

Metropolitan Planning Commission



Staff Reports

September 12, 2013



Metro Planning Commission Meeting of 9/12/2013

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



PREVIOUSLY DEFERRED ITEMS

- **Zoning Text Amendments**
- **Specific Plans**
- **Subdivision (Final)**



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NO SKETCH



Project No. Text Amendment 2013Z-012TX-001
Project Name Adjustments to build-to zone requirements
Council District Countywide
School District Countywide
Requested by Metropolitan Planning Department, applicant

Deferral This application was deferred at the August 22, 2013, Planning Commission meeting.

Staff Reviewer Cuthbertson
Staff Recommendation Approve

APPLICANT REQUEST

Amend the Zoning Code to allow adjustments to build-to zone requirements, rear setbacks and landscape buffers.

Text Amendment

A request to amend Table 17.12.020.D and Table 17.24.230 of the Metropolitan Zoning Code pertaining to adjustments to build-to zone requirements, rear setbacks and landscape buffers.

CRITICAL PLANNING GOALS

N/A

EXISTING ZONING CODE

The Zoning Code provides specific build-to requirements for Alternative zoning districts in Note 4 of Table 17.12.020D and landscape buffer yard requirements in Table 17.24.230.

PROPOSED ZONING CODE

The proposed text amendment would establish an additional provision in Note 4 under Table 17.12.020.D. and a note under Table 17.24.230.

The proposed Note 4.h under Table 17.12.020.D is as follows:

- h. The zoning administrator may allow necessary adjustments to the build-to zone when existing utilities or utility easements are within the build-to zone and unusual circumstances require that the utilities cannot be relocated or easements reduced. Upon allowing an adjustment to the build-to zone, the zoning administrator may also allow adjustments to the rear setback and landscape buffer yard as authorized by Table 17.24.230, to provide for a necessary building area. The zoning administrator may allow necessary adjustments to the rear setback and landscape buffer yard based on the nature of the existing and future land uses and site conditions in the general vicinity after receiving a written recommendation from the planning department.

The proposed Note 1. under Table 17.24.230 is as follows:

- 1. The zoning administrator may allow a necessary adjustment to the landscape buffer yard located along a rear property line to provide for necessary building area after adjusting a



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required build-to zone as permitted by Note 4.h. of Table 17.12.020.D. The zoning administrator may allow a necessary adjustment to the landscape buffer yard based on the nature of the existing and future land uses and site conditions in the general vicinity after receiving a written recommendation from the planning department.

ANALYSIS

The Zoning Code requires new buildings constructed in the various “A” zoning districts to be located within a build-to zone of five to fifteen feet as measured from the standard right-of-way line provided by the Major and Collector Street Plan.

It is not uncommon for over-head electric lines and other utilities to be located along a street frontage in proximity to a required build-to zone. Nashville Electric Service, as well as other utility providers, requires a minimum clearance for buildings from existing utilities, which may at times be in conflict with the build-to zone requirement.

The proposed text amendment would allow the Zoning Administrator, with a recommendation from the Planning Department, to adjust the required build-to zone in order to provide the necessary clearance when utilities or utility easements are within the build-to zone and unusual circumstances require that the utilities cannot be relocated or easements reduced. Additionally, the proposed text amendments would allow the Zoning Administrator to make adjustments to the same property’s rear setback and required landscape buffer yard along the rear property line in order to provide for a necessary building area.

NES RECOMMENDATION

NES supports this amendment.

CODES ADMINISTRATION RECOMMENDATION

Approve

DEPARTMENT RECOMMENDATIONS

If received, additional department recommendations will be provided at the Planning Commission meeting.

STAFF RECOMMENDATION

Staff recommends approval.

Ordinance No. BL2013-XXX

An ordinance amending Table 17.12.020D and Table 17.24.230 of the Metropolitan Code, pertaining to alternative zoning districts and landscape buffer yard requirements (Proposal No. 2013Z-012TX-001)



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

Section 1. That Table 17.12.020D is hereby amended by inserting subsection h. under Note 4:

- h. The zoning administrator may allow necessary adjustments to the build-to zone when existing utilities or utility easements are within the build-to zone and unusual circumstances require that the utilities cannot be relocated or easements reduced. Upon allowing an adjustment to the build-to zone, the zoning administrator may also allow adjustments to the rear setback and landscape buffer yard as authorized by Table 17.24.230, to provide for a necessary building area. The zoning administrator may allow necessary adjustments to the rear setback and landscape buffer yard based on the nature of the existing and future land uses and site conditions in the general vicinity after receiving a written recommendation from the planning department.

Section 2. That Table 17.24.230 is hereby amended by inserting Note 1:

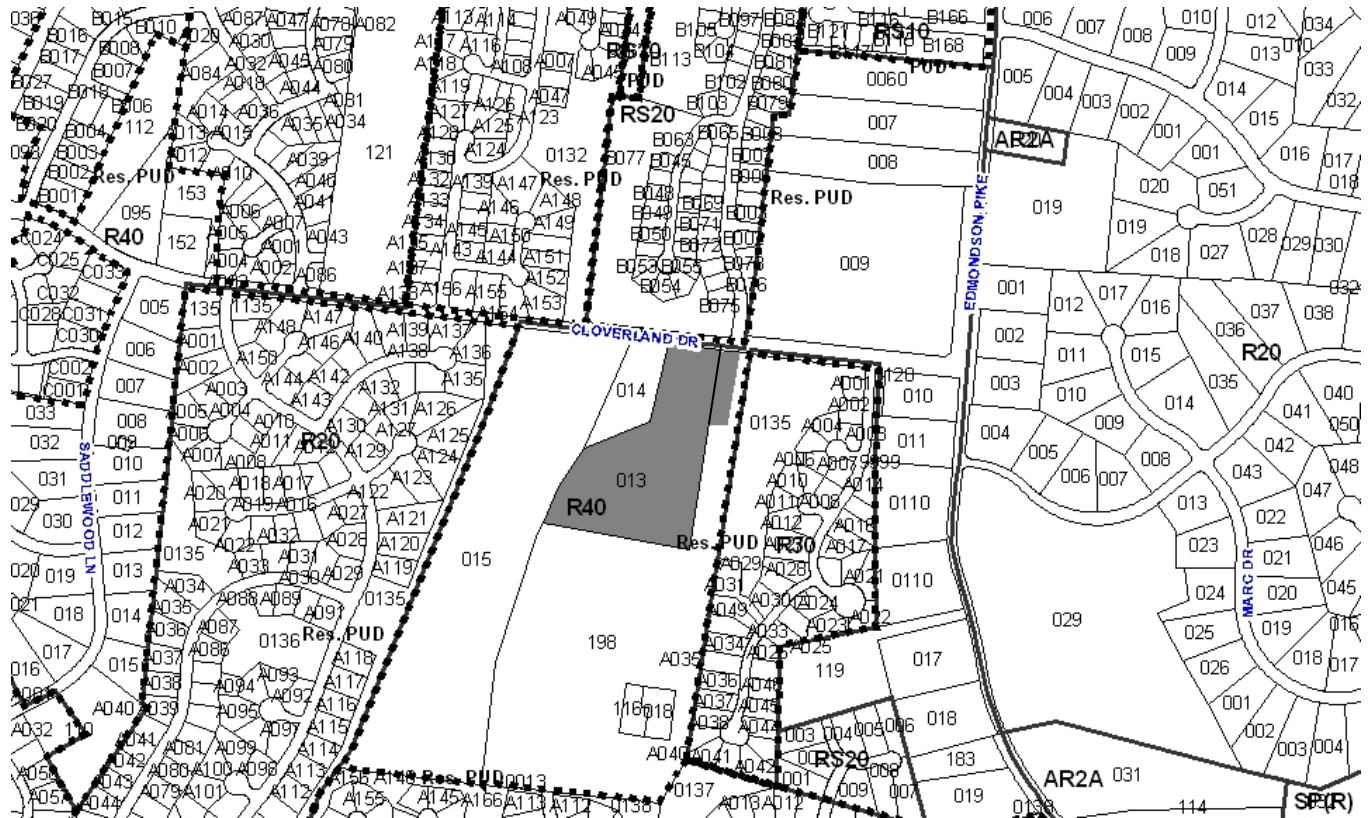
1. The zoning administrator may allow a necessary adjustment to the landscape buffer yard located along a rear property line to provide for necessary building area after determining an adjustment to a required build-to zone is necessary as permitted by Table 17.12.020.D. The zoning administrator may allow a necessary adjustment to the landscape buffer yard based on the nature of the existing and future land uses and site conditions in the general vicinity after receiving a written recommendation from the planning department.

Section 3. That this Ordinance shall take from and after its passage and such change be published in a newspaper of general circulation, the welfare of the Metropolitan Government of the Nashville and Davidson County requiring it.

Introduced by: _____



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2013SP-028-001
LOHAVEN
Map 172, Parcel(s) 013, part of parcel 198
Southeast
04 - Brady Banks



Project No. Zone Change 2013SP-028-001
Project Name Lochaven SP
Council District 4 – Banks
School District 2 – Brannon
Requested by Anderson, Delk, Epps & Associates, Inc., applicant; W. H. Swain et ux and Montessori Academy, Inc., owners

Staff Reviewer Johnson
Staff Recommendation *Approve with conditions, including a variance to the Subdivision Regulations for frontage along an arterial road.*

APPLICANT REQUEST

Zone change to permit 25 single-family lots.

Preliminary SP

A request to rezone from One and Two-Family Residential (R40) to Specific Plan – Residential (SP-R) zoning for property located at 6015 Cloverland Drive and a portion of property located at 6021 Cloverland Drive, approximately 950 feet west of Edmondson Pike (7.2 acres), to permit up to 25 detached single-family residential dwelling 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 7 lots with 1 duplex lot for a total of 8 units.*

Proposed Zoning

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

CRITICAL PLANNING GOALS

N/A

SOUTHEAST COMMUNITY PLAN

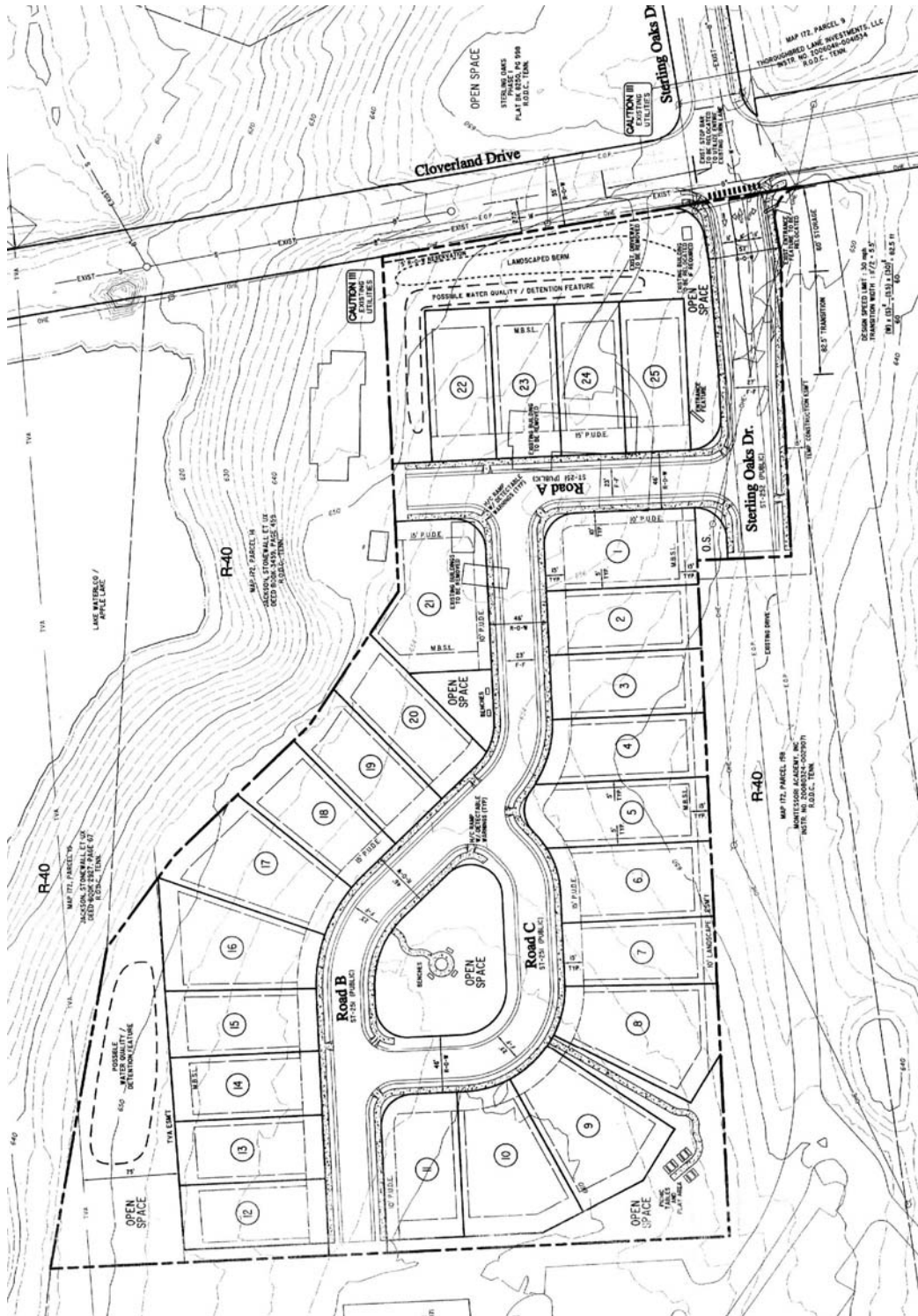
Residential Low-Medium (RLM) policy is intended to accommodate residential development within a density range of two to four dwelling units per acre. The predominant development type is single-family homes, although some townhomes and other forms of attached housing may be appropriate.

Consistent with Policy?

Yes. The proposal is consistent with the density recommendation of the RLM policy of 2-4 dwelling units per acre and provides for future street connections through the Montessori School site, as recommended by the policy.



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Proposed Specific Plan



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PLAN DETAILS

Normally, proposals for single-family detached subdivisions will go through base zone change and concept subdivision plan processes instead of an SP zone change. In this case, the applicant applied for an SP zone change to achieve additional density permitted within the RLM policy range of 2-4 dwelling units per acre. As proposed, the density of this subdivision is approximately 3.5 dwellings per acre. The minimum lot size within this subdivision is 5,000 square feet. Had the applicant sought a standard zone change under a base zone change and cluster-lot subdivision, the minimum lot size would likely be around 7,500 square feet, which would have reduced the overall density of the proposal.

The SP proposal includes 25 single-family lots organized around an internal street system. Access is provided at the intersection of Cloverland Drive and Sterling Oaks Drive. The public street extension of Sterling Oaks Drive from the Cloverland Drive intersection will utilize a portion of an adjacent parcel, which is occupied by a Montessori school.

Open spaces are provided within the SP plan. One active open space area is provided within the middle of the cul-de-sac loop. Another is provided at the southwest corner of the site and is largely within a TVA easement. An open space area is also provided along the Cloverland Drive frontage. This open space area includes a possible stormwater detention pond.

ANALYSIS

Staff presented the following issues with the SP design in the staff report from for the August 8, 2013, meeting. These issues formed the basis for the previous disapproval recommendation.

- The SP did not show a topographic reason for proposing a cul-de-sac, as required by the Subdivision Regulations.
- The SP did not sufficiently plan for future subdivision of the remainder of the Montessori school property.
- The SP did not meet the Subdivision Regulations for orienting dwelling units toward arterial or collector streets. In this case, lots along Cloverland Drive did not face Cloverland Drive.

These issues have been addressed by the revised SP submittal. The first two issues have been addressed through the placement of a stub street connection to the Montessori school property to the south of the site. With this stub connection, the SP no longer includes a cul-de-sac. This stub connection will also provide for additional street connectivity if the Montessori school site redevelops.

The third issue is the orientation of lots along Cloverland Drive. Although the SP includes residential lots along Cloverland Drive separated from the street by an open space area, these lots do not face Cloverland Drive, as required by the Subdivision Regulations. However, the applicant has submitted information showing that the topography of the site would not allow for meaningful interaction between the street and development of these adjacent lots. The difference in grade between the street and the proposed lots is approximately 10 feet along much of the frontage. Most of the change in grade occurs abruptly at the Cloverland Drive frontage. The SP has been redesigned to include a landscaped berm to screen a possible stormwater feature along the frontage and the backyards of adjacent lots. This landscaped berm will completely screen the residential lots from the Cloverland Drive frontage. Existing development in the vicinity of this SP is suburban in nature along Cloverland Drive. Many existing subdivisions include residential lots where the backs



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of dwellings are visible from Cloverland Drive. Staff recommends approval of a variance to the Subdivision Regulations to permit the subdivision without lots facing Cloverland Drive.

Variations to Subdivision Regulations

Section 1-11.1 of the Subdivision Regulations states that the Planning Commission may grant variances to the regulations when it finds that extraordinary hardships or practical difficulties may result from strict compliance with the regulations, provided that the variance does not nullify the intent and purpose of the regulations. It further states that findings shall be based upon the evidence presented in each specific case that:

- a. *The granting of the variance shall not be detrimental to the public safety, health, or welfare or injurious to other property or improvements in the neighborhood in which the property is located.*
- b. *The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property.*
- c. *Because of the particular physical surrounding, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations were carried out.*
- d. *The variance shall not in any manner vary from the provisions of the adopted General Plan, including its constituent elements, the Major Street Plan, or the Zoning Code for Metropolitan Nashville and Davidson County (Zoning Code).*

Staff recommends approval of a variance to the Subdivision Regulations for lot frontage along an arterial road. The SP design and existing topographic conditions support necessary exemptions or variances to the regulations.

- a. Granting this variance is not detrimental to the public safety, health, or welfare or injurious to other property or improvements in the neighborhood in which the property is located.
- b. The unique circumstance of the site is the steep grade along Cloverland Drive frontage. This slope is unique among surrounding properties.
- c. The existing slope of the site along Cloverland Drive will only permit minimal visibility of residential structures from the street frontage. The visual interaction of residential structures and street frontages is a primary intent of the frontage requirements of the Subdivision Regulations.
- d. Approval of the variance will not vary from requirements of the Zoning Code or policies of applicable community or infrastructure plans.

FIRE MARSHAL RECOMMENDATION

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

Conditionally approved – Additional water quality / detention facilities may be required to treat the far west section of the site.

PUBLIC WORKS RECOMMENDATION

Approve with conditions

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- The design and layout of all streets and/ or alleys is to be coordinated with MPW. With any change to the current layout additional comments will be forthcoming.



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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
Single-Family Residential (210)	7.2	0.93 D	7 U	67	6	8

*Based on one duplex lot

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	7.2	-	24 U	230	18	25

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
-	-	-	+ 17	+167	+12	+17

SCHOOL BOARD REPORT

Projected student generation existing R40 district: 1 Elementary 0 Middle 0 High
Projected student generation proposed SP-R district: 3 Elementary 1 Middle 1 High

The proposed SP-R zoning district could generate 4 more students than what is typically generated under the existing R40 zoning district. Students would attend Granbery Elementary School, Oliver Middle School, and Overton High School. All three schools have been identified as over capacity. There is no capacity within the cluster for additional elementary or middle school students. However, there is capacity within an adjacent cluster for high school students. This information is based upon data from the school board last updated September 2012.

The fiscal liability of 3 new elementary students is \$60,000 (3 X \$20,000 per student). The fiscal liability of 1 new middle school student is \$23,500. This is only for information purposes to show the potential impact of this proposal, it is not a staff condition of approval.

STAFF RECOMMENDATION

Staff recommends approval with conditions of the SP, including a variance to the Subdivision Regulations. The proposal is consistent with the density recommendation of the RLM policy of 2-4 dwelling units per acre and provides for future street connections through the Montessori School site, as recommended by the policy.

CONDITIONS

1. Uses within this SP shall be limited to single-family residential.
2. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Council approval, the property shall be subject to the standards, regulations and requirements of the RS5 zoning district as of the date of the applicable request or application.



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



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2012S-130-001
NOELTON
Map 118-09, Parcel 180
Green Hills – Midtown
25 – Sean McGuire



Project No. Subdivision 2012S-130-001
Project Name Noelton
Council District 25 – McGuire
School District 07 – Pinkston
Requested by Patrick Coode, applicant, Clifford Richmond, owner

Deferral This item was deferred indefinitely by the Planning Commission at the January 10, 2013, meeting at the request of the applicant in order to address Stormwater issues. New notices were mailed for this hearing.

Staff Reviewer Cuthbertson
Staff Recommendation *Approve with conditions.*

APPLICANT REQUEST
Final plat to create five lots.

Final Plat

A request for final plat approval to create five lots on property located at 3400 Lealand Lane, at the southeast corner of Lealand Lane and Noelton Avenue (1.42 acres), zoned R10.

Existing Two-Family Zoning

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

CRITICAL PLANNING GOALS

- Supports Infill Development

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

REQUEST DETAILS

The parcel currently contains one duplex. The applicant is requesting to subdivide the 1.42 acre parcel into five single-family residential lots; the applicant has agreed to limit development in this subdivision to single-family dwellings.

This final plat qualifies as an infill subdivision per Section 3-5 of the subdivision regulations. As such, the residential lots resulting from the proposed subdivision are required to be generally comparable with the surrounding lots. To ensure comparability the resulting lots must meet the minimum standards of the zoning code, have street frontage, meet the current standards of all reviewing agencies, and meet/not exceed the prescribed density of the land use policy. The applicable land use policy (RLM - Residential Low Medium) limits density to a maximum of four dwellings units per acre. With approval of the proposed subdivision, the density of the surrounding



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neighborhood will remain under four units per acre. In an attempt to ensure a development pattern more compatible with the surrounding neighborhood, an 80 foot building setback from Lealand Lane is being established by this plat. Additionally, to limit driveways on the collector street, Lealand Lane, access to Lots 1, 2, and 3 will be restricted to/from a shared driveway within an access easement extending along the backs of the lots from Noelton Avenue. The applicant intends to keep the existing structure, but convert it to a single-family dwelling.

Sidewalks are required on Lealand Lane and Noelton Avenue. The applicant is eligible to contribute to the sidewalk fund in-lieu of constructing the required sidewalks.

WATER SERVICES RECOMMENDATION

Approved

STORMWATER RECOMMENDATION

Approved

PUBLIC WORKS RECOMMENDATION

Approved with conditions:

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- No building permits are to be issued until construction plans for the public sidewalks are submitted OR the in-lieu of fee is paid to the Planning Department.

STAFF RECOMMENDATION

Staff recommends approval with conditions. The proposed subdivision meets the Subdivision Regulations and the Zoning Code.

CONDITIONS

1. Sidewalks are required along the Lealand Lane and Noelton Avenue frontages of the proposed subdivision. Therefore, prior to final plat recordation, one of the options must be chosen related to sidewalks:
 - a. Submit a bond application and post a bond with the Planning Department,
 - b. Construct sidewalk and have it accepted by Public Works,
 - c. Submit contribution in-lieu of construction to the Planning Department, four additional lots will require a \$6,000 contribution to Pedestrian Benefit Zone 4-B.
 - d. Construct an equal length of sidewalk within the same Pedestrian Benefit Zone, in a location to be determined in consultation with the Public Works Department, or
 - e. Add the following note to the plat: "No building permit is to be issued on any of the proposed lots until the required sidewalk is constructed per the Department of Public Works specifications." Sidewalk shall be shown and labeled on the plan per Public Works Standards with the required curb and gutter.
2. Comply with all Public Works conditions.



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2013S-121-001
KENNER MANOR LAND, RESUB LOTS 126 & 127
Map 116-08, Parcel(s) 082
Green Hills - Midtown
24 - Jason Holleman



Project No. Subdivision 2013S-121-001
Project Name Kenner Manor Land, Resub. Lots 126 & 127
Council District 24 – Holleman
School District 8 – Hayes
Requested by Leonard E. Leech et ux, owners; Dale & Associates, applicant

Deferral This request was deferred by the Planning Commission at the August 22, 2013 meeting at the request of the applicant.

Staff Reviewer Cuthbertson
Staff Recommendation *Defer to September 26, 2013. Approve with a condition if Metro Stormwater recommends approval prior to the September 12, 2013 Planning Commission meeting.*

APPLICANT REQUEST

Final plat to create three duplex lots.

Final Plat

A request for final plat approval to create three duplex lots on property located at 4006 Woodmont Boulevard, at the northeast corner of Woodmont Boulevard and Woodmont Hall Place, zoned R10 (0.98 acres).

Existing Zoning

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

CRITICAL PLANNING GOALS

- Supports Infill Development

The proposed subdivision creates three lots in a developed section of Green Hills, which will permit up to six dwellings. The proposed subdivision utilizes existing infrastructure.

HISTORY

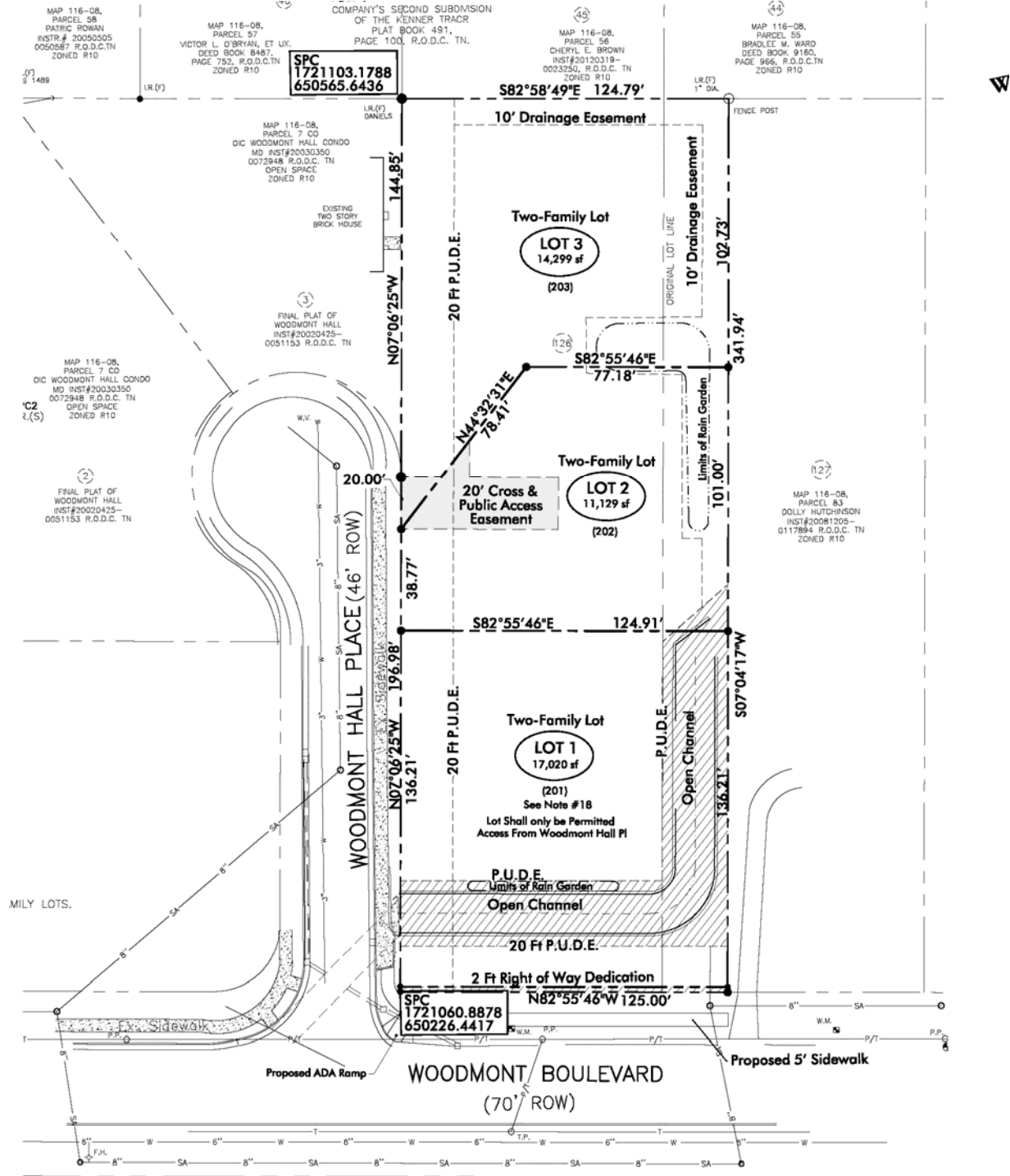
Woodmont Hall Place, abutting the subject property to the west, was established with the development of the Woodmont Hall subdivision. In 2001, the Planning Commission approved the Woodmont Hall subdivision which proposed a public street extension (Woodmont Hall Place) and three lots all to contain two-family residences. The Woodmont Hall subdivision has developed as proposed.

REQUEST DETAILS

The property is located at the northeast corner of Woodmont Boulevard and Woodmont Hall Place and is just less than one acre. The proposed subdivision will consist of three lots each containing more than 10,000 square feet of area. Each lot is intended to accommodate two-family dwellings, as permitted by the current zoning, for a total of six residential units.



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Proposed Subdivision



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Each of the lots will have frontage on Woodmont Hall Place to the west and the southern-most lot will also have frontage on Woodmont Boulevard. No vehicular access will be permitted from Lot 1 directly to Woodmont Boulevard. Lots two and three on the north side of the subdivision will share a driveway through an access easement. All three lots will have direct access to Woodmont Hall Place.

Sidewalks are required to be constructed with this development and the existing sidewalk will be extended east along Woodmont Boulevard in front of the subdivision. Additionally, the applicant is establishing drainage easements to accommodate an existing drainage channel running through the southern end of the site and for water quality/ quantity measures associated with the future development.

This final plat qualifies as an infill subdivision per Section 3-5 of the subdivision regulations. As such, the residential lots resulting from the proposed subdivision are required to be generally comparable with the surrounding lots. To ensure comparability the resulting lots must meet the minimum standards of the zoning code, have street frontage, meet the current standards of all reviewing agencies, and meet/not exceed the prescribed density of the land use policy. The applicable land use policy (RLM - Residential Low Medium) limits density to a maximum of four dwellings units per acre. With approval of the proposed subdivision, the density of the surrounding neighborhood will remain under four units per acre.

ANALYSIS

The proposed subdivision meets all applicable subdivision regulations and zoning requirements. It meets a critical planning goal by supporting infill development in a manner that is consistent with the development pattern established in the surrounding area.

FIRE MARSHAL RECOMMENDATION

Approve with a condition:

- 20' access easement shall be paved to Fire Department standards for turnaround prior to any construction.

STORMWATER RECOMMENDATION

- Provide approved construction drawings.
- Provide PUDE's based on approved construction drawings.
- Outline the limits and label all stormwater features on the plat (water quality, water quantity, etc.).
- Provide PUDE's for said features.
- Add Maintenance Agreement number to plat.

PUBLIC WORKS RECOMMENDATION

No Exception Taken:

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

STAFF RECOMMENDATION

Defer to September 26, 2013. Approve with a condition if Metro Stormwater recommends approval prior to the September 12, 2013, Planning Commission meeting. The final plat complies with all subdivision regulations and zoning requirements.



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CONDITIONS

1. Comply with all Fire Marshal and Metro Stormwater requirements.



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COMMUNITY PLAN POLICY CHANGES and ASSOCIATED CASES

- **Plan Amendments**
- **Specific Plans**



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2013CP-005-002

EAST NASHVILLE PLAN AMENDMENT (Porter Road)

Map 072-15, Parcels 185, 188, 237-241, 243, 245, 251 and 252

East Nashville

07 - Anthony Davis



Project No.	Major Plan Amendment 2013CP-005-002
Project Name	East Nashville Community Plan Amendment
Associated Case	2013SP-030-001
Council District	5 – Davis
School District	5 – Kim
Requested by	Dale & Associates, applicant, Riverside Church of Christ, Ashley Samuel Land Trust and Russell Jenkins, owners
Staff Reviewer	Capehart
Staff Recommendation	<i>Defer to the September 26, 2013, MPC meeting</i>

APPLICANT REQUEST

Amend land use policy from Neighborhood General (NG) and Residential Low Medium (RLM) to Neighborhood Center (NC).

Major Plan Amendment

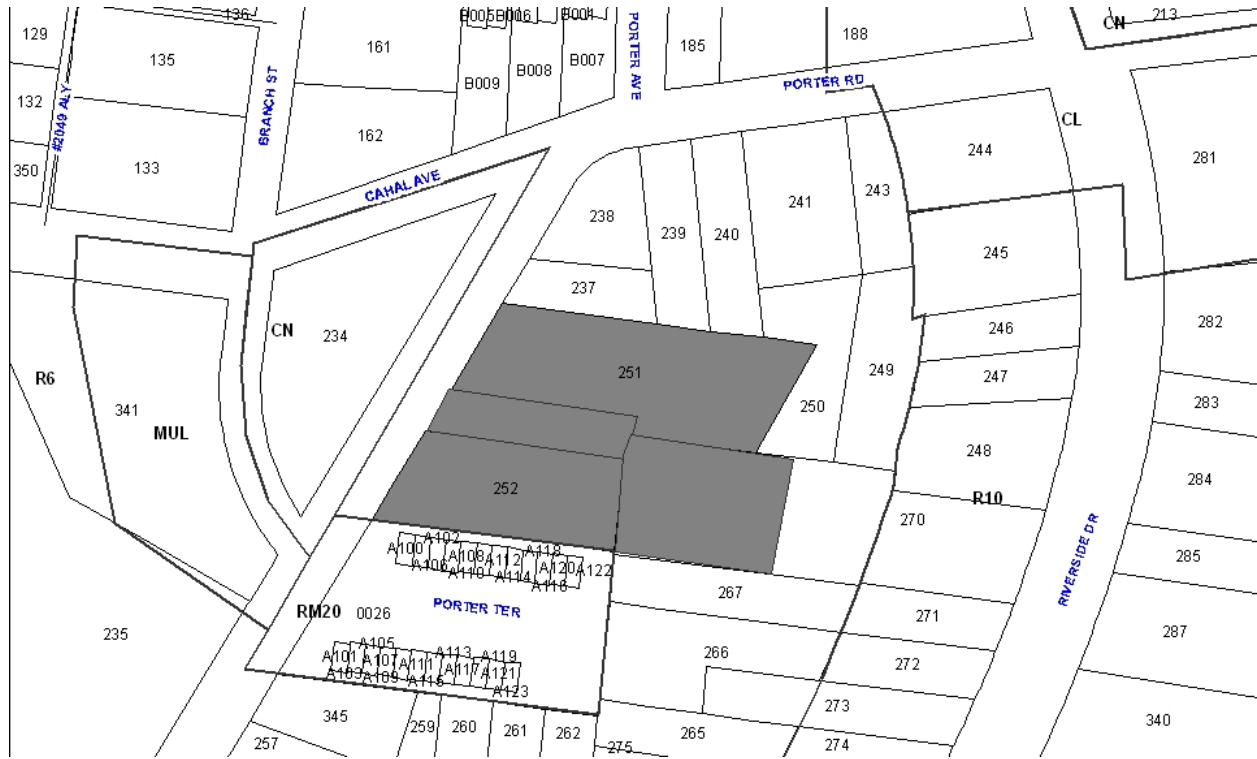
A request to amend the East Nashville Community Plan: 2006 Update to change the land use policy from Neighborhood General (NG) and Residential Low Medium (RLM) to Neighborhood Center (NC) for multiple properties located at the intersection of Cahal Avenue and Porter Road.

STAFF RECOMMENDATION

Staff recommends that the request be deferred to the September 26, 2013, Planning Commission meeting to give the applicant additional time to work with planning staff on the design of the proposed project. The applicant has requested the deferral.



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2013SP-030-001

PORTER ROAD

Map 072-15, Parcel(s) 251-252, Part of Parcel 270

East Nashville

07 - Anthony Davis



Project No.	Zone Change 2013SP-030-001
Project Name	Porter Road SP
Associated Case	2013CP-010-002
Council District	5 – Davis
School District	5 – Kim
Requested by	Dale & Associates, applicant, Riverside Church of Christ, Ashley Samuel Land Trust and Russell Jenkins, owners
Staff Reviewer	Swaggart
Staff Recommendation	<i>Defer to the September 26, 2013, MPC meeting</i>

APPLICANT REQUEST

Zone Change to permit a multi-use development.

Preliminary SP

A request to rezone from Single and Two-Family Residential (R6) to Specific Plan – Mixed Use (SP-MU) zoning for properties located at 1505 and 1507 Porter Road and for a portion of properties located at 1516 and 1528 C Riverside Drive, approximately 200 feet south of Cahal Avenue, (1.89 acres), to permit up to 28 residential dwelling units and up to 6,000 square feet of commercial space.

STAFF RECOMMENDATION

Staff recommends that the request be deferred to the September 26, 2013, Planning Commission meeting to give the applicant additional time to work with planning staff on the design of the proposed project. The applicant has requested the deferral.



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RECOMMENDATIONS TO METRO COUNCIL

- **Specific Plans**
- **Zone Changes**



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2009SP-004-001

HORRELL PROPERTIES (4 YEAR REVIEW)

Map 093-14, Parcel(s) 499

Downtown

19 - Erica S. Gilmore



Project No.	SP District Review 2009SP-004-001
Project Name	Horrell Properties SP
Council District	19—Gilmore
School District	05—Kim
Requested by	Metro Planning Department
Staff Reviewer	Diaz-Barriga
Staff Recommendation	<i>Find the SP District active.</i>

APPLICANT REQUEST

Four year SP review to determine activity.

SP Review

The periodic review of an approved Specific Plan (A) district known as "Horrell Properties" to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code (Review of a Development Plan), for property located at 809 5th Avenue South (.69 acres), approved for wrecker service, auto repair and all other uses permitted in the CF zoning district, via Council Bill BL2009-428, approved on July 23, 2009.

Zoning Code Requirement

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

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

DETAILS OF THE SP DISTRICT

This SP was approved to permit wrecker service, auto repair and all other uses permitted in the CF zoning district. The site plan identified several site improvements that were also to be completed. A new wooden, six foot, screen fence was to be installed along the front of the property, as well as extended 20 feet down the northwest property line. The existing chain link fence gates were also to be improved with vinyl inserts to screen the lot from the street. The retaining wall along the sidewalk was to be improved using the existing limestone blocks. The existing gravel entry was to be improved with new asphalt, and the existing parking space directly in front of the building was to be removed and re-seeded with grass. Landscaping was to be installed along the front building and fence line, with one 6' Pin Oak tree and fifteen 2' Holly bushes.

SPECIFIC PLAN REVIEW

As this SP regulates uses and does not need coordinated construction plans, a final site plan is not required. However, the use does need an active use permit, which would typically be issued only after site improvements have been completed. Staff conducted a site visit on July 26, 2013. Staff found that some, but not all, of the site improvements have been completed. Staff made the initial



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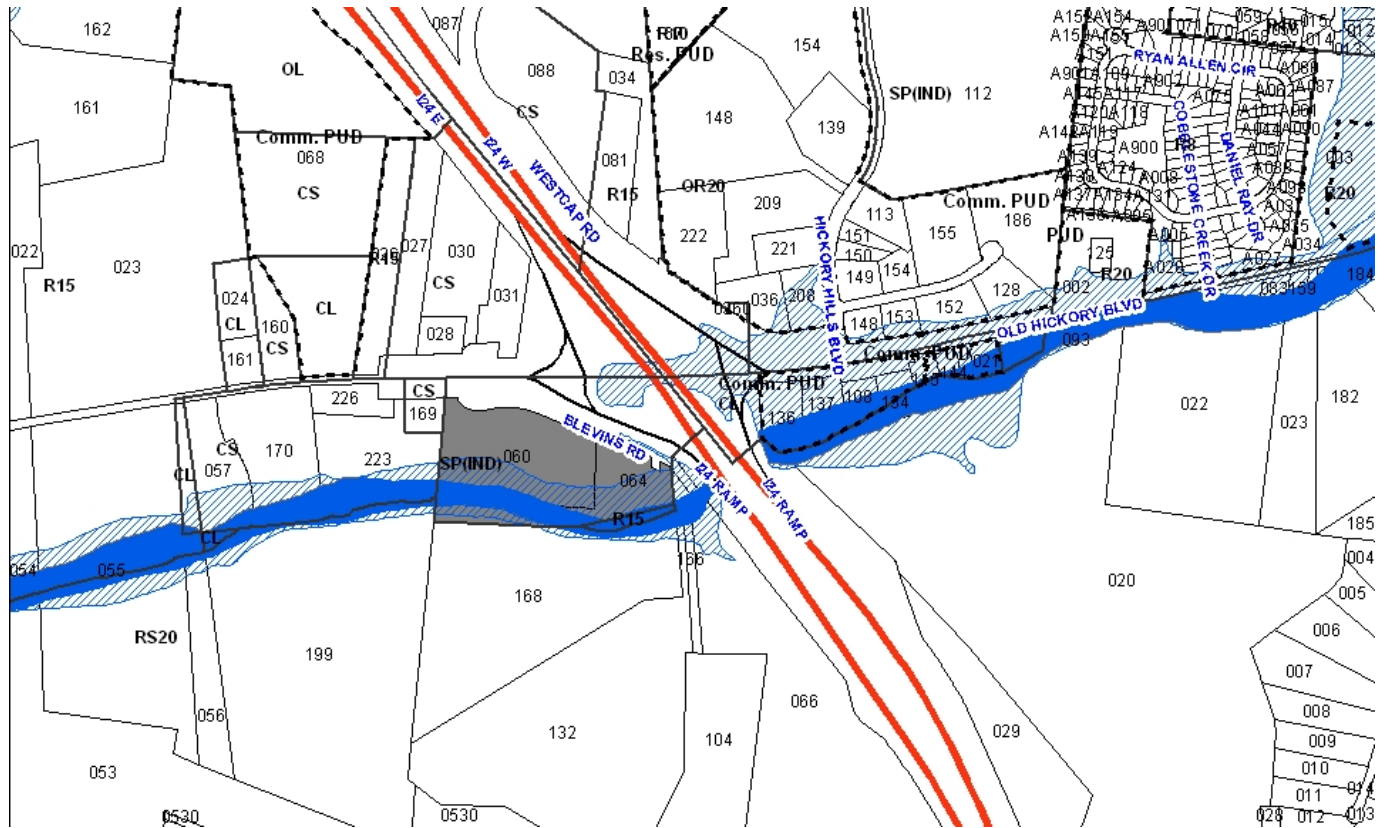
determination that this SP is inactive, as only some of the site improvements had been completed and a use permit was never issued. Staff contacted the owner to report its initial determination that the SP be found inactive and worked with the owner, who submitted a permit application on August 20, 2013. Staff has signed off on his use permit with the condition that all site improvements be completed within six months. As some of the site improvements were completed and the remaining site improvements are a condition of the use permit with a defined time limit, staff is recommending this SP be found to be actively under development. Should the conditions not be met within the six month time frame, their permit will be invalid and they could be cited for operating illegally.

STAFF RECOMMENDATION

Staff recommends that the Horrell Properties SP be found to active.



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2009SP-011-001
BLEVINS ROAD (4 YEAR REVIEW)
Map 040, Parcel(s) 060, 064
Bordeaux - Whites Creek
03 - Walter Hunt



Project No. SP District Review 2009SP-011-001
Project Name Blevins Road SP
Council District 03--Hunt
School District 01--Gentry
Requested by Metro Planning Department

Staff Reviewer Diaz-Barriga
Staff Recommendation Find the SP District complete.

APPLICANT REQUEST

Four year SP review to determine activity.

SP Review

The periodic review of an approved Specific Plan (IND) district known as "Blevins Road", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code (Review of a Development Plan), for properties located at 3146 Old Hickory Boulevard and 3108 Blevins Road, (16.39 acres), approved for Automobile Sales, Used, Automobile Repair, Vehicular Sales and Services, Heavy Equipment Repair, Wrecker Services and Outdoor Storage subject to the standards, regulations and requirements of the IWD zoning district via Council Bill BL2009-472 approved on July 23, 2009.

Zoning Code Requirement

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

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

DETAILS OF THE SP DISTRICT

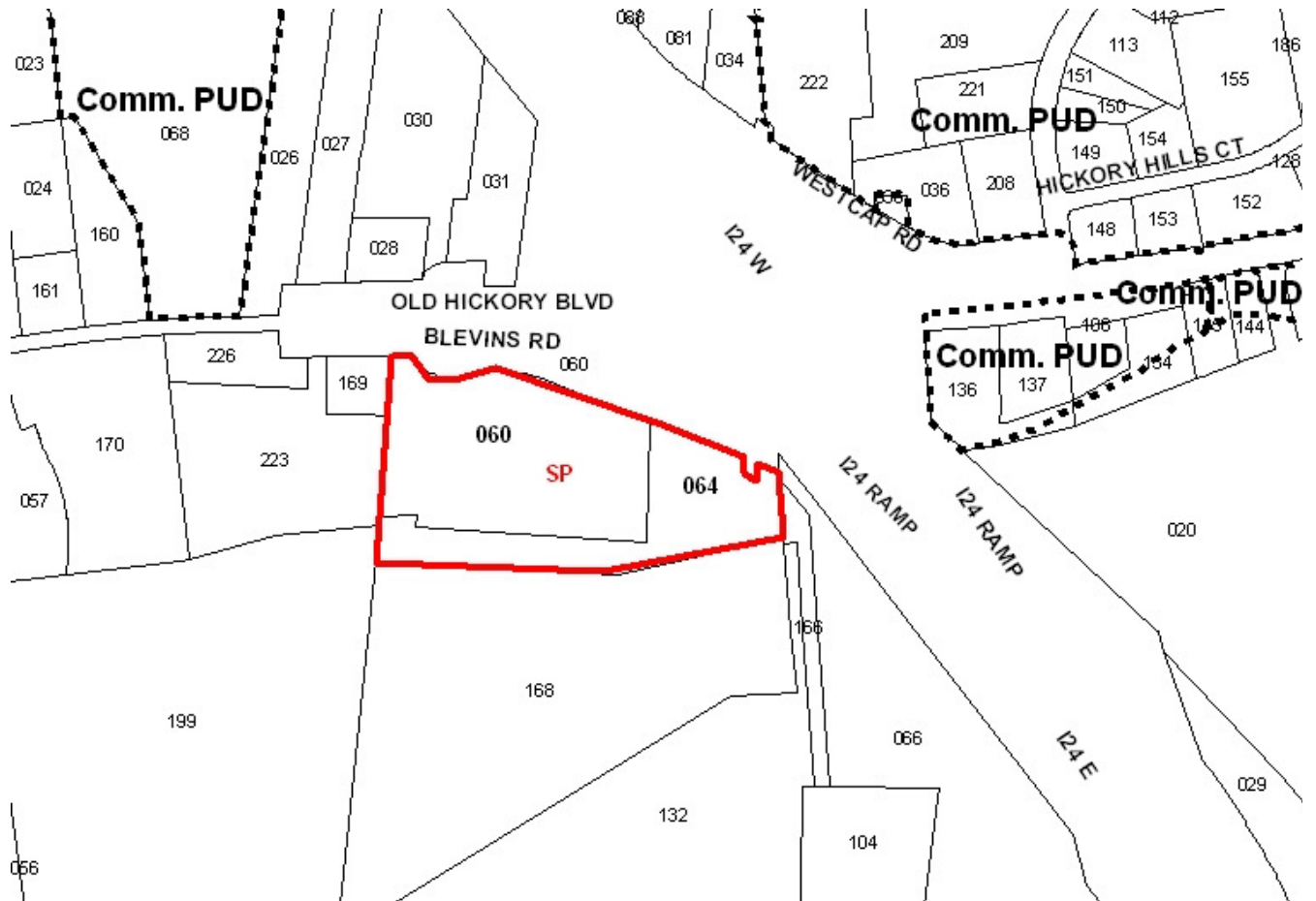
This SP was regulatory in nature, and limited two parcels to all uses in the CS zoning district subject to the standards, regulations and requirements of the CS zoning district and to permit Automobile Sales, Used, Automobile Repair, Vehicular Sales and Services, Heavy Equipment Repair, Wrecker Services and Outdoor Storage subject to the standards, regulations, and requirements of the IWD zoning district. The SP included a site plan that defines the limits of this SP, as Map 040-00, Parcels 060 and 064.

SPECIFIC PLAN REVIEW

The property is operating under an active permit for Heavy Equipment Sales, which is categorized as a Heavy Equipment Repair use. Heavy Equipment Sales and Services is defined in the Zoning Code as retail or wholesale sale or rental of heavy motorized vehicles or equipment, along with incidental service or maintenance such as, but not limited to, construction equipment rental yards, tractor-trailers, semi-trailers, boats, buses, recreational vehicles, farm equipment and moving trailer



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Approved Specific Plan



Metro Planning Commission Meeting of 9/12/2013

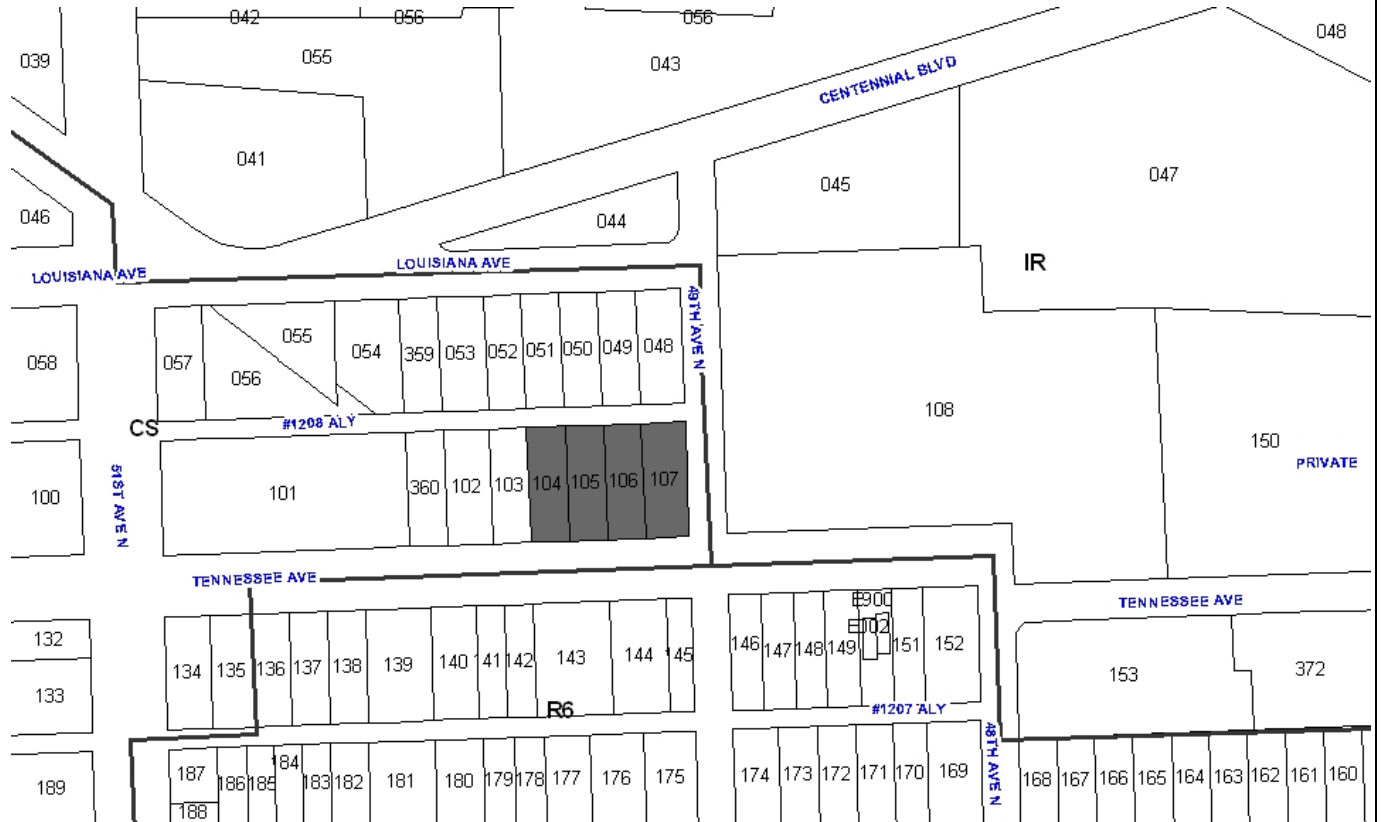
rental. Staff conducted a site visit on July 26, 2013, and found a tour bus rental company operating on-site. The on-site use matches the active permit and an approved SP use. There were no specific conditions in the Council Bill in regards to the site, and the site plan had no site improvement or limitation requirements.

STAFF RECOMMENDATION

Staff recommends that the Blevins Road SP be found to be complete.



Metro Planning Commission Meeting of 9/12/2013



2013SP-027-001
TENNESSEE AVENUE COTTAGES
 Map 091-07, Parcel(s) 104-107
 West Nashville
 20 – Buddy Baker



Project No. Zone Change 2013SP-027-001
Project Name Tennessee Avenue Cottages SP
Council District 20 – Baker
School District 1 – Gentry
Requested by Nashville Civil, LLC, applicants, James Satterfield and Ronald Griffeth, owner

Staff Reviewer Cuthbertson
Staff Recommendation *Defer to September 26, 2013. Approve with conditions if Metro Stormwater recommends approval prior to the September 12, 2013, Planning Commission meeting.*

APPLICANT REQUEST
Permit nine residential units.

Preliminary SP

A request to rezone from Commercial Services (CS) to Specific Plan-Residential (SP-R) zoning for properties located at 4900, 4902, 4904 and 4906 Tennessee Avenue, at the northwest corner of Tennessee Avenue and 49th Avenue North (0.7 acres), to permit up to nine residential dwelling units.

Existing Zoning

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

Proposed Zoning

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

CRITICAL PLANNING GOALS

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

This SP, proposing nine detached residential units, provides for additional residential density and housing types on a mostly vacant lot in an existing neighborhood. The proposed infill development will support the viability of the neighborhood by increasing population near the 51st Avenue corridor. The development further supports the walkability of the neighborhood by establishing buildings close to the street and orienting them towards proposed sidewalks. The SP also minimizes the impact of automobiles on the pedestrian environment by creating better defined on-street parking and placing on-site parking behind the buildings and limiting access to an existing alley.



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WEST NASHVILLE COMMUNITY PLAN

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

Consistent with Policy?

Yes. The SP provides additional housing in the form of detached residential dwellings that will support and enhance the viability of the neighborhood while facilitating a transition in development intensity between the residential neighborhood to the south and the industrial area to the north

The layout is consistent with the general character of urban neighborhoods as it orients the homes to the public street and minimizes impact from vehicular access to the site.

PLAN DETAILS

This SP proposes nine detached residential units. The existing dwelling and small warehouse on the subject property will be removed. The site is located at the northeastern edge of a residential neighborhood adjacent to an industrial area to the north. A mixture of housing types and uses are found in the surrounding neighborhood, including a church use immediately to the south and industrial uses immediately to the north and east.

Site Plan

The SP proposes a layout in which seven of the nine proposed buildings are oriented towards public streets, while the other two are located interior to the site and front a courtyard. The street fronting townhomes will be constructed with a twenty foot setback along Tennessee Avenue and a fifteen foot setback along 49th Avenue North, will have elevated (30 inches) front porches and will have front entrances connected to the abutting sidewalks. The corner unit will provide a wrap-around porch in order to orient to both abutting public streets. Each dwelling unit will have a relatively small footprint, but will be permitted a building height up to three stories in 35 feet as measured to the top of the roof, which is less than with the maximum height permitted in the adjacent R6 zoning district.

Vehicular access to the site will be limited to one 24 foot wide driveway from the alley on the north side of the development. The development meets the parking requirement by providing seventeen on-site parking spaces and eight bulb-in street parking spaces around the perimeter of the site.

Street trees will enhance the development by softening the transition between the buildings and abutting public sidewalks. Tree planting in addition to a screening fence will buffer the neighbors to the east from the development's parking area.

ANALYSIS

The proposed SP is consistent the Urban Mixed Use Corridor policy. The plan supports infill development, improves the walkability of the neighborhood and provides for a wider range of housing options while enhancing the urban character found along both 49th Avenue and Tennessee Avenue corridors and in the surrounding area.



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SCHOOL BOARD REPORT

Projected student generation 5 Elementary 3 Middle 3 High

Students would attend Cockrill Elementary School, McKissack Middle School, or Pearl-Cohn High School. Of these, Cockrill Elementary School has been identified as being over capacity by the Metro School Board. However, there is capacity within the cluster for elementary school students. This information is based upon data from the school board last updated October 2012.

STORMWATER RECOMMENDATION

- All water quantity and quality features shall be located in Open Space / PUDE (not in residential lots).

PUBLIC WORKS RECOMMENDATION

Approve with conditions

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- Indicate on the plans the proposed sidewalks with curb and gutter and grass strip. The sidewalk must be located within public ROW.
- All driveways to be MPW standard ramps, to be coordinated with Final SP

Maximum Uses in Existing Zoning District: CS

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Retail (814)	0.7	0.6	18,295 SF	821	22	66

Maximum Uses in Proposed Zoning District: SP-R

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (210)	0.7	-	9 U	87	7	10

Traffic changes between maximum: CS 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
-	-	-	-	-734	-15	-56

STAFF RECOMMENDATION

Defer to September 26, 2013. Approve with conditions and disapprove without all conditions if Metro Stormwater recommends approval prior to the September 12, 2013, Planning Commission meeting. The request is consistent with the site's Urban Mixed Use Corridor land use policy and meets several critical planning goals.



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CONDITIONS

1. Replace Note #21 on the plan with the following:
“Building elevations for all street, courtyard and parking area facades shall be provided with the final site plan. The following standards shall be met:
 1. Building facades fronting a street, courtyard and parking area shall provide a minimum of one principal entrance (doorway) and a minimum of 30% glazing. A building located at the corner of 49th Avenue North and Tennessee Avenue shall only be required to provide a principal entrance facing Tennessee Avenue.
 2. Windows shall be vertically oriented at a ratio of 2:1 or greater.
 3. EIFS and vinyl siding shall be prohibited.
 4. Finished ground floors and porches shall be elevated a minimum of 30 inches and no greater than 48 inches from the abutting average ground elevation.
 5. Porches shall provide a minimum of six feet of depth.
2. Provide a covered stoop or porch on the plan for all façades fronting the courtyard.
3. Provide note on the plan indicating that covered porches, stoops and balconies may encroach up to six feet into a street setback.
4. All requirements of the Public Works Department shall be met.
5. Uses within the SP shall be limited to a maximum of nine residential units.
6. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Council approval, the property shall be subject to the standards, regulations and requirements of the RM20 zoning district as of the date of the applicable request or application.
7. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no later than 120 days after the effective date of the enacting ordinance. The corrected copy provided to the Planning Department shall include printed copy of the preliminary SP plan and a single PDF that contains the plan and all related SP documents. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.
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.



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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.



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2013SP-031-001

US BANK 4601 GALLATIN PIKE (PRELIM & FINAL)

Map 061-07, Parcel(s) 050

East Nashville

08 - Karen Bennett



Project No.	Zone Change 2013SP-031-001
Project Name	US Bank – 4601 Gallatin Pike SP
Council District	8 – Bennett
School District	3 – Speering
Requested by	Metro Planning Department, applicant; US Bank National Association, owner
Staff Reviewer	Johnson
Staff Recommendation	<i>Approve with conditions</i>

APPLICANT REQUEST

Preliminary and Final SP to permit an existing bank.

Preliminary and final SP

A request to rezone from SP-MU to SP-MU and for final site plan approval for property located at 4601 Gallatin Pike, at the northwest corner of Gallatin Pike and Broadmoor Drive, (0.68 acres), to permit a 3,200 square foot bank and all other uses and standards of the MUL-A district in case of redevelopment of the site.

History

The Smith-Schultz SP for retail, retail storage, and coffee shop/refreshment counter was approved in 2006. Development of the site under this SP never occurred. In 2010, a 3,246 square foot financial institution was approved and constructed on the site because it was consistent with the use and form-based requirements of the Gallatin Pike SP, which was approved in 2007 and replaced the Smith-Schultz SP.

In 2013, the Gallatin Pike SP zoning district was declared invalid by the Tennessee Court of Appeals. Therefore, permits issued under the SP were not issued under a valid zoning district. Although the existing financial institution complied with the bulk standards of the Gallatin Pike SP at the time of approval, it does not meet the setback requirements of the Smith-Schultz SP, which remains the zoning district for this property. The existing setbacks also would not comply with the required build-to zone of the proposed ‘A’ zoning districts under application 2013Z-028PR-001. Because the building permit does not comply with the required setbacks and uses of the Smith-Schultz SP, nor the A district, it is now considered illegal, not a legally non-conforming. This proposed SP would allow the existing financial institution to be a legal use.

Existing Zoning

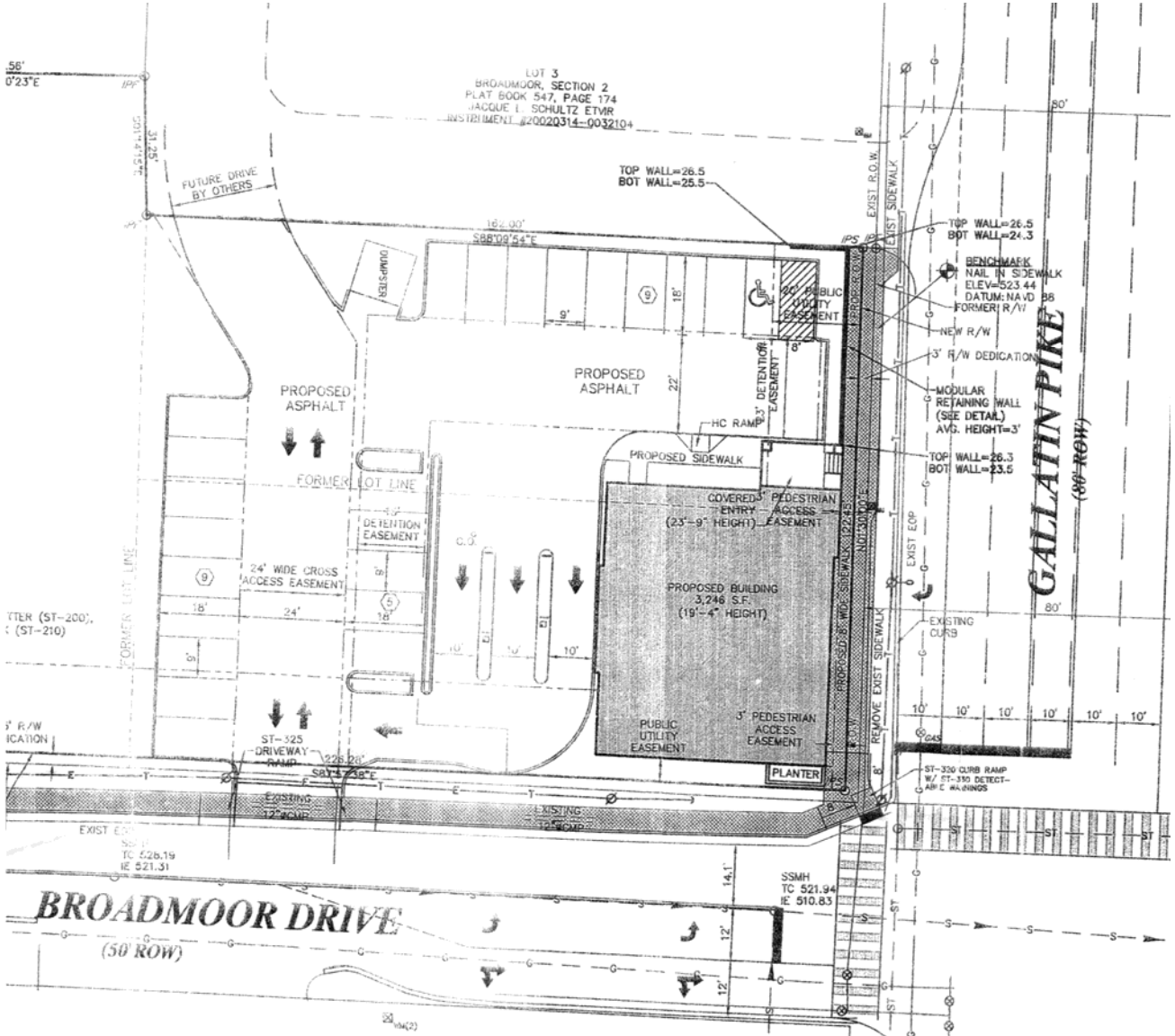
Specific Plan-Mixed Use (SP-MU) is a zoning District category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes residential uses in addition to office and/or commercial uses. *This SP includes 960 square feet of retail uses, 1,109 square feet of retail storage, and 531 square feet of coffee shop/refreshment counter.*

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



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Proposed Specific Plan



Metro Planning Commission Meeting of 9/12/2013

implement the specific details of the General Plan. This Specific Plan includes residential uses in addition to office and/or commercial uses. *This SP includes a 3,246 square financial institution.*

CRITICAL PLANNING GOALS

- Creates Walkable Neighborhoods
- Supports Infill Development

The existing financial institution promotes walkability through its front building entrance along the Gallatin Pike sidewalk and the placement of the associated parking and drive-thru to the side and rear of the lot. Because the site was previously developed and is in an existing neighborhood along a mixed use corridor, this is a strong example of infill development.

EAST NASHVILLE COMMUNITY PLAN

Detailed Policy

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.

General Policies

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

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.

Consistent with Policy?

Yes. The existing SP is consistent with both land use policies. The financial institution use and development is consistent with the intent of the Mixed Use in Community Corridor (MxU in CC) policy. The Neighborhood General policy is a residential policy. The portion of the site within the NG policy does not include any of the existing building or parking lot. This area serves as a buffer between the financial institution use and the residential development to the west.

PLAN DETAILS

The financial institution was constructed with short setbacks along the Gallatin Pike and Broadmoor Drive street frontages, as required by the Gallatin Pike SP. Parking and drive-thru lanes were constructed to the side and rear of the building. The rear of the property, which is within the Neighborhood General policy, serves as a buffer area between the financial institution and the existing dwellings to the west. The existing building and associated parking do not encroach onto this portion of the site.



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STORMWATER RECOMMENDATION

Approved

PUBLIC WORKS RECOMMENDATION

No exception taken

STAFF RECOMMENDATION

Staff recommends approval with conditions. The proposed SP is consistent with the existing land use policies. Although it does not meet the setback requirements of the Smith-Schultz SP and the proposed A districts along Gallatin Pike, it is consistent with the intent of these zoning districts to activate the street frontage through the placement of buildings and pedestrian entrances with short setbacks and the placement of parking to the side and behind buildings.

CONDITIONS

1. Permitted land uses within this SP are limited to financial institution and all uses permitted under the MUL-A zoning district.
2. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Council approval, the property shall be subject to the standards, regulations and requirements of the MUL-A zoning district as of the date of the applicable request or application.
3. Redevelopment of the site shall meet the standards, regulations and requirements for the MUL-A zoning district.
4. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no later than 120 days after the effective date of the enacting ordinance. The corrected copy provided to the Planning Department shall include printed copy of the preliminary SP plan and a single PDF that contains the plan and all related SP documents. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.
5. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
6. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

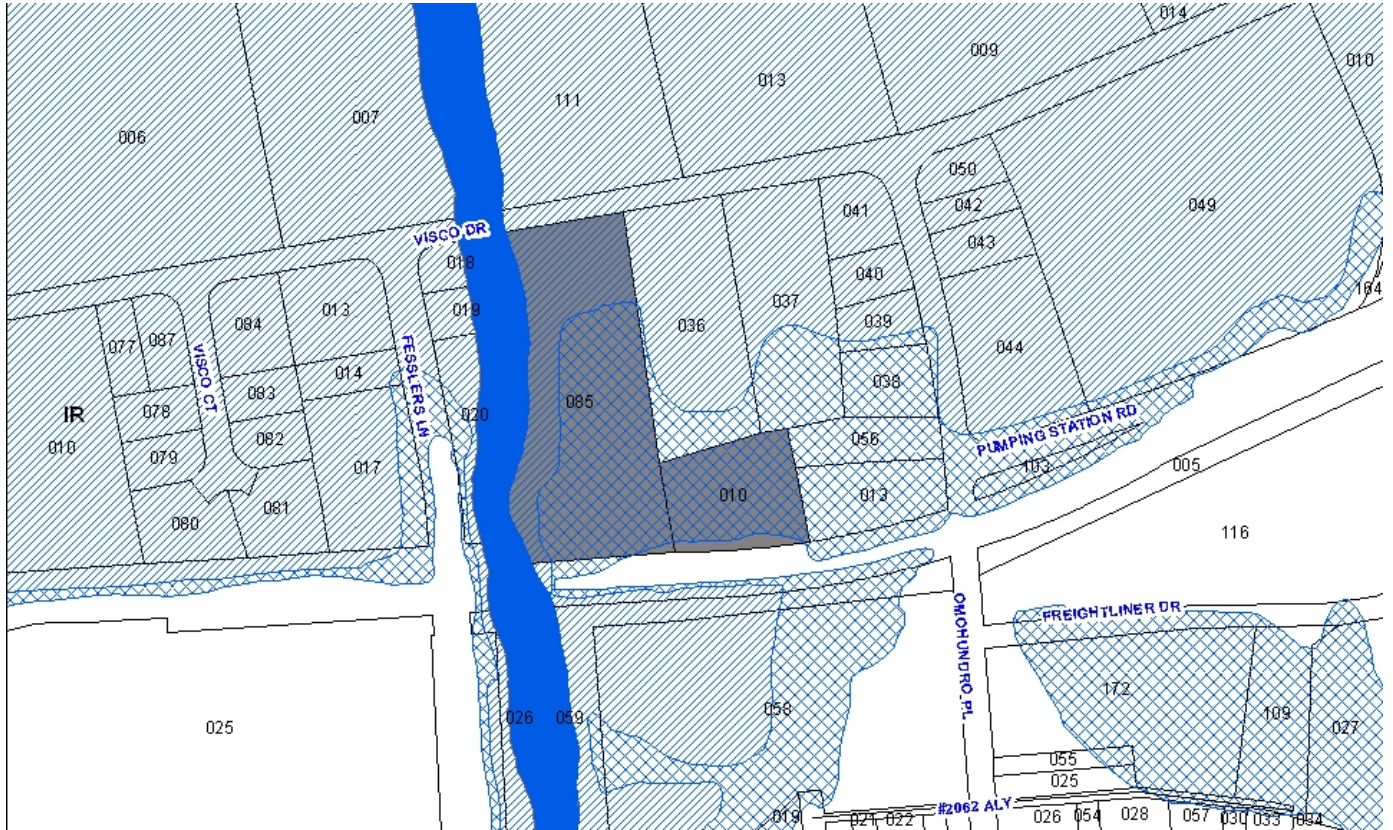


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2013Z-030PR-001

1044 OMOHUNDRO PLACE & 905 VISCO DRIVE

Map 094-09, Parcel(s) 085

Map 094-10, Parcel(s) 010

South Nashville

19 - Erica S. Gilmore



Project No.	Zone Change 2013Z-030PR-001
Council District	19 – Gilmore
School District	6 – Mayes
Requested by	Dale and Associates, applicant for Creative Strategic Investments, L.P. and Jimmy Allen et ux, owners
Staff Reviewer	Swaggart
Staff Recommendation	Approve

APPLICANT REQUEST

Zone change from IR to IG.

Zone Change

A request to rezone from Industrial Restrictive (IR) to Industrial General (IG) zoning for properties located at 1044 Omohundro Place and 905 Visco Drive, at the corner of Visco Drive and Fesslers Lane and partially located within the Floodplain Overlay District (6.83 acres).

Existing Zoning

Industrial Restrictive (IR) is intended for a wide range of light manufacturing uses at moderate intensities within enclosed structures. *The maximum build out under IR is 178,508 square feet.*

Proposed Zoning

Industrial General (IG) is intended for a wide range of intensive manufacturing uses. *The maximum build out under IG is 178,508 square feet.*

CRITICAL PLANNING GOALS

N/A

SOUTH NASHVILLE COMMUNITY PLAN

Industrial (IN) areas are dominated by one or more activities that are industrial in character. Types of uses intended in IN areas include non-hazardous manufacturing, distribution centers and mixed business parks containing compatible industrial and non-industrial uses.

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

Consistent with Policy?

Yes. The proposed IG district is consistent with the Industrial policy, which covers a majority of the site. While the IG district is not consistent with the NCO policy applied to the low areas along Brown's Creek, it will not permit any more disturbances within the buffer along Brown's Creek than what is currently permitted under the existing IR district. It is important to note that industrial districts are exempt from the floodplain regulations. While industrial districts are exempt the site is currently developed with the exception of the buffer along Brown's Creek and the proposed IG district will not permit any more disturbance than what is currently permitted. The intent of the IG district is to permit additional uses that are not permitted under the existing IR district. Uses in the IG district are more intense in nature than uses permitted in the IR district and include uses such as



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heavy manufacturing and scarp operation. The maximum FAR and ISR are the same with both districts. The site is located in an area that consists mostly of other industrial uses, including heavy industrial and the additional uses permitted with the IG district are appropriate for this site and much of the area.

PUBLIC WORKS RECOMMENDATION

A traffic study may be required at time of development.

No traffic table provided since uses and allowable floor areas are similar.

STAFF RECOMMENDATION

Staff recommends that the request be approved as the proposed IG zoning district is consistent with the land use policies on the subject site.

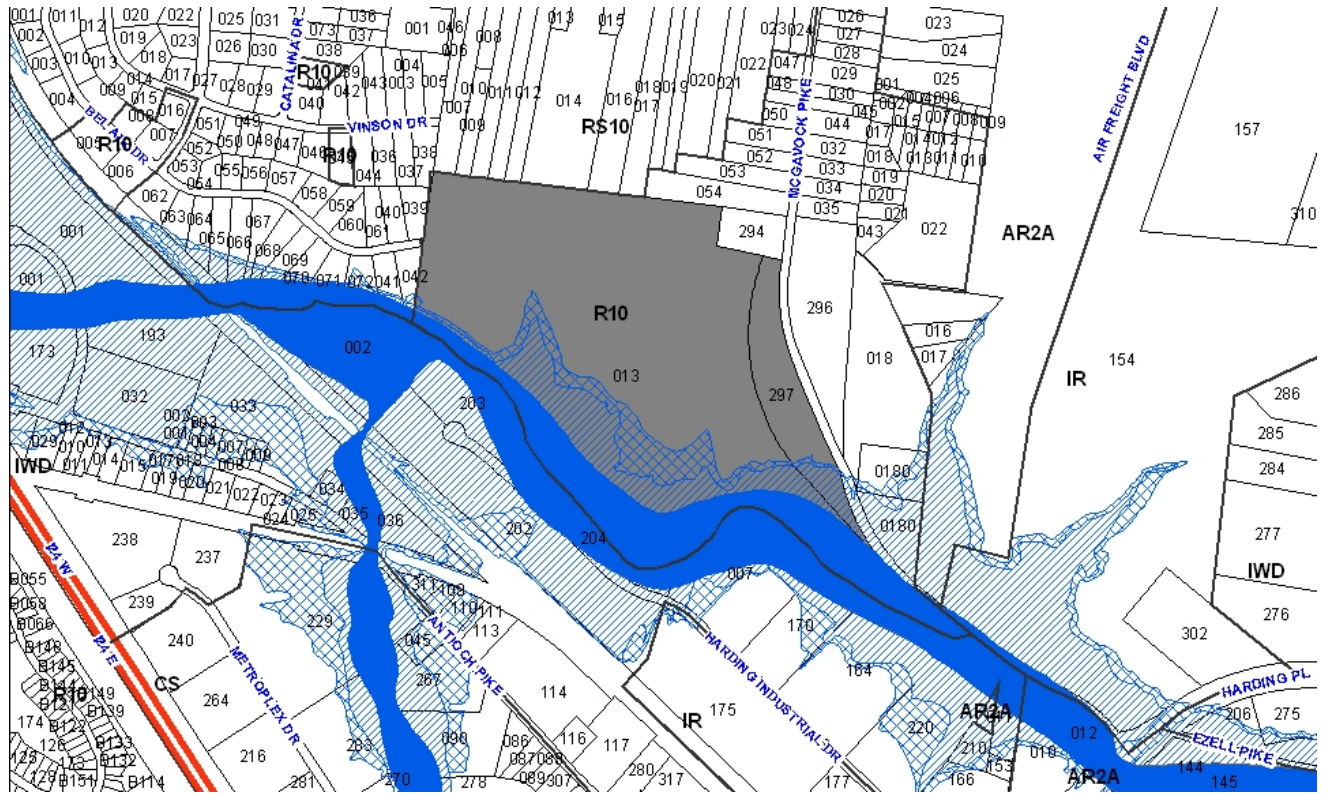


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2013Z-031PR-001

MCGAVOCK PIKE (UNNUMBERED) & STATE ASYLUM ROAD (UNNUMBERED)

Map 134, Parcel(s) 013, 297

Antioch - Priest Lake

13 - Josh Stites



Project No.	Zone Change 2013Z-031PR-001
Council District	13 - Stites
School District	7 - Pinkston
Requested by	Hawkins Development Company, applicant for Estate of Louise M. Miles and Metropolitan Nashville Airport Authority, owners
Staff Reviewer	Cuthbertson
Staff Recommendation	Approve

APPLICANT REQUEST

Zone Change from R10 to IWD.

Zone Change

A request to rezone from One and Two-Family Residential (R10) to Industrial Warehousing/Distribution (IWD) zoning for properties located at McGavock Pike (unnumbered), approximately 1,850 feet north of Harding Place and partially located with the Floodplain Overlay District (88.81 acres).

Existing Zoning

One and Two-Family Residential (R10) requires a minimum 10,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25 percent duplex lots. *R10 would permit a maximum of 386 lots with 96 duplex lots for a total of 434 units.*

Proposed Zoning

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

CRITICAL PLANNING GOALS

N/A

ANTIOCH-PRIEST LAKE COMMUNITY PLAN

District Industrial (D IN) policy is intended to preserve, enhance, and create Industrial Districts in appropriate locations. The policy creates and enhances areas that are dominated by one or more industrial activities, so that they are strategically located and thoughtfully designed to serve the overall community or region, but not at the expense of the immediate neighbors. Types of uses in D IN areas include non-hazardous manufacturing, distribution centers and mixed business parks containing compatible industrial and non-industrial uses. Uses that support the main activity and contribute to the vitality of the D IN are also found.

Conservation (CO) policy is intended to preserve and enhance environmentally sensitive land within all Transect Categories except T6 Downtown. CO policy identifies land with sensitive environmental features including, but not limited to, steep slopes, floodway/floodplains, rare or special plant or animal habitats, wetlands and unstable or problem soils.



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Consistent with Policy?

Yes. The IWD zoning district permits a variety of low intensity industrial uses consistent with the District Industrial policy. The Metro Zoning Code provides landscape buffer requirements and discourages connections between industrial and residential areas to ensure protection of nearby residentially zoned property.

While the proposed IWD district is not consistent with the Conservation policy, which applies to portions of the properties containing slopes and low lying areas along Mill Creek, these areas are mostly protected the zoning code's Hillside development standards and by the Floodplain Overlay District and Metro Stormwater requirements, which require a buffer adjacent to any floodway.

ANALYSIS

The two subject properties are located southwest of Nashville International Airport. Being located immediately southwest of a principal runway and under a flight path, the site is within the Airport Overlay district, which regulates the height of proposed buildings. There is a residential area to the north and northwest of the site, though many of the residentially zoned lots immediately to the north of the site have been cleared and are currently owned by the Metropolitan Nashville Airport Authority. A large developed industrial area is located to the south of the site across Mill Creek.

The proximity to the airport and flight path makes the site suitable for low intensity and low occupancy industrial uses, such as those permitted in the IWD district. The site would not be suitable for the currently permitted residential uses.

The site's District Industrial policy supports the proposed IWD zoning. A more intense policy, District Impact, is located to the north, east and south of the site. The District Impact policy anticipates very intense – high impact uses that would be permitted in the highest intensity industrial zoning.

Section 17.20.150 of the zoning code requires that access for nonresidential properties which abut residential-zoned areas be designed so as to minimize the intrusion of nonlocal traffic onto residential local and minor local streets. While McGavock Pike provides an indirect connection to the residential area, it is likely that all industrial and business related traffic to and from the site would travel south on McGavock Pike in order to connect to I-24 via Harding Place. There is no direct vehicular connection between the site and residential neighborhood to the northwest.

A "D" landscape buffer (the largest and most heavily planted) is required with development on an IWD zoned property abutting an R zoned area, which will further mitigate any impact development on the subject property may have on the residential area to the north and northwest.

PUBLIC WORKS RECOMMENDATION

- Traffic study may be required at time of development.

Maximum Uses in Existing Zoning District: **R10**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	88.81	4.63 D	508 U	4639	366	463

*Based on 101 duplex lots



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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	88.81	0.6 F	2,321,138 SF	8264	697	743

Traffic changes between maximum: **R10** and proposed **IWD**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+3625	+331	+280

STAFF RECOMMENDATION

Staff recommends approval as the proposed IWD district is consistent with the District Industrial policy.



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SEE NEXT PAGE



PLANNING COMMISSION ACTIONS

- **Subdivision (Concept)**
- **Subdivision (Development)**



Project No.	Subdivision 2013S-112-001
Project Name	Young-Woods, Resub. Lot 6 (Concept Plan)
Council District	34 – Todd
School District	8 – Hayes
Requested by	James Conrad Camp, owner, Campbell, McRae & Associates Surveying, Inc., applicant
Deferrals	This request was deferred from the July 27, 2013, MPC meeting. That request was originally submitted for final plat; however, Stormwater is requiring that stormwater facilities be provided, which requires that this request go through concept and development plan approval prior to the final plat being approved and recorded.
Staff Reviewer	Swaggart
Staff Recommendation	<i>Defer to the September 26, 2013, MPC meeting</i>

APPLICANT REQUEST

Concept plan to create two two-family lots.

Concept Plan

A request for concept plan approval to create two lots on property located at 3304 Hobbs Road, approximately 175 feet east of Vailwood Drive, zoned R20 (0.91 acres).

STAFF RECOMMENDATION

Staff recommends that the request be deferred to the September 26, 2013, MPC agenda in order for the applicant to work out stormwater issues. This deferral has been requested by the applicant.



Project No.	Subdivision 2013S-003-002
Project Name	Bell Estates (Development Plan)
Council District	25 – McGuire
School District	8 – Hayes
Requested by	Dewey-Estes Engineering, LLC, applicant; Land Development.com, Inc., owner
Staff Reviewer	Johnson
Staff Recommendation	<i>Approve with conditions</i>

APPLICANT REQUEST

Development plan for five residential lots

Subdivision Development Plan

A request for development plan approval to create five lots on properties located at 3721 and 3731 Woodmont Boulevard, at the southeast corner of Woodmont Boulevard and Estes Road, zoned One and Two-Family Residential (R20), (3.35 acres).

Existing Zoning

One and Two-Family Residential (R20) requires a minimum 20,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 2.31 dwelling units per acre including 25 percent duplex lots. *R20 would permit a maximum of 7 lots with 1 duplex lot for a total of 8 units. The concept plan for this subdivision was approved for 5 lots with 1 duplex lot for a total of 6 units.*

CRITICAL PLANNING GOALS

- Supports Infill Development
- Preserves Historic Resources

The subdivision will allow for the redevelopment of a site already served by infrastructure in a manner that will be sensitive to the character of surrounding development. The concept plan approval was approved with the intent to preserve the existing dwelling and perimeter rock wall. The proposed development intends to do the same.

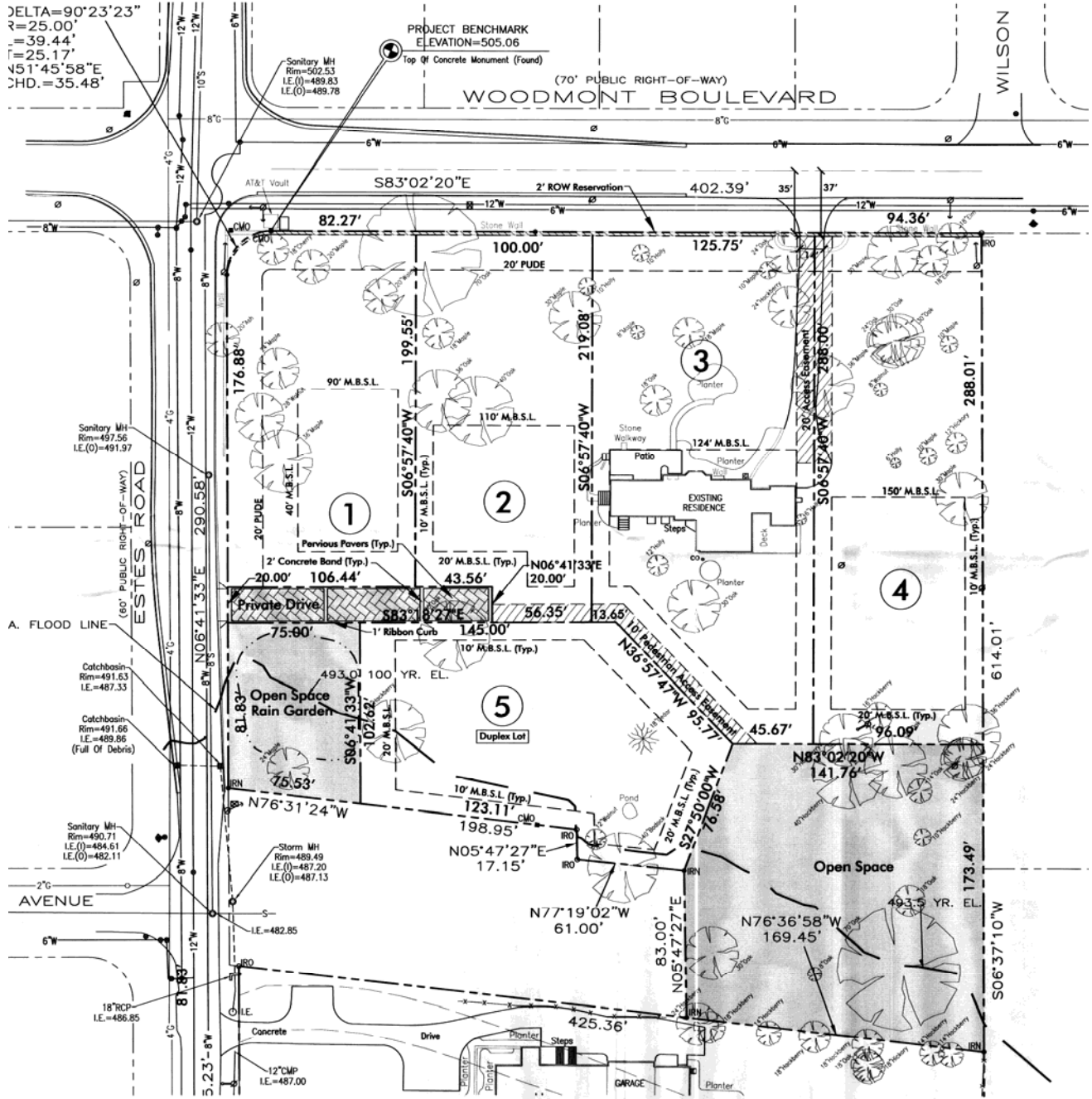
PLAN DETAILS

This subdivision was approved as a concept plan on February 14, 2013, by the Planning Commission. The concept plan is the first of three steps required for subdivision approval when new infrastructure is required. The development plan is the second step, and is intended to show the layout of the required infrastructure within the proposed subdivision. Normally, a development plan is reviewed administratively as long as there are no major revisions. However, at the February 14, 2013, meeting the Planning Commission approved the concept plan with conditions, including a requirement for development plan to be presented to the Planning Commission for final approval. The third step, the final plat, can be approved administratively if it is consistent with the approved concept and development plan.



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DELTA=90°23'23"
R=25.00'
=39.44'
=25.17'
N51°45'58"E
CHD.=35.48'



Proposed Development Plan



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The development plan maintains consistency with the approved concept plan. Lots 1 through 4 are single-family lots that are oriented toward Woodmont Boulevard, and will be required by the Zoning Code to have their front facades facing that street. Lot 5 is a duplex lot that will face Estes Road. Lots 3 and 4 will take access through an existing driveway from Woodmont Boulevard. Lots 1, 2, and 5 will take access from Estes Road through a shared driveway. The lot sizes have changed slightly, but all meet the requirements of the R20 zoning district, and are consistent with the concept plan approval.

Sidewalks

Sidewalks are required along the Woodmont Boulevard and Estes Road frontages with this subdivision because it is located within the Urban Services District. Sidewalks are not shown on the plan because the subdivision is eligible for a contribution to the sidewalk fund in lieu of construction. The contribution will be required prior to the recording of the final plat.

Wall along frontage

The development plan identifies the existing stone wall along the Woodmont Boulevard frontage and a portion of the Estes Road frontage. The approved concept plan included a note stating "rock wall to remain." Inclusion of this note in the development plan is required as a condition of approval.

ANALYSIS

The proposed development plan includes minor revisions to the subdivision layout from the concept plan approval. These revisions are primarily a result of revisions to the open space layout at the southeast corner of the site. The general lot layout and lot frontages remain consistent with the concept plan approval. Additionally, the subdivision complies with the Subdivision Regulations and Zoning Code.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

1. 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. 2006 IFC - D102.1 Access and loading.
2. Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds (34 050 kg). The access road shall be paved before any combustibles are brought onto the site.
3. 2006 IFC - D103.6.1 Roads 20 to 26 feet in width.
4. Fire apparatus access roads 20 to 26 feet wide (6096 to 7925 mm) shall be posted on both sides as a fire lane.

STORMWATER RECOMMENDATION

Approve

PUBLIC WORKS RECOMMENDATION

No exceptions taken



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Approved Concept Plan



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STAFF RECOMMENDATION

Staff recommends approval with conditions. With the conditions of approval, the development plan will be consistent with the approved concept plan, the Subdivision Regulations, and the Zoning Code.

CONDITIONS

1. The following note shall be added to the development plan: Vehicle parking pads shall not be placed between the front façade and the street for lots 3 and 4.
2. Development of the site shall comply with conditions of approval from the Fire Marshal.
3. Sidewalks are required along the Woodmont Boulevard and Estes Road frontages of the proposed subdivision. Therefore, prior to final plat recordation, one of the options must be chosen related to sidewalks:
 - Construct sidewalk and have it accepted by Public Works,
 - Submit a bond application and post a bond with the Planning Department,
 - Submit payment in-lieu of construction to the Planning Department. The in-lieu contribution for this subdivision would be \$6,000.
 - Construct an equal length of sidewalk within the same Pedestrian Benefit Zone (4-B), in a location to be determined in consultation with the Public Works Department.
4. The following note shall be added to the development to address the existing rock wall along the Woodmont Boulevard and Estes Road frontages: Rock wall to remain.