

# Metropolitan Planning Commission



## Staff Report

September 26, 2013



## Metro Planning Commission Meeting of 9/26/2013

*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.*

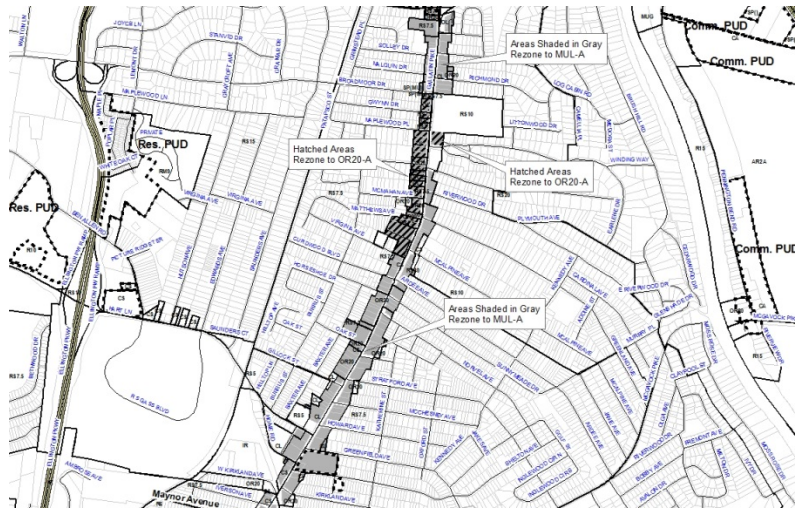
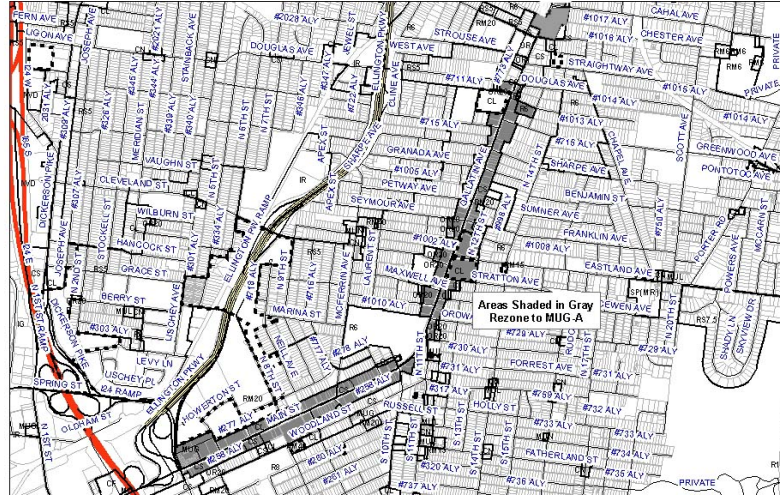


## **PREVIOUSLY DEFERRED ITEMS**

- **Zone Changes**
- **Community Plan Amendments**
- **Text Amendments**
- **Specific Plans**
- **Subdivision (Concept)**
- **Subdivision (Final)**



**Metro Planning Commission Meeting of 9/26/2013**



**2013Z-028PR-001**  
**Various Properties along Gallatin Avenue, Gallatin Pike and Main Street**





<b>Project No.</b>	<b>Zone Change 2013Z-028PR-001</b>
<b>Project Name</b>	<b>Gallatin Pike Rezoning</b>
<b>Associated Case</b>	2013UD-003-001
<b>Council Bill</b>	BL2013-513
<b>Council District</b>	5 – S. Davis, 6 – Westerholm, 7 – A. Davis, 8 – Bennett
<b>School District</b>	3 – Speering, 5 – Kim
<b>Requested by</b>	Planning Department, applicant, various owners
<b>Deferral</b>	This application was deferred by the Planning Commission at the August 8, 2013, meeting to permit additional public discussion.
<b>Staff Reviewer</b>	Cuthbertson
<b>Staff Recommendation</b>	<i>Approve with a substitute ordinance and a housekeeping amendment to the Community Plan.</i>

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**APPLICANT REQUEST**

**Zone Change from various districts to MUG-A, MUL-A and OR20-A.**

Zone Change

A request to rezone from Mixed Use General (MUG), Commercial Services (CS), Commercial Limited (CL), Office/Residential (OR20), Single-Family Residential (RS5), One and Two-Family Residential (R6), Office Limited (OL), Specific Plan (SP), Single-Family Residential (RS10), and Single-Family Residential (RS7.5) to Mixed Use General – A (MUG-A), Mixed Use Limited – A (MUL-A), and Office Residential – A (OR20-A) zoning for various properties and a portion of property located along Gallatin Avenue, Gallatin Pike and Main Street, between South 5th Street and Briley Parkway, (213.96 acres).

**ZONING HISTORY**

In July 2007, Metro Council adopted the Gallatin Pike SP, which established specific development standards for properties fronting the Main Street and Gallatin Pike corridor from South 5<sup>th</sup> Street to Briley Parkway. These standards intended to implement the East Nashville Community Plan by addressing building design and placement, signage, parking, vehicle access, landscaping, and land use restrictions. In a recent Court of Appeals case, the court determined that the Gallatin Pike SP was enacted improperly and invalidated the SP; thus, the land use classification of all properties affected by the Gallatin Pike SP legislation remained the zoning designation that was in place prior to July 2007.

**SUMMARY**

The properties along the Main Street and Gallatin Pike corridor from South 5<sup>th</sup> Street north to Cahal Avenue (the northern edge of the UZO) are proposed to change from various zoning districts (predominantly CS and CL), to MUG-A.

The properties along the Gallatin Pike corridor north of Cahal Avenue to the Inglewood rail overpass are proposed to change from various zoning districts (predominantly CS), to MUL-A.



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The properties along the Gallatin Pike corridor north of the Inglewood rail overpass to Briley Parkway are proposed to change from various districts (predominantly CL, OR20 and OL) to MUL-A and OR20-A. The properties proposed for OR20-A are located on the west side between Virginia Avenue and Broadmoor Drive and on the east side at the northwest corner of Gallatin Pike and Winding Way.

Descriptions of existing and proposed zoning districts are provided at the end of the report.

### **CRITICAL PLANNING GOALS**

#### Creates Walkable Neighborhoods

The proposed A districts will focus development along the Gallatin Pike corridor in East Nashville at a higher intensity than currently exists and permit a mix of uses within single buildings and along the corridor. The proposed zoning districts will encourage new development in a form that supports a strong pedestrian environment by reducing the number of vehicular access points, minimizing prominence of parking facilities and orienting new buildings toward the sidewalk. The A districts help create an environment that allows individuals to park and walk to multiple destinations and reduces vehicular/pedestrian conflict points.

#### Supports a Variety of Transportation Choices

The proposed zone change will permit mixed use development that will support transit, walking and cycling. The proposed A districts establish greater development intensity along an existing transit corridor and prioritize walking as a viable mode of transportation by regulating building placement within build-to zones to create pedestrian oriented street walls with appropriately scaled sidewalks.

#### Provides a Range of Housing Choices

All of the proposed zoning districts for the Main Street/Gallatin Pike corridor allow residential development through a range of building types and intensities in residential only buildings and as a part of mixed-use developments.

#### Supports Infill Development and Promotes Compact Building Design

The proposed A districts encourage infill on many of the under-performing lots located on the Main Street/Gallatin Pike corridor with higher development entitlements in exchange for appropriate building and parking placement and orientation. The zone change will establish a consistency of application along the corridor and provide assurances to potential developers that future development will be compatible with, and complement, current investments.

### **EAST NASHVILLE COMMUNITY PLAN**

#### **General Policies**

Commercial Mixed Concentration is intended to include Medium High to High density residential, all types of retail trade (except regional shopping malls), highway-oriented commercial services, offices, and research activities and other appropriate uses with these locational characteristics. (Applies to that portion of the Gallatin Pike corridor adjacent to and south of Briley Parkway.)

Community Center 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



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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. (Applies to that portion of the Main Street – Gallatin Pike corridor south of Ordway Place to South 5<sup>th</sup> Street)

### **Detailed Policies associated with Community Center policy**

- Mixed Use is intended to encourage an integrated, diverse blend of compatible land uses ensuring unique opportunities for living, working, and shopping. Predominant uses include residential, commercial, recreational, cultural, and community facilities. Commercial uses appropriate to MU areas include offices and community, neighborhood, and convenience scale activities. Residential densities are comparable to medium, medium-high, or high density. 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. (Applies to that portion of the Gallatin Pike corridor north of Ordway Place to Solley Drive/Haysboro Avenue just south of Briley Parkway except where the Office policy is established.)
- Office is intended to include a variety of office uses. These offices will vary in intensity depending on the Structure Plan category. (Applies to that portion of the Gallatin Pike corridor north of Gillock Street/Stratford Avenue to Virginia Avenue/McAlpine Avenue and to a portion north of Calvert Street to Broadmoor Drive.)

### Consistent with Policy?

Along most of the corridor, the proposed zone change implements the bulk standards and uses envisioned in the East Nashville Community Plan Update adopted in February 2006. The plan calls for higher development intensity and mixed uses along much of the corridor.

In an attempt to concentrate and reinforce commercial development at neighborhood nodes within the northern section of the corridor, the plan establishes a policy of Office in Community Center Policy at two intervals. The southern interval extends between Gillock Street/Stratford Avenue and Virginia/McAlpine Avenues. This area contains a predominance of commercial zoning as well as commercial uses more consistent with the proposed MUL-A zoning district. Applying an OR20-A zoning district over that segment is not suggested as it would “down-zone” many properties.

The MUL-A district is proposed for the area between Gillock Street/Stratford Avenue and Virginia/McAlpine Avenues in order to mirror the existing commercial zoning and uses. Staff is recommending a housekeeping community plan amendment to change the area’s policy from Office in Community Center to one of Mixed Use in Community Center. This recognizes the fact that many of the properties are already nonconforming to the Office Land Use Policy; they are zoned for commercial and used for commercial purposes. This proposed policy change would be completed in the future as part of the overall update of the Community Plan or as part of the Community Plan translation that will be completed with the General Plan update.

### **REQUEST DETAILS**

The zone change applies to properties that were included in the Gallatin Pike SP and have frontage along Main Street, Gallatin Avenue and Gallatin Pike from South 5<sup>th</sup> Street to Briley Parkway.



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Every parcel of land fronting Main Street or Gallatin Pike between 5<sup>th</sup> Street and Briley Parkway is included in the zone change, except for those parcels located within the Institutional Overlay for the Nashville Auto Diesel College, Planned Unit Developments adopted pursuant to BL2003-82 and BL2005-881, and Metropolitan Public School properties.

The corridor is the primary artery serving the variety of neighborhoods in East Nashville. The corridor is flanked by diverse residential neighborhoods. This zone change application applies mixed use zoning districts along the corridor in order to accomplish many of the goals outlined in the East Nashville Community Plan and addressed by the Gallatin Pike SP. The proposed zoning districts were not available as tools in 2007 when the Gallatin Pike SP was established.

### **ANALYSIS**

The proposed zoning districts encourage a mixture of uses and the redevelopment of property along the corridor in a manner consistent with the goals of the East Nashville Community Plan.

The proposed districts encourage the creation of a more walkable built environment along the corridor by locating new buildings closer to, and oriented to, the street within a built-to zone adjacent to new and existing sidewalks. Parking is required to be located behind or beside new buildings, which will enhance the pedestrian environment by minimizing the number of vehicular curb cuts and, as a result, the number of vehicular/pedestrian conflict points.

The proposed districts enable a higher development intensity that will support alternative modes of transit, including walking, cycling and the existing BRT-lite transit service. The proposed districts will encourage development that will better support future transit investments along the corridor.

The proposed districts encourage a mixture of commercial, office and residential uses to enliven the corridor and provide a wider variety of necessary services for the adjacent neighborhoods. The MUG-A and MUL-A zoning districts generally allow uses similar to those permitted by the existing commercial zoning, though Automotive Sales and Repair will not be permitted with the proposed zoning. The OR20-A zoning district proposed will allow uses similar to those permitted by the existing office zoning districts, though it will encourage and permit more residential uses.

The proposed districts will allow more pedestrian oriented development than the current zoning districts, and provide development standards to create a more transit friendly corridor.

### *Non-Conforming Structures/Uses*

Any legal use made nonconforming by the proposed zoning districts will be permitted to continue as a legal nonconforming use. Further, any legal structure made nonconforming by the proposed zoning districts will be permitted to remain and be reused for uses allowed by the proposed district. Additions to nonconforming structures would be permitted, as long as the additions do not increase the degree of nonconformity. The Zoning Administrator has determined that additions could be located in front of, beside or behind existing buildings. Buildings damaged to more than fifty percent of their total floor area would be required to comply with the new zoning standards. New buildings would be required to comply with the new zoning standards.



## **Metro Planning Commission Meeting of 9/26/2013**

### **MEETINGS**

There have been multiple meetings held during the review process. Staff has held several meetings with councilmembers, the community and property owners and stakeholders along the corridor since the zone change was introduced. These include:

Community Meeting – July 22<sup>nd</sup> (60 attendants)

Planning Commission Meeting – August 8th

Chamber of Commerce – July 31<sup>st</sup>

Community Meeting (East Police Precinct) – August 19<sup>th</sup> (90 attendants)

East Caucus Meeting with Neighborhood Association representatives – September 4<sup>th</sup>

Nashville Chamber of Commerce – September 10<sup>th</sup>

Planning Commission Work Session- September 12th

Based on the comments received from these meetings, several changes were made to the zone change.

The zone change application was changed to extend the boundary of the proposed MUL-A zoning district on both sides of Gallatin Pike between Stratford Avenue to Virginia Avenue. OR20-A zoning was originally proposed in this area.

The proposed OR20-A zoning district boundary on the west side of Gallatin Pike was extended two blocks to the south to Virginia Avenue, replacing the originally-proposed MUL-A district.

The zoning district proposed for the area from Cahal Avenue north to the Inglewood rail overpass was modified from MUG-A to MUL-A. Every parcel within the UZO (south of Cahal Avenue) is proposed for MUG-A.

Staff will file a substitute ordinance to address these changes. Additionally, the substitute ordinance will remove two parcels from the request:

- Parcel 87 of map 061-11, a Metropolitan Fire Department station, and
- Parcel 50 of map 061-07, a U.S. Bank that is currently being rezoned to SP.

### **PUBLIC WORKS RECOMMENDATION**

With the redevelopment of individual parcels a TIS may be required.

### **MDHA RECOMMENDATION**

The zoning change to MUG-A is more in line with East Bank Redevelopment District plan than the current base zoning.

### **STAFF RECOMMENDATION**

Staff recommends approval of the zone change with a substitute ordinance. The zone changes are intended to implement the policies of the East Nashville Community Plan. While a portion of the proposed MUL-A district is not consistent with the current Community Plan, staff recommends a housekeeping amendment to the community plan to replace the Office in Community Center policy on Gallatin Pike from Gillock Street/Stratford Avenue to Virginia/McAlpine Avenues with a Mixed Use in Community Center policy supportive of the proposed zoning.

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## Metro Planning Commission Meeting of 9/26/2013

### Descriptions of Existing and Proposed Zoning Districts

#### Existing Zoning

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

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

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

Office Limited (OL) is intended for moderate intensity office uses.

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

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

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.

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

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

#### Proposed Zoning

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

##### Development Standards:

Height:	max - 5 stories (75 feet) at the setback; total up to 7 stories (105 feet)
Floor Area Ratio:	3.00 maximum
Front Build-to Zone:	5' to 15' from street property line (new building shall occupy corner)
Parking:	Per Zoning Code – located to rear or side of building(s)

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

##### Development Standards:

Height:	max - 3 stories (45 feet) at the setback; total up to 4 stories (60 feet)
Floor Area Ratio:	1.00 maximum
Front Build-to Zone:	5' to 15' from street property line (new building shall occupy corner)





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Parking: Per Zoning Code – located to rear or side of building(s)

Office/Residential-A (OR20-A) is intended for office and/or multi-family residential units at up to 20 dwelling units per acre and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards.

### Development Standards:

Height: max - 30 feet at the setback; total up to 45 feet

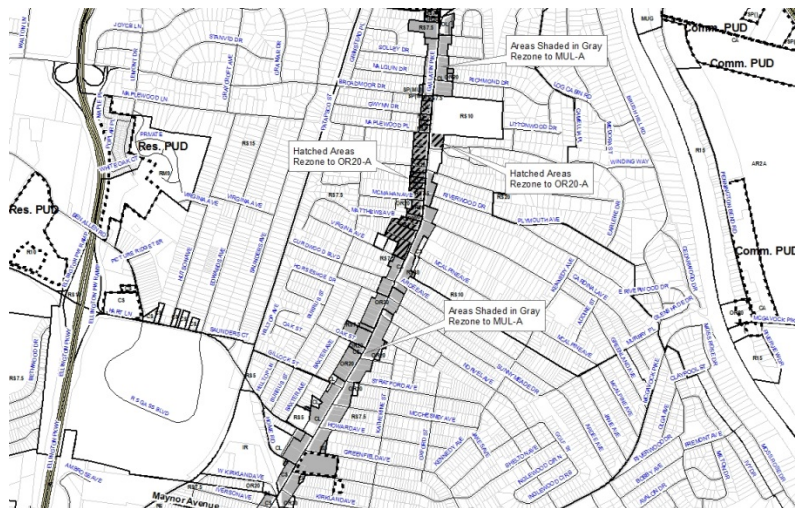
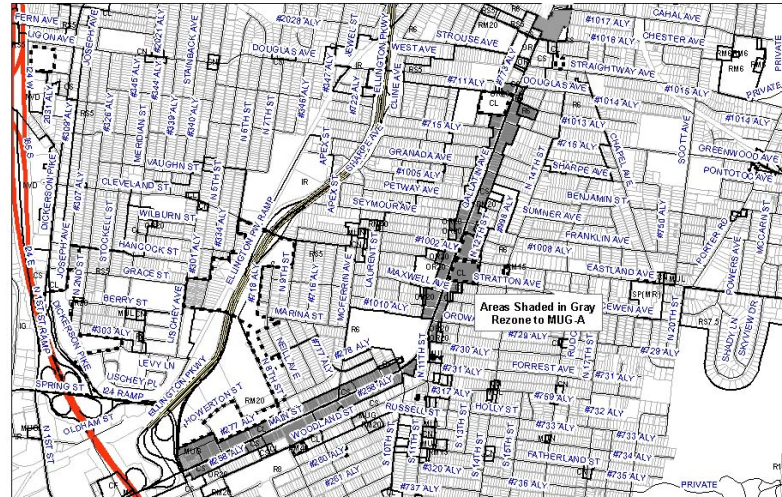
Floor Area Ratio: 0.8 maximum

Front Build-to Zone: 5' to 15' from street property line (new building shall occupy corner)

Parking: Per Zoning Code – located to rear or side of building(s)



# Metro Planning Commission Meeting of 9/26/2013



**2013UD-003-001**  
**Various Properties along Gallatin Avenue, Gallatin Pike and Main Street**



**Project No.** Urban Design Overlay 2013UD-003-001  
**Project Name** Gallatin Pike Urban Design Overlay  
**Associated Case** 2013Z-028PR-001  
**Council Bill** BL2013-514  
**Council District** 5 – S. Davis , 6 – Westerholm  
7 – A. Davis, 8 – Bennett  
**School District** 3 – Speering, 5 – Kim  
**Requested by** Metro Planning Department, applicant; various owners

**Deferral** This application was deferred by the Planning Commission at the August 8, 2013, meeting to permit additional public discussion.

**Staff Reviewer** Cuthbertson  
**Staff Recommendation** *Approve with a substitute ordinance.*

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**APPLICANT REQUEST**  
**Apply Urban Design Overlay (UDO).**

Urban Design Overlay  
A request to apply the Gallatin Pike Urban Design Overlay (UDO) district to various properties and a portion of property located along Gallatin Avenue, Gallatin Pike and Main Street, between South 5th Street and Briley Parkway (213.96 acres).

**Existing Zoning**  
See 2013Z-028PR-001 Staff Report

**ZONING HISTORY**  
In July 2007, Metro Council adopted the Gallatin Pike SP, which established specific development standards for properties fronting the Main Street and Gallatin Pike corridor from South 5<sup>th</sup> Street to Briley Parkway. These standards intended to implement the East Nashville Community Plan by addressing building design and placement, signage, parking, vehicle access, landscaping, and land use restrictions. In a recent Court of Appeals case, the court determined that the Gallatin Pike SP was enacted improperly and invalidated the SP; thus, the land use classification of all properties affected by the Gallatin Pike SP legislation remained the zoning designation that was in place prior to July 2007.

**Proposed Overlay Zoning**  
Gallatin Pike Urban Design Overlay (UDO) is intended to permit optional development standards to enable flexibility with a new building's placement on a lot as it relates to the base zoning district's build-to-zone requirement. If the optional development standards are utilized, this UDO will require improvements to the street frontage and pedestrian environment. This UDO also permits alley signs.

- CRITICAL PLANNING GOALS**
- Creates Walkable Neighborhoods



## Metro Planning Commission Meeting of 9/26/2013

The Gallatin Pike UDO will implement the goals of the East Nashville Community Plan to create a stronger pedestrian environment along the Main Street/Gallatin Pike corridor through the use of supplemental development standards, when the UDO is utilized.

### **EAST NASHVILLE COMMUNITY PLAN**

#### **General Policies**

Commercial Mixed Concentration (CMC) is intended to include Medium High to High density residential, all types of retail trade (except regional shopping malls), highway-oriented commercial services, offices, and research activities and other appropriate uses with these locational characteristics. (Applies to that portion of the Gallatin Pike corridor adjacent to and south of Briley Parkway.)

Community Center (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. (Applies to that portion of the Main Street Gallatin Pike corridor south of Ordway Place to South 5<sup>th</sup> Street)

#### **Detailed Policies associated with Community Center policy**

- Mixed Use (MxU) is intended to encourage an integrated, diverse blend of compatible land uses ensuring unique opportunities for living, working, and shopping. Predominant uses include residential, commercial, recreational, cultural, and community facilities. Commercial uses appropriate to MU areas include offices and community, neighborhood, and convenience scale activities. Residential densities are comparable to medium, medium-high, or high density. 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. (Applies to that portion of the Gallatin Pike corridor north of Ordway Place to Solley Drive/Haysboro Avenue just south of Briley Parkway except where the Office policy is established.)
- Office (O) is intended to include a variety of office uses. These offices will vary in intensity depending on the Structure Plan category. (Applies to that portion of the Gallatin Pike corridor north of Gillock Street/Stratford Avenue to Virginia Avenue/McAlpine Avenue and to a portion north of Calvert Street to Broadmoor Drive.)

#### **Consistent with policy?**

Yes. This UDO, in exchange for flexibility in the placement of new buildings, will require certain improvements to a property’s street frontage and will limit vehicular access points, in order to improve the quality of the pedestrian environment along the Gallatin Pike corridor.

#### **REQUEST DETAILS**

This UDO provides the option of development flexibility for new buildings on all property with frontage on Main Street and Gallatin Pike, except those located within adopted MDHA Redevelopment Districts.



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An associated case (2013Z-028PR-001) proposes to rezone properties along the Main Street and Gallatin Pike corridor to mixed use "A" districts (MUG-A, MUL-A or OR20-A), which will require new buildings to be located within a 5' to 15' build-to zone. This UDO will allow flexibility with the placement of new buildings by providing the choice to develop with the optional development standards, utilizing the non-A district standards, but applying supplemental development standards, to create a pedestrian friendly environment.

If a development utilizes the UDO, the following will be required:

- Limited vehicular ingress/egress on Gallatin Pike/Main Street which will allow one driveway per 300 feet of street frontage.
- A direct pedestrian connection between the sidewalk and new building.
- Improvements to the Gallatin Pike/Main Street Pedestrian Zone and Green Zone per the Major and Collector Street Plan standard, which establishes the following minimums, except where there is constrained ROW:
  - a four foot wide Furnishing Zone (tree planting strip),
  - an eight foot wide Pedestrian Travelway (sidewalk) and
  - a four foot wide Frontage Zone.
- A minimum planted perimeter landscape strip in between the Pedestrian and Green Zones and a parking area. The UDO provides the option of either:
  - a seven foot wide strip with maintained shrubs or
  - a five foot wide strip with a knee wall.

The perimeter landscape strip can include the required four foot frontage zone.

A Final Site Plan will be required to be submitted to the Planning Department for review and approval when developing under the UDO.

This UDO also includes standards to permit alley signs to be located along alleys to the rear or properties.

### MEETINGS

Staff has held several meetings with councilmembers, the community and property owners and stakeholders along the corridor since the zone change was introduced. These include:

Community Meeting – July 22<sup>nd</sup> (60 attendants)

Planning Commission Meeting – August 8<sup>th</sup>

Chamber of Commerce – July 31<sup>st</sup>

Community Meeting (East Police Precinct) – August 19<sup>th</sup> (90 attendants)

East Caucus Meeting with Neighborhood Association representatives – September 4<sup>th</sup>

Nashville Chamber of Commerce – September 10<sup>th</sup>

Planning Commission Work Session- September 12<sup>th</sup>

Based on the comments received from these meetings, changes were made to the UDO. The proposed UDO was modified to eliminate the section related to building and ground signage. Alley signs will still be addressed by the UDO. Building and ground signs will be required to meet the base zoning standards.

The UDO was modified to allow for development flexibility with regard to building placement on a lot, while requiring improvements to the pedestrian environment.



## **Metro Planning Commission Meeting of 9/26/2013**

Staff will file a substitute ordinance to replace the draft of the UDO currently attached to the bill with the draft dated September 16, 2013. Additionally, the substitute ordinance will remove two parcels from the request:

- Parcel 87 of map 061-11, a Metropolitan Fire Department station, and
- Parcel 50 of map 061-07, a U.S. Bank that is currently being rezoned to SP.

### **MDHA RECOMMENDATION**

MDHA staff does not see any conflicts between the Gallatin Pike UDO and MDHA signage guidelines for Gallatin Pike.

### **STAFF RECOMMENDATION**

Staff recommends approval with a substitute ordinance. The Gallatin Pike UDO provides development flexibility while still implementing the goals of the East Nashville Community Plan.





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**SEE NEXT PAGE**



# Metro Planning Commission Meeting of 9/26/2013



## 2013CP-005-002

EAST NASHVILLE PLAN AMENDMENT (Porter Road)

Map 072-15, Parcel(s) 252, 251, 237-241, 243, 245, 185, Part of Parcel(s) 270, 188

East Nashville

07 - Anthony Davis



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

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**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 Porter Road and Cahal Avenue.

**CRITICAL PLANNING GOALS**

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

The Neighborhood Center policy creates walkable neighborhoods by encouraging a mixture of uses within a five minute walk, thus creating pedestrian access to goods and services. The Neighborhood Center Policy also outlines design principles that foster pedestrian friendly environments (sidewalks, street trees, buildings located near the street). In addition, the Neighborhood Center policy supports a range of housing types, fostering neighborhoods that support aging-in-place and the growth of successful neighborhood market places.

The creation of walkable neighborhoods with mixed housing and accessible goods and services is most often facilitated by infill development. The Neighborhood Center Policy supports and provides guidance for infill development by encouraging appropriate transitions in massing, height and scale, so that infill development is compatible with existing development.

**EAST NASHVILLE COMMUNITY PLAN**

**Current Policy**

Neighborhood General (NG)

NG is intended to meet a spectrum of housing needs with a variety of housing that is carefully arranged, not randomly located.

Residential Low Medium (RLM)

RLM policy is intended to accommodate residential development within a density range of two to four



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dwelling units per acre. The predominant development type is single-family homes, although some townhomes and other forms of attached housing may be appropriate.

### **Proposed Policy**

Neighborhood Center (NC)

NC is intended for small, intense areas that may contain multiple functions and are intended to act as local centers of activity. Ideally, a neighborhood center is a "walk-to" area within a five-minute walk of the surrounding neighborhood it serves. The key types of uses intended within NC areas are those that meet daily convenience needs and/or provide a place to gather and socialize. Appropriate uses include single- and multi-family residential, public benefit activities and small scale office and commercial uses.

### **BACKGROUND**

Case 2013SP-030-001 considers a zone change from R6 district to SP-MU district on properties located at 1505, 1507, and 1601 Porter Road. The SP-MU zone district is inconsistent with the existing Neighborhood General Policy. The applicant requests a plan amendment for their property to Neighborhood Center so that the proposed zone change will be consistent with the land use policy. Upon reviewing the requested plan amendment, Planning staff expanded the plan amendment area to consider a more broad application of the Neighborhood Center policy.

### **COMMUNITY PARTICIPATION**

An early postcard notification announcing the plan amendment and a regular notice communicating the time and date of the Planning Commission Public Hearing was sent to property owners within 1,300 feet of the potential plan amendment area.

A community meeting was held on Monday August 19, 2013 at the East Nashville Community Center, from 6:00 pm to 7:00 pm. There were 11 people in attendance. The applicant also held an informal gathering at the site, prior to the plan amendment meeting on August 19<sup>th</sup>.

Some community stakeholders questioned why a neighborhood meeting was not held at a location closer to the subject site within the immediate neighborhood. Staff made numerous attempts to contact the South Inglewood Community Center and the Margaret Maddox Family YMCA, both within the immediate neighborhood; however, a date could not be confirmed at either location prior to notices being mailed. Community members in attendance also expressed that they were not made aware of the applicant's meeting. Due to the aforementioned, there was concern that residents in the immediate neighborhood were not fully aware of the proposal. Staff did offer to attend any subsequent meetings held by the applicant and community stakeholders, but subsequent meetings did not occur.

During the remainder of the meeting, stakeholders primarily discussed the broader policy issues of housing affordability and gentrification. During the discussion, the stakeholders expressed a keen interest in keeping their neighborhood affordable.



## **Metro Planning Commission Meeting of 9/26/2013**

### **ANALYSIS**

#### **Physical Site Conditions**

The plan amendment area that was considered has minimal physical constraints and there is no floodplain or floodway in the area.

#### **Land Use**

Surrounding land uses include single-family residential, multi-family in the form of town homes and stacked flats, and commercial. Land uses within the plan amendment area include parking for institutional uses (church), and single family residential.

#### **Access**

Properties in the plan amendment area have individual driveway access. There is no alley access.

#### **Existing Development Pattern**

The development pattern in the area is primarily urban, characterized by shallow setbacks and small lot sizes. The commercial development near the plan amendment areas is suburban in character; moderate setbacks with parking in front of the building.

#### **Historic Features**

Riverside Drive is identified as a National Register Historic Property and runs adjacent to the plan amendment area along the eastern boundary.

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#### **Summary**

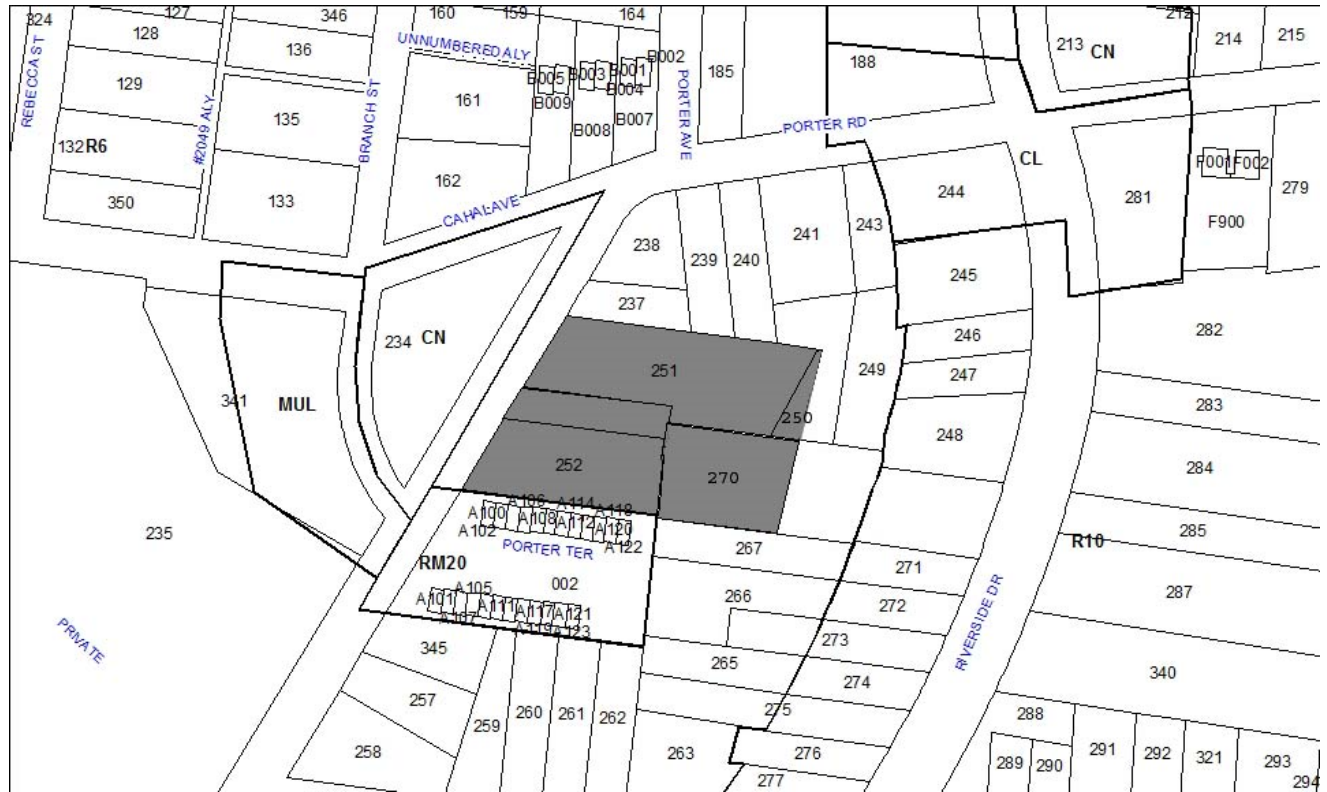
The study area is flanked by Neighborhood Center policy to the east and west. The development found in the existing Neighborhood Center includes neighborhood scaled commercial and mixed housing. The application of Neighborhood Center Policy would be appropriate to continue this type of development and link the two centers into a cohesive whole. The Neighborhood Center Policy would also encourage the continuation of neighborhood center urban design principles; pedestrian friendly elements (sidewalks, street trees, buildings located near the street), appropriate transitions between commercial and non-commercial development, and prominently placed civic and institutional structures.

#### **STAFF RECOMMENDATION**

Staff recommends approval.



# Metro Planning Commission Meeting of 9/26/2013



**2013SP-030-001**  
PORTER ROAD  
Map 072-15, Parcel(s) 251-252, Part of Parcel 270  
East Nashville  
07 - Anthony Davis





<b>Project No.</b>	<b>Zone Change 2013SP-030-001</b>
<b>Project Name</b>	<b>Porter Road SP</b>
<b>Associated Case</b>	<b>2013CP-005-002</b>
<b>Council District</b>	7 – Davis
<b>School District</b>	5 – Kim
<b>Requested by</b>	Dale & Associates, applicant, Riverside Church of Christ, Ashley Samuel Land Trust and Russell Jenkins, owners
<b>Staff Reviewer</b>	Swaggart
<b>Staff Recommendation</b>	<i>Approve with conditions and disapprove without all conditions if the Commission approves the associated policy amendment and disapprove if the associated policy amendment is not approved.</i>

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**APPLICANT REQUEST**

**Permit 28 residential units and 6,000 square feet of commercial.**

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.

**Existing Zoning**

One and Two-Family Residential (R6) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25 percent duplex lots. *R6 would permit a maximum of 14 lots with 3 duplex lots for a total of 17 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 is limited to 28 residential units and 6,000 square feet of commercial uses.*

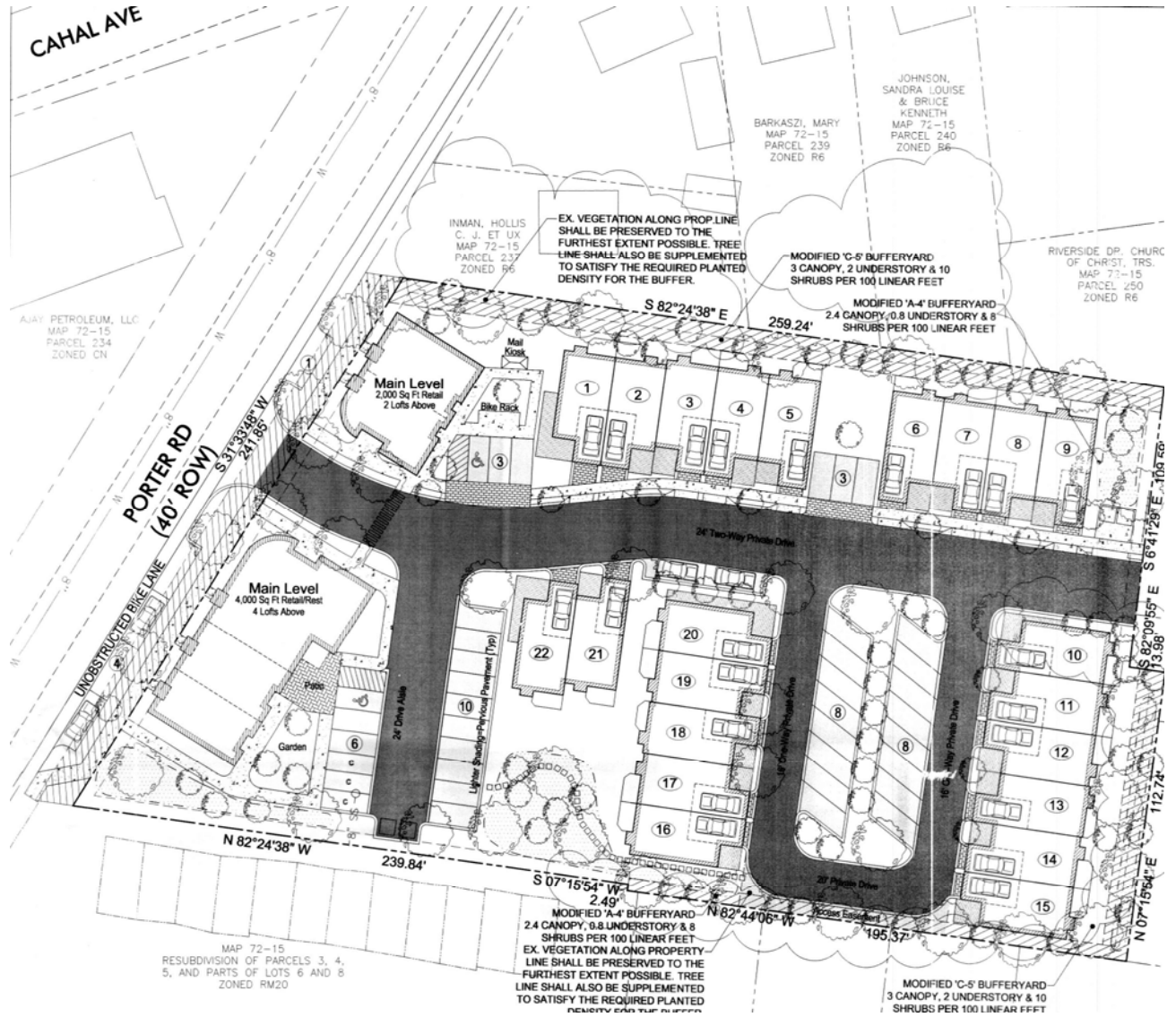
**CRITICAL PLANNING GOALS**

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

This request adds additional density in an area that is served by adequate infrastructure. The proposal provides an additional housing type that is attractive to young couples and retirees. The commercial portion of the proposal will provide for additional community conveniences which will help sustain an already emerging neighborhood center. Sidewalks and bike lane are located along



# Metro Planning Commission Meeting of 9/26/2013



Proposed Plan



## Metro Planning Commission Meeting of 9/26/2013

Porter Road and the site is also served with public transportation. The additional density and services will also support the emerging walkable and transit friendly area.

### **EAST NASHVILLE COMMUNITY PLAN**

#### **Existing 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.

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.

#### **Proposed Policy**

Neighborhood Center (NC) is intended for small, intense areas that may contain multiple functions and are intended to act as local centers of activity. Ideally, a neighborhood center is a "walk-to" area within a five minute walk of the surrounding neighborhood it serves. The key types of uses intended within NC areas are those that meet daily convenience needs and/or provide a place to gather and socialize. Appropriate uses include single and multi-family residential, public benefit activities and small scale office and commercial uses.

#### Consistent with Policy?

The existing NG policy is a residential policy; therefore, it would not support the proposed commercial uses along Porter Road. The proposed NC policy supports a mixture of uses including various types of residential, office and commercial uses. The plan provides a mixture of uses that are cohesively designed, providing for services along Porter Road and additional housing options for the area. The plan also fosters a pedestrian friendly environment by providing a sidewalk and planting strip, including street trees, along Porter Road and an integrated sidewalk within the development.

A small portion of the site, located at the back (mid-block between Riverside Drive and Porter Road) is not included within the associated policy amendment. Since the Community Plan calls for residential within this existing NG policy area, the proposed plan for this portion of the site is consistent with the policy and does not require a policy amendment.

### **PLAN DETAILS**

The site is located along the east side of Porter Road, just south of the intersection of Cahal Avenue and Porter Road. The site consists of two properties along Porter Road, unimproved right-of-way (Turner Street), a portion of a landlocked property and a portion of property which fronts onto Riverside Drive to the east. The properties contain single and two family uses and an abandoned parking lot associated with the Riverside Church of Christ, which is located at the southwest intersection of Porter Road and Riverside Drive. The adjacent property to the south consists of a multi-family development and the commercially zoned properties directly across Porter Road consist of a convenience market and fuel station, retail use and laundromat. There is also a large multi-family development near the site on the west side of Porter. Sidewalks and bike lanes are located along of Porter Road.



## Metro Planning Commission Meeting of 9/26/2013

### Site Plan

The plan calls for 28 residential units (~14.8 units per acre) and 6,000 square feet of commercial space. The commercial space is shown on the ground floor within two separate mixed-use buildings along Porter Road. Upper floors contain six residential lofts. The SP permits all uses that are permitted by MUL. The SP limits restaurant uses to 3,000 square feet with the exception that additional floor area may be permitted if adequate parking can be provided. The remaining 22 units are located behind the mixed use buildings along Porter Road. The units are attached and are located within four separate structures. All units front onto private driveways.

Conceptual elevations for the attached residential units have been provided. Units will be two stories and are described as Craftsman-style. Exterior materials will include a variety of brick, block, James Hardie siding and architectural shakes and shingles intended to give each unit a unique appearance. Units will include front porches and balconies and end units will include a wraparound porch. Each unit contains a one car garage, which will be recessed behind the porch area.

Primary access into the site is provided from Porter Road. The plan also provides for future connections to the east and south, in order to provide future connectivity in the event that adjacent properties are redeveloped. The plan calls for the abandonment of an un-built right-of-way (ROW) for Turner Street. Public Works has indicated that the abandonment will not require a mandatory referral. A sidewalk is provided along the northern side of the private drive connecting Porter Road to the eastern property line. In addition to garage parking, surface parking is also provided and includes 37 onsite spaces and five on-street spaces along Porter. A total of 65 parking spaces are provided, which includes the five on-street spaces. The SP permits additional offsite parking, but this parking must be approved by Planning and/or Public Works.

The Major and Collector Street Plan (MCSP) calls for a 67 foot ROW along this section of Porter Road. The current ROW is 40 feet. The plan proposes a 13.5 foot ROW dedication, which is consistent with the MCSP.

### **ANALYSIS**

While the commercial area in the SP is not consistent with the existing NG land use policy, it is consistent with the proposed NC land use policy. The plan also meets several critical planning goals. If the associated policy amendment is approved, staff recommends approval of the SP with conditions and disapproval without all conditions. If the proposed NC land use policy is not approved, then staff recommends disapproval

### **SCHOOL BOARD REPORT**

**Projected student generation existing R6 district: 1 Elementary 1 Middle 1 High**  
**Projected student generation proposed SP district: 6 Elementary 4 Middle 3 High**

The proposed SP zoning district could generate ten more students than what is typically generated under the existing R6 zoning district. Students would attend Rosebank Elementary School, Bailey Middle School, and Stratford High School.

All three schools are identified as under capacity and will accommodate additional students. This information is based upon data from the school board last updated September 2012.



## Metro Planning Commission Meeting of 9/26/2013

### STORMWATER RECOMMENDATION

#### Approve with Conditions

- If an adequate surface discharge location is located, then the development shall install any necessary structures (offsite improvements) to tie into an adequate system.

### PUBLIC WORKS RECOMMENDATION

#### No Exceptions Taken

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

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	1.78	7.71	17 U	154	12	17

\*Based on three duplex lot

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)	1.78	-	28 U	282	17	32

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
General Retail (814)	1.78	-	4'000 SF	209	11	32

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
Restaurant (932)	1.78	-	2,000 SF	235	24	23

Traffic changes between maximum: **R6** and proposed **SP-MU**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+572	+40	+70

### STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions if the Commission adopts the policy amendment and disapproval if the associated policy amendment is not approved.



## Metro Planning Commission Meeting of 9/26/2013

### CONDITIONS

1. Uses within the SP shall be limited to residential and all uses permitted by the MUL zoning district.
2. Residential uses are limited to a maximum of 28 units and non-residential uses are limited to a maximum of 6,000 square feet.
3. Restaurant uses are limited to a maximum of 3,000 square feet, unless additional parking is provided in compliance with Metro Zoning Code requirements. Additional floor area for restaurant uses shall be reviewed with final site plan and/or use and occupancy permits. Additional parking may be permitted offsite, but must be approved by Metro Planning and/or Metro Public Works.
4. Bike racks for at least six bikes shall be provided and shall be shown on the final site plan.
5. Prior to final site plan approval, the right of way for Turner Street shall be abandoned.
6. Permitted signs shall be limited to wall mounted signs, projecting signs, awning signs, window signs and hanging signs. Freestanding ground signs, monument signs, portable signs, roof mounted signs, LED signs and billboards shall not be permitted. A signage program for shall be included with the final site plan and must be approved by Planning.
7. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Council approval, the property shall be subject to the standards, regulations and requirements of the MUL zoning district as of the date of the applicable request or application.
8. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no later than 120 days after the effective date of the enacting ordinance. The corrected copy provided to the Planning Department shall include printed copy of the preliminary SP plan and a single PDF that contains the plan and all related SP documents. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.
9. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.



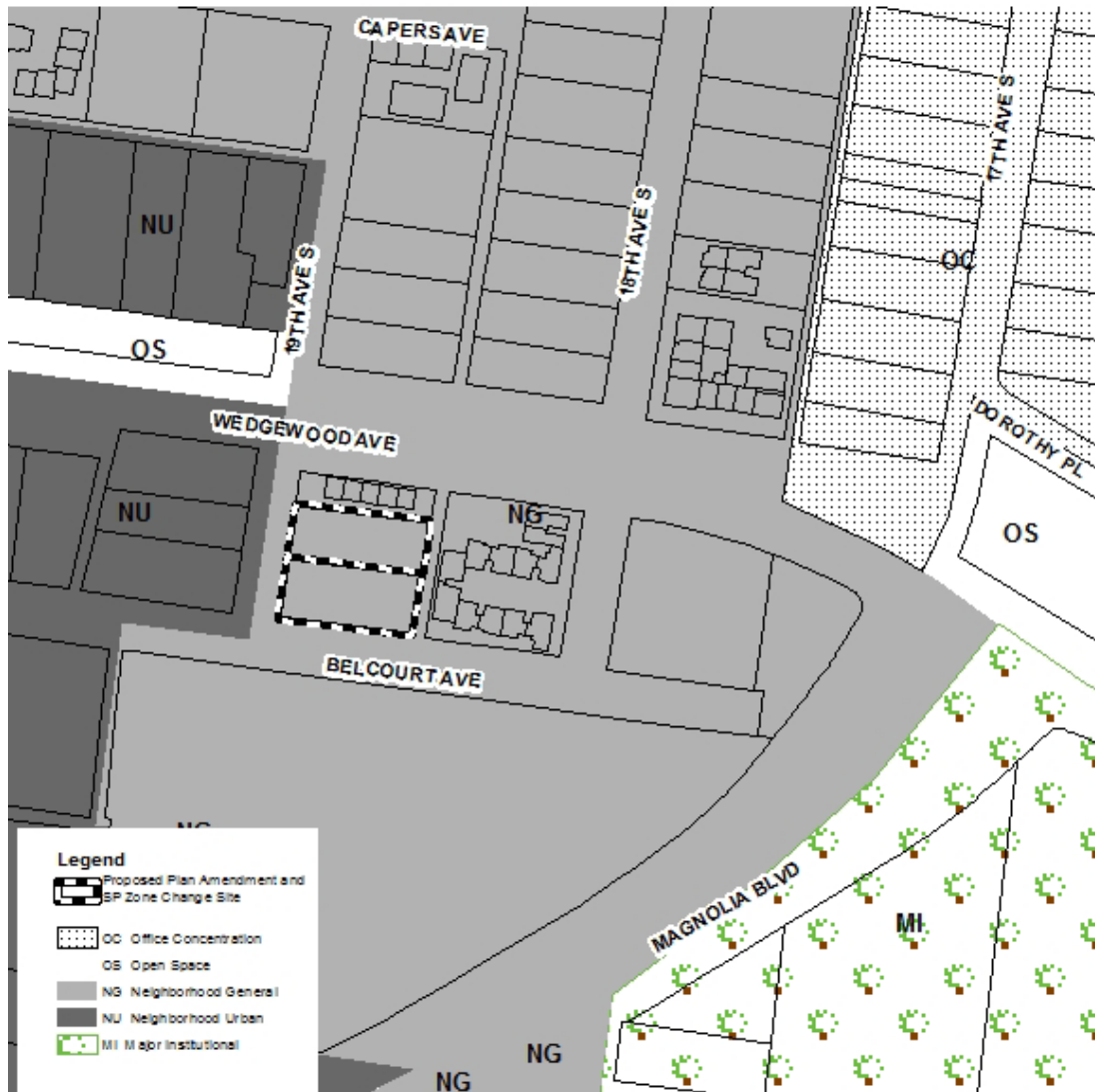


## **Metro Planning Commission Meeting of 9/26/2013**

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



## Metro Planning Commission Meeting of 9/26/2013



2013CP-010-001

### GREEN HILLS – MIDTOWN COMMUNITY PLAN AMENDMENT

Map 104-08, Parcel(s) 172-173

Green Hills - Midtown

18 – Burkley Allen



<b>Project No.</b>	<b>Minor Plan Amendment 2013CP-010-001</b>
<b>Project Name</b>	<b><i>Green Hills – Midtown Community Plan: 2005 Update</i></b>
<b>Associated Case</b>	2013SP-023-001
<b>Council District</b>	18 – Allen
<b>School District</b>	8 – Hayes
<b>Requested by</b>	Barge, Waggoner, Sumner, and Cannon, Inc., applicant; John Holland, Jared Danford, and Mary R. Smith, owners
<b>Deferral</b>	This case was deferred indefinitely by the Planning Commission at the July 25, 2013, Planning Commission meeting.
<b>Staff Reviewer</b>	Withers
<b>Staff Recommendation</b>	<i>Approve</i>

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**APPLICANT REQUEST**

**Change the policy from Neighborhood General to T4 Urban Neighborhood Evolving.**

Amend the Community Plan

A request to amend the *Green Hills - Midtown Community Plan: 2005 Update* to change the Land Use Policy from Neighborhood General (NG) to T4 Urban Neighborhood Evolving (T4 NE) Policy for properties located at 1708 and 1710 19th Avenue South, at the northeast corner of Belcourt Avenue and 19th Avenue South (0.44 acres)

**GREEN HILLS – MIDTOWN COMMUNITY PLAN**

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

**PROPOSED POLICY**

T4 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 lot sizes, with a broader range of housing types providing housing choice. This reflects the scarcity of easily developable land (without sensitive environmental features) and the cost of developing housing.

**BACKGROUND**

The proposed amendment area consists of two properties that are adjacent to Hillsboro Village to the west. When the case was before the Planning Commission in July, the proposed amendment area consisted of 2.44 acres and encompassed existing surrounding multi-family and institutional development. The applicants' original request is reflected in the current request (1708 and 1710 19<sup>th</sup> Avenue South, 0.44 acres and is discussed in 2013SP-023-001. In July, staff asked that the



## Metro Planning Commission Meeting of 9/26/2013

amendment area be expanded to take in the adjoining nursing home and multi-family housing, which predate the 2005 community plan update and are developed at higher densities than Neighborhood General Policy supports. The community requested that the amendment area reflect only the applicant's current request.

The applicants have requested a community plan amendment and Specific Plan rezoning in order to construct a multi-family development with more units per acre than can be supported by the existing Neighborhood General policy, which has a limit of twenty units per acre. The requested policy, T4 Urban Neighborhood Evolving, supports residential development at up to forty units per acre with some exceptions supporting higher densities that are detailed in the T4 NE section of the *Community Character Manual*. The current NG policy is part of the *Land Use Policy Application* document, the older of the two policy manuals that are used in the community plans. The proposed T4 NE policy is part of the newer manual, the *Community Character Manual*. The LUPA land use policies contained in the nine pre-CCM community plans (including Green Hills-Midtown) are in the process of having their policies translated to the CCM equivalents.

The Green Hills – Midtown Community Plan was last updated in 2005. There have been four amendments since then. One of the most recent amendments was the Midtown Community Character Plan. That amendment changed a large area between Charlotte and West End Avenues from Land Use Policy Application policies to Community Character Manual policies, including two T4 NE policy areas.

### COMMUNITY PARTICIPATION

A community meeting was held by the Planning Department on June 25, 2013. The meeting was attended by approximately 20 people, including District Councilwoman Burkley Allen. Attendees were concerned about both the proposed SP and the community plan amendment proposal. Many of the concerns centered on the lack of specifics that were provided about the project proposal and the potential broader impacts of the community plan amendment. In addition to this community meeting, the applicant met with some neighborhood residents on a previous occasion.

### ANALYSIS

As noted above, the requested policy – T4 NE – allows up to 40 dwelling units per acre, and can support higher densities at strategic locations. The proposed amendment area 10-T4-NE-03 is in a good location for more intense residential development than the T4 NE policy would normally support. This is because the amendment area:

- Provides opportunities to develop needed multifamily housing with smaller units at appropriate locations and relieves pressure to redevelop nearby single- and two-family neighborhoods;
- Is located in the block off Wedgewood Avenue, an urban arterial street, with bus routes including the university connector;
- Is less than a block away from an MTA stop;
- Adjoins Hillsboro Village, providing goods and services within walking distance;
- Is located between two large universities; and
- Is served by existing urban infrastructure that can be upgraded as necessary as opposed to being in a greenfield area where there is no infrastructure.



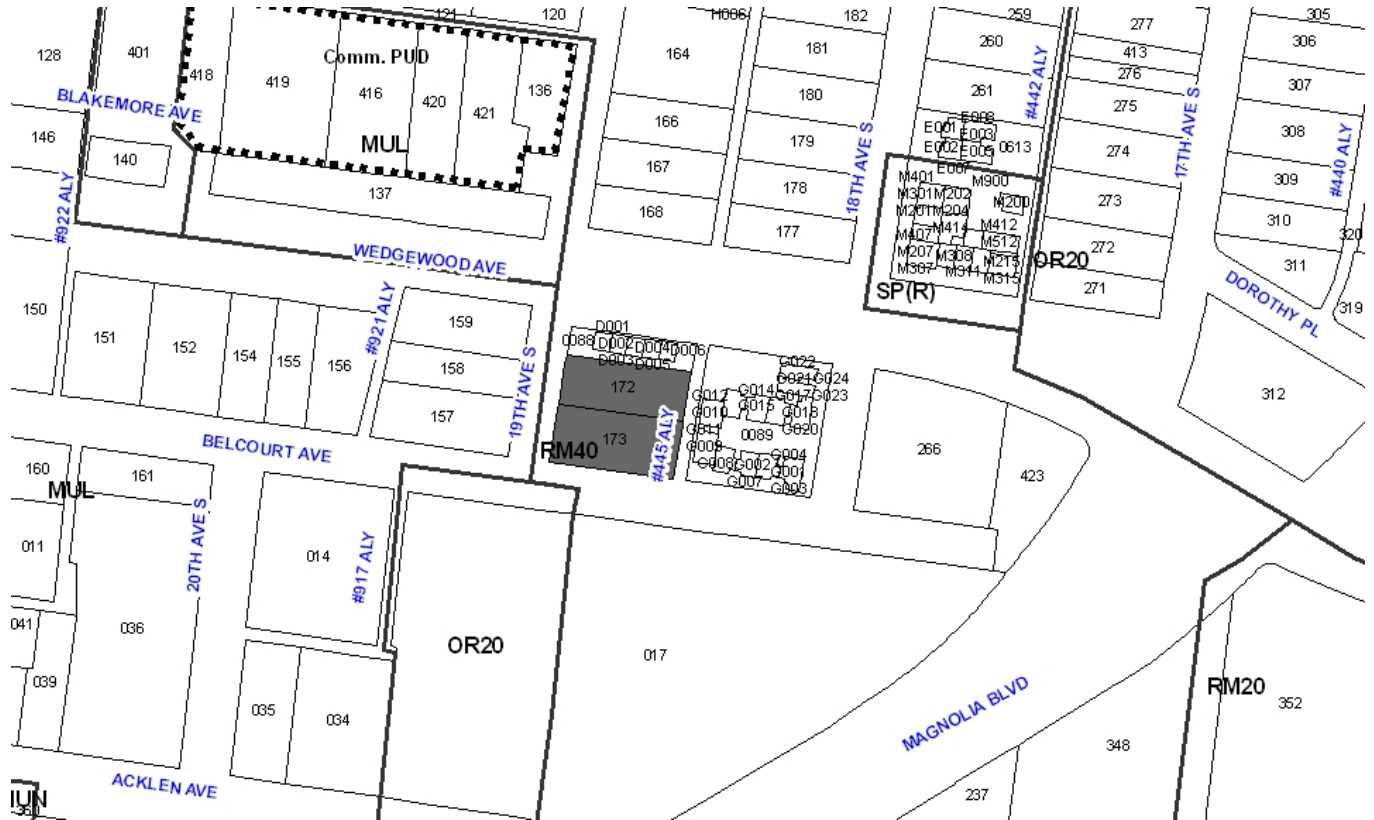
## **Metro Planning Commission Meeting of 9/26/2013**

### **STAFF RECOMMENDATION**

Staff recommends approval of the plan amendment request.



# Metro Planning Commission Meeting of 9/26/2013



**2013SP-023-001**  
 19TH & BELCOURT  
 Map 104-08, Parcel(s) 172-173  
 Green Hills - Midtown  
 18 - Burkley Allen



**Project No.** Zone Change 2013SP-023-001  
**Project Name** 19<sup>th</sup> and Belcourt SP  
**Associate Case** 2013CP-010-001  
**Council District** 18 – Allen  
**School District** 8 – Hayes  
**Requested by** Barge, Waggoner, Sumner & Cannon, Inc., applicant; John Holland, Jared Danford and Mary Smith, owners

**Deferrals** This request was deferred indefinitely by the Planning Commission at the July 25, 2013, Planning Commission meeting.

**Staff Reviewer** Swaggart  
**Staff Recommendation** *Approve with conditions and disapprove without all conditions if the proposed T4 NE policy is approved. Disapprove if the T4 NE policy is not approved.*

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**APPLICANT REQUEST**

**Preliminary SP to permit 36 multi-family dwellings.**

Preliminary SP

A request to rezone from Multi-Family Residential (RM40) to Specific Plan – Residential (SP-R) zoning for properties located at 1708 and 1710 19th Avenue South, at the northeast corner of Belcourt Avenue and 19th Avenue South (0.44 acres), to permit up to 36 residential units.

**Existing Zoning**

Multi-Family Residential (RM40) is intended for single-family, duplex, and multi-family dwellings at a density of 40 dwelling units per acre. *RM40 would permit a maximum of 18 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.

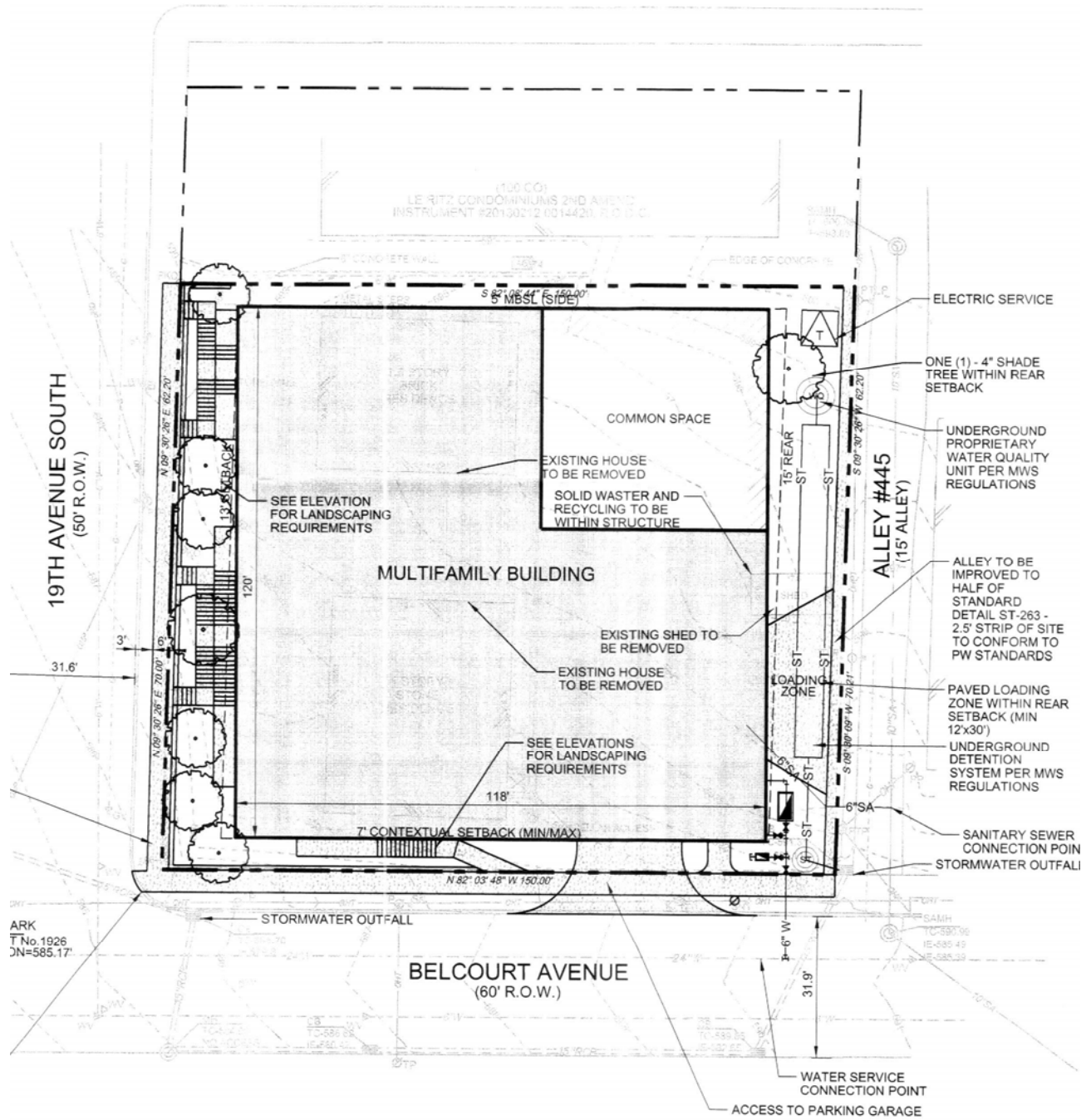
**DEFERRALS**

This request and the associated policy amendment were previously heard at the July 25, 2013, Planning Commission meeting. Staff’s recommendation at that time was to approve the policy amendment and to defer indefinitely or disapprove the SP. The Planning Commission deferred the policy amendment and the SP indefinitely. The applicant submitted a revised plan just prior to the July meeting. The revised plan, which is the current plan under review, was not presented at the July meeting because its late submittal did not permit staff adequate time to review.

Staff recommended disapproval of the previous plan because it placed the top floor of the parking structure at street level along 19<sup>th</sup> Avenue South and Belcourt Avenue. Because the garage was located at street level, only one pedestrian entrance was provided. The only entrance was located at the southwest corner of 19<sup>th</sup> and Belcourt and was identified as an “amenity area”. The plan also



# Metro Planning Commission Meeting of 9/26/2013



**Proposed Site Plan**





## Metro Planning Commission Meeting of 9/26/2013

included several faux doors along both street frontages, intended to create an illusion of an active street frontage.

The previous plan was not conducive to creating, or in this case sustaining, a walkable neighborhood. The site is located adjacent to Hillsboro Village, a well-recognized and popular mixed use center on Hillsboro Pike. This area is characterized by a high level of pedestrian activity, which is encouraged by existing development that places active uses at street level and parking behind buildings away from the street. The placement of a parking structure at street-level, with one entrance and no active uses, could be disruptive to the character of surrounding development. While the plan attempted to create the illusion of an active street frontage with faux doors, the lack of activity on the first floor (windows and doors on to occupied space or stoops) was not supported by the Community Plan.

After submitting the original SP application, but prior to the SP being heard by the Commission, the applicant filed for a Special Exception (SE) from the Board of Zoning Appeals (BZA) for a shortened street setback and additional building height along 19<sup>th</sup> Avenue. The BZA approved the SE on June 20, 2013. This BZA approval allows for the construction of essentially the same building shape and massing that is proposed with the previous SP, however, the BZA approval only permits 18 dwelling units. The applicants would prefer 36 units as proposed by the SP. If the proposed SP district is not approved, then the property could develop under the BZA order with 18 units.

The applicant has indicated that they will move forward with the BZA approved site plan if they are not successful in rezoning the property; however, they would prefer to move forward with the SP zone change. The SP provides an opportunity for the Planning staff and Councilmember to reach a compromise proposal that better meets the goal of complementing community character. Again, the current plan is not the plan that was previously brought before the Commission, but is the plan that was presented to staff, just before the July 25, 2013, meeting which staff did not have time to review.

### **CRITICAL PLANNING GOALS**

N/A

### **GREEN HILLS – MIDTOWN COMMUNITY PLAN**

#### **Current policy**

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

#### **Proposed policy**

T4 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 lot sizes, with a broader range of housing types providing housing choice. This



# Metro Planning Commission Meeting of 9/26/2013





## Metro Planning Commission Meeting of 9/26/2013

reflects the scarcity of easily developable land (without sensitive environmental features) and the cost of developing housing.

### Consistent with Policy?

The density of the proposed SP is consistent with the proposed T4 NE policy. Also, as discussed in the analysis below, the design does provide for a more activated street frontage than the previous plan that was considered by the Commission in July, 2013. While staff does not believe that the design is ideal, it is better than the previous plan in how it relates to the street from a pedestrian standpoint. While this plan does not meet all of the objectives of the community plan policy, including fully activating the street, it does meet some of them, including placing density at an appropriate location near a major arterial street and within the Hillsboro Village area. Also, the building design should have less of an impact on the vibrant mixed use center that is Hillsboro Village, due to the sites location further away from Hillsboro Village.

### **PLAN DETAILS**

The current SP proposal includes a five story building with a maximum of 36 units. The first floor of living space is located on the second level of the building. The overall height is approximately 60 feet and 45 feet at the minimum setbacks along 19<sup>th</sup> and Belcourt Avenues. The top two floors are stepped back at the setback. The plan identifies a common space along the north which will be a court yard.

Structured parking is provided below the living space within the building footprint. The parking area is provided on two levels with one level being subgrade and the upper deck at street level. Parking is provided at one space per bedroom. The plan also permits up to 40 percent of the parking spaces to be sized for compact automobiles. Access to the parking comes from a vehicular entrance from Belcourt along the south side of the building. A six foot sidewalk and three foot planting strip is located along Belcourt and 19<sup>th</sup>.

Conceptual elevations are included with the SP. Pedestrian entrances are located along 19<sup>th</sup> and Belcourt. The plan calls for brick or engineered stone along the first three floors and stucco with horizontal definition on the top two stories. Four entrances are located along 19<sup>th</sup> and one entrance is located along Belcourt. Since the second level of parking is located at street level, the doors into the units are located on the second level, approximately 12 feet above street grade.

### **ANALYSIS**

The current plan is an improvement from the previous plan presented to the Commission. The current plan does not provide an ideal active ground floor, but it does provide entrances to some of the residential units from the street, which is more consistent with the proposed T4 NE policy than the previous design. Since the site is located further from Hillsboro Village, along a dead end street into Magnolia Boulevard the proposed design should have less of an impact to the atmosphere of Hillsboro Village. While staff is recommending approval of this plan, it is important to note that the proposed design would not be appropriate closer to the center of Hillsboro Village or within proximity to an existing mixed use center, an area planned for a mixed use center or residential areas planned to create or sustain a vibrant walkable neighborhood.

### **STORMWATER RECOMMENDATION**

Preliminary SP approved



# Metro Planning Commission Meeting of 9/26/2013

## PUBLIC WORKS RECOMMENDATION

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- ROW dedications along the alley and along 19th must be recorded prior to approval of the Final SP.
- Garage access to be located at appropriate distance from 19th and Alley intersections to allow adequate sight distance and access operation. Any parking access control equipment shall be located a minimum distance to back of sidewalk to allow adequate space for queuing without spilling into the public right of way or impacting sidewalk accessibility.

Maximum Uses in Existing Zoning District: **RM40**

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)	0.44	40 D	17 U	227	13	27

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)	0.44	-	36 U	342	22	38

Traffic changes between maximum: **R6** and proposed **MUN-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+19	+115	+9	+11

## SCHOOL BOARD REPORT

**Projected student generation existing RM40 district: 1 Elementary 0 Middle 0 High**

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

The proposed SP zoning district could generate 4 more students than what is typically generated under the existing RM40 zoning district. Students would attend Eakin Elementary School, West End Middle School, and Hillsboro High School.

Eakin Elementary and West End Middle schools have been identified as over capacity. There is capacity within the cluster for elementary and middle school students. This information is based upon data from the school board last updated September 2012.

## STAFF RECOMMENDATION

Staff recommends that the request be approved with conditions and disapproved without all staff conditions if the proposed T4 NE policy is approved. If the T4 NE policy is not approved then staff recommends disapproval.



## Metro Planning Commission Meeting of 9/26/2013

### CONDITIONS

1. Garage access shall be located at an appropriate distance from 19th Avenue South and the alley intersections to allow adequate sight distance and access operation. Any parking access control equipment shall be located a minimum distance to back of sidewalk to allow adequate space for queuing without spilling into the public right of way or impacting sidewalk accessibility.
2. Permitted land uses shall be limited to 36 multi-family units.
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 RM80-A zoning district as of the date of the applicable request or application.
4. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no later than 120 days after the effective date of the enacting ordinance. The corrected copy provided to the Planning Department shall include printed copy of the preliminary SP plan and a single PDF that contains the plan and all related SP documents. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.
5. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
6. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.



**Metro Planning Commission Meeting of 9/26/2013**

**NO SKETCH**



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

**Deferral** This application was deferred at the August 22, 2013, and September 12, 2013, Planning Commission meetings.

**Staff Reviewer** Cuthbertson  
**Staff Recommendation** *Approve*

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**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 build-to zone, 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 and any relevant department or agency.

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



## **Metro Planning Commission Meeting of 9/26/2013**

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 and other relevant agencies, 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.

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### **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)**

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





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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 build-to zone, 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 and any relevant department or agency.

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: \_\_\_\_\_



# Metro Planning Commission Meeting of 9/26/2013



**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

**Deferral** This request was deferred by the Planning Commission at the September 12, 2013, meeting in order to provide additional time for Metro Stormwater to review and provide a recommendation.

**Staff Reviewer** Cuthbertson  
**Staff Recommendation** *Approve with conditions and disapprove without all conditions.*

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**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 49<sup>th</sup> 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.

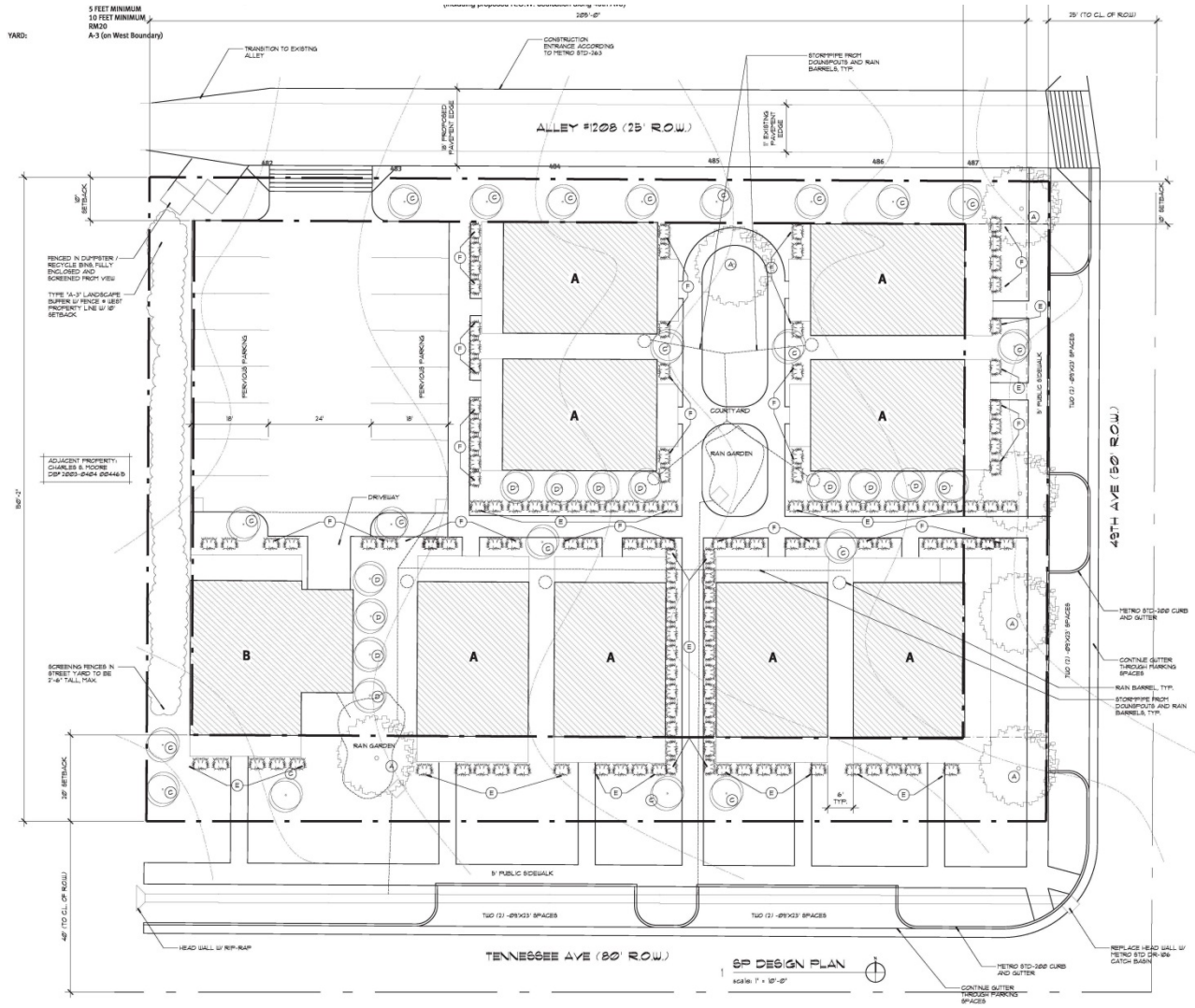
**CRITICAL PLANNING GOALS**

- 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 51<sup>st</sup> 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-



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**Proposed Specific Plan**



## Metro Planning Commission Meeting of 9/26/2013

street parking and placing on-site parking behind the buildings and limiting access to an existing alley.

### **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 49<sup>th</sup> 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



## Metro Planning Commission Meeting of 9/26/2013

housing options while enhancing the urban character found along both 49<sup>th</sup> Avenue and Tennessee Avenue corridors and in the surrounding area.

### 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

#### Approve with a condition

- A Maintenance Agreement shall be recorded prior to Final SP approval.

### PUBLIC WORKS RECOMMENDATION

#### Approve with conditions

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

Approve with conditions and disapprove without all conditions. The request is consistent with the site's Urban Mixed Use Corridor land use policy and meets several critical planning goals.



## Metro Planning Commission Meeting of 9/26/2013

### CONDITIONS

1. Comply with all Public Works Department requirements.
2. Comply with the Stormwater Department requirement: A Maintenance Agreement shall be recorded prior to Final SP approval.
3. Uses within the SP shall be limited to a maximum of nine residential units.
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 RM20 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 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.
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.



# Metro Planning Commission Meeting of 9/26/2013



**2013S-112-001**  
YOUNG WOODS, RESUB LOT 6 (CONCEPT PLAN)  
Map 131-01, Parcel(s) 010  
Green Hills - Midtown  
34 - Carter Todd





**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. The request was originally for final plat approval; however, Stormwater is requiring that stormwater facilities be provided, which requires concept plan and development plan approval prior to final plat approval.

**Staff Reviewer** Swaggart  
**Staff Recommendation** *Approve with conditions*

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**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).

**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 2 lots with 2 duplex lots for a total of 4 units.

**CRITICAL PLANNING GOALS**

- Supports Infill Development

This subdivision will create an additional residential lot, permitting two new residential units within an area already served by infrastructure and services.

**PLAN DETAILS**

This request is for concept plan approval to create two lots out of one existing lot. The subject site is a little under an acre in size (0.92 acres, 40,121 square feet). The subject site is located on the north side of Hobbs road just east of Vailwood Drive, and is currently occupied by a single-family residential structure.





## Metro Planning Commission Meeting of 9/26/2013

### Concept Plan

The request calls for two new two-family lots. The proposed lots configuration includes one flag lot. The proposed lots will have the following land area:

- Lot 1: 0.46 Acres (20,030 SF);
- Lot 2: 0.46 Acres (20,090 SF).

Access to the lots will be restricted to one point along the western property line of lot two. Sidewalks exist along the Hobbs Road frontage and are required to be maintained during the redevelopment of the site.

### **ANALYSIS**

The subdivision meets minimum bulk standards found in the Zoning Code. However, the Subdivision Regulations do not permit flag lots, unless an exception is granted by the Planning Commission. For the Commission to grant an exception all of the following conditions must be met:

1. There is limited area for lot frontage on a street.
2. The proposed lots fit into the character of the area and are consistent with the general plan.
3. All minimum standards of the Zoning Code shall be met.
4. No more than three lots are proposed.
5. The residential unit on the lot with frontage is comparable to other lots in the area and shall face the street.
6. The flag lot private drive and/or access easement shall connect to a street.
7. The flag lot private drive and/or access easement shall be at least ten feet wide for its entire length.
8. The flag lot shared access easement shall be part of one non-frontage lot and under the same ownership as that lot.

Staff finds that the request meets all of the conditions. While the lot has sufficient area to be subdivided, it lacks adequate frontage, requiring the proposed lot configuration. The request meets minimum Zoning Code requirements and is only for two lots. The lot is similar to the adjacent flag lot to the east that was approved by the Commission in 2004. The proposed lots are consistent with the surrounding density which is also consistent with the property's Residential Low Medium (RLM) land use policy and a special policy that applies to the property. The special policy recommends that development consist of single and two-family uses with densities similar to surrounding densities along the north side of Hobbs Road. Finally, the request meets all the access and configuration requirements.

The request is consistent with the adjacent flag lot and the character along this section of Hobbs Road is inconsistent. While many homes front onto Hobbs Road, there are numerous developments where the homes back up to Hobbs Road. A condition of approval is that a note be added to the plan requiring that any home on Lot One must front onto Hobbs Road and that no garage or parking be permitted in front of any home directly facing Hobbs. This is similar to the requirements on the adjacent flag lot.

While staff supports the proposed layout, the request has not yet been approved by Metro Stormwater. Since the request has not been approved by Stormwater, then staff cannot recommend



## **Metro Planning Commission Meeting of 9/26/2013**

approval at this time. Staff is recommending that the request be deferred to the October 10, 2013 Planning Commission meeting, and approval with conditions if Metro Stormwater recommends approval prior to the September 26, 2013, Planning Commission meeting.

### **STORMWATER RECOMMENDATION**

#### **Approve with conditions**

- A Maintenance Agreement shall be recorded prior to the approval of any Development plans and Final plat.

### **PUBLIC WORKS RECOMMENDATION**

#### **No Exceptions Taken**

### **STAFF RECOMMENDATION**

Staff recommends that the request be deferred to the October 10, 2013, Planning Commission meeting. Approve with conditions if Metro Stormwater recommends approval prior to the September 26, 2013, Planning Commission meeting.

### **CONDITIONS (if approved)**

1. A Maintenance Agreement shall be recorded prior to the approval of any Development plans and Final plat.
2. A note shall be added to the plan stating that any home on Lot One shall be shall be oriented towards Hobbs Road.
3. A note shall be added to the plan restricting garage doors from the front façade of any structure on Lot One.
4. A note shall be added to the plan prohibiting parking in front of any home on Lot One.



**Metro Planning Commission Meeting of 9/26/2013**

**SEE NEXT PAGE**



# Metro Planning Commission Meeting of 9/26/2013



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



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

**Deferral** This request was deferred at the August 22, 2013, and the September 12, 2013, meeting in order to provide additional time for Metro Stormwater review and recommendation.

**Staff Reviewer** Cuthbertson  
**Staff Recommendation** *Defer to the October 10, 2013, Planning Commission meeting. Approve with a condition if Metro Stormwater recommends approval prior to the September 26, 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**

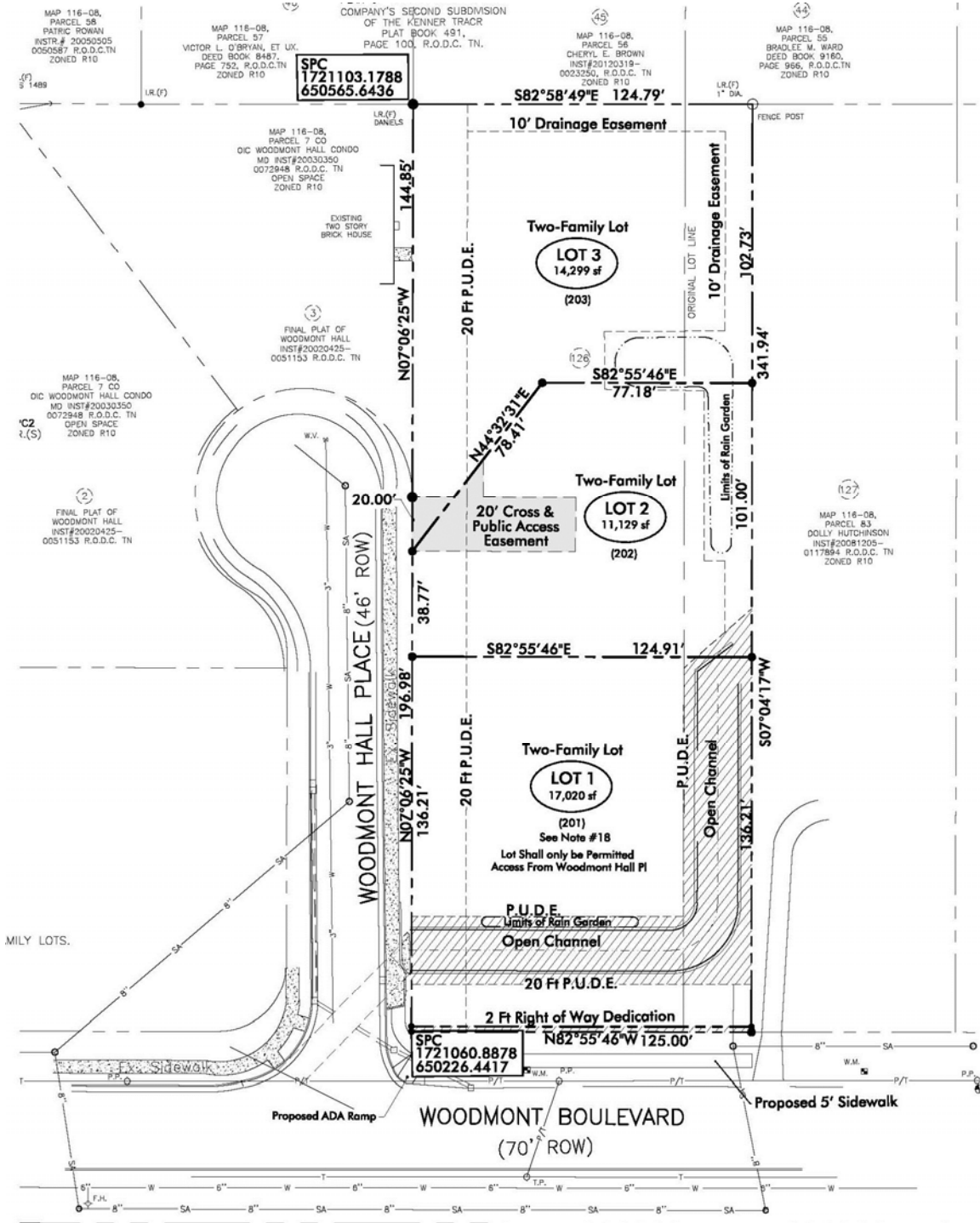
Woodmont Hall Place, abutting the subject property to the west, was established with the development of the Woodmont Hall subdivision. In 2001, the Planning Commission approved the Woodmont Hall subdivision which proposed a public street extension (Woodmont Hall Place) and three lots all to contain two-family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



# Metro Planning Commission Meeting of 9/26/2013



**Proposed Subdivision**





## **Metro Planning Commission Meeting of 9/26/2013**

more than 10,000 square feet of area. Each lot is intended to accommodate a two-family dwelling, as permitted by the current zoning, for a total of six residential units.

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**

Returned

- Show all stormwater features on the plat (bioretention, pervious pavement, etc.).
- Provide PUDE's for all stormwater features (storm system, etc.)
- Cite the Maintenance Agreement number on the 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.



## **Metro Planning Commission Meeting of 9/26/2013**

### **STAFF RECOMMENDATION**

Defer to the October 10, 2013, Planning Commission meeting. Approve with a condition if Metro Stormwater recommends approval prior to the September 26, 2013, Planning Commission meeting. The final plat complies with all subdivision regulations and zoning requirements.

### **CONDITIONS**

1. Comply with the Fire Marshal requirement: 20' access easement shall be paved to Fire Department standards for turnaround prior to any construction.



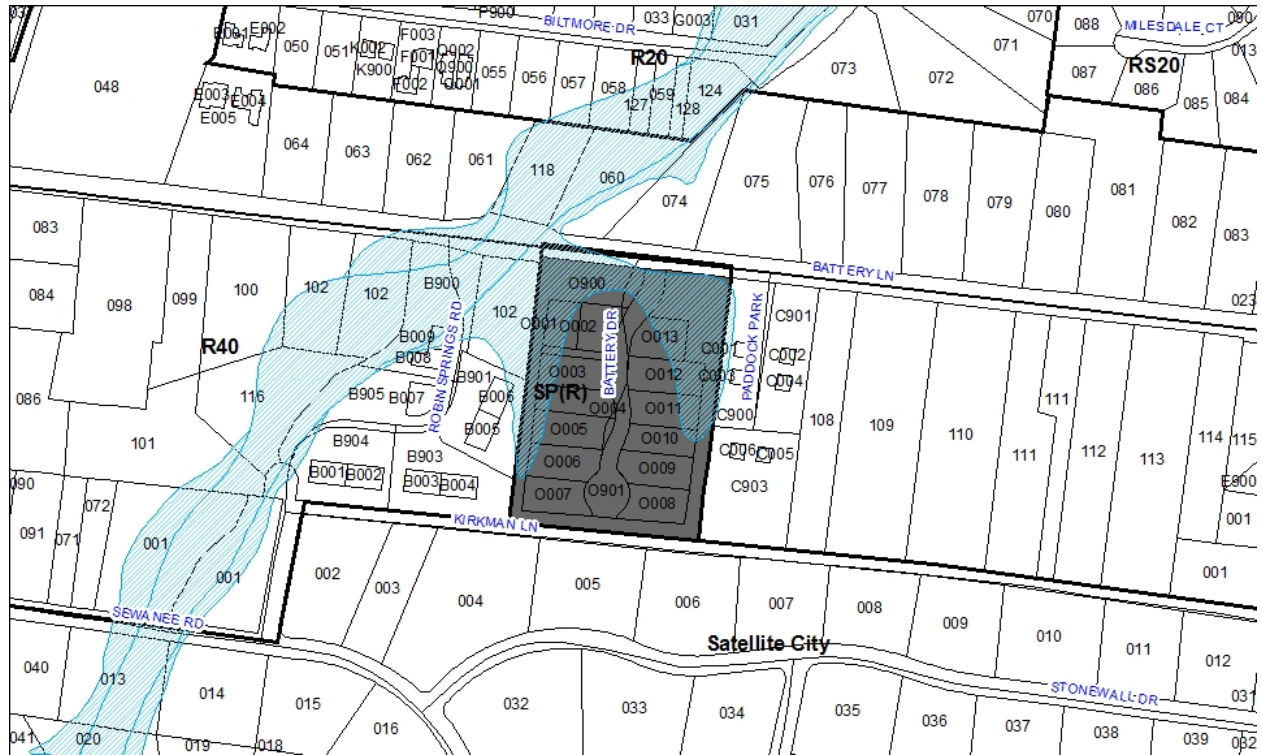
**Metro Planning Commission Meeting of 9/26/2013**

## **RECOMMENDATIONS TO METRO COUNCIL**

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



# Metro Planning Commission Meeting of 9/26/2013



**2009SP-008-001**  
**BATTERY PARK (4 YEAR REVIEW)**  
Map 131-12-0-O, Parcel(s) 001-013, 900-901  
Green Hills - Midtown  
34 - Carter Todd



**Project No.** SP District Review 2009SP-008-001  
**Project Name** Battery Park SP  
**Council District** 34—Todd  
**School District** 08—Hayes  
**Requested by** Metro Planning Department

**Staff Reviewer** Amy Diaz-Barriga  
**Staff Recommendation** *Find the SP District active*

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**APPLICANT REQUEST**

**Four year SP review to determine activity.**

SP Review

The periodic review of an approved Specific Plan (R) district known as "Battery Park", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code (Review of a Development Plan), for various properties located along Battery Drive, (7.4 acres), approved for 13 single-family lots via Council Bill BL2009-473 approved on August 24, 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 SP district is appropriate.

**DETAILS OF THE SP DISTRICT**

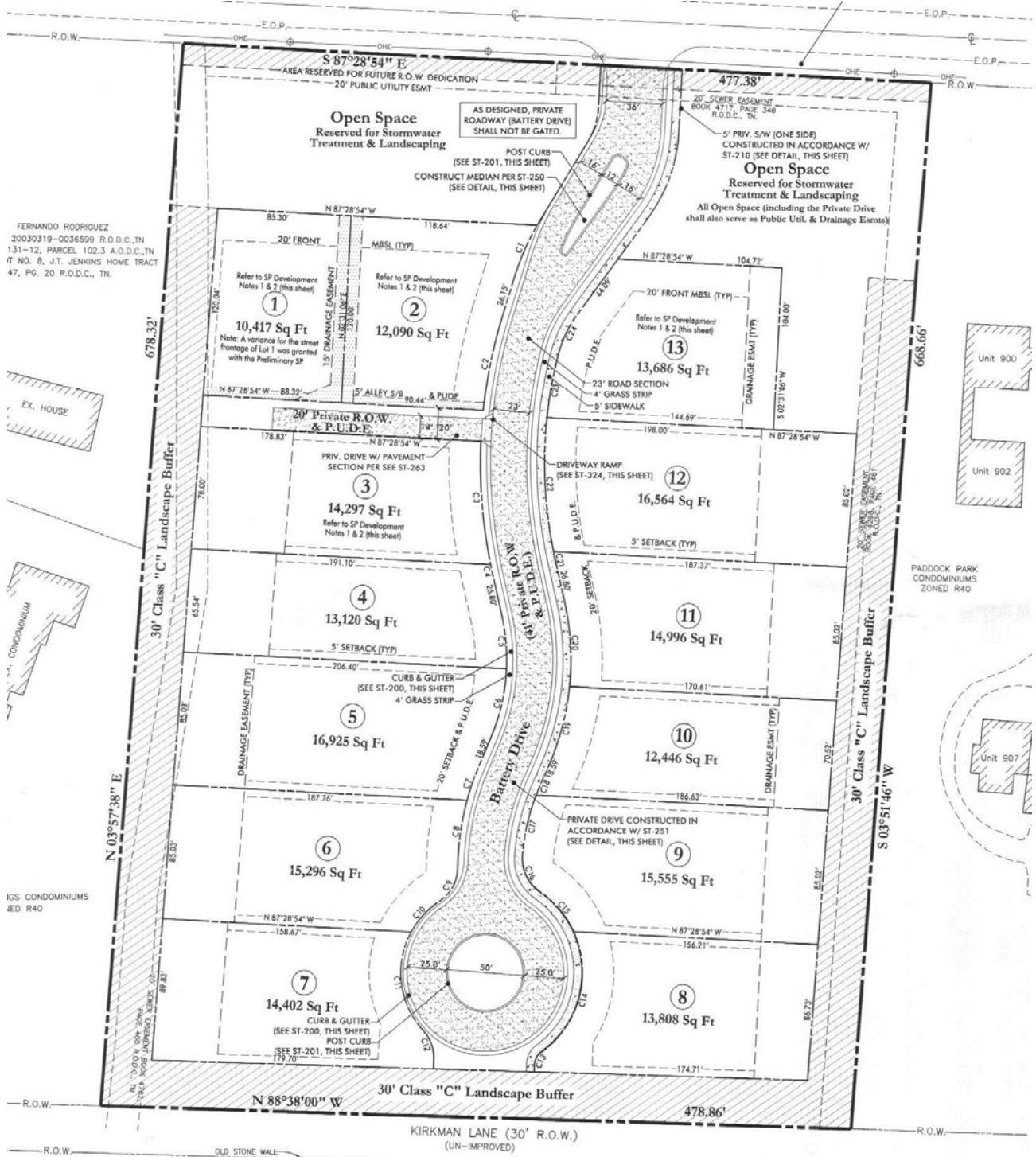
This SP limits uses to up to 13 single family residences. Building square footage is defined by minimum and maximum limits. Lots range in size from 10,416 SF to 15,924 SF. The fallback zoning for this SP is RS15. The site plan locates 12 lots along a private drive, and one lot fronting open space with alley access. Three lots have access limited to the alley. Standard "C" landscape buffers 30' in width are provided along the west, south, and east SP boundaries. Sidewalks are provided along one side of the private drive. The SP also prohibits pedestrian and vehicular connections to Kirkland Lane, the unimproved right-of-way adjacent the south boundary of the SP that is a historic antebelleum road listed on the National Register of Historic Places.

**SPECIFIC PLAN REVIEW**

The final site plan for this SP was administratively approved on February 28, 2012. A plat for thirteen lots, shared open space, and private right-of-way was approved on July 26, 2012. Of these thirteen lots, six have been issued occupancy permits, and another six have been issued building permits. Lot 2 is the only lot without an active building permit. Staff conducted a site visit on September 4, 2013. Staff found that the private road and sidewalk were constructed, and the majority of the houses were constructed or under construction.



# Metro Planning Commission Meeting of 9/26/2013





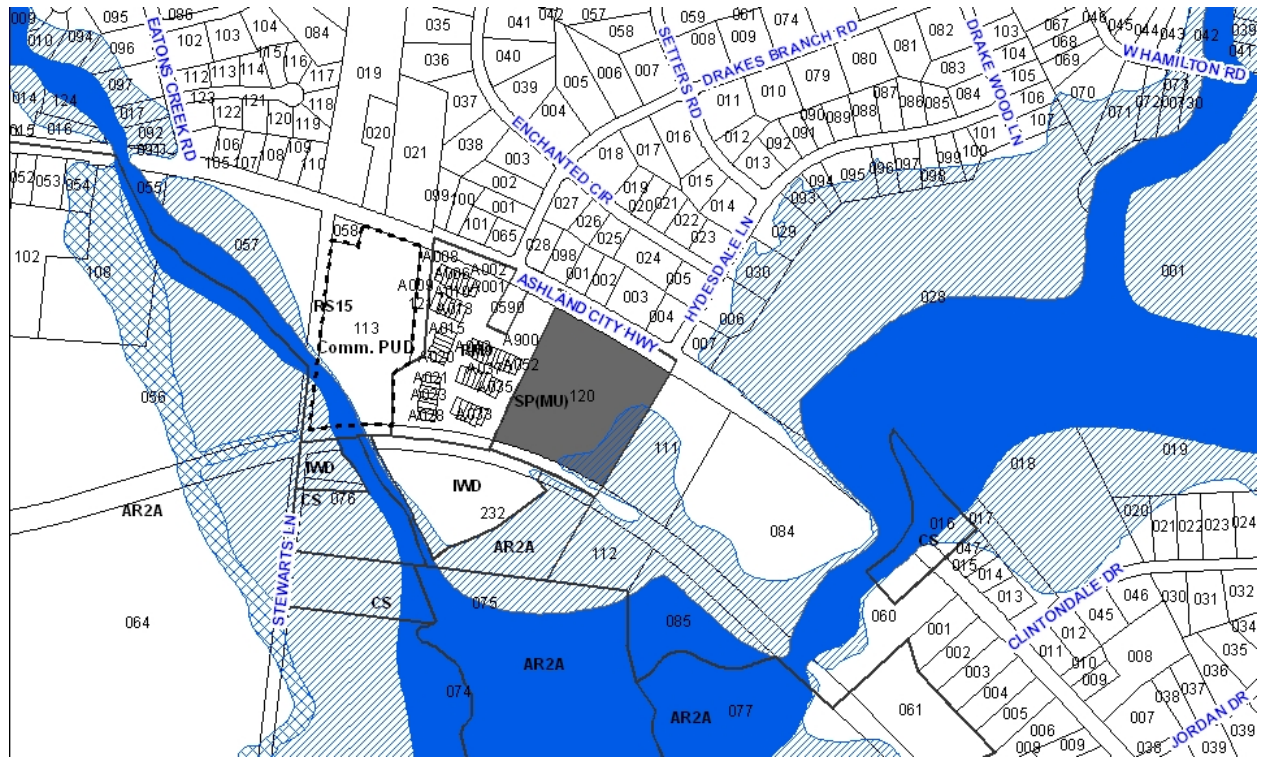
## **Metro Planning Commission Meeting of 9/26/2013**

### **STAFF RECOMMENDATION**

Staff recommends that the Battery Park SP be found to be active.



# Metro Planning Commission Meeting of 9/26/2013



**2009SP-010-001**  
ASHLAND CITY HIGHWAY (4-YEAR REVIEW)  
Map 069, Parcel(s) 120  
Bordeaux - Whites Creek  
01 - Lonell Matthews, Jr





**Project No.** SP District Review 2009SP-010-001  
**Project Name** Ashland City Highway SP  
**Council District** 01—Matthews, Jr.  
**School District** 01—Gentry  
**Requested by** Metro Planning Department

**Staff Reviewer** Amy Diaz-Barriga  
**Staff Recommendation** *Find the SP District inactive and direct staff to prepare a report to the Council recommending the property be rezoned to RM9.*

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**APPLICANT REQUEST**

**Four year SP review to determine activity.**

SP Review

The periodic review of an approved Specific Plan (MU) district known as "Ashland City Highway", 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 Ashland City Highway (unnumbered), (7.14 acres), approved for a funeral home subject to the standards, regulations and requirements of the OR20 zoning district and one residence via Council Bill BL2009-474 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 SP district is appropriate.

**DETAILS OF THE SP DISTRICT**

This SP limits the uses to a funeral home and one residence. The funeral home is to comply with all standards and regulations of OR20 zoning. The bill and site plan stipulate that one residence may be constructed above the detached garage of the funeral home. It further states that if a single family residence is constructed on the site, the use and occupancy permit for the residence above the garage shall be transferred to the single family residence outside of the funeral home, and the area above the detached garage shall no longer be used for residential purposes. Signage is limited to one wall sign and one ground sign.

**SPECIFIC PLAN REVIEW**

A final site plan was never submitted or approved for this SP. Staff conducted a site visit on July 26, 2013, and found no evidence of development on site. Staff's initial determination was that the SP is inactive. Staff contacted the owner to report its initial determination, and asked for



## Metro Planning Commission Meeting of 9/26/2013

documentation from the owner demonstrating activity, by August 16, 2013. The owner did not respond to this request. The owner was then contacted by phone on August 29, 2013, at which time he confirmed that he no longer has plans to develop this site for a funeral home or residence.

### **FINDINGS OF INACTIVITY**

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

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

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

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

### Permits on Hold

Section 17.40.106.I.1 of the Zoning Code requires that once the review of an SP with a preliminary assessment of inactivity is initiated, no new permits, grading or building, are to be issued during the course of the review.

### **ANALYSIS**

This property is within the Bordeaux/Whites Creek Community Plan, which was last updated in 2005. The policies for this SP are Residential Medium (RM) and Natural Conservation (NCO). RM policy is intended to accommodate residential development within a density range of four to nine dwelling units per acre. The appropriate land uses for this policy include a variety of housing types, civic and public benefit uses, and small open spaces. Appropriate housing types include compact, single-family detached units, town-homes, and walk-up apartments. Natural Conservation (NCO) policy is applied to the southeast corner of the parcel (approximately 14percent of the parcel), and aligns with the 100-year floodplain. 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.

When this SP was originally brought before Planning Commission, it was proposed to permit a funeral home, as well as all uses in the RM9 zoning district. Staff recommended disapproval of the SP, stating that the funeral home was not consistent with RM and NCO policies of the Bordeaux/Whites Creek Community Plan. The councilmember and community members voiced concerns against the proposed density, and spoke in favor of approving the SP without the RM9 zoning district included. The Planning Commission did approve the SP, stating that, although the proposed funeral home was not consistent with Residential Medium Policy, it is more consistent



## Metro Planning Commission Meeting of 9/26/2013

with Natural Conservation Policy as a funeral home will require less land than allowed with the residential policy.

The current SP is not consistent with the RM and NCO policies. Neither RM nor NCO policy support a funeral home as an appropriate use. A single residence for this 7.14 acre parcel would be supported by NCO policy, but the majority of the parcel is within RM policy, and a single residence is well below the supported density for RM policy. In regards to the NCO policy on the site, the Metropolitan Zoning Code will regulate development within the floodplain. Staff recommends rezoning the property to the RM9 zoning district, to allow the zoning to better support the RM land use policy. Rezoning this property to RM9 would provide appropriate housing type variety and the density supported by RM policy. It would allow 64 dwelling units on this 7.14 acre parcel, and those units could be single, two-family, or multifamily units. The councilmember is supportive of staff's recommendation, and supportive of higher density multi-family development in this area. Two public hearings would be part of the rezoning process, should the councilmember move forward with this zone change.

### Recommendation to Council

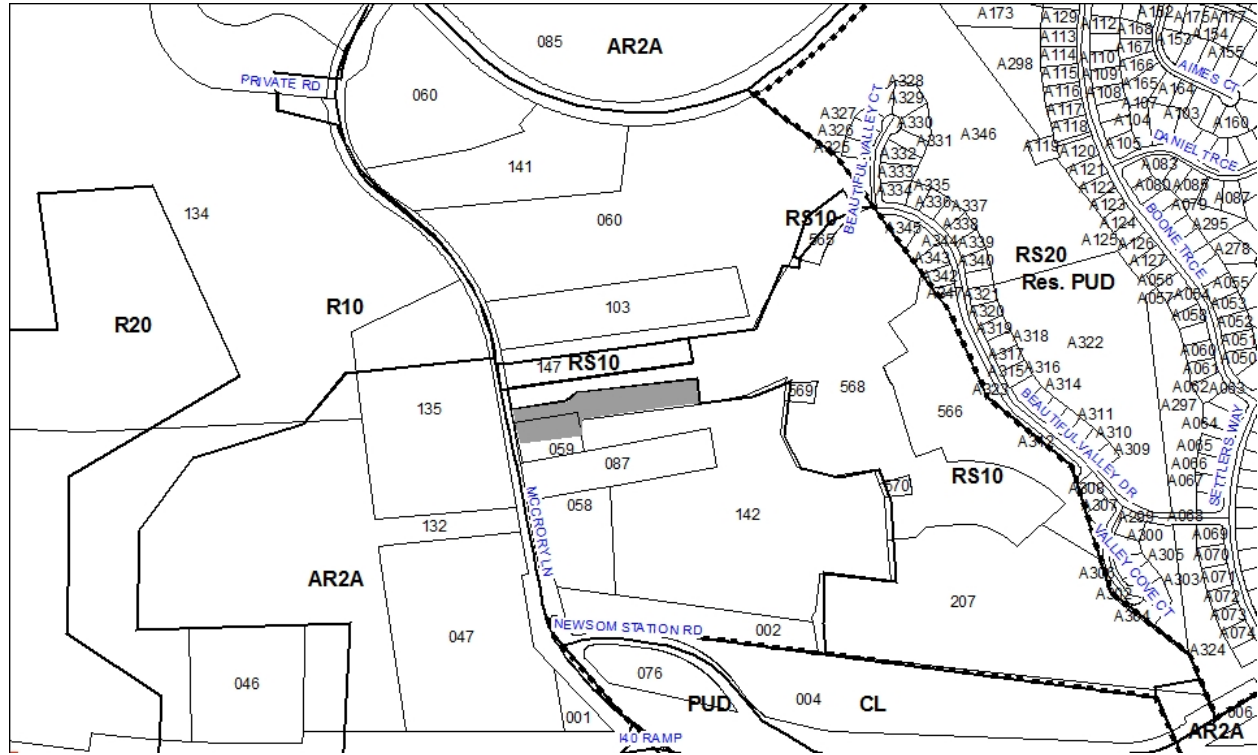
If the Planning Commission agrees with the staff assessment, staff will prepare a written report of the Commission's determination of inactivity and the recommendation to Council to rezone this property to RM9.

### **STAFF RECOMMENDATION**

Staff recommends that the Ashland City Highway SP be found to be inactive and that the Planning Commission direct staff to prepare a report to the Council to recommend that the property be rezoned to RM9.



# Metro Planning Commission Meeting of 9/26/2013



**2013Z-033PR-001**  
MCCRORY LANE (UNNUMBERED)  
Map 069, Part of Parcel(s) 059, 568  
Bordeaux - Whites Creek  
35 - Bo Mitchell



<b>Project No.</b>	<b>Zone Change 2013Z-033PR-001</b>
<b>Council District</b>	35 – Mitchell
<b>School District</b>	9 – Frogge
<b>Requested by</b>	Civil Site Design Group, PLLC, applicant; Joe L. Rodgers, Steven Adcock and J.D. Valiquette, owners
<b>Staff Reviewer</b>	Swaggart
<b>Staff Recommendation</b>	<i>Approve</i>

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**APPLICANT REQUEST**

**Zone change from AR2A to RS10.**

Zone Change

A request to rezone from Agricultural/Residential (AR2a) to Single-Family Residential (RS10) zoning for a portion of properties located at 7986 McCrory Lane and McCrory Lane (unnumbered), approximately 1,000 feet north of Newsom Station Road (2.45 acres).

**Existing Zoning**

Agricultural/Residential (AR2a) requires a minimum lot size of two acres and intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per two acres. The AR2a District is intended to implement the natural conservation or rural land use policies of the general plan. *AR2a would permit a maximum of 1 lot with 1 duplex lots for a total of 2 units.*

**Proposed Zoning**

Single-Family Residential (RS10) requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre. *RS10 would permit a maximum of 9 units.*

**CRITICAL PLANNING GOALS**

N/A

**BELLEVUE COMMUNITY PLAN**

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.

T3 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.



## Metro Planning Commission Meeting of 9/26/2013

### Consistent with Policy?

Yes. The proposed RS10 district is consistent with the T3 NM policy which covers a majority of the site. The proposed RS10 district will permit the development of single-family residential lots, which would be consistent with the predominant residential development pattern in the area. While the proposed RS10 is not entirely consistent with the CO policy along a small stream which bisects the property, the required stormwater buffers will provide adequate protection in keeping with the intent of the CO policy. This property is adjacent to the Travis Place cluster lot subdivision, which was originally approved in 2006. This zoning will permit additional lots to be added into the subdivision. It is important to note that the preliminary plat for Travis Place will likely need to be revised in order to include the subject area into the subdivision.

### **PUBLIC WORKS RECOMMENDATION**

A traffic study may be required at time of development.

### **SCHOOL BOARD REPORT**

**Projected student generation existing AR2A district: 1 Elementary 0 Middle 0 High**  
**Projected student generation proposed RS10 district: 1 Elementary 0 Middle 0 High**

The proposed RS10 district will not generate any additional students. This information is based upon data from the school board last updated September 2012.

### **STAFF RECOMMENDATION**

Staff recommends that the proposed RS10 zoning district be approved, since it is consistent with the adopted land use policies.



**Metro Planning Commission Meeting of 9/26/2013**

**SEE NEXT PAGE**



# Metro Planning Commission Meeting of 9/26/2013



## 2013NHC-002-001

### EASTWOOD NEIGHBORHOOD CONSERVATION OVERLAY DISTRICT

Map 083-06, Parcel(s) 295-298, 380-386

Map 083-06-0-A, Parcel(s) 001-012

East Nashville

06 - Peter Westerholm





<b>Project No.</b>	<b>Neighborhood Conservation Historic Overlay 2013NHC-002-001</b>
<b>Project Name</b>	<b>Eastwood Neighborhood Conservation Overlay</b>
<b>Associated Case</b>	<b>2012Z-028-001</b>
<b>Council District</b>	6 – Westerholm
<b>School District</b>	5 – Kim
<b>Requested by</b>	Councilmember Peter Westerholm, applicant, various property owners
<b>Staff Reviewer</b>	Cuthbertson
<b>Staff Recommendation</b>	<i>Approve</i>

**APPLICANT REQUEST**

**Apply Neighborhood Historic Conservation Overlay.**

Neighborhood Conservation Historic Overlay

A request to apply the provisions of the Eastwood Neighborhood Conservation Overlay District to various properties located along Eastland Avenue and Scott Avenue, between Porter Road and Chapel Avenue (2.45 acres).

**Existing Zoning**

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

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

**Proposed Overlay**

Neighborhood Conservation Overlay Districts (NHC) are geographical areas which possess a significant concentration, linkage or continuity of sites, buildings, structures or objects which are united by past events or aesthetically by plan or physical development.

**CRITICAL PLANNING GOALS**

- Preserves Historic Resources

The District is intended to preserve historic structures within the Eastwood neighborhood through the implementation of development guidelines by the Metro Historic Zoning Commission and staff.

**EAST NASHVILLE COMMUNITY PLAN**

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



## Metro Planning Commission Meeting of 9/26/2013

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) 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?

Both policies encourage the preservation and protection of historic features. The proposed Eastwood Neighborhood Conservation Overlay District will aid implementation of the design principles provided for both the Neighborhood Center and Neighborhood General policies.

### **REQUEST DETAILS**

The Planning Commission recommended approval on June 13, 2013, of a zone change from R6 to MUN-A for seven parcels included in this request, located on the south side of Eastland Avenue west of North 20<sup>th</sup> Street. The Councilmember and community indicated they would support the zone change request with the additional protection of a Neighborhood Conservation Overlay District. The property owners agreed to the application of the District. The zone change to MUN-A was deferred by the Metro Council at 3<sup>rd</sup> Reading in order to allow this application to be filed and heard by the Planning Commission.

Additional properties on the north side of Eastland Avenue, on both sides of Scott Avenue, are included in this application so as to provide a contiguous southward extension of the Eastwood Neighborhood Conservation Overlay District.

The Metro Historic Zoning Commission (MHZC) considered this application at its September 18, 2013, meeting and recommended approval. The following background information from the Metro Historical Commission staff was available in the staff report to the MHZC:

### ***Metro Historical Commission staff recommendation***

#### ***Background:***

*The impetus for the expansion is the rezoning of some of these properties from R6 to MUN-A. The commercial uses allowed could encourage demolition of these historic properties, which was not the desire of the neighborhood; therefore the owners agreed to seek a historic overlay as well.*

*This area was a part of the McEwan Place subdivision platted in 1910. The majority of the homes were constructed between 1915 and 1930, as were many of the historic homes in the Eastwood Neighborhood. The proposed boundaries include a building constructed in 1950, one in 1999, and a mixed-use complex constructed in 2005. The historic buildings were homes to the middle class and included a salesman, bank teller, shoemaker and mechanic.*

#### ***Analysis and Findings:***

*The area, with just a few modern intrusions, includes buildings constructed at the turn of the century and helps to tell the story of the Eastwood neighborhood. The extension of the overlay continues the architectural diversity of the rest of the neighborhood with bungalow, Queen Anne and Greek Revival styles. The properties meet standard 3 of section 17.26.120.A. of the design*



## **Metro Planning Commission Meeting of 9/26/2013**

*guidelines as embodying the distinctive characteristics of their individual types and the overall period of the neighborhood, specifically the current boundaries of the overlay.*

*Finding that the majority of the buildings meet the standards of the ordinance, Staff suggests the Commission recommend to City Council that the Eastwood Neighborhood Conservation Zoning Overlay be expanded and recommends that the Commission adopt the current design guidelines to apply to the expansion.*

To be considered as an NHC a district must meet one or more of the following criteria:

1. The district is associated with an event that has made a significant contribution to local, state or national history; or
2. It includes structures associated with the lives of persons significant in local, state or national history; or
3. It contains structures or groups of structures that embody the distinctive characteristics of a type, period or method of construction, or that represents the work of a master, or that possesses high artistic value, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
4. It has yielded or may be likely to yield archaeological information important in history or prehistory; or
5. It is listed or is eligible for listing in the National Register of Historic Places.

### **METRO HISTORIC ZONING COMMISSION RECOMMENDATION**

On September 18, 2013, the Metro Historic Zoning Commission recommended approval of the Eastwood Neighborhood Conservation Zoning Overlay.

### **STAFF RECOMMENDATION**

Staff recommends approval of the District.



**Metro Planning Commission Meeting of 9/26/2013**

**SEE NEXT PAGE**

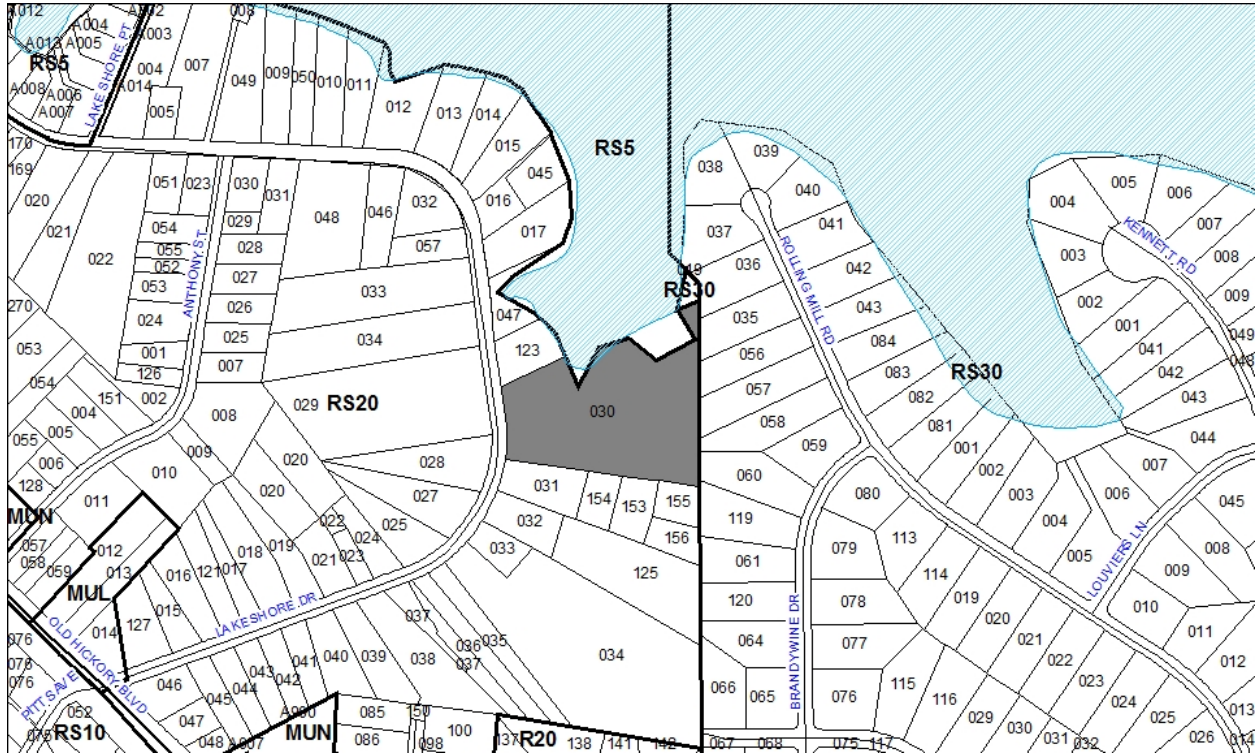


## **PLANNING COMMISSION ACTIONS**

- **Subdivision (Concept)**
- **Subdivision (Final)**
- **Urban Design Overlays (Final & Variance)**



# Metro Planning Commission Meeting of 9/26/2013



**2013S-156-001**  
LAKESHORE DRIVE SUBDIVISION (CONCEPT PLAN)  
Map 054-13, Parcel(s) 030  
Donelson - Hermitage  
11 - Darren Jernigan



<b>Project No.</b>	<b>Subdivision 2013S-156-001</b>
<b>Project Name</b>	<b>Lakeshore Drive Subdivision (Concept Plan)</b>
<b>Council District</b>	11 – Jernigan
<b>School District</b>	4 – Shepherd
<b>Requested by</b>	James and Pamela Lynch, owners, Crawford & Cummings, P.C., applicant
<b>Staff Reviewer</b>	Swaggart
<b>Staff Recommendation</b>	<i>Approve with conditions</i>

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**APPLICANT REQUEST**  
**Create six single-family lots.**

Concept Plan

A request for concept plan approval to create six lots on property located at 3225 Lakeshore Drive, approximately 1,700 feet east of Old Hickory Boulevard, zoned Single-Family Residential (RS20) (6.19 acres).

**Existing Zoning**

Single-Family Residential (RS20) requires a minimum 20,000 square foot lot and is intended for single-family dwellings at a density of 1.85 dwelling units per acre. *RS20 would permit a maximum of 11 units.*

**CRITICAL PLANNING GOALS**

N/A

**PLAN DETAILS**

This request is to subdivide one property into six single-family residential lots. The property is located in on the east side of Lakeshore Drive Old Hickory and abuts Old Hickory Lake. One single-family dwelling currently occupies the property and is proposed to be demolished.

Site Plan

The proposed plan calls for six new single-family residential lots with a density of just under one unit per acre. The largest lot is 1.43 acres (62,140 SF) and the smallest lot is 0.61 acres (26,571 SF). All lots, with the exception of Lot 1, have frontage along Old Hickory Lake. All six lots will be accessed from a new short, dead-end public street which includes a sidewalk. The right-of-way extends to the southern property line.

**ANALYSIS**

The proposed lot pattern is somewhat irregular; however, the existing lot is oddly shaped and does not lend itself to a typical lot layout. While the lots are somewhat irregularly shaped, the lots lines are at right angles at the street, consistent with the Subdivision Regulations. The lot pattern also permits a majority of the lots to have frontage onto Old Hickory Lake. The proposed street will be a permanent dead end; however, the plan does provide for the properties south of site to connect to the new street if developed in the future. Since the request meets the Subdivision Regulations and Zoning requirements, staff is recommending approval with conditions.







## **Metro Planning Commission Meeting of 9/26/2013**

### **PUBLIC WORKS RECOMMENDATION**

#### **No Exceptions 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.

### **STORMWATER RECOMMENDATION**

#### **Approve with conditions**

Label that the bioretention areas are Open Space / PUDE.

### **STAFF RECOMMENDATION**

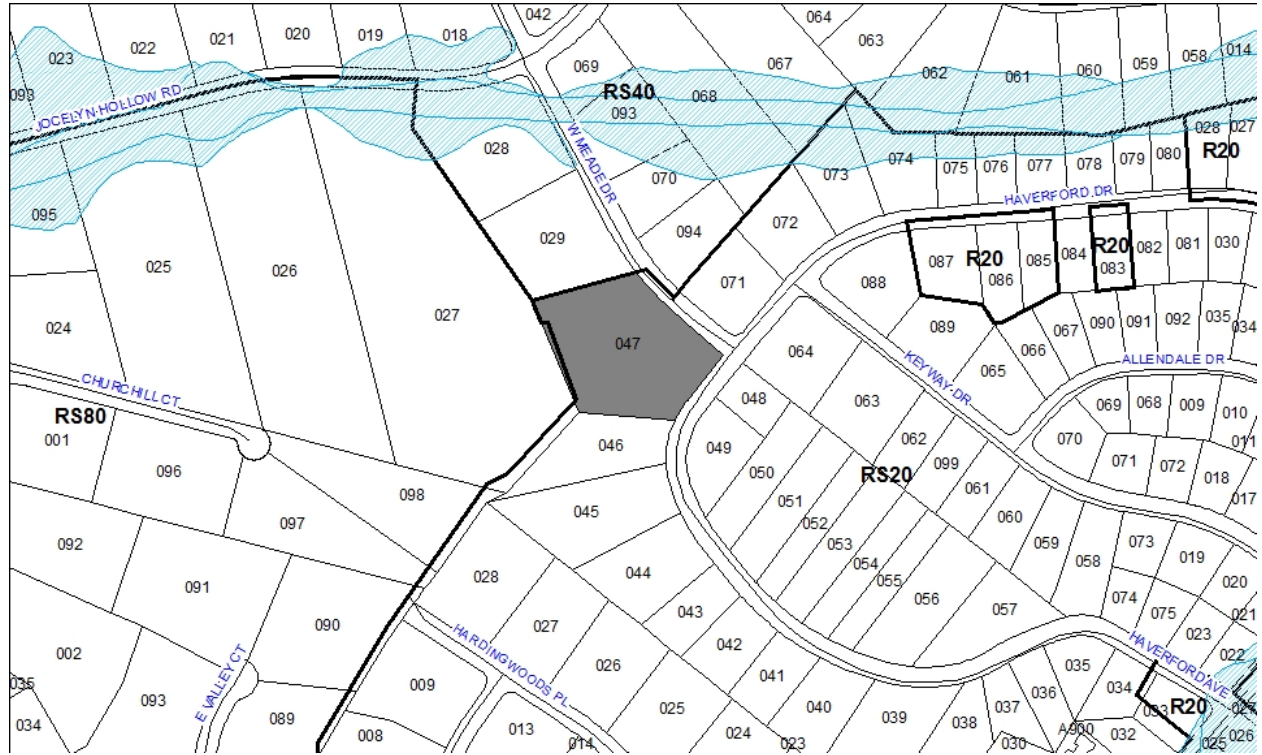
Staff recommends that the request be approved with conditions as it is consistent with the Subdivision Regulations and Zoning Code requirements.

### **CONDITIONS**

1. Label that the bioretention areas are Open Space / PUDE.
2. Pursuant to 2-3.4.e of the Metro Subdivision Regulations, because this application has received conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to any application for a final plat, and in no event more than 30 days after the date of conditional approval by the Planning Commission.



# Metro Planning Commission Meeting of 9/26/2013



**2013S-154-001**  
BUGEL THREE LOT SUBDIVISION  
Map 129-04, Parcel(s) 047  
West Nashville  
23 - Emily Evans



<b>Project No.</b>	<b>Subdivision 2013S-154-001</b>
<b>Project Name</b>	<b>Bugel Three Lot Subdivision</b>
<b>Council District</b>	23 – Evans
<b>School District</b>	9 – Frogge
<b>Requested by</b>	Harry Bugel, owner, Donlon Land Surveying, LLC, surveyor
<b>Staff Reviewer</b>	Cuthbertson
<b>Staff Recommendation</b>	<i>Defer to October 10, 2013. Approve with conditions if Metro Water Services recommends approval prior to the September 26, 2013, Planning Commission meeting.</i>

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**APPLICANT REQUEST**

**Create three lots.**

Final Plat

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

**Existing Zoning**

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

**CRITICAL PLANNING GOALS**

- Supports Infill Development

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

**REQUEST DETAILS**

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

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

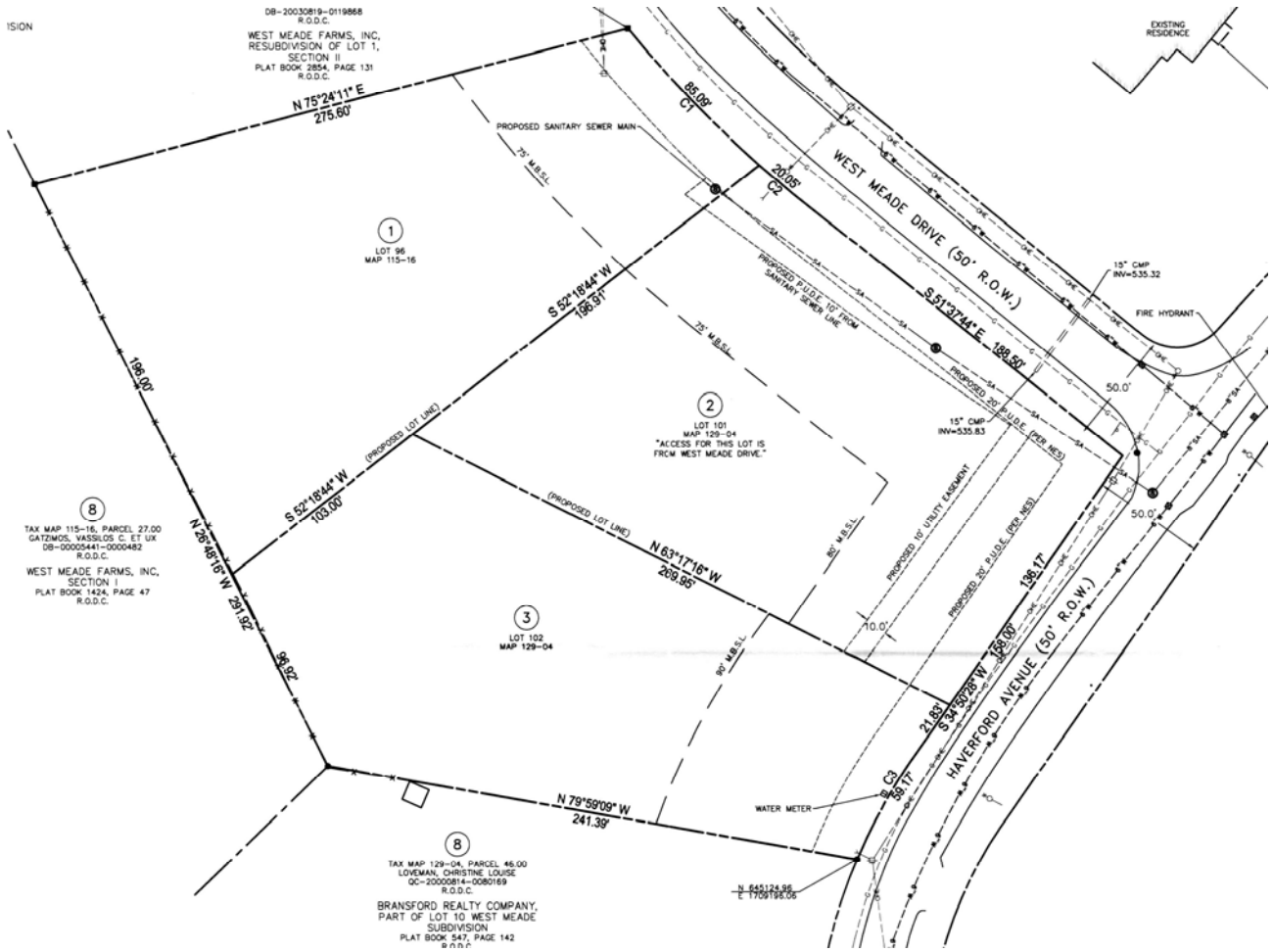
- Lot 1: 0.89 Acres (38,955 SF);
- Lot 2: 0.87 Acres (38,073 SF);
- Lot 3: 0.78 Acres (34,059 SF).



# Metro Planning Commission Meeting of 9/26/2013

ISION

DB-20030819-0119868  
R.O.D.C.  
WEST MEADE FARMS, INC.  
RESUBDIVISION OF LOT 1,  
SECTION II  
PLAT BOOK 2854, PAGE 131  
R.O.D.C.



## Proposed Subdivision



## Metro Planning Commission Meeting of 9/26/2013

### ANALYSIS

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

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

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

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

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

### STORMWATER RECOMMENDATION

Approved

### PUBLIC WORKS RECOMMENDATION

No Exception Taken

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

### WATER SERVICES

Recommendation will be provided upon receipt.

### STAFF RECOMMENDATION

Defer to October 10, 2013. Approve with conditions if Metro Water Services recommends approval prior to the September 26, 2013, Planning Commission meeting. The subdivision complies with all Metro Subdivision Regulations and Zoning Code requirements and meets a critical planning goal.



## Metro Planning Commission Meeting of 9/26/2013

### CONDITIONS

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

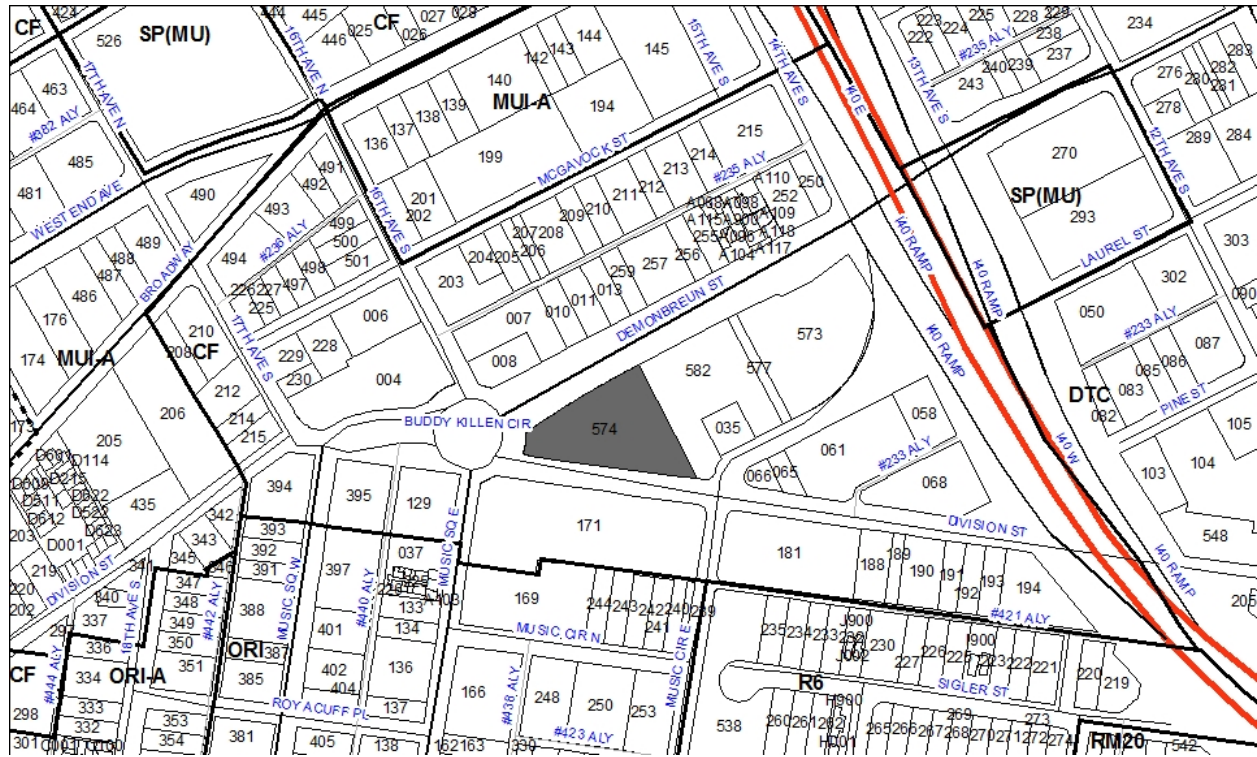


**Metro Planning Commission Meeting of 9/26/2013**

**SEE NEXT PAGE**



# Metro Planning Commission Meeting of 9/26/2013



**2001UD-002-003 & 2001UD-002-004**  
MUSIC ROW UDO (FINAL: 1515 DEMONBREUN)  
Map 093-13, Parcel(s) 574  
Green Hills - Midtown  
19 - Erica Gilmore)





<b>Project No.</b>	<b>UDO Major Modification &amp; Final Site Plan</b>
<b>Project Name</b>	<b>2001UD-002-003 &amp; 2001UD-002-004</b>
<b>Council District</b>	<b>1515 Demonbreun – Music Row UDO</b>
<b>School District</b>	19 – Gilmore
<b>Requested by</b>	5 – Kim
	Little John Engineering Associates, applicant; CK Multifamily Acquisitions, LLC, owner
<b>Staff Reviewer</b>	Collins
<b>Staff Recommendation</b>	<i>Approve with conditions</i>

---

### APPLICANT REQUEST

#### **Major Modification and Final Site Plan Approval for a 16 Story mixed-use building.**

##### Major Modification and Final Site Plan

A request for a Major Modification to the Music Row UDO bulk standards and for Final Site Plan approval for property located at 1515 Demonbreun Street, within the Arts Center Redevelopment District, on the Buddy Killen Circle, fronting Demonbreun Street and Division Street, (1.54 acres), to permit a 178.5' building height, where 150' is the maximum permitted height, and to reduce the street wall along Division Street frontage from the required 100 percent to approximately 66 percent to build both a public plaza and a private courtyard amenity.

##### **Existing Zoning**

Core Frame (CF) is the underlying base zoning and is intended for a wide range of parking and commercial service support uses for the central business district.

Music Row UDO Sub-District 1: Core is a sub-district in the Music Row UDO that provides additional design standards for large scale development near the roundabout given its prominent location and scale.

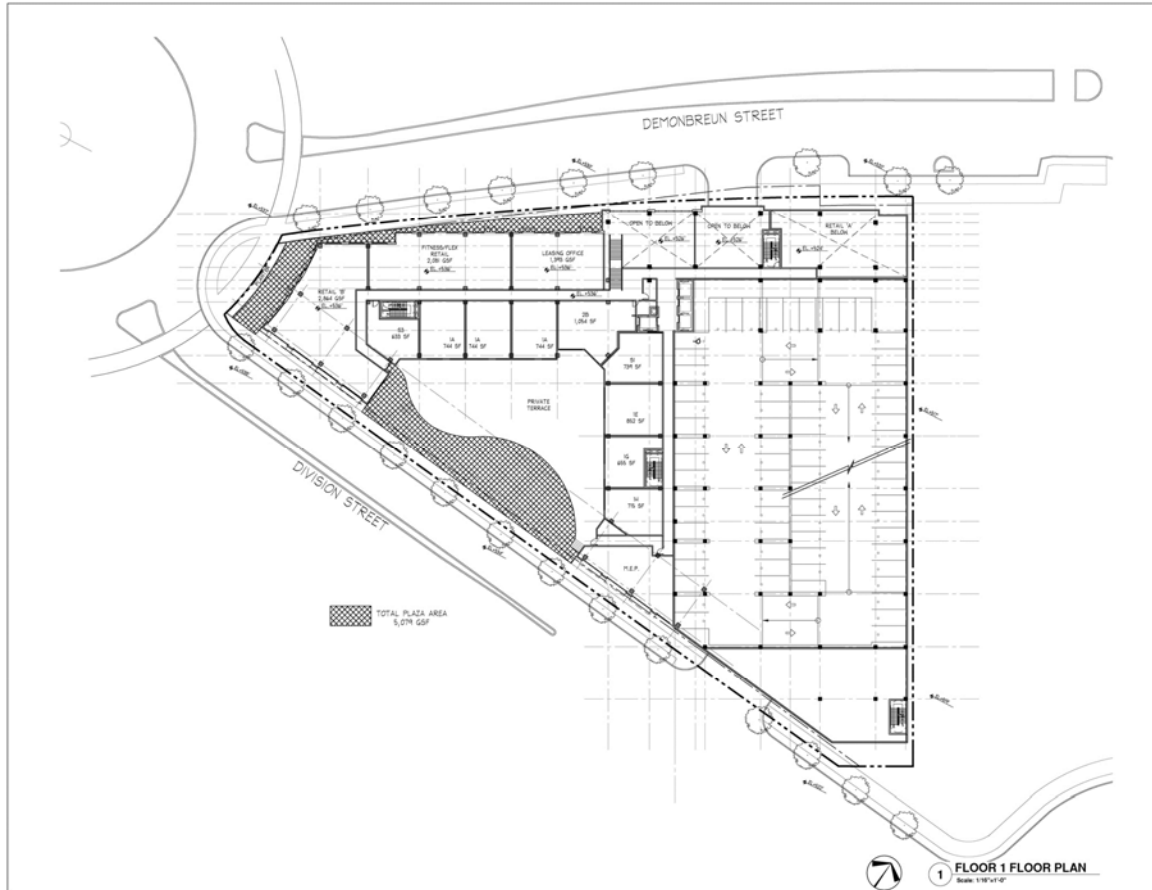
##### **CRITICAL PLANNING GOALS**

- Supports Infill Development
- Creates Walkable Neighborhoods

The proposed development is a good example of Infill Development as proposed. The building is proposed to be constructed on vacant land in the Music Row neighborhood at a height appropriate for the prominent location on the roundabout. The proposed development would help to create a friendlier pedestrian environment by providing a public plaza space along Division Street, a planting strip between Division Street and the adjacent sidewalk, orienting the building entrances to the sidewalks, and minimizing the parking structure's prominence on Demonbreun Street. The proposed development also programs two retail units on the ground floor of Demonbreun Street, which would create a walkable destination for nearby office and residential uses.



# Metro Planning Commission Meeting of 9/26/2013



**RJT**  
R. JOY TRAMMELL | R. RUBIO  
ARCHITECTURE | INTERIOR DESIGN

FLOOR 1 FLOOR PLAN

MUSIC ROW RESIDENTIAL  
NASHVILLE, TENNESSEE

A1-01

**Proposed Final Site Plan**



**Buddy Killen Roundabout Elevation**



## Metro Planning Commission Meeting of 9/26/2013

### GREEN HILLS - MIDTOWN COMMUNITY PLAN

#### Policy

Neighborhood Urban (NU) is intended for fairly intense, expansive areas that are intended to contain a significant amount of residential development, but are planned to be mixed use in character. Predominant uses in these areas include a variety of housing, public benefit uses, commercial activities and mixed-use development. 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.

The proposed project lies within Area 5 of the Green-Hills – Midtown Community Plan, which encourages pedestrian-oriented mixed-use developments. The goal of the area is, “To accommodate demands for new and additional housing, employment, and retail space, develop guidelines to shape new pedestrian-oriented environments.”

#### Consistent with Policy?

Yes. The proposed development has a mixed-use component by providing 5,144 square feet of dedicated retail space along Demonbreun Street and the roundabout. In addition a public plaza is provided along the Division Street. The proposed development is also a significant residential project that would provide additional housing in the area, a component envisioned in the Neighborhood Urban (NU) policy and in the Green Hills – Midtown Community Plan.

### MUSIC ROW UDO

#### **Design standards statement of intent:**

The design standards are intended to ensure new development and redevelopment in the study area that:

1. Reinforces a scale and form of development that emphasizes sensitivity to the pedestrian environment;
2. Reinforces a scale and form of development that balances the needs of pedestrians with the benefits provided by automobile traffic;
3. Accommodates the area’s parking needs, while maintaining a pedestrian-oriented environment;
4. Provides for the strategic placement of public spaces in relationship to building masses, streetscapes, and landscaping features;
5. Encourages active ground floor uses to animate the street, such as restaurants, shops, and services;
6. Includes adaptive use and sensitive rehabilitation of existing older buildings;
7. Protects and enhances the economic viability of the area, as well as a diversity of uses and activities.

### MODIFICATION REQUEST DETAILS

The following modifications to the Bulk Standards of the Music Row UDO are being requested by the applicant:

#### 1) Maximum Building Height

Music Row UDO Requirement: 150 ft.

Modification Request: 178.5 ft. as measured from the roundabout elevation and the courtyard frontage along Division Street.



# Metro Planning Commission Meeting of 9/26/2013



DEMONBREUN STREET ELEVATION

**RJ TRAMMELL**  
RUBIO  
Architecture/Interior Design

**MUSIC ROW RESIDENTIAL**  
NASHVILLE, TENNESSEE

**CHILDRESS KLEIN**  
PROPERTIES

**Demonbreun St. Elevation**



DIVISION STREET ELEVATION

**RJ TRAMMELL**  
RUBIO  
Architecture/Interior Design

**MUSIC ROW RESIDENTIAL**  
NASHVILLE, TENNESSEE

**CHILDRESS KLEIN**  
PROPERTIES

**Division St. Elevation**



## Metro Planning Commission Meeting of 9/26/2013

### 2) Required Length of Street Wall

Music Row UDO Requirement: 100% along any public street

Modification Request: Approximately 66% along Division Street to allow for both a public plaza and a private courtyard amenity.

### **SITE PLAN DETAILS**

The Final Site Plan and Modification request proposes a 16 story building with 409 residential units on 1.54 acres. The site is situated on the Buddy Killen Circle between Demonbreun Street and Division Street in the Music Row UDO district.

Eight levels of structured parking are proposed with liner buildings fronting Demonbreun Street and the courtyard off Division Street. Vehicular access to the site will be limited to two 24' wide accesses into the parking structure, one on Demonbreun Street and one on Division Street. The ground floor uses along Demonbreun Street consist of two Retail spaces (including one on the roundabout), a Fitness Center/Flex Retail, a Leasing Office, and a Lobby. The ground floor along Division Street of the building includes the Retail space fronting the roundabout, residential units with a private courtyard amenity, and a public plaza fronting directly onto the street frontage.

The building will be constructed at the back of sidewalk along Demonbreun Street. On Division Street, the building is located at the back of sidewalk except for 135' of building frontage, where the public plaza and private courtyard amenity are proposed (as requested in the modification). Street trees, landscaping, and pedestrian improvements are provided along all street frontages. The proposed plaza and courtyard will have landscaping within their respective interiors; with the private courtyard including a transparent fence (wrought iron or similar style) along its edge.

### **ANALYSIS**

The Major Modification request consists of two parts: a request for additional building height, and a reduction to the required street wall along Division Street. The proposed building height of 178.5' is only 28.5' above the maximum required height. This additional height is in keeping with the desired building intensity for the area as envisioned by the UDO, Community Plan and the NU policy, and is appropriate given the prominent location on the roundabout.

The modification to reduce the street wall along Division Street to create a public plaza and a private courtyard amenity is also in keeping with the vision of the Music Row UDO, Community Plan, and the NU policy. A pedestrian oriented project and public benefit uses are provided via the public plaza space along Division Street. The modifications, and plan in its entirety, improves the walkability of the neighborhood and provides additional housing while enhancing the urban character of the existing site.

### **MDHA RECOMMENDATION**

Approve Concept Plan

### **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.



## **Metro Planning Commission Meeting of 9/26/2013**

- Submit solid waste and recycling plan.
- Indicate on the plan the loading area.
- Driveway ramps are to be MPW standard ST-324, add detail to plan set.
- Indicate that brick sidewalks are to be installed per MPW standard ST-500, add detail to plan set.
- Submit dedication of ROW to the back of the proposed sidewalk on all public streets, where required.
- Remove all steps and walls with in the ROW, proposed or existing.
- Indicate the installation of an ADA compliant curb ramp at the intersection of Division and Music Circle.
- All plantings within the ROW must be sized and maintained by the developer to not obstruct vehicular sight distance.
- Comply with the comments of the MPW Traffic Engineer.

### **WATER SERVICES RECOMMENDATION**

Approved as marked

1. Correct sanitary sewer service line labeling. Water and sewer permits will not be issued until applicant obtains construction plan approval for the two proposed public fire hydrants.

### **STORMWATER RECOMMENDATION**

Conditionally Approved

1. Finalize underground retention design

### **STAFF RECOMMENDATION**

Staff recommends Approval with conditions. The modification request is consistent with the UDO's and Community Plan's vision for intense mixed-use pedestrian friendly development at the prominent roundabout location. The proposal is also consistent with the Neighborhood Urban policy and meets several Critical Planning Goals.

### **CONDITIONS**

1. The requirements of the Metro Fire Marshal's Office for emergency vehicle access, adequate water supply, and sprinklers for fire protection must be met prior to the issuance of any building permits.
2. Comply with the following Public Works conditions:
  - The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
  - Submit solid waste and recycling plan.
  - Indicate on the plan the loading area.
  - Driveway ramps are to be MPW standard ST-324, add detail to plan set.
  - Indicate that brick sidewalks are to be installed per MPW standard ST-500, add detail to plan set.
  - Submit dedication of ROW to the back of the proposed sidewalk on all public streets, where required.
  - Remove all steps and walls with in the ROW, proposed or existing.



## Metro Planning Commission Meeting of 9/26/2013

- Indicate the installation of an ADA compliant curb ramp at the intersection of Division and Music Circle.
  - All plantings within the ROW must be sized and maintained by the developer to not obstruct vehicular sight distance.
  - Comply with the comments of the MPW Traffic Engineer.
3. Comply with Water Services condition of approval: A correct sanitary sewer service line labeling. Water and sewer permits will not be issued until applicant obtains construction plan approval for the two proposed public fire hydrants.
  4. Comply with Stormwater condition of approval: Finalize underground retention design
  5. For any development standards, regulations and requirements not specifically shown on the UDO plan and/or included as a condition of Metro Council approval, the property shall be subject to the standards, regulations and requirements of the CF zoning district and the Music Row Urban Design Overlay district as of the date of the applicable request or application.
  6. A corrected copy of the UDO final site plan incorporating the conditions of approval by the Planning Commission shall be provided to the Planning Department prior to the issuance of any permit for this property, and in any event no later than 120 days after consideration by Planning Commission.
  7. The UDO final site plan as approved by the Planning Commission will be used to determine compliance, both in the issuance of permits for construction and field inspection. While minor changes may be allowed, significant deviation from the approved site plans may require reapproval by the Planning Commission and/or Metro Council.