Metropolitan Planning Commission

Staff Reports

April 28, 2016

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 CONSIDERED ITEMS

- **Subdivision Regulations Amendment**
- **Community Plans**
- **Specific Plans**
- **Zone Changes**
- **Planned Units Developments**
- **Subdivision (Final)**
- **Subdivision (Final)**

NO SKETCH

Project No.	**Subdivision 2015S-001R-001**
Project Name	**Subdivision Regulations Amendments**
Council District	Countywide
School District	Countywide
Requested by	Metro Planning Department
Deferral	This request was deferred from the November 12, 2015, December 10, 2015, January 28, 2016, and February 11, 2016, Planning Commission Meetings. The public hearing was not held.
Staff Reviewer	Logan
Staff Recommendation	*Approve.*

APPLICANT REQUEST	**Amend the Subdivision Regulations.**
Amendment	**A request to amend the Subdivision Regulations of Nashville-Davidson County, adopted on March 9, 2006, and last amended on January 4, 2014.**

AUTHORITY

Both the Metro Charter and Tennessee state law authorize the Commission to adopt Subdivision Regulations. These regulations are intended to "provide for the harmonious development of the municipality and its environs, for the coordination of streets within subdivisions with other existing or planned streets or with the plan of the municipality or of the region in which the municipality is located, for adequate open spaces for traffic, recreation, light and air, and for a distribution of population and traffic which will tend to create conditions favorable to health, safety, convenience and prosperity."

PURPOSE

Housekeeping Amendments

The current Subdivision Regulations were adopted in March 2006. Several of the proposed amendments are housekeeping amendments. These include:

- Removing the requirement for an additional railroad buffer,
- Adding language regarding fees and the Vested Property Rights Act of 2014, consistent with the Zoning Code,
- Modifying various Chapters of the Subdivision Regulations to remove or add specific policy categories after the adoption of the new Community Character Manual with NashvilleNext, and
- Modifying various Chapters of the Subdivision Regulations to explain when Chapter 4 applies.

CHAPTER 4

In the current Subdivision Regulations, Chapter 4 is titled “Conservation Subdivisions”. This type of subdivision was added to the Subdivision Regulations in 2006, but required a text amendment to the Zoning Code to be implemented.

These amendments would create Rural Character Subdivisions to replace Conservation Subdivisions, to implement T2 Rural Neighborhood policies and to allow development with rural character where property is already zoned one of the conventionally suburban zoning districts.

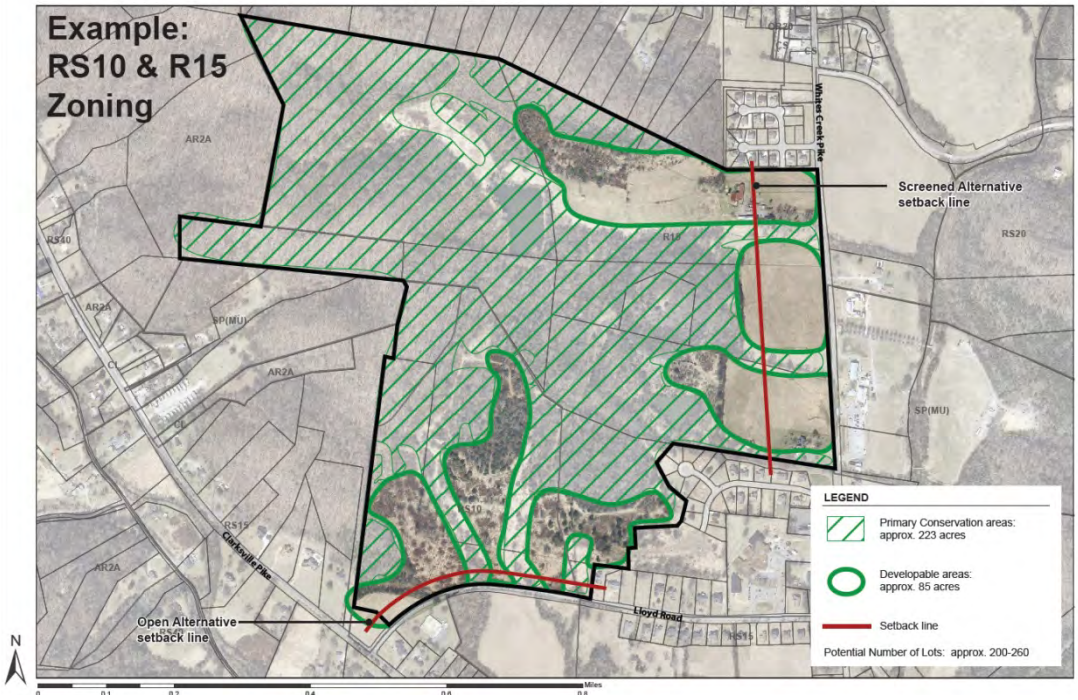
Three types of Rural Character Subdivisions are proposed:

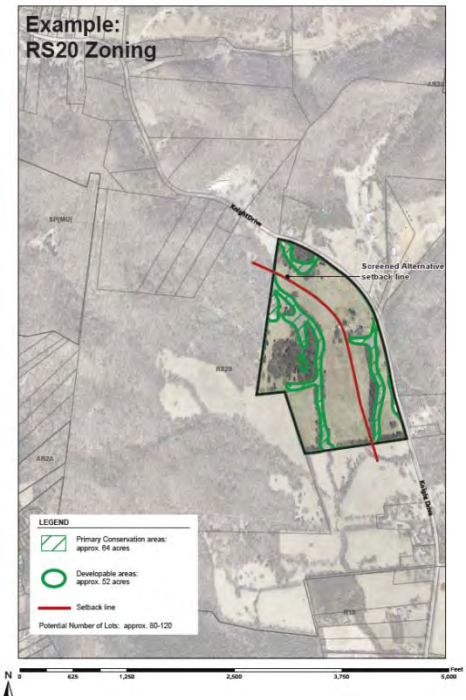
- Open Alternative: Requires lots compatible in size, frontage and setback to existing lots along existing public roads and prohibits development of sensitive environmental features, including floodplain and slopes over 15%, but permits cluster lot development in the remaining areas.
- Screened Alternative: Requires a buffer at a significant distance or a contextual distance along existing public roads and prohibits development of sensitive environmental features, including floodplain and slopes over 15%, but permits cluster lot development in the remaining areas.
- Agricultural Character Option: Allows residential and agricultural development, where the primary function of the subdivision is agricultural uses.

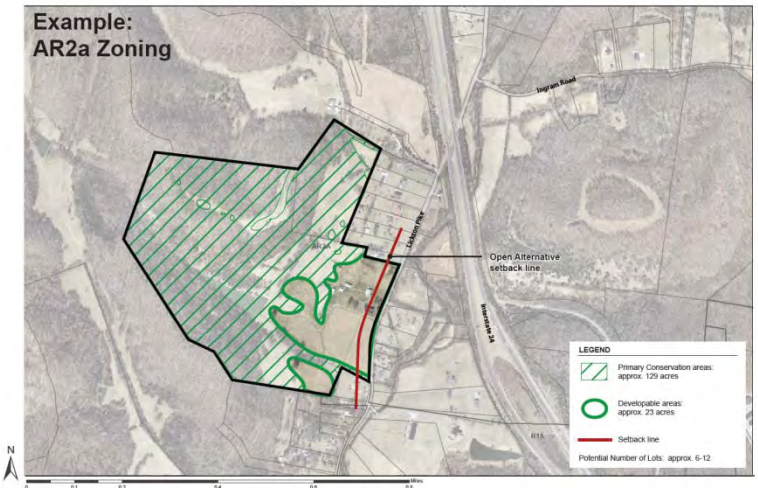
Since the December 10, 2015, Planning Commission meeting, revisions have been made based on public input. The proposed Subdivision Regulations include changes posted in March and comments from the April public meeting. The primary changes since December 2015 are:

- Clarification that T2 Conservation policy is also included,
- Revisions to primary conservation areas,
- Allowing lots, but not mass grading, in areas between 15% and 20% slope, and
- In subdivisions without new streets or access easements, ensuring that building placement was outside of primary conservation areas.

Example Development Diagrams:







PUBLIC OUTREACH

The proposed amendments and an online comment form were posted on the Planning Department website and the link was included in the November 24, 2015, *Development Dispatch* to 1,751 addresses. The a link to the first draft of the revised regulations were sent in *Development Dispatch* on March 11, 2016, to 1,727 email addresses. A public meeting was held on April 7, 2016, in the Development Services Center of the Metro Office Building. The proposed Rural Subdivision Regulations were also the topic of a community meeting in District 33 on April 16, 2016.

As required by State law, a notice was placed in the Tennessean on November 9, 2015, advertising the December 10, 2015, Planning Commission consideration of the proposed amendment. At the December 10, 2015 and subsequent meetings, the application was deferred to a date certain, which does not require additional notice.

TIMING AND EXISTING APPLICATIONS

The Planning Commission has the authority to specify the effective date of the Subdivision Regulation amendments. Approving the amendments without any timing would make them effective immediately. However, the Planning Commission could approve the amendments with an effective date. This could apply to all applications, including those already in process, or to only new applications.

Three Whites Creek community meetings were held between July and October 2014. On June 22, 2015, the Planning Commission deferred action on 11 areas within the Whites Creek Study Area.

The policy decision has been deferred several times and is currently tracking for the May 26, 2016, Planning Commission meeting.

There is one application that would be impacted by the adoption of the Subdivision Regulation amendments. This application is on one of the 11 properties still being reviewed in the Whites Creek area with NashvilleNext. This subdivision application has been deferred indefinitely by the applicant.

Given the extensive community process in Whites Creek during NashvilleNext and given that the only pending subdivision application affected by the proposed regulations is in one of the contested areas, staff recommends that the Planning Commission approve the Subdivision Regulation amendments, effective immediately to all applications, including previously submitted applications.

STAFF RECOMMENDATION
Staff recommends approval.

PROPOSED AMENDMENTS

(Additions shown underlined. Deletions shown with strikethrough. Changes made since the December 10, 2015, Planning Commission meeting are shown in red text.)

Introduction:

T2 Rural	~~Conservation~~ Rural Character Subdivision Regulations provide for significant preservation of resources (natural, historical, cultural), views, and the rural character of an area. This type of subdivision is ~~generally~~ limited to those areas designated as Rural.

How to Use These Regulations
As noted above, an applicant may develop conventional suburban subdivisions, outside of T2 Rural Neighborhood and/or T2 Conservation policies. The requirements of Chapter 3. General Requirements for Improvements, Reservations, and Design will need to be met for these types of subdivisions. Within T2 Rural Neighborhood and/or T2 Conservation policies, the requirements of Chapter 4. Rural Character Subdivisions apply. Outside of T2 Rural Neighborhood and/or T2 Conservation policies, ~~A~~applicants may, however, ~~opt~~ choose to develop alternative subdivisions that are more rural or urban in nature. The requirements of Chapter 4. ~~Conservation~~ Rural Character Subdivisions must be met for a rural subdivision and the requirements of Chapter 5. Walkable Subdivisions must be met for a more urban pattern of development. Where there are no alternative standards included in Chapter 4~~.~~ or Chapter 5~~.~~, the regulations of Chapter 3 apply to these subdivisions.

Table of Contents to be amended to reflect the changes below.

Chapter 1:

1-3.3. *How to Use these Regulations.* Within T2 Rural Neighborhood and/or T2 Conservation policies, the requirements of Chapter 4. Rural Character Subdivisions apply. Outside of T2 Rural Neighborhood and/or T2 Conservation policies, ~~A~~an applicant may continue to develop conventional suburban subdivisions using the requirements of Chapter 3. General Requirements for Improvements, Reservations, and Design. Outside of T2 Rural Neighborhood and/or T2 Conservation policies, ~~A~~an applicant may ~~opt~~ choose to develop alternative subdivisions that are more rural or urban in nature. The regulations of Chapter 3 apply to these subdivisions as well. In addition, the requirements of Chapter 4. ~~Conservation~~ Rural Character Subdivisions must be met for a rural subdivision and the requirements of Chapter 5. Walkable Subdivisions must be met for a more urban pattern of development.

1-13 Fees, in-lieu contributions and other assessments, estimates or payments

1. Fees, in-lieu contributions and other assessments, estimates or payments required by this these regulations or by the Metropolitan Government in furtherance of these regulations for single or multi-phase developments shall be determined by the fee or rate at the time of assessment or payment, whichever is later. The Metropolitan Government of Nashville & Davidson County may update fees and rates over time to reflect current standards and/or changes in market rates.

Chapter 2:

2-4.8. Vested Rights. No vested rights shall accrue to any plat by reason of concept plan, final site plan, or final plat approval, except as provided by the Vested Property Rights Act of 2014, until the actual signing of the final plat by the Secretary of the Planning Commission and the recording of that plat with the Register of Deeds.

Chapter 3:

3-1.1 General Requirements. Unless otherwise specified in these regulations, all subdivisions shall comply with the requirements of Chapter 3. Within T2 Rural Neighborhood and/or T2 Conservation policies, the requirements of Chapter 4. Rural Character Subdivisions apply. Outside of T2 Rural Neighborhood and/or T2 Conservation policies, ~~A~~an applicant may ~~opt~~ choose to develop alternative subdivisions that are more rural or urban in nature. The requirements of Chapter 4. ~~Conservation~~ Rural Character Subdivisions may be used to develop a rural subdivision and the requirements of Chapter 5. Walkable Subdivisions may be used for a more urban pattern of development. For any regulation not included in Chapters 4 or 5, the regulations of Chapter 3 shall apply.

3-4.2.d.7. The flag lot private drive and/or access easement shall be at least ~~ten~~ fifteen feet wide for its entire length.

3-4.2.f. Additional Yard Area. Residential lots, including double frontage and corner lots, shall be platted so that the depth of any yard abutting an arterial or collector street, limited

access highway or railroad can conform to any additional yard requirements established by the zone district requirements.

1. In residential areas, a setback of at least 25 feet ~~in depth in addition to the setback required by the Zoning Code~~ shall be required adjacent to a railroad right-of-way or limited access highway. ~~Alternatively, this additional 25 feet may be designated as common open space.~~
2. In commercial or industrial areas, the nearest street extending parallel or approximately parallel to a railroad right-of-way shall, wherever practicable, be at a sufficient distance therefrom to ensure suitable depth for commercial or industrial sites.

3-5.1. Infill Subdivisions. In areas outside of T2 Rural Neighborhood and/or T2 Conservation policies that are previously subdivided and predominantly developed, residential lots resulting from a proposed subdivision within the R and RS zoning districts on an existing street shall be compatible with the General Plan as outlined in Sections 3-5.2 through 3-5.6.

3-5.2. Criteria for Determining Compatibility for policy areas designated in the General Plan as Neighborhood Maintenance, ~~Residential Low, Residential Low Medium and Residential Medium policies,~~ except where a Special Policy and/or a Designated Historic District exists. The following criteria shall be met to determine compatibility of proposed infill lots to surrounding parcels. For the purposes of this section, "surrounding parcels" is defined as the five R, R-A, ~~or~~ RS or RS-A parcels oriented to the same block face on either side of the parcel proposed for subdivision, or to the end of the same blockface, whichever is less. Parcels may be excluded if used for a non-residential purpose, including but not limited to a school, park or church. Where surrounding parcels do not exist, the Planning Commission may grant an exception to the compatibility criteria by considering a larger area to evaluate general compatibility. An exception to the compatibility criteria may be granted by the Planning Commission for a SP, UDO, PUD or cluster lot subdivision by approval of the rezoning or concept plan.

3-5.3. Criteria for Determining Compatibility for policy areas designated in the General Plan as Neighborhood Evolving, ~~Neighborhood General~~ and/or Special Policies, except within Designated Historic Districts:

a. All minimum standards of the zoning code are met.

b. Each lot has street frontage or meets the requirements of Section 3-4.2.b for fronting onto an open space or meets the requirements of Sections 4-6.3 or 5-3.1 fronting onto an open space.

c. The current standards of all reviewing agencies are met.

d. The proposed lots comply with any applicable special policy. If the property is also within Neighborhood Maintenance policy and the special policy was adopted to preserve community character, not create infill opportunities, then the standards of Section 3-5.2 also apply.

3-9.3. Additional Regulations for Private Streets. Private streets may be included in any subdivision in conformity to these standards so long as the subdivision is included within a PUD, a UDO, a SP, or is within eligible areas of ~~the Natural~~ Conservation or T2 Rural

Neighborhood ~~land use policy or in Conservation, or Rural Neighborhood Maintenance community character~~ policy areas with lots five acres or greater (as defined in Section 7-2).

3-9.3.c. Private streets in subdivisions within eligible areas of ~~the Natural~~ Conservation and T2 Rural Neighborhood ~~land use policy areas or in Conservation, or T2 Rural Neighborhood Maintenance community character~~ policy areas (as defined in Section 7-2) shall conform to the following:

3-16.2. Mandatory Connection to Public Sewer System or Provision for Future Connection. ~~Where land lies within Metro, and such land is not within eligible areas of the Natural Conservation or Rural land use policy areas or in Conservation, or T2 Rural Neighborhood Maintenance community character policy areas (as defined in Section 7-2), no subdivision of land shall be made unless each and every lot is provided with a connection to a public sanitary sewer system.~~ Residential ~~acreage tract developments consisting of~~ lots having an area of one acre or more, exclusive of public ways, may be permitted without the provision of public sanitary sewers, if such is not reasonably accessible, provided ~~such development occurs only along existing public streets with no provision of additional streets providing frontage or access to any lot being developed, and further provided~~ that an alternate method of sewage disposal is approved by the Metropolitan Health Department. Commercial and industrial development sites along existing publicly maintained streets, with no provision of additional streets providing frontage or access of any site being developed may be permitted without the provision of public sanitary sewers, if not reasonably accessible, provided that the plan of subdivision indicates the proposed use of the sites being developed and that an alternate method of sewage disposal for such use is approved by the Metropolitan Health Department.

Chapter 6:

6-3.4. Release of Bonds in ~~Conservation~~ Rural Character Subdivisions. In addition to requirements of Sections 6-3.1, 6.3.2 and 6.3.3, no bond shall be released for improvements in a ~~Conservation~~ Rural Character Subdivision until the applicant demonstrates that the impacts associated with the improvements have been mitigated and that all conditions related to the improvements have been satisfactorily fulfilled.

Definitions:

~~*Conservation Subdivision*. A residential development where at least 50 percent or more of the land area is designated as undivided, permanent open space or farmland, thereby permanently protecting agriculturally, environmentally, culturally or historically significant areas within the tract. The subdivision is characterized by compact lots, common open space, and the preservation maintenance of natural, historical, and cultural resources. Conservation Subdivisions are an alternative approach to the conventional lot-by-lot division of land in rural areas that spreads development evenly throughout a parcel with little regard to impacts on the natural and cultural features of the area.~~

~~*Separation*. A required area of undeveloped land, which may be left in a natural state or landscaped, at the perimeter of the subdivision designed to separate new conservation~~

~~subdivisions from existing conventional subdivisions or to separate dwelling units from an abutting arterial or collector street or to separate existing agricultural uses from dwelling units in conservation subdivisions.~~

Lane. A road of low capacity and low speed serving ~~conservation~~ Rural Character subdivisions built at low gross densities in rural environments or providing access to low density land uses on the neighborhood edge of Walkable Subdivisions. Lanes may intersect to form a widely spaced organic grid, but should follow the terrain to minimize land disturbance. Lanes provide circulation within rural areas by connecting ~~conservation~~ Rural Character subdivisions to one another and serve primarily vehicular travel. From centerline to edge, the Lane's architecture includes a vehicular travel lane, a grassed shoulder, ditch drainage, and may provide for bicycle travel in a bike lane, wide outside lane, or on a multi-use side path that simultaneously serves pedestrians and cyclists. Side plantings are naturalistic rather than formal and take the place of buildings to create an acceptable ratio of street enclosure. Buildings are well set back from the street. Driveways, if present, can be spaced no closer than an average of 100 feet. A Lane is compatible with streets functionally classified as Locals and Minor Locals. The Lane designation is dropped when the street exits the rural area or neighborhood edge and enters a conventional suburban or urban area.

Infill Development. Refers to proposed development within previously subdivided ~~or~~ and predominantly developed areas.

Subdivision, Infill. Refers to proposed development within previously subdivided ~~or~~ and predominantly developed areas where new lot(s) are created. Consolidation plats and plats for the purposes of shifting lot lines are not infill subdivisions.

~~*Natural Conservation Land Use Policy, Eligible Areas.* See, Eligible Areas, Natural Conservation and Rural Land Use Policies, and Conservation and T2 Rural Neighborhood Maintenance Community Character Policies.~~

~~*Conservation Community Character Policy, Eligible Areas.* See, Eligible Areas, Natural Conservation and Rural Land Use Policies, and Conservation and T2 Rural Neighborhood Maintenance Community Character Policies.~~

~~*Rural Land Use Policy, Eligible Areas.* See, Eligible Areas, Natural Conservation and Rural Land Use Policies, and Conservation and T2 Rural Neighborhood Maintenance Community Character Policies.~~

~~*T2 Rural Neighborhood Maintenance Community Character Policy, Eligible Areas.* See, Eligible Areas, Natural Conservation and Rural Land Use Policies, and Conservation and T2 Rural Neighborhood Maintenance Community Character Policies.~~

Eligible Areas, ~~Natural~~ Conservation and T2 Rural Neighborhood ~~Land Use Policies, and Conservation and T2 Rural Neighborhood Maintenance Community Character~~ Policies. Areas of the county that are eligible for subdivision on private streets because the property to be subdivided lies within a ~~Natural~~ Conservation or T2 Rural Neighborhood ~~land use policy area or in Conservation, or some T2 Rural Neighborhood Maintenance~~ community

character policy areas (designated by the General Plan), is proposed for the creation of lots of five acres or greater, has a predominance of steep topography or floodplain precluding development of lots on less than five acres.

PROPOSED CHAPTER 4. RURAL CHARACTER SUBDIVISIONS
(Replacing Chapter 4. Conservation Subdivisions)

4-1. Intent

1. *Purpose.* Land designated in the General Plan as a T2 Rural Neighborhood policy reflects land with sensitive and unique topographic and geological characteristics, scarce prime agricultural land or landscapes with a historic rural community character. These areas provide living and working options differentiated from the more suburban and urban parts of the county. The value of rural and conservation land is recognized by the County in the General and Community Plans, which aim to protect and preserve the rural character and sensitive environmental resources on these lands. In areas designated as T2 Rural Neighborhood, the impact of land subdivision, land development, and intensification of activities can have significant ramifications to the region's resources and health and well-being. Therefore, these lands must be planned carefully to facilitate the maintenance of a harmonious development pattern, preservation of prime agricultural lands and the conservation of sensitive environmental resources and rural character is the key focus of any subdivision.
Development on the perimeter of the site should give consideration to protection of the property from adverse surrounding influences, as well as protection of the surrounding areas from potential adverse influences within the development. For example, development sites should not be located in proximity to neighboring agriculture operations without proper buffering. In addition, development sites should be located away from public roads and trails in order to preserve homeowner privacy. Diversity and an irregular in lot layout are encouraged in order to achieve the best possible relationship between the development and the land.

   Through the application of Rural Character Subdivisions, it is the intent of the Planning Commission to:

   a. Provide for the preservation of open space as a watershed protection measure.
   b. Minimize adverse impacts on important natural resources and rural land.
   c. Preserve in perpetuity:
      a. Unique or sensitive natural resources such as groundwater, floodplains and floodways, wetlands, streams, steep slopes, prime agricultural land, woodlands and wildlife corridors and habitat.
      b. Scenic views.
      c. Historic and cultural features of the rural landscape, including historic farmhouses and outbuildings, stonewalls, and tree lines.
      d. Historic and archaeological sites.
   d. Permit flexibility of design of rural land that will result in a more efficient and environmentally sensitive use of land, while being harmonious with adjoining development and preserving rural character.
   e. Minimize land disturbance and removal of trees, vegetation, and soil during construction resulting in reduced erosion and sedimentation.

f. Permit grouping of houses and structures on less environmentally sensitive soils that will reduce the amount of infrastructure, including paved surfaces and utility easements, necessary for development and will provide larger buffer areas to achieve appropriate rural development patterns.
g. Promote interconnected open space, greenways and undeveloped natural vegetated corridors through the community for wildlife habitat, protection of watersheds and enjoyment and use by the community.
h. Produce a development pattern in rural areas consistent with rural character through variety in design rather than uniformity of appearance in siting and placement of buildings and use of open space.
i. Minimizing views of new development from existing roads.

2. *Application.* The Nashville-Davidson County General Plan and associated Community Plans establish a community vision to guide development. Compliance with the goals and policies of these plans ensures that new development is in harmony with existing and desired development patterns and promotes the community's vision. These regulations are designed to insure that the rural character of the specified areas designated as T2 Rural Neighborhood policies on the adopted General or Community Plan is maintained and enhanced to the greatest extent feasible. All requests for the subdivision of land within areas so designated as T2 Rural Neighborhood policies shall be reviewed and developed as a Rural Character Subdivision in accordance with the provisions of this Chapter.

4-2. Development Standards

1. Identification of Primary Conservation Land. Prior to design of any subdivision plan with new streets or joint access easement~~for any area subject to this chapter~~, Primary Conservation Land shall be identified and, subject to the provisions of Sections 4-2.2 and 4-2.3, preserved from any development or disturbance. ~~Conservation Land shall be comprised of two areas, including: a.~~ Primary Conservation Areas include~~. The following shall be considered Primary Conservation Areas and shall be included as Conservation Land~~:
    a. Land shown on FEMA maps as part of the 100 year floodplain or identified in local studies confirmed by the Stormwater Division of Metro Water Services (Stormwater Division)
    b. All perennial and intermittent streams, floodways and associated buffers, as determined by Metro Stormwater.
    c. Areas over 10,000 square feet of ~~C~~contiguous slopes over 15 percent.
    d. Problem soil, as listed in Section 17.28.050 of the Metro Zoning Code.
    e. Wetlands, as determined by Metro Stormwater.
    f. Known habitat for rare, threatened, or endangered species.
    g. Cedar Glade communities.
    h. Archaeological sites, cemeteries and burial grounds.
    i. Designated historic and specimen trees, as required by Section 17.40.450 of the Metro Zoning Code.
    j. Scenic views onto the site from surrounding roads, as required by Section 4-2.5.

~~a. Secondary Conservation Areas. Secondary Conservation Areas are:~~
~~1. Existing native forests of a least one-acre contiguous area.~~

~~2. Prime farmland soils and land in agricultural use, including pastures, meadows, and open fields.~~
~~3. Designated historic and specimen trees.~~
~~4. Geologic formations, such as rock outcroppings~~
~~5. Natural areas and wildlife habitats and corridors.~~
~~6. Scenic views onto the site from surrounding roads.~~
~~7. Existing and planned recreation areas and trails that connect within the tract and to neighboring areas, including pedestrian, bicycle and equestrian trails.~~
~~8. Significant historical and cultural sites.~~

2. Preservation of Conservation Land. Unless an exception is granted under Section 4-2.3, all p~~P~~rimary Conservation Areas shall be preserved and set aside through an appropriate means such as conservation easements and/or open space. Secondary Conservation Areas are encouraged to be preserved and set aside through an appropriate means, such as conservation easements and/or open space, to eliminate the possibility of future development of these areas. Examples of Secondary Conservation Areas are native forests, prime farmlands, wildlife habitats and significant historical and cultural sites.

3. Development Footprint. The remaining land outside the boundary of the Primary Conservation Land shall be designated as the Development Footprint. A preliminary grading plan is required with all concept plan applications.
   a. The Planning Commission may approve an exception to permit land initially identified as a Primary Conservation area within the development footprint for ~~stream crossing~~public streets, joint access easements or other infrastructure, but not within lots, provided the development of such area minimizes impacts to environmental resources.
   b. The Planning Commission may approve an exception for lots within areas over 10,000 square feet of contiguous slopes between 15 and 20 percent, provided there is no grading shown on the concept plan and/or final site plan within slopes over 15 percent. For lots within continuous slopes between 15 and 20 percent, grading for the driveway and structure shall be shown on a critical lot plan and shall tie into the natural grade within ten feet of the structure or driveway. Driveway width shall be a maximum of 16 feet. Grading is not permitted in areas over 20% slope.

4. Building Placement. In subdivisions without new streets or joint access easements, any subdivision application shall note proposed building envelopes. Building envelopes shall not be within areas listed in Section 4-2.1(a) through Section 4-2.1(j).

5. Rural Character Design. In order to preserve the desired rural character of these areas, two Character Options exist for the development of land ~~within the development footprint~~. ~~For the purposes of this section, "surrounding parcels" is defined as the five R, RS, AR2A or AG parcels oriented to the same block face on either side of the parcel proposed for subdivision, or to the end of the same blockface, whichever is less. If there are no surrounding parcels, the screened alternative shall be used.~~

   a. Countryside Character Option. This option may be used for any rural character subdivision. It is intended to maintain a natural, open rural character by minimizing the visual intrusion of development along the primary roadways through the use of setbacks

and building placement, existing vegetation and natural topographical features that obscure the view of development from the street.

1. Open Alternative – Street frontage without existing vegetative or topographical screening. For the purposes of this section, "surrounding parcels" is defined as the five R, RS, AR2A or AG parcels oriented to the same block face on either side of the parcel proposed for subdivision, or to the end of the same blockface, whichever is less. If there are no surrounding parcels, the screened alternative shall be used.
   a. Building Setback along existing public streets. The required building setback shall be varied between lots. Where the minimum required street setback is less than the average of the street setback of the two parcels abutting either side of the lot(s) proposed to be subdivided, a minimum building setback line shall be included on the proposed lots at the average setback of the abutting parcels. When one of the abutting parcels is vacant, the next developed parcel shall be used. For a corner lot, both block faces shall be used. Where the majority of the abutting parcels are not developed, the minimum building setback shall be two times the amount of lot frontage. However, in no instance shall the minimum building setback be greater than 1,000 feet.
   b. Lot Depth along existing public streets. The minimum depth for lots along existing public streets shall be the building setback required by Section 4-2.5(a) plus 300 feet.
   c. Lot size along existing public streets.
      1. Individual lot sizes shall vary in size to reflect the rural character.
      2. The minimum lot size is either equal to or greater than 70% of the lot size of the average size of the surrounding parcels or equal to or larger than smallest of the surrounding parcels, whichever is greater.
      3. Flag lots shall not be included in the analysis.
   d. Lot frontage abutting existing public streets. Lot frontage is either equal to or greater than 70% of the average frontage of the surrounding parcels or equal to or greater than the smallest of the surrounding parcels, whichever is greater.
   e. Street lights. Within the USD, street lighting shall be low intensity and shall be projected downward with illumination that shields light from being emitted upwards toward the night sky or on surrounding natural areas. Within the GSD, no private street lights are permitted.
   f. Cluster lot option. Development through the Countryside (Open Alternative) Character Option may utilize the provisions of Cluster Lot Option (Section 17.12.090 of the Zoning Code) within the Development Footprint area, excluding lots abutting existing public streets. Smaller lot sizes may be appropriate with the application of a Specific Plan (SP) zoning district that addresses building height, architecture, landscaping, building placement and detailed grading plan.
2. Screened Alternative – Street frontage utilizing existing vegetative or topographical screening
   a. Lot Screening. Lots shall be designed to minimize visibility from the existing roadway network. Preservation of existing tree stands, existing topography, natural berms, rock outcroppings, and other features that currently provide visual screening shall be prioritized as the preferred means to minimize visibility. The concept plan/final plat shall include a landscape plan stamped

by a landscape architect indicating the method to minimize the visibility from the adjacent roadway network. The Planning Commission shall determine whether the proposed screening method is sufficient to achieve the purposes of screening the development within a short (2-4 year) period and may require a bond to ensure the protection or completion of this improvement. The building envelopes shall be shown on the concept plan/final plat as a means to evaluate the effectiveness of existing and/or proposed visual screening techniques. All existing or proposed screening areas shall be designated as Conservation Land. The depth of the screened area shall be equal to the farthest building setback of primary structures on the surrounding parcels plus 300 feet. If no surrounding parcels are developed, then the screened area shall be 500 feet from the public right of way.

b. Street lights. Within the USD, street lighting shall be low intensity and shall be projected downward with illumination that shields light from being emitted upwards toward the night sky or on surrounding natural areas. Within the GSD, no private street lights are permitted.
c. Cluster lot option. Development through the Countryside (Screened Alternative) Character Option may utilize the provisions of Cluster Lot Option (Section 17.12.090 of the Zoning Code) within the Development Footprint area. Smaller lot sizes may be appropriate with the application of a SP that addresses building height, architecture, landscaping, etc.
d. Use of Lot Screening Areas. Within the area designated for lot screening, areas identified as Prime farmland soils and land in agricultural use may be used for agricultural purposes, if permitted by the base zoning.

b. Agricultural Character Option. This option may be used at the choice of the property owner when the primary function of the subdivision is for agricultural use and a more open character is desired. A deeper building setback is required in order to maintain a rural building framework along the street. Buffers shall be provided between houses and agricultural lands to reduce the potential for conflict between residents and farming activities.
   1. Building Setback. The building setback from the front lot line shall be a minimum of 200 feet or 2 times the width of the lot along the lot frontage, whichever is greater. However, in no instance shall the minimum building setback be greater than 1,000 feet.
   2. Street lights. Within the USD, street lighting shall be low intensity and shall be projected downward with illumination that shields light from being emitted upwards toward the night sky or on surrounding natural areas. Within the GSD, no private street lights are permitted.
   3. Use of Conservation Areas. Within the designated Conservation Land, areas identified as prime farmland soils and land already in agricultural use may be used for agricultural purposes, if permitted by the base zoning.
   4. Cluster lot option. Development through the Agricultural Character Option may utilize the provisions of Cluster Lot Option (Code Sec 17.12.090 of the Zoning Code) provided the Development Footprint is internal to the overall subdivision and can be shown to comply with Subsection d of this Section.

5. Supporting Agricultural Uses. The application of the Agricultural Character option shall:
   a. Support continuing or proposed new agricultural uses on the tract and adjacent tracts by configuring lots in a manner that maximizes the usable area remaining for such agricultural uses;
   b. Include appropriate separations/buffers between agricultural uses and residential structures to allow for the continued agricultural use;
   c. Minimize impacts to prime farmland soils and large tracts of land in agricultural use; and
   d. Avoid interference with normal agricultural practices.

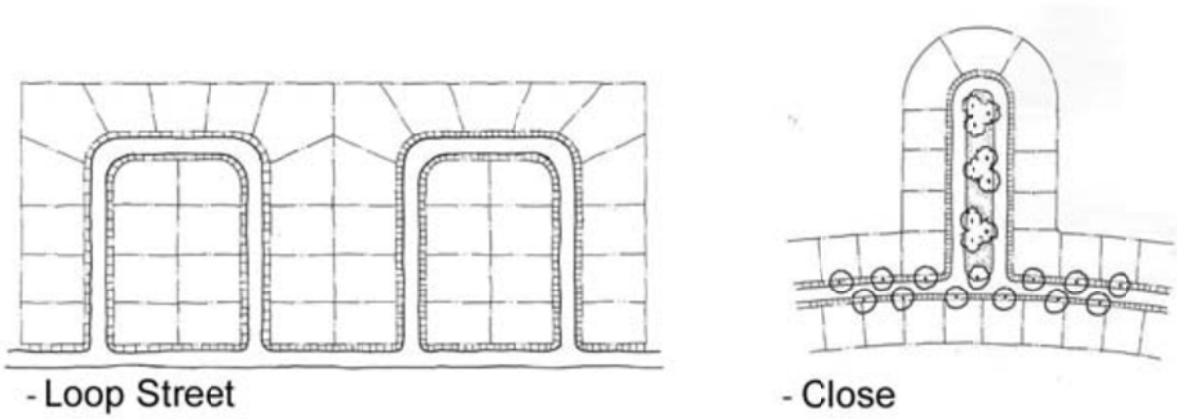
c. Public Road Frontage. The Planning Commission may approve up to ten lots within a Rural Character subdivision without direct frontage on a public street provided there is a joint access easement to the lots.

d. Preservation of Tree Canopy. Prior to any land disturbance within the Development Footprint, a tree survey shall be undertaken and all recommended canopy trees on the Urban Forestry ~~Forester~~ Recommended and Prohibited Tree and Shrub List that are 12" or greater in diameter shall be identified. No such identified trees shall be removed unless the tree is within the designated building envelope as designated on the final plat or approved for removal by the Urban Forester due to condition, disease or damage.

e. Street Design. A primary objective of Rural Character Subdivisions is to maintain an open space and environmental network through the uninterrupted connection of Conservation Land. Buildings are often located and oriented on the land to reflect the natural features of the land, and not a standardized streetscape. When creating any new roads in rural policy areas, roads that complement the rural character of existing rural corridors by using a two-lane rural cross section with swale and reflective striping (ST-255) shall be required. It is anticipated that road connectivity in these subdivisions may be less than other parts of the County. However, road connections may be required whenever necessary to further the overall rural character of the area.
   1. The street pattern shall be designed to minimize impacts to environmental resources and follow existing terrain as much as possible to minimize earthmoving and disturbance of the existing topography.
   2. Streets and private driveways should avoid open fields, agricultural lands, and sensitive lands, preferably along tree lines.
   3. Wherever possible, streets and driveways shall follow existing fence lines, hedgerows, and any existing gravel/dirt road.
   4. Streets may be designed using the appropriate street types contained in the Contextual Street Classification as defined in Section 7-2. Use of Public Works Street Cross Section ST-255 or equivalent (Non Curb and Gutter Cross Section) is encouraged for all local streets.
   5. Driveway crossings on streets built without curb and gutters shall meet the standards for driveway crossings contained in Volume 1 of the Stormwater Management Manual.
   6. Cul-de-sacs are generally discouraged and shall be permitted only where all other street design alternatives, such as loop streets or closes shown in Figure 4-1, are not feasible and one of the following two conditions exists:

a. Where natural features such as wetlands or steep slopes exist or other primary or secondary conservation areas that are not desirable to remove.
b. Where connection to an existing or planned street is blocked by an existing permanent structure, an existing or planned interstate, or a protected open space area.

Figure 4-1: Alternatives to Cul-de-sacs.



7. The street network shall be designed to:
   a. Preserve existing tree lines, hedgerows, and watercourses.
   b. Minimize alteration of natural, cultural, or historic features.
   c. Promote pedestrian movement.
   d. Secure the view to prominent natural vistas.
   e. Minimize crossing of designated Conservation Land.

f. Private streets as defined in Section 3-9 3 of these regulations (Requirements for Streets) are appropriate as needed to maintain the rural character of proposed subdivision.

g. Drainage and Storm Sewers. The storm water system within a subdivision shall be designed in accordance with the requirements of Section 3-14 of these regulations and the requirements of the Metropolitan Stormwater Management Regulations. Use of rural appropriate or light impact storm-water management designs is encouraged.

h. Public Water Facilities. The public water system shall be designed in accordance with the requirements of Section 3-15 of these regulations and the requirements of the Metropolitan Department of Water Services.

i. Utilities. All utilities shall be located underground in accordance with the provisions of Section 3-17 of these regulations.

j. Sewerage Facilities. All sewerage facilities shall be designed in accordance with the requirements of Section 3-16 of these regulations.

k. Areas of Common Sewage Disposal for Individual Sewage Disposal Systems. The location of all operating parts of the individual sewage disposal systems or other sewage disposal

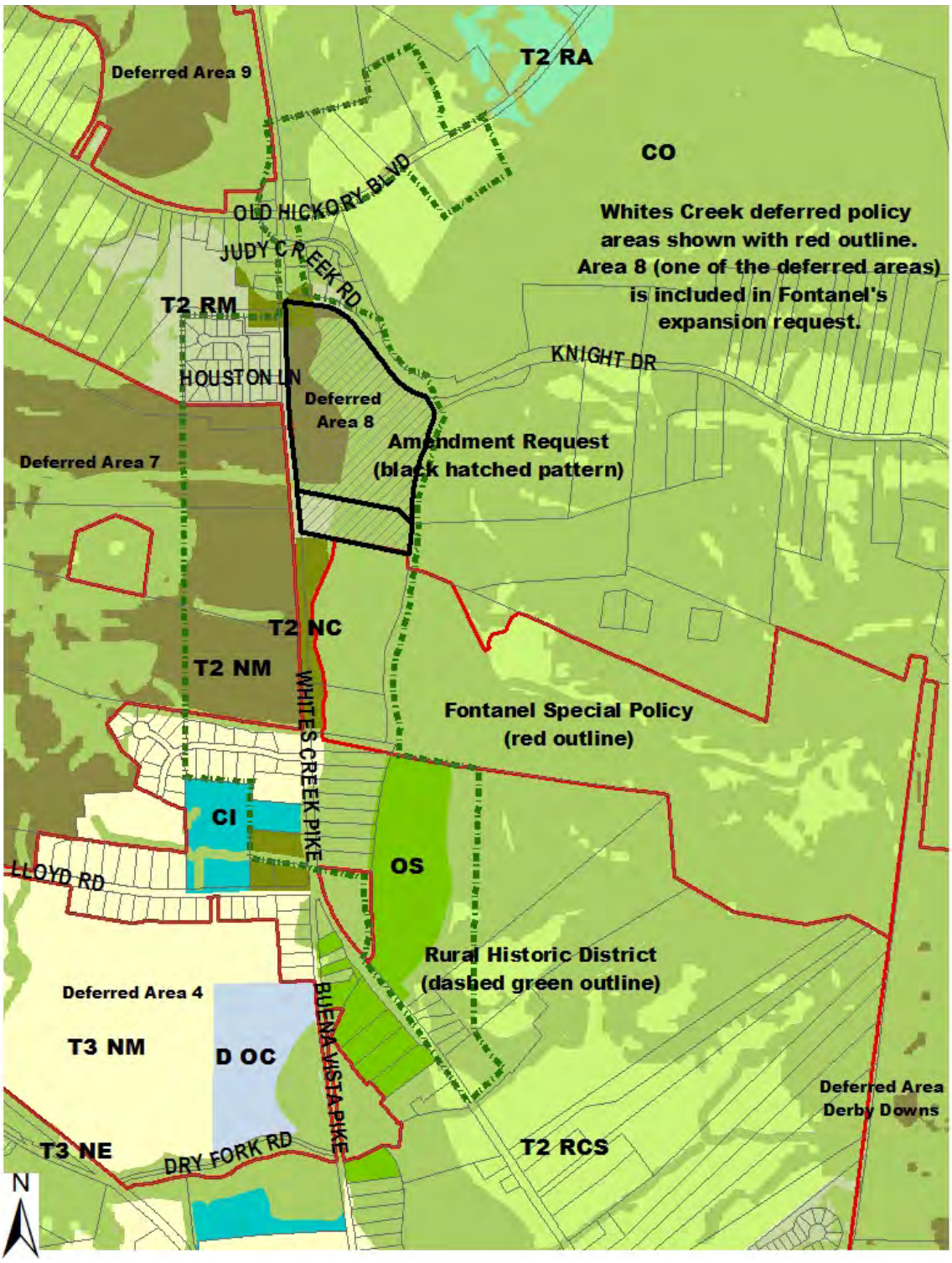
system approved by Metro Water Services, situated in lands held in common and any easements shall be shown on the final subdivision plat.

l. Lands Set Aside. Land that is dedicated for use for a sanitary sewer disposal, whether for a public system or an individual sewage disposal system or other sewage disposal system approved by Metro Water Services, or land that is dedicated for conventional stormwater management devices, that require a disturbance to the land, shall be set aside for such purposes and not included as Conservation Lands.

4-3 Conservation Land and Common Property Management

1. *Homeowners' Association Required*. A homeowners' association shall be established and membership in the association shall be mandatory for all purchasers of homes in the development and their successors. The homeowners' association bylaws shall guarantee continuing maintenance of the open space and other common facilities.

SEE NEXT PAGE



2016CP-003-001
BORDEAUX–WHITES CREEK COMMUNITY PLAN AMENDMENT
Map 040, Parcel(s) 093 and 163
03, Bordeaux-Whites Creek
03 – Brenda Haywood

Project No.	**Major Plan Amendment 2016CP-003-001**
Project Name	**Bordeaux-Whites Creek Community Plan Amendment**
Associated Case	2019SP-022-011
Council District	3 – Haywood
School District	1 – Gentry
Requested by	EDGE Planning, Landscape Architecture and Urban Design, applicant; Linda Jarrett and Melvin Brown, owners.
Deferrals	This request was deferred from the March 24, 2016, Planning Commission Meeting. The public hearing was not held.
Staff Reviewer	McCaig
Staff Recommendation	*Disapprove.*

APPLICANT REQUEST
A request to amend the Bordeaux-Whites Creek Community Plan by expanding Special Policy Area 03-T2-CO-01.

BORDEAUX-WHITES CREEK COMMUNITY PLAN – MAJOR AMENDMENT REQUEST
Current Policies
Conservation (CO) is intended to preserve environmentally sensitive land features through protection and remediation. CO policy applies in all Transect Categories except T1 Natural, T5 Center, and 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. The guidance for preserving or enhancing these features varies with what Transect they are in and whether or not they have already been disturbed. *Note: Applies to property at 4241 Whites Creek Pike.*

Conservation (CO) (version from the previous CCM adopted on October 25, 2012, that was retained for the deferred properties in Whites Creek) is intended to preserve environmentally sensitive land features through protection and remediation. CO policy applies in 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. The guidance for preserving or enhancing these features varies with what Transect they are in and whether or not they have already been disturbed. *Note: Applies to property at Whites Creek Pike (unnumbered) which is deferred Area 8. On June 22, 2015, the MPC adopted NashvilleNext with the exception of 11 areas in Whites Creek which were deferred.*

T2 Rural Maintenance (T2 RM) is intended to preserve rural character as a permanent choice for living within Davidson County and not as a holding or transitional zone for future urban development. T2 RM areas have established low-density residential, agricultural, and institutional development patterns. Although there may be areas with sewer service or that are zoned or developed for higher densities than is generally appropriate for rural areas, the intent is for sewer

services or higher density zoning or development not to be expanded. Instead, new development in T2 RM areas should be through the use of a Conservation Subdivision at a maximum gross density of 1 dwelling unit per 2 acres with individual lots no smaller than the existing zoning and a significant amount of permanently preserved open space. *Note: Applies to property at 4241 Whites Creek Pike.*

T2 Rural Neighborhood Maintenance (T2 NM) (version from the previous CCM adopted on October 25, 2012, that was retained for the deferred properties in Whites Creek) is intended to preserve the general character of rural neighborhoods. T2 Rural Neighborhood Maintenance 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 public realm. Where not present, enhancements may be made to improve pedestrian, bicycle, and vehicular connectivity. *Note: Applies to property at Whites Creek Pike (unnumbered) which is deferred Area 8.*

T2 Rural Neighborhood Center (T2 NC) (the summaries for the version adopted on June 22, 2015 and October 25, 2012, are the same) is intended to preserve, enhance, and create rural neighborhood centers that fit in with rural character and provide consumer goods and services for surrounding rural communities. T2 NC areas are small-scale, pedestrian friendly areas generally located at intersections. They contain commercial, mixed use, residential, and institutional uses. *Note: Applies to property at Whites Creek Pike (unnumbered) which is deferred Area 8.*

Proposed Policy
CO and T2 RM policies are proposed to remain for property at 4241 Whites Creek Pike. The newer CO, T2 RM, and T2 NC are proposed by staff for property at Whites Creek Pike (unnumbered), deferred Area 8. On June 22, 2015, eleven areas in Whites Creek were deferred from the adoption of NashvilleNext so that further study and community conversations could occur regarding the appropriate policy. The policy for the eleven deferred areas is tracking for the May 26, 2016, Planning Commission meeting. The latest deferral is to allow the Trust for Public Land and the Land Trust for Tennessee to work with property owners on innovative ideas and programs for rural conservation.

Applicant's request: The applicant is not requesting to change the Community Character Policy. The applicant's request is to expand the currently adopted Special Policy for the adjacent Fontanel property to include the properties at 4241 Whites Creek Pike and Whites Creek Pike (unnumbered). Special Policy Area 03-T2-CO-01 balances preservation of the Fontanel property with limited development of a unique product for a rural area, focused on recreation and entertainment.

Currently Adopted Special Policy Area 03-T2-CO-01 – the Current Fontanel property:
The following Special Policy was adopted by the Metropolitan Planning Commission on June 27, 2013: Commercial activities are not normally supported by Conservation policy. However, the character and development pattern of the business that exists on the site provides a better opportunity for site preservation than the suburban residential zoning that is found in this portion of the surrounding Whites Creek Community. Commercial development that results in minimal disturbance of the natural environment, significant open space preservation, and limited off-site impacts on the surrounding rural community may be considered on its merits provided that:

- At least 75 percent of the site is permanently preserved as undisturbed open space;

- Development techniques are used that cause minimal disturbance to sensitive environmental features such as steep slopes, forested areas, floodplains, and water bodies;
- A development pattern is established that is appropriate to a rural environment in its appearance and operations, including setbacks, parking, building types, landscaping, lighting, road and driveway design, traffic, and noise management; and,
- Low impact development techniques are used for stormwater management.

BACKGROUND

The community plan amendment was requested in conjunction with zone change application 2009SP-022-011. Along Whites Creek Pike, the front part of the Fontanel site and all of the two subject properties are part of the National Register-listed Whites Creek Rural Historic District. Rural policy is complementary to the CO policy because it helps to protect the low-intensity rural character of Whites Creek. Approximately 20.34 acres (of the total 31.18 acres) is in CO policy due to its location in the floodway/floodplain.

In 2013, Fontanel applied to amend their Specific Plan to add a rural resort use in the rear of the property that was not visible from Whites Creek Pike. At that time, a plan amendment to add a Special Policy was also required due to the requested use's location being in Conservation policy and on steep slopes. In 2013, staff recommended the Special Policy could be supported since the added use contributed to the entire project's options for economic development, consumer services, and community amenities and was within the existing Fontanel property and out of sight of Whites Creek Pike. Adding a Special Policy allowed a portion of the existing Fontanel property to be developed while guiding the nature and extent of the development and preserving 75 percent of the area's natural features. However, that does not mean that expanding the Special Policy to include additional properties is appropriate.

COMMUNITY PARTICIPATION

On November 12, 2015, Councilmember Brenda Haywood held a community meeting to discuss Fontanel's proposed expansion. It was attended by approximately 200 people, including the development team and a staff member from the Planning Department. After the applicant's formal application submittal, staff held another community meeting on Tuesday, February 23, 2016, to discuss Fontanel's proposal. The second meeting was attended by approximately 100 people, including area councilmembers and the development team. Community meeting and public hearing notices were mailed out to property owners within 1,300 feet of the amendment area on February 9, 2016, and the notice was also placed on the Planning Department website.

Similar questions and concerns were asked and shared at both meetings.

Some attendees support the expansion and relocation of the special policy and feel that it will enhance the community, citing Fontanel has:

- Partnered with the community and has demonstrated a willingness to work with the community on addressing past concerns;
- Improved Whites Creek's property values and ambiance;
- Preserved open space;
- Created positive exposure for the community; and
- Created an enjoyable place for families and visitors to eat and be entertained.

And that the proposed expansion will:

- Complement the aesthetics and character of the rural surroundings;
- Preserve the rural character and natural beauty of the community;
- Provide additional employment opportunities; and
- Be more acceptable than another residential subdivision.

Other attendees oppose the expansion and relocation of the special policy, citing concerns regarding:

- A preference for the commercial development remaining in the rear of the property, out of sight from Whites Creek Pike and away from adjacent residential;
- Additional commercial development impacts along the frontage of Whites Creek Pike, including taller buildings, additional infrastructure, more people, lighting, maintenance activities, and additional noise;
- Increased traffic as well as several additional entry points along Whites Creek Pike;
- The loss of another rural property to development that is out of character and does not promote the rural community;
- Disturbing property with known archeological sites with some containing Native American burials;
- Limiting opportunities for a diversity of local businesses by one business entity operating on such a large area in Whites Creek;
- Expanding a business that caters mainly to tourists;
- Fontanel defining the larger appearance of rural Whites Creek and tying the success of the community to the success of Fontanel; and
- The owners' sense of urgency and not deferring this project until policy decisions regarding the eleven deferred areas have been reached by the Metropolitan Planning Commission on May 26.

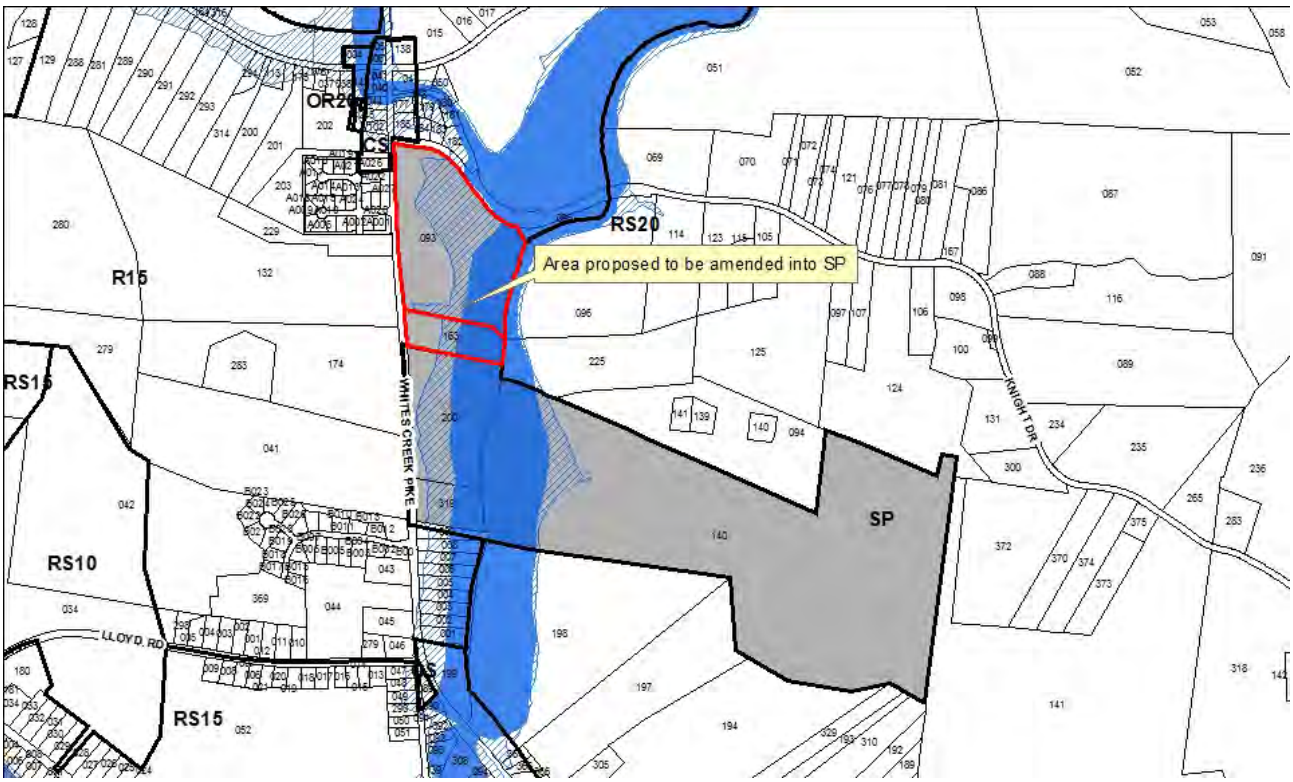
Other attendees are undecided about Fontanel's proposal, but do not wish the applications to move ahead until:

- The Trust for Public Lands and the Land Trust for Tennessee have a chance to work with property owners; and
- A decision is reached by the Metropolitan Planning Commission on policies for the eleven deferred areas.

ANALYSIS

Staff does not support expanding the Special Policy to the proposed amendment area at this time due to ongoing concerns about preserving the rural character of Whites Creek. Staff recommends that enlarging Fontanel's operations along Whites Creek Pike is not an appropriate development in use and scale for a small rural area. The proposed use and location would be out of character with the surrounding rural area in its appearance and operations, its scale, and its increased access points for additional traffic, all visible from Whites Creek Pike. This request could also set a negative precedent by allowing the expansion of non-residential uses, taller buildings, and parking areas along White's Creek Pike. Fontanel was originally proposed as an adaptive reuse of the existing property where the Fontanel Mansion existed. Expanding to other surrounding properties for non-residential uses could set a negative precedent.

STAFF RECOMMENDATION
Staff recommends disapproval of the amendment request.



2009SP-022-011
THE MANSION AT FONTANEL (AMENDMENT)
Map 040, Parcel(s) 093, 163
Map 049, Parcel(s) 200.01, 140, 319
03, Bordeaux – Whites Creek
03 (Brenda Haywood)

Project No.	**Zone Change 2009SP-022-011**
Project Name	**The Mansion at Fontanel (Amendment #5)**
Associated Case No.	2016CP-003-001
Council District	3 – Haywood
School District	1 – Gentry
Requested by	EDGE Planning, Landscape Architects, applicant; Fontanel Properties LLC, Linda Jarrett, and Melvin Brown, owners.
Deferrals	This request was deferred from the March 24, 2016, Planning Commission Meeting. The public hearing was not held.
Staff Reviewer	Swaggart
Staff Recommendation	*Disapprove.*

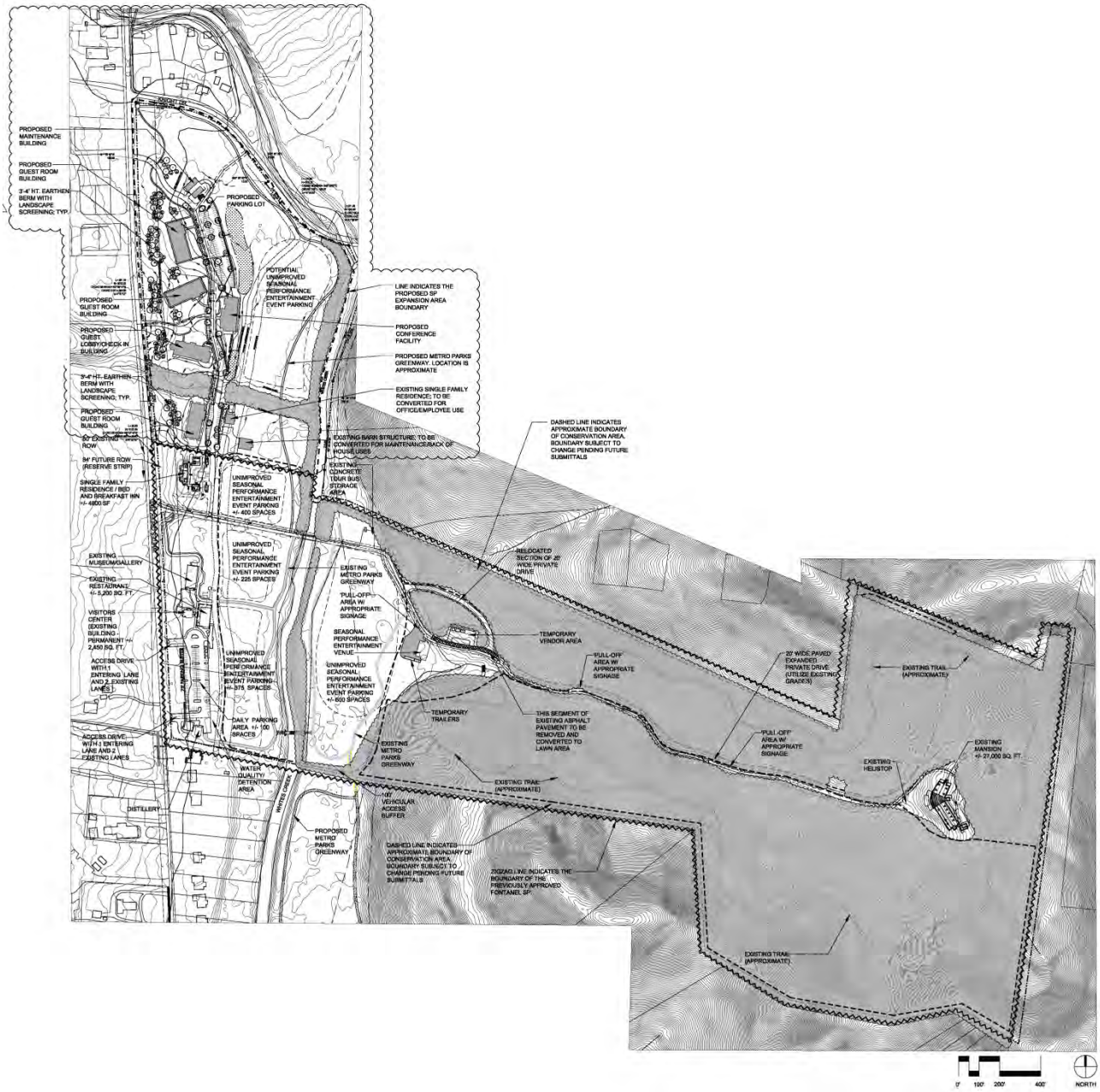
APPLICANT REQUEST
Amend SP to add additional land into SP to permit the relocation of previously approved hotel.

Preliminary SP Amendment
A request to amend the Mansion at Fontanel Specific Plan District for properties located at 4105, 4125, 4225, and 4241 Whites Creek Pike, and Whites Creek Pike (unnumbered), approximately 1,000 feet north of Lloyd Road (138.02 acres) and located within the Floodplain Overlay District to add approximately 31.18 acres into the SP, and to relocate the proposed hotel from the previously approved location to the newly added parcels.

Existing Zoning
One and Two-Family Residential (R15) requires a minimum 15,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 3.09 dwelling units per acre including 25 percent duplex lots. *R15 would permit a maximum of 90 lots with 22 duplex lots for a total of 112 units. This is based on the approximately 31 acres proposed to be added to the SP. It is important to note that the number of units is the maximum permitted by zoning, and that the max number of units may not be achieved due to required infrastructure such as roadways, stormwater areas and open space, as well as, constraints such as floodplain, floodway, steep hillsides and other constraints.*

Specific Plan-Mixed Use (SP-MU) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. *This Specific Plan includes a mix of uses.*

CRITICAL PLANNING GOALS
N/A



Proposed Site Plan

BORDEAUX/WHITES CREEK COMMUNITY PLAN
Current Policies

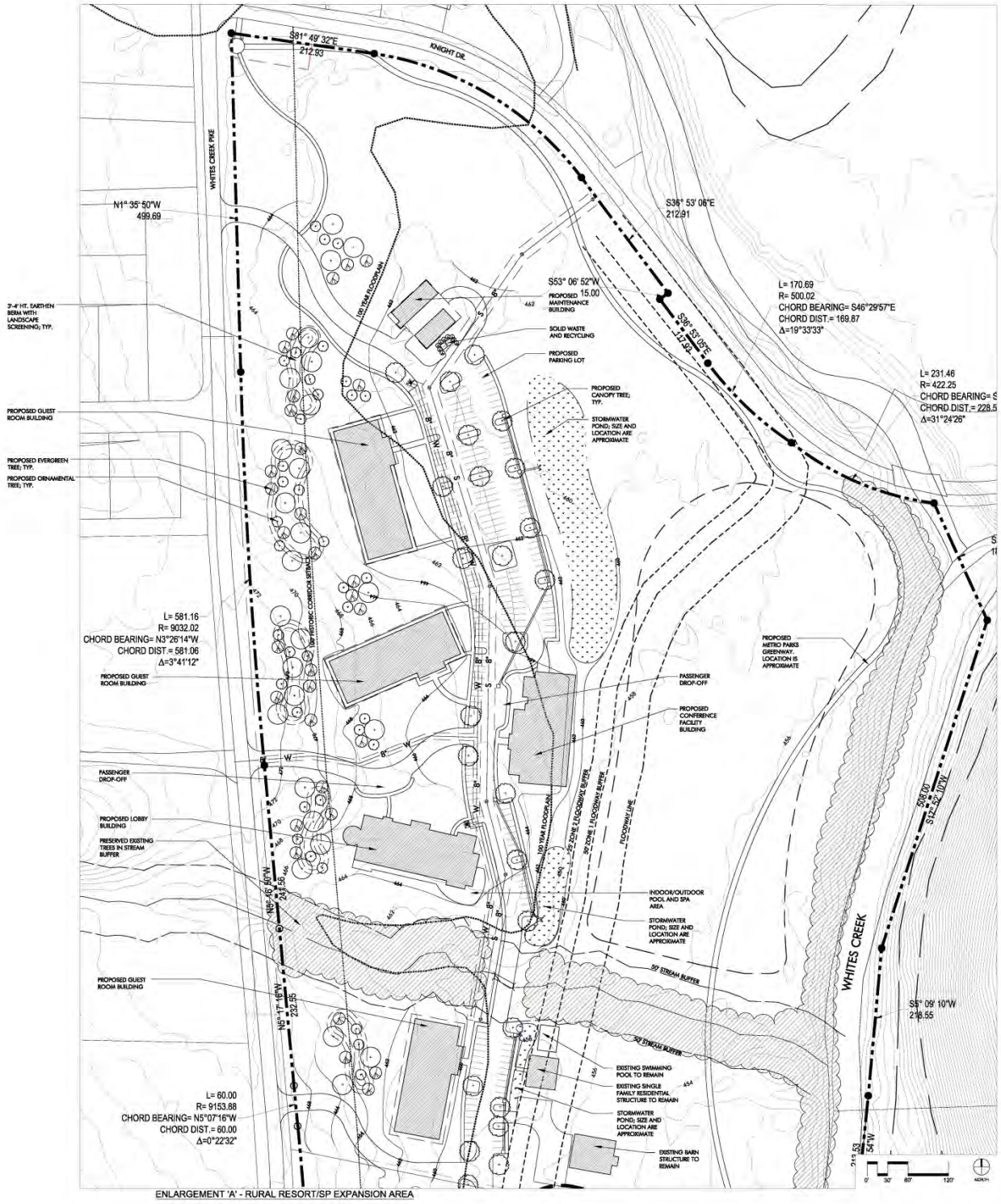
Conservation (CO) is intended to preserve environmentally sensitive land features through protection and remediation. CO policy applies in all Transect Categories except T1 Natural, T5 Center, and T6 Downtown. CO policy identifies land with sensitive environmental features including, but not limited to, steep slopes, floodway/floodplains, rare or special plant or animal habitats, wetlands, and unstable or problem soils. The guidance for preserving or enhancing these features varies with what Transect they are in and whether or not they have already been disturbed. *Note: Applies to property at 4241 Whites Creek Pike.*

Conservation (CO) (version from the previous CCM adopted on October 25, 2012, that was retained for the deferred properties in Whites Creek) is intended to preserve environmentally sensitive land features through protection and remediation. CO policy applies in 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. The guidance for preserving or enhancing these features varies with what Transect they are in and whether or not they have already been disturbed. *Note: Applies to property at Whites Creek Pike (unnumbered) which is deferred Area 8. On June 22, 2015, the MPC adopted NashvilleNext with the exception of 11 areas in Whites Creek which were deferred.*

T2 Rural Maintenance (T2 RM) is intended to preserve rural character as a permanent choice for living within Davidson County and not as a holding or transitional zone for future urban development. T2 RM areas have established low-density residential, agricultural, and institutional development patterns. Although there may be areas with sewer service or that are zoned or developed for higher densities than is generally appropriate for rural areas, the intent is for sewer services or higher density zoning or development not to be expanded. Instead, new development in T2 RM areas should be through the use of a Conservation Subdivision at a maximum gross density of 1 dwelling unit per 2 acres with individual lots no smaller than the existing zoning and a significant amount of permanently preserved open space. *Note: Applies to property at 4241 Whites Creek Pike.*

T2 Rural Neighborhood Maintenance (T2 NM) (version from the previous CCM adopted on October 25, 2012, that was retained for the deferred properties in Whites Creek) is intended to preserve the general character of rural neighborhoods. T2 Rural Neighborhood Maintenance 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 public realm. Where not present, enhancements may be made to improve pedestrian, bicycle, and vehicular connectivity. *Note: Applies to property at Whites Creek Pike (unnumbered) which is deferred Area 8.*

T2 Rural Neighborhood Center (T2 NC) (the summaries for the version adopted on June 22, 2015 and October 25, 2012, are the same) is intended to preserve, enhance, and create rural neighborhood centers that fit in with rural character and provide consumer goods and services for surrounding rural communities. T2 NC areas are small-scale, pedestrian friendly areas generally located at



Close-up of Proposed Site Plan

intersections. They contain commercial, mixed use, residential, and institutional uses. *Note: Applies to property at Whites Creek Pike (unnumbered) which is deferred Area 8.*

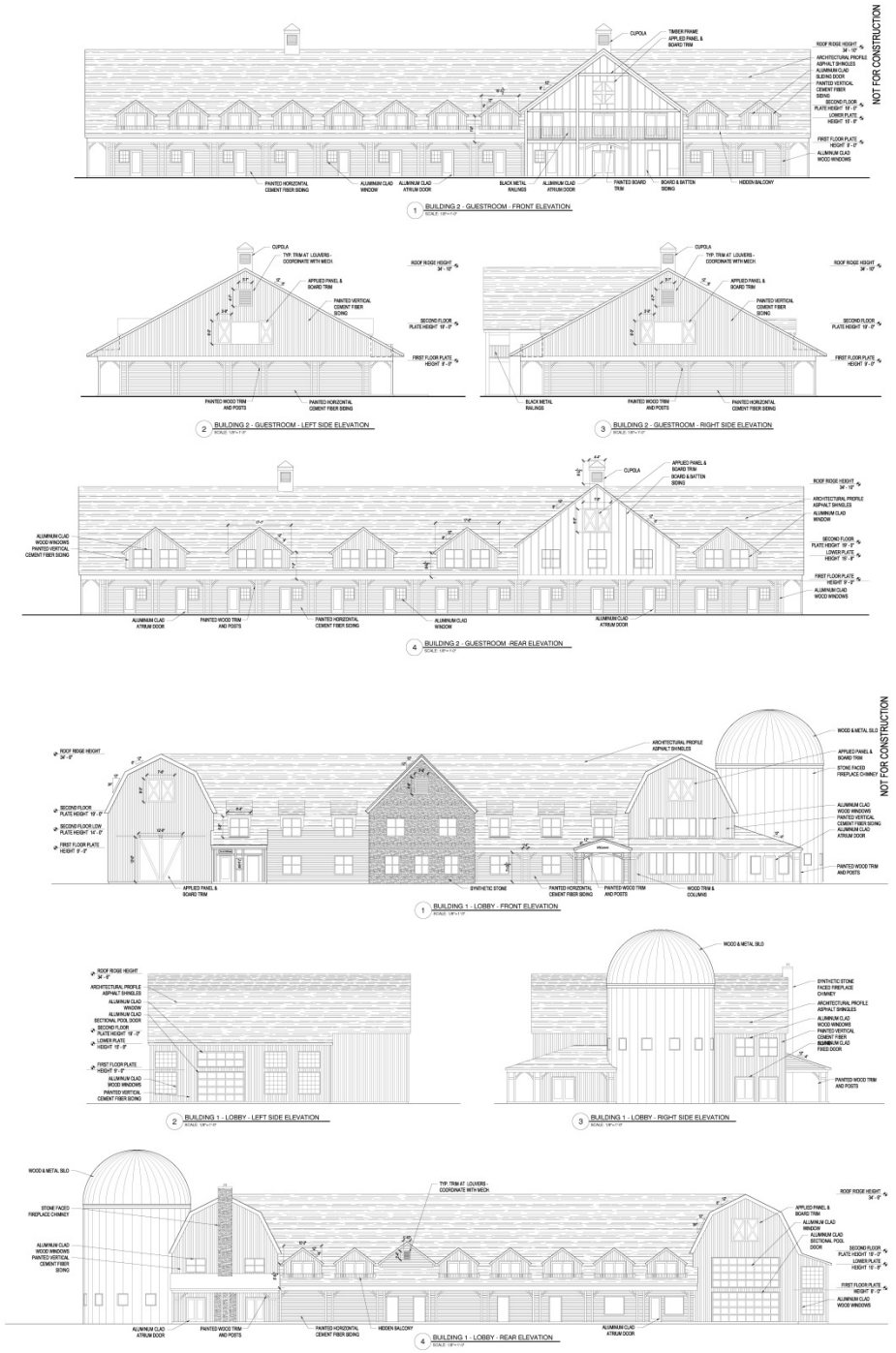
Special Policy Area 03-T2-CO-01 – the Current Fontanel property:
The following Special Policy was adopted by the Metropolitan Planning Commission on June 27, 2013: Commercial activities are not normally supported by Conservation policy. However, the character and development pattern of the business that exists on the site provides a better opportunity for site preservation than the suburban residential zoning that is found in this portion of the surrounding Whites Creek Community. Commercial development that results in minimal disturbance of the natural environment, significant open space preservation, and limited off-site impacts on the surrounding rural community may be considered on its merits provided that:

- At least 75 percent of the site is permanently preserved as undisturbed open space;
- Development techniques are used that cause minimal disturbance to sensitive environmental features such as steep slopes, forested areas, floodplains, and water bodies;
- A development pattern is established that is appropriate to a rural environment in its appearance and operations, including setbacks, parking, building types, landscaping, lighting, road and driveway design, traffic, and noise management; and,
- Low impact development techniques are used for stormwater management.

Proposed Policy
Expansion of Special Policy 03-T2-CO-01 to the two properties located along Whites Creek Pike that are proposed to be added to the SP.

Consistent with policy?
The proposed expansion of the SP along Whites Creek Pike to permit a commercial use is not consistent with the existing residential policy that applies to a majority of the area along Whites Creek Pike. The T2 NC policy which only applies to a small portion of the property at the corner of Whites Creek Pike and Knight Drive could support a nonresidential use; however, the proposed SP does not propose any significant development of that area. The only improvements in the T2 NC area include a walking path/greenway.

PLAN DETAILS
The Mansion at Fontanel Specific Plan was originally approved in 2009. It is located along the east side of Whites Creek Pike, south of Old Hickory Boulevard. The site is within the National Register Whites Creek Historic District. Since the original approval, there have been four amendments. A 2013 amendment added a "rural resort" use with a maximum of 140 rooms to the SP. The SP defined a rural resort as "facilities owned and operated by a non-government entity for the purpose of providing a rural setting in which lodging, and/or conference, meeting and event facilities are provided for compensation. The use may also include a restaurant and or/banquet facilities and recreational amenities of a rural nature." This use is similar to what the Zoning Code would classify as a hotel and is referred to as a hotel in this report. The last amendment was approved in 2014. The 2014 plan amended the 2013 Council approved plan by adding approximately 1.97 acres to the SP boundary, increased the number of hotel rooms for the rural resort from 140 to 150 rooms, and made changes to the requirements for the Seasonal Performance Entertainment Venue.



Proposed Elevations

Plan layout
This proposal calls for the previously approved hotel to be moved from the back of the site to an approximately 31 acre area along Whites Creek Pike that is proposed to be added into the SP boundary. The plan calls for a maximum of 136 rooms, distributed within four buildings. The plan also calls for a 13,300 square foot conference facility that includes a 5,273 square foot banquet hall for up to 300 people, a kitchen and other services. All buildings are one or two stories. Buildings have been designed so that the second story is accommodated within the roof structure. The tallest building shown on the plan is approximately 34 feet. This building includes a structure that resembles a silo, and is slightly taller than 34 feet.

The plan calls for two entrance drives onto Whites Creek Pike. This is in addition to existing drives onto Whites Creek Pike within the existing development. As shown the existing development would be connected to the proposed expansion. Parking is shown at the back or side of the proposed buildings. The SP requires one space per room and one space per two employees be provided. The plan identifies approximately 150 parking spaces. The plan proposes to extend the existing Metro Parks Greenway along Whites Creek to Knight Road.

ANALYSIS
Staff recommends disapproval of the proposed SP amendment, as the request is not consistent with the Bordeaux/Whites Creek Community Plan and staff is recommending disapproval of the proposed Special Policy expansion. The plan calls for building massing that is not consistent with a rural character of the area, or what is supported by the rural policy. The plan also calls for large areas of parking which is also not consistent with the rural character of the area.

METRO HISTORICIAL COMMISSION RECOMMENDATION
Approve with conditions
The parcels proposed for addition to the Mansion at Fontanel Specific Plan District are located within the National Register-listed Whites Creek Historic District. The Historical Commission recommends that the site plan include landscape buffering along Knight Drive to preserve the rural character of the National Register district.

FIRE MARSHAL RECOMMENDATION
Approved with conditions
- Fire Code issues for the structures will be addressed at permit application review.

STORMWATER RECOMMENDATION
Approved with conditions
- Add bearing reference information.

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.
- Comply with the conditions of the MPW Traffic Engineer.

- If sidewalks are required along Whites Creek Pike, then they are to be built per MPW standards and specifications, within ROW.

TRAFFIC AND PARKING RECOMMENDATION
Approve with conditions
In accordance with the updated TIS, the developer shall construct the following roadway improvements.

- Internal cross-access between the proposed hotel buildings and the existing Fontanel property shall be provided by developer for vehicular and pedestrian traffic.
- Driveways should be aligned with existing driveways/roads on Whites Creek Pk. if possible.
- A minimum of 150 parking spaces should be provided to accommodate the proposed hotel with 140 guestrooms and assuming 20 employees.
- Comply with previously approved special event conditions for traffic and parking management.

WATER SERVICES RECOMMENDATION
Approve with conditions

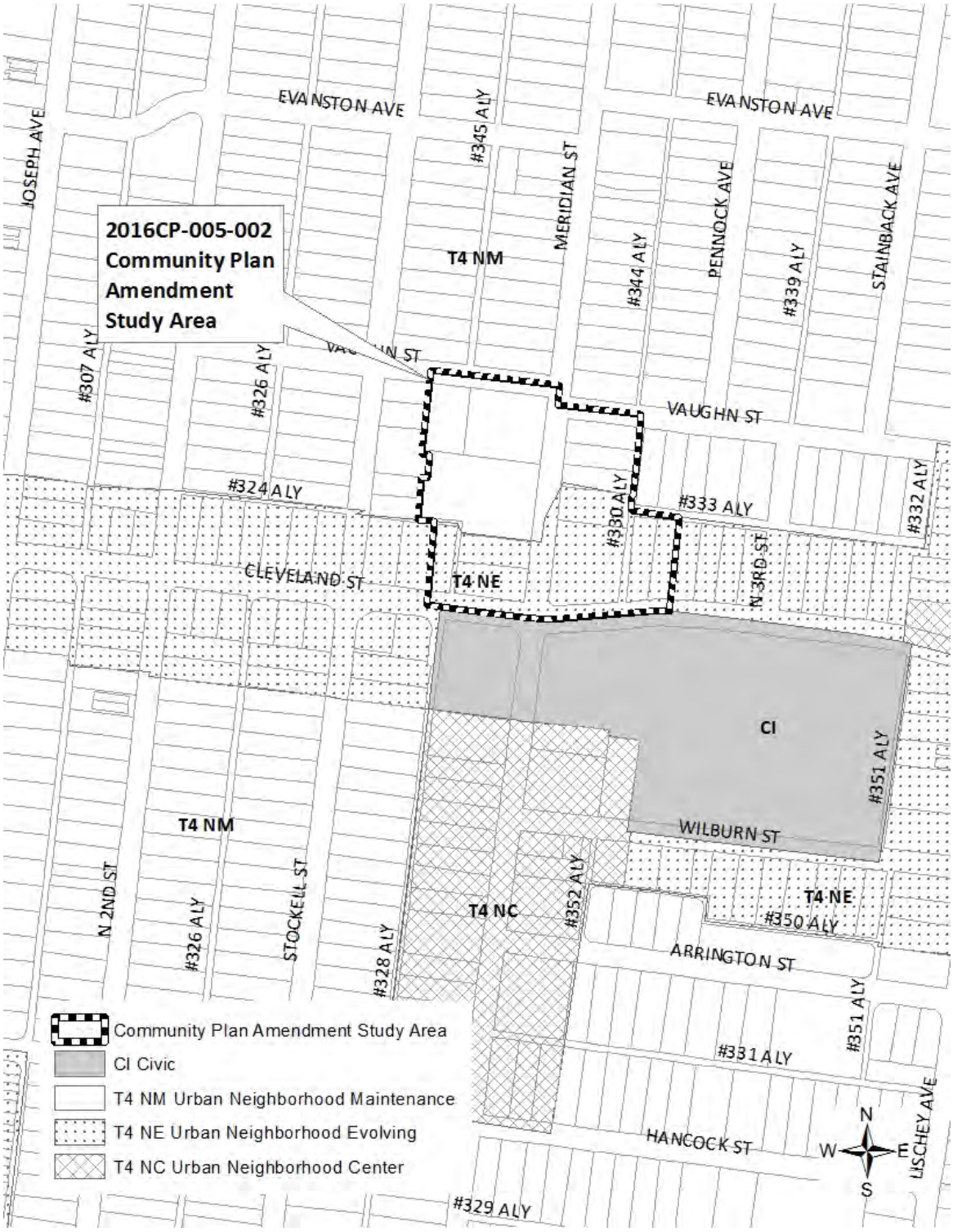
- Approved as a Preliminary SP only. The required capacity fees must be paid prior to Final Site Plan/SP approval.

STAFF RECOMMENDATION
Staff recommends disapproval as the request is not consistent with the Whites Creek Community plan.

CONDITIONS (if approved)

1. Uses within this SP shall be limited to the specific uses as described in the SP document.
2. Any additional development not shown on the Council approved plan shall require Planning Commission and or Council approval.
3. All previous Public Works requirements related to access, traffic, special event traffic management, reporting and number of parking spaces shall be met with all future development.
4. Parking on the east side of Whites Creek shall be used for overflow parking only.
5. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the CN zoning district as of the date of the applicable request or application.
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.

SEE NEXT PAGE



2016CP-005-001
EAST NASHVILLE COMMUNITY PLAN AMENDMENT
Map 82-03, Parcels 218; 227-231; 412-417; and 551
05, East Nashville
05 – Scott Davis

Project No.	**Major Plan Amendment 2016CP-005-001**
Project Name	**East Nashville Community Plan Amendment**
Associated Case	2016SP-024-001
Council District	5 – S. Davis
School District	5 – Kim
Requested by	Hastings Architecture, applicant; various property owners.
Deferrals	This request was deferred from the April 14, 2106, Planning Commission meetings. The public hearing was not held.
Staff Reviewer	Wood
Staff Recommendation	*Approve T4 Urban Neighborhood Center Policy with a Special Policy.*

APPLICANT REQUEST
A request to amend the East Nashville Community Plan by amending the Community Character Policies from T4 Urban Neighborhood Evolving and T4 Urban Neighborhood Maintenance to T4 Neighborhood Center Policy with a special policy for 900, 901, 902, 903, 905, 907, 908, 909, and 914 Meridian Street; 219, 307, and 309 Cleveland Street; and 206 Vaughn Street (4.38 acres).

EAST NASHVILLE COMMUNITY PLAN – MAJOR AMENDMENT REQUEST
Current Policies
T4 Urban Neighborhood Maintenance (T4 NM) is intended to preserve the general character of existing urban residential neighborhoods. T4 NM areas will experience some change over time, primarily when buildings are expanded or replaced. When this occurs, efforts should be made to retain the existing character of the neighborhood. T4 NM areas are served by high levels of connectivity with complete street networks, sidewalks, bikeways and existing or planned mass transit. Enhancements may be made to improve pedestrian, bicycle and vehicular connectivity.

T4 Urban Neighborhood Evolving (T4 NE) is intended to create and enhance urban residential neighborhoods that provide more housing choices, improved pedestrian, bicycle and vehicular connectivity, and moderate to high density development patterns with shallow setbacks and minimal spacing between buildings. T4 NE areas are served by high levels of connectivity with complete street networks, sidewalks, bikeways and existing or planned mass transit. T4 NE policy may be applied either to undeveloped or substantially under-developed "greenfield" areas or to developed areas where redevelopment and infill produce a different character that includes increased housing diversity and connectivity. Successful infill and redevelopment in existing neighborhoods needs to take into account considerations such as timing and some elements of the existing developed character, such as the street network and block structure and proximity to centers and corridors.

Proposed Policy
T4 Urban Neighborhood Center (T4 NC) is intended to preserve, enhance, and create urban neighborhood centers that serve urban neighborhoods that are generally within a 5 minute walk. T4 NC areas are pedestrian friendly areas generally located at intersections of urban streets that contain commercial, mixed use, residential, and institutional land uses. Infrastructure and transportation networks may be enhanced to improve pedestrian, bicycle and vehicular connectivity.

BACKGROUND
The community plan amendment was requested in conjunction with zone change application 2016SP-024-001, which is a request to change the zoning from RS5 and SP to SP-MU for 206 Vaughn Street and 900, 901, 902, 903, and 908 Meridian Street and 219, 307, and 309 Cleveland Street.

The study area is part of the Cleveland Park Historic District, which is classified as National Register Eligible (NRE). Several properties within the amendment study area are also individually classified as historically significant. The historic classifications of the properties in the community plan amendment study area are as follows:

- Properties that are part of the SP application and the community plan amendment study area:
  - 900 & 902 Meridian Street houses proposed for demolition as part of the SP application are individually classified as Worthy of Conservation (WOC).
  - 901 Meridian Street (Ray of Hope Community Church) is individually classified as NRE.
  - 908 Meridian Street (the McGavock House) is individually listed in the National Register of Historic Places (NR) and is also classified as a local Historic Landmark (HL).
  - 206 Vaughn Street; 219, 307 & 309 Cleveland Street; and 903 Meridian Street are non-contributing properties to the Cleveland Park Historic District. 903 Meridian Street is currently a parking lot and the other three properties contain structures.
  - The retaining wall along Cleveland, Meridian, and Vaughn Streets is a contributing structure to the Cleveland Park Historic District.

- Properties that are part of the community plan amendment study area but not the SP application:
  - 914 Meridian Street (Police Athletic League House, currently owned and occupied by the non-profit NEON community organization) is individually classified as NRE and an HL.
  - 905, 907 & 909 Meridian Street are non-contributing structures to the NRE District.

COMMUNITY PARTICIPATION
Combined community meeting and public hearing notices were mailed out to property owners within 1,300 feet of the amendment area on February 19, 2016, and the notice was also placed on the Planning Department website. Updated public hearing notices were sent out and posted in the same manner on April 15, 2016. The community meeting was held on March 3, 2016, at the East Police Precinct at 936 East Trinity Lane. It was attended by 75 people in addition to Councilman Scott Davis, the development team, and Metro Planning staff. The attendees were generally supportive of the proposed development, but asked several questions about the details of the proposed development. Most of the questions were asked of the development team, although some were also relevant to the community plan amendment proposal. The main concern connected with the community plan amendment was whether the amendment would need to include provisions for light industrial use. The development team clarified that light industrial uses were not being requested.

The following questions and concerns were also discussed:
- Would any jobs associated with the project be set aside for District 5 residents?
- What would be the per square foot sales price for residential units?

- Will any affordable housing be included in the development?
- Would the developer be willing to work with the NEON non-profit community organization that owns the historically significant building north of the McGavock House to incorporate it into the development? The questioners hoped that this could help bring the NEON building up to code.
- Would the development be able to meet parking needs on-site for all of the uses that could occupy the development?
- Some attendees did not want any lodging or event venue uses with amplified sound to be included in the development.
- There were concerns about construction-related road closures.
- Some attendees expressed a preference for more traditional architecture for the new construction in the development. The renderings shown by the development team were of a more modern character than the typical architecture of most of the existing housing in the neighborhood.
- There were some questions about the SP approval process and future public notification.

ANALYSIS

The proposed amendment area is generally a suitable location for T4 NC policy. It is located north of the intersection of Cleveland Street, which is classified as a Collector-Avenue (T4-R-CA4) in the Major and Collector Street Plan, and Meridian Street, which is classified as a Collector-Avenue (T4-M-CA2) south of Cleveland Street, making it a significant and accessible intersection within the neighborhood. Amending the policy to T4 NC for the amendment study area would essentially be an extension of the T4 NC policy south of Cleveland Street, which is separated from the existing T4 NC area by CI policy that applies to Glenn Elementary School and Metro Fire Station #3.

Another factor that supports the proposed amendment to T4 NC policy is that the amendment to a neighborhood-scaled mixed-use policy would provide additional options for adaptive reuse of the historically significant structures in the community plan amendment study area. Adaptive reuse of historically significant structures can not only help preserve the integrity of the structures, but can also help ensure that building form and site design remain compatible with the character of the surrounding neighborhood.

Encouraging the preservation of the historic resources should be strengthened by a Special Policy. All of the Community Character Policies call for careful consideration of the potential impacts of proposed developments on historically significant sites and strongly encourage developers to work with the Metropolitan Historical Commission to protect and preserve them in conjunction with any proposed development of such sites. A Special Policy is also needed for the community plan amendment study area to ensure appropriate transitions to and livability of the surrounding residential policy areas. There are two primary reasons for this. The first is that the surrounding properties are also in the NRE district. The second is that the eastern, western, and northern boundaries of the proposed T4 NC policy area are either across a local street (Vaughn Street) or are adjacent to residential properties with no alleys to separate them from the community plan amendment study area.

Given these factors, staff recommends including the following Special Policy in the community plan amendment to T4 NC policy:

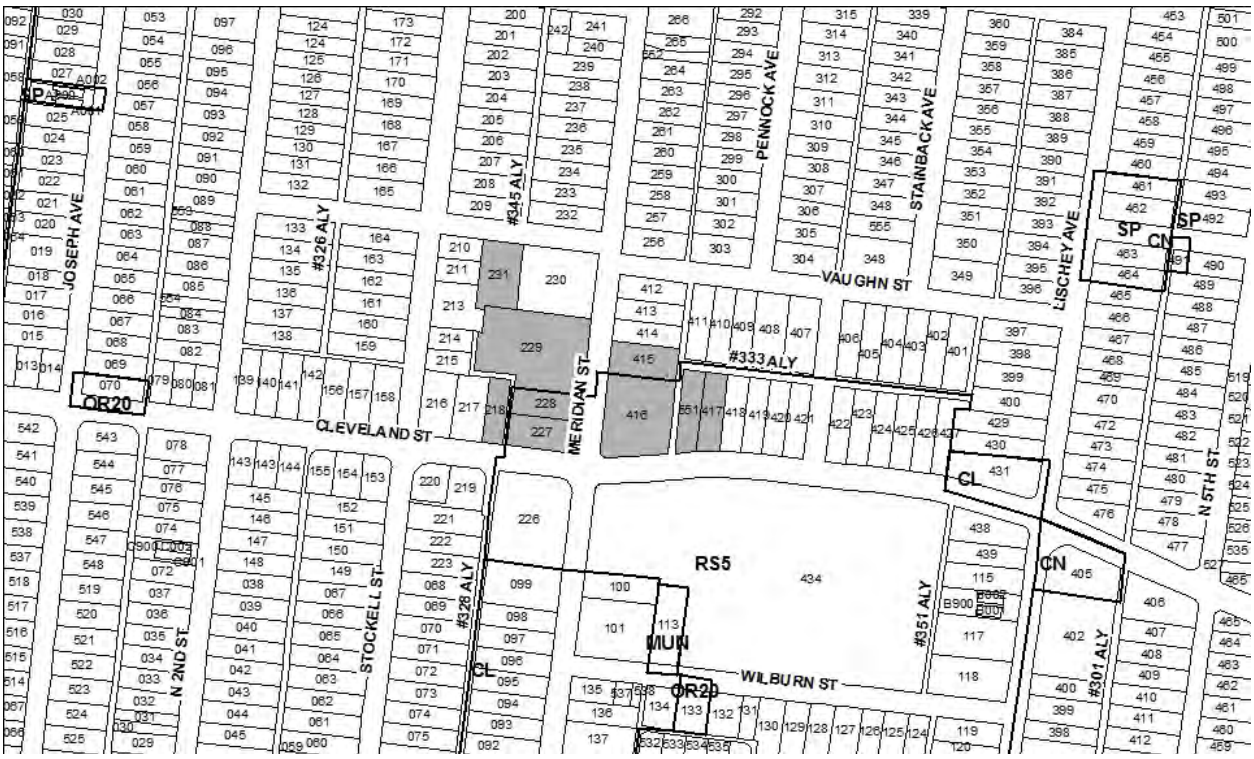
Any zoning changes within this T4 NC area must be to a design-based zoning district that:

- Ensures the preservation of any structures and their settings within the area that are classified as listed in the National Register of Historic Places (NR), National Register Eligible (NRE), or local Historic Landmark (HL);
- Ensures that any new development or redevelopment of properties that are adjacent to any historically significant features classified as listed above protects the historic integrity of those features;
- Strongly encourages the preservation of any other contributing structures to the Cleveland Park Historic District;
- Provides appropriate transitions in scale, massing, building orientation, and site design to surrounding properties in residential policy areas;
- Limits the use of properties that are adjacent to residential policy areas to residential and/or small office uses that are limited in height to two stories in 35 feet and that generate minimal parking demand;
- Results in no additional property access along the street frontages of the Special Policy Area;
- Provides appropriate on-site transitions to surrounding properties in residential policy areas through measures such as landscape buffering and distance between structures.

STAFF RECOMMENDATION

Staff recommends approval of the amendment request with the described Special Policy.

SEE NEXT PAGE



2016SP-024-001
MCGAVOCK HOUSE SP
Map 082-03, Parcel(s) 218, 227-229, 231, 415-417, 551
05, East Nashville
05 (Scott Davis)

Project No.	**Specific Plan 2016SP-024-001**
Project Name	**McGavock House SP**
Associated Case	2016CP-005-001
Council District	5 – S. Davis
School District	5 - Kim
Requested by	Hastings Architecture Associates, applicant; Trinii Enterprises, Betty Jo Saxon, and Ray of Hope Church, owners.
Deferrals	This request was deferred from the April 14, 2106, Planning Commission meetings. The public hearing was not held.
Staff Reviewer	Milligan
Staff Recommendation	*Approve with conditions and disapprove without all conditions if the associated plan amendment is approved. Disapprove if the associated plan amendment is not approved.*

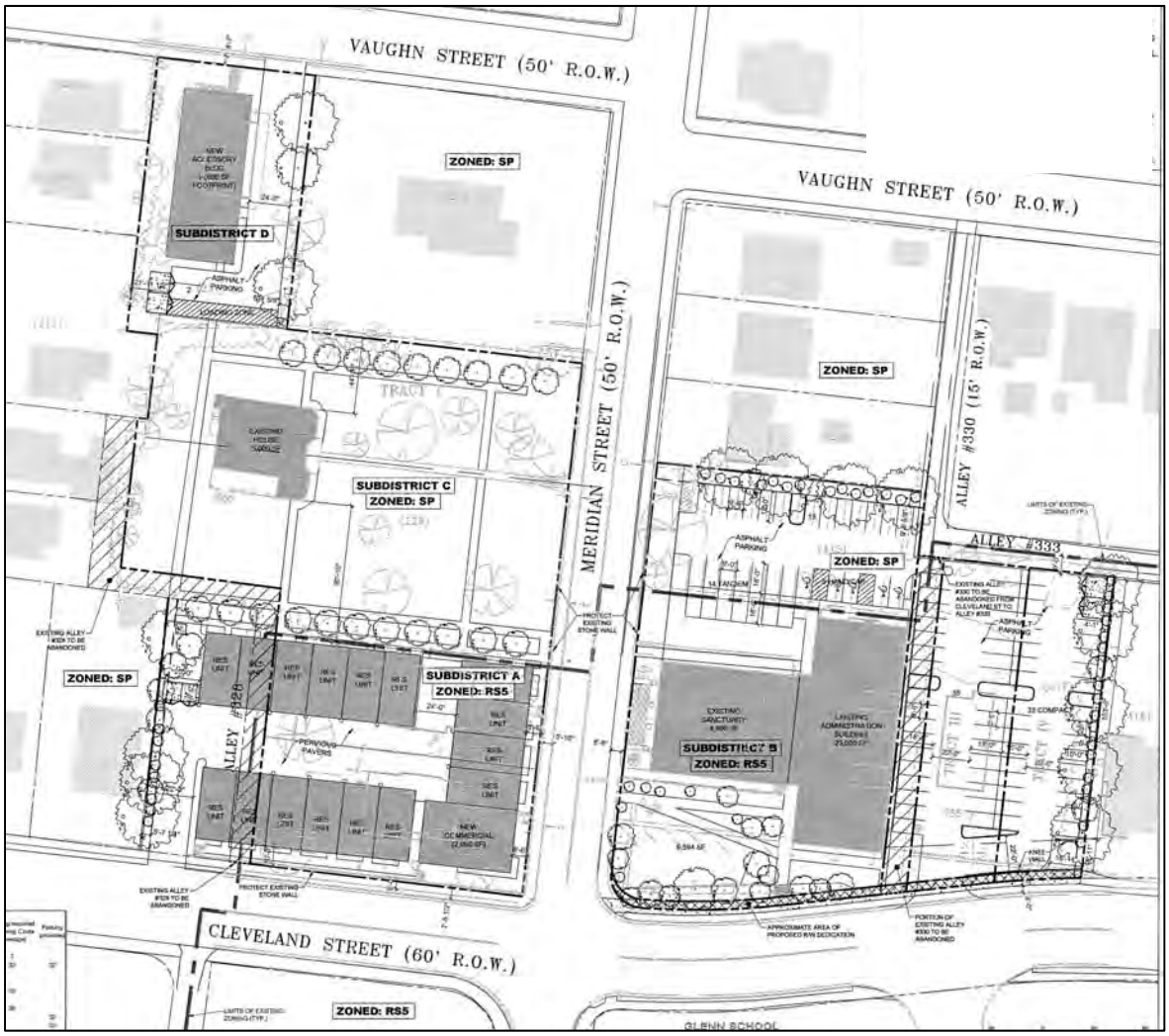
APPLICANT REQUEST
Zone change to permit a mixed use development.

Preliminary SP
A request to rezone from Single-Family Residential (RS5) and Specific Plan (SP) to Specific Plan-Mixed Use (SP-MU) zoning for properties located at 206 Vaughn Street and 900, 901, 902, 903, and 908 Meridian Street and 219, 307, and 309 Cleveland Street, north of Cleveland Street (3.23 acres), to permit a mixed use development.

Existing Zoning
Single-Family Residential (RS5) requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 7.41 dwelling units per acre. *RS5 would permit a maximum of 13 units.*

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 allows for uses as permitted by RS5 as well as detached accessory dwelling units.

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



Proposed Site Plan

CRITICAL PLANNING GOALS

- Supports Infill Development
- Creates Walkable Neighborhoods
- Supports a Variety of Transportation Choices
- Preserves Historic Resources

The proposed development meets several critical planning goals. Development in areas with adequate infrastructure is more appropriate than development in areas not served with adequate infrastructure such as roads, water and sewer, because it does not burden Metro with the cost of maintaining new infrastructure. The project proposes development on an infill site. The proposed mixture of uses creates a destination for existing neighborhood residents providing for an opportunity to walk or bike to the center. There is an existing bus route along Cleveland Street and Meridian Street allowing for a variety of transportation choices for future residents. Bicycle parking is also being provided. The SP plan proposes to reuse the Historic Landmark District McGavock House and the National Register Eligible religious institution, providing for preservation of historic resources.

EAST NASHVILLE COMMUNITY PLAN

Current Policy

T4 Urban Neighborhood Maintenance (T4 NM) is intended to preserve the general character of existing urban residential neighborhoods. T4 NM areas will experience some change over time, primarily when buildings are expanded or replaced. When this occurs, efforts should be made to retain the existing character of the neighborhood. T4 NM areas are served by high levels of connectivity with complete street networks, sidewalks, bikeways and existing or planned mass transit. Enhancements may be made to improve pedestrian, bicycle and vehicular connectivity.

T4 Urban Neighborhood Evolving (T4 NE) is intended to create and enhance urban residential neighborhoods that provide more housing choices, improved pedestrian, bicycle and vehicular connectivity, and moderate to high density development patterns with shallow setbacks and minimal spacing between buildings. T4 NE areas are served by high levels of connectivity with complete street networks, sidewalks, bikeways and existing or planned mass transit. T4 NE policy may be applied either to undeveloped or substantially under-developed “greenfield” areas or to developed areas where redevelopment and infill produce a different character that includes increased housing diversity and connectivity. Successful infill and redevelopment in existing neighborhoods needs to take into account considerations such as timing and some elements of the existing developed character, such as the street network and block structure and proximity to centers and corridors.

Proposed Policy

T4 Urban Neighborhood Center (T4 NC) is intended to preserve, enhance, and create urban neighborhood centers that serve urban neighborhoods that are generally within a 5 minute walk. T4 NC areas are pedestrian friendly areas generally located at intersections of urban streets that contain commercial, mixed use, residential, and institutional land uses. Infrastructure and transportation networks may be enhanced to improve pedestrian, bicycle and vehicular connectivity.

Special Policies

Any zoning changes within this T4 NC area must be to a design-based zoning district that:

- Ensures the preservation of any structures and their settings within the area that are classified as listed in the National Register of Historic Places (NR), National Register Eligible (NRE), or local Historic Landmark (HL);
- Ensures that any new development or redevelopment of properties that are adjacent to any historically significant features classified as listed above protects the historic integrity of those features;
- Strongly encourages the preservation of any other contributing structures to the Cleveland Park Historic District;
- Provides appropriate transitions in scale, massing, building orientation, and site design to surrounding properties in residential policy areas;
- Limits the use of properties that are adjacent to residential policy areas to residential and/or small office uses that are limited in height to two stories in 35 feet and that generate minimal parking demand;
- Results in no additional property access along the street frontages of the Special Policy Area;
- Provides appropriate on-site transitions to surrounding properties in residential policy areas through measures such as landscape buffering and distance between structures.

Consistent with Policy?

The proposed SP is not consistent with the existing T4 Urban Neighborhood Maintenance and T4 Urban Neighborhood Evolving policy as both policies support only residential and institutional uses and would not support the non-residential uses that are proposed. The SP is consistent with the proposed T4 Urban Neighborhood Center policy and the proposed Special Policies. The SP includes a mixture of uses that would serve the surrounding residential neighborhood and provide opportunities for existing and future residents to walk to the center for goods and services. There are existing sidewalks along both Meridian Street and Cleveland Street and the proposed uses will enhance the walkability of the area by creating a destination. Care has been taken to preserve the existing National Register and National Register Eligible resources and create a plan that provide appropriate transitions and protects the integrity of the historic resources.

PLAN DETAILS

The site is located at 206 Vaughn Street and 900, 901, 902, 903, and 908 Meridian Street and 219, 307, and 309 Cleveland Street, north of Cleveland Street at the intersection of Cleveland Street and Meridian Street. The site is approximately 3.23 acres in size and is used as a church and associated parking as well as single-family residential homes. All properties included within the SP have been noted as being within the Cleveland Park National Register Eligible District. However, only the McGavock House, church building, and historic rock walls have been determined to be contributing to the district. The McGavock House is designated as a local Historic Landmark and the church building is noted also as being individually eligible for listing on the National Register of Historic Places.

Site Plan

The plan proposes a mixed use development. The plan proposes to reuse the existing church building and administration building located on the northeast corner of the intersection of Cleveland Street and Meridian Street. The plan also proposes to reuse the McGavock House, which is designated as a Historic Landmark District.

The plan is broken into four subdistricts. Subdistrict A is located on the northwest corner of the intersection of Cleveland Street and Meridian Street. There are currently three single-family structures located on the lots making up Subdistrict A. These three homes have been noted as being worthy of conservation. Subdistrict A proposes up to 20 multi-family dwelling units and up to 2,000 square feet of non-residential uses. The non-residential permitted uses include restaurant, retail, or office. Parking is provided within garage spaces for the residential units. The units are proposed to front Meridian Street, Cleveland Street, and toward the McGavock House historic structure. Heights for the units facing the historic house are proposed at a maximum of 2.5 stories in 36 feet, with a stepback after the second story before going up to the maximum allowable height. Heights for the units facing Cleveland Street and Meridian Street are proposed at 3 stories in 36 feet, not including enclosed stair cases for roof access which bring the total height to 48 feet. A landscape buffer is proposed between the proposed drive off Cleveland Street and the residential property immediately adjacent to the west. Landscaping is also proposed between the units and the McGavock House.

Subdistrict B is located on the northeast corner of the intersection of Cleveland Street and Meridian Street. This subdistrict is primarily comprised of the existing church and administration buildings along with associated parking. The plan proposes to reuse both buildings for a variety of uses that could include up to 50 multi-family residential units, restaurant, a bed and breakfast inn, hotel, community education, office, and retail uses. Subdistrict B includes the majority of the parking to serve the entire SP. Parking is provided north and east of the existing buildings. Landscape buffers have been provided between the parking areas and the existing residential uses to the north and east. A large open space has been provided at the corner to create a gathering place and focal point for the development. There is currently surface parking for the church located in this area.

Subdistrict C is the site of the McGavock House which is designated as a local Historic Landmark District. The plan proposes to reuse the house with allowed uses including restaurant, a bed and breakfast inn, and office. A series of sidewalks are proposed to create connectivity around the McGavock House and enhance the large open space in front of the house.

Subdistrict D is located along Vaughn Street and is proposed as a newly constructed accessory building. Two parking spaces and a loading zone are also included on the site. The parking and the loading zoned are located behind the proposed building. The proposed uses include accessory uses, such as storage and production, for the uses located within the McGavock House. These uses may include food and beverage production, food and beverage storage, ancillary office, laundry, and storage of goods and furnishings.

There are three proposed vehicular access point throughout the SP: one access point on Vaughn Street, one access point on Cleveland Street west of Meridian Street and one access point on Cleveland Street east of Meridian Street. Access is also provided from an existing alley east of Meridian Street. A portion of the alley running from north to south is proposed to be closed. Also, a portion of alley on the west side of Meridian Street is proposed to be closed. This alley is a dead end alley and provides no connection. There are existing sidewalks along Meridian Street and Cleveland Street. Most of the frontage along Meridian Street and Cleveland Street includes an existing historic rock wall. The preservation of this wall precludes increasing the width of the

sidewalk or grass strip. Where possible along Cleveland Street, the sidewalks will be improved to meet the Major and Collector Street plan standards.

ANALYSIS
The proposed development provides for an urban development on an infill site and creates a neighborhood center to serve an existing residential neighborhood. The proposed mixture of uses provides an opportunity for current and future residents to walk to the center for goods and services. The plan reuses the historic McGavock House and the historic church and is designed in a way that is respectful of the historic buildings. The open space in front of the McGavock House is being improved to provide for a centralized gathering place and focal point. A large green space is also proposed on the northeast corner of the intersection. The Historic Zoning Commission has reviewed the SP as the McGavock House is a Historic Landmark District and the Commission recommended approval with conditions.

HISTORIC ZONING COMMISSION RECOMMENDATION
Approve with conditions

- The portions of the development closest to the historic buildings be decreased in size and that the applicant shall work with MHZC to determine the appropriate heights.
- The three homes at the corner of Cleveland and Meridian Streets be documented following MHC's documentation standards. Salvage of architectural features of the three dwellings is encouraged.
- Construction fencing be utilized during construction to protect the historic stone wall.
- Exterior alterations to the Ray of Hope Community Church are reviewed by MHZC Staff.

FIRE MARSHAL RECOMMENDATION
Approve with conditions

- Fire Code issues for the structures will be addressed at permit application review.

STORMWATER RECOMMENDATION
Approve

WATER SERVICES RECOMMENDATION
Approve with conditions

- Approved as a Preliminary SP only. Public sewer construction plans must be submitted and approved prior to Final SP approval. These approved construction plans must match the Final Site Plan/SP plans. The required capacity fees must also be paid prior to Final Site Plan/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.
- As shown the entire alley #328 would have to be abandoned. All "affected" owners must sign the abandonment. The abandonment is to be submitted prior to the Final SP. If the alley is not abandoned, then the preliminary SP will need to be abandoned.

- Indicate on the plan that alley #330 and #333 along the property frontage are to be built to ½ MPW standard ST-263 from the existing centerline of alley ROW.
- If sidewalks are to be widened they are to meet MPW standards and specifications, coordinate with MPW and MPC on whether sidewalks are required to be widened.

TRAFFIC AND PARKING RECOMMENDATION
Conditions if approved
TIS Conclusions and Recommendations

- As currently planned, the parking that is proposed for the McGavock House development exceeds the parking requirements set forth by the Metro Nashville Code of Ordinances. Therefore, more than adequate parking is proposed for the project.
- Given the minimal amount of traffic added by the proposed McGavock House development, the lack of site access onto Meridian Street, and its current utilization by neighboring residents, the on-street parking on both Cleveland Street and Meridian Street should be retained. However, this should be monitored and reevaluated if future development in the area occurs.
- School traffic causes vehicles to queue in the West School Access drive, with a more substantial queue forming prior to the afternoon dismissal than the morning arrival period. During the afternoon, observations revealed a queue of two vehicles that spilled back onto Cleveland Street. However, the afternoon queues exist for a very short time, outside of the peak hour, and with little observed impact to traffic operations along Cleveland Street.
- As currently shown on the site plan, Site Access #3, which is on Cleveland Street, is offset by approximately 30 feet from the West School Access. It is recommended that Site Access #3 be shifted to the west to more closely align with the West School Access. With this configuration, the directions of travel for the parking lot that are served by Site Access #3 should be reversed, with two-way traffic recommended for the western parking bay of this lot. This concept is illustrated in Figure 7.
- Each access to the proposed site should be designed to include a minimum of one entering lane and one exiting lane.

Maximum Uses in Existing Zoning District**: RS5**

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)	1.5	8.7 D	13 U	125	10	14

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single- Family Residential (210)	1.73	-	4 U	39	3	5

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)		-	20 U	245	14	29

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 (931)		-	4,500 SF	405	4	34

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)		-	50, 500 SF	4356	103	403

Traffic changes between maximum: **RS5, SP-R and SP-MU**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-		+4,842	+108	+447

METRO SCHOOL BOARD REPORT

Projected student generation existing RS5 & SP district: 4 Elementary 3 Middle 2 High
Projected student generation proposed SP-MU district: 10 Elementary 9 Middle 6 High
The proposed SP-MU zoning district could generate 16 more students than what is typically generated under the existing RS5 and SP zoning district. Students would attend Glenn Elementary School, Jere Baxter Middle School and Maplewood High School. All three schools have been identified as having additional capacity. This information is based upon data from the school board last updated November 2015.

STAFF RECOMMENDATION

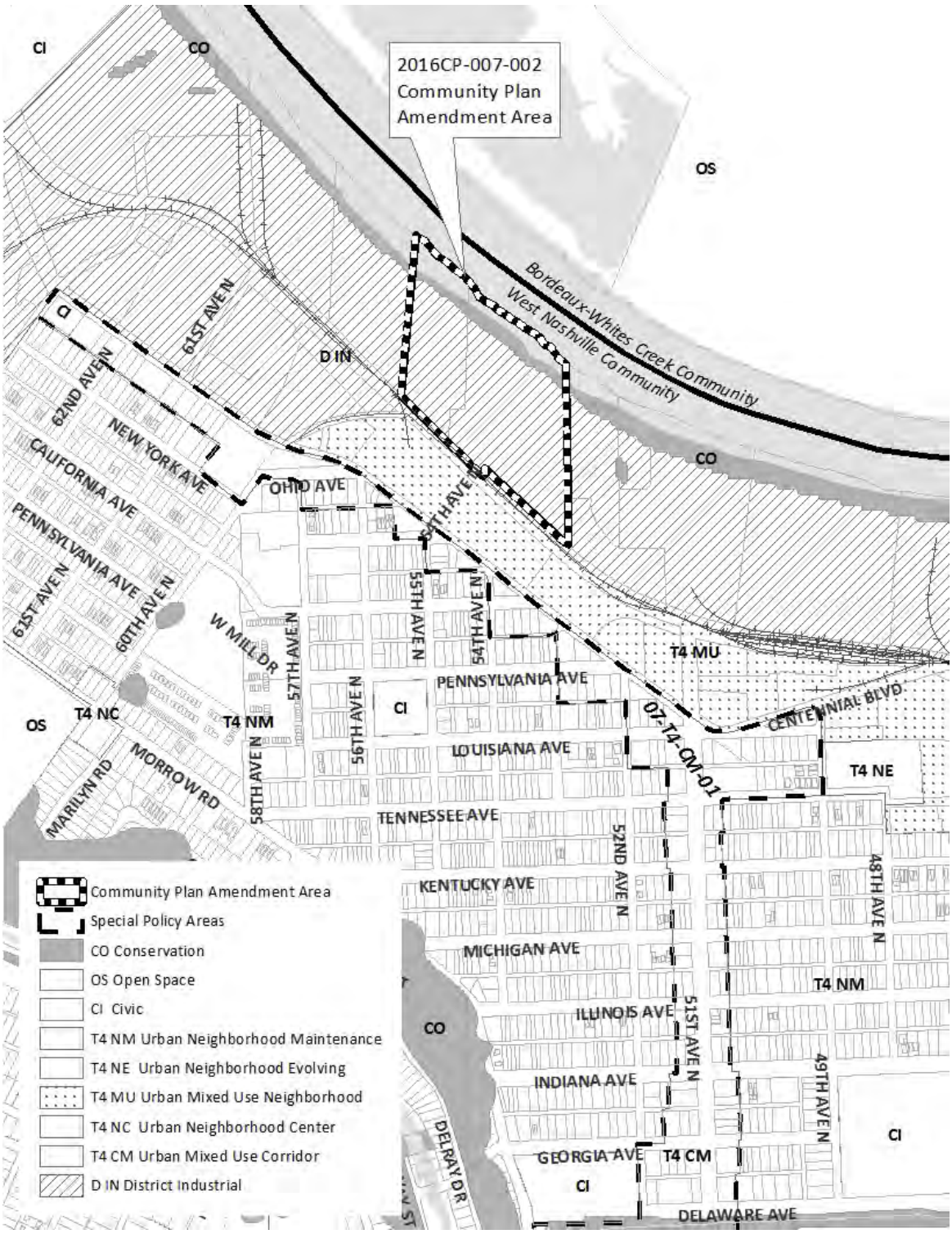
Staff recommends approval with conditions and disapproval without all conditions if the associated plan amendment is approved. Staff recommends disapproval if the associated policy amendment is not approved.

CONDITIONS

1. Permitted land uses shall be limited to the following uses:
   a. Subdistrict A: up to 20 multi-family residential dwelling units; restaurant, retail, office
   b. Subdistrict B: up to 50 multi-family residential dwelling units; restaurant, bed and breakfast inn, hotel, community education, office, retail. All proposed uses are to be within the existing buildings.

c. Subdistrict C: restaurant, bed and breakfast inn, office. All proposed uses are to be within the existing building.
d. Subdistrict D: Accessory uses for principle uses located within Subdistrict C including food and beverage storage, food and beverage production, ancillary office, laundry, and storage of goods and furnishings.
e. A maximum of two restaurants shall be permitted at any one time within the SP.
f. A maximum of one bed and breakfast inn or hotel shall be permitted within the SP at any one time.

2. On the corrected preliminary SP plan, remove the parking table provided on the Regulating Plan (sheet 5). Add a note indicating the parking shall be as per the Metro Zoning Ordinance.
3. The proposed new construction closest to the historic buildings shall be decreased in size to provide a transition to the historic buildings. The applicant shall continue to work with the Metro Historic Zoning Commission to determine appropriate heights. Finalized elevations shall be provided with the submittal of the final site plan.
4. Along Cleveland Street, where no historic rock wall is located, provide sidewalks and grass strip consistent with the requirements of the Major and Collector Street Plan (minimum 4 foot grass strip; 8 foot sidewalk).
5. A mandatory referral is required for the proposed alley closures. The mandatory referral shall be approved prior to issuance of any building permits.
6. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUL-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
7. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
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 or with final site plan application.
9. Add the following note to the plan: The final site plan shall depict a minimum 5 foot clear path of travel for pedestrian ways, including public sidewalks, and the location of all existing and proposed obstructions. Prior to the issuance of use and occupancy permits, existing obstructions within the path of travel shall be relocated to provide a minimum of 5 feet of clear access.
10. 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.
11. 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.



2016CP-007-002
WEST NASHVILLE COMMUNITY PLAN AMENDMENT
Map 91-00, Parcel(s) 009 and 010
West Nashville
20 – Mary Carolyn Roberts

Project No.	**Major Plan Amendment 2016CP-007-002**
Project Name	**West Nashville Community Plan Amendment**
Associated Case	2016SP-019-001
Council District	20 – Roberts
School District	1 – Gentry
Requested by	Southeast Venture, applicant; R. Manuel – Centennial G.P., owner.
Deferrals	This request was deferred from the March 10, 2016, and the April 14, 2016, Planning Commission meetings. The public hearing was not held.
Staff Reviewer	Wood
Staff Recommendation	*Approve with Special Policy.*

APPLICANT REQUEST
A request to amend the West Nashville Community Plan by changing the Community Character Policy from D District Industrial to T4 Urban Mixed Use Neighborhood.

WEST NASHVILLE COMMUNITY PLAN – MAJOR AMENDMENT REQUEST
Current Policies
Conservation (CO) is intended to preserve environmentally sensitive land features through protection and remediation. CO policy applies in all Transect Categories except T1 Natural, T5 Center, and 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. The guidance for preserving or enhancing these features varies with what Transect they are in and whether or not they have already been disturbed.

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

Proposed Policy (Note: CO policy is proposed to remain)
T4 Urban Mixed Use Neighborhood (T4 MU) is intended to preserve, enhance, and create urban, mixed use neighborhoods with a development pattern that contains a variety of housing along with mixed, use, commercial, institutional, and even light industrial development. T4 MU areas are served by high levels of connectivity with complete street networks, sidewalks, bikeways and existing or planned mass transit.

BACKGROUND
The community plan amendment was requested in conjunction with zone change application 2016SP-019-001, which is a request to change the zoning from IR to Specific Plan for 1640 54th Avenue North and 54th Avenue North (unnumbered). The proposed rezoning to SP-MU is part of a

larger planned mixed use development that includes an adjacent property, 5400 Centennial Boulevard to the south, which is zoned MUL-A. This property is within the existing T4 MU policy area along Centennial Boulevard.

COMMUNITY PARTICIPATION

Community meeting notices were mailed out to property owners within 1,300 feet of the amendment area on February 10, 2016, and the notice was also placed on the Planning Department website. Public hearing notices were sent out and posted in the same manner on February 26, 2016. The community meeting was held on February 23, 2016, at the West Police Precinct at 5500 Charlotte Pike. It was attended by 24 people in addition to Councilwoman Mary Carolyn Roberts, the development team, and Metro Planning staff. The attendees were generally supportive of the proposed development, but had questions and concerns. The main issue that was discussed was whether or not any percentage of workforce or affordable housing would be included in the development. Attendees who raised the issue said that housing costs in the Nations neighborhood have increased dramatically in the past few years and are contributing to the displacement of low and moderate income people from central areas of Nashville. Some of the attendees who have lived in the Nations since before housing costs began to rise significantly said that they would not be able to afford to buy their houses if they tried to do so today.

There were also questions and concerns about infrastructure impacts, including traffic, water and sewer. Attendees wanted to know who would be bearing the costs of making the infrastructure improvements that would result from changing the site from industrial to residential uses. The concern was that residential development would have different water, sewer, and traffic impacts than an industrial development. Attendees also wondered how the continued use of surrounding properties for industrial businesses would affect surrounding residential developments. Tractor-trailer truck traffic was the major concern, and it was noted that Marathon Petroleum immediately east of the site operates 24 hours a day.

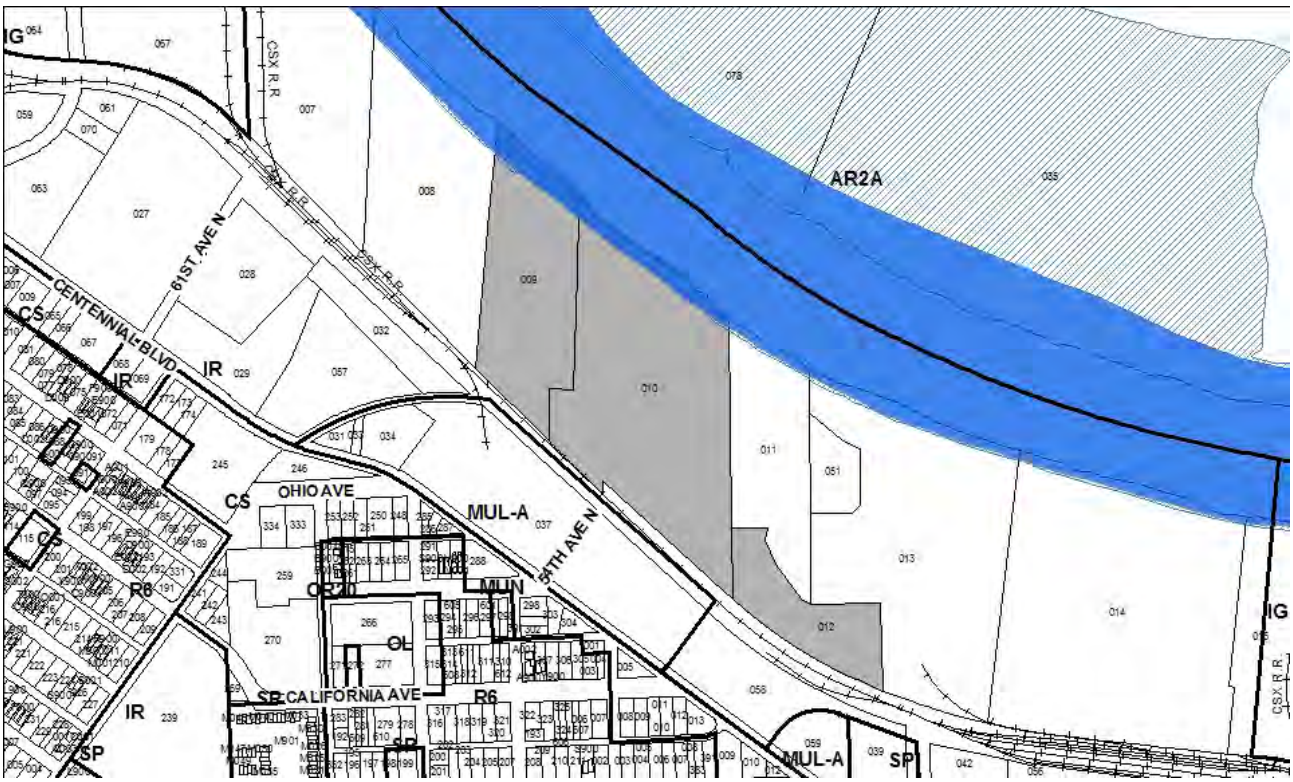
ANALYSIS

Extending the T4 MU policy area along Centennial Boulevard that is south of the CSX railroad provides opportunities to expand the mix of housing types in the Nations, add consumer-oriented commercial uses to serve the growing population, and enable the area to transition to a mix of uses that is more compatible with the neighborhood. However, there are concerns about access that need to be addressed. There are safety concerns about both the availability and adequacy of access to the proposed amendment area. Staff has not received documentation from CSX indicating that they are supporting this proposal and this level of vehicular and pedestrian traffic. With regard to access to the east, 51st Avenue North terminates at the railroad tracks. Any access from the plan amendment to points east would not be connected to a public street. Access from the plan amendment to the west is also a concern because the area north of the CSX railroad tracks does not have adequate connectivity today and the property to the west of the amendment study area (1650 54th Avenue North) also lacks adequate access to a public street. 1650 54th Avenue North accesses 54th Avenue North at the same location as the R. Manuel – Centennial site by way of a long driveway that parallels the railroad tracks. This lack of an adequate access system contributes to the compatibility problems between the industrial and residential areas near the site by providing industrial traffic with few options to access the freeway system. It also presents safety problems, especially as residential uses are added to the area. A connected public road network needs to be developed to serve the area as it grows, regardless of what mix of uses evolve there.

Amending the Community Character Policy from D IN to T4 MU is appropriate because of the opportunities described above for expanding the mix of housing types in the area, providing additional consumer goods and services to support the growing neighborhood, and supporting the area's transition to a mix of uses that is more compatible with the neighborhood's residential and non-industrial businesses. In order to better ensure a successful transition of the amendment study area, staff recommends approval of the amendment request with the following Special Policy:

- Zone change requests must be to a design-based zoning district.
- Additional public access is critical and required in this area.
- More than 30 single-family units or more than 100 multi-family units requires two public access points onto any T4-M-AB-4 street as classified by the Major and Collector Street Plan and as per the current Fire Code. Any future changes to the current Fire Code requirements or the Fire Marshal's interpretations thereof will automatically trigger changes in the maximum number of residential units that may be supported under this Special Policy.

STAFF RECOMMENDATION
Staff recommends approval with the above Special Policy.



2016SP-019-001
R. MANUEL - CENTENNIAL SP
Map 091, Parcel(s) 009, 010, 012
07, West Nashville
20 (Mary Carolyn Roberts)

Project No.	**Specific Plan 2016SP-019-001**
Project Name	**R. Manuel – Centennial SP**
Associated Case	2016CP-007-002
Council District	20 - Roberts
School District	1 - Gentry
Requested by	Southeast Ventures, LLC, applicant; R. Manuel – Centennial GP, owner.
Deferrals	This item was deferred from the March 10, 2016, and the April 14, 2016, Planning Commission meetings. The public hearing was not held.
Staff Reviewer	Milligan
Staff Recommendation	*Approve with conditions and disapprove without all conditions if the associated plan amendment is approved. Disapprove if the associated plan amendment is not approved.*

APPLICANT REQUEST
Permit a mixed-use development with up to 394 multi-family dwelling units.

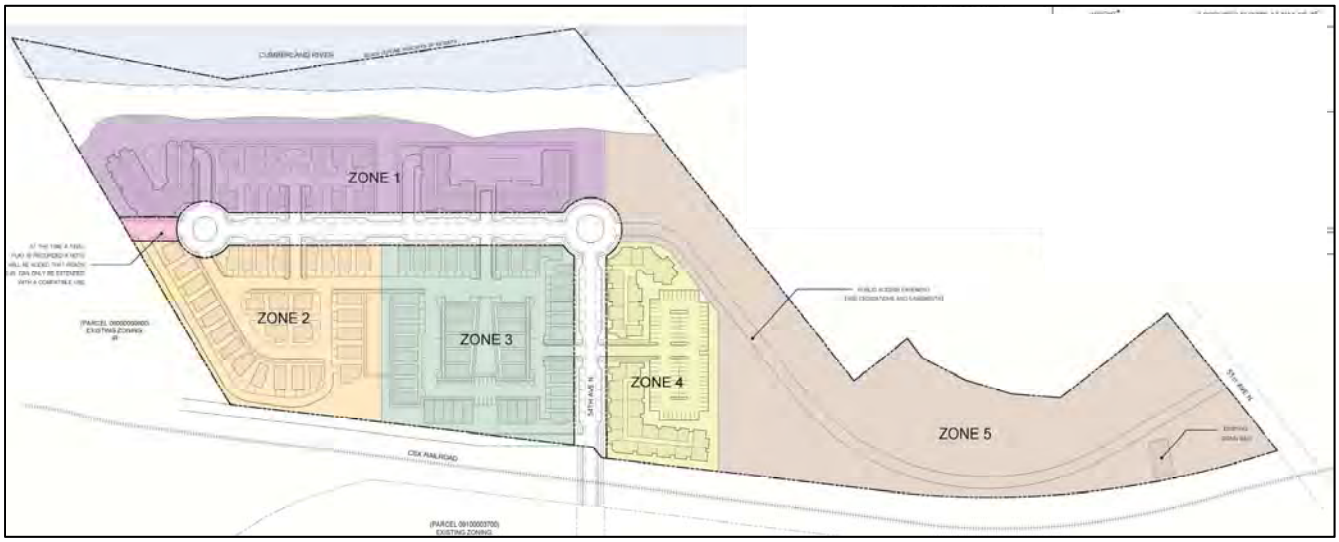
Preliminary SP
A request to rezone from Industrial Restrictive (IR) to Specific Plan-Mixed Use (SP-MU) zoning for property located at 1407 51st Avenue North, 1640 54th Avenue North and 54th Avenue North (unnumbered), approximately 475 feet north of Centennial Boulevard (27.87 acres), a mixed-use development with up to 394 multi-family units.

Existing Zoning
Industrial Restrictive (IR) is intended for a wide range of light manufacturing uses at moderate intensities within enclosed structures.

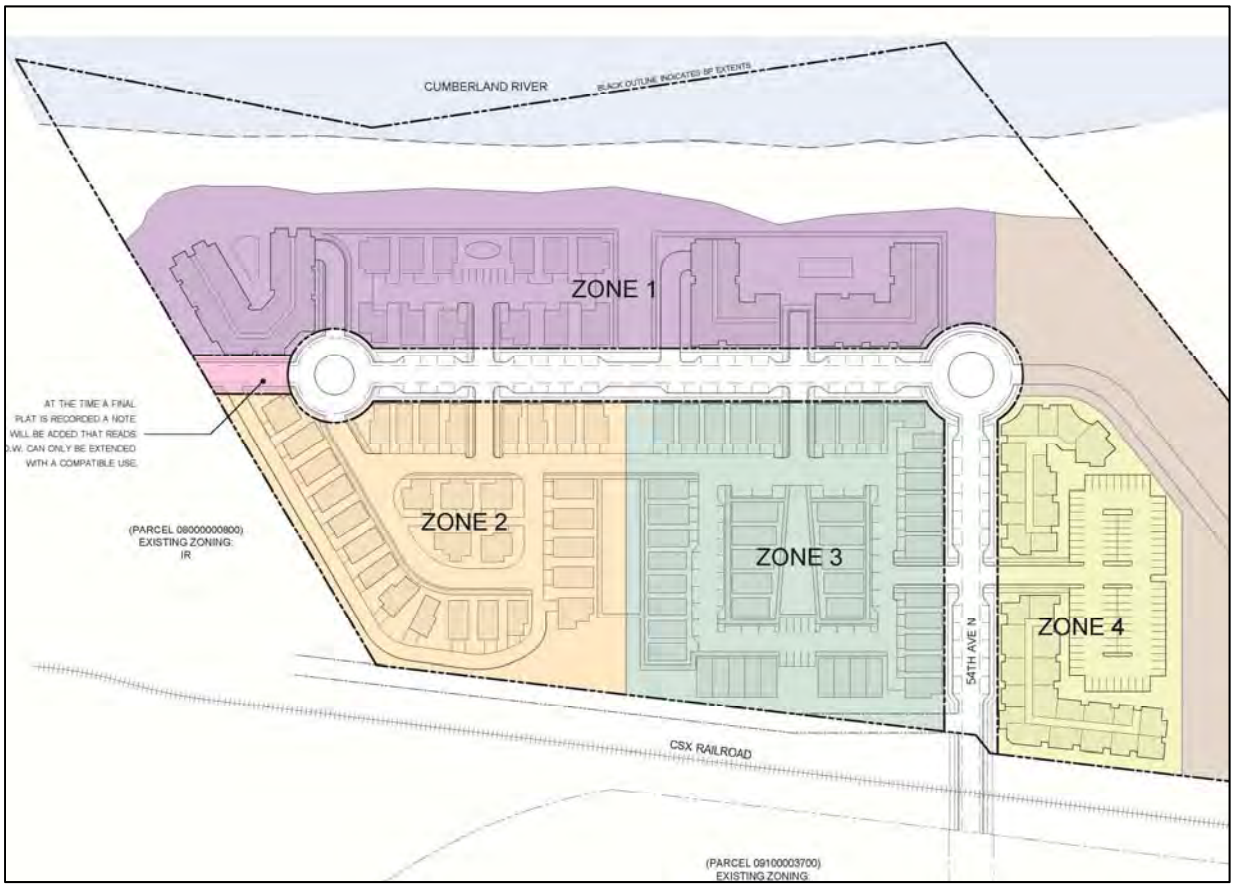
Proposed Zoning
Specific Plan – Mixed Use (SP-MU) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes residential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

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

The proposed development meets several critical planning goals. Development in areas with adequate infrastructure is more appropriate than development in areas not served with adequate



Proposed Site Plan



Proposed Site Plan – Zone 1-4 Detail

infrastructure such as roads, water and sewer, because it does not burden Metro with the cost of maintaining new infrastructure. The project proposes development on an infill site. Sidewalks are being provided internally to create a more pedestrian friendly and walkable area and a sidewalk is proposed to connect across the railroad crossing to Centennial Boulevard. The development proposes a mixture of housing types to provide for housing choice as well as introducing new housing types into the area where they don't currently exist.

WEST NASHVILLE COMMUNITY PLAN
Current Policy
Conservation (CO) is intended to preserve environmentally sensitive land features through protection and remediation. CO policy applies in all Transect Categories except T1 Natural, T5 Center, and 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. The guidance for preserving or enhancing these features varies with what Transect they are in and whether or not they have already been disturbed.

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

Proposed Policy
T4 Urban Mixed Use Neighborhood (T4 MU) is intended to preserve, enhance, and create urban, mixed use neighborhoods with a development pattern that contains a variety of housing along with mixed, use, commercial, institutional, and even light industrial development. T4 MU areas are served by high levels of connectivity with complete street networks, sidewalks, bikeways and existing or planned mass transit.

Special Policy
As part of the Community Plan Amendment request, Staff is recommending the following special policies:

- Zone change requests must be to a design-based zoning district.
- Additional public access is critical and required in this area.
- More than 30 single-family units or more than 100 multi-family units requires two public access points onto any T4-M-AB-4 street as classified by the Major and Collector Street Plan and as per the current Fire Code. Any future changes to the current Fire Code requirements or the Fire Marshal's interpretations thereof will automatically trigger changes in the maximum number of residential units that may be supported under this Special Policy.

Consistent with Policy?
The proposed SP is consistent with the proposed T4 Urban Mixed Use Neighborhood policy. The plan proposes a mixed use development that includes a mixture of housing unit types along with non-residential uses, including the opportunity for light industrial. The development includes provisions for sidewalks throughout the plan, providing for pedestrian connectivity. The plan is

consistent with the proposed Special Policies. The proposed zoning is a design-based zoning district. Staff is recommending certain conditions in regards to both the access at 54th Avenue N and the secondary access to ensure that proper access is provided for the development at the necessary time.

PLAN DETAILS

The site is located at 1407 51st Avenue North, 1640 54th Avenue North and 54th Avenue North (unnumbered), approximately 475 north of Centennial Boulevard. The site is situated between a railroad track and the Cumberland River and is approximately 27.87 acres in size and currently vacant.

Site Plan

The plan proposes a mixed-use development with up to 394 multi-family residential dwelling units. The proposed development is divided into five zones. Zones 1 through 4 are proposed for a variety of residential dwelling unit types including single-family detached units, single-family attached units, and multi-family stacked flats. Zone 5 is proposed as a regulatory SP which allows uses permitted within the IR zoning district, with certain exemptions.

Within the residential portion of the SP, the maximum number of units per Zone is as follows: Zone 1 – 192 units; Zone 2 – 32 units; Zone 3 – 50 units; Zone 4 – 120 units. The SP proposes certain design standards for the residential units including minimum glazing, entrances, window orientation, prohibited materials, porch depth and raised foundations. The maximum height of all types of residential units is 3 stories in 45 feet, measured from average grade to roofline.

Zone 5 is proposed as a regulatory SP and includes all bulk standards and uses of the IR district, with certain exceptions. Prohibited uses include a variety of the more intense uses allowed by the IR district such as Automobile Repair, Heavy Equipment Sales and Service, Manufacturing, Light/Medium, Tank Farm, and Construction/Demolition Waste Processing.

Primary access to the sites is provided at an existing rail crossing at 54th Avenue N. 54th Avenue North will be extended north through the site to a proposed roundabout and then continue west to the property line. This will allow for future connectivity if the property to the west redevelops. A secondary access is proposed to run through Zone 5 and connect to 51st Avenue N. This access will not be a public street but will have a public access easement so that it can be utilized by the future residents. Sidewalks are provided through the development to connect the various zones. Additionally, the property adjacent to the Cumberland River is proposed to include a greenway dedication.

ANALYSIS

The proposed development provides for an urban development on an infill site. The proposed SP is consistent with the requested policy change to T4 Urban Mixed Use Neighborhood and provides for an extension of the existing T4 Urban Mixed Use Neighborhood policy area along Centennial Boulevard. Zone 5 creates a transition area from the more intense existing industrial uses to the east of the site and the proposed residential development.

FIRE MARSHAL RECOMMENDATION
Approve with conditions

- Fire Code issues for the structures will be addressed at permit application review. A development this size will require 2 means of ingress/egress

STORMWATER RECOMMENDATION
Approve

WATER SERVICES RECOMMENDATION
Approve with conditions

- Approved as a Preliminary SP only. Public water and sewer construction plans must be submitted and approved prior to Final SP approval. These approved construction plans must match the Final Site Plan/SP plans. Part of this plan approval will require a CSX utility line crossing permit. The required capacity fees must also be paid prior to Final Site Plan/SP approval.

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.
- The SP shall comply with all Metro Codes, adopted plans, and MPW policies and standards applicable at the date of approval from the Metro Planning Commission.
- With the Final SP submittal, a dimensioned site plan on a field run survey will be required. With the Final SP submittal revisions to the preliminary SP may be required.
- Comply with MPW Traffic Engineer
- All pedestrian improvements and vehicular crossings at the CSX railroad require approval by rail authority prior to MPW sign off on the permit. if the rail crossing is not approved by CSX then the SP must be reevaluated by MPW.
- The only public streets within the proposal are to be 54th extension, north of the RR and the extension to the property on the west, to the property line. The remainder of the development is to be private property and sign as such.
- Prior to the Final SP submittal submit a solid waste and recycling plan. The site will require multiple dumpster locations and/ or private hauler, as MPW does not traverse private property to pickup solid waste and recycling.

TRAFFIC AND PARKING RECOMMENDATION
Conditions if approved

In accordance with the findings of the TIS, the developer of Centennial SP shall install the following roadway improvements unless previously constructed.

Centennial Boulevard and 51st Avenue North

- SP developer shall provide a leading, protected left turn phase for the northbound approach of 51st Avenue North to Centennial Boulevard traffic signal. Developer shall submit signal modification plans for metro traffic engineer approval and install signal modification when directed by metro traffic engineer.

- Refurbish the pedestrian crosswalk pavement markings on the west leg of the intersection by Developer in conjunction with signal modification.

Centennial Boulevard and 54th Avenue North/New York Avenue

- The SP developer shall construct a left turn lane for the eastbound approach of Centennial Boulevard to 54th Avenue North. The left turn lane should include approximately 75 feet of storage and 225 feet of taper. It should be noted that the left turn lane is not warranted under the AM and PM peak hour volumes expected after the completion of Phase 1of the Masterplan. However, Phase 1 plans to construct the access at 54th Avenue North; therefore, all recommend improvements at the intersection, including the left turn lane, should be completed with the completion of Phase 1 or by the Centennial SP if SP is constructed prior to the MUL phase 1 property.
- Construct a left turn lane for the southbound approach of 54th Avenue North to Centennial Boulevard. The left turn lane should include approximately 150 feet of storage.
- Construct a pedestrian crosswalk on the east leg of Centennial Boulevard at 54th Avenue North.
- Construct a pedestrian crosswalk on the north leg of 54th Avenue North at Centennial Boulevard.
- Construct pedestrian warning signs on Centennial Boulevard at the new crosswalk unless a traffic signal is warranted.
- On-street parallel parking on 54th Avenue North should be restricted for a minimum of 150 feet north of Centennial Boulevard.
- If ROW is available, construct an ADA compliant pedestrian curb ramp with detectable warning and level landing on the southeast corner of Centennial Boulevard and New York Avenue to accommodate a new crosswalk on the east leg.
- Provide centerline pavement markings on New York Avenue to align with 54th Avenue North and intersect Centennial Boulevard at approximately 90 degrees.
- Provide a stop line on the New York Avenue approach to Centennial Boulevard.
- The intersection of Centennial Boulevard and 54th Avenue North/New York Avenue should be monitored following the completion of the Centennial SP of the Centennial Master Plan. Analyses presented indicate that the projected traffic volumes at the intersection are not expected to meet the volume thresholds of a signal warrant. Capacity analyses indicate that the intersection is expected to continue to operate at acceptable levels of service under two-way stop control and the proposed laneage. However, with the changing land uses, ongoing infill projects, and increased density in the vicinity of the project site, the future traffic patterns and volumes at the intersection may warrant the need for a traffic signal. Therefore, 54th Avenue North and the development site access plan should be designed to accommodate a traffic signal at its intersection with Centennial Boulevard.
- The intersection should also be monitored for pedestrian crossings to determine if a signalized pedestrian crossing is warranted. When a traffic signal is warranted, Centennial SP developer shall design signal plans and install traffic signal with pedestrian infrastructure and signals at 54th Ave and Centennial Blvd. when approved by metro traffic engineer unless signal is already constructed.
- The 54th Ave cross section shall be a minimum of 4 travel lanes, bike lane, on street parking and a median and associated streetscape improvements transitioning at the RR crossing to 2 travel lanes, bike lane and on street parking

- Centennial SP developer shall design and submit roadway construction plans, pavement marking and signage plans and traffic signal warrant analysis and signal construction plans if traffic signal is warranted with construction documents of Centennial SP unless these roadway improvements have previously been installed.

Centennial Boulevard and 56th Avenue North/Ohio Avenue

- At a minimum, SP developer shall provide stop line pavement markings on the 56th Avenue North and Ohio Avenue approaches.
- Install a "Double Side Road" (W2-8) sign on the eastbound approach of Centennial Boulevard approximately 200 feet in advance of Ohio Avenue.
- Provide centerline pavement markings on Ohio Avenue to intersect Centennial Boulevard closer to 90 degrees.

Centennial Boulevard and Masterplan Site Access

- The MUL phase 1 secondary site access opposite Ohio intersection on Centennial Boulevard should be designed to include sufficient width for one entering travel lane and a minimum of one exiting travel lane and constructed by MUL developer.

54th Avenue North

- The segment of 54th Avenue North between Centennial Boulevard and the internal mixed-use access is recommended to include a 10-foot wide raised median, two 11-foot wide travel lanes in each direction, and a 5-foot wide bike lane in each direction. On this segment, both sides of 54th Avenue North are recommended to include a 2-foot gutter pan (outside of the travel lane), a 4-foot wide green zone or tree well, and a minimum sidewalk width of six feet.
- The segment of 54th Avenue North between the internal mixed-use access driveway and the CSX railroad tracks is recommended to include an 8-foot wide raised median, one 11-foot wide travel lane in each direction, one 5-foot wide bike lane in each direction, and eight feet of on-street, parallel parking on both sides of the road (includes the gutter pan). On this segment, both sides of 54th Avenue North are recommended to include a 4-foot wide green zone or tree well and a minimum sidewalk width of six feet.
- The segment of 54th Avenue North located north of the CSX railroad tracks is recommended to include one 11-foot wide travel lane in each direction, one 5-foot wide bike lane in each direction, and eight feet of on-street, parallel parking on both sides of the road (includes the gutter pan). On this segment, both sides of 54th Avenue North are recommended to include a 4-foot wide green zone or tree well and a minimum sidewalk width of six feet.
- Roundabout access road to adjacent IR zoned parcel shall be constructed between Centennial SP roundabout and 51st Ave North with a minimum of 2 travel lanes shall be constructed by Centennial SP developer if not previously constructed.

Conditions for MUL developer

- Construct all conditioned roadway improvements for Centennial Blvd intersections and 54th Ave North to the railroad tracks and for the 51st Ave signal as recommended in Centennial Masterplan TIS, if not previously constructed by Centennial SP developer.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	27.37	0.6 F	715, 342 SF	2547	215	229

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)	18.95	-	394 U	2512	197	235

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
Warehousing (150)	8.42	0.6 F	220, 065 SF	7784	67	71

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+749	+49	+77

METRO SCHOOL BOARD REPORT
Projected student generation existing IR district: 0 Elementary 0 Middle 0 High
Projected student generation proposed SP-MU district: 14 Elementary 7 Middle 8 High

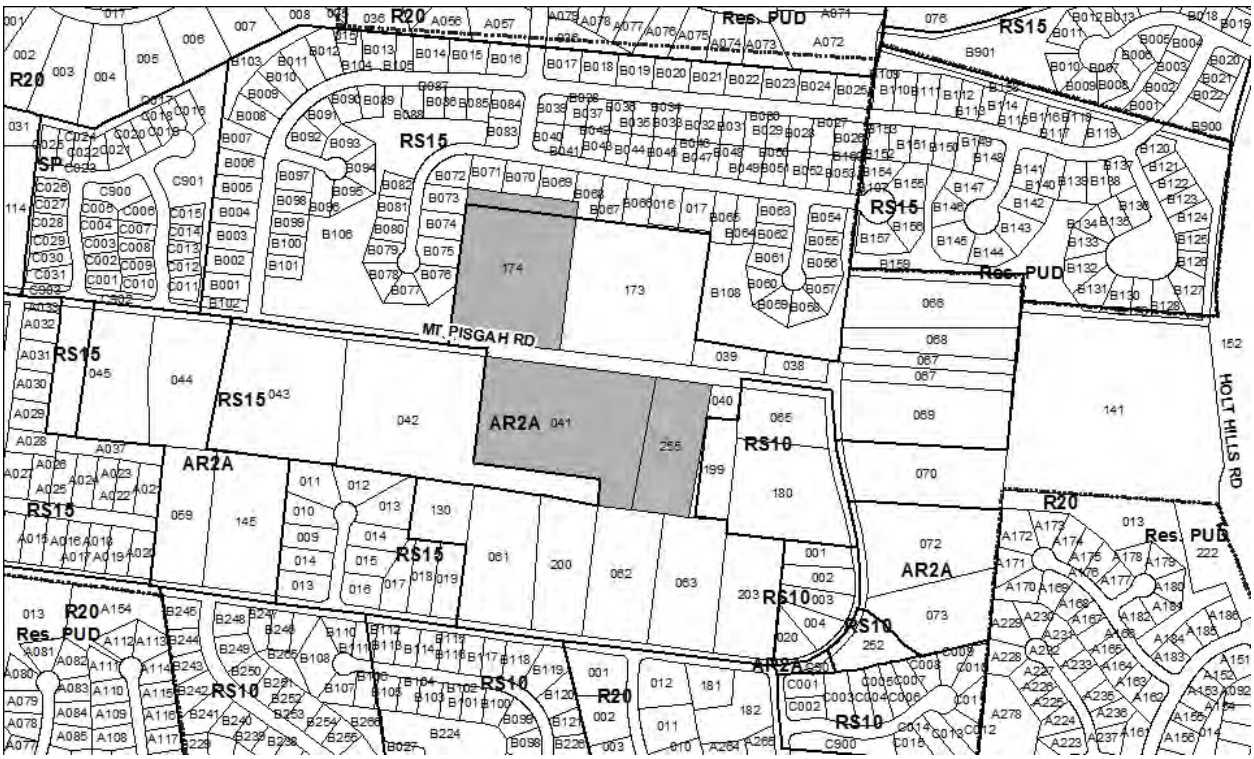
The proposed SP-MU zoning district could generate 29 more students than what is typically generated under the existing IR zoning district. The projected school generation was calculated by looking at the proposed number of attached and detached single-family style units separately from the proposed stacked flat units. The urban infill factor was only used for the stacked flat units. Students would attend Cockrill Elementary School, McKissack Middle School, and Pearl-Cohn High School. All three schools have been identified as having additional capacity. This information is based upon data from the school board last updated November 2015

STAFF RECOMMENDATION
Staff recommends approval with conditions and disapproval without all conditions of the associated plan amendment is approved. If the associated plan amendment is not approved, staff recommends disapproval.

CONDITIONS
1. Permitted land uses within Zones 1-4 shall be limited to up to 394 multi-family dwelling units.
2. Permitted land uses within Zone 5 shall be limited to uses allowed by the IR zoning district excluding the following uses: Automobile Repair; Automobile Sales, New; Automobile Sales,

Used; Automobile Service; Carpet Cleaning; Car Wash; Laundry Plants; Major Appliance Repair; Vehicular Sales and Service, Limited; Wrecker Service; Amateur Radio Antenna; Printing and Publishing; Heavy Equipment, Sales and Service; Manufacturing, Light; Bus Transfer Station; Motor Freight; Railroad Yard; Power/gas Substation; Power Plant; Wind Energy Facility (Utility); Fairground; Manufacturing, Medium; Tank Farm; Construction/demolition Landfill; Construction/demolition Waste Processing (project-specific); Medical Waste; Recycling Facility; Airport; Water Waste Treatment; Sanitary Landfill; Waste Transfer; Racetrack; Mineral Extraction; Fuel Storage; Adult Entertainment.

3. On the corrected set, remove the reference to MUL-A under the use table for Multi-Family Buildings.
4. On the corrected preliminary SP plan, provide acreage for the portion of the site located in Zone 5.
5. On the corrected preliminary SP plan, indicate the greenway dedication area as follows: Dedicated Greenway Public Access Trail Easement Area.
6. The right-of-way for 54th Avenue N. between Centennial Boulevard and the railroad track shall be dedicated prior to submittal of the first final site plan.
7. Documentation of access from the eastern most property line to the terminus of 51st Avenue North must be provided at such time that the Fire Marshal determines that a second means of access is required. Current regulations require a 2nd means of access with 30 single-family units or 100 multi-family units.
8. Comply with all requirements of Public Works in regards to traffic improvements.
9. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUL-A zoning district for Zones 1 through 4 and IR for Zone 5 as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
10. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
11. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
12. Add the following note to the plan: The final site plan shall depict a minimum 5 foot clear path of travel for pedestrian ways, including public sidewalks, and the location of all existing and proposed obstructions. Prior to the issuance of use and occupancy permits, existing obstructions within the path of travel shall be relocated to provide a minimum of 5 feet of clear access.
13. 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.
14. 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.



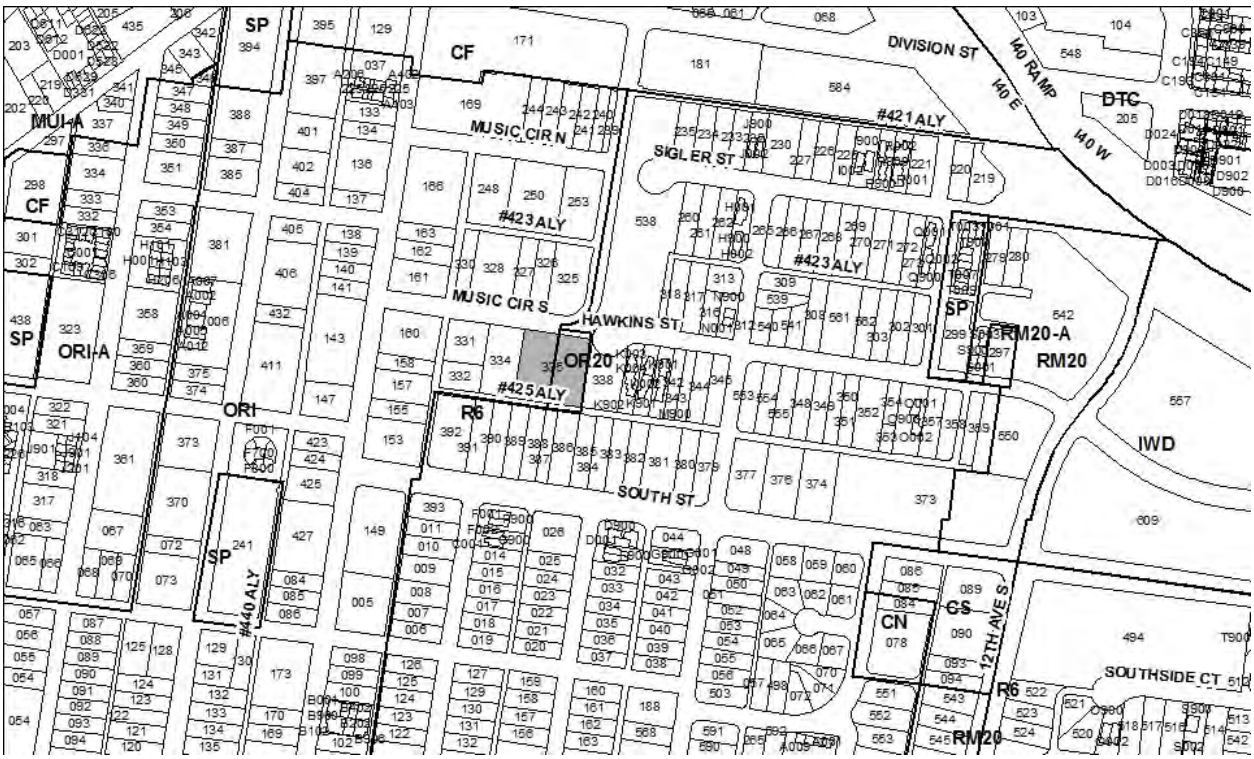
2016SP-011-001
MT. PISGAH SP
Map 172, Parcel(s) 041, 174, 255
12, Southeast
04 (Robert Swope)

Project No.	**Specific Plan 2016SP-011-001**
Project Name	**Mt. Pisgah SP**
Council District	4 - Swope
School District	2 - Brannon
Requested by	Batson & Associates, applicant; Charles White, owner.
Deferrals	This request was deferred from the February 25, 2016, the March 10, 2016, the March 24, 2016, and the April 14, 2016, Planning Commission meetings. The public hearing was not held.
Staff Reviewer	Milligan
Staff Recommendation	*Defer to the May 12, 2016, Planning Commission meeting.*

APPLICANT REQUEST
Zone change to permit a residential development with up to 39 units.

Preliminary SP
A request to rezone from Agricultural/Residential (AR2a) to Specific Plan-Residential (SP-R) zoning for properties located at Mt. Pisgah Road (unnumbered) and 6000 and 6021 Mt. Pisgah Road, approximately 750 feet west of Christiansted Lane (12.12 acres), to permit 39 single-family lots.

STAFF RECOMMENDATION
Staff recommends deferral to the May 12, 2016, Planning Commission meeting at the request of the applicant.



2016SP-020-001
ONE MUSIC CIRCLE SOUTH OFFICE
Map 093-13, Parcel(s) 335
10, Green Hills - Midtown
19 (Freddie O'Connell)

Project No.	**Specific Plan 2016SP-020-001**
Project Name	**One Music Circle South Office**
Council District	19 – O'Connell
School District	5 – Kim
Requested by	Barge Cauthen & Associates, applicant; Country Music Association, Inc., owner.
Deferrals	This request was deferred from the March 10, 2016, the March 24, 2106, and the April 14, 2016, Planning Commission meetings. The public hearing was not held.
Staff Reviewer	Swaggart
Staff Recommendation	*Approve with conditions and disapprove without all conditions.*

APPLICANT REQUEST
Zone change to permit an office building.

Zone Change
A request to rezone from Office/Residential Intensive (ORI) and Office/Residential (OR20) to Specific Plan – Office (SP-O) zoning for property located at 1 Music Circle S., approximately 450 feet east of Music Square E (0.90 acres), to permit an office building.

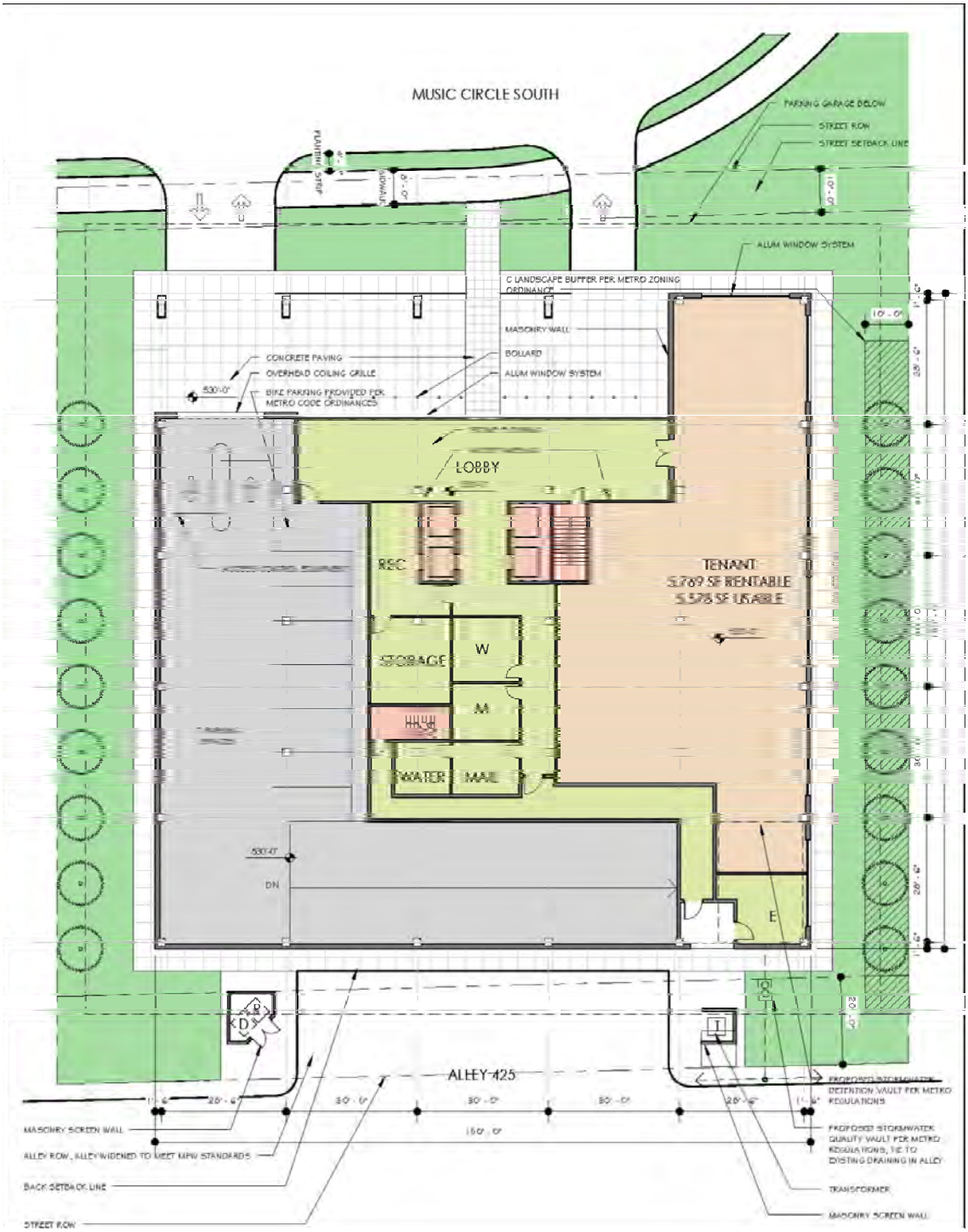
Existing Zoning
Office/Residential Intensive (ORI) is intended for high intensity office and/or multi-family residential uses with limited retail opportunities.

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

Proposed Zoning
Specific Plan-Office (SP-O) 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 office uses.

CRITICAL PLANNING GOALS
- Supports Infill Development
- Creates Walkable Neighborhoods

The area is served by adequate infrastructure. Development in areas with adequate infrastructure is more appropriate than development in areas not served with adequate infrastructure, such as substandard roads, water and sewer, because it does not burden Metro with the cost of upgrading or building new infrastructure. The plan calls for the sidewalk and planting strip along Music Circle South be widened. While the proposed building includes a motor court between the public sidewalk and the main entrance, the plan calls for an enhanced pedestrian way from the public sidewalk to the entrance. These features support walkable neighborhoods.



Proposed Site Plan

GREENHILLS – MIDTOWN COMMUNITY PLAN

District Office Concentration (D OC) is intended to preserve, enhance, and create districts where office use is predominant and where opportunities for the addition of complementary uses are present. The development and redevelopment of such Districts occurs in a manner that is complementary of the varying character of surrounding communities.

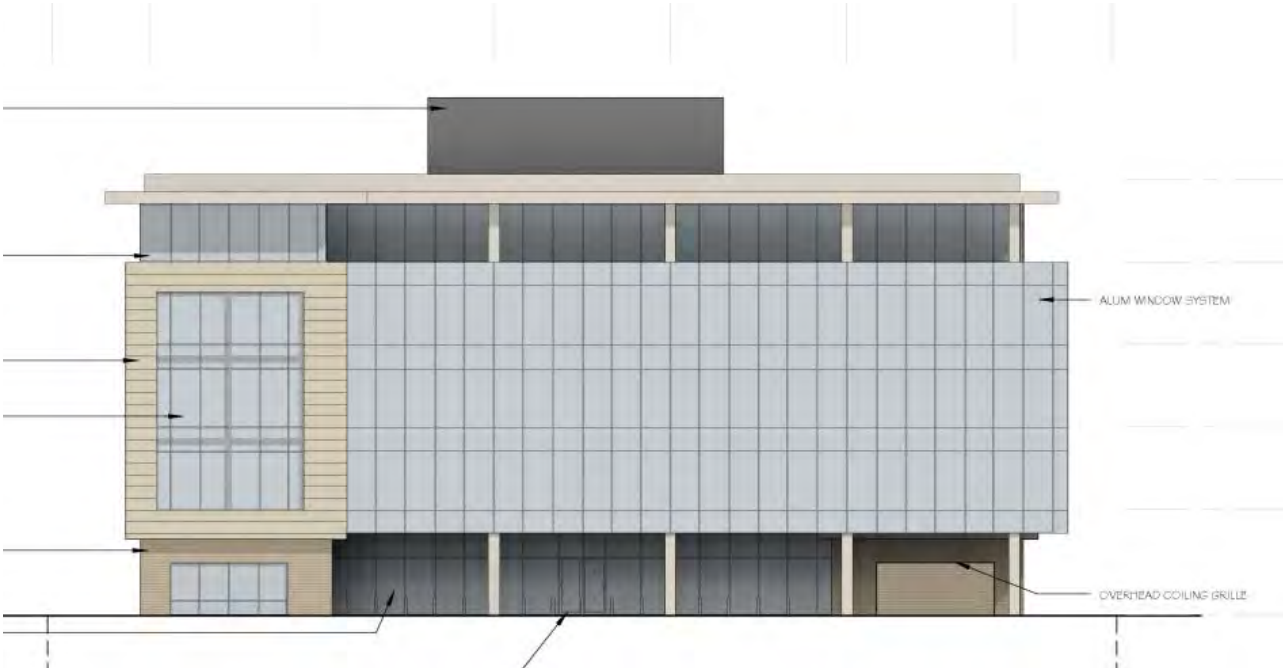
Consistent with Policy?

Yes. The plan is consistent with the D OC as it calls for an office use that is supported by the policy. Buildings of all types are permitted in the D OC policy and the policy supports varying heights. The policy calls for appropriate transitions between the D OC policy and adjacent lower intensity policy areas. Since Music Circle South is adjacent to lower intensity policy areas, it is appropriate for building heights along Music Circle South to be shorter than what would be supported north of Music Circle South. The proposed five story building is shorter than what the policy could support north of the subject site, and would provide for a transition in height between the area where the policy supports taller buildings and the T3 NM policy area south of the site. It is also important to note that while the development pattern in the adjacent T4 NE policy area to the east of the subject site currently consists of lower density development, the T4 NE policy could support more intense residential development.

Consideration for height in a transition area is also based on the width and prominence of the street. The policy would support taller buildings on sites that are located on wider more prominent streets, and shorter buildings on narrower less prominent streets. While this project is located on a local street rather than an arterial-boulevard or collector-avenue, additional height is acceptable at this location due to its location at the intersection of three policy areas as it provides a transition in height from the areas to the west that are located along wider more prominent streets, and the areas north of the site where the policy could support more height. The D OC policy recognizes that alleys can provide additional transition between different policy areas. There is an alley located at the back of the subject site. As proposed the plan calls for the alley to be widened, which provides further separation between the D OC policy area and the T4 NM policy area south of the site. Also, primary vehicular access is not proposed from the alley minimizing nonresidential traffic in the alley.

The proposed plan enhances the pedestrian realm by providing an eight foot wide sidewalk and four foot planting strip along Music Circle South consistent with the policy goal of contributing to pedestrian improvements in D OC areas. It is also important to note that Music Circle South is a local street which would only require a five foot wide sidewalk and four foot wide planting strip. The D OC policy does not support surface parking lots adjacent to lower intensity policy areas. The plan does not propose surface parking adjacent to the adjacent T4 NM and T4 NE policies. The policy calls for buildings to be oriented back-to-back between areas permitting higher intensity buildings and those permitting lower intensity buildings. The building backs to the lower intensity policy area to the south of the site, consistent with the policy.

This property is within the Music Row Study area, but it is not within the area where the Planning Commission directed staff to recommend disapproval of zone changes while the Music Row study is being conducted since it is not fronting onto Music Row. Staff has been working on proposed



Proposed Front Elevation

policy amendments for the study area, which would include special polices. The subject site is part of a larger area that is being considered for a Transition (TR) policy that would include a special policy. The proposed TR policy would provide guidance for the transition between policy areas supporting higher intensity development, and areas that support lower intensity development. The proposed TR policy could support heights up to five stories. As mentioned above, the D OC policy also calls for a transition between certain policy areas. The proposed TR policy would provide more clarification and clearly call out the area where a transition should occur. This area includes properties located along the east side of Music Square East from Music Circle South to Edgehill Avenue and the properties along the south side of Music Circle South. The proposed policy area on the north side of Music Circle South, directly across from the subject site, could support up to eight stories. The proposed plan calls for a maximum of five stories and would be supported by the proposed TR policy. In summary, both the current D OC policy and the proposed TR policy can support five stories at this location as it provides a transition from the proposed policy area to the north that could support up to eight stories in height, and the residential policies to the south.

PLAN DETAILS
The approximately one acre site is located on the south side of Music Circle South, approximately one block from Music Square East to the west. The site is developed and contains a building that once housed CMA. The existing building is one story along Music Circle south. The grade drops from north to south and the rear of the building is two stories. The property is split zoned. Half the property is zoned OR20 and the other half is zoned ORI-A.

Site Plan
The plan calls for a five story office building with a maximum floor area of three (3.0 FAR). The proposed FAR would permit a maximum of 117,612 square feet. Vehicular access is proposed from Music Circle South, and includes a two-way drive along the western portion of the building and a one-way (exit) closer to the eastern side of the building. The plan calls for an eight foot wide sidewalk and four foot planting strip along Music Circle South. As proposed the ROW of the alley would be increased to Metro Public Works standards.

ANALYSIS
Staff is recommending that the proposed SP be approved with conditions and disapproved without all conditions as the request is consistent with the D OC policy, and meets several critical planning goals. The plan calls for an office use, and provides for an appropriate transition from the properties D OC policy area to the adjacent residential policy south and east of the site. Since the alley at the rear of the site is shared by the single-family residential neighborhood to the south, then staff is not recommending that it be used for access into the proposed development

FIRE MARSHAL RECOMMENDATION
Approved with conditions
Fire Code issues for the structures will be addressed at permit application review.

STORMWATER RECOMMENDATION
Approved

PUBLIC WORKS RECOMMENDATION
Approved with conditions

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- Comply with MPW Traffic Engineer. Pending the approved TIS, corrections may be requested.
- Prior to building permit approval, dedicate ROW to the back of the proposed sidewalk and ½ MPW standard alley ROW.

TRAFFIC & PARKING RECOMMENDATION
Approved with conditions

In accordance with TIS findings, Developer shall construct the following improvements.

Division Street and Music Circle East

- Construct pedestrian crosswalk pavement markings for all four legs of the intersection. ADA-compliant pedestrian curb ramps with detectable warning mats should be provided on the southwest, northeast, and northwest corners of the intersection.
- Refurbish the stop line pavement markings for all approaches to the intersection.
- Signal warrant analyses presented indicate that the traffic volumes at the intersection of Division Street and Music Circle East are expected to meet the volume thresholds of a signal warrant based on background traffic volumes and the background plus project-generated traffic for the four-hour and peak hour warrant. However, the capacity analyses indicate that the intersection will operate at LOS D during the AM peak hour and LOS E during the PM peak hour following completion of the development, which is adequate. Furthermore, the all-way stop-control meters the traffic that enters and exits the Division Street leg of the roundabout. Therefore, the intersection of Division Street and Music Circle East should continue to be controlled by all-way stop.
- Developer shall submit a signal warrant analysis after 6 months of use &occupancy of the new office and submit traffic signal plans to metro traffic engineer if signal is warranted and approved by MPW traffic engineer. Developer shall install traffic signal or make monetary contribution for signal cost when directed by MPW traffic engineer.

Music Circle South/Music Circle East

- Refurbish the double solid yellow centerlines on Music Circle South/Music Circle East from Music Square East (16th Avenue South) to Division Street.
- Restrict the on-street parking on the south side of Music Circle South between the site accesses. “No Parking Any Time” (R7-1) signs should be provided just east of Site Access 1 and just west of Site Access 2.
- Developer shall apply to T &P staff for parking restrictions and “turn” signage.
- Provide a “Turn” (W1-1L) warning sign and a “15 MPH” (W13-1P) advisory speed plaque facing eastbound traffic on Music Circle South. The sign and plaque should be located on the south side of Music Circle South on the west property line of the project site.

- Provide a "Turn" (W1-1R) warning sign and a "15 MPH" (W13-1P) advisory speed plaque facing southbound traffic on Music Circle East. The sign and plaque should be located on the west side of Music Circle East approximately 220 feet north of Music Circle South.

West Site Access (Site Access 1) at Music Circle South

- The west garage access on Music Circle South should be designed to include sufficient width for one entering travel lane and one exiting travel lane. A minimum of 24 feet is recommended.

East Site Access (Site Access 2) at Music Circle South

- The east garage access on Music Circle South should be designed to include sufficient width for one exiting travel lane. A minimum of 12 feet is recommended.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (150)	0.45	3 F	58,806 SF	887	123	145

Maximum Uses in Existing Zoning District**: OR-20**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (150)	0.45	.8 F	15,681 SF	321	43	43

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (150)	0.90	3.0	117,612 SF	1536	218	214

Traffic changes between maximum: **ORI, OR-20 and SP-O**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+ 43,125 SF	+328	+52	+26

WATER SERVICES RECOMMENDATION

Approved with conditions

- Approved as a Preliminary SP only. The required capacity fees must be paid prior to Final Site Plan/SP approval.

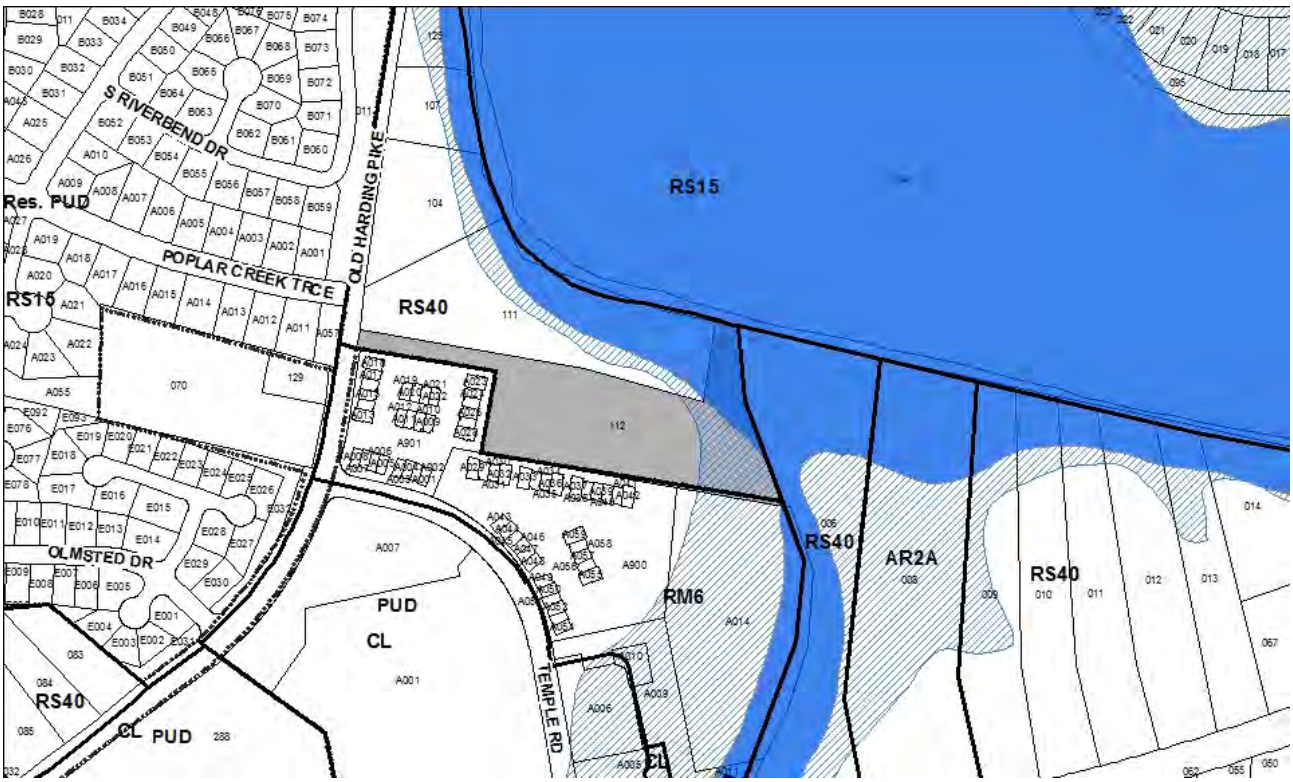
STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions as the proposed SP is consistent with the Green Hills-Midtown D OC land use policy.

CONDITIONS

1. Uses in the SP shall be limited to general office, audio/video tape transfer, and multi-media production.
2. A minimum eight foot wide sidewalk and four foot planting strip is required along Music Circle South.
3. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the ORI-A zoning district as of the date of the applicable request or application.
4. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
5. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
6. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
7. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

SEE NEXT PAGE



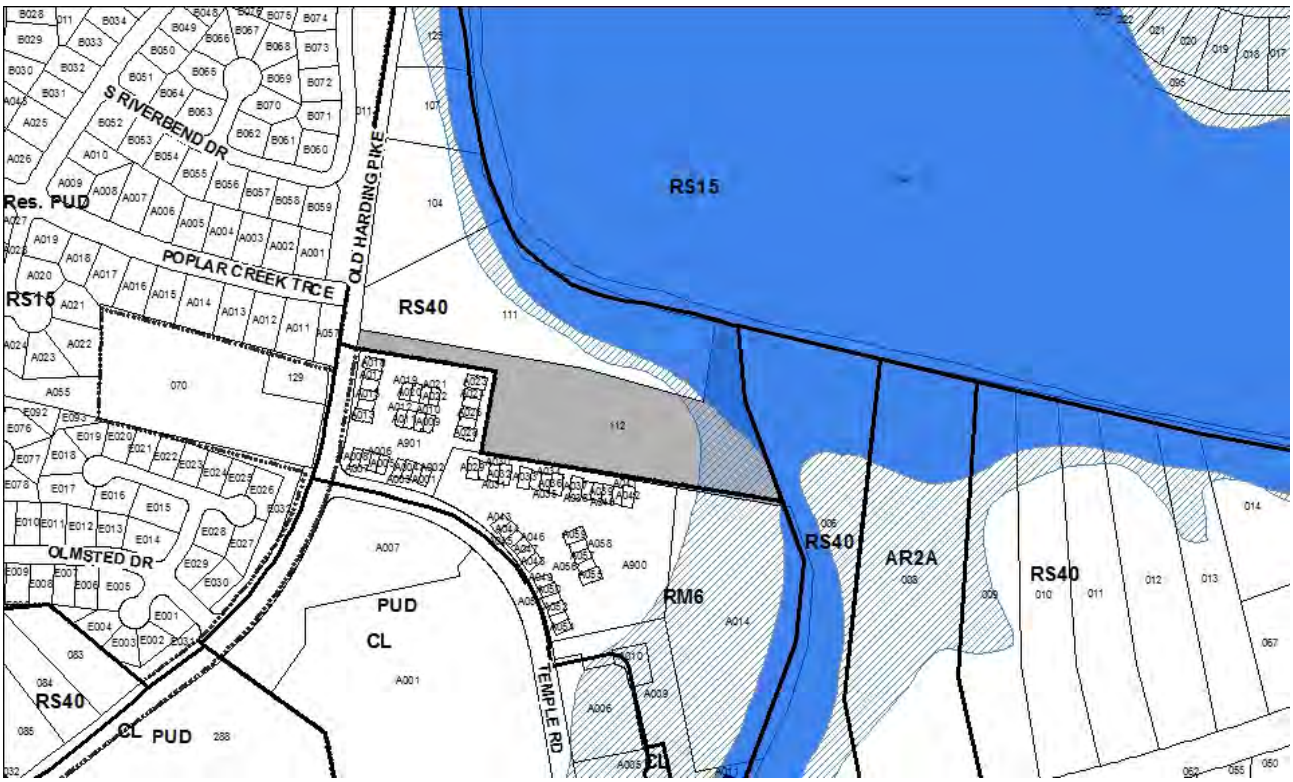
2005P-008-007
HARPETH VILLAGE (PUD AMENDMENT)
Map 156, Parcel(s) 112
06, Bellevue
35 (Dave Rosenberg)

Project No.	**Planned Unit Development 2005P-008-007**
Project Name	**Harpeth Village (PUD Amendment)**
Associated Case No.	Zone Change 2015Z-096PR-001
Council District	35 – Rosenberg
School District	9 – Frogge
Requested by	Batson and Associates, applicant; Trendmark Construction, LLC, O.IC. Harpeth Village, owners.
Deferrals	This request was deferred from the December 10, 2015, the January 14, 2016, the February 25, 2016, and the March 10, 2016, Planning Commission meetings. The public hearing was not held.
Staff Reviewer	Swaggart
Staff Recommendation	*Defer to the June 23, 2016, Planning Commission meeting.*

APPLICANT REQUEST
PUD amendment to add area into PUD to permit up to 25 additional residential units.

PUD Amendment
A request to amend the Harpeth Village Planned Unit Development for properties located at 7725 Old Harding Pike and Temple Road (unnumbered), at the northeast corner of Temple Road and Old Harding Pike, (5.06 acres) to add property into the overlay to permit 25 multifamily units, zoned Single-Family Residential (RS40) and proposed for Multi-Family Residential (RM6).

STAFF RECOMMENDATION
Staff recommends deferral to the June 23, 2016, Planning Commission meeting as requested by the applicant.



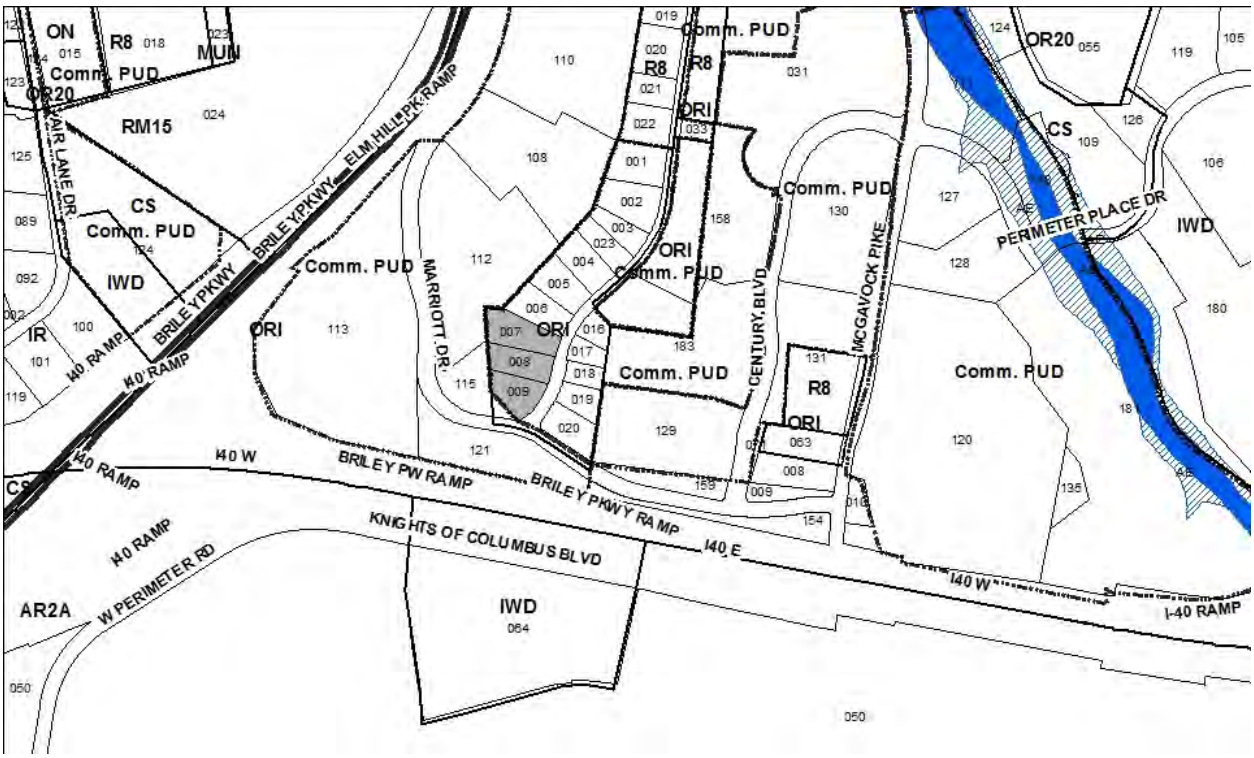
2015Z-096PR-001
Map 156, Parcel(s) 112
06, Bellevue
35 (Dave Rosenberg)

Project No.	**Zone Change 2015Z-096PR-001**
Associated Case No.	Planned Unit Development 2005P-008-007
Council District	35 – Rosenberg
School District	9 – Frogge
Requested by	Batson and Associates, applicant; Trendmark Construction, LLC, owner.
Deferrals	This request was deferred from the December 10, 2015, the January 14, 2016, the February 25, 2016, and the March 10, 2016, Planning Commission meetings. The public hearing was not held.
Staff Reviewer	Swaggart
Staff Recommendation	*Defer to the June 23, 2016, Planning Commission meeting.*

APPLICANT REQUEST
Zone change from RS40 to RM6.

Zone Change
A request to rezone from Single-Family Residential (RS40) to Multi-Family Residential (RM6) zoning and proposed for a Planned Unit Development Overlay (PUD) for property located at 7725 Old Harding Pike, approximately 345 north of Temple Road (5.06 acres).

STAFF RECOMMENDATION
Staff recommends deferral to the June 23, 2016, Planning Commission meeting as requested by the applicant.



177-74P-002
CENTURY CITY WEST (CANDLEWOOD SUITES)
Map 107-03, Parcel(s) 007-009
14, Donelson - Hermitage
15 (Jeff Syracuse)

Project No.	**Planned Unit Development 177-74P-002**
Project Name	**Century City West (Candlewood Suites)**
Council District	15 - Syracuse
School District	04 – Shepherd
Requested by	Arnold Consulting, applicant; Mark Conger and Michael Green, owners.
Deferrals	This request was deferred from the April 14, 2016, Planning Commission meetings. The public hearing was not held.
Staff Reviewer	Burnette
Staff Recommendation	*Approve with conditions.*

APPLICANT REQUEST
Revise a portion of the Planned Unit Development to permit a hotel.

Revise PUD
A request to revise the preliminary plan for a portion of the Century City West Commercial Planned Unit Development located at 720, 724, and 728 Ermac Drive, at the corner of Marriott Drive and Ermac Drive, zoned Office/Residential Intensive (ORI) (2.54 acres), to permit a hotel.

Existing Zoning
Office/Residential Intensive (ORI) is intended for high intensity office and/or multifamily residential uses with limited retail opportunities.

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

CRITICAL PLANNING GOALS
N/A

PLAN DETAILS
The site is located at the corner of Ermac and Marriott Drives on three separate lots to be consolidated into one, totaling 2.77 acres. The preliminary plan for this portion of the Century City West PUD was approved in 1999 for a total of 628,000 square feet of office use in four buildings

Proposed Site Plan

(157,000 square feet each). The overall PUD is approved for 1.9 million square feet of commercial and office uses.

Site Plan
The plan proposes a 61,221 square-foot, four-story hotel, with 100 units, plus meeting rooms. Access to the site will be from two points on Ermac Drive. One module of parking is located in the front of the building, with the remaining parking in the back. The parking configuration is similar to the last approved plan.

ANALYSIS
Section 17.40.12.F permits the Planning Commission to establish the types of changes that require Metro Council concurrence. Staff finds that the request does not meet the threshold for Metro Council concurrence and may be approved by the Planning Commission as a revision to the PUD. Section 17.40.120.F is provided below for review.

F. Changes to a Planned Unit Development District.
1. Modification of Master Development Plan. Applications to modify a master development plan in whole or in part shall be filed with and considered by the planning commission according to the provisions of subsection A of this section. If approved by the commission, the following types of changes shall require concurrence by the metropolitan council in the manner described:
   a. Land area being added or removed from the planned unit development district shall be approved by council according to the provisions of Article III of this chapter (Amendments);
   b. Modification of special performance criteria, design standards, or other requirements specified by the enacting ordinances shall be authorized by council ordinance;
   c. A change in land use or development type beyond that permitted by the specific underlying zoning district shall be authorized only by council ordinance; or
   d. An increase in the total number of residential dwelling units above the number last authorized by council ordinance or, for a PUD district enacted by council ordinance after September 1, 2006, an increase in the total number of residential dwelling units above the number last authorized by council ordinance or above the number last authorized by the most recent modification or revision by the planning commission; or
   e. When a change in the underlying zoning district is associated with a change in the master development plan, council shall concur with the modified master development plan by ordinance.
   f. Any modification to a master development plan for a planned unit development or portion thereof that meets the criteria for inactivity of section 17.40.120.H.4.a.

Since the proposed plan is consistent with the overall concept of the Council approved plan, and is consistent with zoning requirements, staff is recommending that the revision be approved with conditions.

FIRE MARSHAL RECOMMENDATION
Approve with conditions
Fire Code issues for the structures will be addressed at permit application review.

STORMWATER RECOMMENDATION
Approve with conditions

- Add access note

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.
- If sidewalks are required, they should be shown on the plans per the MCSP and built to meet MPW standards and specifications. Sidewalks are to be located within ROW.
- Both driveway connections to Ermac are to be per MPW standard ST-324.

TRAFFIC & PARKING RECOMMENDATION
Approve with conditions

In accordance with the TIS findings, Developer shall comply with the following conditions and construct the following roadway improvements.

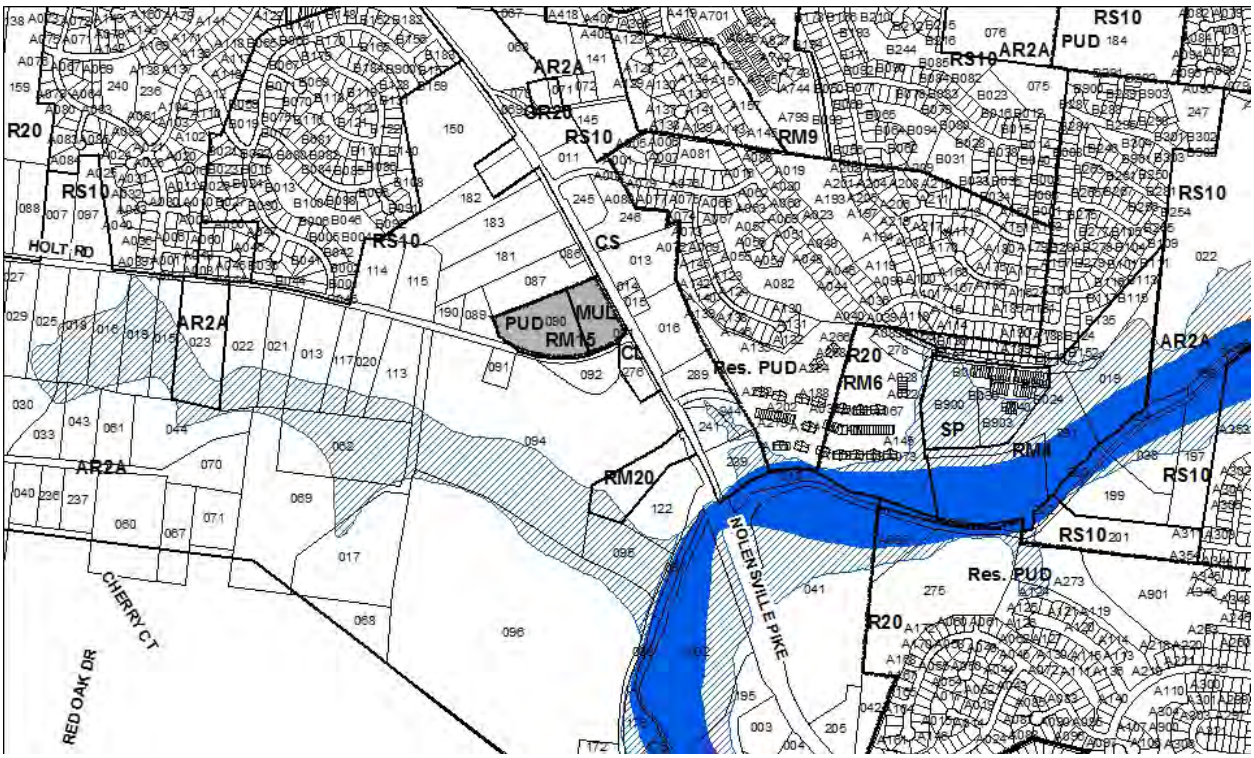
- The Candlewood Suites site driveways shall include one lane for traffic entering the site and one lane for traffic exiting the site.
- Marriott Drive shall be restriped to include an eastbound left turn lane with 75 feet of storage and a 180 foot taper. Additionally, southbound Ermac Drive shall be striped to include a left turn lane and a right turn lane each with 50 feet of storage.
- Both driveways for Candlewood Suites Nashville Site shall have wayfinding signage for vehicles exiting the site directing airport and Interstate 40 traffic to turn right and use Marriott Drive. Left turns from Candlewood Suites onto Ermac Drive shall be discouraged to minimize impacts to the residents in the area.
- The operator of Candlewood Suites should provide directions to/from the site only via the connection to Marriott Drive. Using Ermac Drive to reach the site from Elm Hill Pike should not be a preferred route.
- While the existing grade and alignment of Ermac Drive will provide acceptable intersection sight distance, proposed landscaping and development signage should be set back from Ermac Drive to maintain appropriate intersection sight distance triangles for the Candlewood Suites Nashville Site driveways.
- The landscaping on the northeast corner of Ermac Drive at Marriott Drive shall be maintained to ensure appropriate intersection sight distance for southbound vehicles.
- Developer shall submit a signage and pavement marking plan with construction documents.

WATER SERVICES RECOMMENDATION
Approve with conditions

- Approved as a Preliminary PUD only. Public sewer construction plans must be submitted and approved prior to Final Site Plan approval. (The submitted grading plan proposes greater than 15 feet of cover on top of the public sewer, requiring either a sewer replacement or an abandonment.) These approved construction plans must match the Final Site Plans. The required capacity fees must also be paid prior to Final Site Plan approval.

STAFF RECOMMENDATION
Staff recommends approval with conditions.

CONDITIONS
1. This approval does not include any signs. Signs in planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
2. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
3. Prior to or with any additional development applications for this property, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan.
4. With submittal of final site plan, revise plans to include a minimum 4' grass strip and 5' sidewalk.
5. The final site plan shall depict a minimum 5-foot clear path of travel for pedestrian ways, including public sidewalks, and the location of any existing and proposed obstructions. Prior to the issuance of use and occupancy permits, existing obstructions with the path of travel shall be relocated to provide a minimum of 5 feet of clear access.



2007P-004-001
GOVERNORS CHASE II
Map 181, Parcel(s) 090
12, Southeast
04 (Robert Swope)

Project No.	**Planned Unit Development 2007P-004-001**
Project Name	**Governors Chase II**
Council District	4 - Swope
School District	2 - Brannon
Requested by	SEC, Inc., applicant; First Freedom Bank, owner.
Deferrals	This request was deferred from the April 14, 2016, Planning Commission meetings. The public hearing was not held.
Staff Reviewer	Swaggart
Staff Recommendation	*Approve with conditions.*

APPLICANT REQUEST
Revise a portion of a Planned Unit Development to permit a day care facility, financial institution and multi-family residential.

Revise PUD
A request for a revision to the preliminary plan for the Governors Chase Planned Unit Development Overlay District on property located at 6365 Nolensville Pike, at the northwest corner of Nolensville Pike and Holt Road (9.5 acres), zoned Mixed Use Limited (MUL) and Multi-Family Residential (RM15), to permit a day care center (over 75), financial institution, and 72 multi-family residential units.

Existing Zoning
Multi-Family Residential (RM15) is intended for single-family, duplex, and multi-family dwellings at a density of 15 dwelling units per acre. *In this event the maximum number of units is dictated by the PUD Overlay which limits the density to 72 residential units.*

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

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

CRITICAL PLANNING GOALS
N/A

Proposed Site Plan

PLAN DETAILS
The approximately nine acre site is located at the northwest corner of Nolensville Pike and Holt Road. The site is not developed. A majority of the site is covered with dense vegetation, and the area along Nolensville Pike is open. The site slopes upward from Nolensville Pike. There are some steep slopes on the site, including along the property boundary with Holt Road which includes a bluff along Holt Road. The PUD was approved in 2008 (BL2008-148) for 72 multi-family residential units, 17,926 square feet of office space, and 16,022 square feet of retail space.

Site Plan
The proposed site plan calls for 72 multi-family residential units, a 10,782 square foot daycare facility (75 persons and over), and a 4,030 square foot financial services use. The daycare and financial institution are proposed along Nolensville Pike. The financial institution is shown at the northwest corner of Nolensville Pike and Holt Road. The 72 multi-family residential units are located at the rear of the property.

Access is shown from one point along Nolensville Pike and one point along Holt Road. The commercial section is connected to the residential section by a private drive. The plan calls for a 60 foot right-of-way reservation to accommodate the future widening of Nolensville Pike. The plan also calls for an eight foot sidewalk and six foot planting strip along Nolensville Pike and Holt Road. The plan provides internal sidewalk connections form the commercial portion to the residential portion, and also includes connections to the public sidewalks.

ANALYSIS
Section 17.40.120.F outlines changes to a Planned Unit Development that would require Council approval, which are as follows:

Changes to a Planned Unit Development District.
1. Modification of Master Development Plan. Applications to modify a master development plan in whole or in part shall be filed with and considered by the planning commission according to the provisions of subsection A of this section. If approved by the commission, the following types of changes shall require concurrence by the metropolitan council in the manner described:
   a. Land area being added or removed from the planned unit development district shall be approved by the council according to the provisions of Article III of this chapter (Amendments);
   b. Modification of special performance criteria, design standards, or other requirements specified by the enacting ordinance shall be authorized by council ordinance;
   c. A change in land use or development type beyond that permitted by the specific underlying zoning district shall be authorized only by council ordinance; or
   d. An increase in the total number of residential dwelling units above the number last authorized by council ordinance or, for a PUD district enacted by council ordinance after September 1, 2006, an increase in the total number of residential dwelling units above the number last authorized by council ordinance or above the number last authorized by the most recent modification or revision by the planning commission; or
   e. When a change in the underlying zoning district is associated with a change in the master development plan, council shall concur with the modified master development plan by ordinance.

f. Any modification to a master development plan for a planned unit development or portion thereof that meets the criteria for inactivity of Section 17.40.120.H.4.a.

Staff finds that the proposed plan is consistent with the last Council approved plan and recommends approval with conditions. As proposed, the plan does not add or remove land area, modify any special requirement, or increase the number of dwelling units above what was approved by Council. There is also no associated zone change for property within the PUD, or a request for a periodic review of the PUD.

FIRE MARSHAL RECOMMENDATION
Approve with conditions

- Fire Code issues for the structures will be addressed at permit application review.

PUBLIC WORKS RECOMMENDATION
Approved with conditions

1. The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
2. Indicate the installation of sidewalks and furnishing zone per the MCSP.
3. Sidewalks are to be located within ROW. Dedicate ROW to the back of the proposed sidewalks prior to MPW signoff on the building permit.

TRAFFIC & PARKING RECOMMENDATION
Approve with conditions

1. Identify phase 1 Daycare (138 students) boundary on PUD site plan.
2. Along Nolensville Pike, label and show reserve strip for future right of way, to accommodate the TDOT road widening plans for Nolensville Pk.
3. Along Holt Road, label and dedicate right of way 30 feet from centerline to property boundary, consistent with the approved major street / collector plan. Identify additional reserved ROW on Holt Rd to accommodate a future EB thru lane on Holt Rd with 300 ft of storage.
4. Developer of Governor’s Chase II PUD (with the future bank and townhomes) shall widen Nolensville Road to provide a continuous three lane cross section along the property frontage from Holt Road to the proposed Nolensville Road driveway with transitions per AASHTO/MUTCD standards, unless previously constructed by TDOT.
5. Developer of Governor’s Chase II PUD shall widen Holt Road to provide at a minimum a continuous three lane cross section along the property frontage from the existing turn lanes at Nolensville Road to the proposed Holt Road driveway.
6. Developer of Governor’s Chase II PUD shall widen Holt Road to provide a EB left turn lane with 100 feet of left turn storage at the proposed access driveway with transitions per AASHTO/MUTCD standards.
7. Developer of Governor’s Chase II PUD shall provide and document with the submittal of construction plans that adequate sight distance can be provided from the proposed driveway at Holt Road.
8. Developer of Governor’s Chase II PUD shall Record cross access easements between the residential and commercial areas of development.

9. Developer of Governor's Chase II PUD shall design signal modification plans if directed by MPW traffic engineer for ped signals and associated infrastructure and install signal modifications when approved by metro traffic engineer.

If phase 1 Daycare develops prior to the remaining Governor's Chase II PUD:

10. Developer of phase 1 Daycare shall construct PUD access drive on Nolensville Rd with 1 entering lane and 2 existing lanes striped as separate left and right turn lanes. Access drive shall have a minimum of 150 ft of turn lane storage.
11. Developer of phase 1 Daycare shall provide and document with the submittal of construction plans that adequate sight distance can be provided from the proposed driveway at Nolensville Rd. access drive. No walls, signage or vegetation shall restrict sight distance.
12. Developer of phase 1 Daycare shall construct a northbound left turn lane on Nolensville Rd at PUD access drive with a minimum of 150 ft of storage and transition per AASHTO/MUTCD standards.
13. Developer of Phase1 Daycare shall construct a Southbound Right turn lane on Nolensville Rd at access driveway with a minimum of 100 ft of storage and transition per AASHTO/MUTCD standards. Both turn lanes should be coordinated with the Tennessee Department of Transportation's (TDOT's) plans to widen Nolensville Road to a five-lane cross-section through the study area.
14. Cross access driveway to northern parcel along Nolensville rd shall be located aligned with PUD drive aisle.
15. Consideration should be given to eliminating the drop-off area at the front of the school in order to provide additional parking spaces on the east and west sides of the drive aisle. Also, consideration should be given to signing the parking spaces closest to the project driveway for staff parking. Specifically, the parking spaces closest to the project access should have the lowest turnover rates so as to have a minimal effect on the vehicle queues at the project access.
16. If the daycare center will host holiday parties throughout the year, and parents will attend the parties, temporary overflow parking should be provided on the undeveloped bank property immediately south of the daycare site. Once that parcel to the south is developed, a shared parking agreement should be pursued in order to accommodate the additional vehicles generated by the holiday parties.

STORMWATER RECOMMENDATION
Approved

WATER SERVICES RECOMMENDATION
Approved with conditions

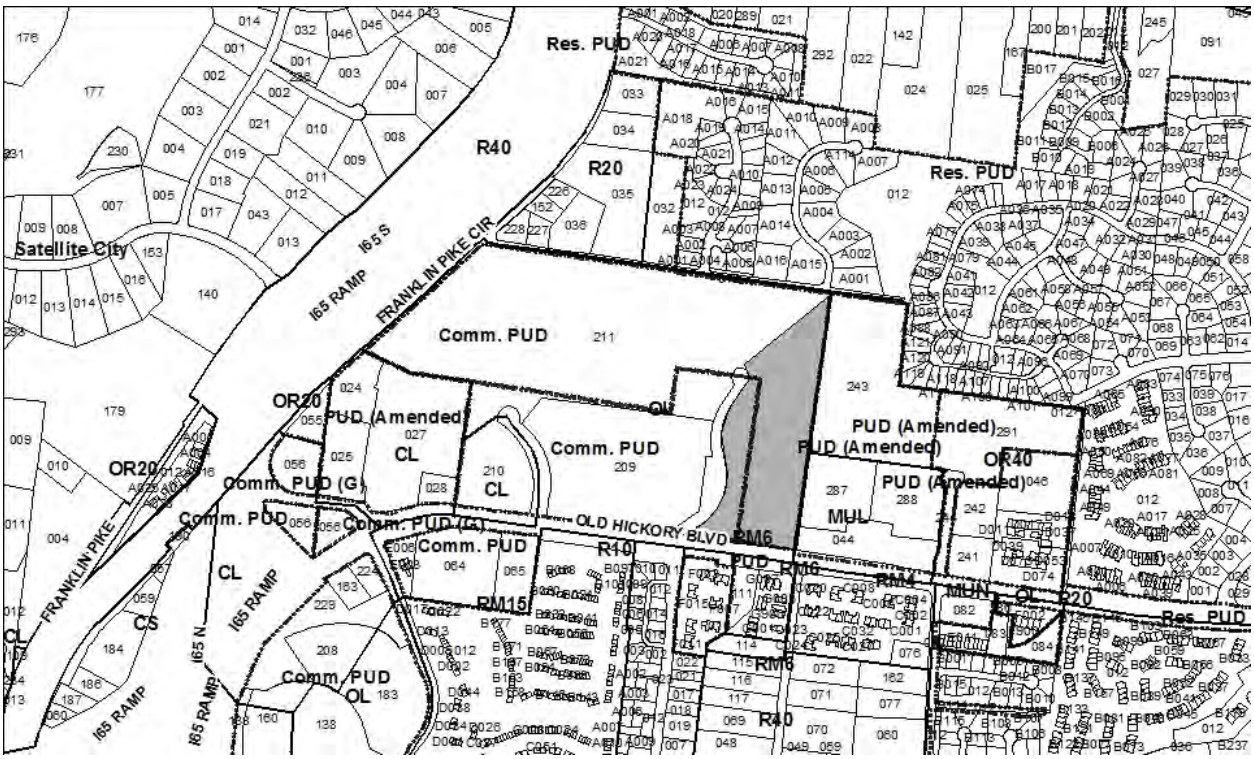
- Approved as a Preliminary PUD only. The required capacity fees must be paid prior to Final PUD/Site Plan approval. Before Final Site Plan stage, please combine the 2007 and 2015 availability studies into one revised study, including both the daycare, multi-family residential, and financial institution.

STAFF RECOMMENDATION
Staff recommends approval with conditions as the proposal is consistent with the Council approved plan, and is consistent with Metro Zoning Code requirements.

CONDITIONS

1. A public sidewalk shall be provided along the entire frontage of Holt Road. The sidewalk shall be eight feet in width with a six foot planting strip per the Major and Collector Street Plan.
2. An eight foot wide sidewalk and six foot planting strip shall be provided along Nolensville Pike per the Major and Collector Street Plan.
3. Right-of-way shall be dedicated along Holt Road consistent with the Major and Collector Street Plan.
4. Final location for public sidewalks along Nolensville Pike and Holt Road shall be determined with the final site plan. If TDOT has approved roadway improvements for Nolensville Pike, then the sidewalks shall be located in accordance with the TDOT plan and the Major and Collector Street Plan.
5. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
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.
7. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.
8. Prior to or with any additional development applications for this property, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan.

SEE NEXT PAGE



85-85P-003
BRENTWOOD COMMONS (HCA)
Map 160, Part of Parcel(s) 211
12, Southeast
04 (Robert Swope)

Project No.	**Planned Unit Development 85-85P-003**
Project Name	**Brentwood Commons (HCA)**
Council District	4 - Swope
School District	8 - Pierce
Requested by	Ragan Smith & Associates, applicant; Southpoint, LLC, owner.
Deferrals	This request was deferred from the February 11, 2016, the February 25, 2016, the March 10, 2016, the March 24, 2016, and the April 14, 2016, Planning Commission meetings. The public hearing was not held.
Staff Reviewer	Swaggart
Staff Recommendation	*Approve with conditions.*

APPLICANT REQUEST
Revise a portion of a Planned Unit Development to permit an office development.

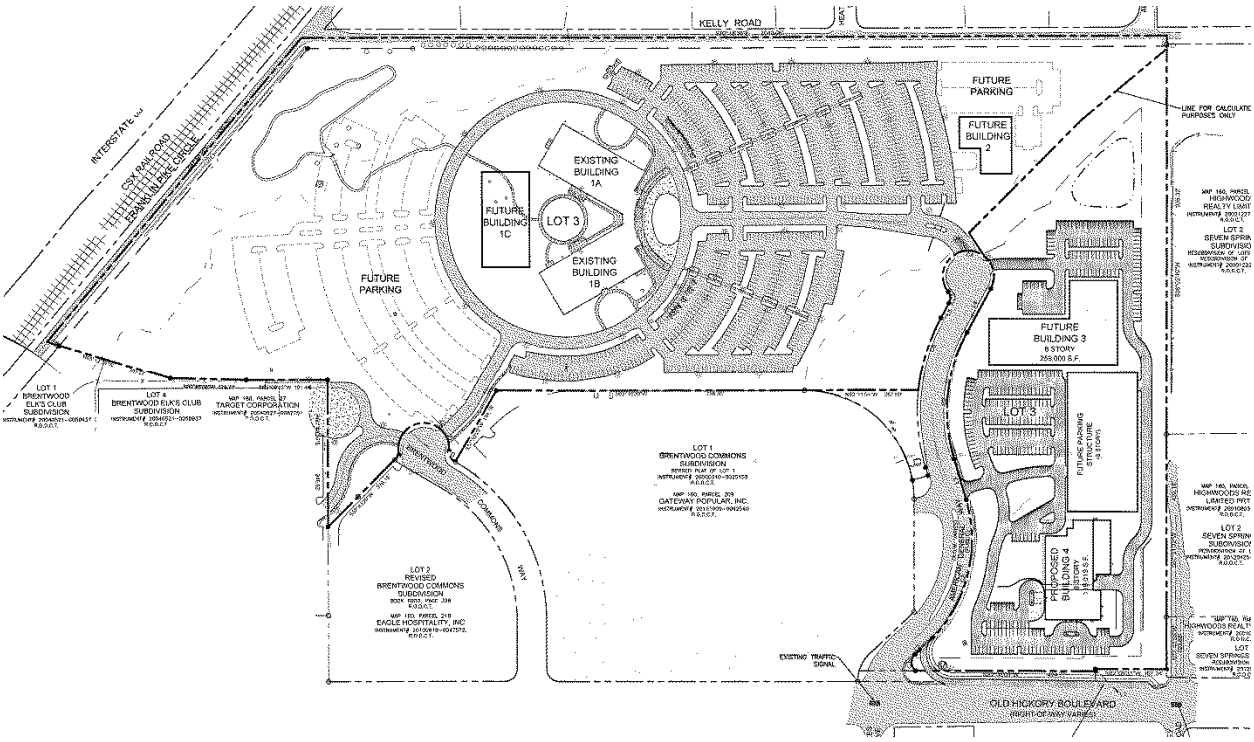
Revise PUD
A request to revise the preliminary plan for a portion of the Brentwood Commons Planned Unit Development Overlay District on property located at 2000 American General Way, at the northeast corner of American General Way and Old Hickory Boulevard, zoned Office Limited (OL) (13.59 acres), to permit an office.

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

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

CRITICAL PLANNING GOALS
N/A

PLAN DETAILS
The site is developed and contains two office buildings totaling 286,000 square feet. The site is located in the Brentwood Commons PUD, which was approved in 1985 for a variety of office and associated uses.



Proposed Site Plan

Site Plan
The plan calls for three additional six story office buildings and a six story parking garage. The additional office space totals 581,019 square feet. Access will be from American General Way, which currently provides access to the site.

ANALYSIS
The request is consistent with the overall concept of the Council approved plan. The Council approved plan was approved in 1985 for 1,307,553 square feet of office and associated uses. As proposed, the total floor area within the PUD will be 1,437,574 square feet. While this exceeds the Council approved floor area, the Code permits increases in floor area up to 10% of what Council approved without having to go back to Council for approval as an amendment to the PUD. This would permit a maximum floor area of 1,438,308 square feet. This leaves 734 square feet of additional floor area that would be permitted in the PUD. Since the proposed plan is consistent with the overall concept of the Council approved plan, and is within the floor area permitted under the Zoning Code, then the request does not require Council approval.

Section 17.40.120.G permits the Planning Commission to approve "minor modifications" under certain conditions. Staff finds that the request is consistent with all the requirements of Section 17.40.120.G, which is provided below for review.

G. Status of Earlier Planned Unit Developments (PUDs). The following provisions shall apply to a planned unit development (PUD) approved under the authority of a previous zoning code and remaining a part of the official zoning map upon the enactment of this title.

1. The planned unit development (PUD) shall be recognized by this title according to the master development plan and its associated conditions specified in the PUD ordinance last approved by the metropolitan council prior to the effective date of the ordinance codified in this title.
2. The planning commission may consider and approve minor modifications to a previously approved planned unit development subject to the following limitations. All other modifications shall be considered by the planning commission as an amendment to the previously approved planned unit development and shall be referred back to the council for approval according to the procedures of Section 17.40.120(A)(5). That portion of a planned unit development master plan being amended by the council shall adhere to all provisions of this code:
   a. In the judgment of the commission, the change does not alter the basic development concept of the PUD;
   b. The boundary of the planned unit development overlay district is not expanded;
   c. There is no change in general PUD classification (e.g. residential to any classification of commercial or industrial PUD; any change in general classification of a commercial PUD; or any change in general classification of an industrial PUD);
   d. There is no deviation from special performance criteria, design standards, or other specific requirements made part of the enacting ordinance by the council;
   e. There is no introduction of a new vehicular access point to an existing street, road or thoroughfare not previously designated for access;
   f. There is no increase in the total number of residential dwelling units originally authorized by the enacting ordinance;

g. There is no change from a PUD approved exclusively for single-family units to another residential structure type;
h. The total floor area of a commercial or industrial classification of PUD shall not be increased more than ten percent beyond the total floor area last approved by the council;
i. If originally limited to office activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
j. If originally limited to office, retail and other general commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to include industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
k. If originally limited to commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
l. In the determination of the commission, the nature of the change will have no greater adverse impact on those environmentally sensitive features identified in Chapter 17.28 of this code than would have occurred had the development proceeded in conformance with the previous approval.
m. In the judgment of the commission, the planned unit development or portion thereof to be modified does not meet the criteria for inactivity of Section 17.40.120.H.4.a.

FIRE MARSHAL RECOMMENDATION
Approve with conditions

- Fire Code issues for the structures will be addressed at permit application review.

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.
- Comply with MPW Traffic Engineer. Revisions may/ will be requested pending a full review of the TIS by MPW Traffic Engineer.
- Prior to building permit submittal coordinate with MPW Staff on the design of pedestrian facilities at the west bound right turn lane at American General Way, i.e. ADA compliant ramps, crossings, etc.

TRAFFIC & PARKING RECOMMENDATION
Approve with conditions

In accordance with the findings of the TIS, the developer shall construct the following roadway improvements.

PHASE 1

1. Developer of phase 1 shall review lane utilization signage and recommend and install signage upon TDOT approval. Any recommended signage for westbound Old Hickory Blvd near the I-65 ramps shall be appropriate for AM and PM peak hour conditions.
2. Developer shall construct 2nd right turn lane with 200 ft of storage and 100ft taper on American General Way at Old Hickory Blvd.
3. Developer shall construct a westbound right turn lane with 400ft of storage and 100ft taper on Old Hickory Blvd. at American General Way.
4. Developer shall design and install traffic signal modifications when directed by MPW traffic engineer.
5. Developer shall design plans for extending right turn lane from I-65 NB- on ramp with appropriate storage for construction by others. Developer of phase 1 shall also design signal modifications as necessary for the right turn lane extension.

PHASE 2

1. Developer shall extend eastbound left turn lane 450 ft. with a taper length of 100ft on Old Hickory Blvd at Brentwood Commons Way in median.
2. Developer shall design and install traffic signal modifications at Old Hickory Blvd and Brentwood Commons Way.

PHASE 3

1. If TDOT does not implement the Ramp Queue safety project, Developer shall construct a new eastbound travel lane between Oakes Dr. and Valley View Rd.
2. If TDOT does not implement the Ramp Queue safety project, developer shall design a new eastbound travel lane between valley View Rd and Cloverland Dr. for construction by others.

STORMWATER RECOMMENDATION
Approved

WATER SERVICES RECOMMENDATION
Approved with conditions
Approved as a Preliminary PUD only. Public water construction plans for any proposed fire hydrants must be submitted and approved prior to Final PUD approval. These approved construction plans must match the Final Site Plan/ PUD plans. The required capacity fees must also be paid prior to Final Site Plan/ PUD approval.

STAFF RECOMMENDATION
Staff recommends approval with conditions.

CONDITIONS

1. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
2. All conditions recommended by Public Works must be satisfied or completed as recommended by Public Works.
3. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
4. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.
5. Prior to or with any additional development applications for this property, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan.

SEE NEXT PAGE

88P-034-002
BELLEVUE PROFESSIONAL PARK
Map 142, Parcel(s) 010
06, Bellevue
22 (Sheri Weiner)

Project No.	**Planned Unit Development 88P-034-002**
Project Name	**Bellevue Professional Park**
Council District	22- Weiner
School District	03- Frogge
Requested by	James and Associates, Inc., applicant; Lifetime Dentistry, owner.
Deferrals	This request was deferred from the April 14, 2016, Planning Commission meetings. The public hearing was not held.
Staff Reviewer	Deus
Staff Recommendation	*Defer to the May 12, 2016, Planning Commission meeting if a recommendation of approval is not received from Stormwater. If a recommendation of approval is received, staff recommends approval with conditions.*

APPLICANT REQUEST
To permit a 5,209 square foot general/medical office building.

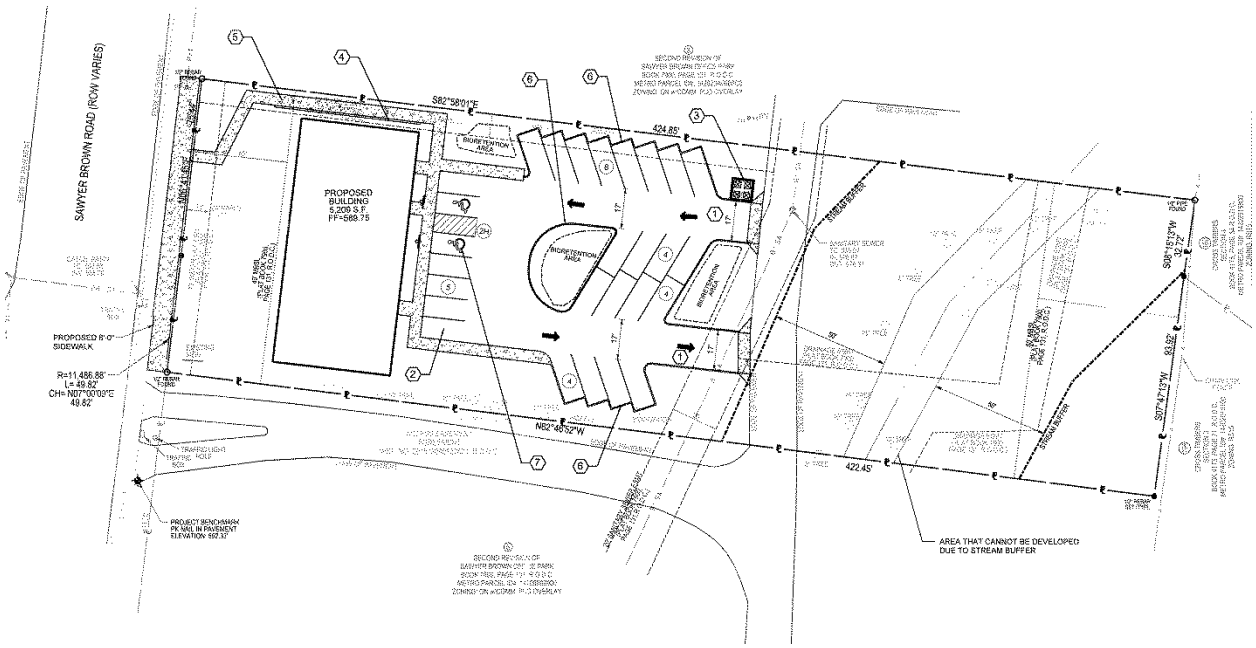
Revise PUD and Final Site Plan
A request to revise the preliminary plan and for final site plan approval for a portion of the Bellevue Professional Park Commercial Planned Unit Development Overlay District for property located at 8134 Sawyer Brown Road, approximately 925 feet north of Highway 70 South, zoned Office Neighborhood (ON), (1.21 acres), to permit the development of a 5,209 square foot general/medical office building.

Existing Zoning
Office Neighborhood (ON) is intended for low intensity office uses.

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

CRITICAL PLANNING GOALS
N/A

PLAN DETAILS
This plan allows for the development of a 5,209 square foot general/ medical office structure. Vehicular access for this development would come from an access easement that was previously



Proposed Site Plan

recorded from an adjacent lot. There are no curb cuts from Sawyer Brown Road proposed on the plan. Sidewalks are to be constructed to Major and Collector Street Plan standards, including an eight foot sidewalk and a four foot grass strip.

The structure is proposed to be set back 40 feet from the right-of-way; consistent with the platted 40 foot MBSL that has been recorded with this property's subdivision plat. The allowable maximum height is proposed to be 20 feet. A pedestrian connection from the public sidewalk to the entrance of the structure is shown on the proposed plan and a surface parking lot is to be located behind the structure. This plan meets parking requirements under the Zoning Code.

ANALYSIS

This PUD was originally approved by Metro Council in 1988, for a variety of office uses. It has subsequently been revised a number of times. This property was approved for 11,900 square feet in two structures; one structure for 9,500 SF located at the front of the property and a second structure at the rear, approved for 2,400 square feet. A final site plan has never been approved.

This request would reduce the number of structures to one and reduce the square footage to 5,209 square feet. The Council approved plan also limited the building height in this PUD to no more than 35 feet; the maximum height proposed for this structure would be 20 feet. The total floor area of this request does not increase more than ten percent beyond the total floor area last approved by Council. These revisions do not deviate significantly from the Council approved plan and the proposed site plan is consistent with the overall concept of the PUD. Staff finds the revisions to be a minor modification.

Section 17.40.120.G permits the Planning Commission to approve "minor modifications" under certain conditions. Staff finds that the request is consistent with all the requirements of Section 17.40.120.G, and is provided below for review.

G. Status of Earlier Planned Unit Developments (PUDs). The following provisions shall apply to a planned unit development (PUD) approved under the authority of a previous zoning code and remaining a part of the official zoning map upon the enactment of this title.

1. The planned unit development (PUD) shall be recognized by this title according to the master development plan and its associated conditions specified in the PUD ordinance last approved by the metropolitan council prior to the effective date of the ordinance codified in this title.
2. The planning commission may consider and approve minor modifications to a previously approved planned unit development subject to the following limitations. All other modifications shall be considered by the planning commission as an amendment to the previously approved planned unit development and shall be referred back to the council for approval according to the procedures of Section 17.40.120(A)(5). That portion of a planned unit development master plan being amended by the council shall adhere to all provisions of this code:
   a. In the judgment of the commission, the change does not alter the basic development concept of the PUD;
   b. The boundary of the planned unit development overlay district is not expanded;
   c. There is no change in general PUD classification (e.g. residential to any classification of commercial or industrial PUD; any change in general classification of a commercial PUD; or any change in general classification of an industrial PUD);

d. There is no deviation from special performance criteria, design standards, or other specific requirements made part of the enacting ordinance by the council;
e. There is no introduction of a new vehicular access point to an existing street, road or thoroughfare not previously designated for access;
f. There is no increase in the total number of residential dwelling units originally authorized by the enacting ordinance;
g. There is no change from a PUD approved exclusively for single-family units to another residential structure type;
h. The total floor area of a commercial or industrial classification of PUD shall not be increased more than ten percent beyond the total floor area last approved by the council;
i. If originally limited to office activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
j. If originally limited to office, retail and other general commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to include industrial activities, permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
k. If originally limited to commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
l. In the determination of the commission, the nature of the change will have no greater adverse impact on those environmentally sensitive features identified in Chapter 17.28 of this code than would have occurred had the development proceeded in conformance with the previous approval.
m. In the judgment of the commission, the planned unit development or portion thereof to be modified does not meet the criteria for inactivity of Section 17.40.120.H.4.a.

FIRE MARSHAL RECOMMENDATION
Approve with conditions

- Fire Code issues for the structures will be addressed at permit application review.

STORMWATER RECOMMENDATION
Returned

- Plans have been received and are waiting for technical plan review.

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.

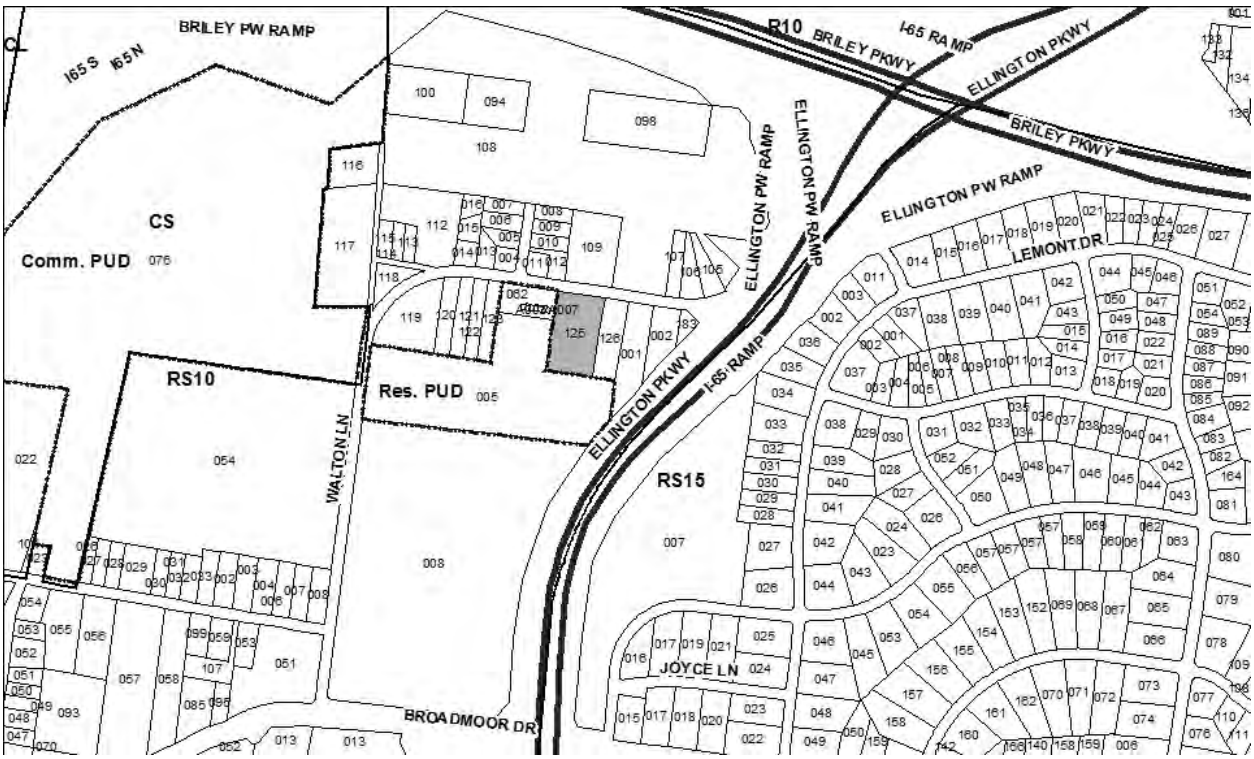
TRAFFIC & PARKING RECOMMENDATION
No Exception Taken

HARPETH VALLEY UTILITY DISTRICT RECOMMENDATION
Approve

STAFF RECOMMENDATION
Staff recommends deferral to the May 12, 2016, Planning Commission meeting if a recommendation of approval is not received from Stormwater. If a recommendation of approval is received, staff recommends approval with conditions.

CONDITIONS

1. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Section of the Metro Department of Public Works for all improvements within public rights of way.
2. Prior to the issuance of building permit, provide building elevations for façade fronting Sawyer Brown Road. Elevations shall include architectural elements that address Sawyer Brown Road.
3. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
4. 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.
5. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metro Planning Commission.
6. The PUD final site plan as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans may require reapproval by the Planning Commission and/or Metro Council.
7. A corrected copy of the PUD final site plan incorporating the conditions of approval by the Planning Commission shall be provided to the Planning Department prior to or with the final plat application or, when no final plat application is required, prior to the issuance of any permit for this property.



2014S-050-001
3335 WALTON LANE
Map 051, Parcel(s) 125
05, East Nashville
08 (Nancy VanReece)

Project No.	**2014S-050-001**
Project Name	**3335 Walton Lane**
Council District	8 – VanReece
School District	3 – Speering
Requested by	Campbell, McRae & Associates, Inc., applicant; Southernmost Homes, Inc., owner.
Deferrals	This request was deferred from the March 10, 2016, the March 24, 2016, and the April 14, 2016, Planning Commission meetings. The public hearing was not held.
Staff Reviewer	Swaggart
Staff Recommendation	*Approve with conditions.*

APPLICANT REQUEST
Create four single-family lots.

Final Plat
A request for final plat approval to create four lots on property located at 3335 Walton Lane, approximately 600 feet west of Ellington Parkway, zoned Single-Family Residential (RS10) (1.58 acres).

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 seven single-family lots.*

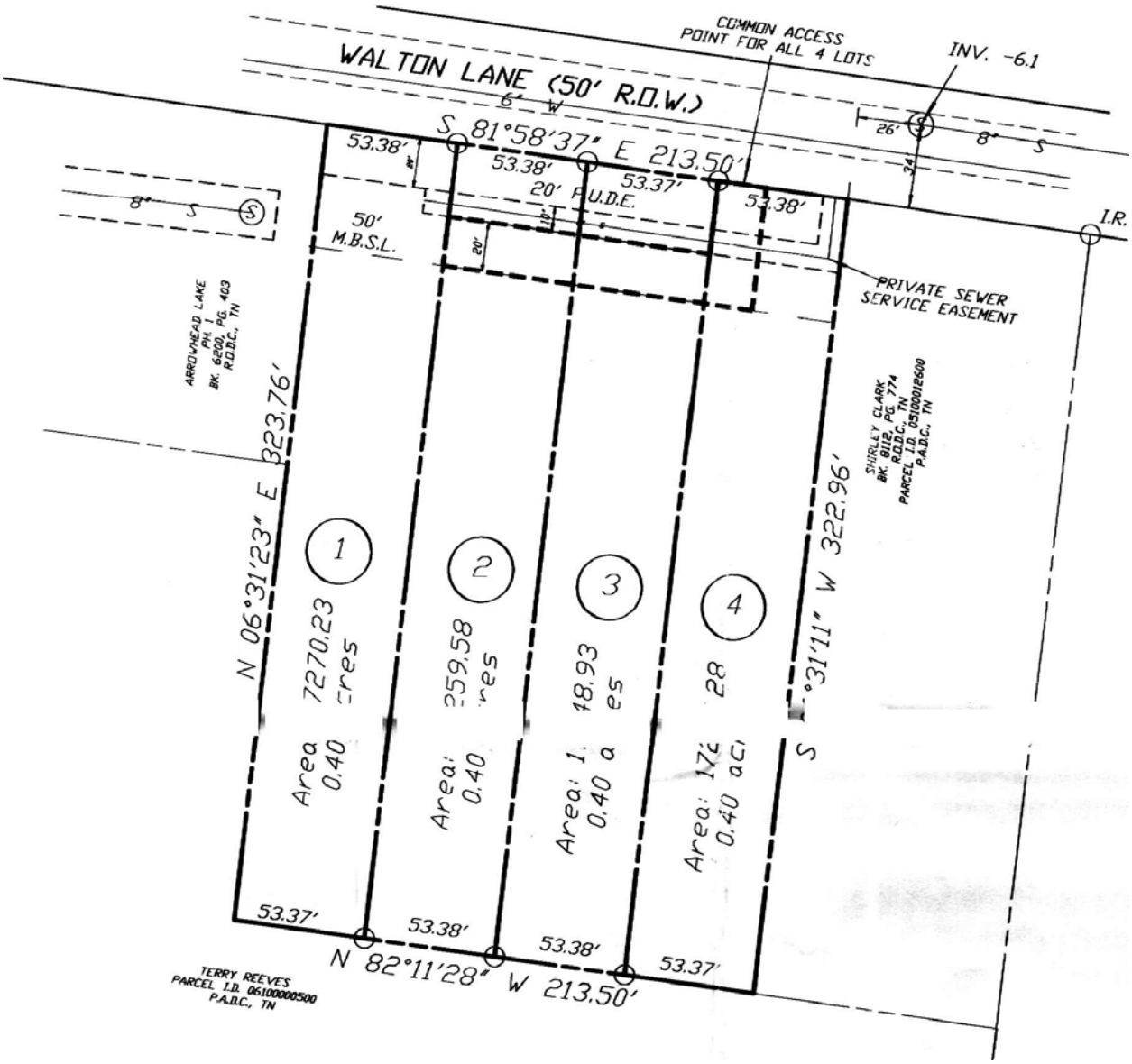
CRITICAL PLANNING GOALS
- Supports Infill Development

The proposed subdivision creates infill housing opportunity in an area that is served by existing infrastructure. Development in areas with adequate infrastructure is more appropriate than development in areas not served with adequate infrastructure, such as substandard roads, water and sewer, because it does not burden Metro with the cost of upgrading or building new infrastructure.

PLAN DETAILS
The plan proposes to create four lots from a parcel of land located on the south side of Walton Lane. The lot is approximately 1.69 acres in size and is undeveloped. The property is located southwest of a religious institution. The site is adjacent to a Residential Planned Unit Development (PUD), which is located along the western and southern property lines. The PUD is approved for Multi-Family units. Seven units within the PUD have been constructed along Walton Lane.

The four lots will have the following areas and street frontages:

- Lot 1: 17,208 Sq. Ft., (0.40 Acres), and 53.39 Ft. of frontage;
- Lot 2: 17,268Sq. Ft., (0.40 Acres), and 53.39 Ft. of frontage;
- Lot 3: 17,252 Sq. Ft., (0.40 Acres), and 53.39 Ft. of frontage;
- Lot 4: 17,225 Sq. Ft., (0.40 Acres), and 53.33 Ft. of frontage;



Proposed Site Plan

All four lots will be accessed from a single drive.

ANALYSIS
Staff recommends approval with conditions. The subdivision is consistent with the Subdivision Regulations. The site is within an Urban Neighborhood Evolving (T4 NE) policy area so new lots are not required to meet the infill requirements for compatibility as specified in Section 3-5 of the Subdivision Regulations.

FIRE MARSHAL RECOMMENDATION
N/A

STORMWATER RECOMMENDATION
Approved

WATER SERVICES RECOMMENDATION
Approved with conditions

- Approval is contingent on construction and completion of Metro Project #'s 15-SL-252. Should the applicant choose to record the plat before completion of these projects, than bonds must be posted with Metro Planning before the plat is recorded.

TRAFFIC AND PARKING RECOMMENDATION
Approved with conditions

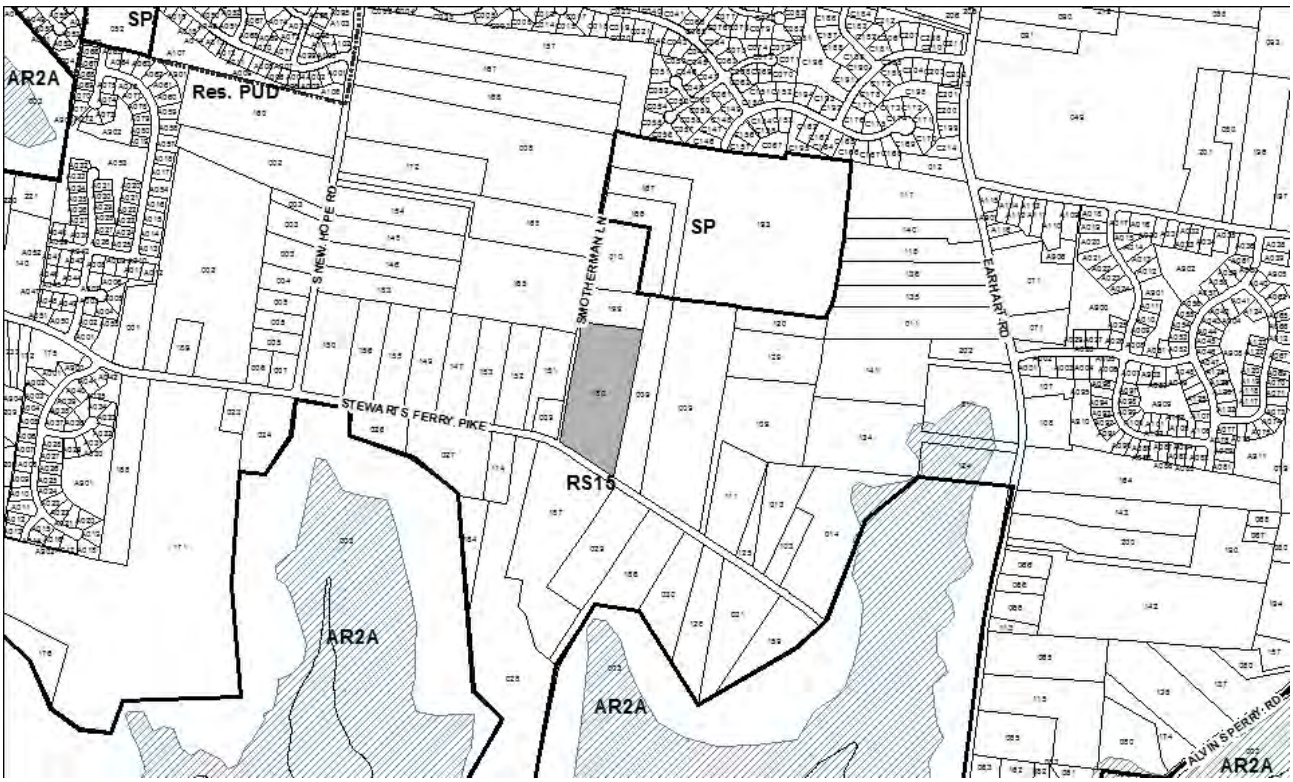
- Provide adequate sight distance at joint access driveway.

PUBLIC WORKS RECOMMENDATION
Conditions if approved

- Provide adequate sight distance at the common driveway.
- Show curb and gutter, grass strip, and sidewalks if required by Planning.

STAFF RECOMMENDATION
Staff recommends approval with conditions as the proposed subdivision is consistent with the Subdivision Regulations.

CONDITIONS
1. Sidewalks are required along the Walton Lane frontage of the proposed subdivision. Prior to final plat recordation, one of the options must be chosen related to the required sidewalks:
   a. Submit a bond application and post a bond with the Planning Department,
   b. Construct sidewalk and have it accepted by Public Works,
   c. Submit contribution in-lieu of construction to the Planning Department, four additional lots will require a $19,642.00 contribution to Pedestrian Benefit Zone 2-A.
   d. Construct an equal length of sidewalk within the same Pedestrian Benefit Zone, in a location to be determined in consultation with the Planning Department and the Public Works Department.
   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.



2016S-054-001
THE ORVILLE EARHEART SUBDIVISION, RESUB LOT 1
Map 110, Parcel(s) 180
14, Donelson - Hermitage
12 (Steve Glover)

Project No.	**2016S-054-001**
Project Name	**The Orville Earheart Subdivsion, Resub Lot 1**
Council District	12 – Glover
School District	4 – Shepard
Requested by	K & A Land Surveying, applicant; Robert E. Lee, owner.
Deferrals	This request was deferred from the April 14, 2016, Planning Commission meeting. The public hearing was not held.
Staff Reviewer	Birkeland
Staff Recommendation	*Defer to the May 12, 2016, Metro Planning Commission meeting unless a recommendation of approval is received by Metro Water Services. If a recommendation of approval is received, then staff recommends approval.*

APPLICANT REQUEST
Create 3 lots.

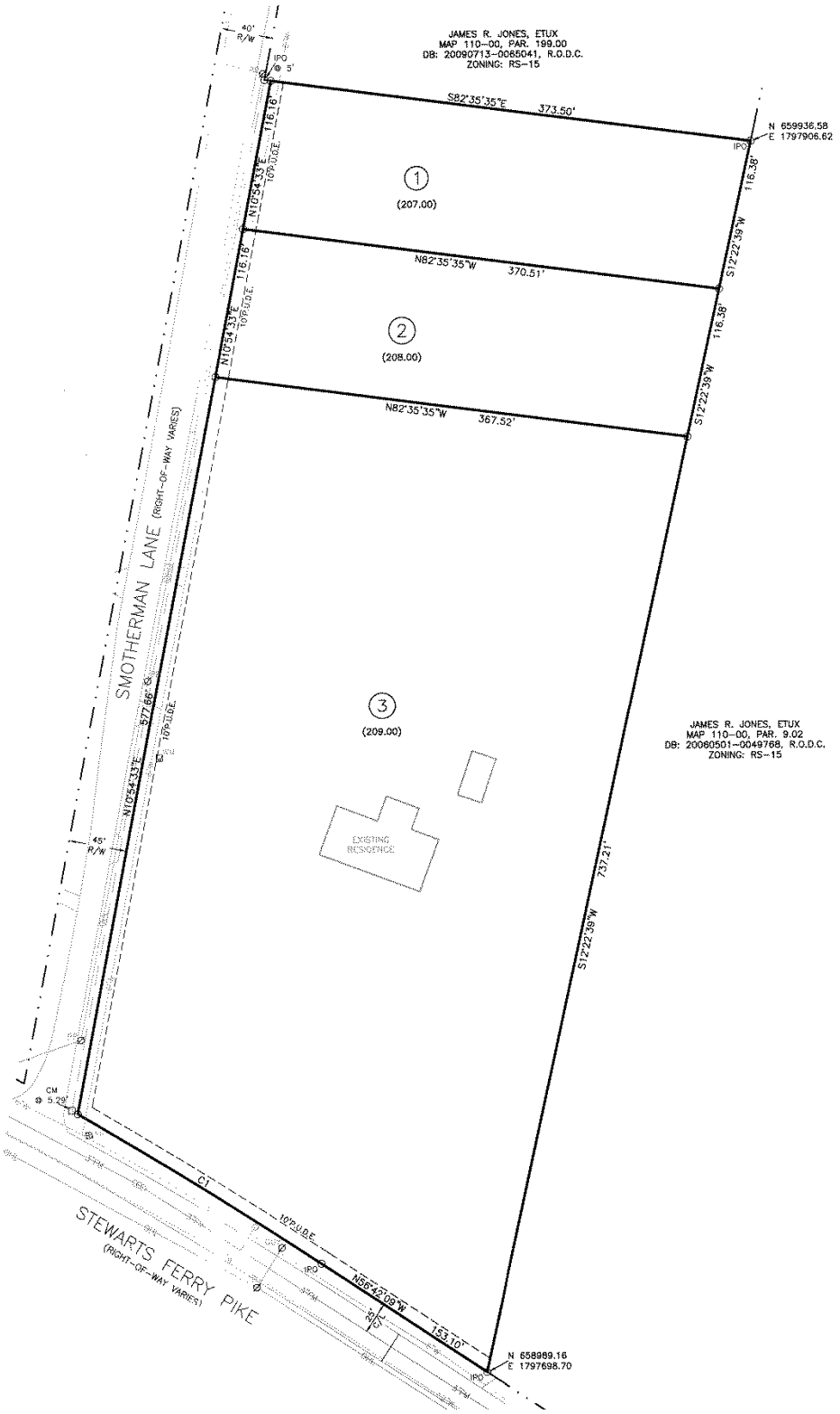
Final Plat
A request for final plat approval to create three lots on property located at 4141 Smotherman Lane and Smotherman Lane (unnumbered), approximately 545 feet north of Stewarts Ferry Pike, zoned Single-Family Residential District (RS15) (9.46 acres).

Existing Zoning
Single-Family Residential District (RS15) requires a minimum 15,000 square foot lot and is intended for single-family dwellings at a density of 2.47 dwelling units per acre. *RS15 would permit a maximum of 27 lots.*

CRITICAL PLANNING GOALS
N/A

PLAN DETAILS/STAFF ANALYSIS
The plan proposes to create three lots from one existing parcel at the corner of Smotherman Lane and Stewarts Ferry Pike. The land use policy for the subject property is T4 Urban Neighborhood Evolving (T4 NE), which is not subject to the compatibility criteria in Section 3-5.2 of the Subdivision Regulations.

The existing right-of-way on Smotherman Lane is 40 feet. The plat will dedicate 5 feet of right-of-way along Smotherman as required by the Major and Collector Street Plan for local streets. Sidewalks are not required along Smotherman Lane because the proposed subdivision is located in the General Services District where the Sidewalk Priority Index (SPI) score is less than 20, as established in the Strategic Plan for Sidewalks and Bikeways.



Proposed Site Plan

The subject property is proposed to be subdivided into three lots with the following areas and street frontages:

- Lot 1: 43,130 Sq. Ft., (0.99 Acres), and 116.16 Ft. of frontage;
- Lot 2: 42,784 Sq. Ft., (0.98 Acres), and 116.16 Ft. of frontage;
- Lot 3: 234,779 Sq. Ft., (5.39 Acres), and 577.66 Ft. of frontage;

Zoning Code
Proposed lots meet the minimum standards of the RS5 zoning district.

Street Frontage
Proposed lots have frontage on a public street.

Agency Review
Not all review agencies recommend approval.

FIRE MARSHAL RECOMMENDATION
N/A

STORMWATER RECOMMENDATION
Conditions if approved

- Provide surveyor seal, signature and date.

WATER SERVICES RECOMMENDATION
Returned

- For the latest re-plat (stamped received March 24, 2016), our original comments still apply: Awaiting submittal and approval of public sewer construction plans, before the plat can be accurately reviewed. These plans consist of both a public sewer force main plan set, and grinder pump maintenance agreements/fees/plan sets. The required capacity fees must be paid prior to final plat approval.

TRAFFIC AND PARKING RECOMMENDATION
No exception taken

PUBLIC WORKS RECOMMENDATION
Conditions if approved

- If sidewalks are required by Planning and the applicant chooses to construct rather than pay the in-lieu fee, then they should be shown and labeled on the plan with curb and gutter, 4 foot grass strip or as determined by Public Works, and a minimum 5 foot wide sidewalk unobstructed, and a minimum of 20 feet pavement on the street width. Wider sidewalk, grass strip, and pavement width is required where on-street parking occurs or on a street classification greater than local.
- Sidewalks must be shown fully within the right of way. Show the location of all existing above and below ground features within the right-of-way. Any existing obstructions within the path of travel shall be relocated to provide a minimum of 5 feet of clear access.

- Construction plans must also be submitted that address any related drainage improvements, grading, utility relocation(s), and tree removal. A permit is required from The Department of Public Works prior to commencing any work within the right-of-way.

STAFF RECOMMENDATION
Staff recommends deferral until the May 12, 2016, Metro Planning Commission meeting unless a recommendation of approval is received by Water Services. If a recommendation of approval is received, then staff recommends approval.

RECOMMENDATIONS TO METRO COUNCIL

- **Zoning Text Amendments**
- **Specific Plans**
- **Zone Changes**
- **Neighborhood Landmark Overlays**

NO SKETCH

Project No.	**Zone Change 2016Z-006TX-001**
Project Name	**Boat Storage Facility**
Council District	Countywide
School District	Countywide
Requested by	Councilmember Holly Huezo
Staff Reviewer	Swaggart
Staff Recommendation	*Approve.*

APPLICANT REQUEST
Amend Chapters 17.08 and 17.16 of the Metropolitan Code, Zoning Regulations, pertaining to boat storage facilities.

ZONING TEXT AMENDMENT
A request to amend Title 17 of the Metropolitan Code, Zoning Regulations pertaining to boat storage.

CRITICAL PLANNING GOALS
N/A

PROPOSED AMENDMENT
The proposed text amendment would make changes to Section 17.08 and 17.16. The changes pertain to boat storage which is a use specified in the Zoning Code. Boat storage is defined as "The use of property for the commercial parking or storage of boats. Such parking/storage is not intended to include boats for sale."

Currently boat storage is permitted with conditions (PC) in the CL (Commercial Limited) zoning district. The conditions for which a boat storage facility is permitted are as follows:

1. Landscape buffer. Screening in the form of a Landscape Buffer Yard Standard B shall be applied along all residential zone districts and districts permitting residential uses. Further a twenty-five foot vegetation buffer shall be provided between any storage building and the closest residential property line. The maintenance standards set forth in Section 17.24.080 shall be applicable to all required landscaping.
2. No building on the property may exceed eighteen feet in height.
3. The boat storage facility must be located within two miles of a public boat launching ramp. Such boat launching ramp shall provide access to a lake maintained by the U.S. Army Corps of Engineers. The parcel of land upon which the boat storage facility is located must be within a planned unit development (PUD) overlay district explicitly allowing boat storage as a permitted use.

PROPOSED AMENDMENT
The proposed text amendment to the Zoning Code would expand where boat storage facilities are permitted and provide conditions for the use in certain zoning districts. The amendment would permit (P) boat storage within the Industrial Warehousing/Distribution district (IWD), Industrial Restrictive (IR) district, and the Industrial General (IG) district. The amendment would permit with conditions (PC) boat storage uses in the Commercial Limited (CL) and the Commercial Services

(CS) districts. The conditions with which boat storage facility uses would be permitted in the CL and CS districts are as follows:

1. In the CL zoning district, screening in the form of a Landscape Buffer Yard Standard B shall be applied along all residential zone districts and districts permitting residential uses. A twenty-five foot vegetation buffer shall be provided between any storage building and the closest residential property line. The maintenance standards set forth in Section 17.24.080 shall be applicable to all required landscaping.
2. In the CL zoning district, no building on the property may exceed eighteen feet in height.
3. In CL zoning district, a boat storage use must be located within two miles of a public boat launching ramp. Such boat launching ramp shall provide access to a lake maintained by the U.S. Army Corps of Engineers. The parcel of land upon which the boat storage facility is located must be within a planned unit development (PUD) overlay district explicitly allowing boat storage as a permitted use.
4. In the CS zoning district, a boat storage use is not permitted within the Urban Zoning Overlay (UZO).
5. In the CS zoning district, a boat storage use must be located on a lot that does not exceed four acres in size.
6. In the CS zoning district, no more than one hundred boat slips shall be permitted.

ANALYSIS
Staff recommends approval. Currently, the location for which boat storage is permitted is very limited. It is reasonable that boat storage should be permitted in the industrial districts, which permit uses that are much more impactful than boat storage. Boat storage is similar to self-service storage, and is considered a commercial use. Self-service storage is permitted in the CS district with conditions (PC), the downtown code and industrial districts by right (P). With the proposed conditions for boat storage in the CL and CS districts, the use should not have a negative impact on other commercial uses that are permitted in the CS zoning district. It is also important to note that the buffer and landscape standards for all uses in the CS, IWD, IR and IG districts would be required for boat storage, which would reduce any impact that the use could have on adjacent residential properties.

CODES RECOMMENDATION
Approve

STAFF RECOMMENDATION
Staff recommends approval.

ORDINANCE NO. BL2016-

A request to amend Title 17 of the Metropolitan Code, Zoning Regulations pertaining to boat storage. (Proposal No. 2016Z-006TX-001).

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

Section 1. That Section 17.08.030, District Land Use Tables, is hereby amended by designating "boat storage" as a use permitted with conditions (PC) in the CS zoning district.

Section 2. That Section 17.08.030, District Land Use Tables, is hereby amended by designating "boat storage" as a use permitted (P) in the IWD, IR and IG zoning district.

Section 3. That Section 17.16.070, Commercial Uses, is hereby amended by deleting subsection "I" in its entirety and replacing with the following new subsection "I":

Boat storage.

1. In the CL zoning district, screening in the form of a Landscape Buffer Yard Standard B shall be applied along all residential zone districts and districts permitting residential uses. A twenty-five foot vegetation buffer shall be provided between any storage building and the closest residential property line. The maintenance standards set forth in Section 17.24.080 shall be applicable to all required landscaping.
2. In the CL zoning district, no building on the property may exceed eighteen feet in height.
3. In the CL zoning district, a boat storage use must be located within two miles of a public boat launching ramp. Such boat launching ramp shall provide access to a lake maintained by the U.S. Army Corps of Engineers. The parcel of land upon which the boat storage facility is located must be within a planned unit development (PUD) overlay district explicitly allowing boat storage as a permitted use.
4. In the CS zoning district, a boat storage use is not permitted within the Urban Zoning Overlay (UZO).
5. In the CS zoning district, a boat storage use must be located on a lot that does not exceed four acres in size.
6. In the CS zoning district, no more than one hundred boat slips shall be permitted.

Section 4. Be it further enacted that this Ordinance shall take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Sponsored by: Holly Huezo

2016SP-013-001
522-526 SOUTHGATE AVE
Map 105-11, Parcel(s) 016-018
11, South Nashville
17 (Colby Sledge)

Project No.	**Specific Plan 2016SP-013-001**
Project Name	**522-526 Southgate Avenue**
Council District	17 - Sledge
School District	05 - Kim
Requested by	Dale & Associates, applicant; Adam Curtis and Bentley Investments, LLC, owner.
Staff Reviewer	Deus
Staff Recommendation	*Approve with conditions and disapprove without all conditions.*

APPLICANT REQUEST
Permit up to 23 residential units.

Preliminary SP
A request to rezone from One and Two-Family Residential (R6) to Specific Plan-Mixed Residential (SP-MR) zoning for properties located at 522, 524, and 526 Southgate Avenue, approximately 570 feet east of Martin Street (1.02 acres), to permit up to 23 residential units.

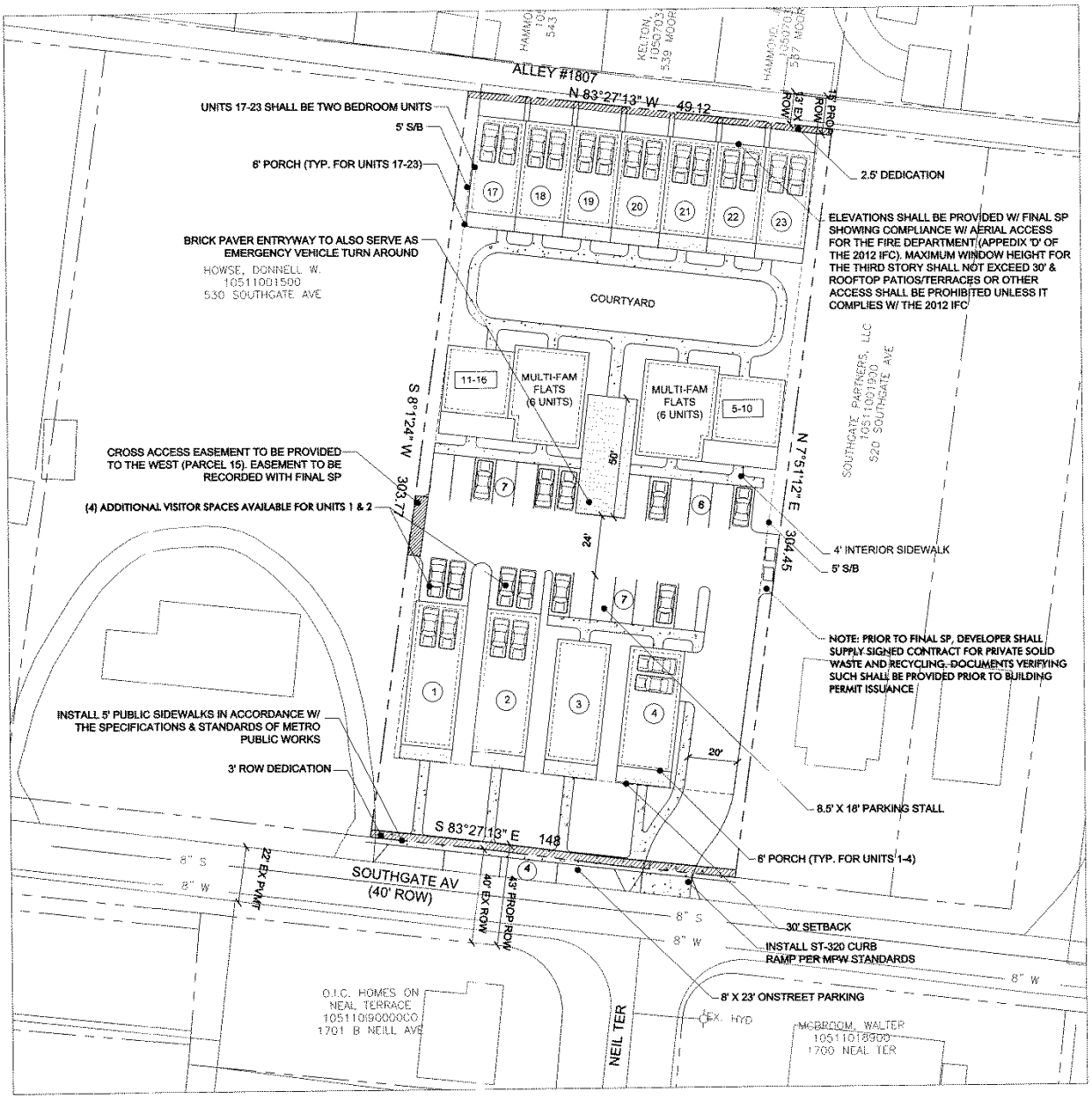
Existing Zoning
One and Two-Family Residential (R6) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25 percent duplex lots. *R6 would permit a maximum of 7 lots with 2 duplex lots for a total of 9 units.*

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

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

This request directs development to areas where infrastructure is already existing (i.e. sewer lines, roads) as opposed to where there are not adequate public facilities. This reduces the service constraints placed on Metro's resources. The proposed request would create walkable neighborhoods through the placement of a public sidewalk and an interior pedestrian network. This development would also include a variety housing types creating diverse housing options.

SOUTH NASHVILLE COMMUNITY PLAN
T4 Urban Neighborhood Evolving (T4 NE) is intended to create and enhance urban neighborhoods that fit in with the general character of existing urban neighborhoods, 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



Proposed Site Plan

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.

Consistent with Policy?
Yes. This request is consistent with policy as it promotes a mixture of housing types in an existing urban neighborhood. The guidance within this policy identifies considerations for successful infill and redevelopment in existing neighborhoods; these considerations include the need to consider certain elements of the existing developed character.

The proposed development provides three housing types allowing for additional housing choice within the neighborhood. The development is also respectful of the existing land use patterns in the area as it generally aligns with the development in neighboring properties, as the setbacks and development pattern are consistent with the Southgate Station SP that was approved in 2015.

PLAN DETAILS
This site is located at 522, 524 and 526 Southgate Avenue, north of the intersection of Neil Terrace and Southgate Avenue. The site is 1.02 acres and currently has two single-family structures.

Site Plan
The plan proposes a multi-family residential development with 23 residential dwelling units. There are three residential dwelling types included in the proposed plan: single-family detached (4); townhomes (7); and stacked flats (12). The single-family detached homes are proposed to front Southgate Avenue, while the stacked flats are located in the center of the site. The townhomes are located toward the rear.

Vehicular access would come from Southgate Avenue and there is a proposed surface lot between the single-family detached homes and the stacked flats. The townhomes have garages that are accessed from the alley. There are currently no sidewalks present on Southgate Avenue; the proposal would include five foot sidewalks with four on street parking spots. Internal sidewalks are provided throughout the development. There is also a courtyard proposed between the stacked flats and the townhomes. This plan will be required to meet the requirements of the Bicycle Parking Ordinance.

Architectural standards have been included for this development including 18”-36” raised foundations, porches that provide a minimum depth of six feet, and glazing requirements. These standards would enhance the public realm**.** This proposal also includes affordable housing units, which would facilitate mixed income housing.

ANALYSIS
The proposed SP is consistent with the T4 Neighborhood Evolving policy and supports three critical planning goals. Staff recommends approval with conditions and disapproval without all conditions.

FIRE MARSHAL RECOMMENDATION
Approved with conditions

- Rear units will comply with the requirements for Fire Department access.

STORMWATER RECOMMENDATION
Approved

PUBLIC WORKS RECOMMENDATION
Approved with conditions

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- Prior to building permit approval by MPW, submit a copy of the recorded ROW dedications for the site, alley and Southgate.
- Prior to final SP approval, provide a field run survey of the ROW. label and dimension the ROWs for Southgate and the alley to fully determine the limits of improvements that will be required with this development.

TRAFFIC AND PARKING RECOMMENDATION
No Exception Taken

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
Two- Family Residential* (210)	1.02	7.26 D	10 U	96	8	11

*Based on two two-family lots.

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

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)	1.02	-	23 U	221	18	24

Traffic changes between maximum: **R6** and **SP-MR**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+ 13 U	+125	+10	+13

WATER SERVICES RECOMMENDATION
Approved with conditions

- Approved as a Preliminary SP only. Public water and sewer construction plans must be submitted and approved prior to Final SP approval. These approved construction plans must match the Final Site Plan/SP plans. The required capacity fees must also be paid prior to Final Site Plan/SP approval.

METRO SCHOOL BOARD REPORT
Projected student generation existing R6 district 0 Elementary 0 Middle 0 High
Projected student generation proposed SP-MR district 0 Elementary 0 Middle 0 High

The proposed SP- MR zoning district would generate no additional student than what is typically generated under the R6 zoning district using the Urban Infill Factor. Students would attend Fall-Hamilton Elementary, Wright Middle School and Glencliff High School. This information is based upon data from the school board last updated November 2015.

STAFF RECOMMENDATION
Staff recommends approval with conditions and disapproval without all conditions as the request is consistent with policy.

CONDITIONS
1. Permitted land uses shall be limited to up to 23 residential units.
2. On the corrected preliminary SP plan, provide bicycle parking as per the adopted Bicycle Parking Ordinance, BL2014-714.
3. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM40-A zoning district as of the date of the applicable request or application.
4. The following design standards shall apply:
   a. Building façades fronting a street shall provide a minimum of one principal entrance (doorway) and a minimum of 25% glazing.
   b. Windows shall be vertically oriented at a ratio of 1.5:1 or greater, except for dormers or egress windows.
   c. EIFS, vinyl siding and untreated wood shall be prohibited.
   d. Porches shall provide a minimum of six feet of depth.
   e. A raised foundation of 18”- 36” is required for all residential structures.
5. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
6. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
7. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
8. The developer voluntarily requests that he and his successors comply with BL2016-133 if associated financial incentives are approved.

2016SP-026-001
903 & 905 CURDWOOD SP
Map 061-10, Parcel(s) 163-164
05, East Nashville
08 (Nancy VanReece)

Project No.	**Specific Plan 2016SP-026-001**
Project Name	**903 & 905 Curdwood SP**
Council District	8 – VanReece
School District	3 – Speering
Requested by	Dale & Associates, applicant; Justin Hicks D223 LLC, owner.
Staff Reviewer	Swaggart
Staff Recommendation	*Defer to the May 12, 2016, Planning Commission Meeting.*

APPLICANT REQUEST
Zone change to permit nine multi-family units.

Zone Change
A request to rezone from Single-Family Residential (RS7.5) to Specific Plan-Residential (SP-R) zoning for properties located at 903 and 905 Curdwood Boulevard, approximately 880 feet west of the intersection of Burrus Street and Curdwood Blvd (1.47 acres), to permit up to nine residential units.

STAFF RECOMMENDATION
Staff recommends deferral to the May 12, 2016, Planning Commission meeting as requested by the applicant.

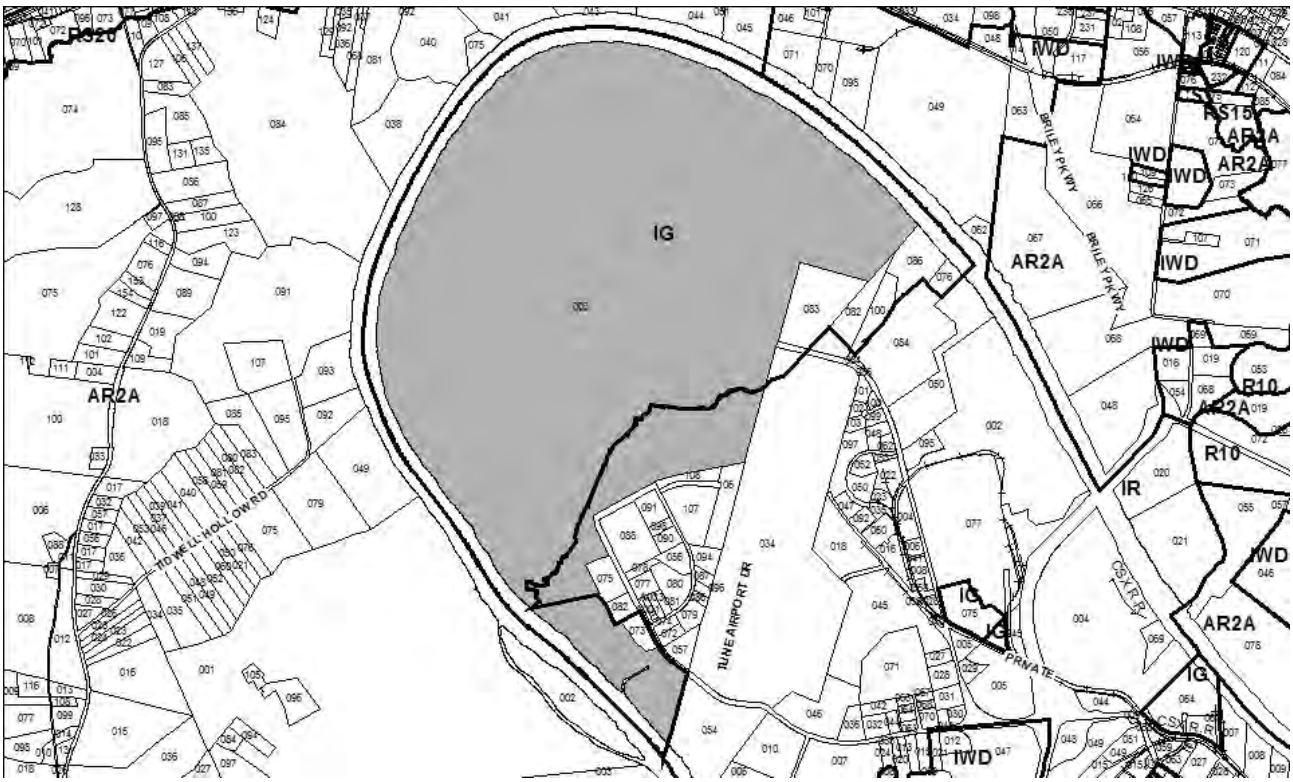
2016SP-035-001
1142 DUNCANWOOD DRIVE
Map 131-04, Parcel(s) 221
10, Green Hills - Midtown
25 (Russ Pulley)

Project No.	**Specific Plan 2016SP-035-001**
Project Name	**1142 Duncanwood Drive**
Council District	25- Pulley
School District	08- Pierce
Requested by	Alexander and Benjamin Fordham, applicants & owners.
Staff Reviewer	Deus
Staff Recommendation	*Defer to the May 12, 2016, Planning Commission meeting.*

APPLICANT REQUEST
Permit two units.

Preliminary SP
A request to rezone from Single-Family Residential (RS20) to Specific Plan – Residential (SP-R) to permit two units for property located at 1142 Duncanwood Drive, at the corner of Brookmeade Drive and Duncanwood Drive (0.5 acres).

STAFF RECOMMENDATION
Staff recommends deferral to the May 12, 2016, Planning Commission meeting as requested by the applicant.



2016Z-034PR-001 ~ BL2016-202
Map 079, Parcel(s) 003
07, West Nashville
20 (Mary Carolyn Roberts)

Project No.	**Zone Change 2016Z-034PR-001**
Council Bill	BL 2016-202
Council District	20 - Roberts
School District	09 - Frogge
Requested by	Councilmember Jim Schulman, applicant; State of Tennessee Prison, owner.
Staff Reviewer	Deus
Staff Recommendation	*Approve.*

APPLICANT REQUEST
Rezone to IR.

Zone Change
A request to rezone from Industrial General (IG) to Industrial Restrictive (IR) zoning for property located at 7475 Cockrill Bend Boulevard, at the northern terminus of Cockrill Bend Boulevard (1,690 acres).

Existing Zoning
Industrial General (IG) is intended for a wide range of intensive manufacturing uses.

Proposed Zoning
Industrial Restrictive (IR) is intended for a wide range of light manufacturing uses at moderate intensities within enclosed structures.

CRITICAL PLANNING GOALS
N/A

WEST NASHVILLE COMMUNITY PLAN
Conservation (CO) is intended to preserve and enhance environmentally sensitive land in all Transect Categories except T1 Natural, T5 Center, and 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. The guidance for preserving or enhancing these features varies with what Transect they area in and whether or not they have already been disturbed. *This site is located within the floodway, floodplain and has steep slopes.*

D Impact (D I) is intended to create and enhance areas that are dominated by one or more activities that have, or can have, a significant, adverse impact on the surrounding area, so that they are strategically located and thoughtfully designed to serve the overall community or region, but not at the expense of the immediate neighbors. Examples of District Impact areas include hazardous industrial operations, mineral extraction and processing, airports and other major transportation terminals, correctional facilities, major utility installations, and landfills.

Consistent with Policy?
Yes. The policy does allow for industrial development along the Cumberland River, which this property abuts, given the unique role that it plays in Nashville/ Davidson County's economy as working river with flood control measures in place.

This request would continue to allow for industrial development along the Cumberland River; however, the proposed IR zoning district would create a less adverse effect on the heavily environmentally sensitive areas of this site. The IR district excludes the uses of rock quarries and batch plants and limits the use of mineral extractions to special exception, all of which the IG district would permit. There is currently a correctional facility on this property which would become non-conforming.

METRO HISTORIC ZONING COMMISSION RECOMMENDATION
Approve

PUBLIC WORKS RECOMMENDATION
N/A

TRAFFIC & PARKING RECOMMENDATION
Conditions if approved

- Traffic study may be required at time of development.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	1,690	0.6 F	44,169,840 SF	157245	13251	14135

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

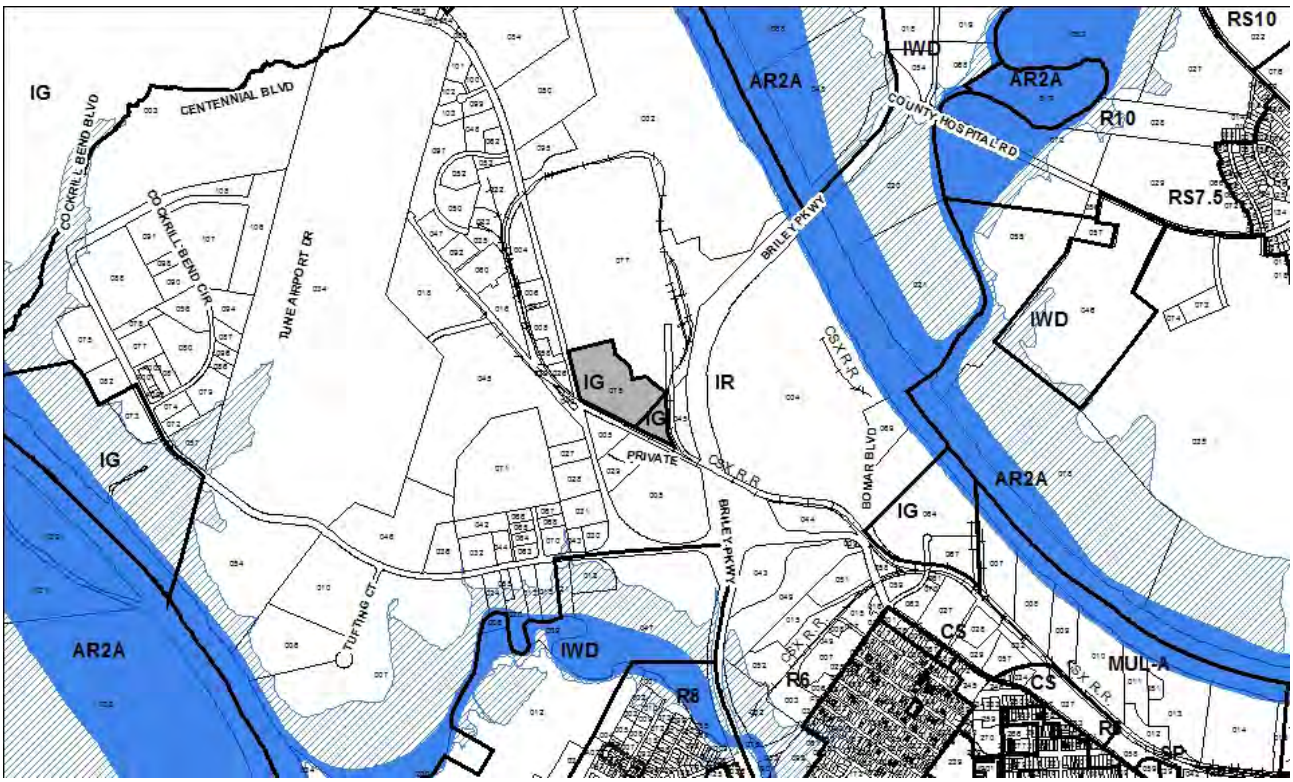
Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	1,690	0.6 F	44,169,840 SF	157245	13251	14135

Traffic changes between maximum: **IG** and **IR**

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

STAFF RECOMMENDATION
Staff recommends approval.

SEE NEXT PAGE



2016Z-035PR-001 ~ BL2016-200
Map 080, Parcel(s) 075
07, West Nashville
20 (Mary Carolyn Roberts)

Project No.	**Zone Change 2016Z-035PR-001**
Council Bill	BL 2016-200
Council District	20 - Roberts
School District	9 - Frogge
Requested by	Councilmember Mary Carolyn Roberts, applicant; National Retail Properties, Inc., owner.
Staff Reviewer	Milligan
Staff Recommendation	*Approve.*

APPLICANT REQUEST
Zone change from IG to IR

Zone Change
A request to rezone from Industrial General (IG) to Industrial Restrictive (IR) zoning for property located at 7106 Centennial Boulevard, approximately 2,000 feet north of Cockrill Bend Boulevard (20.74 acres).

Existing Zoning
Industrial General (IG) Industrial General is intended for a wide range of intensive manufacturing uses.

Proposed Zoning
Industrial Restrictive (IR) is intended for a wide range of light manufacturing uses at moderate intensities within enclosed structures.

CRITICAL PLANNING GOALS
N/A

WEST NASHVILLE COMMUNITY PLAN
Conservation (CO) is intended to preserve environmentally sensitive land features through protection and remediation. CO policy applies in all Transect Categories except T1 Natural, T5 Center, and 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. The guidance for preserving or enhancing these features varies with what Transect they are in and whether or not they have already been disturbed.

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

Consistent with Policy?
Yes. The requested rezoning is consistent with the District Industrial (D IN) policy area. The District Industrial policy area is intended to create industrial districts in appropriate locations. The proposed Industrial Restrictive zoning supports the types of uses encouraged within the District Industrial policy area.

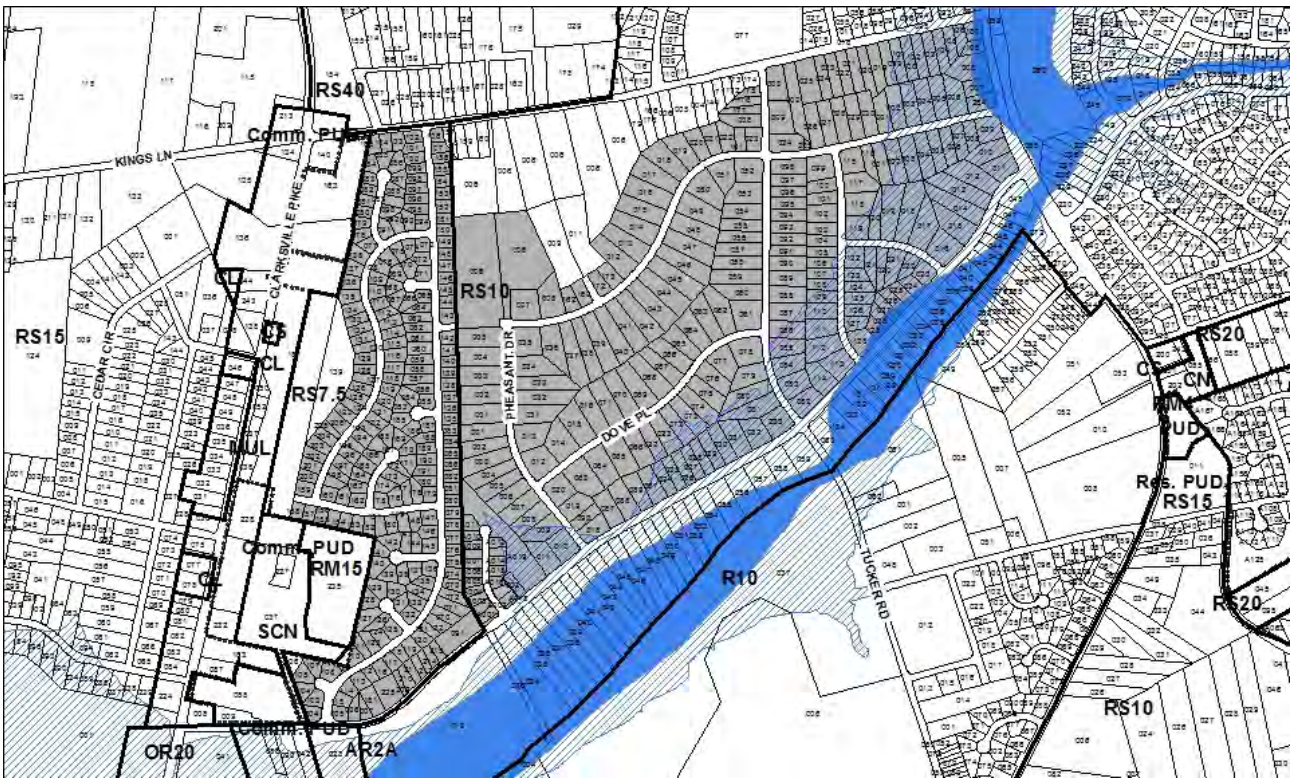
ANALYSIS
The request is consistent with the District Industrial policy area as the proposed Industrial Restrictive zoning supports uses that are encouraged within the policy. The current Industrial General zoning is inconsistent with the policy and allows for uses that are too intense for the policy area. The property was up until 2001 zoned IR. Part of the property was rezoned to IG in 2001 and the remainder in 2003. The property is currently in use as a scrap operation. The existing IG zoning permits a variety of uses that are not permitted within the proposed IR including Asphalt and Concrete Plants, which are permitted with conditions in IG and Heavy Manufacturing which is permitted by right. Mineral Extraction is permitted with conditions in IG but is permitted only as a Special Exception within IR. The current use of scrap operation would become non-conforming as the use is permitted under the current zoning but not under the proposed.

TRAFFIC AND PARKING RECOMMENDATION
Approve with conditions

- A traffic study may be required at the time of development.

STAFF RECOMMENDATION
Staff recommends approval.

SEE NEXT PAGE



2016Z-037PR-001 ~ BL2016-199
HAYNES PARK AREA CONTEXTUAL OVERLAY
Map Various, Parcel(s) Various
03, Bordeaux - Whites Creek
01 (Sharon W. Hurt**)**

Project No.	**Zone Change 2016Z-037PR-001**
Council Bill	BL2016-199
Council District	1 - Hurt
School District	1 - Gentry
Requested by	Councilmember Sharon Hurt, applicant; various property owners.
Staff Reviewer	Milligan
Staff Recommendation	*Approve.*

APPLICANT REQUEST
Apply a Contextual Overlay District.

Zone Change
A request to apply the provisions of the Contextual Overlay District to various properties located along Boyce Court, Buena Vista Pike, Charles Court, Dove Place, Dyer Court, East Fairview Drive, Eve Circle, Flicker Drive, Harold Prewett Drive, Haynes Park Court, Haynes Park Drive, Hummingbird Drive, Kings Lane, Kingview Court, Kingsview Drive, Mallard Drive, Pheasant Drive, Tucker Road, West Hamilton Avenue, and Walters Court (231.8 acres).

Existing Zoning
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
Contextual Overlay provides appropriate design standards for residential areas necessary to maintain and reinforce an established form or character of residential development in a particular area.

CRITICAL PLANNING GOALS
N/A

BORDEAUX-WHITES CREEK COMMUNITY PLAN
Conservation (CO) is intended to preserve environmentally sensitive land features through protection and remediation. CO policy applies in all Transect Categories except T1 Natural, T5 Center, and 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. The guidance for preserving or enhancing these features varies with what Transect they are in and whether or not they have already been disturbed.

Open Space (OS) is intended to preserve and enhance existing open space in the T2 Rural, T3 Suburban, T4 Urban, T5 Center, and T6 Downtown Transect areas. OS policy includes public parks and may also include private land held in conservation easements by land trusts and private groups or individuals.

T3 Suburban Neighborhood Maintenance is intended to preserve the general character of developed suburban residential neighborhoods. 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. T3 NM areas have an established development pattern consisting of low to moderate density residential development and institutional land uses. Enhancements may be made to improve pedestrian, bicycle and vehicular connectivity.

T3 Suburban Neighborhood Evolving (T3 NE) is intended to create and enhance suburban residential neighborhoods with more housing choices, improved pedestrian, bicycle and vehicular connectivity, and moderate density development patterns with moderate setbacks and spacing between buildings. T3 NE policy may be applied either to undeveloped or substantially under-developed "greenfield" areas or to developed areas where redevelopment and infill produce a different character that includes increased housing diversity and connectivity. Successful infill and redevelopment in existing neighborhoods needs to take into account considerations such as timing and some elements of the existing developed character, such as the street network, block structure, and proximity to centers and corridors. T3 NE areas are developed with creative thinking in environmentally sensitive building and site development techniques to balance the increased growth and density with its impact on area streams and rivers.

Consistent with Policy?
Yes. The Open Space policy areas located within the proposed contextual overlay are properties that were purchased by Metro as flood buyout properties. The Conservation areas are primarily areas located within the floodplain. A small portion of the proposed overlay area is within a T3 Suburban Neighborhood Evolving area but must be included because a complete block face is required for contextual overlays. The majority of the proposed overlay area is within the T3 Suburban Neighborhood Maintenance policy area and the proposed Contextual Overlay is consistent with the policy. The Contextual Overlay would help to preserve the general character of the existing neighborhood with specific standards for new construction that are directly related to the existing residential structures in the area.

ANALYSIS
The Contextual Overlay District provides appropriate design standards for residential areas necessary to maintain and reinforce an established form or character of residential development in a particular area.

The design standards established through the Contextual Overlay include specific standards in regards to street setback, building height, building coverage, access, driveways, garages, and parking areas. Street setbacks, building height, and building coverage are directly tied to the lots abutting on either side of a lot proposed for new construction. Access, driveway, garage and parking design standards are intended to help control new accesses on the public streets as well as the location of garages and parking to lessen the impact of new construction on existing homes. The design standards are already established and cannot be modified.

CONTEXTUAL OVERLAY STANDARDS
A. Street setback. The minimum required street setback shall be the average of the street setback of the two developed lots abutting each side of the lot. When one or more of the abutting lots is

vacant, the next developed lot on the same block face shall be used. The minimum provided in 17.12.030A and the maximum provided in 17.12.030C.3 shall not apply. Where there is only one abutting lot on the same block face, it shall be used for this calculation. When the subject lot is on a corner, the minimum required street setback shall be calculated and met for each street.

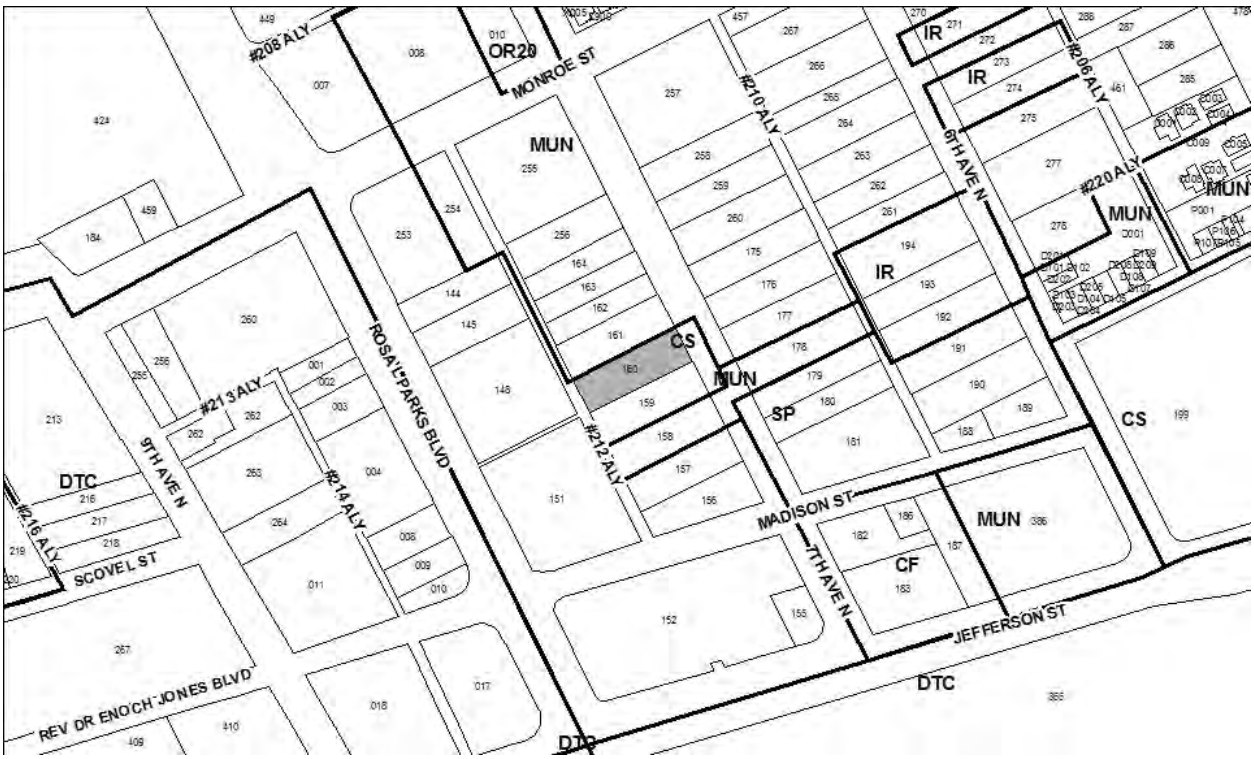
B. Height.
   1. The maximum height, including the foundation, of any primary structure shall not be greater than 35 feet or 125% of the average height of the principal structures on the two lots abutting each side of the lot, whichever is less. When one of the abutting lots is vacant, the next developed lot on the same block face shall be used. Where there is only one abutting lot on the same block face, it shall be used for this calculation. When the subject lot is on a corner, the maximum height shall be calculated for each street and limited to 35 feet or 125% of the average height of the lesser value. When 125% of the average of the abutting structures is less than 27 feet, a maximum height of 1.5 stories in 27 feet shall be permitted.
   2. The maximum height, including the foundation, of any accessory structure shall not be greater than 27 feet.
   3. For the purposes of this section, height shall be measured from grade or, if present, the top of a foundation which shall not exceed three feet above grade, to the roof line.

C. Maximum building coverage. The maximum building coverage (excluding detached garages and other accessory buildings) shall be a maximum of 150% of the average of the building coverage (excluding detached garages and other accessory buildings) of the two abutting lots on each side. When the abutting lot is vacant, the next developed lot shall be used. Where there is only one abutting lot on the same block face, it shall be used for this calculation. When the subject lot is on a corner, the maximum building coverage shall be calculated and met for each street.

D. Access and driveways, garages and parking areas.
   1. Access and Driveways.
      a. Where existing, access shall be from an improved alley. Where no improved alley exists, a driveway within the street setback may be permitted.
      b. For a corner lot, the driveway shall be located within 30 feet of the rear property line.
      c. Driveways are limited to one driveway ramp per public street frontage.
      d. Parking, driveways and all other impervious surfaces in the required street setback shall not exceed twelve feet in width.
   2. Garages.
      a. Detached. The front of any detached garage shall be located behind the rear of the primary structure. The garage door of a detached garage may face the street.
      b. Attached. The garage door shall face the side or rear property line

STAFF RECOMMENDATION

Staff recommends approval as the establishment of a contextual overlay is consistent with the policy for the area.



2016Z-041PR-001
Map 082-13, Parcel(s) 160
08, North Nashville
19 (Freddie O'Connell)

Project No.	**Zone Change 2016Z-041PR-001**
Council District	19 – O'Connell
School District	01 - Gentry
Requested by	Village Real Estate Services, applicant; Daniel and Anne Depriest, owners.
Staff Reviewer	Birkeland
Staff Recommendation	*Approve.*

APPLICANT REQUEST
Zone change from CS to MUN-A.

Zone Change
A request to rezone from CS to MUN-A zoning for property located at 1211 7th Avenue North, approximately 240 feet north of the intersection of 7th Avenue North and Madison Street, located in the Germantown Historic Preservation District, (0.17 acres).

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

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

CRITICAL PLANNING GOALS
N/A

NORTH NASHVILLE COMMUNITY PLAN
T4 Urban Mixed Use Neighborhood (T4 MU) 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.

Special Policy – 08-T4-MU-01 applies to the Germantown and East Germantown neighborhoods within the T4 MU policy area. This site is located within the Germantown Historic Preservation District. Due to the historic nature of this area, when development is proposed, its form (building massing, orientation, placement and height) and its transitions from major corridors must be thoughtfully designed to achieve the goals of the Community Character Policy and respect the historic character and designations of the area. Before any determination on building form is made (massing, orientation, placement, and height), private property owners must meet and work with the Metro Historic Zoning Commission to ensure that building design is respectful of historic structures and meets the design guidelines for the district.

Consistent with Policy?
Yes. The proposed MUN-A district allows uses that are consistent with the T4 Urban Mixed Use Neighborhood Policy. The properties to the north and east of this site are included in the Urban Mixed Use Neighborhood and are currently zoned as a mixed-use district, which is consistent with the policy. An alternative zoning district is an appropriate zoning tool to use in lieu of site plan based zoning districts. The requested MUN-A zoning district will provide design guidelines if the property redevelops in the future.

ANALYSIS
The MUN-A zoning district provides a low intensity mixture of residential, retail, and office uses which would serve the nearby single and multi-family neighborhoods. Future development of this site will create a walkable neighborhood through the use of appropriate building placement and bulk standards, furthering the goals of policy and special policy.

METRO HISTORIC ZONING COMMISSION
1. Support rezoning to MUN-A

FIRE MARSHAL RECOMMENDATION
N/A

PUBLIC WORKS RECOMMENDATION
N/A

WATER SERVICES RECOMMENDATION
N/A

STORMWATER RECOMMENDATION
N/A

TRAFFIC AND PARKING RECOMMENDATION
Conditions of Approval
- Traffic study may be required at time of development.

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
Retail (814)	0.17	0.6 F	4,443 SF	228	11	33

Maximum Uses in Proposed Zoning District**: MUN-A**

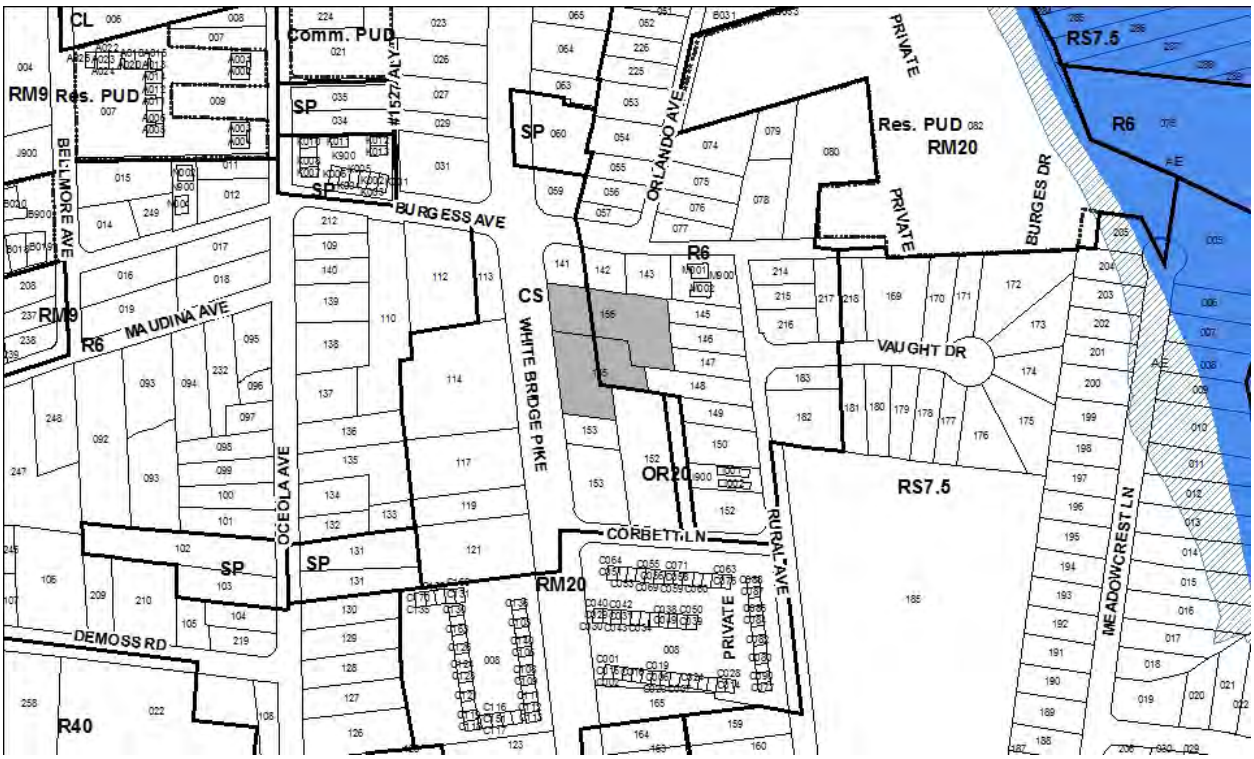
Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	0.17	0.6 F	4,443 SF	228	11	33

Traffic changes between maximum: **CS a**nd **MUN-A**

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

STAFF RECOMMENDATION

Staff recommends approval as the request is consistent with policy.



2016Z-042PR-001
Map 103-02, Parcel(s) 155-156
07, West Nashville
24 (Kathleen Murphy)

Project No.	**Zone Change 2016Z-042PR-001**
Council District	24 – Murphy
School District	9 - Frogge
Requested by	David and Virginia Bloodworth, applicant and owners.
Staff Reviewer	Napier
Staff Recommendation	*Approve.*

APPLICANT REQUEST
Zone change from CS and R6 to CS-A.

Zone Change
A request to rezone from Commercial Service (CS) and One and Two-Family Residential (R6) to Commercial Service-Alternative (CS-A) zoning for properties located at 288 and 292 White Bridge Pike, approximately 130 feet south of the intersection of Burgess Avenue and White Bridge Pike (1.2 acres).

Existing Zoning
Commercial Service (CS) is intended for retail, consumer service, financial, restaurant, office, self-storage, light manufacturing and small warehouse uses. *CS would permit residential uses under the Adaptive Residential Development Standards at this location.*

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 one lot with one duplex lot for a maximum of two units.*

Proposed Zoning
Commercial Service-Alternative (CS-A) is intended to provide opportunities for a diverse range of commercial uses that include retail trade and consumer services, automobile sales and repair, small scale custom assembly, restaurants, entertainment and amusement establishments, financial, consulting and administrative services.

CRITICAL PLANNING GOALS
N/A

WEST NASHVILLE COMMUNITY PLAN
T3 Suburban Mixed Use Corridor (T3 CM) is intended to enhance suburban mixed use corridors by encouraging a greater mix of higher density residential and mixed use development along the corridor. T3 CM areas are located along pedestrian friendly, prominent arterial-boulevard and collector-avenue corridors that are served by multiple modes of transportation and are designed and operated to enable safe, attractive and comfortable access and travel for all users. T3 CM areas provide high access management and are served by highly connected street networks, sidewalks, and existing or planned mass transit.

Consistent with Policy?
Yes. The rezoning to CS-A is consistent with the T3 Suburban Mixed Use Corridor (T3 CM) Policy. The rezoning would encourage the mixture of uses supported under this policy, and apply design standards appropriate for a pedestrian-oriented streetscape along an arterial street as called for by the policy.

FIRE MARSHAL RECOMMENDATION
N/A

PUBLIC WORKS RECOMMENDATION
N/A

WATER SERVICES RECOMMENDATION
No agency review required

STORMWATER RECOMMENDATION
No agency review required

TRAFFIC AND PARKING RECOMMENDATION
Conditions of Approval

- Traffic study may be required at time of development.

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
Two- Family Residential* (210)	0.6	7.2 D	8 U	77	6	9

*Based on two-family lots

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
Retail (814)	0.6	0.6 F	15,681 SF	709	20	60

Maximum Uses in Proposed Zoning District**: CS-A**

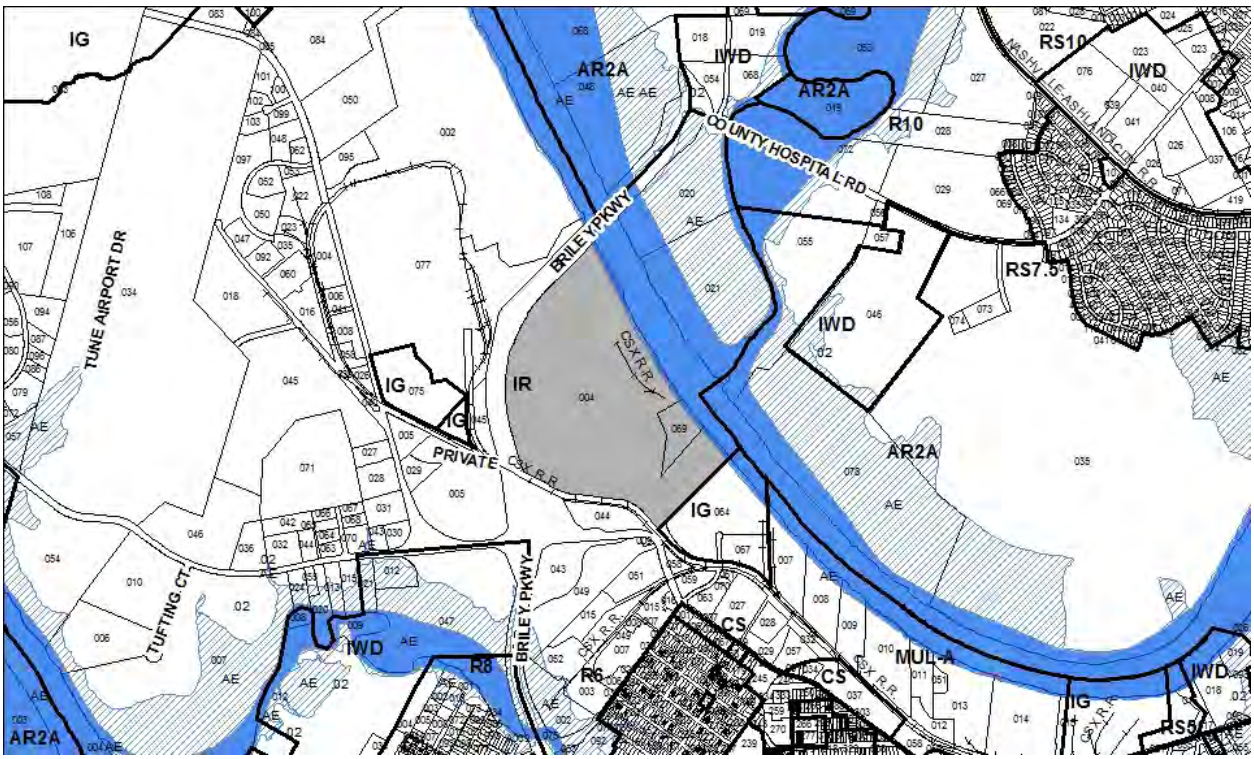
Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	1.2	0.6 F	31,363 SF	1380	33	97

Traffic changes between maximum: **R6, CS a**nd **CS-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+594	+7	+28

STAFF RECOMMENDATION

Staff recommends approval as the proposed rezoning is consistent with policy.



2016NL-002-001 ~ BL2016-201
Map 080, Parcel(s) 004, 069
07, West Nashville
20 (Mary Carolyn Roberts)

Project No.	**Neighborhood Landmark 2016NL-002-001**
Project Name	**TN State Prison Neighborhood Landmark**
Council Bill	BL2016-201
Council District	20 - Roberts
School District	01 - Gentry
Requested by	Councilmember John Cooper, applicant; State of Tennessee, owner.
Staff Reviewer	Milligan
Staff Recommendation	*Approve.*

APPLICANT REQUEST
Apply a Neighborhood Landmark Overlay.

Neighborhood Landmark Overlay
A request to apply a Neighborhood Landmark Overlay District (NLOD) to property located at 6404 and 6410 Centennial Boulevard, approximately 1,000 feet northeast of 63rd Avenue North, (153.19 acres), zoned Industrial Restrictive (IR).

Existing Zoning
Industrial Restrictive (IR) is intended for a wide range of light manufacturing uses at moderate intensities within enclosed structures.

Proposed Zoning
Neighborhood Landmark Overlay District (NLOD) is intended to preserve and protect landmark features whose demolition or destruction would constitute an irreplaceable loss to the quality and character of the neighborhood or community.

CRITICAL PLANNING GOALS
- Preserves Historic Resources

The proposed Neighborhood Landmark Overlay District would preserve the historic Tennessee State Prison which was opened in 1898.

HISTORY
The site is located at 6404 and 6410 Centennial Boulevard. The Tennessee State Prison was opened in 1898 and was designed by Samuel McClung Patton, a prominent architect at the time from Chattanooga. The building is constructed of Tennessee limestone, brick, and concrete. The building has been used in filming of several movies including *The Green Mile*, *The Last Castle*, and *Walk the Line*. The State ceased to use the building as a prison in 1992.

ANALYSIS
Section 17.36.420 of the Zoning Code defines a neighborhood landmark as a feature that has historic, cultural, architectural, civic, neighborhood or archeological value and/or importance; whose demolition or destruction would constitute an irreplaceable loss to the quality and character of a neighborhood.

To be eligible for this designation a property must meet one or more of the following criteria:

1. It is recognized as a significant element in the neighborhood and/or community;
2. It embodies characteristics that distinguish it from other features in the neighborhood and/or community;
3. Rezoning the property on which the feature exists to a general zoning district inconsistent with surrounding or adjacent properties such as, office, commercial, mixed-use, shopping center, or industrial zoning district would significantly impact the neighborhood and/or community;
4. Retaining the feature is important in maintaining the cohesive and traditional neighborhood fabric;
5. Retaining the feature will help to preserve the variety of buildings and structures historically present within the neighborhood recognizing such features may be differentiated by age, function and architectural style in the neighborhood and/or community; and
6. Retaining the feature will help to reinforce the neighborhood and/or community's traditional and unique character.

This structure is a recognizable feature in the area and is an important historical building for the region and state as a whole. The building has been designated as eligible to be listed on the National Register of Historic Places and is an important landmark with a unique architectural style.

In recommending approval of a neighborhood landmark district, the planning commission shall find that:

a. The feature is a critical component of the neighborhood context and structure;
b. Retention of the feature is necessary to preserve and enhance the character of the neighborhood;
c. The only reason to consider the application of the neighborhood landmark district is to protect and preserve the identified feature;
d. There is acknowledgement on the part of the property owner that absent the retention of the feature, the base zoning district is proper and appropriate and destruction or removal of the feature is justification for and will remove the neighborhood landmark overlay designation and return the district to the base zoning district prior to the application of the district;
e. It is in the community's and neighborhood's best interest to allow the consideration of an appropriate neighborhood landmark development plan as a means of preserving the designated feature; and
f. All other provisions of this section have been followed.

Staff finds that this application meets the criteria for application of a Neighborhood Landmark Overlay District. The site is a critical component to not only the neighborhood, but the region and state. Retaining the buildings on site preserves an important piece of local and state history. Applying a Neighborhood Landmark Overlay District to this property allows for the preservation of the existing historic buildings while also allowing for a development plan to be prepared that would allow uses other than those permitted under the existing zoning. Allowing additional uses would permit the adaptive reuse of the existing historic buildings while also allowing for redevelopment of the remainder of the site in a manner that is respectful of the historic buildings and creates revenue potential to contribute to preservation of historic features. There are two parcels included within the

request. One of the parcels does not include historic features. It is important to include the entire campus within the Neighborhood Landmark Overlay District as the parcels are under the same ownership, have a common access, and development in any part of the campus has an effect on the historic building.

FIRE MARSHAL RECOMMENDATION
N/A

PUBLIC WORKS RECOMMENDATION
N/A

TRAFFIC AND PARKING RECOMMENDATION
Conditions if Approved

- Traffic study may be required at time of development

WATER SERVICES RECOMMENDATION
N/A

HISTORIC COMMISSION STAFF RECOMMENDATION
Approve

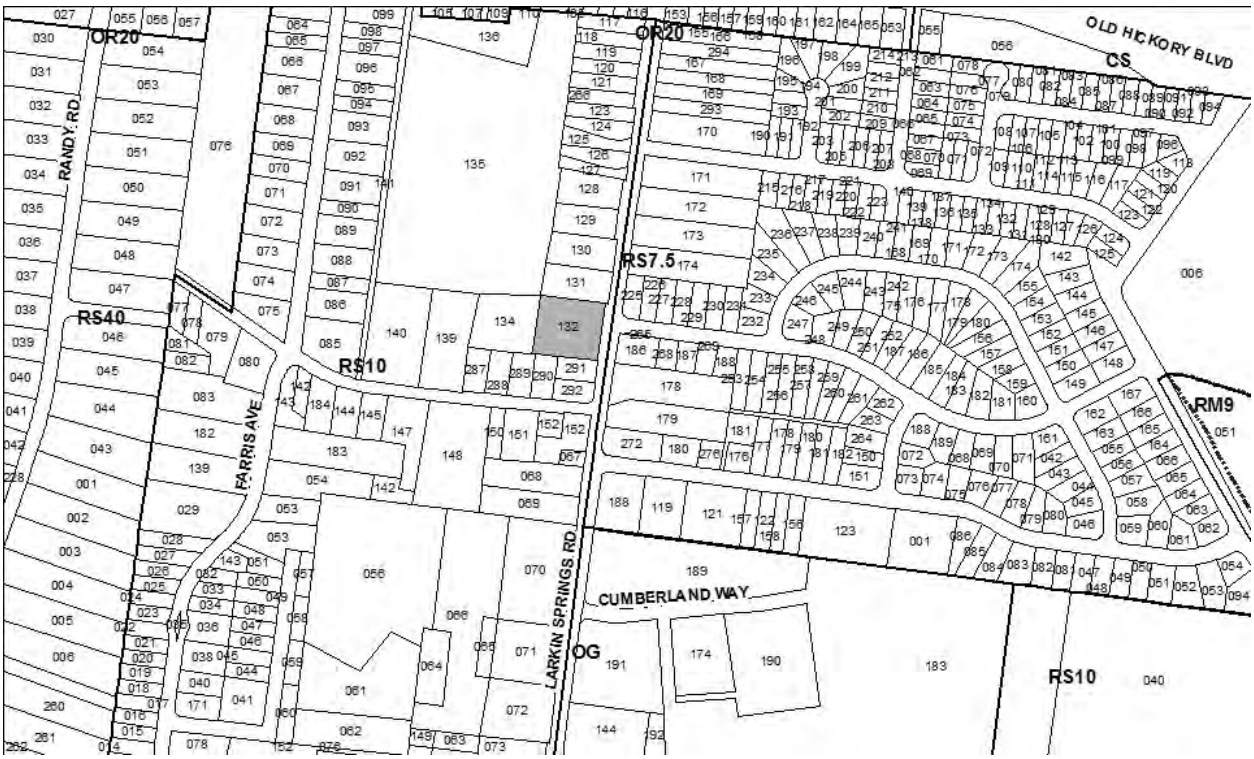
- The Tennessee Historical Commission has determined that this property is eligible for listing in the National Register of Historic Places as the Tennessee State Prison Historic District and that the property is both significant on a national and local level.

STAFF RECOMMENDATION
Staff finds that this request meets the criteria for establishing a Neighborhood Landmark Overlay and recommends approval.

SEE NEXT PAGE

PLANNING COMMISSION ACTIONS

- **Subdivision (Final)**



2015S-044-001
CHEREL STARKS SUBDIVISION
Map 043-15, Parcel(s) 132
04, Madison
09 (Bill Pridemore)

Project No.	**2015S-044-001**
Project Name	**Cherel Starks Subdivison**
Council District	9 – Pridemore
School District	2 – Brannon
Requested by	Rocky Montoya Surveying, applicant; Terrell Starks, owner.
Staff Reviewer	Birkeland
Staff Recommendation	*Defer to the May 12, 2016, Planning Commission meeting.*

APPLICANT REQUEST
Create 3 lots.

Final Plat
A request for final plat approval to create four lots on property located at Larkin Springs Road (unnumbered), on the west side of Larking Springs Road, approximately 150 feet north of New Providence Pass, zoned Single-Family Residential (RS10) (1.13 acres).

STAFF RECOMMENDATION
Staff recommends deferral to the May 12, 2016, Planning Commission meeting as requested by the applicant.

2015S-135-001
TOWN VIEW SUBDIVISION, RESUB LOT 33
Map 149-04-0-A, Parcel(s) 033
13, Antioch - Priest Lake
29 (Karen Y. Johnson)

Project No.	**2015S-135-001**
Project Name	**Town View Subdivision**
Council District	29 – K. Johnson
School District	6 – Hunter
Requested by	James Terry & Associates, applicant; Moss Springs, LLC, owner.
Staff Reviewer	Birkeland
Staff Recommendation	*Defer to the May 12, 2016, Metro Planning Commission meeting unless a recommendation of approval is received by Metro Water Services. If a recommendation of approval is received, then staff recommends disapproval.*

APPLICANT REQUEST
Create two lots.

Final Plat
A request for final plat approval to create two lots on property located at 901 Townview Place, at the southeast corner of Willowbranch Drive and Townview Place, zoned One and Two-Family Residential (R8) and Single-Family Residential (RS3.75) (0.26 acres).

Existing Zoning
Single-Family Residential (RS3.75) requires a minimum 3,750 square foot lot and is intended for single-family dwellings at a density of 9.87 dwelling units per acre. *RS3.75 would permit a maximum of 3 units.*

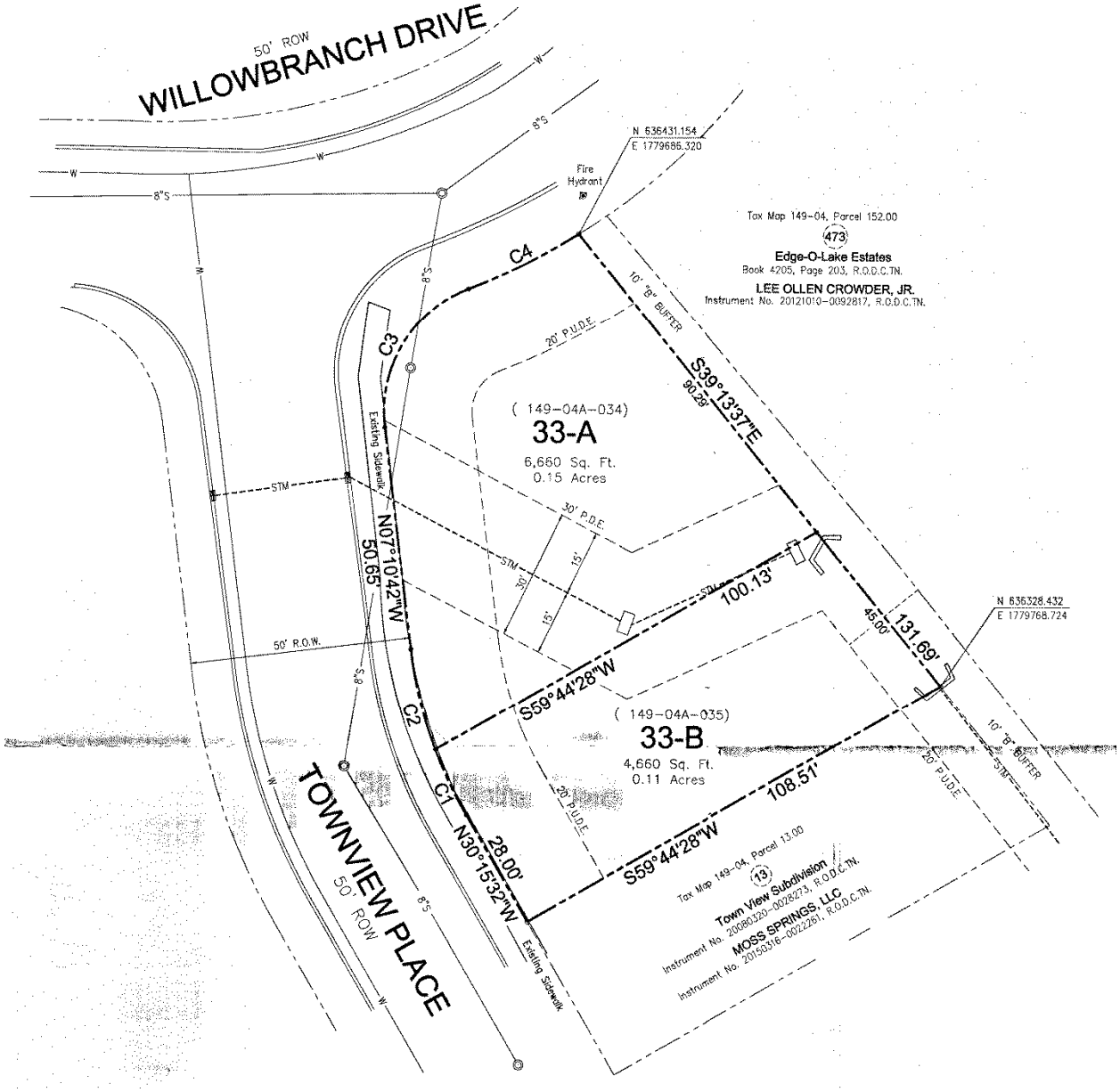
One and Two-Family Residential (R8) requires a minimum 8,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 5.79 dwelling units per acre including 25 percent duplex lots. *R8 would permit a maximum of 1 lot with 1 duplex lot for a total of 2 units.*

CRITICAL PLANNING GOALS
N/A

PLAN DETAILS
The request is for final plat approval to create two lots from one lot, totaling approximately 0.26 acres. The existing lot is located at the southeast corner of Willowbranch Drive and Townview Place. This lot is split-zoned with the majority of the lot zoned RS3.75; the northern portion is zoned R8. As proposed, Lot 33-A is oriented to Willowbranch Drive. Lot 33-B is oriented to Townview Place and is zoned RS3.75.

There is an existing sidewalk along Townview Place that ends at the corner of Townview Place and Willowbranch Drive. The applicant is required to extend the existing sidewalk network to provide an important pedestrian connection along Willowbranch Drive.

Section 3-5.2 of the Subdivision Regulations requires that newly created lots in residential areas that are previously subdivided and predominately developed must be comparable to surrounding lots in



Proposed Subdivision

regards to area and frontage. Lot 33-A does not meet the compatibility requirement for lot area or frontage. Lot 33-B meets the compatibility requirement for both frontage and area. The applicant requests approval under Section 3-5.2(f) of the Subdivision Regulations, under which the Planning Commission may grant approval of a subdivision that does not meet the compatibility criteria, if the subdivision can provide for harmonious development within the community.

ANALYSIS

Lot Compatibility

Section 3-5.2 of the Subdivision Regulations outlines the criteria for reviewing infill subdivisions located within the Neighborhood Maintenance policy area. Staff reviewed the final plat for the two lots within the T3 NM policy against the following criteria as required by the Subdivision Regulations:

Zoning Code

Both lots meet the minimum standards of the RS3.75 zoning district.

Street Frontage

Both lots have frontage on a public street.

Density

The T3 NM policy does not specify density limitations.

Community Character

1. Lot frontage: The proposed lots must have frontage either equal to or greater than 70% of the average frontage of surrounding parcels or equal to or greater than the surrounding lot with the least amount of frontage, whichever is greater.

   Lots created along Willowbranch Drive must be equal to or greater than 80 feet, which is equal to the surrounding a lot with the least amount of frontage. Lot 33-A does not meet the community character requirements for lot frontage along Willowbranch Drive.

   In this case, the lots created along Townview Place must be equal to or greater than 40 feet, which is equal to the surrounding a lot with the least amount of frontage. Lot 33-B has sufficient frontage along Townview Place.

Lot Frontage Analysis (Willowbranch Drive)	
Minimum Proposed	67.67’
70% of Average	56.7’
Smallest Surrounding Parcel	**80’**

Lot Frontage Analysis (Townview Place)	
Minimum Proposed	44.53’
70% of Average	28’
Smallest Surrounding Parcel	**40’**

2. Lot size: The proposed lots must have a lot area that is either equal to or greater than 70% of the lot size of the average size of surrounding parcels or equal to or larger than smallest surrounding lot, whichever is greater.

   The minimum lot area for any new lot along Willowbranch Drive must be 13,893.20 square feet, which is the smallest parcel area of surrounding the parcels. Lot 33-A is 6,660 square feet in size, which is less than half of the required square footage. Lot 33-A does not meet the community character for lot area along Willowbranch Drive.

   The minimum lot area for any new lot along Townview Place must be 4,309.23 square feet, which is the smallest parcel area of the surrounding parcels. The minimum lot area for 33-B is 4,660 square feet; therefore, the lots meet the community character for lot area along Townview Place.

Lot Area Analysis (Willowbranch Drive)	
Minimum Proposed	6,660 sq. ft.
70% of Average	9,725 sq. ft.
Smallest Surrounding Parcel	**13,897.20 sq. ft.**

Lot Area Analysis (Townview Place)	
Minimum Proposed	4,660 sq. ft.
70% of Average	3,409 sq. ft.
Smallest Surrounding Parcel	**4,309 sq. ft.**

3. Street Setback: The street setback would be as required by the Zoning Code.

4. Lot Orientation: Lot 33-A will be oriented to Willowbranch Drive. This lot has a building under construction on the property that is oriented towards Townview Place. While the Zoning Administrator has determined that the structure under construction on this lot can orient Townview Place, the lot still orients Willowbranch Drive. The orientation of the structure under construction does not change the lot orientation. Lot 33-B would oriented towards Townview Place.

Agency Review
Water Services has not recommended approval.

Harmony of Development
The proposed subdivision for Lot 33-A does not meet the Community Character criteria. However, the Planning Commission may grant approval if it determines that the subdivision provides for the harmonious development of the community. Staff finds that the proposed plat does not provide for harmonious development within the community. The frontage along Willowbranch Drive for Lot 33-A does not meet the minimum lot frontage criteria, which is inconsistent with the development pattern along Willowbranch Drive. Lot 33-A is considerably smaller when compared to surrounding lots to the east of the property, along Willowbranch Drive**.**

FIRE MARSHAL RECOMMENDATION
N/A

PUBLIC WORKS RECOMMENDATION
No exception taken

STORMWATER RECOMMENDATION
Approved

TRAFFIC & PARKING RECOMMENDATION
No exception taken

WATER SERVICES RECOMMENDATION
Returned for corrections

- For the latest re-plat (surveyor stamped 4/15/16), our latest comments still apply: Please add the minimum FFE for Lot 33-B to the plat, that ensures gravity sewer service to the sewer in Townview Place. Please also pay the required capacity fees (only half of the required amount has been paid - see MWS letter dated August 3, 2015 for the required fee amounts.)

STAFF RECOMMENDATION
Staff recommends deferral to the May 12, 2016, Metro Planning Commission meeting unless a recommendation of approval is received by Metro Water Services. If a recommendation of approval is received, then staff recommends disapproval. Staff finds that the proposed plat is not harmonious with the surrounding neighborhood based upon the Subdivision Regulation requirements and is recommending disapproval of this request. The intent of the Subdivision Regulations for proposed subdivisions within Neighborhood Maintenance Polices is to consider the established development pattern when considering infill subdivisions.

CONDITIONS (if approved)
1. No parking is permitted between the primary structure and street. Hard surfaces for vehicular access shall be limited to between the primary structure and the street.
2. A raised foundation of 18”- 36” is required for all residential structures.
3. Height is limited to two stories in 35 feet.
4. A five foot sidewalk and a four foot planting strip shall be installed Willowbranch Drive.
5. 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 (four foot grass strip and five foot planting strip).

2016S-084-001
1122 CHESTER AVENUE
Map 072-14, Parcel(s) 084
05, East Nashville
07 (Anthony Davis)

Project No.	**2016S-084-001**
Project Name	**1122 Chester Avenue**
Council District	07 - A. Davis
School District	05 - Kim
Requested by	Dale & Associates, applicant; Urban Dwell Homes, owner.
Staff Reviewer	Deus
Staff Recommendation	*Defer to the May 12, 2016, Planning Commission meeting, unless a recommendation of approval is received from all agencies. If recommendations of approvals are received, staff recommends approval with conditions.*

APPLICANT REQUEST
Create two lots.

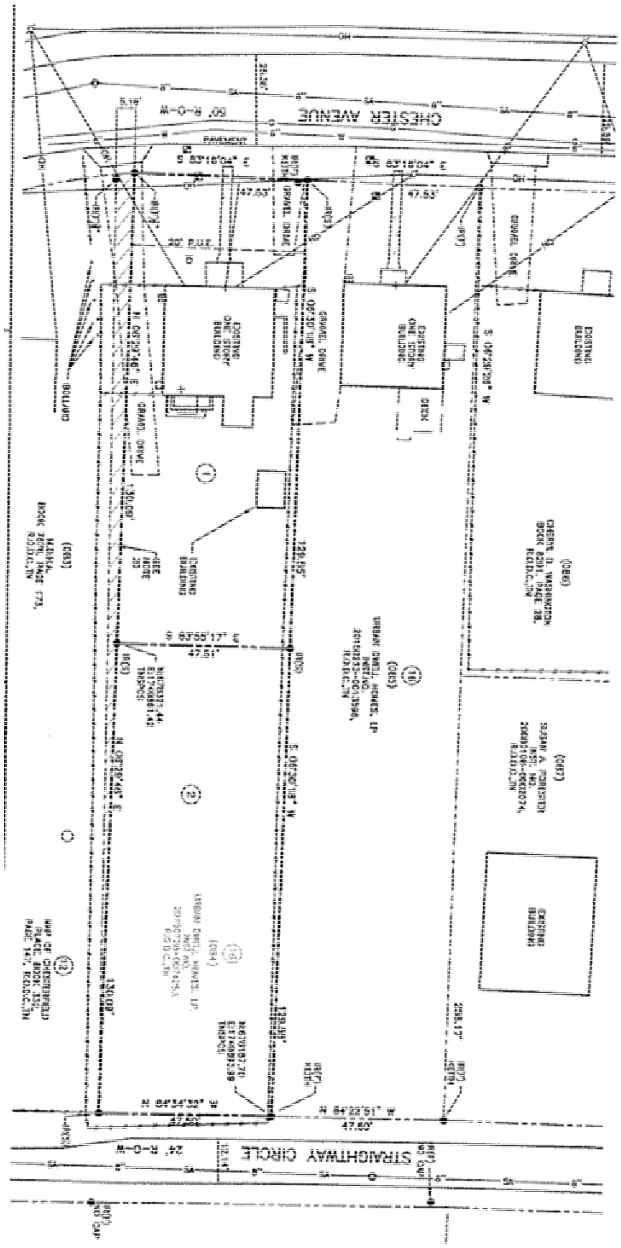
Final Plat
A request for final plat approval to create two lots on property located at 1122 Chester Avenue, approximately 230 feet west of Chapel Avenue (0.3 acres), zoned One and Two-Family Residential (R6).

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

CRITICAL PLANNING GOALS
N/A

EAST NASHVILLE COMMUNITY PLAN
T4 Urban Neighborhood Maintenance (T4 NM) is intended to preserve the general character of existing urban neighborhoods. T4 NM areas will experience some change over time, primarily when buildings are expanded or replaced. When this occurs, efforts should be made to retain the existing character of the. Enhancements may be made to improve pedestrian, bicycle and vehicular connectivity.

PLAN DETAILS
This request is for final plat approval to create two lots on property located at 1122 Chester Avenue, where currently one lot exists. This lot has double frontage on Chester Avenue and Straightway Circle; one lot would front Chester Avenue and the other lot would front Straightway Circle. There is an existing structure on the property that is proposed to be removed. Vehicular access would be limited to a 16 foot driveway between the primary structure and street. There are no sidewalks present along Chester Avenue or Straightway Circle.



Proposed Subdivision

The existing lot is 12,335 square feet (0.28 acres) and is proposed to be subdivided into two lots with the following square footage/ acreage:

- Lot 1: 6,166 SF (0.142 acres)
- Lot 2: 6,166 SF (0.142 acres)

ANALYSIS
Section 3-5.2 of the Subdivision Regulations establishes criteria for reviewing infill subdivisions and for determining their compatibility in Neighborhood Maintenance policies.

Zoning Code

The proposed lots meet the minimum standards of the R6 zoning district.

Street Frontage

Lot 1 would front onto Chester Avenue and lot 2 would front onto Straightway Circle; both are public streets.

Density

The T4 Urban Neighborhood Maintenance policy no longer includes density limitations.

Community Character

1. Lot frontage analysis; the proposed lots must have frontage either equal to or greater than 70% of the average frontage of surrounding parcels or equal to or greater than the surrounding lot with the least amount of frontage, whichever is greater.

In this instance, the lots created must be equal to or greater than 45 feet for the Chester Avenue lot and 47.5 feet for the Straightway Circle. The proposed lots meet lot frontage requirements.

Chester Avenue Frontage	
Proposed Frontage	48 ft.
Minimum Frontage	45 ft.
70% Average	35 ft.

Straightway Circle Frontage	
Proposed Frontage	47.5 ft.
Minimum Frontage	47.5 ft.
70% Average	33 ft.

2. Lot size analysis; the proposed lots must have lot area that is either equal to or greater than 70% of the lot size of the average size of surrounding parcels or equal to or larger than smallest surrounding lot, whichever is greater.

In this instance the proposed lots must equal to or greater than 7,193 SF for the Chester Avenue lot and 5,946 SF for the Straightway Circle lot. The proposed Straightway Circle lot meets lot size requirements; the proposed Chester Avenue lot does not.

Chester Avenue Size	
Proposed Size	6,166 SF
Minimum Size	6,051 SF
70% Average	7,193 SF

Straightway Circle Size	
Proposed Size	6,166 SF
Minimum Size	5,946 SF
70% Average	4,226 SF

3. Street setbacks; future structures would have to comply with appropriate street setbacks.

4. Lot orientation; proposed lots are consistent with the surrounding parcels.

Agency Review
All reviewing agencies have not recommended approval of this application.

Harmony of Development
If the proposed subdivisions meet subsections a, b, c, and e of this section but fails to meet subsection d, the Planning Commission may consider whether the subdivision can provide harmonious development of the community.

This proposed subdivision does not meet the community character criteria since Lot 1 does not meet square footage requirements.

Staff finds however that this proposal would provide for harmonious development along both street frontages. The applicant has agreed to limit the height of future development to two stories in 35 feet, which is consistent with the adjacent properties. The applicant has also agreed to 16 feet driveways between the primary structure and street; this would eliminate parking pads in the street setbacks and enhance the public realm. Sidewalks would also be required. The applicant has indicated they will make a payment in-lieu of construction of the sidewalk.

Currently this is a non-conforming lot as Section 3-4.3 of the current Subdivision Regulations prohibits the creation of attached and detached single-family double frontage lots. Granting this subdivision would address this non-conformity.

FIRE MARSHAL RECOMMENDATION
N/A

STORMWATER RECOMMENDATION
Returned

- Metro GIS indicates a storm pipe traversing the lot. Show the pipe location, then provide adequate PUDE' widths (see table 6-1, Volume 1 of the Stormwater Management Manual).

PUBLIC WORKS RECOMMENDATION
Conditions if approved

- If sidewalks are required by Planning and the applicant chooses to construct rather than pay the in-lieu fee, then they should be shown and labeled on the plan with curb and gutter, 4 foot grass strip or as determined by Public Works, and a minimum 5 foot wide sidewalk unobstructed, and a minimum of 20 feet pavement on the street width. Wider sidewalk, grass

strip, and pavement width is required where on-street parking occurs or on a street classification greater than local.

- Sidewalks must be shown fully within the right of way. Show the location of all existing above and below ground features within the right-of-way. Any existing obstructions within the path of travel shall be relocated to provide a minimum of 5 feet of clear access.
- Construction plans must also be submitted that address any related drainage improvements, grading, utility relocation(s), and tree removal. A permit is required from The Department of Public Works prior to commencing any work within the right-of-way.

TRAFFIC AND PARKING RECOMMENDATION
No Exception Taken

WATER SERVICES RECOMMENDATION
Returned for corrections

- For the latest re-plat (stamped received April 5, 2016), our original comments still apply: add private water service line easement note to the plat (the note shown on this re-plat is different from our original comments), and pay the required capacity fees.

STAFF RECOMMENDATION
Staff recommends deferral to the May 12, 2016, Planning Commission meeting, unless a recommendation of approval is received from all agencies. If recommendations of approval are received, staff recommends approval with conditions.

CONDITIONS

1. Sidewalks are required along the Chester Avenue and Straightway Circle frontages of the proposed subdivision. Prior to final plat recordation, one of the options must be chosen related to the required 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, 2 additional lots will require a $ 9,212.88 contribution to Pedestrian Benefit Zone 4.
   d. Construct an equal length of sidewalk within the same Pedestrian Benefit Zone, in a location to be determined in consultation with the Planning Department and the Public Works Department.
   e. Add the following note to the plat: "No building permit is to be issued on any of the proposed lots until the required sidewalk is constructed per the Department of Public Works specifications." Sidewalk shall be shown and labeled on the plan per Public Works Standards with the required curb and gutter.
2. No parking is permitted between the primary structure and street. Hard surfaces for vehicular access shall be limited to a 16’ driveway between the primary structure and the street.
3. Height is limited to two stories in 35 feet.

SEE NEXT PAGE

OTHER BUSINESS

- **Capital Improvement Budget**

NO SKETCH

Project No.	**CIB FY2016-17**
Project Name	**Capital Improvements Budget for 2016-17 to 2021-22**
Council District	Countywide
School District	Countywide
Requested by	Metro Planning Commission.
Staff Reviewer	Claxton
Staff Recommendation	*Approve with amendments.*

CAPITAL IMPROVEMENTS BUDGET
Submit the FY2016-17 Capital Improvements Budget for consideration by the Mayor.

BACKGROUND
The Charter of the Metropolitan Government of Nashville and Davidson County requires that the Planning Commission submit a list of recommended capital improvements that are necessary or desirable to be constructed or provided during the next six years to the Mayor. The Mayor then submits her recommended Capital Improvements Budget and the Capital Spending Plan to the Metro Council.

The Capital Improvements Budget is a planning tool to prioritize and coordinate investments in long-term, durable improvements. Investments are considered to be capital improvements when they:

- Have a lifetime greater than 10 years and
- Cost more than $50,000.

Capital improvements include Metro facilities and equipment, such as Metro office buildings or Fire trucks. Capital improvements also include infrastructure, such as water and sewer lines, roads and sidewalks, parks, and libraries.

Some Metro investments shape private market activity by influencing where people want to live or business owners want to locate. Some investments, such as providing access to water, sewer, or transportation networks, are required for any development beyond very low density rural character. In other cases, Metro investments in parks, schools, or other public spaces are amenities or resources that make one place more desirable for a home or business. In this year's CIB, project requests that shape private market activity in either of these ways are labeled as "infrastructure." Other Metro investments, such as administrative offices, have limited impact on the private market and are identified as non-infrastructure projects.

Infrastructure that shapes private market activity must be coordinated with development regulations, such as zoning and subdivision requirements. The Metro Planning Commission oversees how capital improvements and development regulations interact and makes recommendations to the Mayor and Metro Council based on a long-term vision of how Nashville should change and grow into the future.

The Capital Improvements Budget contains the Planning Commission's recommendations for capital improvements.

Identifying and funding capital improvements involve three separate documents:

- **The Capital Improvements Budget (CIB)**
  All capital improvements requested from Departments with a six-year time horizon.
  By Charter, any capital improvements Metro makes must be included in the CIB. The CIB includes all requested projects, the priority identified by the Planning Commission for each project, and the intended date for implementing each project. Also by the Charter, the first section of the CIB includes projects paid from the Urban Services District; the second section of the CIB includes projects paid from the General Services District.

- **Capital Spending Plan**
  Recommended projects during the first fiscal year of the CIB, matched to funding source.
  While the CIB includes all requested projects, the Capital Spending Plan identifies the projects the Mayor recommends funding in the CIB's first Fiscal Year. The Mayor submits the Capital Spending Plan along with her recommended Capital Improvements Budget to the Metro Council.

- **Council Ordinance**
  The Metro Council's direction on spending.
  The Council ordinance enacts the Capital Spending Plan and adopts the Capital Improvements Budget. At adoption, Council can make changes to the Capital Spending Plan and the Capital Improvements Budget.

Developing, recommending, and adopting these three documents bring Metro Departments, Planning Commission, the Mayor, and Metro Council together, with public input, to decide what investments to make each year.

Following the adoption of NashvilleNext, Planning staff began working to update the capital planning process to align with the long-term community vision identified by the General Plan. The FY 2016-17 CIB begins introducing changes based on that effort.

CAPITAL IMPROVEMENTS BUDGET PROCESS

The process to create the Capital Improvements Budget each year is specified in the Metro Charter. Each year begins with the Finance Department collecting requested projects from Metro Departments. By Charter, Finance delivers these requests to the Planning Commission four months before the end of the Fiscal Year (February 29 this year). For FY 2016-17, however, Planning staff requested that projects be submitted by January 30.

Once project requests are submitted, Planning staff assesses them for alignment with Nashville-Davidson County's General Plan, NashvilleNext. The Planning Commission must recommend project priorities to the Mayor by sixty days before the start of the next Fiscal Year (May 2 each year). This staff report and CIB are in support of this step in the process.

Once the Mayor has received the Planning Commission's recommendations, the Charter requires the Mayor to submit her recommended Capital Improvements Budget and the Capital Spending

Plan to the Metro Council by May 15 each year. Metro Council must adopt the Capital Improvements Budget (with any modifications or amendments as it sees fit) by June 15.

FY 2016-17 CIB

The FY2016-17 Capital Improvements Budget includes requests for $5.8 billion. That spending is phased over the current fiscal year (FY2016-17) plus five further years (FY2017-18 through FY2021-22). Some projects also identify spending in FY2022-23 to indicate needs beyond the six year timeframe of the CIB.

The FY2016-17 CIB overhauls the organization and design of the document to improve accessibility and usefulness. After an introduction, project requests are presented in four Sections:

I. **Projects Funded by the Urban Services District:** a brief list of all projects funded by debt paid from the Urban Services District.
II. **Projects Funded by General Services District:** a brief list of all projects funded by debt paid from the General Services District.
III. **Detail Project Descriptions:** detailed descriptions of each requested project. Where available, this includes a general map of the project location.
IV. **Projects by Council District:** a map and brief list of projects by Council District.

Section III reports projects' titles and descriptions, Department, project status, Council district, Tax district, and project type, as well as requested funding by year. Projects also include maps, when available. Projects are organized by departments, with departments grouped as follows:

a. Facilities & technology (includes the Agricultural Extension, County Clerk, District Energy System, Farmer's Market, Finance, General Hospital, General Services, General Sessions Court, Health, Human Resources, Information Technology Service, Metro Action Commission, Metropolitan Clerk, Municipal Auditorium, and Social Services)
b. Public Works
c. Safety (includes Emergency Communications Center, Fire, Juvenile Court, Juvenile Court Clerk, Police, Sheriff, and State Trial Courts)
d. Schools
e. Transit, development & culture (includes Arts Commission, Historical Commission, MDHA, MTA, Parks, Planning Commission, Public Library, Sports Authority, and State Fair Board)
f. Water & sewer

ALIGNMENT WITH THE GENERAL PLAN

Based on substantial community engagement, NashvilleNext identifies how Nashvillians want Nashville and Davidson County to manage change over the next 25 years. Aligning capital investments to this vision is a critical tool in achieving the community's desires. Planning staff are working to develop criteria to assess how well projects align with the General Plan. These take three different forms:

Alignment with the Guiding Principles

The General Plan includes seven Guiding Princples that represent the fundamental values expressed by Nashvillians throughout the process of creating NashvilleNext. In the long run, Metro's investments should support all of these Principles, though spending in individual years may focus on some Principles more than others.

The seven Guiding Principles are:

- Ensure opportunity for all
- Expand accessibility
- Create economic prosperity
- Foster strong neighborhoods
- Advance education
- Champion the environment
- Be Nashville

Alignment with the Growth and Preservation Concept Map
The Growth and Preservation Concept Map gives geographic context to capital investment decisions.

The Growth & Preservation Concept Map reflects Nashvillians' desires for how and where Nashville should grow and where it should preserve in the future. It identifies a green network that provides access to nature, requires environmental protection, and preserves natural resources. It also identifies and seeks to preserve the physical character of rural, suburban, and urban areas.

Smaller and larger activity centers accommodate most future growth, improve public spaces, support transit, provide walkable areas close to most parts of the county, and sustain economic activity. The locations of these centers are generally where centers and mixed use areas were identified in prior Community Plans. Infill development should be encouraged along transit and multimodal corridors in between and immediately around activity and employment centers.

The Concept Map also identifies a network of more frequent and reliable transit service. These routes should be more direct, with fewer stops. The most heavily used routes will be identified for high-capacity transit running outside of traffic.

Technical criteria to support efficient government
Finally, a core goal of the Capital Improvements Budget is to promote effective, efficient capital spending. Planning staff are also developing criteria to assess projects that support efficient government. These criteria include project or resource leveraging (between departments or with outside funding sources), implementing master plans, or coordinating regionally.

COORDINATION WITH DEPARTMENT MASTER PLANS
Metro Departments conduct their own master and functional plans to guide operations and capital investments. They identify department needs and priorities for different capital programs. Though not formally part of NashvilleNext or the Capital Improvements Budget, these master plans play a critical role in achieving the community's vision for Nashville's future. Because they involve more detailed and technical planning, Departments may also uncover issues that make NashvilleNext difficult to implement.

Planning staff supports other Departments' efforts to update their Master Plans to ensure they are coordinated with NashvilleNext and provide a transparent way of supporting capital project requests. Additionally, if Departments discover aspects of NashvilleNext that are difficult to implement, Planning staff may bring those issues to Planning Commission to determine if a change to NashvilleNext is required. This ensures that NashvilleNext remains relevant and up-to-date.

TYPES OF CAPITAL PROJECTS
This year, Planning staff introduced Projects Types to give greater clarity on what each funding request does.

- **Capital asset (one-time):** A capital asset is a new or rehabilitated physical asset that is purchased once, has a useful life of more than ten years, and is expensive to purchase.
- **Capital program:** A capital program is a collection of smaller infrastructure improvements organized by an overarching plan.
- **Asset protection:** Asset protection involves major renovations or improvements to existing facilities that would extend the useful life and/or add value to the asset.
- **Study or plan:** Funding for a study or plan.
- **Contingency:** Funding for project start-up and unexpected costs.
- **General maintenance (routine):** General maintenance is the on-going process of maintaining existing facilities and structures. Maintenance will extend the useful life of a structure but will not normally add any significant value.

FY2016-17 PRIORITIES
Criteria for assessing how well projects align with NashvilleNext are not yet finalized. However, Planning staff have identified one amendment to a project request and one recommendation for funding in the FY2016-17 Capital Spending Plan.

Planning staff recommends increasing the funding for project 06PW0019 (Sidewalks – construct and improve in the GSD) to allow for 1.5% annual inflation: FY18: $30,450,000, FY19: $30,906,750, FY20: $31,370,351, FY21: $31,840,907, FY22: $32,318,520. Sidewalks and pedestrian amenities are a critical need throughout Davidson County, with stable funding request across all six years of the CIB. However, the cost of labor and materials to construct sidewalks is expected to continue increasing in the future. This amendment is intended to recognize a commitment by Metro to continue robust funding for sidewalk construction into the future.

Planning staff recommends funding design work and site assessment to identify the extent to which the following project requests in the southeast part of Davidson County can be coordinated:

- 13PD0003: Construct a neighborhood police precinct in southeast Davidson County
- 17CL0001: Construct a full-service County Clerk branch in southeast Davidson County
- 17PL0005: Construct a new Antioch branch library
- 16AC0001: Construct a new Antioch Head Start Center
- 17BE0004: Construct a new Middle School in the Antioch Cluster
- 14HD0001: Replace the Woodbine Health Clinic as the clinic's population shifts southeast

Design work should engage Metro Departments and the public in identifying which projects can be coordinated to improve siting and service and reduce costs.

NEXT STEPS
Following this year's budget cycle, Planning staff will review its criteria for testing alignment with NashvilleNext with Metro Departments. This will prepare Planning and other Departments for using the criteria in the FY2017-18 Capital Improvements Budget.

Throughout the next year, Planning staff will also work with Departments to organize project requests to more accurately reflect which projects are Metro has underway, which projects Metro intends to do, and which projects have only been requested.

STAFF RECOMMENDATION

Staff recommends submitting the Capital Improvements Budget to the Mayor with the following amendments:

1. Increase the funding requested for project 06PW0019 (Sidewalks – construct and improve in the GSD) to allow for 1.5% annual inflation: FY18: $30,450,000, FY19: $30,906,750, FY20: $31,370,351, FY21: $31,840,907, FY22: $32,318,520.
2. Recommend design and site assessments to identify service improvements and cost efficiencies for the following projects:
   - 13PD0003: Construct a neighborhood police precinct in southeast Davidson County
   - 17CL0001: Construct a full-service County Clerk branch in southeast Davidson County
   - 17PL0005: Construct a new Antioch branch library
   - 16AC0001: Construct a new Antioch Head Start Center
   - 17BE0004: Construct a new Middle School in the Antioch Cluster
   - 14HD0001: Replace the Woodbine Health Clinic as the clinic's population shifts southeast

NO SKETCH

Item # 30

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

One Public Square, Suite 204
Nashville, Tennessee 37201
Office: 615 862-6780
Email: karen.johnson@nashville.gov

2928 Moss Spring Drive
Antioch, Tennessee 37013
Home: 615 977-6721
www.district29community.blogspot.com

KAREN Y. JOHNSON
Councilwoman, District 29
www.karenjohnson.org

April 19, 2016

Mr. James McLean, Chairman
Mr. Doug Sloan, Executive Director
Metropolitan Planning Commission
800 2nd Avenue South
Nashville, Tennessee 37219-6300

RE: Rehearing request - Planned Unit Development 23-85P-001
Forest View Park
Map 150, Parcel 237

Dear Messrs. McLean and Sloan,

As the Metropolitan Council representative for District 29, please accept this letter as a formal and supplemental request for a rehearing of the March 24, 2016 Metro Planning Commission hearing (upon consent agenda) regarding Forest View Park, Proposal No. 23-85P-001, as similarly requested in my e-mail requests of April 7, 2016 and previously.

Pursuant to Rule VI.(K) of the Rules and Procedures of the Metropolitan Planning Commission, this request is being submitted within 45 calendar days after the approval of the meeting minutes memorializing the referenced commission action. In further compliance with Rule VI.(K), I submit the following statement of what conditions have changed and what new information has become available since the original hearing that serves as cause for rehearing:

1) Prior to the Metro Planning Commission meeting of March 24, 2016, the staff report regarding Planned Unit Development 23-85P-001 incorrectly stated the existing zoning. The staff report stated as follows:

> "Existing 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 acres. In this case use and density is regulated by the Planned Unit Development Overlay."

However, the existing zoning for the property is single and two-family residential (R10) -- not RS10.

2) Prior to the Metro Planning Commission meeting of March 24, 2016, Commission members were not informed of the Murfreesboro Road Urban Design Overlay, much less the impact of the overlay requirements upon the PUD and surrounding development.

3) Prior to the Metro Planning Commission meeting of March 24, 2016, Commission members were not informed that the Metropolitan Council representative had previously submitted a periodic PUD review request by email on February 16, 2016. If Commission members had been so informed, it would likely have led to additional disclosure that the Council representative had initiated multiple inquiries with the Metro Planning staff beginning in 2015 regarding Forest View PUD.

Respectfully, I ask that this request for rehearing of the above-referenced matter be considered by the full Commission, either by your determination or by majority vote of the Commission preceded by motion to rehear. I ask that rehearing be scheduled for May 12, 2016.

Sincerely,

Karen Y. Johnson

Karen Y. Johnson
Councilwoman, District 29

KYJ/rh

cc: Members of the Commission
Ms. Carrie Logan

SEE NEXT PAGE

NO SKETCH

Item # 31

METROPOLITAN GOVERNMENT
OF NASHVILLE AND DAVIDSON COUNTY

Planning Department
Metro Office Building
800 Second Avenue South
Nashville, Tennessee 37201

To: Planning Commissioners

From: J. Douglas Sloan III, Esq.
Executive Director

Date: April 26, 2016

Re: Proposed changes in Application Fees

Staff is proposing to change fees for various applications. The Metropolitan Planning Commission is required to provide a recommendation on zoning related fees to the Metropolitan Council (Exhibit A). However, the Metropolitan Planning Commission has final approval on Community Plans and Subdivision related fees (Exhibit B).

In 2007, a fee study was conducted by Maximus, which recommended increased fees to fully offset the cost of services provided by the Metropolitan Planning Department for the review of certain cases. The increased fees were recommended by the Planning Commission and adopted by the Metropolitan Council in 2007. Subsequently, many of these fees were reduced over the next few years to try to find a better balance between cost recovery and not making fees punitive for smaller applications. For example, the Maximus Study recommended SP fees of about $6,200 per application. This fee was charged for all applications, with no relation between the complexity of the case and the fee charged. Also, during the economic downturn the Planning Commission and Metropolitan Council lowered many fees to help reduce the impacts of the recession and encourage a higher level of development activity.

In an effort to try to find a balance between the complexity of the case and the fees charged for the review of each case, staff has developed a new fee structure that proposes fees that are consistent with the Maximus study. The adjustments reflect a balance between the scope of the proposed development, the type of development application and policy goals of the Department and Commission. For example, SP fees are now proposed to be broken into three different tiers of applications to account for the scale of proposed development.

The fees are proposed to become effective **July 1, 2016.**

Staff recommends approval of the proposed fee structure outlined in Exhibit A and B.

Exhibit A:
Fees Adopted by Metropolitan Council

Fee Description	Current Fee	Proposed Fee
Institutional Overlay New/ Amendment or Cancellation	$1,400	$2,800
Institutional Overlay Final	$1,100	$2,200
Institutional Overlay Minor Modification	$700	$1,400
Institutional Overlay MPC Building Permit Review	$160	$250
Neighborhood Landmark Final	$1,100	$1,100
Neighborhood Landmark New or Cancel	$1,400	$1,400
Neighborhood Landmark MPC Building Permit Review	$160	$250
PUD Amendment/Cancellation/Final	$1,975	$2,800
PUD New/Revision to Preliminary	$1,975	$2,800
PUD MPC Building Permit Review	$160	$250
Downtown Code MPC Final Site Plan/ Building Permit Review less than 25% expansion of square feet.	$160	$250
Downtown Code MPC Final Site Plan/ Building Permit Review greater than 25% expansion of square feet or new construction	$160	$2,800
Downtown Code Minor Modification	$0	$1,100
Downtown Code Major Modification	$0	$2,800
Historic Bed and Breakfast New/Cancellation	$1,975	$1,400
Historic Overlays New/ Cancellation	$1,400	$1,400
Contextual Overlay New/Cancellation	$800	$800
Urban Design Overlay New/Amendment/Cancellation	$1,400	$2,800
Urban Design Overlay Final	$1,100	$2,200
Urban Design Overlay Variance/Modification	$700	$1,400
Urban Design Overlay MPC Building Permit Review	$160	$250
Landmark Sign	$160	$160
Zone Change (Non-SP and Overlays not listed in the fee table)	$1,400	$2,200
Zoning Text Amendment	$1,180	$1,180
Zoning Letter	$40	$100
Specific Plan New/Amendment/Final		
SP Preliminary/Amendment	$1,400	n/a
SP Final	$1,100	n/a
Tier 1: Project is 0-5 residential units and/or less than 10,000 Sq. Ft of non-residential uses	n/a	$2,500
Tier 2: Project is 6-25 residential units and/or 10,000-25,000 Sq. Ft. of non-residential uses	n/a	$4,500
Tier 3: Project is 26 or more residential units and/or greater than 25,000 Sq. Ft. of non-residential uses	n/a	$6,195
Specific Plan MPC Building Permit Review	$160	$250

Exhibit B: Fees adopted by the Metropolitan Planning Commission

Application Type	Previous Fee	Proposed Fee
Bond Application Fee	$285	$400
Community Plan Major	$1,000	$2,000
Community Plan Minor	$500	$1,000
Subdivision Amendment	$500	$500
Subdivision Concept Plan	$2,500	$3,000
Subdivision Critical Lot Plan	$70	$250
Subdivision Final Site Plan	$2,000	$2,500
Subdivision Final Plat (NON-INFILL)	$800	$1,000
Subdivision Final Plat (CONSOLIDATION)	$400	$800
Subdivision (Infill)	$400	$1,000