Metropolitan Planning Commission

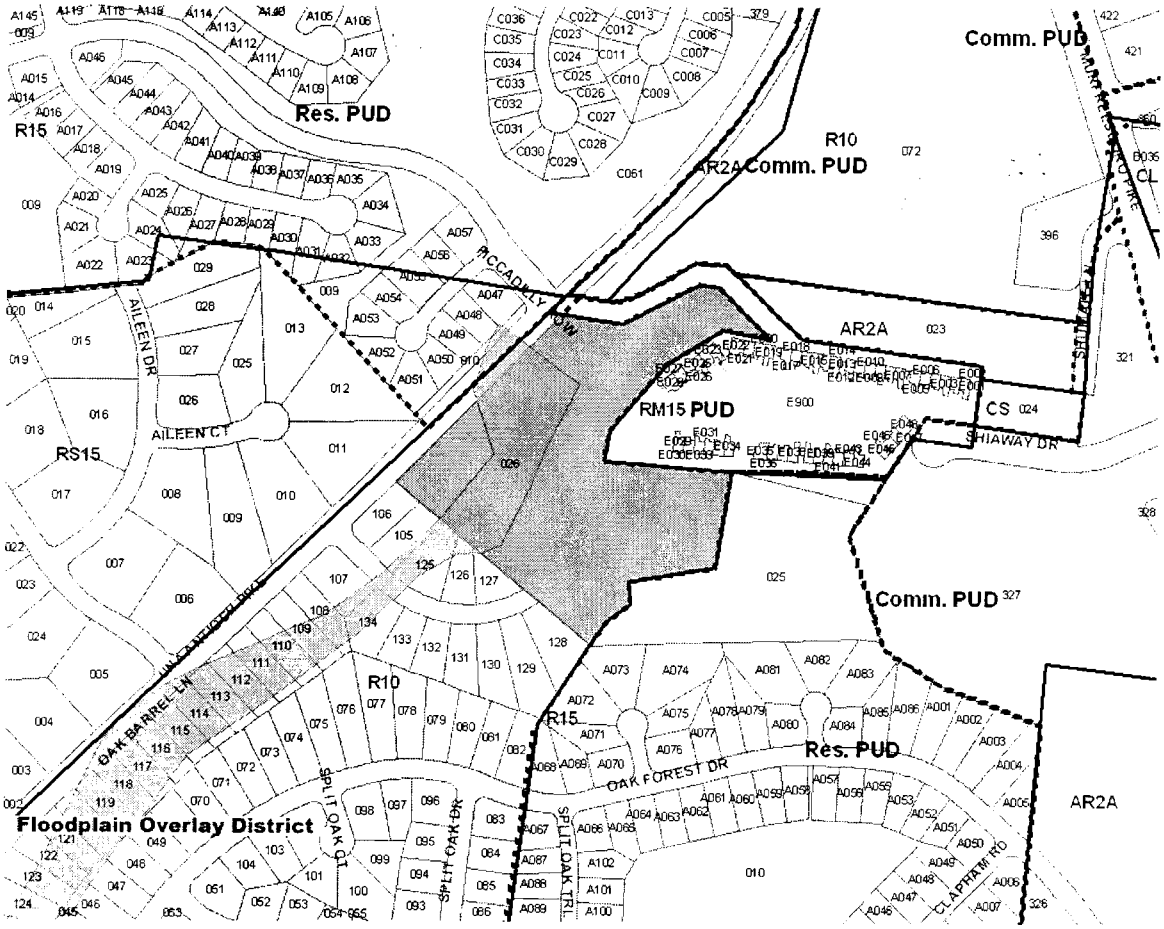
Staff Reports

January 26, 2012

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

PREVIOUSLY DEFERRED ITEMS

- **Community Plan Amendment**
- **Specific Plan**
- **Text Amendments**
- **Specific plan**
- **Subdivision (Concept Extension & Final)**



2011CP-013-004
ANTIOCH-PRIEST LAKE COMMUNITY PLAN: 2003 UPDATE

Map 149, Parcel(s) 026
Antioch-Priest Lake: 2003 Update
28 - Duane A. Dominy

Metro Planning Commission Meeting of 01/26/2012

Item #1a

Project No.	**Community Plan 2011CP-013-004**
Project Name	**Amend the *Antioch – Priest Lake Community Plan: 2003 Update***
Associated Case	2011SP-024-001
Council District	28 – Dominy
School Districts	6 – Mayes
Requested by	Anderson, Delk, Epps and Associates, Inc., applicant, Pamela Meadows, owner
Deferral	Deferred from the November 10, 2011, December 8, 2011, and January 13, 2012 Planning Commission meetings
Staff Reviewer	Capehart
Staff Recommendation	*Disapprove*

APPLICANT REQUEST
Amend land use policy from Residential Low Medium Density to T3 Suburban Neighborhood Evolving and Conservation.

Land Use Policy Amendment
A request to amend the Antioch-Priest Lake Community Plan: 2003 Update to change the land use policy from Residential Low Medium Density (RLM) to T3 Suburban Neighborhood Evolving (T3 NE) and Conservation (CO) for property located at 2158 Una Antioch Pike.

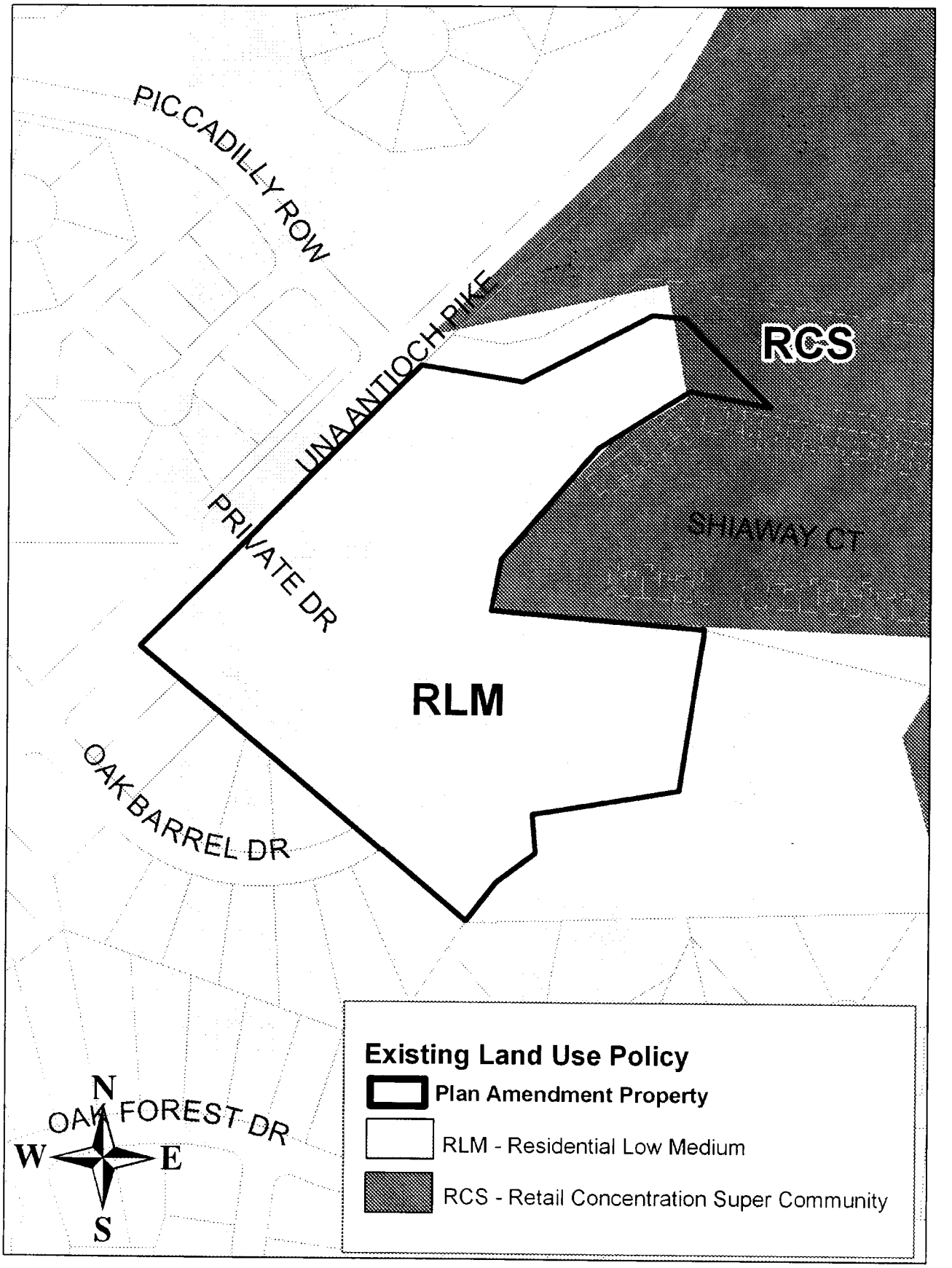
CRITICAL PLANNING GOALS
N/A

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

Proposed Land Use Policies
T3 Suburban Neighborhood Evolving (T3 NE)
T3 NE policy is intended to create suburban neighborhoods that are compatible with the general character of classic suburban neighborhoods as characterized by their building form, land use and associated public realm, with opportunities for housing choice and improved pedestrian, bicycle and vehicular connectivity. The resulting development pattern will have higher densities than classic suburban neighborhoods and/or smaller lot sizes, with a broader range of housing types.

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

2158 Una Antioch Pike



BACKGROUND

The proposed plan amendment site is located on Una Antioch Pike, approximately 0.4 miles south of Murfreesboro Pike. The existing land use policy (RLM) accommodates single-family, two-family, and multifamily development at maximum density of two to four dwelling units per acre.

The applicant has proposed a Specific Plan (SP) zone change to permit Assisted-Living at eight dwelling units per acre. The applicant is requesting T3 NE policy to accommodate the proposed density on the site.

The site also has slopes greater than 20 percent and a stream, both of which are considered environmentally sensitive features on the site. Based on Planning staff comments, the applicant has agreed to request CO policy on portions of the site with the most sensitive environmental features: the steep slopes and the stream.

COMMUNITY PARTICIPATION

Notification of the amendment request and the Planning Commission Public Hearing was posted on the Planning Department website and mailed to surrounding property owners and known groups and organizations within 600 feet of the subject site.

A community meeting was held on Thursday, October 27, 2011, at the Southeast Branch Library; 21 people were in attendance.

Significant concerns related to the policy amendment and associated SP zone change were discussed at the meeting. These concerns included vehicular access to the site from Oak Barrel Drive, the land uses on the site (assisted living and multi-family), and the site's environmental features.

Residents were not amenable to vehicular access on Oak Barrel Drive and preferred direct access to the site from Una Antioch Pike. Residents also preferred that assisted living be the only land use on the site, and that multi-family be removed from the proposed plans. The residents also mentioned that there is an old spring house (a small structure built over a spring or brook, used for cooling food) on the property that should be identified and preserved.

The applicant made initial revisions to the SP zone change and plan based on community input. Those initial changes included removing the multifamily land use, reducing the density from 15 dwelling units per acre to 11 dwelling units per acre, and providing an access point on Una Antioch Pike. In subsequent revisions, the density of the proposal has been further reduced to approximately eight dwelling units per acre.

While these changes reflected the community sentiment, the application remains "illustrative," meaning that – with the exception of the land uses – there remains uncertainty as to how these considerations would be addressed at the development stage.

ANALYSIS

While the proposed policy amendment is located along a major street in the vicinity of other multi-family and commercial land uses, there are aspects of the site and surrounding context that would inhibit appropriate development at higher densities than currently recommended by RLM policy (two to four dwelling units per acre).

Environmental Conditions
The site contains environmental features over most of the site, including steep slopes that are 20 percent or greater and a stream along Una-Antioch Pike. Development should avoid these areas in order to minimize excessive grading on the site. CO policy should be applied to these features to preserve them. The T3 NE policy should be limited to the southeast quarter of the site, where the site is the flattest. Because only a portion of the site should be considered buildable, the permitted density will be concentrated onto this one area. Development at densities consistent with T3 NE policy could result in significant grading of the southeast portion of the site, removing the natural features of this area. Development in proposed T3 NE areas should still consider the sensitive nature of the land.

Density and Intensity
The 8.9 acre site is currently zoned R10, where the achievable density would be approximately four dwelling units per acre. The current RLM policy accommodates up to four dwelling units per acre. The proposed T3 NE policy would accommodate a minimum of four dwelling units per acre and a maximum of 20 dwelling units per acre. Focusing this density on one portion of the site could result in a level of intensity in building form that is incompatible with the adjacent single-family residential neighborhood that is both smaller in scale and in residential density. Staff recommends that development under the current RLM policy, at a lower density, would provide a better transition to adjacent single-family development.

Connectivity to Surrounding Development
The property is located adjacent to multi-family and commercial development, but has no meaningful connection to these properties, which are separated from the site by significant grade changes. Street and driveway connections to these properties are not possible because of the existing grade.

The site is more connected topographically to the surrounding single-family neighborhoods to the south and west. These areas have RLM policy, similar to the site and also provide a potential street connection in Oak Barrel Drive, a local street that currently provides access to a single-family residential subdivision and terminates at the property line of the subject site. This access would be appropriate with the density of development that could result from the current zoning and the current RLM policy. It would likely not be an appropriate primary access for more intense development as is currently envisioned with T3 NE.

Appropriate Land Use
The requested T3 NE policy privileges residential land uses. The site is currently vacant and the proposed land uses are assisted living and nursing home. These types of facilities would increase the housing choice in this area and would allow residents in the Antioch – Priest Lake community to "age-in-place" by providing housing for those that may be elderly or that need full-time care. However, these types of facilities need to be consistent with the surrounding land uses and building form in terms of building height, street frontage, building size and impact on existing topography.

Similar to a multifamily land use, assisted living accommodates multiple residents in one location. Therefore, similar to multifamily, appropriate locations for assisted living should have vehicular and pedestrian connectivity and access to transit and services. Locating these uses near centers and along corridors rather than within the interior of a neighborhood minimizes impacts on existing

single and two family residential land uses, and this is best achieved when the land use has direct access to prominent corridors.

Access and Connectivity (Vehicular and Pedestrian)
The application of T3 NE policy to accommodate higher density residential development should consider direct access onto prominent corridors. The site has potential access from Oak Barrel Drive; Oak Barrel Drive is a local street with residential character. Accessing the proposed assisted living land use from Oak Barrel Drive may negatively impact the neighborhood due to the type of vehicular traffic that an assisted living facility may attract; large vehicles associated with food service and other deliveries as well as ambulances. Other more intense land uses supported by T3 NE policy may also impose negative impacts on Oak Barrel Drive. Therefore land uses other than single and two family residential development should consider direct access onto Una Antioch Pike.

The application of T3 NE should also consider pedestrian connectivity as well. Pedestrian connectivity via a sidewalk should be provided to connect pedestrians to the transit stop at the intersection of Piccadilly Row and Una Antioch Pike, and to the goods and services that are provided along Murfreesboro Pike.

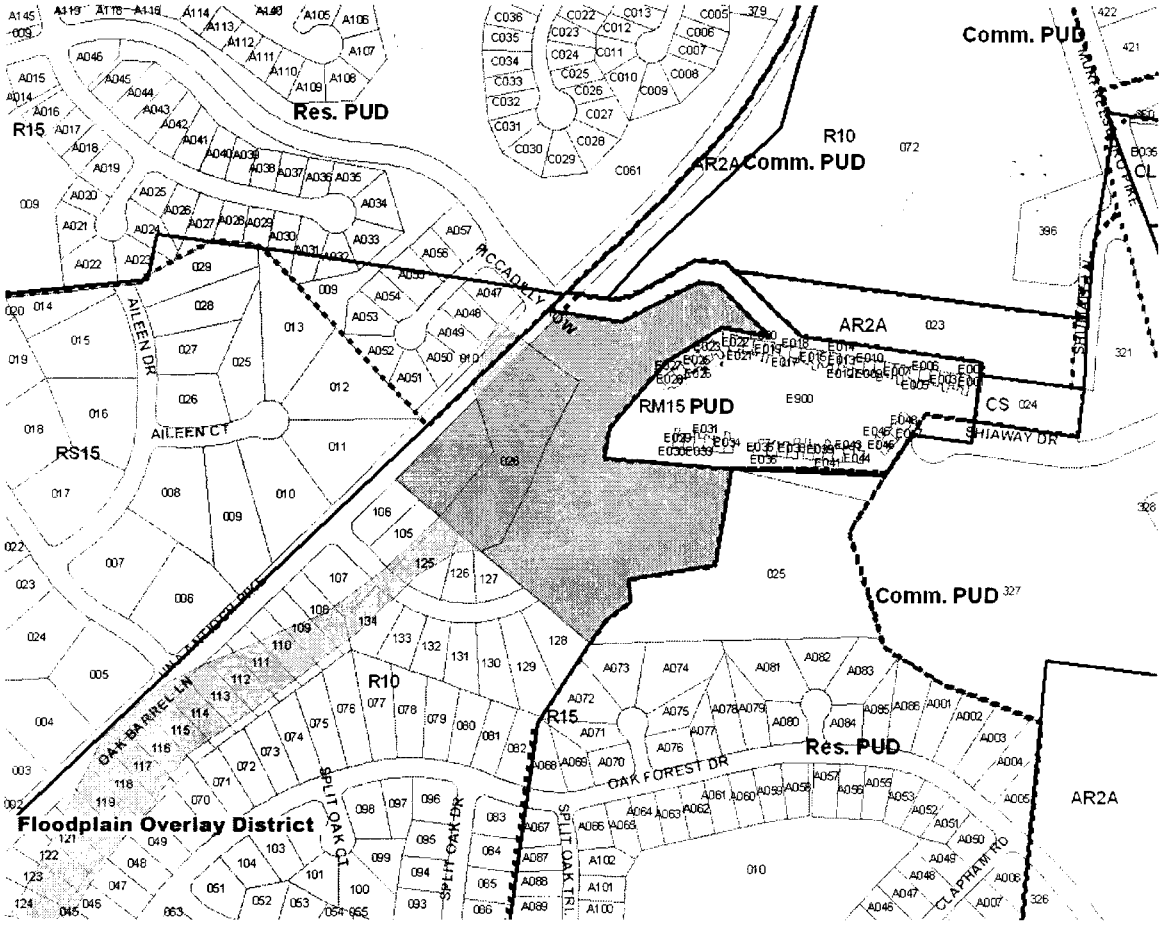
Site Features
Several community members have stated that there is an old spring house located on the property. The Metropolitan Historic Commission has expressed interest in working with the property owner and adjacent neighbors to locate and verifying the spring house's existence. Therefore, the spring house should be identified, and CO policy should be applied so that it can also be preserved to greatest extent possible

CONCLUSION
The application of T3 NE policy could be appropriate where a mixture of housing types are placed to function together with street and pedestrian connections and with the siting of development to follow existing topography. T3 NE policy accommodates the density range generally needed for an assisted living facility. An assisted living facility would be beneficial in the Antioch area as it supports a larger policy goal of providing a housing choice that allows residents to 'age – in – place' within the Antioch – Priest Lake Community.

The application of T3 NE policy to consider assisted living, nursing facilities, or other more dense and intense land uses must take the following into consideration:
- The effect on existing environmental features and topography within the site;
- The concentration of higher densities on a small portion of the site;
- The impact of a significant facility adjacent to a lower-density single-family neighborhood;
- Primary vehicular access on Una Antioch Pike and secondary or emergency vehicular access on Oak Barrel Drive;
- Pedestrian facilities to provide better access to transit, goods and services.

The current proposal has not sufficiently considered these aspects of the site and surrounding area. Without these considerations, the application of T3 NE for more intense land uses on the site is premature.

STAFF RECOMMENDATION
Staff recommends disapproval.



2011SP-024-001
MEADOWS DOWNS
Map 149, Parcel(s) 026
Antioch - Priest Lake
28 - Duane A. Dominy

Metro Planning Commission Meeting of 01/26/2012

Item #1b

Project No.	**Zone Change 2011SP-024-001**
Project Name	**Meadows Downs**
Associate Case	2011CP-013-004
Council District	28 – Dominy
School District	6 – Mayes
Requested by	Anderson, Delk, Epps and Associates Inc., applicant, Pamela Meadows, owner
Deferral	Deferred from the November 10, 2011, December 8, 2011, and January 13, 2012 Planning Commission meetings.
Staff Reviewer	Johnson
Staff Recommendation	*Disapprove*

APPLICANT REQUEST
To permit assisted-living and nursing home land uses

Preliminary SP
A request to rezone from One and Two Family (R10) to Specific Plan – Mixed Residential (SP-MR) zoning property located at 2158 Una Antioch Pike, approximately 1,915 feet south of Murfreesboro Pike (8.9 acres) and within the Floodplain Overlay District, to permit a maximum of 70 dwelling units within an assisted living and/or nursing facility.

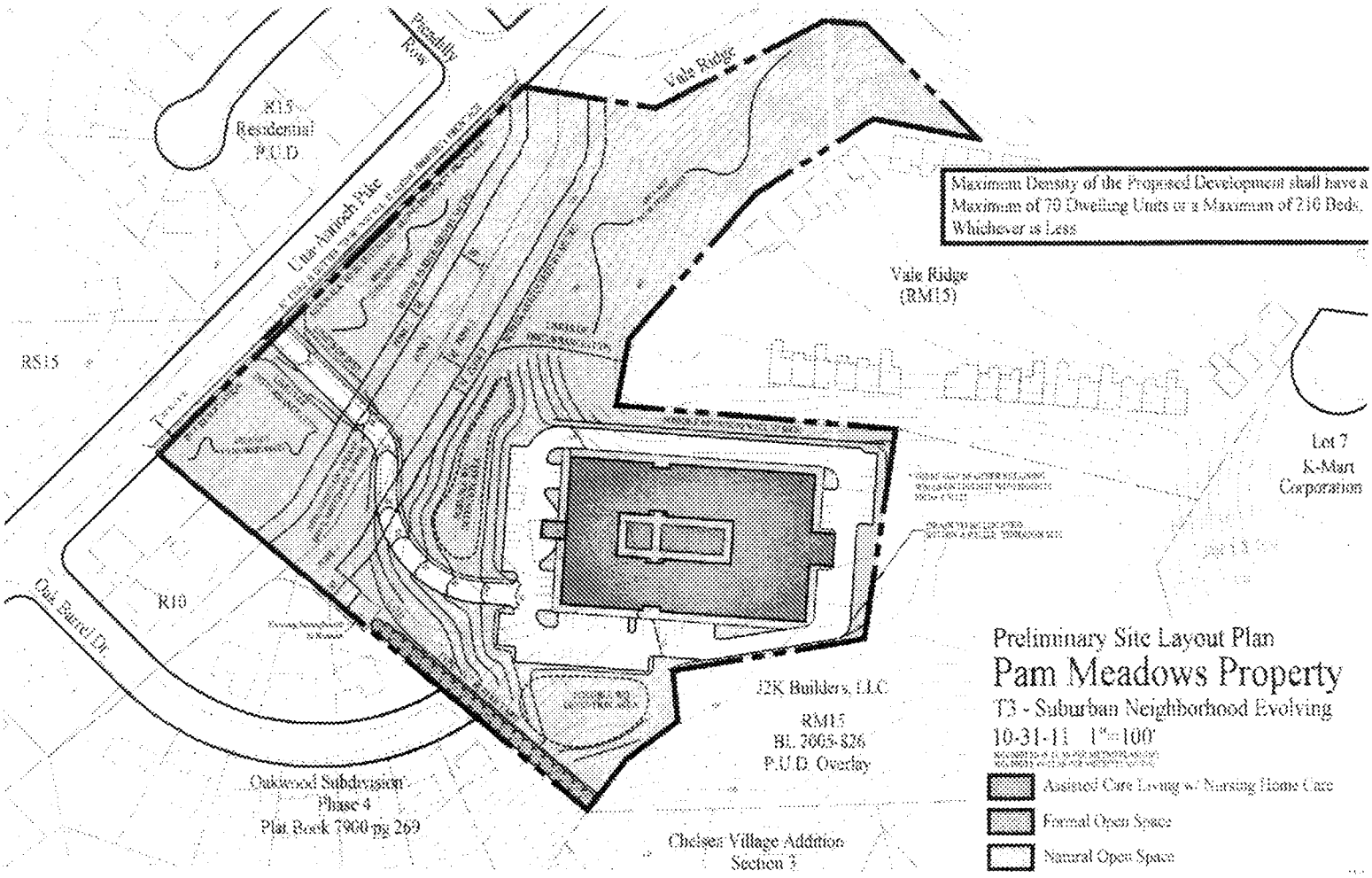
Existing Zoning
R10 District – R10 requires a minimum 10,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25 percent duplex lots.

Proposed Zoning
SP-MR District – Specific Plan-Mixed Residential 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
N/A

ANTIOCH-PRIEST LAKE COMMUNITY PLAN
Existing Policy
Residential Low-Medium (RLM) policy is intended to accommodate residential development within a density range of two to four dwelling units per acre. The predominant development type is single-family homes, although some townhomes and other forms of attached housing may be appropriate. The proposed density for this SP is approximately 7.9 dwelling units per acre, which is not consistent with the recommended density of two to four dwelling units per acre within RLM policy.

Proposed Policy
T3 Neighborhood Evolving (T3 NE) policy is intended to create suburban neighborhoods that are compatible with the general character of classic suburban neighborhoods as characterized by their



Vale Ridge
R15
Residential
P.U.D
Unaccaloch Pike
Maximum Density of the Proposed Development shall have a Maximum of 70 Dwelling Units or a Maximum of 210 Beds, Whichever is Less
Vale Ridge
(RM15)
RS15
Lot 7
K-Mart
Corporation
R10
Oak Barrel Dr.
J2K Builders, LLC
RM15
BL 2005-826
P.U.D. Overlay
Oakwood Subdivision
Phase 4
Plat Book 7900 pg 269
Chelsea Village Addition
Section 3
Preliminary Site Layout Plan
Pam Meadows Property
T3 - Suburban Neighborhood Evolving
10-31-11 1"=100'
Assisted Care Living w/ Nursing Home Care
Formal Open Space
Natural Open Space

building form, land use and associated public realm, with opportunities for housing choice and improved pedestrian, bicycle and vehicular connectivity. The resulting development pattern will have higher densities than classic suburban neighborhoods and/or smaller lot sizes, with a broader range of housing types providing housing choice. This reflects the scarcity of easily developable land (without sensitive environmental features) and the cost of developing housing - challenges that were not faced when the original classic, suburban neighborhoods were built.

Consistent with Policy?

The SP proposal, at approximately 7.9 dwelling units per acre does not meet the RLM land use policy, which recommends a density of two to four dwellings units per acre. The applicant proposes to amend the current land use policy through an associated land use policy amendment application to the T3 NE land use policy, which would permit up to 20 dwelling units per acre. The mismatch of proposed density with policy, and the disapproval recommendation of the proposed T3 NE policy provide the basis for the disapproval recommendation.

In addition to the issues with policy and density, the design of the site is not ideal to the existing topography or to the surrounding residential uses. Significant site grading will likely be necessary to accommodate a facility with such a large floor plate, as shown by the potential 25 foot retaining wall on the site plan. As stated in the disapproval recommendation for the policy amendment staff report, the concentration of a large facility on a relatively small portion of the site is likely to result in significant grading. Development under the current RLM policy would be less dense and could be more adaptable to the existing topography.

Although the site is located on land that is adjacent to single-family residential development on the south, the site plan does not show the intent to provide transitions in building form or street connections to this area. The disapproval recommendation in the policy amendment staff report points out that development under the RLM policy, at a lower density, would be more likely to provide a stronger connection, in terms of building form and design, to the adjacent single-family residential neighborhood.

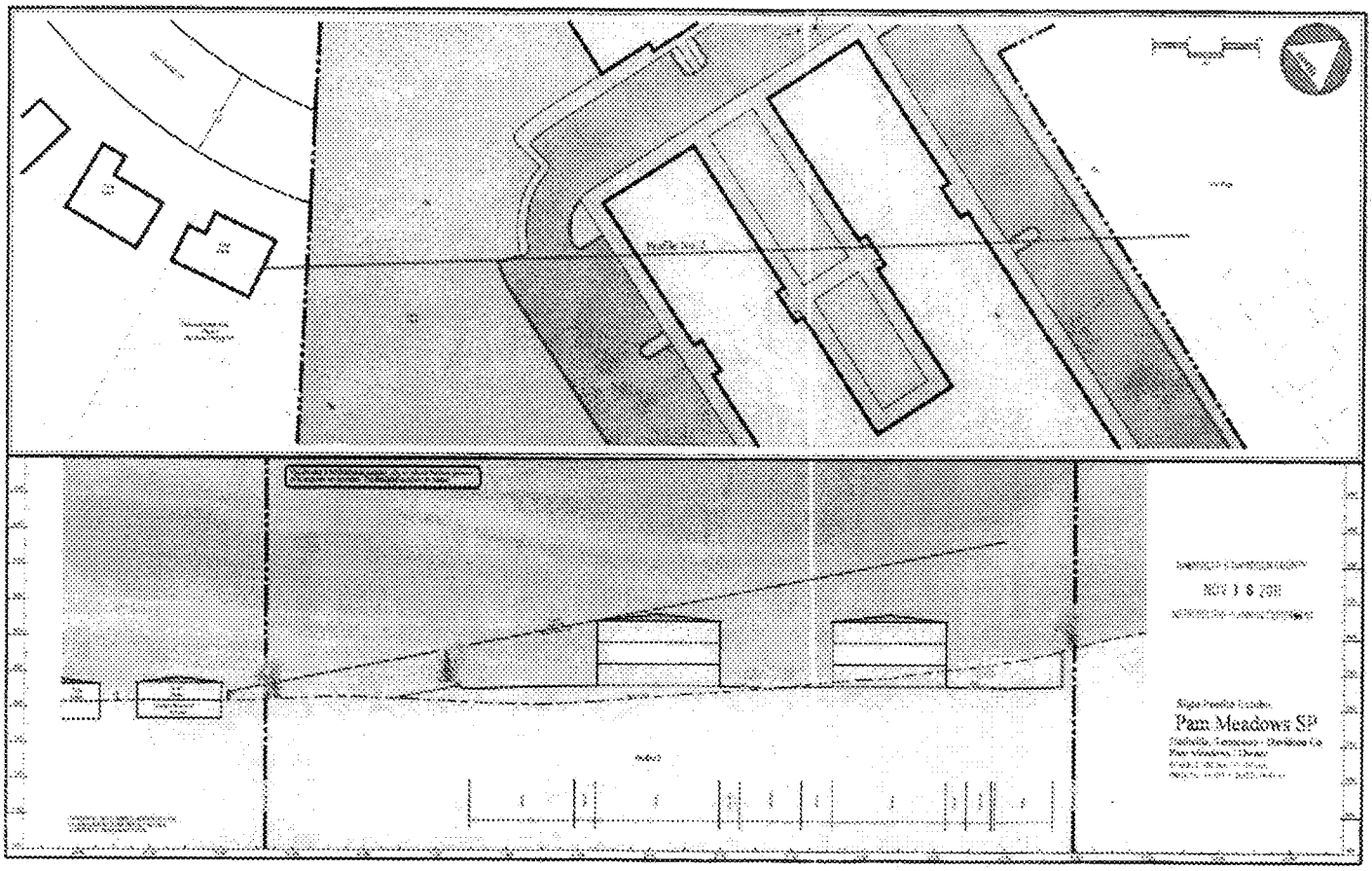
The SP proposal is for 70 dwelling units within nursing home and assisted-living uses. Because the permitted densities of the assisted-living and nursing home uses are expressed differently by the Zoning Code, the maximum combined density within the SP should be expressed in terms of rooming units and floor area ratio (FAR) instead of dwelling units. According to the Zoning Code, three rooming units are considered to be a dwelling unit, allowing for a maximum number of 210 rooming units within the SP. The maximum FAR of the RM9 fall-back zoning district is 0.60.

PLAN DETAILS

The proposed SP consists primarily of a conceptual site diagram illustrating the proposed location for the nursing home and assisted living uses. The SP also includes limited bulk and architectural standards.

Land uses and site layout

The SP plan illustrates the intended layout of the SP. As proposed, a driveway access from Una-Antioch Pike provides the primary access to the site. The proposed facility and associated parking are located near the southeastern corner of the site.



Section Drawing Through SP Site

Much of the site contains features that are considered to be environmentally-sensitive. A stream runs along the front of the site, adjacent to Una-Antioch Pike. Additionally, much of the site is sloped with areas of 20 percent slope or greater on the northern portion of the site. The proposed facility is shown on the least sloped portion of the site. However, the site plan shows the likely need for significant grading to the site in order to accommodate the proposed building. The site plan also shows that retaining walls could reach a height of 25 feet within the proposed development. The significant amount of site grading needed to accommodate the proposed use is not consistent with the character of the adjacent neighborhoods.

Architectural Standards

The SP includes minimal architectural standards that describe the intent of appropriate building design and specify acceptable materials for exterior walls, roofs, and awnings. The SP document submitted with the SP proposes a maximum building height of three stories for the assisted living/nursing facility.

Signage

Specific signage is not proposed within the SP. A note within the SP states that *signage shall be consistent with the sign standards found in the Metro Zoning Ordinance.*

Community Meeting

A community meeting to discuss this SP proposal and associated plan amendment was held on October 27, 2011. Approximately 20 people were in attendance. A number of issues were raised including traffic and residential density.

NES RECOMMENDATION

1. Developer to provide a civil duct and gear (pad/switch) locations for NES review and approval. No other utilities or private conduit can be under NES equipment.
2. Pad mounted equipment and riser pole must be installed no further than 10 feet off of paved surface.
3. Developer drawing shall show existing utility easements on property and the utility poles on the property and/or r-o-w.
4. Public utility easements required adjacent to public r-o-w and centered on NES and communication conduits. Widths to be determined.
5. NES equipment knuckle easements will be required. Dimensions to be determined.
6. Any additional easements required that are not part of this parcel must be obtained by the developer or the engineer for the developer.
7. Postal plan will be required before NES's final construction drawings can be issued.
8. NES can meet with developer/engineer upon request to determine electrical service options and meter locations for assisted living and independent living.
9. NES meters will be installed on multi gang pedestals for townhomes.
10. NES needs any drawings that will cover any road improvements to Oak Barrel Drive that Metro Public Works will require (i.e., turning lanes, driveway ramps or lane improvements). Any of these items may require electric facilities to be relocated and may be an impact to the developer.
11. NES follows the National Fire Protection Association rules; Refer to NFPA 70 article 450-27; and NESC Section 15 - 152.A.2 for complete rules (see NES Construction Guidelines under "Builders and Contractors" tab @ www.nespower.com).
12. For line removal contact "ESE" – best to request removal when signing up for power.

13. If porches are allowed to be constructed beyond the minimum setback limits and into the public utility easements; then the easement will be considered reduced by that much of the easement. Such encroachments may increase the cost of electrical infrastructure to allow for reduced or limited access to equipment. NES reserves the right to enter and to erect, maintain, repair, rebuild, operate and patrol electric power overhead and underground conductors and communications circuits with all necessary equipment reasonably incident thereto including the right to clear said easement and keep the same clear of brush, timber, inflammable structures, buildings, permanent structures, and fire hazards; all over, under, upon, and across the easement as granted on any plats.
14. If these are public streets then street lighting has to meet Metro/NES standards...
15. Developer needs to contact NES street lighting engineering @ 747-3531 (Bert Gilchrist) if decorative lights are planned.

PUBLIC WORKS RECOMMENDATION

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- Drive aisles shall be 24' wide, parking stalls shall be 8.5'x18'.
- Submit solid waste and recycling plan with final construction documents.
- Show sidewalk with curb and gutter along the frontage of Una Antioch Pike.
- Provide adequate sight distance at proposed access on Una Antioch.
- Extend Left turn lane at Picadilly signalized intersection as TWTL along Property frontage to proposed project access with transition per MUTCD and AASHTO standards.
- Modify traffic signal at Picadilly intersection to provide ped crossing facilities for Una Antioch crossing.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	8.9	4.63 D	41 L	458	39	49

Maximum Uses in Existing: **SP**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Assisted Living Facility (254)	8.9	-	300 Beds*	526	42	66

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+68	+3	+17

*The application has been revised with a reduced number of beds (210).

STORMWATER RECOMMENDATION

Approved

FIRE MARSHAL RECOMMENDATION
Not approved
Several requirements not shown on the plans -
1) elevations & grade
2) Utilities - fire hydrants & flow data, sprinkler systems
3) FD access roads including grade.
4) Number of attached units in a building.

METRO SCHOOL BOARD REPORT
A School Board Report was not prepared because this SP is for assisted-living and nursing facility uses only and will not generate students.

STAFF RECOMMENDATION
Staff recommends disapproval. The proposed SP is not compatible with the existing RLM land use policy, and because staff recommends disapproval of the proposed T3 NE policy. Additionally, the design of the proposal does not adequately address topography issues on the site or adjacent single-family development. Development meeting the density and intent of the existing RLM policy could be more likely to accommodate the site's existing topography and allow for an appropriate transition to adjacent development.

The Metro Fire Marshal has not approved the SP proposal. Fire Marshal comments are shown above.

CONDITIONS (if approved)
1. The uses of this SP shall be limited a nursing home or an assisted living facility, or a combination of the two, to a maximum number of 210 rooming units with a maximum 0.6 Floor Area Ratio.

2. Ground signage shall be limited to one ground sign along the Una-Antioch street frontage. Ground signs shall have a maximum height of six feet with a maximum display area of 32 square feet.

3. Comments listed above from Metro Public Works and Metro Stormwater shall be addressed on the corrected copy of the preliminary SP plan.

4. All requirements of Chapter 17.24 (Landscaping, buffering and tree replacement) of the Metro Zoning Code for MUL zoning shall be met with any final site plan within the SP.

5. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Metro Council approval, the property shall be subject to the standards, regulations and requirements of the RM9 zoning district.

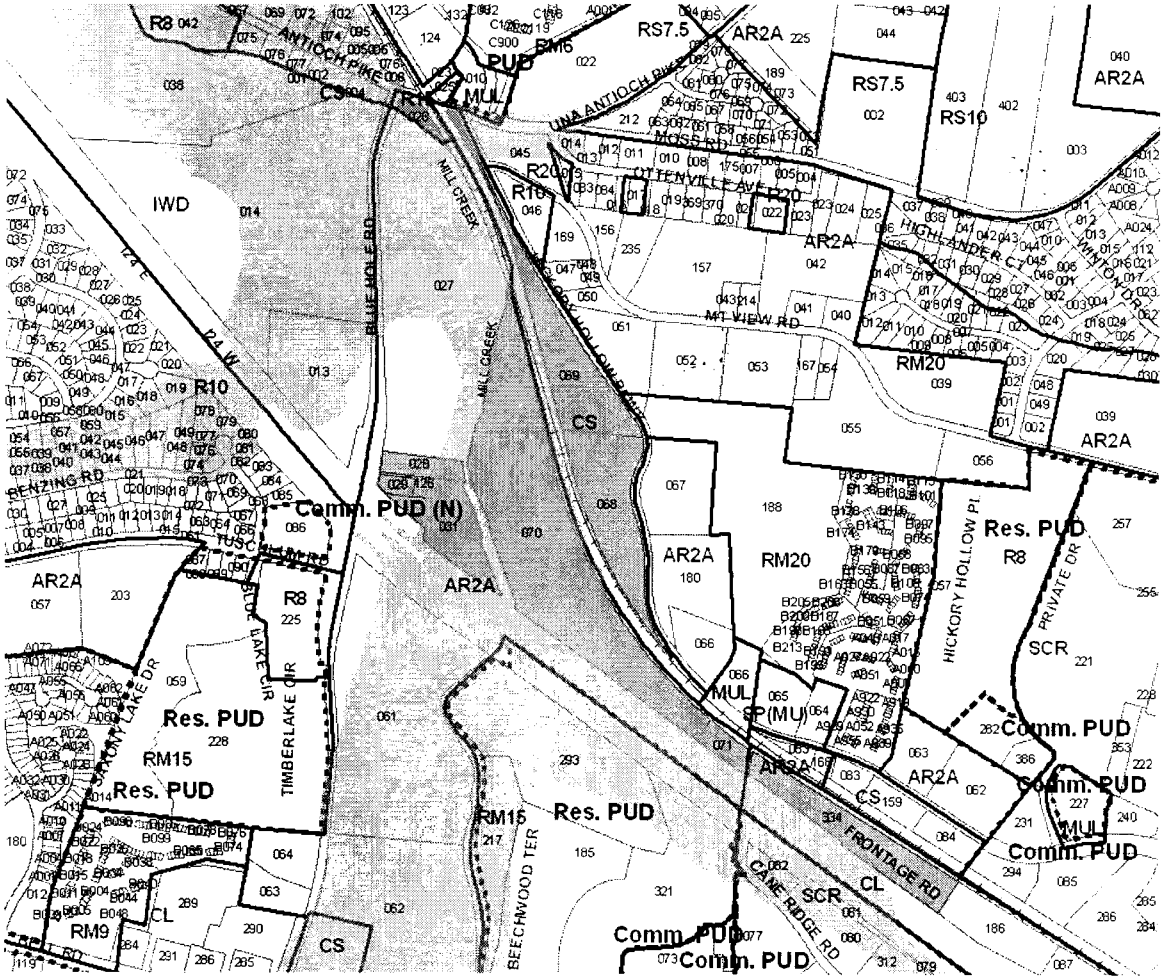
6. A corrected copy of the preliminary SP plan incorporating the conditions of approval by the Metro Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no later than 120 days after the effective date of the enacting ordinance. The corrected copy provided to the Planning Department shall include printed copy of the preliminary SP plan and a single PDF that contains the plan and all related SP documents. If a corrected copy of the SP plan incorporating the

conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.

7. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

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

SEE NEXT PAGE



2011CP-013-005
ANTIOCH PRIEST LAKE COMMUNITY PLAN AMENDMENT
Map 162, Parcel(s) 026, 028, 029, 031, 126
Map 163, Parcel(s) 068-071, 334
Antioch - Priest Lake
32 - Jacobia Dowell

Metro Planning Commission Meeting of 01/26/2012

Item # 2

Project No.	**Housekeeping Amendment 2011CP-013-005**
Project Name	**Amend the *Antioch-Priest Lake Community Plan: 2003 Update***
Council District	32 – Dowell
School District	6 – Mayes
Requested by	Metropolitan Planning Department
Deferral	Deferred from the December 8, 2011 and January 12, 2012 Planning Commission meetings
Staff Reviewer	Wood
Staff Recommendation	*Withdraw*

APPLICANT REQUEST

Amend the land use policy for Industrial and Distribution to Natural Conservation and Residential Low-Medium Density.

Housekeeping Plan Amendment

A request to amend the Antioch-Priest Lake Community Plan: 2003 Update to change the land use policy from Industrial and Distribution (IN) to Natural Conservation (NCO) and Residential Low-Medium (RLM) for various properties located along Antioch Pike, Blue Hole Road and Hickory Hollow Parkway, requested by the Metro Planning Department, applicant, various property owners.

STAFF RECOMMENDATION

Staff recommends that this housekeeping Plan Amendment be withdrawn and this time and be included in the larger Antioch/Priest Lake Community Plan Update which has been initiated. The first community meetings are scheduled to be held this Spring.

NO SKETCH

Metro Planning Commission Meeting of 01/26/2012 Item # 3

Project No.	**Text Amendment 2011Z-016TX-001**
Project Name	**Tri-Face Billboards**
Council Bill	BL2011-30
Council District	Countywide
School District	Countywide
Sponsored by	Councilmember Johnson
Deferral	Deferred from the November 10, 2011 Planning Commission Meeting
Staff Reviewer	Bernards
Staff Recommendation	*Approve*

APPLICANT REQUEST
Prohibit conversion of non-conforming billboards to tri-face billboards

Text Amendment
A request to amend Chapter 17.40 of the Metro Zoning Code to prohibit the conversion of non-conforming static billboards to tri-face billboards.

CRITICAL PLANNING GOALS
N/A

DEFERRAL
This text amendment was deferred from the November 10, 2011, Planning Commission meeting to allow staff additional time to review the text amendment based on the discussion at the Planning Commission meeting.

PURPOSE OF THE TEXT AMENDMENT
This text amendment is intended to prohibit non-conforming static billboards from being converted to tri-face billboards. Currently, the Zoning Code does not distinguish between static and tri-face billboards. These are both considered conventional billboards.

Existing Law
A tri-faced billboard is defined in the Zoning Code as
"...a non-internally illuminated billboard consisting of a sign face comprised of a series of vertical triangular louvers that can be rotated to show up to three separate sign messages.

Section 17.32.050.G, tri-face billboards are specifically excluded from the height restrictions.

"Signs with any copy, graphics, or digital displays that change messages by electronic or mechanical means, other than tri-face billboards, shall not be permitted in the CA, CS, CF, CC, SCR, IWD, IR and IG districts unless the following distance requirements are satisfied, based upon the overall height of the sign:"

When regulations for changeable message signs were added to the Zoning Code in May 2008, tri-face billboards were inadvertently placed in this new category. By adding a definition for tri-faced billboards and excluding them from the height restrictions imposed on digital signs in January 2011,

tri-face billboards were once again treated as conventional billboards. The Planning Commission recommended approval of this text amendment at its December 9, 2010, meeting.

Proposed Bill

The proposed bill would create a third category of billboard and would partially reverse the earlier text amendment by treating tri-face billboards differently than static billboards through limitations on where they can be located. If adopted, non-conforming static billboards could not be converted to tri-face billboards. This proposed amendment does not re-classify tri-face billboards as a digital sign; rather places it in a third category.

ANALYSIS

Billboards are considered to be a use and the Zoning Code defines a non-conforming use in the following way:

"Nonconforming use" means a use originally legally established, but which now does not currently conform to the applicable use regulations of the zoning district in which it is located.

There are many billboards that were legally installed but changes in the Zoning Code have made them non-conforming including:

- Increasing the spacing distance between billboards from750 feet to 1,000 feet;
- Requiring all billboards to be on a single pole; or
- Requiring all billboards to be located on a street at least four lanes in width.

Alternatively, a change in circumstance may have made the billboard non-conforming. For example, the required setback for a billboard is 20 feet. But if a street is widened, the billboard may no longer be 20 feet from the property line and would become non-conforming. The proposed text amendment would no longer permit these nonconforming static billboards to be converted to tri-face billboards.

The state nonconforming use statute allows certain existing non-conforming businesses to remain when a change in local zoning regulations makes the business no longer technically in compliance with the law. The purpose of the grandfathering statute is to prevent a hardship to existing property owners and businesses that were in compliance with the applicable laws at the time a new zoning restriction was enacted. Tennessee courts have interpreted the nonconforming use statute to be applicable to advertising signs, which allows the sign face to be changed without losing its protected nonconforming status.

Currently, any non-conforming static billboard in the County could be replaced with a tri-face billboard. Generally, when a use becomes non-conforming, it is anticipated that, over time it will be removed. By allowing a static billboard to be replaced with a tri-face billboard, an alternative technology, the use increases the non-conformity. Both static and tri-face billboards are required to be externally lit. The impact of replacing the static panel with a tri-face panel on the neighboring properties is negligible, however, if a sign with one message is considered non-conforming, replacing it with a sign with three messages would be more so.

The Planning Commission deferred this item so that staff could undertake additional review of this matter. Specifically, staff was asked to look at how other cities dealt with non-conforming

billboards, the number of non-conforming billboards in Nashville and the likelihood that scrolling billboards would be permitted in Nashville.

Review of Code Requirements for Billboards

In a review of the sign codes of other cities, including Charlotte NC, Austin TX, Birmingham AL, Cincinnati OH, Phoenix AZ, Meriden CT, Jacksonville FL, and Orlando FL, staff found that, similar to the Nashville Code, standards are in place that are designed to prevent the over concentration, improper placement and excessive height, size and bulk of billboards. Regulations for the conversion of non-conforming static billboards to tri-face billboards vary. In some codes it was expressly prohibited to convert a non-conforming static billboard to either a tri-face or other type of changeable message billboard. Other codes were silent on the issue. A third approach is to allow the conversion of a non-conforming static billboard to a tri-face billboard if one or more, depending on the city, other non-conforming billboard is removed.

Number of Non-Conforming Billboards

Staff spoke with the Codes Department staff on this matter. There are no records kept that would indicate the number of non-conforming billboards. There are three companies that own the majority of the billboards in Davidson County. Staff asked these companies to provide an estimate of the number of billboards they controlled that were non-conforming. The estimates range from 60 percent to 90 percent of billboards were non-conforming. For the most part, only those billboards constructed in the past few years are conforming to the current regulations.

Scrolling Billboards

The Planning Commission asked staff to investigate the potential of scrolling billboards being permitted in Nashville. Scrolling signs offer the ability to display multiple messages in one structure. They are often used as mobile advertising on a truck or other vehicle and are back lit. Messages are on large panels the size of the sign space and these rotate from message panel to message panel. As the change in messages does not occur instantaneously but scroll from one message to the next, this type of billboard is not permitted under the current zoning code except within the Commercial Amusement zoning district. This type of billboard would be considered a sign with a display that "change messages by electronic or mechanical means" and would be subject to all the requirements that a digital billboard would be subject to.

STAFF RECOMMENDATION

Staff recommends approval of this bill.

Metro Planning Commission Meeting of 01/26/2012

ORDINANCE NO. BL2011-030

An Ordinance amending Chapter 17.40 of the Metropolitan Code to prohibit the conversion of nonconforming static billboards to tri-face billboards, all of which is more particularly described herein (Proposal No. 2011Z-016TX-001).

WHEREAS, tri-face billboards are potentially more distracting to motorists than static billboards, and have a more intensive impact on the surrounding community; and

WHEREAS, the Metropolitan Council recognizes that Tennessee Code Annotated § 13-7-208 provides certain protections to non-conforming uses; and

WHEREAS, the Metropolitan Council desires to allow nonconforming static billboards to continue to be used as such in accordance with Tennessee Code Annotated § 13-7-208, but to clarify that static billboards are separate structures from tri-face billboards.

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

Section 1. That Title 17 of the Code of The Metropolitan Government of Nashville and Davidson County, Zoning Regulations, is hereby amended by amending Section 17.40.690 by adding the following provision as a new subsection at the end thereof:

"A nonconforming static billboard shall not be altered, modified, converted, changed, or replaced to result in the billboard becoming a tri-face billboard as defined in section 17.04.060. Static billboards and tri-face billboards shall be considered separate structures."

Section 2. That this Ordinance shall take effect five (5) days from and after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY: Karen Johnson

SEE NEXT PAGE

NO SKETCH

Metro Planning Commission Meeting of 01/26/2012

Item # 4

Project No.	**Text Amendment 2011Z-019TX-001**
Project Name	**Destruction of Non-Conforming Signs**
Council Bill	BL2011-48
Council District	Countywide
School District	Countywide
Requested By	Councilmember Claiborne
Deferral	Deferred from the December 8, 2011, Planning Commission meeting
Staff Reviewer	Ratz
Staff Recommendation	*Defer Indefinitely*

APPLICANT REQUEST
Revise Zoning Code provisions relating to nonconforming signs.

Text Amendment
A request to amend Chapter 17.40 of the Metro Zoning Code relative to the destruction of nonconforming signs.

STAFF RECOMMENDATION
The applicant submitted a request in writing to defer this application indefinitely.

2011SP-028-001
TOWNS AUTO SALES (PRELIM & FINAL)
Map 091-13, Parcel(s) 355
West Nashville
20 - Buddy Baker

Metro Planning Commission Meeting of 01/26/2012

Item # 5

Project No.	**Zone Change 2011SP-028-001**
Project Name	**Towns Auto Sales**
Council Bill	BL2011-71
Council District	20 – Baker
School District	9 – Simmons
Requested by	Hamid Rabiee, applicant, Carl and Denise Guye, owners
Deferral	This item was deferred from the December 8, 2011 and January 26, 2012 Planning Commission meetings
Staff Reviewer	Johnson
Staff Recommendation	*Approve the SP with conditions and disapprove without all conditions*

APPLICANT REQUEST

Permit vehicle sales and repair uses and all other uses permitted by CS district.

Preliminary and final SP

A request to rezone from Commercial-Service (CS) to Specific Plan – Auto (SP-A) zoning and for final site plan approval for property located at 5909 Charlotte Pike, approximately 1,235 feet west of Oceola Avenue (0.75 acres), to permit auto repair, auto sales, used, and all other uses permitted by the CS District.

Existing Zoning

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

Proposed Zoning

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

CRITICAL PLANNING GOALS

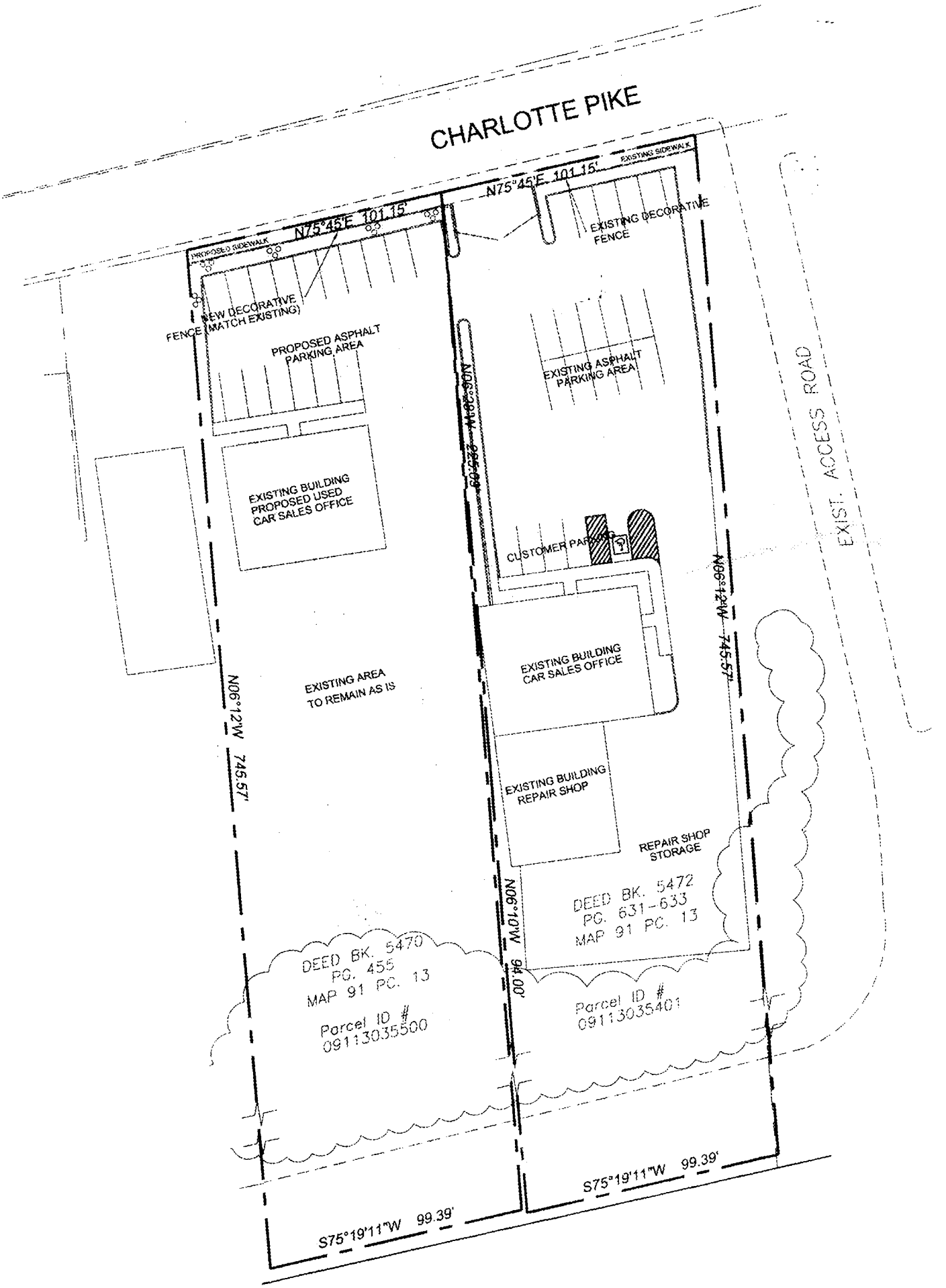
N/A

WEST NASHVILLE COMMUNITY PLAN

T4 Urban Mixed Use Neighborhood (T4 MU) policy is intended to preserve, enhance, and create urban mixed use neighborhoods characterized by a development pattern that contains a diverse mix of residential and nonresidential land uses, and that are envisioned to remain or develop in a mixed use pattern. T4 MU areas are areas intended to be mixed use in nature with the presence of commercial and even light industrial uses, but also a significant amount of moderate to high density residential development.

Consistent with Policy?

The T4 Urban Mixed Use Neighborhood (T4 MU) policy promotes a combination of residential and non-residential development and would permit an expansion of auto-related land uses on the subject site, subject to the design intent of the land use policy. The T4 MU policy promotes walkable neighborhoods with buildings placed close to the street and with land uses that are appropriate within mixed use neighborhoods. Because of this intent, Planning staff recommends the MUL-A


CHARLOTTE PIKE
PROPOSED SIDEWALK
EXISTING SIDEWALK
N75°45'E 101.15'
N75°45'E 101.15'
NEW DECORATIVE FENCE (MATCH EXISTING)
EXISTING DECORATIVE FENCE
PROPOSED ASPHALT PARKING AREA
EXISTING ASPHALT PARKING AREA
N06°30'W 225.00'
EXISTING BUILDING PROPOSED USED CAR SALES OFFICE
CUSTOMER PARKING
EXISTING BUILDING CAR SALES OFFICE
EXISTING AREA TO REMAIN AS IS
N06°12'W 745.57'
N06°12'W 745.57'
EXISTING BUILDING REPAIR SHOP
REPAIR SHOP STORAGE
N06°10'W 94.00'
DEED BK. 5472 PG. 631-633 MAP 91 PC. 13
DEED BK. 5470 PG. 455 MAP 91 PC. 13
Parcel ID # 09113035500
Parcel ID # 09113035401
S75°19'11"W 99.39'
S75°19'11"W 99.39'
EXIST. ACCESS ROAD

zoning district for future development on the site. Instead of requesting all uses of the CS district, the request should be amended to all uses of the MUL-A district. MUL-A is more consistent with the recommended land uses and building form of the T4 MU policy than the CS zoning district.

PLAN DETAILS

In 2006, a Council bill removed most automobile-related uses from the list of uses permitted under the CS zoning classification. This SP request proposes to have auto rental and leasing uses added back to the uses permitted for the subject property.

Site plan

The applicant operates an auto sales use on the property adjacent to the proposed SP site and wishes to expand the business to the site. The SP will only apply to the new lot.

According to the site plan, the expansion of the adjacent business will occupy the existing building and the parking area along Charlotte Pike. The existing building will be used as an accessory office for vehicle financing. The front parking area will be used for visitor and employee parking and for additional vehicle display area. The rear yard area behind the existing building consists primarily of unimproved lawn. The applicant does not intend to improve this area as part of the expansion of the business.

The site currently does not include any physical separation between the front parking area and the street, except for several small parking space barriers. As part of the SP request, the applicant proposes to construct a decorative fence with landscaping along the property frontage. This type of frontage already exists along the frontage of the adjacent auto sales business. Sidewalk will also be extended along the property frontage.

The site plan also illustrates the intent to consolidate access to the auto sales business. The existing driveway to Charlotte Pike on the SP property will be closed. Access to Charlotte Pike will be shared with the adjacent property. Because the current business intends to use two existing lots and remove direct vehicular access from one lot, cross-access must be formalized through either a consolidation plat to combine the two lots or a cross-access easement that grants access to the SP lot.

Parking

The existing building on the site will be used as an accessory office to the primary sales office on the adjacent property. This accessory office will be used as a financing office and will have a maximum of one employee. Because of the minimal use of this building, the required number of parking spaces for this building can be reduced. Five parking spaces, including one accessible parking space, are proposed within the SP. The proposed number of parking spaces is a sufficient number of spaces for the proposed accessory office and vehicle display area on the site.

Signage

According to the SP, no new ground signage is proposed. Signage within the SP shall follow the standards of the MUL-A zoning district.

Future Development

As stated in the policy section, the land use policy in this location allows for a variety of land uses, but envisions a mixed-use neighborhood with a high level of walkability in this location. An auto-

related use is acceptable within this policy. However, future redevelopment of the site should be required to meet the form-based intent of the land use policy. Because of this, a condition of approval has been added to include a fall-back zoning district of CS for the current use and a future fall-back zoning district of MUL-A. The future fall-back district will be in-place when the site redevelops or development within the site expands beyond a certain point as specified in the Zoning Code.

PUBLIC WORKS RECOMMENDATION

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- If any construction is required to be completed in the public Right of Way then a permit must be obtained from the Metro Public Works Permit office. Contact MPW Permit office at (615) 862-8782.
- Indicate solid waste plan – dumpster and recycling container locations. Provide turning template for SU-30.
- The existing and proposed sidewalks shown on the plans along Charlotte Pike must be located in the public right of way. Dedicate right of way to fully encompass the public sidewalk. Dedication may be accomplished by instrument.
- Driveway ramp connection to Charlotte Pike to be Public Works Standard ST-325.
- Revise plan to include Public Works standard details ST-210 and ST-325.

STAFF RECOMMENDATION

Staff recommends approval with conditions of the preliminary and final SP, and disapproval of the preliminary SP without all conditions of approval.

CONDITIONS

1. Permitted land uses within the SP shall be automobile sales (used), automobile repair, and all other uses permitted by the MUL-A zoning district.

2. Prior to permit approval, a plat combining the SP lot with the adjacent auto sales lot, or a cross-access easement granting access through the adjacent lot to Charlotte Pike, shall be recorded.

3. The preliminary SP shall comply with conditions of approval from Metro Public Works, including the dedication of right-of-way along Charlotte Pike to a minimum distance of 50 feet from centerline as specified by the Major and Collector Street Plan.

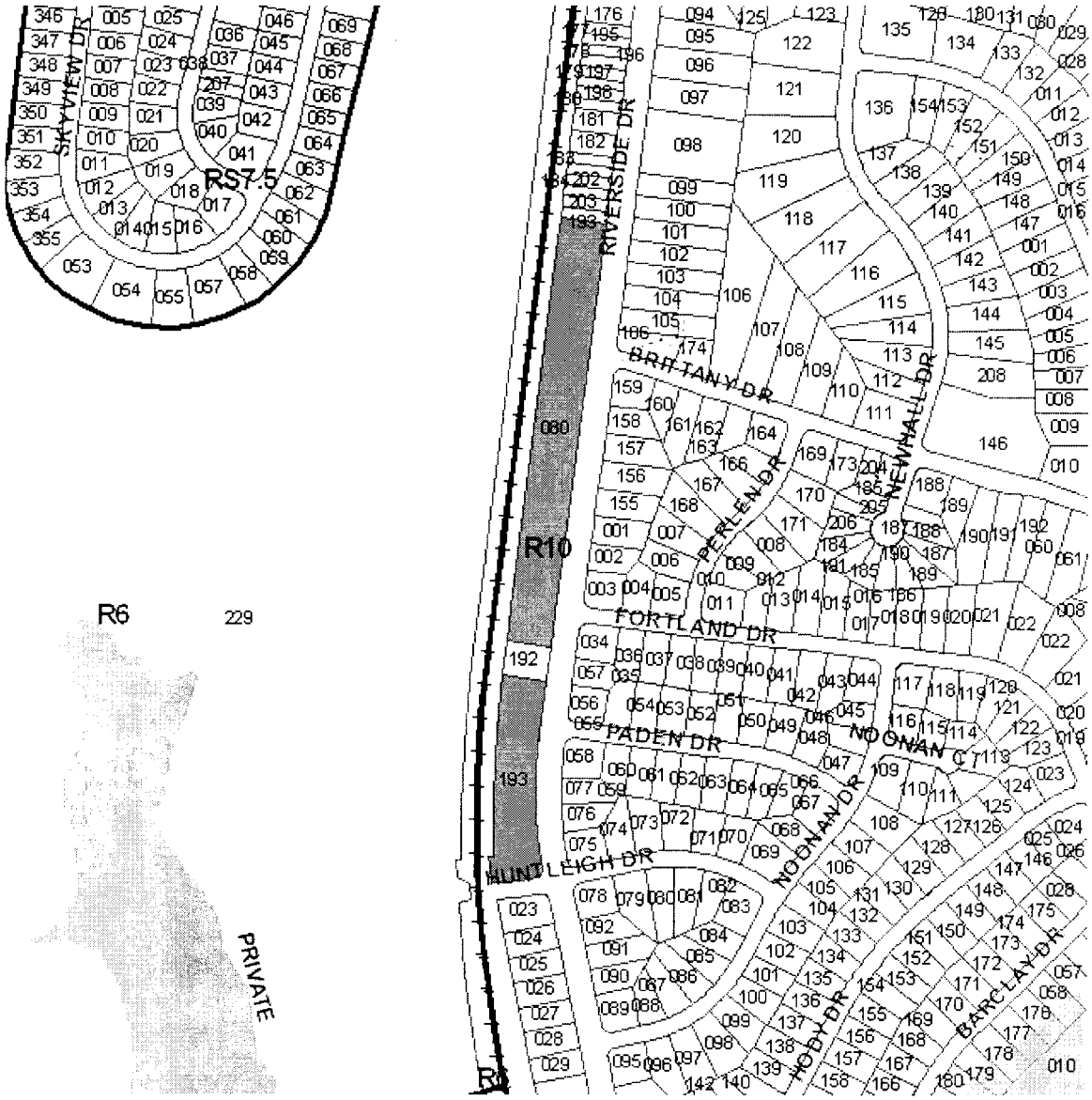
4. Ground signage on the SP site shall follow the standards of the MUL-A zoning district.

5. The following note shall be added to the site plan: Auto related uses shall be consistent with the approved site plan. Minor modifications to the site plan may be approved by the Planning Commission including changes in use but shall be subject to the standards, regulations and requirements of the CS zoning district. Expansions of 25 percent of the total floor area of the originally approved final site plan or total redevelopment shall meet the standards, regulations and requirements for the MUL-A zoning district. Minor modifications may require a new final site plans and expansions of 25 percent of the total floor area of the approved site plan or total redevelopment shall require that a final site plan be approved by the Planning Commission.

6. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no later than 120 days after the effective date of the enacting ordinance. The corrected copy provided to the Planning Department shall include printed copy of the preliminary SP plan and a single PDF that contains the plan and all related SP documents. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.

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



2008S-048U-05
RIVERSIDE DRIVE (CONCEPT PLAN EXTENSION # 2)
Map 083-11, Parcel(s) 080
Map 083-15, Parcel(s) 193
East Nashville
06 - Peter Westerholm

Metro Planning Commission Meeting of 01/26/2012 Item # 6

Project No.	**Subdivision 2008S-048U-05**
Project Name	**Riverside Drive (Concept Plan Extension #2)**
Council District	6 – Westerholm
School District	5 – Porter
Requested by	Riverside Development, LLC, owner
Deferral	This request was deferred from the January 12, 2012, MPC agenda at the request of the applicant.
Staff Reviewer	Swaggart
Staff Recommendation	*Approve concept plan extension to January 26, 2013*

APPLICANT REQUEST
Extend concept plan approval.

Final Plat
A request to extend the concept plan approval for one year for an 18-lot subdivision on properties located at Riverside Drive (unnumbered), at the northwest corner of Riverside Drive and Huntleigh Drive (6.41 acres), zoned One and Two Family Residential (R10).

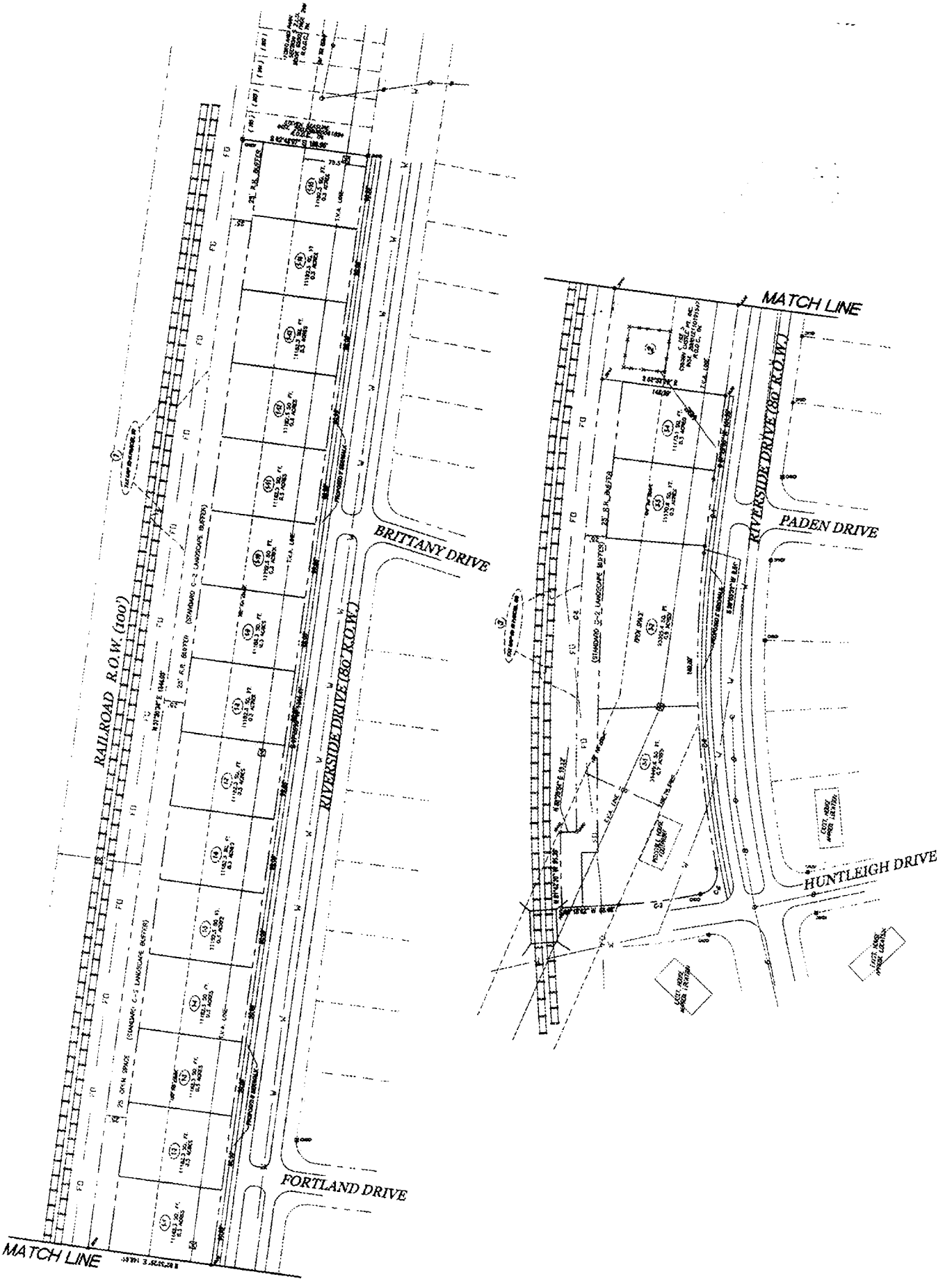
Existing Zoning
R10 District - R10 requires a minimum 10,000 square foot lot and is intended for single -family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25% duplex lots.

CRITICAL PLANNING GOALS
N/A

PLAN DETAILS
Concept Plan Extension
This is a request to extend concept plan approval for the Riverside Drive subdivision. The two properties included in the concept plan are located on the west side of Riverside Drive near its southern terminus in East Nashville. The properties are situated between Riverside Drive and the CSX railroad.

The concept plan was approved for 18 single-family lots by the Planning Commission on July 24, 2008. The Planning Commission subsequently extended approval to July 24, 2011. *Had this subdivision been approved under the recently amended regulations, which lengthened the term of the concept plan to four years, the request for an extension would not be necessary.*

According to a letter from the applicant, the development was stalled due to a property dispute with CSX Railroad which owns the neighboring property to the west. After the dispute was settled the applicant had difficulty moving forward due to the economy. The applicant states that they are now ready to move forward with Phase One. Construction plans for Phase One have been submitted to Metro Water Services for review and all review fees and water and sewer capacities fees have been paid.

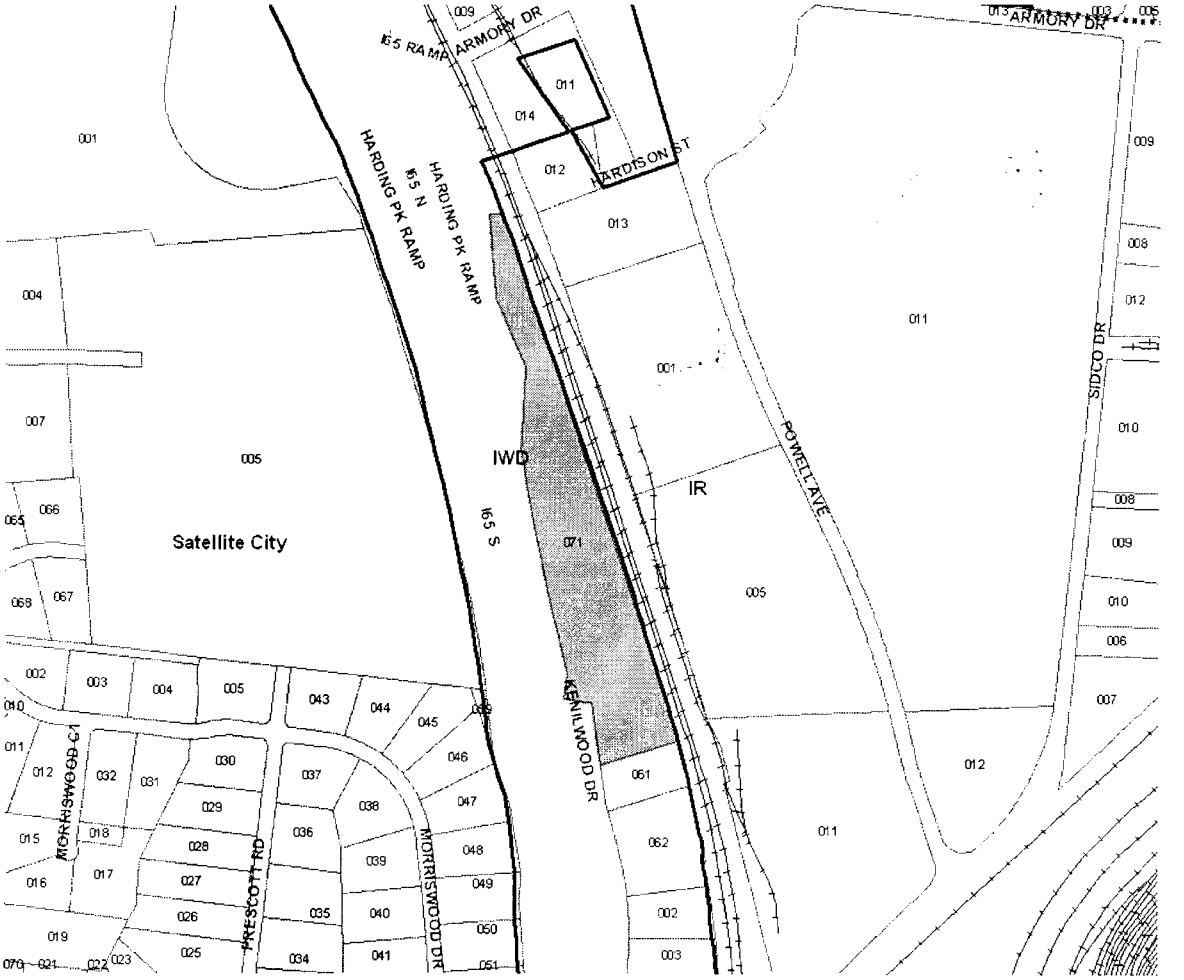

RAILROAD R.O.W. (100')
BRITTANY DRIVE
RIVERSIDE DRIVE (80' R.O.W.)
FORTLAND DRIVE
MATCH LINE
MATCH LINE
RIVERSIDE DRIVE (80' R.O.W.)
PADEN DRIVE
HUNTLEIGH DRIVE

STAFF ANAYLIS

The current concept plan meets all Subdivision Regulations, and with the exception of the rear yard setback, it meets all zoning requirements. While the plan does not provide the minimum distance required for the rear yard setback, the Board of Zoning Appeals has granted a variance for the proposed rear yard setback (2008-034). Since the concept plan meets all the requirements, and the applicant has made progress in developing the subdivision, staff recommends that the Planning Commission extend the concept plan approval for one year. Since July 24, 2012, is not a long duration, then staff recommends that the concept plan be extended for one year from the Commission's action and not from the previous expiration date which would be January 26, 2013.

STAFF RECOMMENDATION

Staff recommends that the concept plan be approval be extended to January 26, 2013.



2011S-102-001
KENILWOOD
Map 132-07, Parcel(s) 071
South Nashville
16 - Tony Tenpenny

Metro Planning Commission Meeting of 01/26/2012

Item # 7

Project No.	**Subdivision 2011S-102-001**
Project Name	**Kenilwood Subdivision**
Council District	16 – Tenpenny
School District	7 – Kindall
Requested by	Douglas Durr, owner, Cherry Land Surveying, Inc., surveyor
Staff Reviewer	Sexton
Staff Recommendation	*Approve with conditions*

APPLICANT REQUEST
Final plat to create four lots and dedicate easements

Final Plat
A request for final plat approval to create four lots and dedicate easements on property located at 4200 Kenilwood Drive, approximately 1,450 feet north of Sidco Drive, zoned Industrial Warehousing/Distribution (IWD).

CRITICAL PLANNING GOALS
N/A

PLAN DETAILS
Final Plat
The applicant is requesting final plat approval for a four lot subdivision and to dedicate easements on the property. Subdivisions of three or more lots must be approved by the Metro Planning Commission.

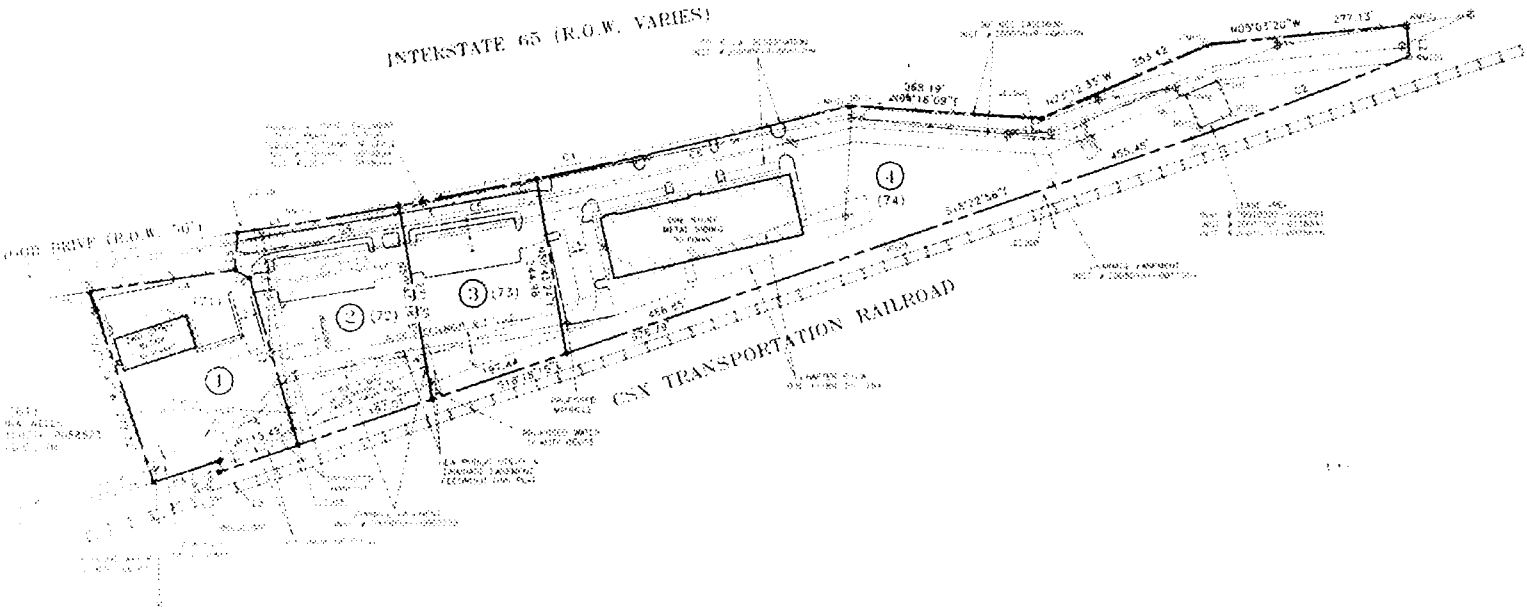
This industrially-zoned property is between Interstate 65 to the west and the CSX Railroad line to the east. An existing warehouse is located on a portion of the property proposed for Lot 1. There is also an existing warehouse located on a portion of the property proposed for Lot 4. Both warehouses will remain. Access to Lots 1 and 2 is provided along Kenilwood Drive. A note has been placed on the plat creating a cross access easement between Lots 1, 2, 3 and 4 which will provide access to Kenilwood Drive for all four lots.

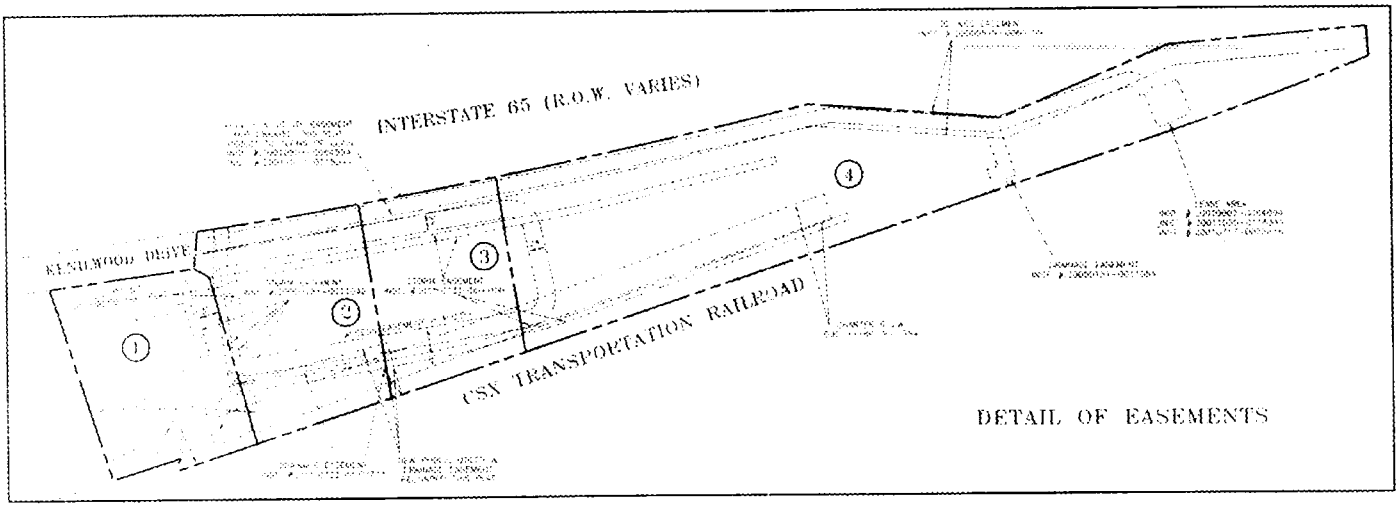
Public Utility Drainage Easements are proposed on Lots 1, 2 and 3. A new public sewer line is also proposed on Lot 1. Prior to final plat recordation, a bond needs to be in place for the construction of the sewer.

Sidewalks
Sidewalks are not present along Kenilwood Drive. Because the subdivision proposal is located within the IWD zoning district and is not located within the Sidewalk Priority Index, sidewalks are not required.

STORMWATER RECOMMENDATION
Final plat approved with conditions (Stormwater):
1. A bond is required prior to plat recordation.

2. Provide revised construction drawings (approved) reflecting 4 lots.


INTERSTATE 65 (R.O.W. VARIES)
CSX TRANSPORTATION RAILROAD


INTERSTATE 65 (R.O.W. VARIES)
CSX TRANSPORTATION RAILROAD
DETAIL OF EASEMENTS

3. Hatch the existing and proposed Drainage Easements (too many existing and proposed easements are making it difficult to decipher).

4. Ensure that the existing water quality unit for lot 71 as well as the new features shown on the revised plans (yet to be submitted) resides within the drainage easements.

5. Cite new Maintenance Agreement number to plat, if necessary.

WATER SERVICES RECOMMENDATION
Final plat approved with conditions (Water Services):
1. Recording of the final plat is contingent upon the construction of Metro Projects #11-SL-92 and#08-WL-70. A Bond is required prior to plat recordation.

2. Provide revised plat addressing agency comments.

STAFF RECOMMENDATION
Staff recommends approval with conditions.

CONDITIONS
1. Prior to final plat recordation, a bond application shall be submitted and a bond posted with the Metro Planning Department.

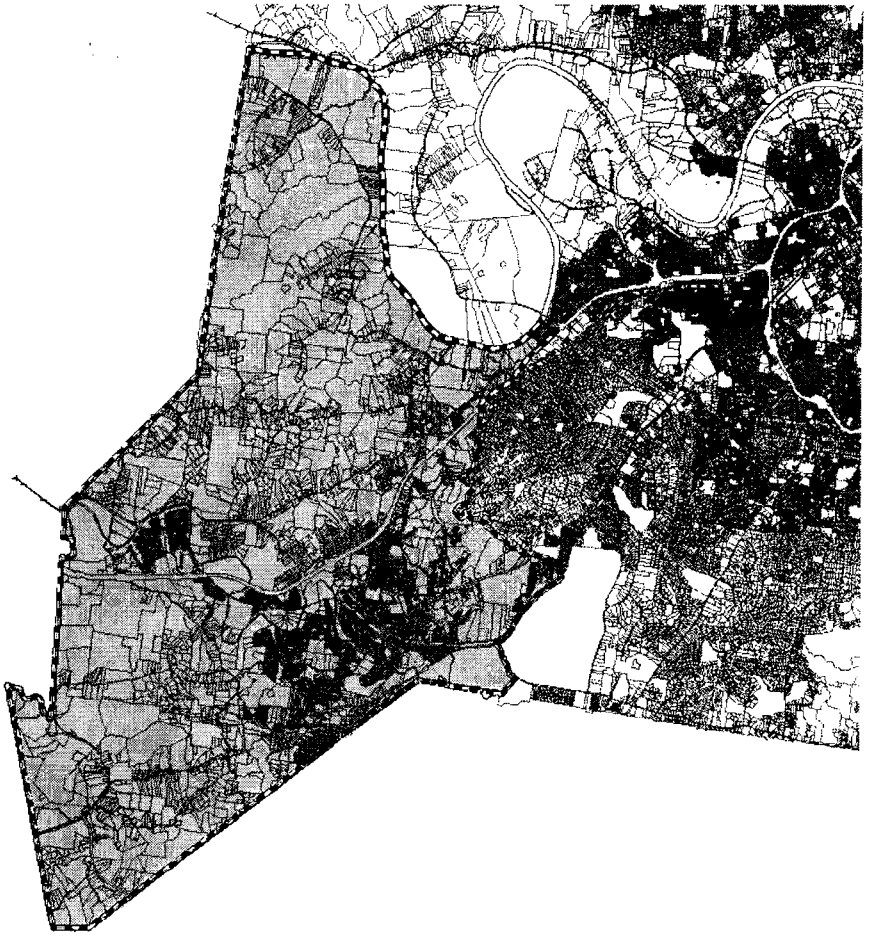
2. Prior to final plat recordation, all requirements of Metro Stormwater shall be satisfied.

3. Prior to final plat recordation, all requirements of Metro Water Services shall be satisfied.

SEE NEXT PAGE

COMMUNITY PLAN POLICY CHANGES and ASSOCIATED CASES

- **Plan Amendment**
- **Specific Plan**



2012CP-006-001
CP 6: BELLEVUE: 2011 UPDATE
N/A
BELLEVUE
22/Weiner; 35/Mitchell; 20/Baker; 23/Evans; 34/Todd

Metro Planning Commission Meeting of 01/26/2012 Item # 8

Project No.	**Plan Update 2012CP-006-001**
Project Name	***Bellevue Community Plan: 2011 Update***
Associated Case	2012CP-000-001
Council District	22 – Weiner, 35 – Mitchell, 20 – Baker, 23 – Evans, 34 – Todd
School District	9 – Simmons, 8 – Hayes
Requested by	Metro Planning Department
Staff Reviewer	McCaig
Staff Recommendation	*Approve*

APPLICANT REQUEST
A request to adopt the *Bellevue Community Plan: 2011 Update.*

Amend the Community Plan
A request to amend the Bellevue Community Plan, updating the land use policies applied in 2003 to 45,040 acres (including parcels and right-of-way) contained in the Bellevue Community, also referred to as Subarea 6.

CRITICAL PLANNING GOALS
The Bellevue Community Plan Update meets the following critical planning goals through the application of Community Character Policies.

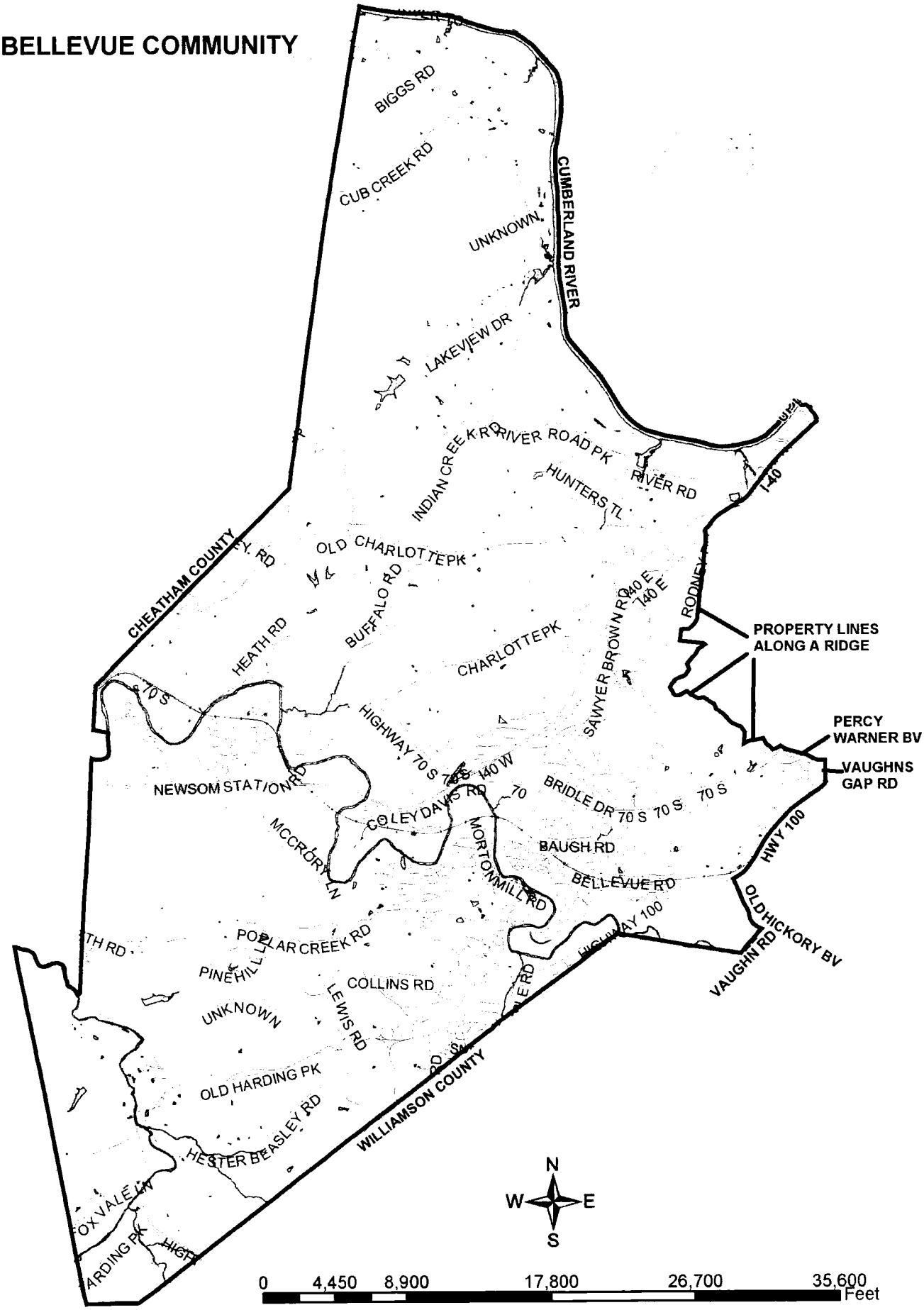
Preserves Sensitive Environmental Features
The Bellevue Community Plan seeks to preserve environmentally sensitive features through the application of Conservation Policy along areas of steep slopes, problem soils, and floodplains and floodways in the Bellevue community. The Conservation Policy encourages the preservation and, where previously disturbed, the remediation of environmentally sensitive features.

Creates Open Space
The Bellevue Community's open space network contains several Metro parks and greenways, State parks, and a portion of one National park (the Natchez Trace Parkway). The Bellevue Community Plan recommends connecting open space areas, providing other unique open spaces in the form of community gardens, providing additional parks, and enhancing open space associated with civic uses such as schools, the library, and the community center.

Creates Walkable Neighborhoods
The Bellevue Community has some suburban neighborhoods and centers that are considered walkable. These areas have a well-connected street network and a mixture of building types. The plan encourages pedestrian infrastructure enhancements through the Suburban Neighborhood Community Character Policies. In non-residential areas, Center and Corridor Community Character Policies provide design guidance on building placement, parking and access in order to enhance the pedestrian environment.

Supports a Variety of Transportation Choices
The Bellevue Community has several major corridors. The Center and Corridor Community Character Policies applied to these streets emphasize multi-modal transportation options that accommodate vehicles, mass transit, bicyclists, and pedestrians.

BELLEVUE COMMUNITY



Provides a Range of Housing Choices
Similar to open space, the Bellevue Community's housing is diverse, ample, and contains a range of price points. To foster creation of strong neighborhoods with a range of housing choices, the Bellevue Community Plan makes the distinction between rural and suburban neighborhoods and between maintenance neighborhoods (where the character is established) and evolving neighborhoods (where additional density and building types will establish character).

Supports Infill Development
The Bellevue Community Plan encourages infill development in its Suburban Center and Corridor policies by including design guidance to assist in providing a greater mix of uses, including some residential uses in these policy areas. Specific comprehensive guidance is given for the redevelopment of the Bellevue Mall.

Preserves Historic Resources
The Bellevue Community contains 300 properties, structures and places that are listed on the National Register of Historic Properties, Eligible for the National Register, or are considered Worthy of Conservation by the Metropolitan Historical Commission. The plan recognizes those historic places and structures through Special Policies, which recommend collaboration with the Metropolitan Historical Commission to coordinate the preservation or adaptive reuse of such structures and/or to minimize impacts to historic properties in the event that development occurs in their vicinity.

Encourages Community Participation
Community participation was encouraged throughout the Bellevue Community Plan Update process and in future implementation. The Bellevue Community Plan promotes the stakeholders' stewardship of the community plan after its adoption by including a detailed section on community-guided implementation. More detail on community participation is provided below.

BELLEVUE COMMUNITY PLAN UPDATE – COMMUNITY PARTICIPATION
Staff conducted eight community meetings between May 5, 2011 and December 1, 2011. The community meetings included workshops to develop and assess the vision and goals, concept plan, community character policy plan, and the open space and transportation plans. Open house meetings allowed stakeholders to speak informally with planners and ask questions regarding the community character policies, the open space network and the transportation system.

Notification of community meetings was listed on the Planning Department's website and made public through television and newspaper media as well as through community email lists. An initial postcard was mailed to over 17,000 property owners in the Bellevue Community. Staff sent out newsletters, placed flyers in apartment complexes, and sent letters to each known neighborhood association offering to attend their meetings. Staff spoke at meetings of the Bellevue Chamber of Commerce to reach business owners and worked closely with area Council members. Over 330 people have participated in the community meetings.

Regular email reminders and updates were sent to stakeholders throughout the process. Information was continually posted to the Bellevue Plan Update web page which received over 2,550 hits.

Metro Planning Commission Meeting of 01/26/2012

Notification of the January 26, 2012 Metro Planning Commission Public Hearing for consideration of the Bellevue Community Plan Update was sent by email and by U.S. Postal mail to those who participated in the update process. The public hearing was also listed on the Planning Department's website and made public through newspaper media.

BELLEVUE COMMUNITY CHARACTER POLICIES

The Bellevue Community Plan Update is the fourth plan to use the Community Character Manual (CCM) and its Community Character Policies. The Community Character Policies emphasize the character of development, encourage sustainable development and design, and link transportation and land use.

Conservation Community Character Policies

Conservation Policy is applied to environmentally sensitive areas – steep slopes, floodways and floodplains, and unstable soils. The Conservation Policies encourage the *preservation* of undeveloped environmentally sensitive areas, the *improvement* of previously approved site plans if the opportunity is available, and the *remediation* of environmentally sensitive areas that have been disturbed. Conservation Policy has been applied to 76 percent (34,626 acres) of the land in the Bellevue community, which has environmentally sensitive features.

Steep slopes and unstable soils are found throughout the Bellevue community while floodway and floodplain areas are found along the Cumberland River, Harpeth River, South Harpeth River and numerous streams and creeks. The Conservation Policy also includes prominent viewsheds to assist in preserving the character and scenic quality of the community. Conservation Policy has also been placed on areas that have been developed in the hope that, over time, any disturbed features may be remediated as redevelopment occurs. Lastly, Conservation Policy has also been applied to areas that were inundated during the 2010 May flood.

Open Space Community Character Policies

Open Space Policy in the Bellevue Community includes Natural Open Space, Rural Open Space and Suburban Open Space. These include four neighborhood parks, one community park, the regional Warner Park system, three state parks, the national Natchez Trace Parkway and several greenways. Open Space policies in the Bellevue Community account for five percent (2,448 acres) of land in the Bellevue Community.

Bellevue stakeholders expressed general satisfaction with the open space/park system. As a result, the Open Space Policies build on the goals of the Nashville Open Space Plan and encourage the enhancement of existing open space, more connections between open spaces, and the pursuit of unique open space opportunities such as community gardens. There are also additional open space opportunities throughout the Conservation Policy areas, especially in floodplain areas, to add to the open space system by creating additional greenways. In addition to encouraging open space throughout the Conservation Policy areas, Potential Open Space Policy has been applied in several general areas where additional open space is needed. Bellevue stakeholders enjoy the existing greenway segments in the community and look forward to an expanded network with the completion of the Harpeth River Greenway system.

Neighborhood Community Character Policies

The Bellevue Community has a diverse selection of rural and suburban neighborhoods, ranging from large rural lots to smaller suburban lots, where Neighborhood Community Character Policies

have been applied. While the community is predominantly single-family, Bellevue also has areas of townhomes and stacked flats. These residential areas account for 14 percent (6,583 acres) of land in the Bellevue Community.

The Neighborhood Community Character Policies applied throughout the Rural and Suburban Transect areas encourage either the maintenance or evolution of neighborhoods over time. Residential neighborhoods (the majority of the community) that are stable and that need only minor changes over time should be maintained while neighborhoods where considerable changes are more appropriate are considered evolving. In all cases, the residential policies applied throughout the Bellevue Community encourage some level of housing choice and better connectivity to centers, corridors and open space.

Center Community Character Policies

Centers in the Bellevue Community exist in Rural and Suburban Transect categories. These center areas account for one percent (611 acres) of land in the Bellevue Community. Centers in the Bellevue Community are distinctive due to their location at prominent intersections and interstate interchanges and along the periphery of adjacent residential areas. However, a stronger pedestrian environment and more diverse offering of retail and services could enhance their appeal to residents and visitors.

The Loveless Café area along Highway 100 is a Rural Neighborhood Center, while the Eddie's Market area along Highway 70 and the Bellevue Town Center and Pizza Perfect area along Old Harding Pike are Suburban Neighborhood Centers. Suburban Community Center Policies have been applied to the Biltmore area at McCrory Lane and I-40, the center at Highway 70 and Old Hickory Boulevard, the center at Highway 100 and Old Harding Pike, the area at Charlotte Pike and River Road, and the Bellevue mall area at Highway 70 and I-40.

The Center Community Character Policies encourage the enhancement of commercial centers into mixed use centers while not expanding beyond their compact footprint. Community stakeholders repeatedly stated that they would like to see older commercial centers revitalized. Therefore, rather than expanding commercial centers or creating new center areas, infill and redevelopment of existing, underutilized commercial areas is the preference in the Bellevue Community. Several of the centers in the Bellevue Community require considerable enhancement in order to create lively, mixed use areas of activity as envisioned by the policy.

Corridor Community Character Policies

A mixed use corridor contains land uses ranging from residential to commercial. The uses may be vertically mixed in a stand-alone building or designed as a mixture of uses on a single site. Suburban Mixed Use Corridor Policies have been applied along Charlotte Pike from the I-40/Charlotte Pike interchange to the River Road/Old Charlotte Pike intersection; Old Hickory Boulevard at the Interstate 40 interchange; and a small portion of Old Hickory Boulevard north of Highway 70. These policies cover less than one half of one percent (169 acres) of land in the Bellevue Community.

These mixed use corridors should serve transportation functions as safe and accessible throughways for daily travelers while also accommodating land uses that create sustainable and complete neighborhoods and serving as destinations. The Corridor Community Character Policies encourage

development that supports multiple transportation modes – vehicles, transit, bicycles and pedestrians.

District Community Character Policies

District Community Character Policies in the Bellevue Community are applied to areas of single-use development. These policies cover less than one percent (395 acres) of land in the Bellevue Community. Impact District Policies are applied to the rock quarry on River Road and Charlotte Pike, the Harpeth Valley utility station on River Road, and the Tennessee Valley Authority utility station on Coley Davis Road. District Office Concentration Policy has been applied to an area at the intersection of Sawyer Brown Road and Highway 70S.

District Community Character Policies encourage appropriate transitions to the neighborhood surrounding them. More intrusive uses should be well buffered and separated form less intense areas.

BELLEVUE TRANSPORTATION NETWORK

The Bellevue Community Transportation Plan's strategy is to create a more complete transportation network by providing recommendations to improve streets, sidewalks, bikeways, multi-use paths, greenways and transit.

The Bellevue Community Plan is tied to recommendations in the recently updated Major and Collector Street Plan (MCSP). The MCSP focuses on creating context-sensitive, complete streets – streets that are designed to reflect their context (rural, suburban, urban) and that are accessible to multiple users (pedestrians, cyclists, transit, vehicles). Some recommendations in the Bellevue Community Plan have necessitated some changes to the Bellevue arterials and collectors in the MCSP. These amendments to the MCSP are to be considered at this same Planning Commission meeting.

The Bellevue Community Plan includes all the Bellevue-related roadway projects found in the Regional Transportation Plan (RTP) and in the Transportation Improvement Projects (TIP). The Bellevue Community Plan took into consideration the long-range plans of the Metropolitan Planning Organization (MPO) and the Metro Transit Authority (MTA).

The Bellevue Community Plan recommends multi-use paths that serve both pedestrians and bicyclists along Old Hickory Boulevard from I-40 to north of Highway 70S; along Old Hickory Boulevard from Highway 70S to Highway 100; and along Highway 100 from Warner Parks to the Natchez Trace. Sidewalks are recommended along portions of Bellevue Road, Baugh Road, Charlotte Pike, Collins Road, Hicks Road, Highway 70S, Old Harding Pike, Poplar Creek Road and Todd Preis Road. Bike lanes are recommended along segments of Charlotte Pike, Davidson Drive, Highway 96, Highway 100, McCrory Lane, Old Harding Pike, Poplar Creek Road, River Road and Temple Road.

The Bellevue Community Plan also makes several recommendations for street and pedestrian connections in the Bellevue Community. Recommended street connections include connecting Morton Mill Road and River Bend Way if new development occurs, connecting Avondale Park Boulevard to Newsom Station Road if future development occurs, connecting Woodland Way and Dogwood Trail to any new development, extending Brenner Drive and Eller Lane to the south if new development occurs, and extending Collins Road to the west if new development occurs.

Recommended pedestrian connections that cross the Harpeth River include connecting General George Patton Road to Morton Mill Road and connecting Footpath Terrace to Highway 100.

Metro Greenways is continuing construction on several additional segments of the Harpeth River Greenway. The Bellevue Community Plan recommends new systems of greenways in the Boone Trace and Riverwalk subdivisions and in the Avondale Park and Coley Davis areas that would connect to the Harpeth River Greenway system.

Two ridge trails are also proposed in the Bellevue area. One would connect Radnor Lake State Park with the Cumberland River Greenway system and extends through the eastern portion of the Bellevue area. The other ridge trail would connect the Cumberland and Harpeth River Greenways.

ANALYSIS OF APPROVED DEVELOPMENTS
As part of this plan update, Metro Planning staff analyzed previous development approvals, including rezonings, planned unit developments and subdivisions. The community requested an analysis to show where additional development has already been approved, but has not yet been constructed. The Bellevue Community Plan contains a detailed section of this analysis and also includes an explanation in each policy area where previously approved developments are located. This approach was used to encourage re-design of the older site plans to develop in a more sensitive way and incorporate sensitive environmental features as community amenities whenever possible.

REDEVELOPMENT OF THE BELLEVUE CENTER MALL
Another community priority is redevelopment of the Bellevue Center Mall site, which has only one store operating. Planning staff gathered ideas from the community and worked with the property owner and their redevelopment team. The community plan incorporates design scenarios, ranging from suburban to an urban town center, that illustrate some of the important design concepts for consideration as the property redevelops.

COLLABORATION WITH OTHER METRO DEPARTMENTS
As part of this plan update, Metro Planning staff continued its partnership with the Metro Health Department, working with the community to increase its health and sustainability as part of community meetings and policy discussions. The Bellevue Community Plan includes sections that discuss the importance of active communities and healthy living and strategies to achieve these in Bellevue.

Metro Planning staff partnered with the Metro Stormwater to discuss water quality and quantity issues, especially the protection of headwater areas. Quality headwater areas are vital to the watershed as these areas absorb large amounts of rain, slow down water runoff, and filter water to improve water quality. In addition to these areas being placed in Conservation Policy, the Bellevue Community Plan includes language that emphasizes protecting headwater areas. The community plan also includes the list of impaired streams to call attention to their need for restoration.

STAFF RECOMMENDATION
Staff recommends approval.

NO SKETCH

Metro Planning Commission Meeting of 01/26/2012 Item # 9

Project No.	**Housekeeping Amendment 2012CP-000-001**
Project Name	**Amend *Implementing Complete Streets: Major and Collector Street Plan of Metropolitan Nashville, A Component of Mobility 2030***
Associated Case	2012CP-006-001
Council District	County-wide
School District	County-wide
Requested by	Metropolitan Planning Department
Staff Reviewer	Briggs
Staff Recommendation	*Approve Bellevue-related amendments* *Defer amendments addressing errors and local streets county-wide to February 23*

APPLICANT REQUEST
Amend the Major and Collector Street Plan

Major and Street Collector Plan Amendment
A request to amend the adopted Major and Collector Street Plan designations for the Bellevue Community Plan area and other areas as outlined in Davidson County.

MAJOR AND COLLECTOR STREET PLAN
The Major and Collector Street Plan (MCSP) is a comprehensive plan and implementation tool for guiding public and private investment in the major streets (Arterial-Boulevards and Arterial-Parkways) and collectors (Collector-Avenues) that make up the backbone of the city's transportation system. It is a part of, and implements, *Mobility 2030*, which is the functional plan component of the General Plan for Nashville and Davidson County.

Need to Amend the Plan
Implementing Complete Streets: Major and Collector Street Plan of Metropolitan Nashville, A Component of Mobility 2030 was adopted on April 24, 2011. As an element of the General Plan, the MCSP should be amended as updates occur to each Community Plan to reflect change that has occurred in the communities and to respond to future planned growth, development, and preservation.

ANALYSIS
There are three broad categories of amendments for the MCSP at this time:

1. **Bellevue Streets** – The Bellevue Community Plan update was recently completed. The update revealed the need to amend some of Bellevue's major and collector street designations, so the MCSP policies coordinate with the new policies in the *Bellevue Community Plan: 2011 Update*.
2. **Fixing Errors** – Since the adoption of the MCSP in April 2011, Planning staff have found errors in the document; primarily errors where the street classification does not reflect existing street conditions.
3. **Local Streets** – Planning staff will also amend the MCSP to include the right-of-way (ROW) for local streets. This will ensure that ROW is established for these streets as per the current design standards utilized by Metro Public Works.

Metro Planning Commission Meeting of 01/26/2012

Major and Collector Street Plan Proposed Amendments Related to Bellevue Community Plan Update

Street	Segment Number	Termini	Adopted MCSP Designation	Bike Infrastructure/ Median	Adopted Standard ROW	Amended MCSP Designation	Bike Infrastructure/ Median	Updated Standard ROW	Recommendation: Amend Street Plan	Recommendation: Update Street Plan	Recommendation: Update Sidewalk Plan	Recommendation: Update Greenway Plan	Recommendation: Update Transit Plan
Highway 70S	1	From the south side exit/on ramps to Interstate 40 to Sawyer Brown Road	T5-M-AB4-RM	Planned Bike Lane	95'	T3-M-AB5-RM	Planned Bike Lane	98'	X	X			
	2	From Old Hickory Boulevard to approx. 1/4 mile east of Old Hickory Boulevard	T3-M-AB5-RM	Planned Bike Lane	98'	T3-M-AB5-RM	Multi-Use Path	106'		X	X	X	
	3	From approx 1/4 mile east of Old Hickory Boulevard to Percy Warner Boulevard	T3-R-AB5-S-RM	Planned Bike Lane	98'	T3-R-AB5-S-RM	Multi-Use Path	106'		X	X	X	
Highway 100	4	From the Williamson County Line to Lewis Road	T2-R-AB4-S	Planned Bike Lane	108'	T2-R-AB2-S	Planned Bike Lane	84'	X	X			
	5	From Lewis Road to McCrory Lane	T3-R-AB4-S	Planned Bike Lane	85'	T2-R-AB2-S	Planned Bike Lane	84'	X	X			
	6	From McCrory Lane to Westhaven Drive	T3-M-AB4-S	Planned Bike Lane	85'	T3-M-AB3-S	Multi-Use Path	93'	X	X	X	X	
	7	From Westhaven Drive to Chaffin Drive	T3-R-AB4-S	Planned Bike Lane	85'	T3-R-AB3-S	Multi-Use Path	93'	X	X	X	X	
	8	From Chaffin Drive to Temple Road	T3-M-AB4-S	Planned Bike Lane	85'	T3-M-AB3-S	Multi-Use Path	93'	X	X	X	X	
	9	From Temple Road to Old Hickory Boulevard (western intersection)	T3-R-AB4-S	Planned Bike Lane	85'	T3-R-AB2-S	Multi-Use Path	82'	X	X	X	X	
	10	From Old Hickory Boulevard (western intersection) to Vaughn Gap Road	T3-R-AB4-S	Planned Bike Lane	85'	T3-R-AB4-S	Multi-Use Path	104'		X	X	X	
Charlotte Pike	11	From Sawyer Brown Road to Traemore Village Drive	T3-R-AB2-S		55'	T3-R-AB4-S		77'	X	X			
	12	From Traemore Village Drive to Old Hickory Boulevard	T3-M-AB3-S		66'	T3-M-AB4-S		77'	X	X			
	13	From 1/10 mile west of River Road to River Road	T4-M-AB4-S		81'	T3-M-AB4-S		77'	X	X			
	14	From River Road to west side on/off ramps to Interstate 40	T4-M-AB5		92'	T3-M-AB5		88'	X	X			
	15	Under Interstate 40 overpass	T4-M-AB4	Planned Bike Lane, Median	121'	T3-M-AB4	Planned Bike Lane, Median	117'	X	X			

Metro Planning Commission Meeting of 01/26/2012

Major and Collector Street Plan Proposed Amendments Related to Bellevue Community Plan Update

Street	Segment Number	Termini	Adopted MCSP Designation	Bike Infrastructure/ Median	Adopted Standard ROW	Amended MCSP Designation	Bike Infrastructure/ Median	Updated Standard ROW	Recommendation: Amend Street Plan	Update Street Plan	Update Sidewalks Plan	Update Greenways Plan	Update Transit Plan
Highway 96	16	From Williamson County Line to Highway 100	T2-R-CA2	Planned Bike Lane	76'	T2-R-AB2	Planned Bike Lane	84'	X	X	X	X	
Old Hickory Boulevard	17	From Highway 100 to approx. 1/4 mile south of Highway 70S	T3-R-AB4-S	Planned Bike Lane; Median	105'	T3-R-AB4-S	Multi-Use Path; Median	124'		X	X	X	
	18	From approx. 1/4 mile south of Highway 70S to approx. 1/10 mile south of Highway 70S	T3-R-AB5-S	Planned Bike Lane	96'	T3-R-AB5-S	Multi-Use Path	115'		X	X	X	
	19	From approx. 1/10 mile south of Highway 70S to approx. 1/10 mile south of Summit Oaks Drive	T3-M-AB5-S	Planned Bike Lane	96'	T3-M-AB5-S	Multi-Use Path	115'		X	X	X	
	20	From approx 1/10 mile south of Summit Oaks Drive to 1/4 mile south of Tolbert Road	T3-R-AB5-S	Planned Bike Lane	96'	T3-R-AB5-S	Multi-Use Path	115'		X	X	X	
	21	From approx. 1/4 mile south of Tolbert Road to Tolbert Road	T3-M-AB5-S	Planned Bike Lane	96'	T3-R-AB5-S	Multi-Use Path	115'	X	X	X	X	
	22	From Tolbert Road to the south side exit/on ramps to Interstate 40	T3-M-AB5-S	Planned Bike Lane	96'	T3-M-AB5-S	Multi-Use Path	115'		X	X	X	
	23	Under Interstate 40 overpass	T3-M-AB4-S	Planned Bike Lane	85'	T3-M-AB4-S	Multi-Use Path	104'		X	X	X	
	24	From the north side exit/on ramps to Interstate 40 to Charlotte Pike	T3-M-AB5-S	Planned Bike Lane	96'	T3-M-AB5-S	Multi-Use Path	115'		X	X	X	
Avondale Park Boulevard	25	From McCrory Lane to existing terminus	Local Street			T3-R-PCA2		51'	X	X			
Avondale Park Boulevard Extension	26	From existing terminus of Avondale Park Boulevard to Newsom Station Road				T3-R-PCA2		51'	X	X			
Bellevue Road North	27	From Old Harding Pike to Bellevue Road/Willow Creek Drive	T3-R-CA2		51'	Local Street			X	X			

Metro Planning Commission Meeting of 01/26/2012

Major and Collector Street Plan Proposed Amendments Related to Bellevue Community Plan Update

Street	Segment Number	Termini	Adopted MCSP Designation	Bike Infrastructure/ Median	Adopted Standard ROW	Amended MCSP Designation	Bike Infrastructure/ Median	Updated Standard ROW	Recommendation: Amend Street Plan	Recommendation: Update Street Plan	Recommendation: Update Sidewalks Plan	Recommendation: Update Greenways Plan	Recommendation: Update Transit Plan
Bellevue Road	28	From Old Harding Pike to approx. 1/10 mile east of Old Harding Pike	Local Street			T3-M-CA2		55'	X	X			
	29	From approx. 1/10 mile east of Old Harding Pike to Bellevue Road North/Willow Creek Drive	Local Street			T3-R-CA2		51'	X	X			
Buffalo Road	30	From Charlotte Pike to Old Charlotte Pike	T3-R-CA2		51'	T2-R-CA2		76'	X	X			
Cabot Drive	31	From Charlotte Pike to approx. 1/4 mile north of Charlotte Pike	T4-M-CA2		59'	T3-M-CA2		55'	X	X			
Davidson Drive	32	From Charlotte Pike to Interstate 40 overpass	T4-M-CA2		59'	T3-M-CA2		55'	X	X			
Newsom Station Road	33	From approx. 1/10 mile west of Settlers Way to approx. 1/5 mile west of Lexington Point Drive	T3-R-PCA2		51'	T3-R-CA2		51'	X	X	X	X	
	34	From approx. 1/10 mile west of railroad underpass to railroad underpass	Local Street			T3-R-CA2		51'	X	X	X	X	
River Road	35	From Charlotte Pike to approx. 800 feet west of intersection	T4-M-AB2-S		67'	T3-M-AB2-S		63'	X	X			
Sawyer Brown Road	36	From Highway 70S to approx. 1/10 mile south of Westfield Drive	T4-M-CA2		59'	T3-M-CA3		66'	X	X			
Temple Road	37	From Highway 100 to Old Harding Pike	T3-M-CA2		55'	T3-M-CA3		66'	X	X			

Metro Planning Commission Meeting of 01/26/2012

Major and Collector Street Plan Proposed Amendments Related to Errors and Local Streets

Street	Segment Number	Termini	Adopted MCSP Designation	Bike Infrastructure/ Median	Adopted Standard ROW	Amended MCSP Designation	Bike Infrastructure/ Median	Updated Standard ROW	Recommendation: Amend Street Plan	Recommendation: Update Street Plan	Recommendation: Update Sidewalks Plan	Recommendation: Update Greenways Plan	Recommendation: Update Transit Plan
All Local Streets	1	All Local Streets in Davidson County				Local Street	As Identified in the *Strategic Plan for Sidewalks & Bikeways*	60'	X	X			
2nd Avenue South	2	From Chestnut Street to approx. 325 feet south of Lafayette Street	T4-R-AB2-UM	Planned Bike Lane	69'	T4-R-AB3-UM	Planned Bike Lane	76'	X	X			
21st Avenue South	3	From Wedgewood/ Blakemore Avenue to Magnolia Boulevard	T4-M-AB4-UM	Planned Bike Lane	91'	T4-M-AB5-UM	Planned Bike Lane	82'	X	X			
Anderson Road	4	From Smith Springs Road to Priest Lake Drive	T3-M-CA3		66'	T3-M-CA2		55'	X	X			
Lafayette Street	5	From Interstate 40 to Peabody Street/7th Avenue South	T6-M-AB6-UM	Planned Bike Lane	117'	T6-M-AB5-UM	Planned Bike Lane	96'	X	X			
Natchez Trace	6	From Fairfax Avenue to Blair Boulevard	T4-R-CA2	Bike Route Existing	51'	T4-R-CA4	Bike Route Existing	73'	X	X			
Old Hickory Boulevard/ Bell Road	7	From approx. 1/3 mile east of Nolensville Pike to approx. 1/10 mile east of the intersection of Old Hickory Boulevard & Bell Road	T3-R-AB7-S & T3-M-AB7-S	Planned Bike Lane	118'	T3-M-AB5-S	Planned Bike Lane	96'	X	X			

COMMUNITY PARTICIPATION

The Bellevue Community Plan Update process included stakeholder and community meetings where the MCSP designations related to Bellevue were discussed and presented. Metro Public Works, MTA, and Metro Greenways were also consulted on the recommended changes to Bellevue and asked to provide comment on the other housekeeping amendments intended to fix errors.

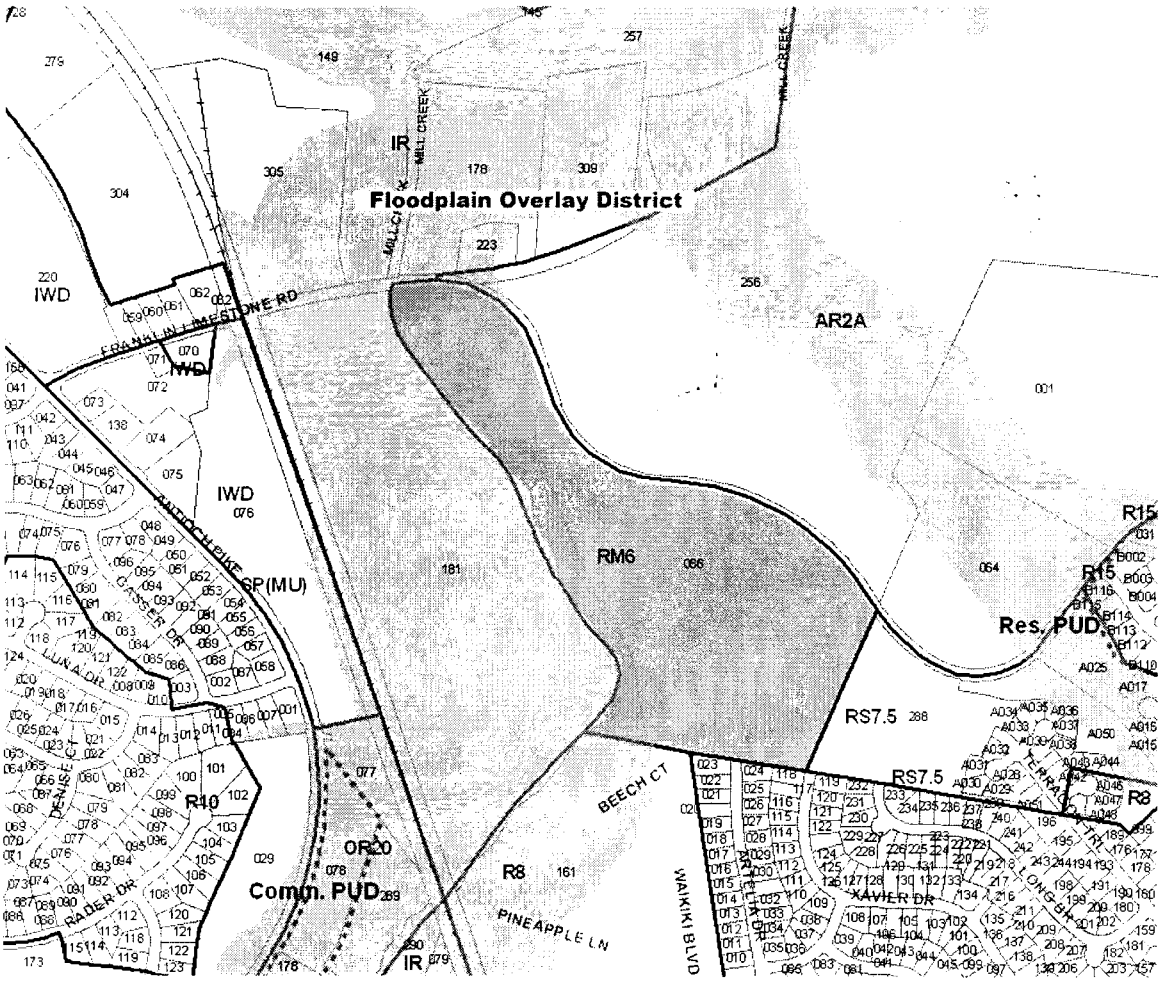
The related updates to the MCSP street designations in Bellevue were included in the draft version posted on the Planning Commission's website for the *Bellevue Community Plan: 2011 Update* in mid-December 2011. Meanwhile the other housekeeping amendments were posted on the Planning Commission's website and those subscribed to the Planning Department's *Development Dispatch* were notified of the amendment package. In addition to the general notifications, e-mail notification was sent to those individuals that participated in the update to the MCSP in 2011.

Additional transportation stakeholders and related agency stakeholders were notified via e-mail regarding the housekeeping amendments.

STAFF RECOMMENDATION

Staff recommends approval of the Bellevue-related amendments and deferral of amendments addressing errors and local streets county-wide.

SEE NEXT PAGE



2012CP-013-001
ANTIOCH PRIEST LAKE PLAN AMENDMENT
Map 148, Parcel(s) 066
Antioch - Priest Lake
28 - Duane A. Dominy

Project No.	**Major Amendment 2012CP-013-001**
Project Name	**Amend the *Antioch-Priest Lake Community Plan: 2003 Update***
Associated Case	2012SP-002-001
Council District	28 – Dominy
School District	6 – Mayes
Requested by	Clemmons & Associates LLC, applicant, Hickory MC Investments G.P., owner
Deferral	Deferred from the January 12, 2012 Planning Commission meeting
Staff Reviewer	Capehart
Staff Recommendation	*Disapprove*

APPLICANT REQUEST
Amend the land use policy from Natural Conservation and Residential Medium Density to Conservation and District – Industrial.

Major Plan Amendment
A request to amend the *Antioch-Priest Lake Community Plan: 2003 Update* to change the land use policy from Natural Conservation (NCO) and Residential Medium Density (RM) to Conservation (CO) and District-Industrial (D-IN) for property located at Franklin Limestone Road (unnumbered), approximately 1,725 feet east of Antioch Pike (40.18 acres).

CRITICAL PLANNING GOALS
N/A

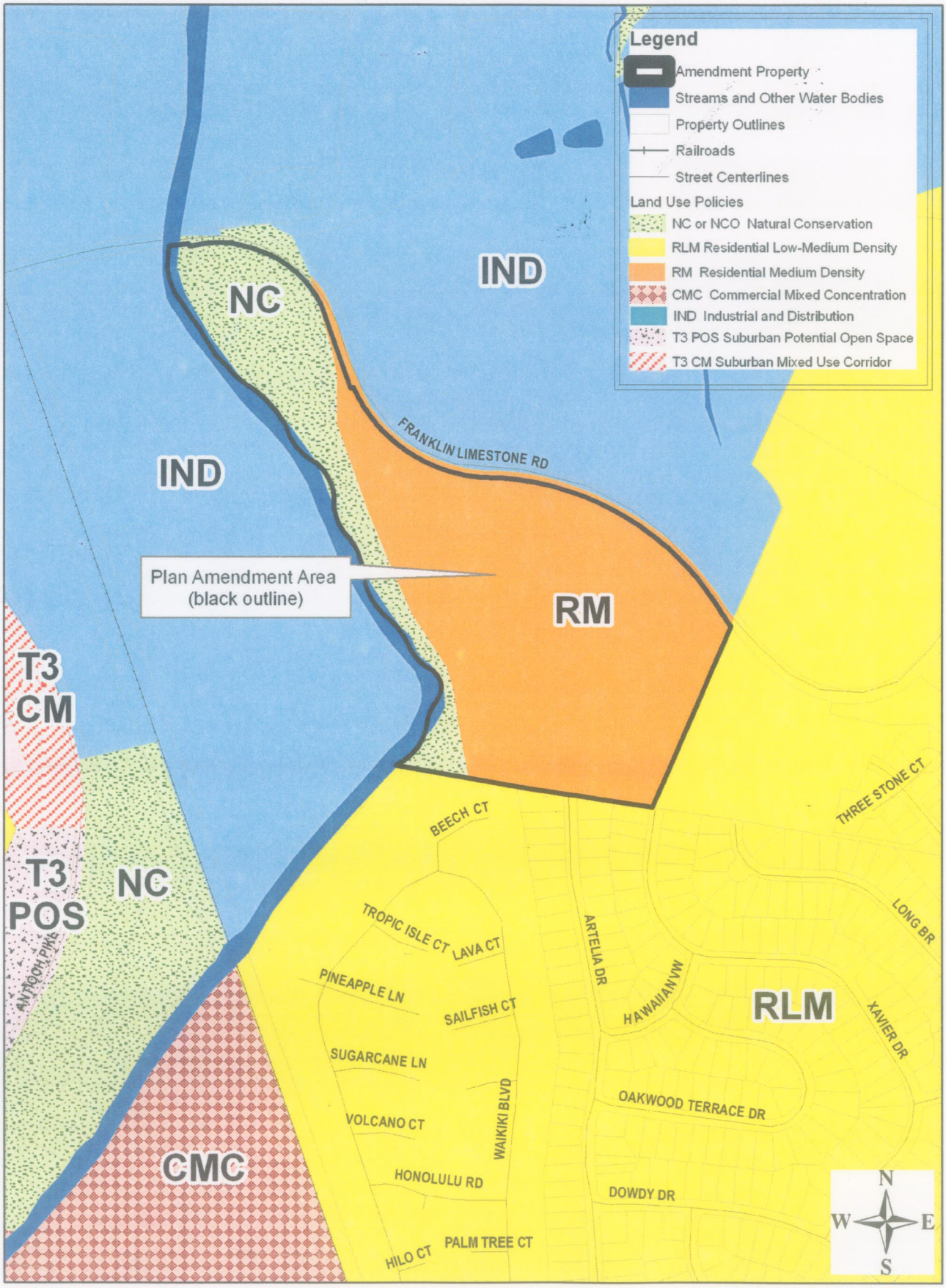
ANTIOCH – PRIEST LAKE COMMUNITY PLAN
Existing Land Use Policy
Natural Conservation (NCO)
NCO policy is for mostly undeveloped areas characterized by the widespread presence of steeply sloping terrain, unstable soils, floodplains or other environmental features that are constraints to development at urban or suburban intensities. NCO areas are intended to be rural in character, with very low intensity development.

Residential Medium (RM)
RM policy is intended to accommodate residential development within a density range of four to nine dwelling units per acre. The predominant development type is single-family homes, although other types of housing, such as townhomes, stacked flats or duplexes, may be appropriate.

Proposed Land Use Policies
Conservation (CO)
CO policy is applied to preserve or enhance environmentally sensitive features, such as floodways, floodplains and steep slopes. CO policy discourages development in these areas.

District Industrial (D-IN)
D-IN policy is intended to preserve, enhance and create industrial districts in appropriate locations, so that they are strategically located and designed to serve the overall community or region, but not

2012CP-013-001
Franklin Limestone Road Property Amendment Request



at the expense of the immediate neighbors. Types of uses intended in D-IN areas include non-hazardous manufacturing, distribution centers and mixed business parks containing compatible industrial and non-industrial uses.

BACKGROUND

The applicant's property is approximately 40 acres. In January 2004, the policies on this property were amended from Natural Conservation (NCO), Residential Low-Medium Density (RLM) and Industrial (IND) to the current polices of Natural Conservation (NCO) and Residential Medium Density (RM) at the request of the owner. The NCO policy was applied to protect the floodplain along Mill Creek, and the RM policy, allowing medium density residential, was applied to serve as a transition between the adjacent industrial area to the north and west of this property and the adjacent single-family residential neighborhood to the south and east.

COMMUNITY PARTICIPATION

Planning staff held a community meeting regarding the Community Plan Amendment request on January 10, 2012 with the District Councilmember and stakeholders; approximately 15 people attended the meeting. Notification of the amendment request and the Planning Commission Public Hearing was posted on the Planning Department website and mailed to surrounding property owners and known groups and organizations within 1,320 feet of the subject site. Stakeholders had numerous questions regarding the proposed asphalt plant and raised concerns about environmental impacts, odor, blasting impacts on the neighboring community, additional truck traffic with heavy weight on Franklin Limestone Road, access for the proposed development, and the current need for improvements to Franklin Limestone Road.

ANALYSIS

Currently, the site is vacant and covered by trees and vegetation. The northern and western portions of the site are adjacent to Mill Creek and are in the Floodplain Overlay District. The applicant requests that Conservation policy be applied to this area. Portions of the site were flooded during the 2010 flood. Metro Greenways has identified a greenway easement in the floodplain and a greenway is planned along Mill Creek. The applicant is proposing a park or open space for this portion of the site, which is in existing Natural Conservation (NCO) policy.

The remainder of the property does have some areas of steep slopes and problem soils. The Tennessee Department of Environment and Conservation has declared portions of the property a "Conservation Site" and has indicated that the site may contain endangered and rare species. Due to confidentiality, the exact location of these species cannot be mapped.

The applicant proposes access to the property from Franklin Limestone Road with no connections to the adjacent residential neighborhood. Franklin Limestone Road is classified as a T3-M-CA2 (Suburban - Mixed Use - Collector Avenue with two lanes) in the *Major and Collector Street Plan*, which would require 63 feet of right-of-way (ROW). The *Strategic Plan for Sidewalks and Bikeways* proposes future bike lanes on this road. The ROW to accommodate the bike lanes is included in the 63 feet.

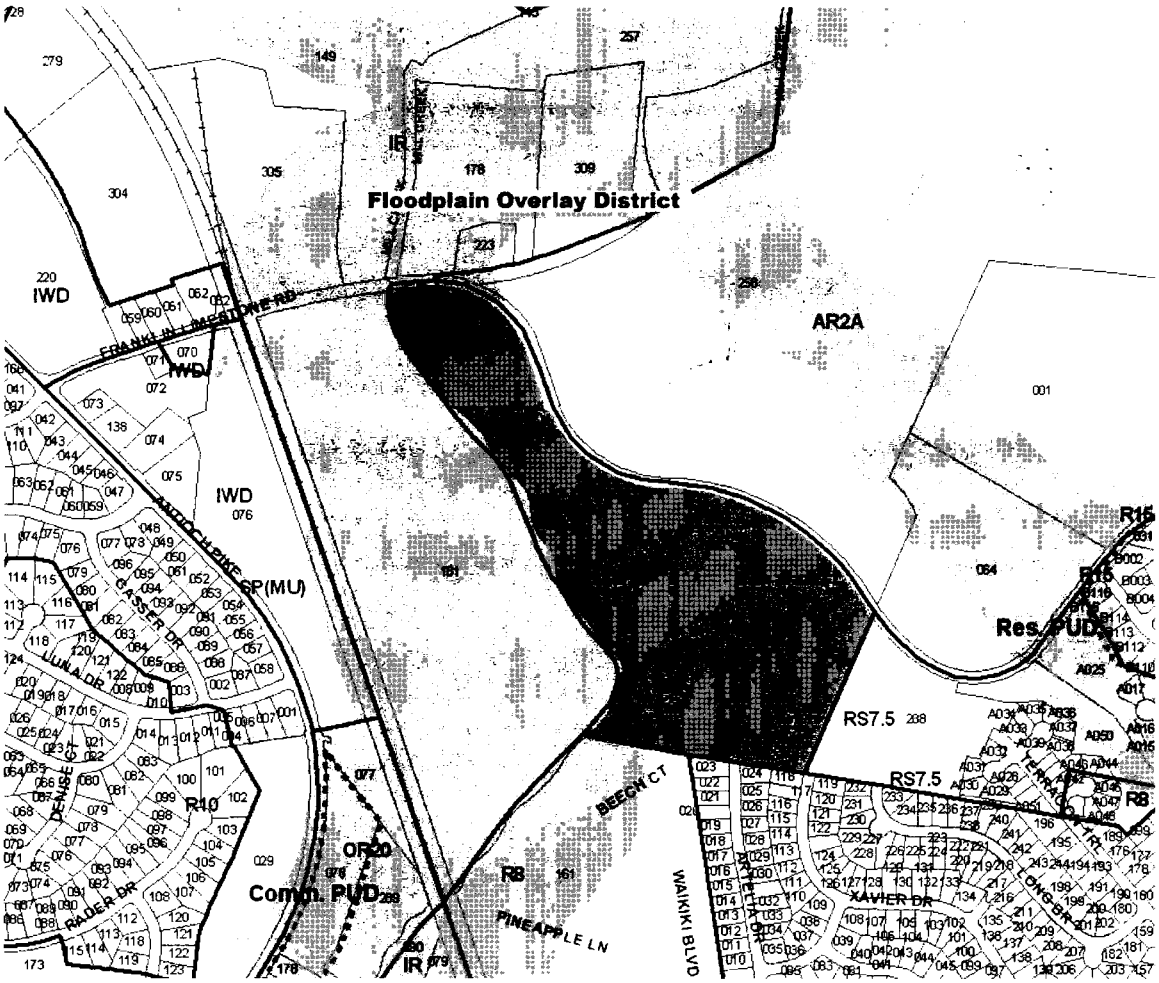
This property also falls within the Airport Overlay district for the Nashville International Airport. It places special limits on the heights of buildings in that area because of low flying planes.

The development pattern in the area consists of residential and industrial uses. To the south and east of the site is a large single-family neighborhood. To the west and north of the site is a large industrial area of approximately 1,256 acres. Within this industrial area, approximately 130 acres are identified as vacant by the Metro Property Assessor, not including property the Nashville International Airport owns.

The proposed request would apply CO policy to the vacant floodplain land of Mill Creek (this is the portion of the property that currently has Natural Conservation [NCO] policy) and would apply District – Industrial (D-IN) policy to the remainder of the site (which currently has Residential Medium policy applied to it). In addition to the existing environmentally sensitive features (floodway, floodplain, steep slopes, problem soils, possible endangered species), this area is adjacent to the Mill Creek Greenway and a large residential area. The impact of the industrial uses on the site (and its natural features) as well as the operational impact of the industrial uses on the surrounding neighborhoods, make this an inappropriate site for industrial policy. Due to these reasons, along with the large adjacent heavy industrial area with sufficient vacant land, industrial use on this property is not appropriate. The application of the current NCO and RM policy remains appropriate.

STAFF RECOMMENDATION
Staff recommends disapproval.

SEE NEXT PAGE



2012SP-002-001
HICKORY MC INVESTMENTS, G.P. PROPERTY
Map 148, Parcel(s) 066
Antioch - Priest Lake
28 - Duane A. Dominy

Metro Planning Commission Meeting of 01/26/2012

Item #10b

Project No.	**Zone Change 2012SP-002-001**
Project Name	**Hickory MC Investments, G.P. Property**
Associated Case	2012CP-013-001
Council District	28 – Dominy
School District	6 – Mayes
Requested by	Clemmons & Associates, LLC, applicant, Hickory MC Investments, G.P., owners
Staff Reviewer	Swaggart
Staff Recommendation	*Disapprove. If the Planning Commission approves the request then staff recommends that it be approved with all staff conditions.*

APPLICANT REQUEST

Permit an asphalt plant and all other uses permitted by IWD zoning district.

Preliminary SP

A request to rezone from multi-family residential (RM6) to Specific Plan- Industrial (SP-IND) zoning property located at Franklin Limestone Road (unnumbered), approximately 1,725 feet east of Antioch Pike (40.18 acres), and within the Floodplain Overlay District, to permit all uses permitted by the IWD zoning district and a heavy industrial use "asphalt plant" (including blasting and crushing of stone for sale/transfer from the site during site preparation for asphalt plant).

Existing Zoning

RM6 District - RM6 is intended for single-family, duplex, and multi-family dwellings at a density of 6 dwelling units per acre. *Approximately 241 residential units would be permitted under RM6 (6 x 40.18 acres).*

Proposed Zoning

SP-IN District - Specific Plan-Industrial 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 industrial uses.

CRITICAL PLANNING GOALS

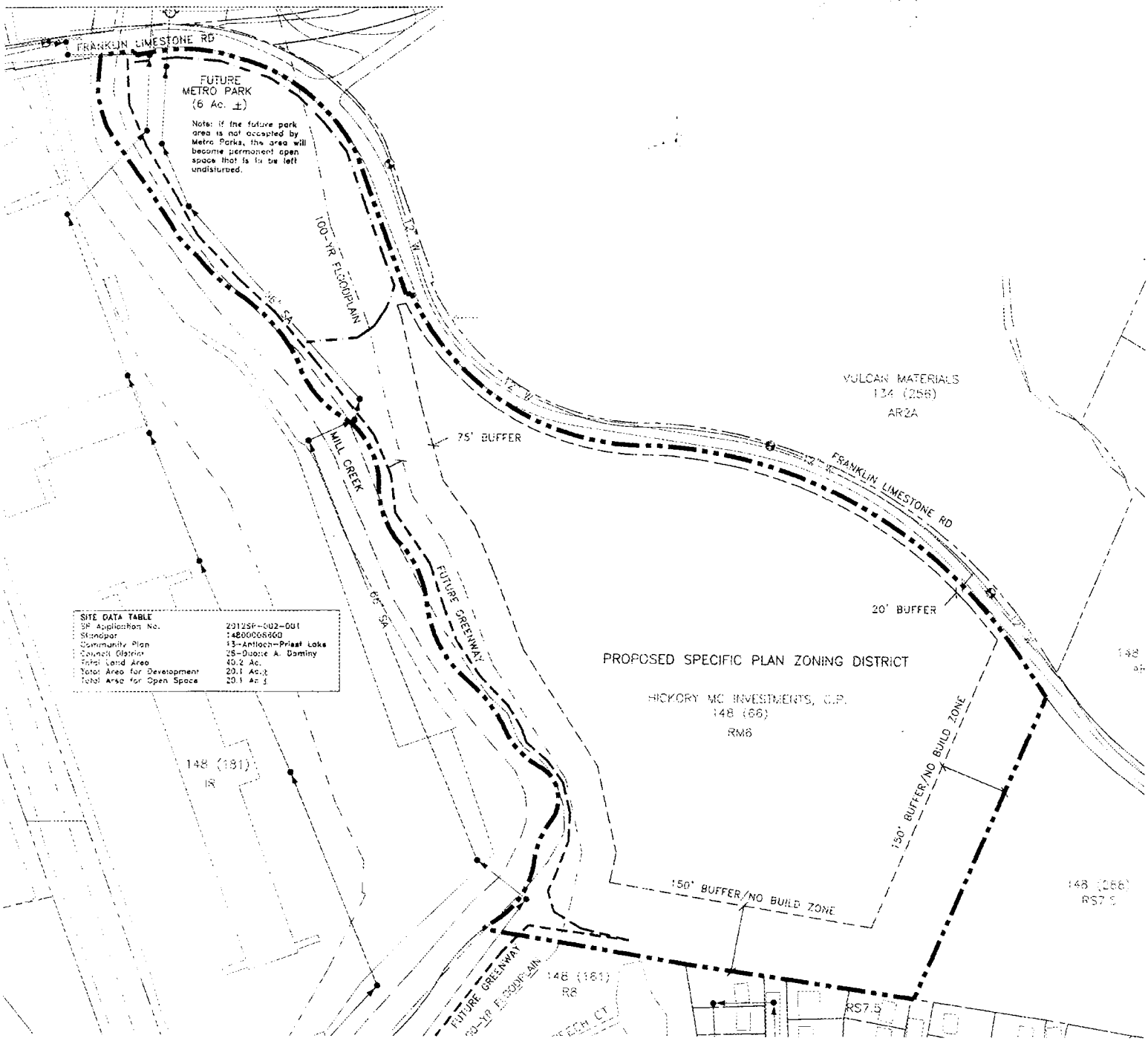
N/A

ANTIOCH-PRIEST LAKECOMMUNITY PLAN

Land Use Policies

Natural Conservation (NCO) policy is for mostly undeveloped areas characterized by the widespread presence of steeply sloping terrain, unstable soils, floodplains or other environmental features that are constraints to development at urban or suburban intensities. NCO areas are intended to be rural in character, with very low intensity development.

Residential Medium (RM) policy is intended to accommodate residential development within a density range of four to nine dwelling units per acre. The predominant development type is single-family homes, although other types of housing, such as townhomes, stacked flats or duplexes, may be appropriate.


FRANKLIN LIMESTONE RD
FUTURE
METRO PARK
(6 Ac. ±)
Note: If the future park area is not accepted by Metro Parks, the area will become permanent open space that is to be left undisturbed.
100-YR FLOODPLAIN
75' SA
MILL CREEK
75' BUFFER
VULCAN MATERIALS
134 (258)
AR2A
FRANKLIN LIMESTONE RD
FUTURE GREENWAY
65' SA
20' BUFFER
PROPOSED SPECIFIC PLAN ZONING DISTRICT
HICKORY MC INVESTMENTS, L.P.
148 (66)
RM6
150' BUFFER/NO BUILD ZONE
150' BUFFER/NO BUILD ZONE
148 (181)
IR
148 (181)
R8
RS7.5
148 (288)
RS7.5
FUTURE GREENWAY
100-YR FLOODPLAIN
SITE DATA TABLE
SP Application No. 2012SP-002-001
Standpoint 14800006600
Community Plan 13-Antioch-Priest Lake
Council District 26-Duane A. Dominy
Total Land Area 40.2 Ac.
Total Area for Development 20.1 Ac.±
Total Area for Open Space 20.1 Ac.±

Consistent with Policy?
No. Industrial uses proposed by this specific plan are not supported by the Natural Conservation and Residential Medium land use policies. While the applicant has submitted a request to amend the land use policy (2012CP-013-001) to a policy that would support the request, District Industrial, staff is recommending disapproval of the policy amendment. Staff is recommending disapproval of the associated policy amendment because the proposed industrial policy is not compatible with adjacent residential development, permitting uses that could have a significant negative impact on existing residential areas, as well as to environmentally sensitive Mill Creek. The area also has large undeveloped areas within industrial policy so creating more industrial areas at this time is inappropriate.

PLAN DETAILS
Currently, the site is vacant and covered by mature trees and vegetation. The northern and western portions of the site are adjacent to Mill Creek and are in the Floodplain Overlay District.

The proposed SP is a regulatory plan and does not include any specific development proposal. It would permit all uses permitted in the Industrial Warehousing District (IWD) as well as an asphalt plant. It would also permit blasting and crushing of stone for sale/transfer from the site during site preparation for the asphalt plant. Bulk standards would be based on zoning standards for the IWD zoning district. The plan provides additional standards including a 150 foot buffer along the property boundary adjacent to residentially zoned property. IWD zoning would normally only require a 50 foot landscape buffer. The SP also calls for a 20 foot buffer along Franklin Limestone Road.

Portions of the property contain floodway and floodplain associated with Mill Creek and is within the floodplain overlay. As proposed the SP prohibits development within the floodplain and provides appropriate stream buffers required by Metro Stormwater. The SP also identifies approximately six acres (all in floodplain) to be dedicated to Metro Parks. If Metro Parks does not accept the land area then it will remain private open space. The SP will also provide a greenway easement for the development of a future greenway along Mill Creek.

STAFF ANALYSIS
The proposed request is not consistent with the existing RM and NCO land use policies. The area around the subject site contains numerous heavy industrial uses including open mines as well as other asphalt plants. The area also has large areas within industrial policy that are undeveloped. The proposed industrial SP is *not* compatible with the existing adjacent single-family residential neighborhoods. Uses permitted by the proposed SP could have a significant impact on existing residential areas, as well as to environmentally sensitive Mill Creek. Because there are undeveloped areas with industrial policy that would permit the proposed SP within short distance of the subject site, then it is not appropriate to rezone more property for industrial uses, especially when it could have a significant impact on neighbors and environmentally sensitive areas such as Mill Creek.

STORMWATER RECOMMENDATION
Returned for corrections
- Provide a Site Layout.
- Provide a Water Quality Concept.
- Provide Room for Detention (if necessary).

PUBLIC WORKS RECOMMENDATION

- Construct 3 lane cross section on Franklin Limestone Rd, extended from nearby existing 3 lane cross section with transition per AASHTO and PW standards.
- Construct a 100 ft left turn lane at access drive with transition per MUTCD and AASHTO standards.
- Document & provide adequate sight distance at the proposed access location.
- Public Works supports the applicant's request to relocate the existing truck restriction on Franklin Limestone to the east of the proposed driveway.
- It is anticipated that less than 100 daily trips will be generated by the applicant's proposed use of this site, which (as indicated in the traffic table) is significantly less than what could be constructed under the current zoning and could be handled with fewer access points. Therefore the current proposal does not generate the need for a traffic impact study at this time. Should a Final SP plan be submitted that generates more than 100 daily trips, a traffic impact study may be required.
-

Maximum Uses in Existing Zoning District: **RM6**

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)	40.18	6 D	241 U	1603	123	150

*Floor area controlled by PUD

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Manufacturing (140)	40.18	0.80 F	1,400,192 SF Assumed 250 shift workers in pk hr	683 per 250 employees	117	120

*Floor area controlled by PUD

Traffic changes between Maximum: **RM6** and proposed **SP-IND**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	NA	-6	-30

STAFF RECOMMENDATION

Staff recommends that the request be disapproved as it is not consistent with the property's land use policies nor is it appropriate given the proximity to single-family neighborhoods, and the fact that there is vacant industrial property within the area. *If the Planning Commission approves the request then staff recommends that it be approved with all staff conditions.*

CONDITIONS (if approved)

1. This SP shall permit all uses permitted by the IWD zoning district and a heavy industrial use "asphalt plant" (including blasting and crushing of stone for sale/transfer from the site during site preparation for asphalt plant – temporary mineral extraction).

2. A sign shall be placed on the property at the exit informing drivers that right turns are prohibited.

3. Construct 3 lane cross section on Franklin Limestone Rd, extended from nearby existing 3 lane cross section with transition per AASHTO and PW standards.

4. Construct a 100 ft left turn lane at access drive with transition per MUTCD and AASHTO standards.

5. Document & provide adequate sight distance at the proposed access location.

6. Public Works supports the applicant's request to relocate the existing truck restriction on Franklin Limestone to the east of the proposed driveway.

7. It is anticipated that less than 100 daily trips will be generated by the applicant's proposed use of this site, which (as indicated in the traffic table) is significantly less than what could be constructed under the current zoning and could be handled with fewer access points. Therefore the current proposal does not generate the need for a traffic impact study at this time. Should a Final SP plan be submitted that generates more than 100 daily trips, a traffic impact study may be required.

8. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no later than 120 days after the effective date of the enacting ordinance. The corrected copy provided to the Planning Department shall include printed copy of the preliminary SP plan and a single PDF that contains the plan and all related SP documents. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.

9. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

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

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

SEE NEXT PAGE

RECOMMENDATIONS TO THE METRO COUNCIL

- **Text Amendment**
- **Specific Plan**
- **Zoning Change**

NO SKETCH

Metro Planning Commission Meeting of 01/26/2012

Item #11

Project No.	**Zone Change 2012Z-002TX-001**
Project Name	**Preservation Permit – Economic Hardship**
Council Bill	BL2012-88
Council District	Countywide
School District	Countywide
Requested by	Councilmember Phil Claiborne
Staff Reviewer	Regen
Staff Recommendation	*Approve*

APPLICANT REQUEST
Create a new criterion for demolition of historic buildings/structures.

Zoning Text Amendment
A request to modify the Metro Zoning Code, Section 17.40.420.D to add a new subsection 8 "Determination of Economic Hardship" for historic preservation permits.

CRITICAL PLANNING GOALS
N/A

BACKGROUND
The Metro Historic Zoning Commission was sued for denying a demolition permit. The property owner submitted a request to demolish buildings based on economic hardship. The case went to the State of Tennessee Court of Appeals and the court ruled "...the commission's denial was not supported by material evidence..." Specifically, the court stated the commission staff had noted in its denial the applicant had a 'self-created' hardship. The court said there was no basis for the denial based on that criterion since it did not exist as one of the seven factors set forth in Section 17.40.420.D (Preservation Permit: Determination of Economic Hardship). After receiving the court's judgment, the Metro Legal Department advised the Metro Historic Zoning Commission to amend the Zoning Code to include the 'self-created' hardship factor.

EXISTING ZONING CODE
The Metro Zoning Code identifies seven factors in Section 17.40.420.D the Metro Historic Zoning Commission is to consider when reviewing a request to remove or demolish a historic structure. The seven factors to be considered by the commission are the following:

1) Estimated cost of demolition and redevelopment vs. estimated cost of preservation; and
2) Report detailing whether structure is suitable for rehab; and
3) Estimated market value of property in its current condition vs. estimated market value after rehab and compliance with preservation permit requirements; and
4) Opinion as to economic feasibility of rehabbing structure and its reuse; and
5) Amount paid for property, date of purchase, relationship between buyer and seller, and any financing terms; and
6) Any annual income produced by the property for the prior two years; itemized operating and maintenance expenses for prior two years; depreciation deduction and annual cash flow before and after debt service during prior two years; and,
7) Any other information considered necessary by the commission to a determination as to whether the property does yield or may yield a reasonable return to the owners.

PROPOSED AMENDMENT
Bill BL2012-88 proposes to create an eighth factor, the "self-created hardship" factor. This criterion is similar to one the Board of Zoning Appeals considers when evaluating a variance as provided in Section 17.40.370.C (Variance: Review Standards – Hardship Not Self-Imposed). This new factor would read as follows:

8) **Hardship Not Self-Imposed.** The alleged difficulty or hardship has not been created by the previous actions or inactions of any person having an interest in the property after the effective date of the ordinance codified in this title.

ANALYSIS
The proposed amendment is a needed change to the Zoning Code. This new factor will assist the Metro Historic Zoning Commission's review of demolition permits. It will enable the Historic Commission to deny a demolition permit, in the future, if a property owner failed to maintain a property in a state of good repair thereby forming a "self-created hardship." With this factor, the new property owner could demonstrate the prior actions or inactions of the previous owner(s) created the economic hardship necessitating the structure's demolition, the need for demolition having not been created by the very person trying to invoke the "hardship" factor.

METRO HISTORIC COMMISSION RECOMMENDATION
Approve

METRO CODES ADMINISTRATION RECOMMENDATION
Approve

PUBLIC WORKS RECOMMENDATION
No exception taken

METRO LEGAL
Legal has reviewed this and believes it is within the authority of the Historical Commission and does not believe that it violates State or Federal law.

STAFF RECOMMENDATION
Staff recommends approval of this text amendment. The existing Zoning Code denies the Metro Historic Zoning Commission the ability to evaluate properly a request to move or demolish a historic structure or building. Requests are made for a variety of reasons, but a typical request is due to rehab economics and feasibility. Without the ability to consider whether a state of disrepair was created by the actions or inactions of current or previous owners, and whether such actions now necessitate the demolition of a structure, the Metro Historic Zoning Commission is unable to protect the county's historic properties. The amendment raises the bar for evaluating the demolition of historic structures. It will serve to deter those seeking to willfully neglect properties in order to demolish them later. Likewise, it will not punish a new owner, if material evidence can be presented to the Metro Historic Zoning Commission by the new owner, demonstrating the actions or inactions of previous owner(s) created the current economic hardship necessitating the historic building's demolition.

ORDINANCE NO. BL2012-88

An ordinance defining conditions for hardships for preservation permits reviewed by the Metropolitan Government's Historic Zoning Commission (Proposal No. 2012Z-002TX-002).

WHEREAS, the Metropolitan Code of Laws does not define what grounds may be considered by Metro's Historic Zoning Commission for applications for preservation permits; and,

WHEREAS, the best interest of historic preservation is to restrict the use of self-imposed hardships to qualify for preservation permits.

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

Section 1: The Metropolitan Code of Laws 17.40.420(D) is hereby revised by adding subsection (8). This chapter will read as follows:

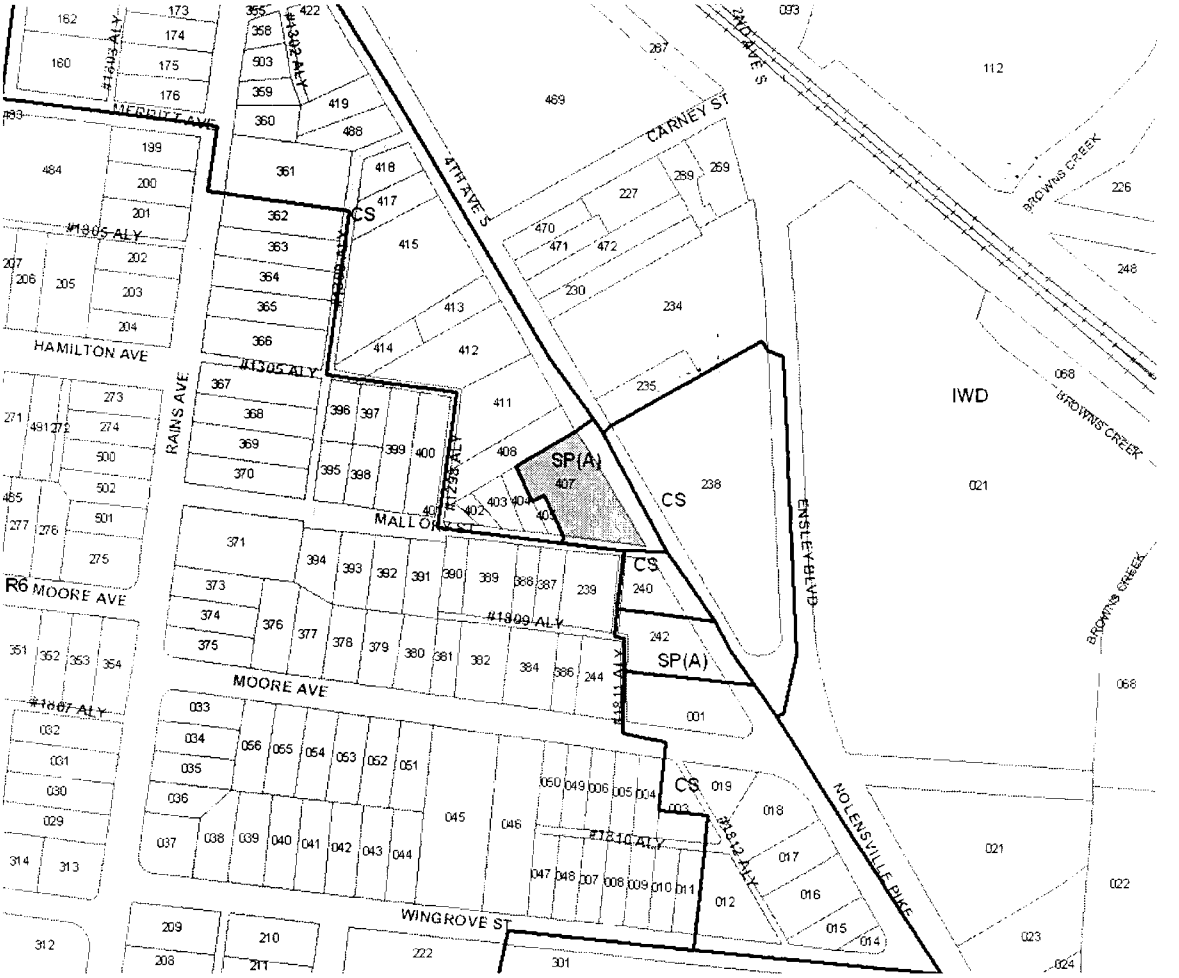
Chapter 17.40.240

D. Determination of Economic Hardship.

8. Hardship Not Self-Imposed. The alleged difficulty or hardship has not been created by the previous actions or inactions of any person having an interest in the property after the effective date of the ordinance codified in this title.

Section 2: This ordinance shall take effect from and after its final passage, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

Sponsored by: Phil Claiborne



2006SP-105-002
H & M MOTORS (AMEND#2)
Map 105-07, Parcel(s) 407
South Nashville
17 - Sandra Moore

Metro Planning Commission Meeting of 01/26/2012 Item #12

Project No.	**SP Amendment 2006SP-105-001**
Project Name	**H & M Motors**
Council District	17 – Moore
School Board District	7 – Kindall
Requested By	Tony and Maryam Sarmadi, owners.
Staff Reviewer	Sexton
Staff Recommendation	*Approve with conditions*

APPLICANT REQUEST

Add all uses permitted in the MUL-A zoning district and remove a condition of BL2006-1229 requiring a sidewalk along Mallory Street.

Amend SP Ordinance

A request to amend the existing Specific Plan-Auto (SP-) District (adopted with Council Bill BL2006-1229) for the previously approved H & M Motors Specific Plan District located at 1525 4th Avenue South, at the northwest corner of 4th Avenue South and Mallory Street (0.44 acres), to add all uses permitted by Mixed Use Limited alternative (MUL-A) zoning as permitted uses in the SP-A District and remove a condition required by BL2006-1229 for a sidewalk along Mallory Street.

Existing Zoning

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

CRITICAL PLANNING GOALS

N/A

SOUTH NASHVILLE COMMUNITY PLAN POLICY

Neighborhood Urban (NU)

NU is intended for fairly intense, expansive areas that are intended to contain a significant amount of residential development, but are planned to be mixed use in character. Predominant uses in these areas include a variety of housing, public benefit uses, commercial activities and mixed-use development. An accompanying Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

Consistent with Policy?

Yes. The amendment adds all other uses permitted in the MUL-A zoning district as additional uses within the SP district. The proposed MUL-A zoning district contains uses and bulk standards that are compatible with the Neighborhood Urban land use policy.

PLAN DETAILS

The H & M Motors Specific Plan District was approved by Metro Council in 2006. The approved plan consists of a one-story 1,781 square foot building. While the SP was approved for automobile sales (used) and automobile services, permission to use the site for other uses in the CS zoning district, as requested by the applicant, was not included in the recommendation of approval by the

Planning Commission. This amendment will correct that error and permit uses in the MUL-A zoning district in addition to the auto-related uses already approved by Council. The MUL-A district will allow the property owner a range of uses in addition to the auto uses and will be more consistent with the land use policy than the CS zoning district.

Sidewalks

A condition of the council approved site plan required that sidewalks be constructed or repaired along 4th Avenue South and Mallory Street. While the applicant repaired the sidewalk along 4th Avenue South, a sidewalk was not constructed on Mallory Street. At the time this SP was approved, sidewalks were required on all frontages. Since then, the Planning Commission has adopted a policy that outlines when a sidewalk is required.

The Sidewalk Policy is intended to make the reuse of an existing structure less costly for new business owners. Under the policy, the construction of new sidewalks along the street right-of-way would not be required if the SP district does not propose any new construction, or if the SP proposed a minor expansion to an existing structure. The applicant is reusing the existing building for an auto related use and is not proposing any new construction with this amendment. The applicant's request to remove the council bill condition requiring sidewalks along Mallory Street is consistent with the Planning Commission's Sidewalk Policy. All other conditions of BL2006-1229 shall still apply.

Signs

There are no signs proposed with this amendment. All auto related signage shall be monument style or wall mounted. Monument signs shall have maximum sign area of 48 square feet, and shall not exceed (6) feet in height or (3) feet in height if any portion of the sign is located within 15 feet of a driveway. Wall mounted signs on building faces located up to 50 feet from the property boundary along the public right of way shall have a maximum sign area of 48 square feet. Awning signs shall have a maximum sign area of 50 percent of the surface area of the awning. In addition to signs prohibited by Section 17.32.050 of the Metro Zoning Ordinance, prohibited signs include roof mounted signs, pole mounted signs, billboards, and signs that flash, rotate, scintillate, blink, flicker or vary in intensity or color, including all electronic signs.

Future Development

In order to provide flexibility for future redevelopment in an Auto SP district, future redevelopment within the district shall meet the standards of a mixed use zoning district consistent with the general plan. The specific district will be determined during the initial review of the zoning application. Minor modifications to the approved site plan may still be approved by the Planning Commission, but new construction shall generally be subject to the prescribed mixed use district. A note shall be added to the site plan that states:

"Auto related uses shall be consistent with the approved site plan. Minor modifications to the site plan may be approved by the Planning Commission including changes in use but shall be subject to the standards, regulations and requirements of the MUL-A zoning district. Expansions of 25 percent of the total floor area of the originally approved final site plan or total redevelopment shall meet the standards, regulations and requirements for the MUL-A zoning district. Minor modifications may require a new final site plan and expansions of 25 percent of the total floor area of the approved site plan or total redevelopment shall require that a final site plan be approved by the Planning Commission."

STAFF RECOMMENDATION

Staff recommends approval with conditions. The MUL-A zoning district contains uses and bulk standards that are compatible with the Neighborhood Urban land use policy.

CONDITIONS

1. This SP is limited to Auto Sales New, Auto Sales Used, Auto Service, Auto Repair and all other uses permitted by the MUL-A zoning district.

2. All conditions of the SP adopted with Council Bill BL2006-1229 shall apply except the portion of condition No. 2 that requires the construction and repair of sidewalks along Mallory Street.

3. All auto related signage shall be monument style or wall mounted. Monument signs shall have maximum sign area of 48 square feet, and shall not exceed (6) feet in height or (3) feet in height if any portion of the sign is located within 15 feet of a driveway. Wall mounted signs on building faces located up to 50 feet from the property boundary along the public right of way shall have a maximum sign area of 48 square feet. Awning signs shall have a maximum sign area of 50 percent of the surface area of the awning. In addition to signs prohibited by Section 17.32.050 of the Metro Zoning Ordinance, prohibited signs include roof mounted signs, pole mounted signs, billboards, and signs that flash, rotate, scintillate, blink, flicker or vary in intensity or color, including all electronic signs. Signs shall not be back-lit but may be spotlighted, or externally-lit. All light and glare shall be directed on-site to ensure surrounding properties are not adversely affected by increases in direct or indirect ambient light.

4. The following note shall be added to the site plan: Auto related uses shall be consistent with the approved site plan. Minor modifications to the site plan may be approved by the Planning Commission including changes in use but shall be subject to the standards, regulations and requirements of the MUL-A zoning district. Expansions of 25 percent of the total floor area of the originally approved final site plan or total redevelopment shall meet the standards, regulations and requirements for the MUL-A zoning district. Minor modifications may require a new final site plan and expansions of 25 percent of the total floor area of the approved site plan or total redevelopment shall require that a final site plan be approved by the Planning Commission.

2011Z-025PR-001
105 DULING AVENUE
Map 043-09, Parcel(s) 259
Madison
09 - Bill Pridemore

Project No.	**Zone Change 2011Z-025PR-001**
Council District	9 – Pridemore
School District	3 – North
Requested by	Franklin D. Conley, owners
Staff Reviewer	Swaggart
Staff Recommendation	*Approve*

APPLICANT REQUEST
Zone change to permit mixed use development

Zone Change
A request to rezone from Office and Residential (OR20) to Mixed-Use Limited (MUL) district property located at 105 Duling Avenue, approximately 195 feet east of Gallatin Pike (0.19 acres).

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

Proposed Zoning
MUL District - Mixed Use Limited is intended for a moderate intensity mixture of residential, retail, restaurant, and office uses.

CRITICAL PLANNING GOALS
N/A

MADISON COMMUNITY PLAN
Land Use Policies
Urban Mixed Use Corridor (T4CM) policy is intended to enhance urban mixed use corridors by encouraging a greater mix of higher density residential and mixed use development along the corridor, placing commercial uses at intersections with residential uses between intersections; creating buildings that are compatible with the general character of urban neighborhoods; and a street design that moves vehicular traffic efficiently while accommodating sidewalks, bikeways, and mass transit.

Consistent with Policy?
Yes. The proposed MUL zoning district permits uses consistent with the policy. It also would permit development consistent with the policy.

STORMWATER RECOMMENDATION
Approved

PUBLIC WORKS RECOMMENDATION
- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- A TIS may be required at development.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	0.19	0.184 F	1,522 SF	54	7	7

Typical Uses in Proposed Zoning District: **MUL**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	0.19	0.184 F	1,522 SF	54	7	7

Traffic changes between typical: **OR20** and proposed **MUL**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	0	0	0

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	0.19	0.8 F	6,621 SF	165	22	22

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office 710)	0.19	1 F	8,276 SF	196	26	26

Traffic changes between maximum: **OR20**and proposed **MUL**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+1,655 SF	+31	+4	+4

SCHOOL REPORTS

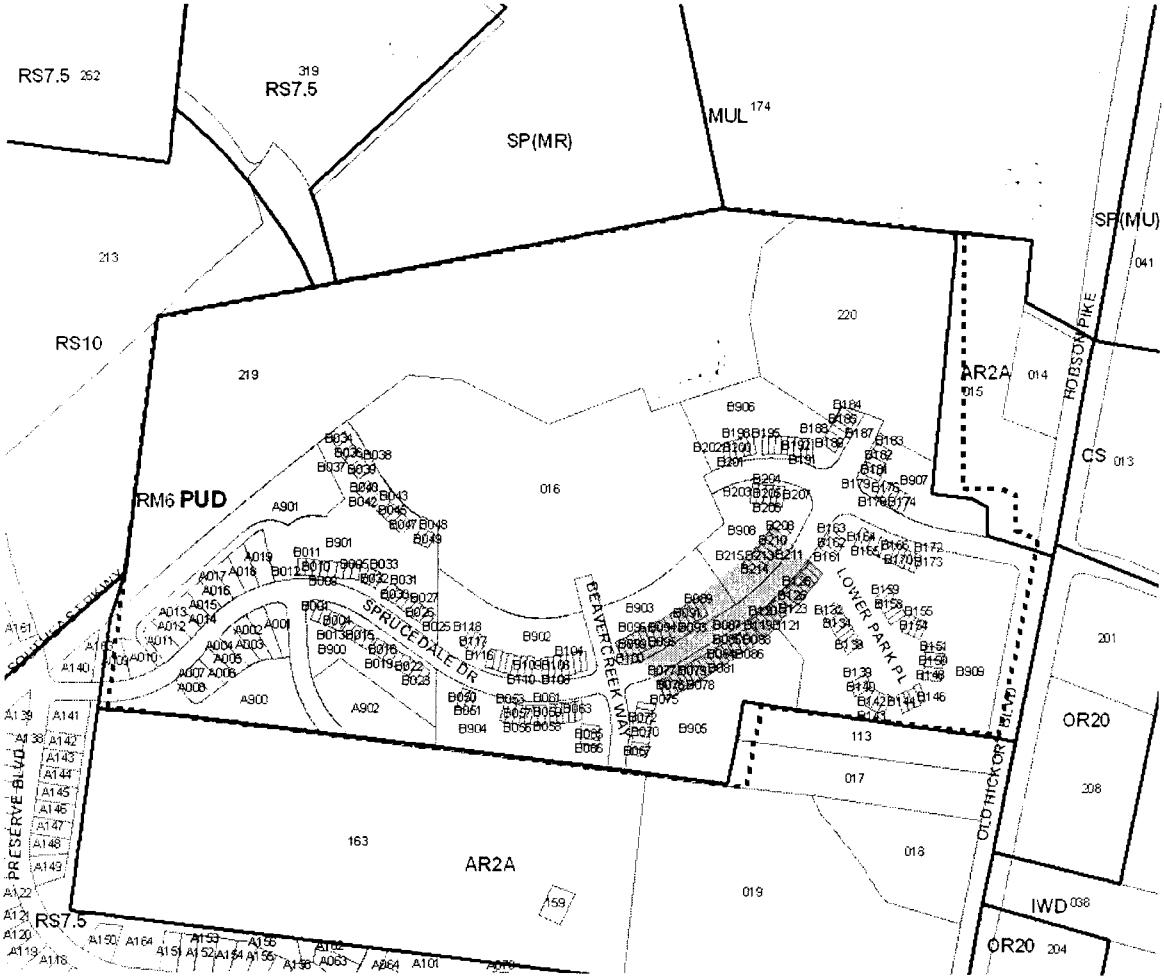
The proposed MUL zoning district will not generate more students than what would be generated by the current OR20 zoning district.

STAFF RECOMMENDATION

Staff recommends that the request be approved as it is consistent with the property's land use policy.

PLANNING COMMISSION ACTIONS

- **PUD (Final)**
- **Neighborhood Landmark Overlay**



2004P-028-001
OLD HICKORY COMMONS
Map 175-02-0-B, Parcel(s) 075-086, 088-101, 119-126, 128-130, 208-215, 903, 905, 908-909
Antioch - Priest Lake
32 - Jacobia Dowell

Project No.	**Planned Unit Development 2004P-028-001**
Project Name	**Old Hickory Commons PUD**
Council District	32 – Dowell
School District	6 – Mayes
Requested by	Anderson, Delk, Epps & Associates Inc., applicant, for Old Hickory Commons LLC, owner
Staff Reviewer	Johnson
Staff Recommendation	*Defer to the February 9, 2012 Planning Commission meeting*

APPLICANT REQUEST
Replace 47 multi-family units with 23 single-family lots

PUD Revision and Final PUD
A request to revise the preliminary plan and for final approval for a portion of the Old Hickory Commons Residential Planned Unit Development Overlay District located on various properties along Sprucedale Drive, between Beavercreek Way and Saddlecreek Way (2.11 acres), zoned Multi-Family (RM6), to permit 23 single-family lots where 47 multi-family units were previously approved.

STAFF RECOMMENDATION
Staff recommends deferral of the revision and final PUD requests to the February 9, 2012, Planning Commission meeting. The applicant submitted a request in writing in order to revise the PUD proposal.

2011NL-002-002
209 DANYACREST (DEVELOPMENT PLAN)
Map 085-11, Parcel(s) 005
Donelson - Hermitage
14 - James Bruce Stanley

Metro Planning Commission Meeting of 01/26/2012

Item #15

Project No.	**Neighborhood Landmark 2011NL-002-002**
Council District	14 – Stanley
School District	4 – Shepherd
Requested by	Dale and Associates, applicant for Don and Christi McEachern, owners
Deferral	Deferred from the August 25, 2011, Planning Commission meeting
Staff Reviewer	Swaggart
Staff Recommendation	*Approve with conditions including the condition that the Planning Commission approval of the development plan is conditioned upon Council approval of the Neighborhood Landmark Overlay District.*

APPLICANT REQUEST

Neighborhood Landmark Development Plan to permit an office within an existing building.

Neighborhood Landmark Development Plan

A request for approval of a Neighborhood Landmark Development Plan for property located at 209 Danyacrest Drive, at the northeast corner of Danyacrest Drive and Jenry Drive (2.78 acres), zoned Single-Family Residential (RS15), to permit a general office (marketing and consulting) use within an existing 4,800 square foot structure.

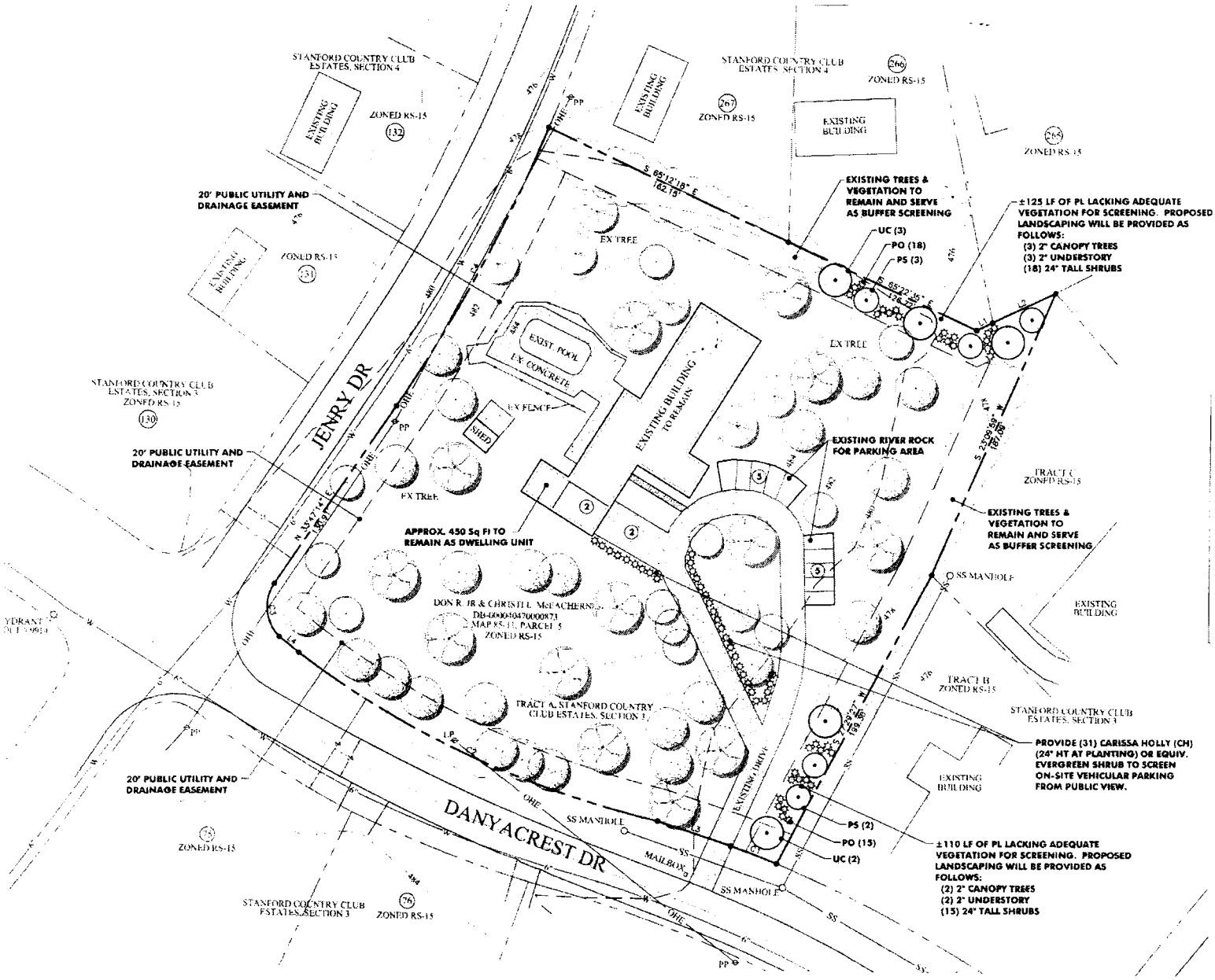
Existing Zoning

RS15 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. *The RS15 zoning would permit approximately seven lots on 2.78 acres.*

HISTORY

This request was original submitted for approval of the overlay district and concurrent approval of the development plan. Staff recommended approval of the overlay and the development plan at the August 25, 2011, Planning Commission meeting. After the public hearing was closed, the Commission deferred the request indefinitely at the request of the applicant.

While the commission has previously considered similar request where the overlay and development plan were taken together, the Zoning Code references them as two separate applications. The intent of the separation is to allow for the Commission to first consider the significance of the property intended to be preserved through the overlay prior to considering what may happen in the overlay once it has been established. Because of this distinct separation in the Zoning Code, staff requested that the applicant split the original request into two separate requests consistent with the intent of the zoning code. The applicant agreed and the current request is only for the development plan. The Planning Commission recommended that Council approve the Neighborhood Landmark at the January 12, 2012, meeting. *The development plan cannot be enacted until the landmark overlay has been approved by Council. Since Council will not have approved the overlay by the time the Commission considers this development plan, then any approval must be contingent upon Council approval of the overlay.*


STANFORD COUNTRY CLUB ESTATES, SECTION 4
EXISTING BUILDING
ZONED RS-15
132
STANFORD COUNTRY CLUB ESTATES, SECTION 4
266
ZONED RS-15
267
ZONED RS-15
EXISTING BUILDING
265
ZONED RS-15
20' PUBLIC UTILITY AND DRAINAGE EASEMENT
EXISTING BUILDING
ZONED RS-15
131
S 65°12'18" E
162.15'
EXISTING TREES & VEGETATION TO REMAIN AND SERVE AS BUFFER SCREENING
UC (3)
PO (18)
PS (3)
±125 LF OF PL LACKING ADEQUATE VEGETATION FOR SCREENING. PROPOSED LANDSCAPING WILL BE PROVIDED AS FOLLOWS:
(3) 2" CANOPY TREES
(3) 2" UNDERSTORY
(18) 24" TALL SHRUBS
EX TREE
EXIST. POOL
EX CONCRETE
EX FENCE
SHED
EXISTING BUILDING TO REMAIN
EX TREE
STANFORD COUNTRY CLUB ESTATES, SECTION 3
ZONED RS-15
130
JENRY DR
20' PUBLIC UTILITY AND DRAINAGE EASEMENT
EX TREE
EXISTING RIVER ROCK FOR PARKING AREA
TRACT C
ZONED RS-15
EXISTING TREES & VEGETATION TO REMAIN AND SERVE AS BUFFER SCREENING
APPROX. 450 Sq Ft TO REMAIN AS DWELLING UNIT
SS MANHOLE
EXISTING BUILDING
DON R. JR & CHRISTI L. McEACHERN
DB-000040470000873
MAP 85-11, PARCEL 5
ZONED RS-15
TRACT B
ZONED RS-15
TRACT A, STANFORD COUNTRY CLUB ESTATES, SECTION 3
STANFORD COUNTRY CLUB ESTATES, SECTION 3
PROVIDE (31) CARISSA HOLLY (CH) (24" HT AT PLANTING) OR EQUIV. EVERGREEN SHRUB TO SCREEN ON-SITE VEHICULAR PARKING FROM PUBLIC VIEW.
EXISTING BUILDING
20' PUBLIC UTILITY AND DRAINAGE EASEMENT
EXISTING DRIVE
DANYACREST DR
SS MANHOLE
MAILBOX
PS (2)
PO (15)
UC (2)
±110 LF OF PL LACKING ADEQUATE VEGETATION FOR SCREENING. PROPOSED LANDSCAPING WILL BE PROVIDED AS FOLLOWS:
(2) 2" CANOPY TREES
(2) 2" UNDERSTORY
(15) 24" TALL SHRUBS
75
ZONED RS-15
STANFORD COUNTRY CLUB ESTATES, SECTION 3
76
ZONED RS-15

CRITICAL PLANNING GOALS
N/A

PLAN DETAILS
The development plan calls for the existing home to remain. Proposed uses include single-family residential and general office. The type of office use is limited to Marketing and Consulting. No major improvements are proposed for the existing home. Minor site improvements include the addition of ten formal parking spaces and additional landscaping. The proposed parking spaces will be located on the eastern side of the lot behind the home. Access to the property will remain from the existing driveway on Danyacrest. No signage is proposed for the site.

STORMWATER RECOMMENDATION
No Stormwater permit required

PUBLIC WORKS RECOMMENDATION
No Exceptions Taken

STAFF RECOMMENDATION
Staff recommends that the request be approved with conditions.

CONDITIONS
1. Planning Commission approval of the development plan is conditioned upon Council approval of the Neighborhood Landmark Overlay District.

2. The Planning Commission shall approve any changes to the development plan which shall include but not be limited to any exterior alterations to the structure.

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.