate in areas where the population is disproportionately minority and poorly educated; and

WHEREAS, the fees and lending practices used by alternative financial service establishments can have a significant negative effect on a city's residents {Source: Baylor, Don; "The Hidden Costs of Payday Lending," Texas Business Review, April 2008}; and

WHEREAS, as shown on Exhibits A and B attached hereto and made a part of this ordinance, Nashville, Tennessee has a high concentration of alternative financial service establishments along the major thoroughfares in the city; and

WHEREAS, in order to protect local property values and economic redevelopment in Nashville, Tennessee, the Metropolitan Council deems it to be in the best interest of the residents of the city that the proliferation and clustering of alternative financial services be further regulated through the Metropolitan Zoning Code.

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

Section 1. That Section 17.04.060 of Title 17 of the Code of The Metropolitan Government of Nashville and Davidson County, Zoning Regulations, is hereby amended by adding the following provision at the end of the definition of "financial institution":

" , but excluding cash advance, check cashing, and title loan establishments"

Section 2. That Section 17.08.030, District Land Use Tables, is hereby amended by designating "cash advance" "check cashing", "pawnshop" and "title loan" as uses permitted with conditions (PC) in all zoning district in which they are currently permitted (P).

Section 3. That Section 17.16.050, Office Uses, is hereby amended as follows:

1. By deleting subsection A. in its entirety and substituting with the following new subsection A.:

"A. Financial Institution. A financial institution shall be limited to two thousand five hundred (2,500) square feet of gross floor area per establishment."

2. By adding the following provision as subsection D.:

"D. Cash Advance, Check Cashing and Title Loan.

1. A cash advance, check cashing, or title loan office shall be limited to two thousand five hundred (2,500) square feet of gross floor area per establishment.

2. No cash advance, check cashing, or title loan establishment shall be located less than one thousand three hundred twenty (1,320) linear feet from the property line of another property upon which another cash advance, check cashing, or title loan office is located."

Section 4. That Section 17.16.070, Commercial Uses, is hereby amended by adding the following provision at the end of subsection P:

"3. No pawnshop establishment shall be located less than one thousand three hundred twenty (1,320) linear feet from the property line of another property upon which another pawnshop establishment is located."

Section 5. 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

Sponsored by: Jacobia Dowell, Karen Johnson, Fabian Bedne

Mr. Haynes stepped out of the room at 5:49 p.m.

Mr. Clifton moved and Mr. Dalton seconded the motion to approve with an amendment. (8-0)

Mr. Haynes stepped back into the room at 5:53 p.m.

Chairman McLean left the meeting at 5:55 p.m.

Resolution No. RS2014-278

"BE IT RESOLVED by The Metropolitan Planning Commission that 2014Z-020TX-001 is **Approved with an amendment.**
(8-0)"

9. 2014Z-021TX-001

BL2014-909\Allen, Tygard

SHORT TERM RENTAL PROPERTY

Staff Reviewer: Jason Swaggart

A request to amend Title 17 of the Metropolitan Code, Zoning Regulations, pertaining to Short Term Rental Property, requested by Councilmember Burkley Allen, applicant.

Staff Recommendation: Disapprove as submitted; Approve substitute ordinance.

APPLICANT REQUEST

Create new use "Short Term Rental Property" and regulations for the use.

Text Amendment

A request to amend Title 17 of the Metropolitan Code, Zoning Regulations, pertaining to Short Term Rental Property.

PROPOSED TEXT

As currently proposed this text amendment would introduce "Short Term Rental Property (STRP)" as a new use in the Zoning Code. The proposed bill defines STRP as follows:

A dwelling unit containing not more than three sleeping rooms that is used and/or advertised for rent for transient occupancy by guests. Dwelling units rented to the same occupant for more than 30 continuous days, Bed and Breakfast establishments, hotels, and motels shall not be considered Short Term Rental Property.

It would also add "Transient" as a new term in the Zoning Code. The proposed bill defines transient as follows:

Any person who exercises occupancy or is entitled to occupancy of any rooms, lodgings or accommodations for a period of less than thirty (30) continuous days.

In addition to adding uses and terms to the Zoning Code, it also provides standards for which STRP would be regulated. A summary of the requirements follows:

1. Specifies application requirements.
2. Specifies sign and advertising requirements.
3. Specifies noise restrictions.
4. Prohibits recreational vehicles, buses, trailers, or tents shall be visible on the street or property in conjunction with the STRP use.
5. Prohibits food from being prepared or served by the owner/operator of the STRP.
6. Restricts the age of renters to 21 and above.
7. Restricts the maximum occupancy.
8. Restricts the duration of stay.
9. Specifies notification requirements.
10. Specifies expiration of permit for STRP.
11. Prohibits permits to be transferred from person to person.
12. Prohibits any person from operating more than one STRP.
13. Specifies when and how a permit for a STRP can be revoked and the appeal process for any revoked permit.

ANALYSIS

Staff is recommending disapproval of the proposed text amendment. While staff recognizes the need for the regulation of these types uses in order to ensure that neighborhoods are protected, most of these requirements are, likely, more suited for Title 5, Revenue and Finance, of the Code. Staff recommends disapproval until such time as the bill is substituted and/or amended, and that a new bill is introduced to modify Title 5. Staff has met with Councilmember Burkley Allen to explain the concerns with the current ordinance.

The sponsor has drafted a substitute ordinance that removes the conditions from Title 17, the Zoning Code, and separate ordinance that adds requirements to Title 6, Business Licenses and Regulations. The text of these ordinances is at the end of this report. The Planning Commission does not make a recommendation on Title 6.

ZONING ADMINISTRATOR RECOMMENDATION

Disapprove current bill, but approve with minor amendments to the substitute ordinance.

STAFF RECOMMENDATION

Staff recommends disapproval as submitted, but approval of the substitute ordinance.

ORDINANCE NO. BL2014-909

An ordinance to amend Title 17 of the Metropolitan Code, Zoning Regulations, pertaining to Short Term Rental Property. (Proposal No. 2014Z-021TX-001).

WHEREAS, short-term rental of homes can provide a flexible housing stock that allows travelers a safe accommodation while contributing to the local economy; and

WHEREAS, short-term rental of homes can provide homeowners an opportunity to hold property in difficult economic circumstances or as an investment; and

WHEREAS, hotel taxes from short term rental of homes can be used to promote travel and tourism and to support the local tourism industry; and

WHEREAS, the needs of long-term residents should be balanced with the allowance of short-term rentals.

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

Section 1. That Section 17.04.060 of the Metropolitan Code is hereby amended by adding the following new definitions:

"Transient" means any person who exercises occupancy or is entitled to occupancy of any rooms, lodgings or accommodations for a period of less than thirty (30) continuous days.

"Short Term Rental Property (STRP)" means a dwelling unit containing not more than three sleeping rooms that is used and/or advertised for rent for transient occupancy by guests. Dwelling units rented to the same occupant for more than 30 continuous days, Bed and Breakfast establishments, hotels, and motels shall not be considered Short Term Rental Property.

Section 2. That Section 17.08.030 of the Metropolitan Code, District Land Use Tables, is hereby amended by adding "Short Term Rental Property" as an accessory (A) use in all zoning districts that allow residential use.

Section 3. That Section 17.16.250 of the Metropolitan Code is hereby amended by adding the following as subsection E.:

"E. Short Term Rental Property (STRP). A STRP is permitted as an accessory use in all zoning districts that allow residential use subject to the following:

1. Application. No STRP shall be initiated until the Zoning Administrator has received and approved a STRP permit application submitted by the owner of the property.
 - a. The application shall include the name, telephone number, address, and email address of the owner and of a person or business ("responsible party") residing or located within twenty-five miles of the STRP that is responsible for addressing all maintenance and safety concerns.
 - b. The application shall include proof of insurance evidencing homeowner's fire, hazard, and liability insurance. Liability coverage shall have limits of not less than \$1,000,000 per occurrence.
 - c. If the STRP unit shares a common wall or a common driveway with another property owner, written notification to such neighboring property owner(s) must be given prior to the application.
2. Signage. Signs, advertising, or any other display on the property indicating that the dwelling unit is being utilized, in whole or in part, as a STRP shall be prohibited.
3. Noise. All STRP occupants shall abide by the noise restrictions contained in section 11.12.070.A. of the Metropolitan Code.
4. No recreational vehicles, buses, trailers, or tents shall be visible on the street or property in conjunction with the STRP use.
5. No food shall be prepared for or served to the transient by the permit holder.
6. The principal renter of a STRP unit shall be at least twenty-one (21) years of age.
7. Maximum occupancy. The maximum number of paying adult guests permitted on a STRP property at any one time shall not exceed more than twice the number of sleeping rooms. Simultaneous rental to more than one party under separate contracts shall not be allowed. The occupancy maximum shall be conspicuously posted within the STRP unit.
8. Duration. The STRP owner shall not receive any compensation or remuneration to permit occupancy of a STRP for a period of less than twenty-four (24) hours. The maximum stay for any guest shall be thirty (30) consecutive days.
9. The name and telephone number of the local responsible party shall be conspicuously posted within the STRP unit. The responsible party shall answer calls twenty-four (24) hours a day, seven (7) days a week to address problems associated with the STRP.
10. Expiration of permit. A STRP permit shall expire three hundred sixty-five (365) days after it is issued. STRP permits may be

renewed upon the payment of a fifty dollar renewal fee to the department of codes administration.

11. Taxes. The permit holder shall be responsible for collecting and remitting all applicable room, occupancy, and sales taxes required by state law or the Metropolitan Code.

12. Permit Transferability. A STRP permit shall not be transferred or assigned to another individual, person, entity, or address, nor shall the permit authorize any person, other than the person named therein, to operate a STRP on the property.

13. No more than one STRP permit shall be issued for any one individual.

14. Revocation of Permit. Upon the filing of three or more complaints within a calendar year regarding a STRP permit, the Zoning Administrator shall notify the permit holder in writing of such complaints and the Zoning Administrator will determine whether such complaints are valid. If it is determined that violations have occurred, the Zoning Administrator may revoke a permit as provided in Section 17.40.590. The permit holder may appeal the Zoning Administrator's decision to the Board of Zoning Appeals as provided in this Title.

Section 4. This Ordinance shall take effect on March 1, 2015, and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Sponsored by: Burkley Allen, Charlie Tygard

ORDINANCE NO. _____

An ordinance to amend Chapter 6.28 of the Metropolitan Code pertaining to Short Term Rental Property.

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

Section 1. That Chapter 6.28 of the Metropolitan Code is hereby amended by adding the following new Section 6.28.030:

"6.28.030 Short Term Rental Property (STRP).

- A. For purposes of this section, Short Term Rental Property (STRP)" means a dwelling unit containing not more than three sleeping rooms that is used and/or advertised for rent for transient occupancy by guests as those terms are defined in Section 5.12.010 of the metropolitan code. Dwelling units rented to the same occupant for more than 30 continuous days, Bed and Breakfast establishments, hotels, and motels shall not be considered Short Term Rental Property.
- B. No person or entity shall operate or advertise a residential property for use as a STRP without obtaining a permit issued by the department of codes administration.
- C. Application. The STRP permit application shall include the following information:
 - 1. The name, telephone number, address, and email address of the owner and of a person or business ("responsible party") residing or located within twenty-five miles of the STRP that is responsible for addressing all maintenance and safety concerns;
 - 2. Proof of insurance evidencing homeowner's fire, hazard, and liability insurance. Liability coverage shall have limits of not less than \$1,000,000 per occurrence.
 - 3. If the STRP unit shares a common wall or a common driveway with another property owner, proof of written notification to such neighboring property owner(s) prior to filing the application.
- D. Signage. Signs, advertising, or any other display on the property indicating that the dwelling unit is being utilized, in whole or in part, as a STRP is prohibited.
- E. All STRP occupants shall abide by the noise restrictions contained in section 11.12.070.A. of the Metropolitan Code.
- F. No recreational vehicles, buses, trailers, or tents shall be visible on the street or property in conjunction with the STRP use.
- G. No food shall be prepared for or served to the transient by the permit holder.
- H. The principal renter of a STRP unit shall be at least twenty-one (21) years of age.
- I. Maximum occupancy. The maximum number of paying adult guests permitted on a STRP property at any one time shall not exceed more than twice the number of sleeping rooms. Simultaneous rental to more than one party under separate contracts shall not be allowed. The occupancy maximum shall be conspicuously posted within the STRP unit.
- J. The STRP owner shall not receive any compensation or remuneration to permit occupancy of a STRP for a period of less than twenty-four (24) hours. The maximum stay for any guest shall be thirty (30) consecutive days.
- K. The name and telephone number of the local responsible party shall be conspicuously posted within the STRP unit. The responsible party shall answer calls twenty-four (24) hours a day, seven (7) days a week to address problems associated with the STRP.
- L. Expiration of permit. A STRP permit shall expire three hundred sixty-five (365) days after it is issued. STRP permits may be renewed upon the payment of a fifty dollar renewal fee to the department of codes administration.
- M. The permit holder shall be responsible for collecting and remitting all applicable room, occupancy, and sales taxes required by state law or the Metropolitan Code.
- N. A STRP permit shall not be transferred or assigned to another individual, person, entity, or address, nor shall the permit authorize any person, other than the person named therein, to operate a STRP on the property.
- O. No more than one STRP permit shall be issued for any one individual.
- P. STRP permit holders shall obtain a use permit from the zoning administrator as an accessory use to the primary residential use pursuant to section 17.16.250.E. of the metropolitan code.
- Q. Denial or Revocation of Permit.

1. Upon the filing of three or more complaints within a calendar year regarding a STRP permit, the department of codes administration shall notify the permit holder in writing of such complaints.
2. If the department of codes administration determines that violations of this section or any other ordinance or law relating to STRPs have occurred, the permit to operate a STRP may be revoked.
3. Before revoking any permit, the department of codes administration shall give the permit holder fifteen days written notice of the alleged violation(s) against him/her.
4. Any denial or revocation of a STRP may be appealed by writ of certiorari to the Circuit or Chancery Courts of Davidson County within sixty days from the date of the denial or revocation.”

Section 2. The provisions of this ordinance shall be enforced from and after March 1, 2015.

Section 3. This Ordinance shall take effect from and after its enactment, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Burkley Allen

Charlie Tygard
Members of Council

SUBSTITUTE ORDINANCE NO. BL2014-909

An ordinance to amend Title 17 of the Metropolitan Code, Zoning Regulations, pertaining to Short Term Rental Property (Proposal No. 2014Z-021TX-001).

WHEREAS, short-term rental of homes can provide a flexible housing stock that allows travelers a safe accommodation while contributing to the local economy; and

WHEREAS, short-term rental of homes can provide homeowners an opportunity to hold property in difficult economic circumstances or as an investment; and

WHEREAS, hotel taxes from short term rental of homes can be used to promote travel and tourism and to support the local tourism industry; and

WHEREAS, the needs of long-term residents should be balanced with the allowance of short-term rentals.

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

Section 1. That Section 17.04.060 of the Metropolitan Code is hereby amended by adding the following new definitions:

“Transient” means any person who exercises occupancy or is entitled to occupancy of any rooms, lodgings or accommodations for a period of less than thirty (30) continuous days.

“Short Term Rental Property (STRP)” means a dwelling unit containing not more than three sleeping rooms that is used and/or advertised for rent for transient occupancy by guests. Dwelling units rented to the same occupant for more than 30 continuous days, bed and breakfast establishments, hotels, and motels shall not be considered Short Term Rental Property.

Section 2. That Section 17.08.030 of the Metropolitan Code, District Land Use Tables, is hereby amended by adding “Short Term Rental Property” as an accessory (A) use in all zoning districts that allow residential use.

Section 3. That Section 17.16.250 of the Metropolitan Code is hereby amended by adding the following provision as subsection E.:

“E. Short Term Rental Property (STRP). A STRP is permitted as an accessory use in all zoning districts that allow residential use provided a permit has been issued for operation of the property as a STRP pursuant to section 6.28.030 of the metropolitan code.”

Section 4. The provisions of this ordinance shall be enforced from and after March 1, 2015.

Section 5. This Ordinance shall take effect from and after its enactment, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Burkley Allen

Charlie Tygard
Members of Council

Disapprove as submitted; Approve substitute ordinance. (8-0-1), Consent Agenda

Resolution No. RS2014-279

“BE IT RESOLVED by The Metropolitan Planning Commission that 2014Z-021TX-001 is **Disapproved as submitted; Approved substitute ordinance. (8-0-1) Adkins abstained**”

Specific Plans

10. 2014SP-076-001

BL2014-896\S. Davis

CLEVELAND PARK/MCFERRIN SP

Council District 5 (Scott Davis)

Staff Reviewer: Melissa Sajid

A request to rezone from RS5 to SP-R zoning for various properties located along Arrington Street, Berry Street, Cleveland Street, Douglas Avenue, Evanston Avenue, Joseph Street, Lischey Avenue, Meridian Street, Montgomery Avenue, N. 2nd Street, N. 5th Street, N. 6th Street, N. 7th Street, N. 8th Street, Pennock Avenue, Richardson Avenue, Stainback Avenue, Stockell Street, Treutland Avenue, Vaughn Street and Vernon Winfrey Avenue, south of Douglas Avenue, (238.26 acres), to allow detached accessory dwelling units with all other standards of the RS5 district being applicable, requested by Councilmember Scott Davis, applicant; various property owners.

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

APPLICANT REQUEST

To permit detached accessory dwelling units.

Application type

A request to rezone from Single-Family Residential (RS5) to Specific Plan – Residential (SP-R) zoning for various properties located along Arrington Street, Berry Street, Cleveland Street, Douglas Avenue, Evanston Avenue, Joseph Street, Lischey Avenue, Meridian Street, Montgomery Avenue, N. 2nd Street, N. 5th Street, N. 6th Street, N. 7th Street, N. 8th Street, Pennock Avenue, Richardson Avenue, Stainback Avenue, Stockell Street, Treutland Avenue, Vaughn Street and Vernon Winfrey Avenue, south of Douglas Avenue, (238.26 acres), to allow detached accessory dwelling units with all other standards of the RS5 district.

Existing Zoning

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

Proposed Zoning

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

CRITICAL PLANNING GOALS

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

The propose SP expands the range of housing choices in the area while maintaining the existing character of the neighborhood at the street. Permitting detached accessory dwelling units in an area where infrastructure is already available supports infill development. In addition, the subject properties are served by transit routes that run throughout the neighborhood which will be supported by the additional density proposed by the SP.

EAST NASHVILLE COMMUNITY PLAN

Structure Plan Policy

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

Cleveland Park, McFerrin Park and Greenwood Detailed Neighborhood Design Plan (DNDP)

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

Structure Plan Policy

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

Cleveland Park, McFerrin Park and Greenwood Detailed Neighborhood Design Plan (DNDP)

Mixed Housing (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.

Structure Plan Policy

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

Cleveland Park, McFerrin Park and Greenwood Detailed Neighborhood Design Plan (DNDP)

Mixed Use (MxU) is intended for buildings that are mixed horizontally and vertically. The latter is preferable in creating a more pedestrian-oriented streetscape. This category allows residential as well as commercial uses. Vertically mixed-use buildings are encouraged to have shopping activities at street level and/or residential above.

Consistent with Policy?

Yes. The SP proposes to permit detached accessory dwelling units (DADUs) in certain locations while maintaining the standards of RS5 zoning for all primary and accessory structures that are not DADUs. This is consistent with the goals of the detailed policies of the DNDP to preserve the existing single-family character within the core of the neighborhoods, while expanding housing options to help create affordable housing alternatives. The bulk and massing standards included in the SP for DADUs will ensure that the single-family context at the street is maintained. In addition, the access standards included in the SP help achieve the pedestrian-oriented goals of the DNDP by restricting access to alleys where available and prohibiting additional curb cuts for properties without access to an improved alley.

ANALYSIS

The SP proposes to allow an additional housing type to the Cleveland Park and McFerrin Park neighborhoods by permitting detached accessory dwelling units (DADUs) in certain locations while maintaining the existing RS5 zoning for all primary and accessory structures that are not DADUs. The standards included reflect those that are already in place for DADUs permitted countywide in One and Two-Family Residential Districts (R) districts.

Standards are included to address where DADUs location, placement and vehicular access. The SP proposes to permit DADUs on lots with an improved alley adjacent to the rear or side property line or on any lots that are at least 15,000 square feet in area. The units may only be located behind the principle structure. For lot with access to an improved alley, any additional access must be from the alley, and for units without alley access, no more than one curb cut from a public street is permitted to access both the primary structure and the DADU.

Bulk and massing standards are also included in the SP to ensure that DADUs are accessory to the primary structure on a given lot. The height of a DADU may not exceed the height of the principle structure on the lot or 27 feet in height at the roof ridge line, whichever is greater. The living space for a detached accessory dwelling unit is limited to 700 square feet, but the footprint of the structure can be up to 750 square feet on lots less than 10,000 square feet or 1,000 square feet on lots 10,000 square feet or more.

The SP also proposes design standards to ensure that DADUs complement the style, design and hue of the primary structure and hence maintain the character of the neighborhood. In addition, provisions are included for properties located within a historic overlay district. Currently, none of the properties subject to this SP are located within a historic overlay district.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions of the SP as it is consistent with the structure plan policies and detailed policies and meets three critical planning goals.

CONDITIONS

1. Uses within the SP shall be limited to all uses permitted by RS5 and detached accessory dwelling units.
2. Property within the SP shall be treated as RS5 for the purposes of proposed subdivisions. All Subdivision Regulations shall apply, including Section 3-5.
3. No new Detached Accessory Dwelling Units may be built within public water, sewer, or utility easements.
4. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Council approval, the property shall be subject to the standards, regulations and requirements of the RS5 zoning district as of the date of the applicable request or application.
5. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
6. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
7. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

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

Mr. Clifton stepped back in the room at 6:36 p.m.

Councilmember Scott Davis spoke in favor of the application and noted that this is not a developer led build; it's for the homeowners.

Brenda Ewin, 1214 N 8th St, spoke in favor of the application.

Dane Forlines, 805 N 2nd St, spoke in favor of the application because it supports density goals in a neighborhood evolving area in a way that doesn't negatively affect the character of the neighborhood streets, it will provide a relatively lower cost rental option, and it will provide rental income opportunities for all homeowners.

Brett Withers, 1113 Granada Ave, spoke in favor of the application.

Lisa Spells, 611 N 5th St, spoke in opposition to the application because it is not fair and equitable to the people that don't have alley access.

Pam Murray, 802 Stockell St, spoke in opposition to the application due to lack of community information.

Ernestine Crutcher, 1229 Lischey Ave, spoke in opposition to the application because it doesn't fit with the structure of the neighborhood.

Omid Yamini, 1204 N 2nd St, spoke in opposition to the application and expressed concerns with changing the base zoning of the entire neighborhood.

Kenneth Davis, N 5th St, asked for deferral to allow the community time to gather more information.

Ms. Farr left the meeting at 6:59 p.m.

Councilmember Davis clarified that a lot more communication will happen with the neighborhood.

Vice Chair Adkins closed the Public Hearing.

Mr. Clifton spoke in favor of the application and noted that it is a good step forward.

Mr. Gee spoke in favor of the application and stated that it's an inventive way to take the good parts of our zoning ordinance and leave the bad parts behind.

Ms. LeQuire moved and Mr. Clifton seconded the motion to approve with conditions and with a recommendation that Council consider smaller lot square footage requirements for this area. (7-0)

Resolution No. RS2014-280

"BE IT RESOLVED by The Metropolitan Planning Commission that 2014SP-076-001 is **Approved with conditions and disapproved without all conditions. (7-0)**"

CONDITIONS

1. Uses within the SP shall be limited to all uses permitted by RS5 and detached accessory dwelling units.
2. Property within the SP shall be treated as RS5 for the purposes of proposed subdivisions. All Subdivision Regulations shall apply, including Section 3-5.
3. No new Detached Accessory Dwelling Units may be built within public water, sewer, or utility easements.
4. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Council approval, the property shall be subject to the standards, regulations and requirements of the RS5 zoning district as of the date of the applicable request or application.
5. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
6. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
7. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

K. PLANNING COMMISSION ACTIONS

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

Planned Unit Developments: final site plans

11. 98P-007-007

SEVEN SPRINGS WEST

Map 160, Parcel(s) 287

Council District 04 (Brady Banks)

Staff Reviewer: Jason Swaggart

A request for revision to preliminary and final site plan approval for a portion of the Seven Springs Commercial Planned Unit Development Overlay District for property located at 340 Seven Springs Way, approximately 150 feet north of Old Hickory Boulevard (3.65 acres), zoned MUL, to permit the development of a 7-story, 203,000 square foot office building and an associated parking garage, requested by Barge Cauthen & Associates, applicant; Highwoods Realty Limited Partners, owner.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

To permit the development of a seven story office building and parking garage.

Planned Unit Development (Revision and Final Site Plan)

A request for revision to preliminary and final site plan approval for a portion of the Seven Springs Commercial Planned Unit Development Overlay District for property located at 340 Seven Springs Way, approximately 150 feet north of Old Hickory Boulevard (3.65 acres), zoned Mixed Use Limited (MUL), to permit the development of a 7-story, 203,000 square foot office building and an associated parking garage.

Existing Zoning

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

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

PLAN DETAILS

This proposed plan calls for a seven story 203,000 square foot office building. The plan also calls for a parking garage with three levels above ground and five levels below ground. The proposed garage will provide 1,113 parking spaces.

ANALYSIS

The plan is consistent with the previously approved preliminary plan. The only difference is that the previous plan was approved for eight stories, while the current proposal is for seven. While this is a very minor change, the Code requires that the change be approved by the Planning Commission.

FIRE MARSHAL RECOMMENDATION

Approved

PUBLIC WORKS RECOMMENDATION

No Exceptions Taken

STORMWATER RECOMMENDATION

Approved

STAFF RECOMMENDATION

Staff recommends approval with conditions of the revision to preliminary and final site plan.

CONDITIONS

1. Provide bike parking per Metro Code.
2. All sign permit applications shall be reviewed by planning staff. Signage shall follow Zoning Code requirements except as required by Council bill BL2009-564:
 - a. Ground signs shall be monument-style with a consistent base that is at least as wide as the sign background area.
 - b. A maximum of two ground signs are allowed along the commercial frontage of Old Hickory Boulevard and/or Seven Springs Way for Parcel A.
 - c. Each ground sign shall have a maximum height of eight feet and a maximum display area of 100 square feet. The total display area for ground signs shall not exceed 192 square feet.
 - d. For internally-illuminated signs, lighting shall be diffused and shall illuminate only letters and logos. Sign background area shall be opaque.
 - e. Building signs for first floor retail/restaurant spaces shall be aligned on the facade. A minimum and maximum height for these signs shall be submitted as part of the sign program. The minimum and maximum heights shall be within three feet (e.g. 12 foot minimum and 15 foot maximum height).
 - f. A sign program illustrating all intended sign locations shall be submitted to Metro Planning prior to approval of building permits. The sign program will illustrate the allotment of signage display area to individual tenants and the proposed placement of signage on each building.
 - g. All signs prohibited by the Zoning Code, including billboards, are prohibited within Parcel A of the Seven Springs PUD.
3. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
4. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metro Department of Public Works for all improvements within public rights of way.

5. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
6. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metro Planning Commission.
7. The PUD final site plan as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans may require reapproval by the Planning Commission and/or Metro Council.

Approved with conditions. (9-0), Consent Agenda

Resolution No. RS2014-281

“BE IT RESOLVED by The Metropolitan Planning Commission that 98P-007-007 is **Approved with conditions. (9-0)**”

CONDITIONS

1. Provide bike parking per Metro Code.
2. All sign permit applications shall be reviewed by planning staff. Signage shall follow Zoning Code requirements except as required by Council bill BL2009-564:
 - a. Ground signs shall be monument-style with a consistent base that is at least as wide as the sign background area.
 - b. A maximum of two ground signs are allowed along the commercial frontage of Old Hickory Boulevard and/or Seven Springs Way for Parcel A.
 - c. Each ground sign shall have a maximum height of eight feet and a maximum display area of 100 square feet. The total display area for ground signs shall not exceed 192 square feet.
 - d. For internally-illuminated signs, lighting shall be diffused and shall illuminate only letters and logos. Sign background area shall be opaque.
 - e. Building signs for first floor retail/restaurant spaces shall be aligned on the facade. A minimum and maximum height for these signs shall be submitted as part of the sign program. The minimum and maximum heights shall be within three feet (e.g. 12 foot minimum and 15 foot maximum height).
 - f. A sign program illustrating all intended sign locations shall be submitted to Metro Planning prior to approval of building permits. The sign program will illustrate the allotment of signage display area to individual tenants and the proposed placement of signage on each building.
 - g. All signs prohibited by the Zoning Code, including billboards, are prohibited within Parcel A of the Seven Springs PUD.
3. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
4. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metro Department of Public Works for all improvements within public rights of way.
5. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
6. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metro Planning Commission.
7. The PUD final site plan as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans may require reapproval by the Planning Commission and/or Metro Council.

Subdivision: Final Plats

12. 2014S-205-001

LAUREL ACRES, RESUB LOT 39
 Map 119-11, Parcel(s) 096
 Council District 16 (Tony Tenpenny)
 Staff Reviewer: Jason Swaggart

A request for final plat approval to create two lots on property located at 2624 Ennis Road, approximately 400 feet south of Malden Drive, zoned RS10 (0.91 acres), requested by Brackman Land Surveying, applicant; Larissa Lentile, owner.

Staff Recommendation: Defer to the November 13, 2014, Planning Commission meeting.

MPC Action: Defer to the November 13, 2014, Planning Commission meeting. (9-0)

L. OTHER BUSINESS

13. New employee contract for Alex Deus

Approve. (9-0), Consent Agenda

Resolution No. RS2014-282

“BE IT RESOLVED by The Metropolitan Planning Commission that the new employee contract for Alex Deus is **Approved. (9-0)**”

14. Contract amendment for Brandon Burnette

Approve. (9-0), Consent Agenda

Resolution No. RS2014-283

“BE IT RESOLVED by The Metropolitan Planning Commission that the contract amendment for Brandon Burnette is **Approved. (9-0)**”

15. Reinstate Lexon Insurance Company, which was excluded from providing surety bonds for one year pursuant to Section 6-1.2.d of the Metro Subdivision Regulations at the January 9, 2014, Metropolitan Planning Commission meeting, to be permitted to provide surety bonds.

Approve. (9-0), Consent Agenda

Resolution No. RS2014-284

“BE IT RESOLVED by The Metropolitan Planning Commission that the reinstatement of Lexon Insurance Company, which was excluded from providing surety bonds for one year pursuant to Section 6-1.2.d of the Metro Subdivision Regulations at the January 9, 2014, Metropolitan Planning Commission meeting, to be permitted to provide surety bonds is **Approved. (9-0)**”

16. Sidewalk in-lieu fee update – Information only.

17. Historic Zoning Commission Report

18. Board of Parks and Recreation Report

19. Executive Committee Report

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

Approve. (9-0), Consent Agenda

Resolution No. RS2014-285

“BE IT RESOLVED by The Metropolitan Planning Commission that the Director’s Report and Administrative Items are **Approved. (9-0)**”

21. Legislative Update

M. MPC CALENDAR OF UPCOMING MATTERS

Location change for the following MPC meeting:

October 23, 2014

Metropolitan Public Schools Administration Building
2601 Bransford Avenue

November 13, 2014

MPC Meeting

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

December 11, 2014

MPC Meeting

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

January 8, 2015

MPC Meeting

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

N. ADJOURNMENT

The meeting adjourned at 7:08 p.m.


Chairman

Secretary



**METROPOLITAN GOVERNMENT
OF NASHVILLE AND DAVIDSON COUNTY**

Planning Department
Metro Office Building, 2nd Floor
800 Second Avenue South
Nashville, Tennessee 37219

Date: October 23, 2014
To: Metropolitan Nashville-Davidson County Planning Commissioners
From: Richard C. Bernhardt, FAICP, CNU-A 
Re: Executive Director's Report

The following items are provided for your information.

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

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

B. October 23, 2014 MPC meeting NashvilleNext MPC Topic

1. Preferred Future Update (Claxton)
2. Upcoming
 - a. November 13, 2014 – Community Plan Updates (Withers)
 - b. December 11, 21014 – Implementation Update – (Carlat)

C. October 23, 2014 MPC Meeting Special Guests

The Mayor's Youth Council will be attending this Thursday's meeting to watch the activities and experience the operation of the Planning Commission.

D. Communications

1. Video of the most recent NN Community Conversation on Economic Development is complete and up at www.nashvillenxt.net

E. Community Planning

1. Vacant position – Advertising for a Mobility Planner for Community Plans (to be filled at the end of 2014)
2. Vacant position – Advertising for a Urban Designer for Design Studio
3. Ben Miskelly submitted his resignation. His last day will be October 22. He is going to Smith Gee Studios.

F. Land Development

1. Alex Deus has been hired as a Planner I and will begin on November 3. The Land Development Section is now at full authorized strength. Alex has a Master's in Planning from the University of Central Florida and a BA from Florida International University.

G. GIS

1. Sharon O'Conner has started as our GIS Technician II. She comes from University of North Alabama.
2. Vacant Position – Advertising to fill the vacant GIS Technician I position in the Mapping Section.
3. New 2014 Orthos are available and on the Metro Property Mapping Web Site (<http://maps.nashville.gov/propertykiva/site/main.htm>)
4. Continuing to prepare launch for Cityworks in January 2015.

H. Executive Director Presentations

1. October 14, 2014 – Osher Lifetime Learning Institute (Vanderbilt)

I. NashvilleNext

1. **Preferred Future and community Plan Update Presentations and Meetings**
 - a. Thursday, October 30, 2014; Rocketown; 601 Fourth Ave S; 5 PM
 - b. Monday, November 3, 2014; Whites Creek High School; 6 PM
 - c. Thursday, November 6, 2014; Hillwood High School; 6 PM
 - d. Monday, November 10, 2014; McGavock High School; 6 PM
 - e. Thursday, November 20, 2014; Southeast Library Complex (at the Global Mall); 6 PM
2. **Guiding Principles** – They have been vetted and in final Draft Stage. They will form the basis for Draft Plan. **These are the second DRAFT version**

Be Nashville

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

Foster Strong Neighborhoods

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

Expand Accessibility

- Nashville is accessible, allowing all Nashvillians to come together to work, to play, to learn, and to create community and contribute to civic life, regardless of background or ability.

- Nashville has a complete and efficient transportation system, adding transit, walking, and biking options to our existing road network.
- Nashvillians have genuine access to employment and educational opportunities, online capabilities, civic representation, nature and recreation, and government services.

Create Economic Prosperity

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

Advance Education

- Nashville recognizes that education is a lifelong endeavor; it is how we prepare our children for tomorrow's challenges, and how all Nashvillians remain able to successfully participate in the workforce and civic life. Life-long learning also benefits from the community's investment in continuing education, retraining opportunities and literacy.
- Nashvillians support children and families by ensuring quality PK-12 education for all through support from neighborhoods, businesses, institutions, non-profits, individuals, and governments.
- Nashville's excellent colleges and universities are community assets and tremendous resources for the community that add to its prestige.

Champion the Environment

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

Ensure Equity for All

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

3. NashvilleNext Overall Schedule

- a. Creating and Adopting the Plan (Fall 2014-Summer 2015)
 - i. Community Vision
 - ii. Policies and Actions
 - iii. Preferred Alternative (October 30, 2014)
 - iv. Community Plan Updates (October 30, 2014)
 - v. Final Draft Plan (February, 2015)
 - vi. Implementation Schedule (February 2015)
 - vii. Planning Commission Adoption (May, 2015)

4. NashvilleNext Key Activities:

- a. Phase 4 (of 5) of the process is completed with over 5,000 participants.
- b. List of special projects underway include:
 - i. The Airport Employment Center Master Design
 - ii. Identification of Downtown open space network
 - iii. Examining the potential use for the Missing Middle housing typology
- c. Coordinating with MTA and Nashville GreenPrint (tree canopy master plan) as they begin their master planning efforts.

5. Resource Teams:

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

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

6. NashvilleNext Special Studies

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

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

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

1. October 24, 2014
 - a. Draft of Preferred Future and Impact on Community Plans
 - b. Affordable Housing Policy Discussion

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

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

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

B. APA Training Opportunities

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

Date	Topic (Live Program and Online Recording)
November 5, 2014	Health Equity and Planning Ethics
January 14, 2015	Safe Mobility Planning
June 3, 2015	The Planning Office of the Future
June 24, 2015	2015 Planning Law Review

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

In accordance with the Rules and Procedures of the Metropolitan Planning Commission, the following applications have been reviewed by staff for conformance with applicable codes and regulations. Applications have been approved on behalf of the Planning Commission or are ready to be approved by the Planning Commission through acceptance and approval of this report. Items presented are items reviewed **through 10/17/2014**.

APPROVALS	# of Applications	Total # of Applications 2014
Specific Plans	2	34
PUDs	0	6
UDOs	0	1
Subdivisions	2	117
Mandatory Referrals	15	129
Total	19	287

SPECIFIC PLANS (finals only): MPC Approval						
Finding: Final site plan conforms to the approved development plan.						
Date Submitted	Staff Determination		Case #	Project Name	Project Caption	Council District # (CM Name)
5/15/2014	10/3/2014	Recommend Approval	2012SP-005-003	VOCE, PH 2A	A request for final site plan approval for a portion of property located within the Voce Specific Plan district at 5570 Granny White Pike, approximately 300 feet north of Oman Drive, to permit 6 single-family lots and an amenity center with associated infrastructure, requested by Civil Site Design Group, PLLC, applicant, Granny White Cabin Realty, LLC, owner.	34 (Carter Todd)
5/1/2014	10/7/2014	Recommend Approval	2013SP-033-002	WHITE AVENUE COTTAGES (FINAL)	A request for final site plan approval for properties located within the Woodland-in-Waverly Historic Preservation District at 2107, 2111 and 2115 White Avenue, approximately 195 feet south of Prentice Avenue, zoned SP (0.57 acres), to permit eight single-family detached units, requested by Dale & Associates, applicant; J. Miller Enterprises, LLC, owner.	17 (Sandra Moore)

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

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

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

MANDATORY REFERRALS: MPC Approval

Date Submitted	Staff Determination		Case #	Project Name	Project Caption	Council District (CM Name)
9/16/2014	10/3/2014	Recommend Approval	2014M-062ES-001	HILL ROAD CIRCLE IMPROVEMENT PROJECT	A request to negotiate and accept permanent and temporary easements for the Hill Road Circle Stormwater Improvement Project on four properties located at 5424, 5429, 5433 and 5440 Hill Road Circle, (Project No. 15-SWC-026), requested by Metro Water Services, applicant; various property owners.	04 (Brady Banks)
9/17/2014	10/3/2014	Recommend Approval	2014M-063ES-001	5001 KENTUCKY AVENUE ABANDONMENT OF RETAINED EASEMENT RIGHTS	A request to abandon a portion of the retained easement rights in the former 50th Avenue North (previously retained in Council Bill No. 77-710) on a portion of property located at 5001 Kentucky Avenue, requested by Metro Water Services and Ritzen Group, applicants.	20 (Buddy Baker)
9/22/2014	10/3/2014	Recommend Approval	2014M-064ES-001	5615 TENNESSEE AVENUE ABANDONMENT OF RETAINED EASEMENT RIGHTS	A request to abandon a portion of the retained easement rights in the former 57th Avenue North (previously retained in Council Bill No. 77-601) on a portion of property located at 5615 Tennessee Avenue, requested by Metro Water Services and Jeff Kendig, applicants.	20 (Buddy Baker)
9/25/2014	10/7/2014	Recommend Approval	2014M-066ES-001	ARNOLD'S RESTAURANT EASEMENT ACCEPTANCE	A request to accept approximately 34 linear feet of existing 8" DIP water main including one fire hydrant assembly on property located at 605 8th Avenue South, Metro Water Services Project # 14-WL-69, requested by Metro Water Services and Dale & Associates, applicants; Arnold Real Properties, LLC, owner.	19 (Erica S. Gilmore)
9/30/2014	10/8/2014	Recommend Approval	2014M-017EN-001	CHAUHAN AERIAL ENCROACHMENT	A request to allow aerial encroachments for "Chauhan" comprised of a 38" X 60" double-faced projecting sign and a 77" X 18" canopy sign encroaching above the public right-of-way at 123 12th Avenue North, zoned DTC, requested by Signarama, applicant; JB Realty Group, LLC, owner.	19 (Erica S. Gilmore)

9/26/2014	10/8/2014	Recommend Approval	2014M-067ES-001	FLEETWOOD DRIVE IMPROVEMENT PROJECT	A request to negotiate and accept permanent and temporary easements for the Fleetwood Drive Stormwater Improvement Project on four properties located at 6504 and 6505 Fleetwood Drive and 816 and 822 Hillwood Boulevard, (Project No. 15-SWC-025), requested by Metro Water Services, applicant; various property owners.	20 (Buddy Baker); 24 (Jason Holleman)
10/1/2014	10/9/2014	Recommend Approval	2014M-023PR-001	HERMITAGE AVENUE/1ST AVENUE SOUTH/KOREAN VETERANS BOULEVARD IMPROVEMENT PROJECT	A request to authorize the Metropolitan Government to acquire right-of-way (0.10805 acres) for the 1st Avenue South-Hermitage Avenue at Korean Veterans Boulevard Improvement Project on a portion of property located at 400 1st Avenue South, (Project No. 2014-R-9), requested by the Metro Public Works Department, applicant; M.D.H.A., property owner.	19 (Erica S. Gilmore)
9/18/2014	10/9/2014	Recommend Approval	2014M-016EN-001	WALGREEN'S AERIAL ENCROACHMENT	A request to allow an aerial encroachment for "Walgreen's" comprised of a 6' 7 1/2" X 2'6" blade sign encroaching above the public right-of-way at 226 5th Avenue North, zoned DTC and located within the Capitol Mall Redevelopment District, requested by Boom Sign and Lighting, applicant; The Arcade Company, owner.	19 (Erica S. Gilmore)
10/6/2014	10/15/2014	Recommend Approval	2014M-068ES-001	TERRAGON TRAIL STORMWATER IMPROVEMENT PROJECT	A request to negotiate and accept permanent and temporary drainage easements for the Terragon Trail Stormwater Improvement Project on three properties located at 4820, 4821 and 4825 Terragon Trail, (Project No. 15-SWC-029), requested by Metro Water Services, applicant; various property owners.	28 (Duane A. Dominy)
10/7/2014	10/15/2014	Recommend Approval	2014M-069ES-001	WESTWOOD AVENUE STORMWATER IMPROVEMENT PROJECT	A request to negotiate and accept permanent and temporary drainage easements for the Westwood Avenue Stormwater Improvement Project on eight properties located at 2106 and 2108 Woodlawn Drive and 2117, 2119, 2121, 2123, 2124 and 2125 Westwood Avenue, (Project No. 15-SWC-018), requested by Metro Water Services, applicant; various property owners.	18 (Burkley Allen)
10/9/2014	10/16/2014	Recommend Approval	2014M-014AB-001	ABANDONMENT OF VAN BUREN STREET & BURNS STREET (PORTION OF)	A request to abandon a portion of Van Buren Street from Adams Street to its terminus at the Cumberland River and to also abandon Burns Street from Van Buren Street northward approximately 475 feet (easements and utilities to be retained), requested by Baugh and Pardue Properties, LLC, applicant.	19 (Erica S. Gilmore)
10/7/2014	10/16/2014	Recommend Approval	2014M-013AB-001	UNNAMED ROAD RIGHT-OF-WAY ABANDONMENT	A request to abandon an unnamed road (easements and utilities to be retained) adjacent to properties located at 2717 and 2719 Lakeland Drive from its intersection with Lakeland Drive southward to its terminus, requested by Councilmember Phil Claiborne, applicant.	15 (Phil Claiborne)

10/7/2014	10/16/2014	Recommend Approval	2014M - 024PR-001	0 1ST AVENUE NORTH PROPERTY TRANSFER	A request to authorize the Director of Public Property, or his designee, to transfer to McRedmond Brothers, Inc., via a quitclaim deed, any remaining interest the Metropolitan Government of Nashville and Davidson County may still have in a certain parcel of property located at the corner of Van Buren Street and 1st Avenue North, 0 1st Avenue North (Map and parcel # 08205014000).	19 (Erica S. Gilmore)
10/9/2014	10/16/2014	Recommend Approval	2014M - 025PR-001	MURFREESBORO ROAD AREA POLICE PRECINCT PROPERTY ACQUISITION	A request to authorize the Director of Public Property, or his designee, to exercise an option to purchase real property for use in a public project for the Metropolitan Government of Nashville and Davidson County and specifically with relation to the construction of a new Police Precinct in the Murfreesboro Road area, requested by the Metro Department of Finance, applicant.	19 (Erica S. Gilmore)
10/8/2014	10/17/2014	Recommend Approval	2014M -070ES-001	BERRY HILL APARTMENTS	A request to abandon approximately 10 feet of existing 8" public sewer main along with approximately 10 feet of the existing easement and to accept one new public sewer manhole and two public fire hydrants on properties located at 725 and 731 Melpark Drive, 2350 Franklin Pike and 700 Craighead Street, Metro Water Services Project #'s 14-WL-88 and 14-SL-104, requested by Metro Water Services and Kimley-Horn Engineering, applicants.	17 (Sandra Moore)
9/16/2014	10/3/2014	Recommend Approval	2014M -062ES-001	HILL ROAD CIRCLE IMPROVEMENT PROJECT	A request to negotiate and accept permanent and temporary easements for the Hill Road Circle Stormwater Improvement Project on four properties located at 5424, 5429, 5433 and 5440 Hill Road Circle, (Project No. 15-SWC-026), requested by Metro Water Services, applicant; various property owners.	04 (Brady Banks)

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

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

INSTITUTIONAL OVERLAYS (finals and variances only) : MPC Approval

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

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

SUBDIVISIONS: Administrative Approval

Date Submitted	Date Approved	Action	Case #	Project Name	Project Caption	Council District # (CM Name)
8/29/2013	10/14/2014	APADMIN	2013S-169-001	BELLEVUE VALLEY PLAZA, RESUB LOTS 1 & 3	A request for final plat approval to create one lot within the Bellevue Valley Plaza Planned Unit Development Overlay District on properties located at 7087 and 7089 Highway 70 South, at the southeastern corner of Highway 70 South and Old Hickory Boulevard (5.98 acres), zoned SCC, requested by Kroger Limited Partnership I, owner; Cherry Land Surveying, Inc., applicant.	34 (Carter Todd)
10/31/2013	10/16/2014	APADMIN	2013S-216-001	TRAVIS TRACE, PH 1A	A request for final plat approval to create 44 lots on property located at 7972 McCrory Lane and on a portion of properties located at McCrory Lane (unnumbered) and Beautiful Valley Drive (unnumbered), at the current terminus of Beautiful Valley Drive, (12.49 acres), zoned RS10, requested by John Valiquette and Steve Adcock, owners; Crawford & Cummings, P.C., surveyor.	35 (Bo Mitchell)

Performance Bonds: Administrative Approvals

Date Approved	Administrative Action	Bond #	Project Name
10/7/2014	Approved Release	2006B-075-007	JACKSON VALLEY
10/7/2014	Approved Release	2013B-003-003	BURKITT PLACE, PHASE 2I
10/8/2014	Approved Call	97B-096-006	SPENCER & ATCHLEY SUBDIVISION
10/8/2014	Approved New	2014B-036-001	THE RESERVE AT STONE HALL, PHASE 1, SECTION 2D
10/10/2014	Approved Extension/Reduction	2008B-005-009	VILLAGES OF RIVERWOOD, PHASE 1, SECTION 1
10/15/2014	Approved New	2014B-032-001	TRAVIS TRACE, PHASE 1A
10/15/2014	Approved New	2014B-039-001	VOCE, PHASE 1B
10/16/2014	Approved Extension/Reduction	2009B-026-005	COOKS LANDING
10/16/2014	Approved Release	2006B-033-008	SUMMIT OAKS, PHASE 4

Schedule

- A. **Thursday, October 23, 2014** - [MPC Workshop on Nashville Next](#); 4pm, **Metropolitan Public Schools Administration Building, 2601 Bransford Avenue, Nashville TN.**
- B. **Thursday, October 23, 2014** - [MPC Meeting](#); 4pm, **Metropolitan Public Schools Administration Building, 2601 Bransford Avenue, Nashville TN.**
- C. **Tuesday; October 28, 2014** - [NashvilleNext Steering Committee](#) (Jim McLean; Jeff Haynes; Andree LeQuire)
- D. **Thursday, November 13, 2014** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- E. **Tuesday; November 25, 2014** - [NashvilleNext Steering Committee](#) (Jim McLean; Jeff Haynes; Andree LeQuire)
- F. **Thursday, December 11, 2014** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- G. **Tuesday; December 23, 2014** - [NashvilleNext Steering Committee](#) (Jim McLean; Jeff Haynes; Andree LeQuire)
- H. **Thursday, January 8, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- I. **Tuesday; January 27, 2015** - [NashvilleNext Steering Committee](#) (Jim McLean; Jeff Haynes; Andree LeQuire)
- J. **Thursday, January 22, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- K. **Thursday, February 12, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- L. **Thursday, February 26, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- M. **Thursday, March 12, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- N. **Thursday, March 26, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- O. **Thursday, April 9, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- P. **Thursday, April 23, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- Q. **Thursday, May 14, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- R. **Thursday, May 28, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- S. **Thursday, June 11, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- T. **Thursday, June 25, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- U. **Thursday, July 23, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center
- V. **Thursday, August 13, 2015** - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center

- W. Thursday, August 27, 2015 - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center**
- X. Thursday, September 10, 2015 - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center**
- Y. Thursday, September 24, 2015 - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center**
- Z. Thursday, October 8, 2015 - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center**
- AA. Thursday, October 22, 2015 - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center**
- BB. Thursday, November 12, 2015 - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center**
- CC. Thursday, December 10, 2015 - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center**
- DD. Thursday, January 14, 2016 - [MPC Meeting](#); 4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center**