



Project No.

Subdivision 2004S-064G-14

Project Name

Warren Place Subdivision

Associated Cases

None

Council District

11- Brown

School District

4- Nevill

Requested By

Jerry C. Harlan and Dunklin Murrey, owners and Burns & Associates, surveyor.

Staff Reviewer

Leeman

Staff Recommendation

Approve with conditions.

APPLICANT REQUEST

Preliminary Plat

This request is to subdivide 3.18 acres into 8 single-family lots along the north side of Warren Drive, south of Swinging Bridge Road.

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.

R15 District:

R15 requires a minimum 15,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 3.09 dwelling units per acre including 25% duplex lots.

SUBDIVISION DETAILS

This plat is consistent with the Subarea 14 Plan's Residential Low Medium (RLM) policy calling for two to four dwelling units per acre. Proposed lot sizes range from 10,000 square feet to 15,000 square feet. The proposed subdivision provides 0.47 acres (15%) of open space, while no open space is required since this is not a cluster lot subdivision. The open space includes a small portion of floodplain and a proposed detention pond. The detention pond is not within the floodplain area.

Sidewalks are proposed along the frontage of Warren Drive, as well as along both sides of Warren Court.

STORMWATER

The floodplain remains undisturbed with this proposal.

TRAFFIC ENGINEER'S FINDINGS

No exception taken.



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CONDITIONS

Staff recommends conditional approval of this preliminary plat, subject to the following conditions:

1. Performance bonds must be posted to secure the satisfactory construction, installation, and dedication of all required public improvements prior to final plat recordation.
2. NES approval shall be submitted prior to final plat recordation.

[VIEW SKETCH](#)



Project No.
Associated Case
Council Bill
Council District
School Board District
Requested By
Council Referral

[Zone Change 2003Z-109G-04](#)
None
BL2004-209
10 – Ryman
3 - Garrett
William G. Cole, Jr., owner
The sponsor of this ordinance has referred it back to the Planning Commission. The Commission recommended approval of RM6 zoning on November 13, 2003.

Staff Reviewer
Staff Recommendation

Harris
Approve

APPLICANT REQUEST

Rezone 2.01 acres from industrial warehousing/distribution (IWD) and residential single-family (RS7.5) to residential multi-family (RM6) district property at Edgemeade Boulevard (unnumbered).

Existing Zoning
IWD district

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

RS7.5 district

RS7.5 requires a minimum 7,500 square foot lot and is intended for single-family dwellings at a density of 4.94 dwelling units per acre. This would total 10 lots on this site.

Proposed Zoning
RM6 district

RM6 is intended for single-family, duplex and multi-family dwellings at a density of 6 dwelling units per acre. This would total 12 units on this site.

SUBAREA 4 PLAN POLICY

Residential Medium (RM)

RM policy is intended to accommodate residential development within a density range of four to nine dwelling units per acre. A variety of housing types are appropriate. The most common types include compact, single-family detached units, town-homes, and walk-up apartments.

Policy Conflict

The proposed RM6 district is consistent with the RM policy outlined in the subarea plan and surrounding density. This property would serve as a transition between the commercial services (CS) zoning district along Gallatin Pike and the residential single-family



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(RS7.5) zoning district along Edgemoade Boulevard. The proposed zoning district is also consistent with the existing multi-family units on the adjacent property to the east.

The site is constrained by TVA lines and floodplain. Any proposed units will have to be clustered to the south part of the site.

RECENT REZONINGS

Yes. This property was rezoned from R8 to RS7.5 with the county-wide zoning update in 1998.

TRAFFIC

Based on the trip generation numbers for residential multi-family (RM6), this proposal will generate approximately 80 daily trips. (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Public Works' Recommendation

“No Exception Taken.”

METRO NASHVILLE PUBLIC SCHOOL REPORT SCHOOLS

Projected student generation

1 Elementary 1 Middle 1 High

Schools Over/Under Capacity

Students would attend Amqui Elementary School, Brick Church Middle School, or Hunters Lane High School. Brick Church and Hunters Lane have been identified as being over capacity by the Metro School Board. There is not capacity at an elementary school within the cluster, however, there is capacity at a high school in an adjacent cluster. This information is based upon data from the school board last updated January 16, 2004.

Fiscal Liability The Metro School Board reports that due to the overcrowded condition of the school(s) impacted by this proposed rezoning and the lack of capacity of other middle schools within the cluster, approval of the rezoning and the development permitted by the rezoning will generate a capital need liability of approximately \$13,000 for additional school capacity in this cluster not presently programmed in the 10 year school capital plan. This estimate is based on maintaining current school zone boundaries.



Project No.
Associated Case
Council Bill
Council District
School District
Requested by

[Zone Change 2004Z-008T](#)
None
BL2004-220
Countywide
n/a
Councilmember Brenda Gilmore

Staff Reviewer
Staff Recommendation

Regen
Approve- no exceptions taken.

APPLICANT REQUEST

Amend Zoning Code to require a special exception permit for a pond/lake in the agricultural and residential zoning districts while permitting it as of right in all other districts.

ANALYSIS

Existing Law

Presently, Metro does not regulate the location of a pond/lake in its agricultural or residential zoning districts. Typically, ponds and lakes constructed in residential developments as well as office parks and retail developments are needed for stormwater management, and are reviewed and approved by Metro Water Services. The Tennessee Department of Environment and Conservation (TDEC) reviews private farm ponds that are more than 20 feet in depth and contain more than 30 acre-feet of water.

Proposed Text Change

By requiring a special exception permit for a pond/lake in an agricultural or residential zoning district, the Board of Zoning Appeals (BZA) would be required to find that an applicant complies with the standards proposed below. This council bill does provide exemptions for small landscape and ornamental ponds, ponds/lakes located on golf courses, working farms, and Metro property, as well as ponds/lakes constructed for stormwater management, wildlife, and wetlands. (See C.5, below) With these exemptions, ponds/lakes serving a structural, mechanical, or environmental need will not require BZA approval.

The full proposed text change would add the following language to the Zoning Code:

Section 17.16.230, Uses Permitted by Special Exception -- Other special exception uses



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C. Pond/Lake.

1. Lot Area. The pond/lake shall not occupy more than ten percent (10%) of the total lot area.
2. Site Plan. Plans for the proposed pond/lake shall be submitted to the stormwater division of the department of water and sewerage services, the zoning administrator, the health department, and the board of zoning appeals. The plans shall consist, at a minimum, of a plan view and a typical cross section of the proposed pond/lake. The plan view shall include the configuration of the pond/lake with the dimensions and maximum depth areas, distances to property lines, drainage easements, structures, outlet structures, septic systems, proposed overflow spillway, and proposed landscaping. The typical cross section shall identify the bank and bottom slopes, maximum depth, outlet and/or overflow structures with elevations and normal water level evaluation. A description of the soil type(s) and hydraulic conditions at the site shall be provided to determine the feasibility of the pond/lake.
3. Construction and Maintenance. Construction and maintenance of the pond/lake shall be in accordance with all applicable state and local regulations.
4. Notification. Prior to conducting a special exception hearing before the board of zoning appeals, and immediately after receiving an application for a pond/lake special exception, the zoning administrator or, if applicable, the executive director of the planning department shall notify the district councilmember that an application has been submitted.
5. The following types of ponds/lakes shall be exempt from the provisions of this Section:
 - a. landscape or ornamental ponds less than 1,000 square feet in area and less than three (3) feet in depth;
 - b. ponds/lakes used for irrigation or water treatment of a golf course;
 - c. farm ponds constructed on a working farm;



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Staff Recommendation

- d. detention and/or water quality pond required by the stormwater division of the department of water and sewerage services;
- e. wildlife ponds and wetlands required by or constructed with the assistance of the Tennessee Department of Environment and Conservation; and
- f. ponds/lakes on property owned by the Metropolitan Government.

Approve. This Council bill addresses ponds/lakes constructed for private recreational activities and aesthetics. As written, the bill would regulate ponds/lakes for public health and safety concerns, not aesthetic design. Once adopted, the regulations would require that any site plan containing a pond/lake be reviewed by stormwater management and the health department, as provided in "C.2" above. By requiring detailed design and construction plans and appropriate agency review, the bill is intended to provide the BZA with sufficient information to review applications to construct a pond/lake.



Project No.	Zone Change 2004Z-010T
Associated Case	None
Council Bill	BL2004-223
Council District	Countywide
School District	n/a
Requested by	Councilmember J. B. Loring
Staff Reviewer	Regen
Staff Recommendation	<i>Approve with amendments</i>

APPLICANT REQUEST

Amend Zoning Code to permit larger and taller signs in the commercial amusement (CA) zoning district as well as video signs.

ANALYSIS

Background

This text amendment is being proposed to permit larger and taller signs with a video screen in the Commercial Amusement (CA) district. Video signs provide images and messages in constant motion and television quality. If adopted, this amendment would apply countywide to any CA zoned property, present and future. Presently, the only property in Davidson County zoned CA is the Opryland Resort, Opry Mills, and the KOA Campground on Pennington Bend Road. The CA district is intended for amusement, recreation, lodging, and retail uses that are affiliated with the tourist industry and generate a high traffic demand. Signs such as those proposed by this bill are used to advertise products, services, and upcoming events.

The Gaylord Entertainment Company has expressed an interest in erecting a sign for the Grand Ole Opry House at Opryland. Currently, this entertainment venue has no sign advertising upcoming entertainment events. The proposed sign would display the typical information such signs convey, such as the performance event, performer, date, and time. The sign would be located perpendicular, and adjacent to, Briley Parkway, behind the Grand Ole Opry.



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Proposed Text Change

The proposed text change would modify existing sections of the Zoning Code as follows:

A. By amending Table 17.32.130.D, Note 3 to said able by adding the following provisions: “In the commercial attraction district, the maximum area of any one sign shall be 900 square feet, the maximum total area of all signs shall be 2,000 square feet, and the maximum height of a highway oriented sign shall be eighty feet as measured from the average grade of the sign foundation, or sixty feet above the finished elevation of the nearest travel lane of the highway, whichever is greater.”

B. By amending Section 17.32.050.G, by adding after the phrase “two seconds or more” the phrase “, provided that this provision shall not be applicable to any sign located within the CA district”.

Section 17.32.050 *Two Second Period*

The Zoning Code presently does not permit video signs. This kind of sign presents graphical information and pictures similar to those used at professional sporting events. Currently, text and/or pictures cannot be displayed in a continuous fashion, streaming across a sign. Instead, it must remain constant for two seconds – and then flash or disappear – and new text shown, as provided in Section 17.32.050.G. This standard is intended to ensure passing motorists the opportunity to read a sign quickly. The two second display period is a common sign standard throughout the nation.

The current substitute bill states the “two second” period will not apply to signs in the CA district. The sponsor has indicated to staff that was not the intent, however. An amendment will be necessary to reinstate the two second display period.

Table 17.32.130.D *On-Premise Signs*

The proposed amendment would permit a sign nearly double in size and twice in height than what is currently allowed in the CA zoning district. In addition, it would more than triple the maximum total square footage of all signs permitted on a property (See table, below).

Staff’s review of the proposed Grand Ole Opry sign indicates the proposed sign appears to comply with



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current Metro standards for sign size. Therefore, both the amendment to increase the permitted sign size to 900 square feet and the amendment increasing the maximum total sign area may be unnecessary.

Standard	Current Zoning Text	Proposed Zoning Text
Sign Size	480 square feet	900 square feet
Sign Height	40 feet	80 feet above grade of sign foundation or 60 feet above finished elevation of nearest travel lane, whichever is greater
Max. Total Area of All Signs	576 square feet	2,000 square feet

Public Works Recommendation

Public Works has indicated no opposition to permitting video signs in the CA zoning district.

Staff Recommendation

Approval with amendment to remove the size expansion. The proposed zoning text amendment in concept does not appear in conflict with, or out of character with, the types of uses expected to locate in the CA district. These uses are typically attention getting either because of their physical size or unique market-niche. The type of sign proposed to be permitted is intended to dramatically advertise events or happenings without sound. These signs do so by using sign height, color, size, graphics, and motion to capture the attention of traveling motorists. There is nothing inherently problematic with one sign on a roadway.

Issues for consideration *Sign Proliferation*

Staff has concerns that additional signs of this magnitude could be located every 1,000 feet along Briley Parkway, as Table 17.32.130.D, footnote 3 would permit. That footnote was created for Opryland with the Zoning Code's rewrite in 1998. This amendment does not modify the current footnote, and thus, does not prevent sign proliferation within the CA district.

Increase in CA *Rezoning Requests*

If this Code amendment is approved, Metro may see an increase in rezoning applications for the CA district elsewhere in Davidson County. Businesses wanting the ability to construct larger signs may seek CA rezonings for that sole purpose. Such rezonings would serve to undermine the purpose of the CA district.



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Sign Review

The amendment also proposes to permit video signs by right in the CA zoning district. While the Zoning Code presently permits all signs by right, there is no other sign of this magnitude permitted. The current process only requires an applicant to obtain permits from Codes. That process involves a perfunctory review to determine if a sign complies with the Zoning Code's standards for number, size, and height of signs. The proposed text amendment provides no additional standards of review for a video sign.

Public Safety

For a sign with the mass, scale, and motion proposed for the Grand Ole Opry, additional review may be warranted to ensure the changing images which could appear 24-hours a day do not impact nearby residential uses by glare, motorist safety on Briley Parkway, or aircraft flights from the Nashville International airport. Other cities require video signs to receive additional review due to their unique presentation-style and attention getting graphics to invite motorists and pedestrians to their venue. A different permit review process may be worth exploring for video signs, particularly concerning public safety impacts, if any, that Public Works (Traffic Engineer) and TDOT may identify.



Project No.
Associated Case
Council Bill
Council District
School District
Requested by

Zone Change 2004Z-011T
None
BL2004-224
Countywide
n/a
Councilmember John Summers

Staff Reviewer
Staff Recommendation

Regen
Disapprove as currently written.

APPLICANT REQUEST

Amend Zoning Code to require any modification to a planned unit development (PUD) overlay that is four years or older to be reviewed and approved by the Metro Council. In addition, any PUD eight years or older without a building permit issued would require reapproval by the Metro Council.

ANALYSIS

Existing Law

Currently, major modifications to Planned Unit Developments must be approved by the Metro Council as set forth in Sections 17.40.120.F and 17.40.120.G.2. All other modifications are deemed minor in nature. Minor modifications are either acted upon administratively by the Executive Director of the planning department or by the Planning Commission. The table below provides examples of what kinds of modifications are acted upon and by whom.

PUD MODIFICATIONS		
Executive Director, Planning (minor)	MPC (minor & major)	Metro Council (major)
Adjustments to water/sewer lines, driveway, and curb locations	Drive-thru restaurants, pharmacies, cleaners, banks	Land added or deleted from PUD
Small building additions (ex. 250 square feet).	Shift in residential product mix of townhomes, apartments, and single-family homes	New street or driveway access for PUD
Additional parking spaces	Relocation of a ground sign	Change in base zoning district for PUD
Shifting a dumpster location	Change in mixture of office, retail, and restaurant uses	Change in special performance criteria or design standards
Change in tenant mix from retail to small restaurant in a shopping center storefront bay	Development of outparcels on a shopping or multi-tenant site	Any increase in the total # of dwelling units beyond last Council approved plan
Adjusting landscaping	Phased residential, commercial, or industrial development	Any change from single-family to multi-family where only single-family was approved
Slight shift in building location or orientation	Adjustment of streets, sidewalks, lots, greenways, detention ponds	Any increase in commercial or industrial square footage that exceeds 10% of the total floor area last approved by Council



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Proposed Text Change

This council bill proposes to revise two sections of the Zoning Code as follows:

- Amend Section 17.40.120.F.1 by adding the following new provision at the end thereof:
 - e. Any modification made to a planned unit development master development plan that is more than four years old.
- Amend Section 17.40.120 by adding a new subsection H as follows:
 - H.** Planned Unit Developments for Which No Permit Is Issued Within Eight Years. Any planned unit development approved by the planning commission and the metropolitan council for which no building permit has been issued within eight years from the date of the enacting ordinance shall be resubmitted to the council for approval by ordinance before any building or grading permit is issued.

Staff Recommendation

Disapproval. Staff believes the concept of PUDs expiring after a certain period of time merits further discussion. The proposed ordinance raises several issues, however, that need to be thoroughly considered before any change of this magnitude is put into effect.

The proposed council bill does not adequately address the various Zoning Code sections that pertain to the review and approval of PUD modifications. In its present form, the proposed amendments are not workable. For the years 2002 and 2003, the Metro Planning Commission alone acted upon an average of 68 minor modifications to PUD plans that were four years or older. That excludes the more than 200 plans acted upon by the Executive Director. To require all of these plans to be reviewed and approved by the Metro Council would have a negative effect on Metro's efforts to streamline the development review process. Additionally, if the Council were to review and act upon all of these minor modifications, approximately 140 council actions would be required annually and additional funding would be needed to comply with the required legal notification for Council public hearings (e.g. public hearing signs and mailed notices).



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With respect to the bill's proposal to require all PUDs lacking a building permit that are eight years or older to receive reapproval by the Metro Council, staff agrees that a maximum timeframe on PUD approval is appropriate in order to account for changing conditions. Additional research is needed, however, to ascertain the practical and legal effects of such a measure because there are approximately 100 unbuilt PUDs in Davidson County.



Project No.	<u>Zone Change 2004Z-023U-10</u>
Associated Case	2004P-005U-10
Council Bill	None
Council District	25 – Shulman
School Board District	8 - Harkey
Requested by	Robert W. Rutherford, Attorney, applicant, for Phillips-Robinson Company, owner.
Staff Reviewer	Harris
Staff Recommendation	<i>Approval</i>

APPLICANT REQUEST

Rezone 0.17 acres from office/residential (OR20) to mixed use limited (MUL) district at 4103 Hillsboro Circle.

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.

SUBAREA 10 PLAN POLICY

Regional Activity Center (RAC)

RAC policy is intended for concentrated mixed-use areas anchored by a regional mall. Other uses common in RAC policy are all types of retail activities, offices, public uses, and higher density residential areas.

Policy Conflict

The proposed MUL zoning district is consistent with the Subarea 10 Plan’s RAC policy. In November 2000, there was a request to rezone this parcel and several others along Hillsboro Circle to MUL. This proposal was disapproved by the Planning Commission citing that it would be premature since a UDO had not been adopted in the Green Hills area. An Urban Design Overlay, typically, assures development objectives of the RAC policy and considers pedestrian linkages within and adjacent to this area. The Subarea 10 plan recommends that “...future development within the RAC policy area integrate internal and external pedestrian facilities, to cut down on the number of automobile trips within the area” (Area 11A, p. 58). A voluntary Urban Design Overlay was adopted in



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August 2002. A PUD plan is accompanying this proposal due to the complexity and intensity of the RAC policy and the voluntary UDO in this area. The PUD plan proposes that all uses be permitted under MUL zoning with the exception of restaurant and bar or night club uses. If any of these uses are ever proposed, it will require a PUD amendment and Council approval. The PUD plan is intended to address uses allowed under MUL zoning that would not create a nuisance for the residents abutting this property to the west (i.e. dumpsters).

RECENT REZONINGS

None.

TRAFFIC

Based on the trip generation numbers for mixed use limited (MUL), this proposal is expected to generate approximately 43 to 301 daily vehicular trips ranging from townhome to specialty retail center uses. (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Public Works Recommendations

Current Zoning

OR20, Peak Adj. Street Traffic (Code 710, General Office)

AM trips = 10 PM trips = 9

Proposed Zoning

MUL, Peak Adj. Street Traffic (Code 710, General Office)

AM trips = 12 PM trips = 11

“No Exception Taken.”

METRO NASHVILLE PUBLIC SCHOOL REPORT

SCHOOLS

(Proposed Student Generation)

<1 Elementary <1 Middle <1 High

Schools Over/Under Capacity*

Students would attend Julia Green Elementary, Moore Middle School and Hillsboro High School. Julia Green and Moore have been identified as being overcrowded by the Metro School Board. There is capacity at an elementary school and middle school within the cluster.



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This information is based upon data from the school board last updated January 16, 2004.

*The numbers for MUL zoning are based upon students that would be generated if the MUL zoning were to develop as residential instead of office and commercial. This also assumes each multi-family unit has 1,000 sq. ft. of floor area.

Planned School Capital Improvements

Location	Project	Projected Date
Hillsboro High School	Renovation	FY07-08
Moore Middle School	Renovation	FY05-06



Project No.
Project Name
Council Bill
Associated Case
Council District
School District
Requested By

[Planned Unit Development 2004P-005U-10](#)
Hillsboro Circle PUD
None
2004Z-023U-10
25 – Shulman
8 - Harkey
Robert Rutherford, applicant, for Phillips-Robinson, owners

Staff Reviewer
Staff Recommendation

Harris
Approve with conditions

APPLICANT REQUEST
Preliminary PUD

Request to adopt a new Preliminary PUD to permit all uses permitted in the MUL zoning district with the exceptions of restaurants, bars and night clubs, unless the PUD is amended by the Metro Council to allow these uses. The property is located abutting the west margin of Hillsboro Circle, 332 feet north of Hobbs Road.

PLAN DETAILS

The intent of this plan is to allow all uses permitted under the proposed MUL zoning district with the exception of restaurants, bars or night club uses, unless the PUD is amended by the Metro Council to allow these uses. This would address uses that may create a nuisance for the residents abutting this property to the west by preventing dumpsters from facing their residences. The plan proposes to use the existing building and eight existing parking spaces. The existing building is two stories with a basement totaling 3,915 square feet. The building is consistent with the surrounding development along Hillsboro Circle.

The existing tree line will serve as a landscaping buffer for the residential development to the west. There is also a blue-line stream abutting the property to the west in which floodway and floodplain consumes most of the property. The new floodplain and floodway regulations do not apply since the plan proposes to use the existing building and parking spaces, and no new construction is proposed.

Revised plans should be submitted to show the right-of-way on Hillsboro Circle. The Major Street Plan shows



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that Hillsboro Circle is a nonresidential collector street, which requires 72 ft. of ROW. If the existing ROW is less than 72 ft., then the plan must show one half of the difference.

CONDITIONS

1. Prior to final PUD approval, revised plans should be submitted showing the right-of-way, including any necessary right of way dedication, on Hillsboro Circle. An access and parking analysis may also be required at the final PUD stage depending on the proposed use.
2. Prior to final PUD approval, the land use must be designated and identified on the plan.



Project No.
Associated Case
Council Bill
Council District
School District
Requested by

[Zone Change 2004Z-049U-13](#)
None
None
33 – Bradley
6 – Awipi
Samuel E. and Pauline Branch, owners

Staff Reviewer
Staff Recommendation

Harris
Approve with conditions

APPLICANT REQUEST

Rezone 5.05 acres from agricultural/residential (AR2a) to residential single-family (RS7.5) district property at 3334 Hamilton Church Road, approximately 250 feet northwest of Mt. View Road.

Existing Zoning
AR2a district

Agricultural/residential requires a minimum lot size of 2 acres and intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per 2 acres. This zoning would allow for approximately 2 dwelling units.

Proposed Zoning
RS7.5 district

RS7.5 requires a minimum 7,500 square foot lot and is intended for single-family dwellings at a density of 4.94 dwelling units per acre. This zoning would allow for approximately 25 single-family lots.

**ANTIOCH-PRIEST LAKE
COMMUNITY PLAN POLICY**

Neighborhood General (NG)

NG is intended to apply to existing areas that are, and are envisioned to remain, predominantly residential in character, and the emerging and future areas that are planned to be predominantly residential. NG areas include single-family residential and public benefit activities. Residential development other than single-family is also appropriate provided the location and the particular type of residential development proposed are supported by a detailed neighborhood design plan or, for areas lacking a design plan, a special policy.

Policy Conflict

The proposed RS7.5 zoning district is consistent with the NG policy. It is also consistent with the abutting R8 zoning district and existing residential development



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along Hamilton Church Road. Staff recommends that a street layout and open space plan be reviewed prior to the submittal of any development plans.

RECENT REZONINGS

The Commission recommended conditional approval of a zone change request on several parcels to the southeast in July 2002. Conditions were based on the widening of Hamilton Church and dedication of a school site.

TRAFFIC

No Exceptions Taken.

Typical Uses in Existing Zoning District: AR2a

Land Use (ITE Code)	Acres	Units per Acre	Total # of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	5.05	0.50	3	--	3	5

Typical Uses in Proposed Zoning District: RS7.5

Land Use (ITE Code)	Acres	Units Per Acre	Total # of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	5.05	4.94	25	--	19	31

Change in Traffic Between Typical Uses in Existing and Proposed Zoning District

Land Use (ITE Code)	Acres	Units Per Acre	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	--	--	--	--	+16	+26

METRO NASHVILLE PUBLIC SCHOOL REPORT

SCHOOLS

Projected student generation

5 Elementary 3 Middle 3 High



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Schools Over/Under Capacity

Students would attend Mt.View Elementary School, Kennedy Middle School, or Antioch High School. All three schools have been identified as being over capacity by the Metro School Board. There is capacity at an elementary school within the cluster, however, and capacity at a high school in an adjacent cluster. This information is based upon data from the school board last updated January 16, 2004.

Fiscal Liability

The Metro School Board reports that due to the overcrowded condition of the school(s) impacted by this proposed rezoning and the lack of capacity of other middle schools within the cluster, approval of the rezoning and the development permitted by the rezoning will generate a capital need liability of approximately \$39,000 for additional school capacity in this cluster not presently programmed in the 10 year school capital plan. This estimate is based on maintaining current school zone boundaries.

Planned School Capital Improvements

Location	Project	Projected Date
Antioch Cluster (New middle school)	Purchase land and construct	FY03-04
Antioch High School	District Wide ADA Compliance	FY03-04

CONDITIONS

1. Prior to the submittal of any final development plans, a street and open space layout plan is to be reviewed and approved by the Metro Planning Department.



Project No.	<u>Zone Change 2004Z-050G-14</u>
Associated Case	None
Council Bill	None
Council District	14 – White
School District	4 – Nevill
Requested by	Richard Benson, owner
Staff Reviewer	Harris
Staff Recommendation	<i>Disapprove</i>

APPLICANT REQUEST

Rezone .50 acres from residential (R8) to commercial service (CS) district property at 4005 Dodson Chapel Road, north of Central Pike and Dodson Chapel intersection.

Existing Zoning
R8 district

R8 requires a minimum 8,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 5.41 dwelling units per acre including 25% duplex lots.

Proposed Zoning
CS district

Commercial Service is intended for a variety of commercial uses, including retail trade, consumer services, financial institutions, general and fast food restaurants, auto-repair, auto sales, self-storage, and light-manufacturing and small warehouse uses.

SUBAREA 14 PLAN POLICY

Residential Medium High (RMH)

RMH policy is intended for existing and future residential areas characterized by densities of nine to twenty dwelling units per acre. A variety of multi-family housing types are appropriate. The most common types include attached townhomes and walk-up apartments.

Policy Conflict

The proposed zoning district (CS) is not consistent with the RMH policy, which is intended for residential development within a density range of nine to twenty dwelling units per acre. The adjacent parcel is zoned commercial, but extension of CS zoning further into the RMH policy area is inappropriate. The Subarea 14 Plan Update is underway and may establish a new land use policy for this area, but there is no completion date for the Update set at this time.



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RECENT REZONINGS

The Commission recommended Disapproval as Contrary to the General Plan of parcels 138 and 139 from RS10 to CS and of parcel 143 from RS10 to MUL on April 8, 2004.

TRAFFIC

No Exception Taken.

Typical Uses in Existing Zoning District: R8

Land Use (ITE Code)	Acres	Units Per Acre	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	0.50	4.63	2	--	2	3

Typical Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Strip Shopping (820)	0.50	0.242	5,270		6	20

Change in Traffic Between Typical Uses in Existing and Proposed Zoning District

Land Use (ITE Code)	Acres	--	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	--	--	--	--	+4	+17

Maximum Uses in Existing Zoning District: R8

Land Use (ITE Code)	Acres	Units Per Acre	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	0.50	4.63	2	--	2	3

Maximum Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Convenience Market (852)	0.50	.30*	6,534		203	226

* FAR adjusted to reflect the size of this site and a realistic maximum potential buildout with this use.

Change in Traffic Between Maximum Uses in Existing and Proposed Zoning District

Land Use (ITE Code)	Acres	--	--	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	--	--	--	--	+201	+223



Metro Planning Commission Meeting of 4/22/04

Planned Roadway Capital Improvements:

Location	Project	Funding	Projected Date
CENTRAL PIKE— COMBINED PROJECTS	CENTRAL PIKE LEBANON PIKE (STATE ROUTE 24) TO INTERSTATE 40 CONNECTOR, ENGINEERING, RIGHT-OF-WAY, RECONSTRUCT AND WIDEN, INCLUDES BRIDGE OVER STONER CREEK	PROPOSED G.O. BONDS, FEDERAL FUNDS, APPROVED G.O. BONDS	FY03-04 TO FY05-06
CENTRAL PIKE	CENTRAL PIKE - SR 45 TO WILSON COUNTY LINE (SR 265)	STATE AND FEDERAL FUNDS	FY06-07 TO FY08-09



Project No.
Associated Case
Council Bill
Council District
School District
Requested by

[Zone Change 2004Z-051G-06](#)
None
None
35 – Tygard
9 – Norris
James and Carolyn Gunter, owners

Staff Reviewer
Staff Recommendation

Harris
Disapprove as Contrary to the General Plan

APPLICANT REQUEST

Rezone 6.46 acres from commercial neighborhood (CN) and residential (R80) to commercial service (CS) district property at Highway 70 S (unnumbered), along the east side of Old Charlotte Pike.

Existing Zoning
CN district

Commercial Neighborhood is intended for very low intensity retail, office, and consumer service uses which provide for the recurring shopping needs of nearby residential areas.

R80 district

R80 requires a minimum 80,000 square foot lot and is intended for single -family dwellings and duplexes at an overall density of .58 dwelling units per acre including 25% duplex lots.

Proposed Zoning
CS district

Commercial Service is intended for a variety of commercial uses, including retail trade, consumer services, financial institutions, general and fast food restaurants, auto-repair, auto sales, self-storage, and light manufacturing and small warehouse uses.

BELLEVUE COMMUNITY PLAN 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.

Policy Conflict

The proposed zoning district (CS) is not consistent with the RLM policy, which is intended for residential



Metro Planning Commission Meeting of 4/22/04

development within a density range of two to four dwelling units per acre. There is CS zoning adjacent to this parcel; however, there was a zone change request to change that parcel to RM15 in January. The Commission recommended approval of the RM15 and the bill has been deferred at Council.

RECENT REZONINGS

Parcel 028 was rezoned in June 2003, from AR2a to RS15. The Commission recommended approval with conditions. The conditions were based on a more detailed TIS and conservation easements for the floodplain/way at the development stage.

TRAFFIC

With the submittal of Final Development Plans and review by the Traffic Engineer, a Traffic Impact Study may be required to determine the additional traffic generated by the proposed level of development and required mitigations.

Typical Uses in Existing Zoning District: CN

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (820)	6.46	0.066	18,572	--	19	70

Typical Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (820)	6.46	0.066	18,572		19	70

Change in Traffic Between Typical Uses in Existing and Proposed Zoning District

Land Use (ITE Code)	Acres	--	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	--	--	--	--	0	0

Maximum Uses in Existing Zoning District: CN

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	6.46	0.25	70,349	--	142	158

Maximum Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (820)	6.46	0.60	168,838		174	633



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Change in Traffic Between Maximum Uses in Existing and Proposed Zoning District

Land Use (ITE Code)	Acres	--	--	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	--	--	--	--	+32	+475



Project No.	Zone Change 2004Z-053G-12
Associated Case	None
Council Bill	BL2004-202
Council District	30 – Kerstetter
School District	2 – Blue
Requested by	Dewey and Zelma Hockett, Trustees
Staff Reviewer	Harris
Staff Recommendation	<i>Approve</i>

APPLICANT REQUEST

Rezone .22 acres from residential (R6) to commercial neighborhood (CN) district property at 4305 Goins Road, approximately 300 feet east of Nolensville Pike.

Existing Zoning
R6 district

R6 requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.72 dwelling units per acre including 25% duplex lots. One lot would be permitted under the existing zoning.

Proposed Zoning
CN district

Commercial Neighborhood is intended for very low intensity retail, office, and consumer service uses, which provide for the recurring shopping needs of nearby residential areas.

SUBAREA 12 PLAN POLICY

Commercial Arterial
Existing (CAE)

CAE policy is intended to recognize existing areas of “strip commercial” which is characterized by commercial uses that are situated in a linear pattern along arterial streets between major intersections. The predominant uses include retail and office activities such as eating establishments, automobile sales, rental, and service, hotels and motels, and consumer services.

Policy Conflict

The proposed zoning district (CN) is consistent with the CAE policy intended to stabilize the current condition, prevent additional expansion along the arterial, and to redevelop areas to a nodal pattern. It is also consistent with surrounding uses along Nolensville Pike. This rezoning would square off the commercial and office development along Nolensville Pike and allow



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development to occur in a nodal pattern. CN is an appropriate zoning district in this location because it is at the neighborhood scale and would serve as a transition from the existing residential development along Goins Road and the high intensity office and commercial development along Nolensville Pike. Staff recommends no further expansion of commercial down Goins Road.

RECENT REZONINGS

The Commission recommended approval of a revision and final PUD request for parcel 160 on February 12, 2004, to permit the development of a 3,812 sq.ft. bank to replace a 6,700 sq.ft. restaurant.

TRAFFIC

No Exception Taken

Typical Uses in Existing Zoning District: R6

Land Use (ITE Code)	Acres	Units Per Acre	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	0.22	6.18	1	--	1	2

Typical Uses in Proposed Zoning District: CN

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Fast Food Restaurant (934)	0.22	0.073	700		38	25

Change in Traffic Between Typical Uses in Existing and Proposed Zoning District

Land Use (ITE Code)	Acres	--	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	--	--	--	--	+37	+23

Maximum Uses in Existing Zoning District: R6

Land Use (ITE Code)	Acres	Units Per Acre	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	0.22	6.18	1	--	1	2

Maximum Uses in Proposed Zoning District: CN

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Quality Restaurant (931)	0.22	.25	2,396		2	18



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Change in Traffic Between Maximum Uses in Existing and Proposed Zoning District

Land Use (ITE Code)	Acres	--	--	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	--	--	--	--	+1	+16



Project No.
Project Name
Associated Cases
Council District
School District
Requested By

[Subdivision 2003S-304G-03](#)
Perry Subdivision, Preliminary Plat
None
2 - Isabel
1 - Thompson
R.L. Montoya, applicant for Joseph Perry, owner

Staff Reviewer
Staff Recommendation

Reed
Approve with conditions

APPLICANT REQUEST
Preliminary Plat

A request for preliminary plat approval for 7 lots abutting the northwest terminus of Walker Lane, approximately 500 feet north of West Nocturne Drive (4.71 acres), classified within the RS20 District, requested by Joseph Perry, owner, R.L. Montoya, surveyor.

ZONING
RS20 District

Requires a minimum 20,000 square foot lot and is intended for single-family dwellings at a density of 1.85 dwelling units per acre.

SUBDIVISION DETAILS

This subdivision proposal is for seven lots ranging in size from 20,238 to 39,532 square feet, located in an area that currently has other RS20, RS15 and residential PUD subdivisions. The applicant would construct the remaining unbuilt section of Walker Lane connecting the Haynes Heights subdivision to the north with the Nocturne Forest subdivision to the south. A cul de sac, Gertie’s Court, off of Walker Lane will serve five of the seven lots. It is bounded on the west by a common area and easements of the Chateau Valley subdivision.

The property owner has received approval from, and executed an agreement with, Metro Public Works for stormwater detention to the south of Lot 5. There is no platted public access or easement to access the area for maintenance. Water Services indicates platted access and approved grading plans should be conditions of any final plat approval.

TRAFFIC ENGINEER’S FINDINGS

No exception taken.



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CONDITIONS

Prior to recording a final plat:

1. The plat shall provide for access to the stormwater detention area for maintenance;
2. The applicant shall create a homeowners association to provide for maintenance of the detention area as open space;
3. Applicant shall obtain an approved grading plan;
and
4. The stormwater detention area shall be labeled, "Common Area Open Space."



Project No.
Project Name
Associated Cases
Council District
School District
Requested By

Subdivision 2004S-015G-12
Third Addition to Indian Creek, revision
None
31 - Toler
2 - Blue
Hurley-Y, owner, Anderson-Delk, engineer.

Staff Reviewer
Staff Recommendation

Fuller
Staff recommends approval.

APPLICANT REQUEST
Preliminary Plat

This is a request to remove a condition from the previous approval of the Preliminary Plat of January 8, 2004. The request was to subdivide 7.22 acres into a 21-lot cluster lot subdivision, at a proposed density of 2.9 dwelling units per acre.

The applicant is requesting to remove condition #2 since the 75-foot turn lane was already a condition of the original Indian Creek Estates PUD, and because the additional length that was being required is no longer needed, as per the revised traffic analysis submitted to and approved by Metro Public Works. The Planning Commission adopted the following conditions with the preliminary plat approval on January 8, 2004:

Resolution No. 2004 -019

“BE IT RESOLVED by the Metropolitan Planning Commission that Preliminary Subdivision No. 2004S-015G-12 is **APPROVED WITH CONDITIONS. (9-0)**”

Conditions of Approval:

1. There will be no access to Culbertson Road
2. Install a 12 ft. left turn lane with 75 ft. of storage and transition per AASHTO standards on Old Hickory Boulevard at Broken Bow Drive.
3. Approval is subject to construction plan approval.
4. Comply with any required traffic conditions of the Indian Creek P.U.D. since this subdivision is sole access is through this PUD.
5. There will be no access to Culbertson Road until it improved to Collector Street standards.



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PUBLIC WORKS FINDINGS

RPM Transportation Consultants has submitted an analysis to determine the storage lane length needed for the left turn lane on Old Hickory Boulevard at Broken Bow Drive. Metro Public Works has reviewed this analysis dated March 11, 2004, and agrees with the analysis that the 75-foot storage lane (which Indian Creek Estates must install) will be adequate for the addition's increased traffic. Since this condition for a turn lane is a requirement of the Indian Creek Estates PUD, currently under construction, the analysis supports that no turn lane extension is necessary to accommodate the traffic from the Third Addition to Indian Creek. Staff recommends this condition be removed.

CONDITIONS

Remove condition 2. All other conditions stay in place.

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Project No.

Subdivision 2004S-109G-02

Project Name

Eaton Estates

Associated Cases

None

Council District

10 - Ryman

School District

3 - Garrett

Requested By

Dale and Associates, surveyor, for Harold and Jeanette Clark, owners

Staff Reviewer

Leeman

Staff Recommendation

Approve with conditions

APPLICANT REQUEST

Preliminary Plat

This request is to subdivide 9.4 acres into 3 single-family lots along the north side of Lickton Pike, and the east side of Freeman Hollow Road.

ZONING

AR2a District:

Agricultural/residential requires a minimum lot size of 2 acres and is intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per 2 acres. The AR2a district is intended to implement the natural conservation or rural land use policies of the general plan.

SUBDIVISION DETAILS

This plat is consistent with the Subarea 2 Plan’s Natural Conservation (NCO) policy intended for undeveloped areas with the presence of steep terrain, unstable soils, and floodway/floodplain. In areas where development is appropriate some very low intensity commercial, community facility developments, and residential densities consistent with RLM policy may be appropriate.

The proposed lot sizes range from 2.6 acres to 3.4 acres. Since this is not a cluster lot subdivision, there is no open space requirement. Access to Lots 2 and 3 will be from a joint access easement from Lickton Pike. Lot 1 will be accessed from an existing driveway to Freeman Hollow Road. All three lots will be served by private septic systems, requiring Health Department approval. Sidewalks are not required on this plat since the property is zoned AR2a.



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STORMWATER

There is stream buffer along the western side of lots 1 and 3 that cannot be crossed without approval from the Metro Stormwater Committee.

TRAFFIC ENGINEER'S FINDINGS

No exception taken.

CONDITIONS

Staff recommends conditional approval of this preliminary plat, subject to the following conditions:

1. Performance bonds must be posted to secure the satisfactory construction, installation, and dedication of all required public improvements prior to final plat recordation.
2. NES approval shall be submitted prior to final plat recordation.
3. Prior to the recording of any final plat for this property, the Metro Health Department shall approve the proposed septic fields.

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Project No.	<u>Subdivision 2004S-102G-02</u>
Project Name	Cobblestone Creek, Phase 1
Associated Case	2003P-002G-02
Council Bill	None
Council District	3 - Hughes
School Board District	3 - Garrett
Requested By	Bruce Rainey & Associates, applicant, for Autumn Partners, LLC, owner
Staff Reviewer	Mitchell
Staff Recommendation	<i>Approve final plat but recommend disapproval of both variance requests.</i>

APPLICANT REQUEST
Final Plat with Variance Requests

A request for final plat approval for 26 lots within phase 1 of the Cobblestone Creek Planned Unit Development, and a request for variances from the sidewalk requirement for Old Hickory Boulevard and to allow a ditch section to be used to widen Old Hickory Boulevard, located abutting the north margin of Old Hickory Boulevard, 1,250 feet west of Brick Church Pike.

VARIANCE REQUESTS
Section 2-6.1
Sidewalk Construction:

The applicant is requesting a variance from the requirement to construct a sidewalk along the north side of Old Hickory Boulevard along the frontage of this Planned Unit Development. The stated hardship is that “there are no sidewalks in the area. Without sidewalks, we can use a ditch section that will drain the road better. [This] will build a sidewalk to nowhere and [will] create a potential ponding of water on Old Hickory Boulevard.”

The stated hardship does not support the granting of a variances under section 1-10 of the Metro Subdivision Regulations. Subsection B of 1-10.1 requires that the conditions upon which the request is based are unique to the property, and subsection C requires that physical surroundings or topographical conditions would prevent the practical construction of the sidewalks. The applicant has identified any topographical issues with this section of Old Hickory Boulevard. Lack of other sidewalks in the area does not create a unique hardship.



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Section 2-6.2.1 Street Design Standards

The applicant is requesting a variance from the Subdivision Regulation requirement to construct a curb and gutter as part of the cross-section for new street construction *or existing street upgrade*. The stated hardship is that “the extremely flat grade on the existing Old Hickory Boulevard will not allow it to drain into a curb section properly. [This] will create potential ponding of water on Old Hickory Boulevard.” This subdivision is located between two commercial PUDs on Old Hickory Boulevard. Construction of standard sidewalks with a curb and gutter cross-section is both appropriated and necessary. These sidewalks ultimately will tie into sidewalks at the commercial PUDs to the east and west on Old Hickory Boulevard.

The stated hardship is not one that is unique to this site nor are there topographic features that would prevent the water from properly flowing into a curb and gutter system along the north side of Old Hickory Boulevard.

PLAT DETAILS

This plat is Phase 1 of the Cobblestone Creek PUD, and lays out the first 26 single-family lots of the residential development. This first phase provides the initial access point to the subdivision off of Old Hickory Boulevard, and begins the construction of one of the new internal local roads to be called Ryan Allen Circle.

Metro Council approved the Cobblestone Creek Planned Unit Development (BL2003-1394) in May of 2003. The final PUD for phase 1 was approved by the Metro Planning Commission on December 11, 2003.

Public Works Recommendations

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1. Sidewalks are buildable along the OHB frontage. If the MPC grants a variance for the sidewalk requirement, then revised construction plans, sealed by a professional engineer, shall be submitted to Public Works showing the revised roadway shoulder design.

2. According to the construction plans submitted by the applicant, there is a 1% grade on OHB, which meets the minimum grade specified for Metro public streets. If the construction plans are in error, then revised construction plans, sealed by a professional engineer, shall be submitted to Public Works.



Project No.
Project Name
Associated Cases
Council District
School District
Requested By

Subdivision 2004S-112G-01
Salcedo's Subdivision
None
1 - Gilmore
3 - Garrett
Pepito and Zenarosa Salcedo, owner, and William M. Keel, surveyor.

Staff Reviewer
Staff Recommendation

Fuller
Approval with conditions

APPLICANT REQUEST

Final Plat

Subdivide 47.92 acres into 4 single-family lots located north of Morgan Road.

ZONING
AR2a District

AR2a zoning requires a minimum lot size of 2 acres and intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per 2 acres. The AR2a district is intended to implement the natural conservation or interim nonurban land use policies of the general plan.

SUBDIVISION DETAILS

This subdivision proposal is located in an area of Natural Conservation (NC) Land Use Policy. The subdivision regulations allow subdivisions in NC policy areas to have private roads. In this case, the private road will serve 4 lots and the road will be an all-weather surface with at least 8 inches of compacted gravel. A note has been added to the final plat that this road is to be constructed with the issuance of a building permit. A joint maintenance agreement for the private road has already been recorded and is referenced on the final plat.

PUBLIC WORKS FINDINGS

No exceptions taken.

CONDITIONS

1. The developer will construct the private road with the issuance of a building permit and prior to the use and occupancy permit for the first lot of this subdivision.

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Project No.
Project Name
Council Bill
Associated Case
Council District
School Board District
Requested By

Staff Reviewer
Staff Recommendation

[Planned Unit Development 300-84-U-04](#)
Coventry Woods, Phase 2
 None
 None
 9 – Forkum
 3 – Garrett
 Dale and Associates, for Turner Gaw, owner.

Leeman
Approve with conditions

APPLICANT REQUEST

Revise Preliminary

Request to revise a portion of the preliminary residential Planned Unit Development to permit 47 condominium units on 3.9 acres along the east side of Forest Park Road at Coventry Woods Drive.

PUD PLAN DETAILS

The proposed plan revises a portion of the PUD to reduce the number of units from 51 to 47 for this portion of the plan, while rearranging the location of several of the units to allow for a new private driveway from Forest Park Road into the development. The plan also utilizes the existing private road, Coventry Woods Drive, as a secondary access point. The new driveway is approximately 190 feet south of Coventry Woods Drive. A clubhouse and pool amenity area is included on the proposed plan, as was part of the original council-approved plan. The PUD falls within the Subarea 4 Plan’s Residential Medium High (RMH) policy calling for 9 to 20 dwelling units per acre. The proposed density of 12 dwelling units per acre for the 47 multi-family units on 3.9 acres is consistent with the RMH policy.

This plan is designed to allow the remaining twenty-three undeveloped units of the plan the opportunity to connect into this plan in the future should it ever be built. Currently, there are homes on the remaining, unbuilt portion of the plan.

History

The entire plan for Coventry Woods was originally approved for 90 units in 1984, while only 20 units have been built in Phase 1. In January 2002, The Planning Commission recommended approval of an amendment, requiring Council concurrence, for 40 units on this



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property without the pool and clubhouse. That plan was considered an amendment because of the elimination of the pool and clubhouse from the plan.

Following approval of this PUD in 1984, there have been several attempts to cancel the PUD in 1985, 1997, and again in 2000. Each attempt to cancel the PUD failed since many of the owners were not in agreement. In 2000, the owners in the developed portion of the PUD were not in favor of the cancellation because they were anticipating the amenity area to be built in the future. This PUD was originally approved under common ownership (options) that have subsequently become fragmented. Consequently, it has been difficult for one portion of the PUD to proceed without the others.

The current proposed plan now only changes the portion of the plan located on tax map 52-1, parcels 148-149. This allows the property owners in the front portion of the PUD to be able to continue living in their single-family homes. Although parcels 141 through 147 are also included in this PUD district, they are not included in this PUD revision. Staff has sent a "courtesy notice" to all of the owners in the PUD and the adjacent properties to notify them of this request.

TRAFFIC ENGINEER'S FINDINGS

No exception taken.

CONDITIONS

1. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
2. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and fire flow water supply during construction must be met before the issuance of any building permits.



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3. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
4. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.

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Project No.
Project Name

[Planned Unit Development 88P-039U-10](#)
Blakemore Associates Commercial PUD
Fifth Third Bank (Lot 2)

Associated Case
Council Bill
Council District
School Board District
Requested By

None
None
19 - Wallace
8 - Harkey
Barge, Waggoner, Sumner & Cannon, Inc., applicant,
for Fifth Third Bank, optionee

Staff Reviewer
Staff Recommendation

Mitchell
Approve with conditions. The Metro Historic Zoning Commission is required to approve any plans associated with this PUD, however, because since it is also located within a Neighborhood Conservation Zoning Overlay District., If the MHZC disapproves the proposed plan on April 21, 2004, staff's recommendation will change to disapproval.

APPLICANT REQUEST
Revise Preliminary & Final PUD

Request for a revision to preliminary and for final Planned Unit Development approval for the Blakemore Associates Commercial PUD to allow for the development of a 4,051-square foot bank on Lot 2 of the existing PUD. The property is located along the north side of Wedgewood Avenue, approximately 375 feet east of 21st Avenue South.

Current Zoning
MUL district

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

PUD HISTORY
Original Council Approval

On March 23, 1989, Metro Council adopted a Commercial Planned Unit Development (BL89-670) on the subject site, located along what was once an eastern extension of Blakemore Avenue, just north of Wedgewood Avenue. That portion of Blakemore Avenue, east of 21st Avenue South, was abandoned (BL89-668) with the adoption of the PUD. Additionally, the Council adopted a Neighborhood Conservation District (BL89-669) on the property, which was intended to be an amendment (#13) to the



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previously adopted University Center Urban Renewal Plan of 1967.

In a letter dated February 13, 1989, The Metro Historical Zoning Commission stated: “At the February 13, 1989, meeting of the [MHZC], the Commission voted to recommend approval of designating the Blakemore PUD area as a Neighborhood Conservation Zoning District..... Also, the Commission adopted a set of design guidelines for the proposed district with support from the property owner. Summary of significance: The Blakemore buildings are good examples of middle to upper-class residential structures from the early twentieth century which embody the distinctive characteristics of the American Bungalow, Craftsman, Tudor Revival and Dutch Colonial styles. The structures form a cohesive collection through a strong relation to one another in terms of scale, height, massing, proportion, and physical setting. Through this architectural distinctiveness and cohesiveness, the Blakemore buildings represent a significant and distinguishable entity worthy of preservation.”

The approved PUD plan allowed for the development / redevelopment of 20,350 square feet of gross floor area of retail & office (11,350) and restaurant (9,000). All existing structures were preserved and incorporated into the PUD plan except for one residential structure that was removed from the area the current proposal is located.

1992 PUD Amendment

On September 15, 1992, Metro Council approved an amendment (BL92-367) to the commercial PUD to allow for the expansion of the PUD at the north and west side of Wedgewood Avenue and 19th Avenue South, as well as to include the modification of an existing two-story residential structure for an office facility. This amendment brought the Council-approved gross floor area up to 27,240 square feet. All previous design conditions that were associated with the original 1989 approval were carried forward with this approval.

Minor Revisions since 1992

To date, since the 1992 amendment, the plan has changed very little with nothing more than minor



Metro Planning Commission Meeting of 4/22/04

revisions and final PUD approvals having been received by the Metro Planning Commission.

PLAN DETAILS

The revised plan proposes a 4,051-square foot bank to be constructed on Lot 2 of the PUD. The application also proposes to revise Lot 1 as part of this revision and request for final approval. The revision to Lot 1 is minor – with no changes being proposed for the existing 2, 830-square foot structure. The Lot 1 revisions include adding two parking spaces to the rear of the structure, installing a new concrete ramp and walk to connect to the existing concrete patio, and reducing the size of the lot by 0.03 of an acre from 0.25 acres to 0.22 acres to accommodate the new bank on Lot 2.

The proposed bank has gone through a number of revisions since first being submitted. The plan now proposes a structure that is more consistent with the facades of the existing stone structures within the PUD. Parking will be provided within the former Blakemore Avenue right-of-way, and a drive-through teller facility is proposed along the east façade of the building with all vehicles exiting onto the existing 15-foot alley.

Because development of this 4,051-square foot bank does not increase the Council-approved square footage by more than 10%, an amendment to the PUD is not required for this addition. Lot 2 was last revised in 1997, to allow for the development of an 11,400-square foot general office building.

METRO PUBLIC WORKS' COMMENTS

All comments were satisfactorily addressed by the applicant.

CONDITIONS

1. This approval does not include any signs. Business accessory or development signs in this commercial planned unit development must be approved by the Historic Commission and Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.



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2. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and fire flow water supply during construction must be met before the issuance of any building permits.
3. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
4. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.

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Project No.
Project Name

[Planned Unit Development 97P-019G-06](#)
Trace Creek Center (Kroger Fuel Station)
Commercial PUD

Associated Case
Council Bill
Council District
School Board District
Requested By

None
None
35 – Tygard
9 – Norris
CEI Engineering, Inc., applicant, for Kroger, L.P.I.,
owner

Staff Reviewer
Staff Recommendation

Mitchell
Approve with conditions. If any of the conditions placed on this plan by the Metro Codes Administration are no longer required, then a letter shall be submitted by the Codes Administration to the Planning Department giving notice of the condition removal.

APPLICANT REQUEST
Final PUD

A request for final approval of the Trace Creek Center commercial Planned Unit Development to permit the development of a fuel pumping station at an existing Kroger grocery store, located along the south margin of Highway 100 opposite Collins Road.

PLAN DETAILS

The proposed fuel pumps are proposed to replace the unbuilt bank on this outparcel of the PUD. This property is located along Highway 100, which is designated as a Scenic Arterial (S4) on the Major Street Plan. The proposed plan includes the required 10-foot scenic landscape buffer, as required by the Zoning Code, and right-of-way reservation for the future alterations of Highway 100.

The PUD was amended by Metro Council (BL2003-30) in November of 2003. That amendment allowed for the construction of the fuel pumping station and associated kiosk. Although staff recommended disapproval of the fuel station amendment, the Planning Commission and Metro Council both approved the proposal. The October 23rd, 2003, staff report stated that if the project was approved then certain conditions from the Codes Administration were required to be included in the plan. Those conditions have been added to this report so that all can be addressed with the Codes Administration prior to the issuance of any building permits.



Metro Planning Commission Meeting of 4/22/04

Additionally, the Planning Commission, upon granting a conditional approval, required that additional landscaping be provided between the gas station facility and Highway 100 to further the intentions of the scenic roadway designation.

METRO PUBLIC WORKS' COMMENTS

All comments were satisfactorily addressed by the applicant.

CONDITIONS

1. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
2. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and fire flow water supply during construction must be met before the issuance of any building permits.
3. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
4. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.
5. A revised plan showing additional landscaping between the fuel facility and Highway 100 as required by the Planning Commission on October 23, 2003, shall be approved by the Planning Department prior to the issuance of any building or grading permits.



Metro Planning Commission Meeting of 4/22/04

6. Prior to the issuance of any building permits, the following Codes Administration conditions shall be met by the applicant:
 - a) Required restroom facilities for the retail store and gas station shall be located (or relocated) inside the main entrance of the retail store prior to the issuance of any building permit for the gas station.
 - b) The travel distance from the restroom facilities to the gas station kiosk shall not exceed 500 feet. "Travel distance" shall be measured along a pedestrian path of travel from the most remote point inside the kiosk to the doors of the restroom facility.
 - c) The kiosk shall not exceed 100 square feet.
 - d) The employee working in the gas station shall be connected via intercom, or other acceptable means of communication, to the retail store.
 - e) The gas station shall be on the same or contiguous parcel of land as the main retail store.
 - f) The employee operating the gas station shall be an employee of the retail store.
 - g) Hours of operation of the gas station shall be the same or less than the hours of operation of the retail store.
 - h) No customers shall be permitted in the kiosk.
 - i) The gas station and retail store shall remain under common ownership, management, or control. The gas station may not be operated independently of the retail store.
 - j) A fire hydrant is required to be within 500 feet of all portions of the fuel station.

[VIEW SKETCH](#)



Project No.	<u>Planned Unit Development 2000P-005G-06</u>
Project Name	Bellevue Walgreens / Hollywood Video PUD
Associated Case	None
Council Bill	None
Council District	35 – Tygard
School Board District	9 – Norris
Requested By	Civil-Site Design Group, applicant, for M & M Tennessee Investments L. P., owner
Staff Reviewer	Mitchell
Staff Recommendation	<i>Approve with conditions</i>

APPLICANT REQUEST
Revise Preliminary & Final PUD

Request for a revision to a preliminary Planned Unit Development and for final plan approval for the Bellevue Walgreens Commercial PUD to allow for the development of a 12,200-square foot retail (video rental) facility. The property is located along the north side of Highway 100 and the south side of Old Harding Pike at the newly constructed Old Harding Pike Connector Road.

PLAN DETAILS

The plan proposes to replace the Council-approved 11,000-square foot building and construct a larger 12,200-square foot facility that will still house retail / restaurants, but primarily be constructed for the proposed video rental store.

Because the addition of 1,200 square feet of floor area to the PUD does not increase the Council-approved square footage by more than 10%, an amendment to the PUD is not required for this addition. Metro Council approved the PUD in August of 2002 (BL2002-1085), allowing for a total floor area of 32,060 square feet. In October of 2002, the applicant requested a revision to the preliminary by replacing a 6,500-square foot retail building with a 7,061-square foot building. That brought the total floor area to 32,621 square feet – which, even with this new revision, will still keep the total square footage under the 10% limit.

All points of ingress & egress remain the same for the revised plan, and the plan meets all parking and buffering requirements of the Metro Zoning Code.



Metro Planning Commission Meeting of 4/22/04

METRO PUBLIC WORKS' COMMENTS

All comments were satisfactorily addressed by the applicant.

CONDITIONS

1. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
2. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and fire flow water supply during construction must be met before the issuance of any building permits.
3. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
4. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.

[VIEW SKETCH](#)



Project No.
Project Name

Mandatory Referral 2004M-025U-09
Property conveyance to Metro Sports

Council Bill
Council District
Requested By

Authority
None
6 - Jameson
Metro Government

Staff Reviewer
Staff Recommendation

Reed
Approve

APPLICANT REQUEST

A request by Metro Government to convey to the Metro Sports Authority property at the southeast corner of Shelby Avenue and S. 1st Street for use as a parking lot to replace parking spaces lost due to construction of the Franklin Street Corridor.

DEPARTMENT AND AGENCY COMMENTS

Metro Water Services wishes to alert the Sports Authority that there is an existing 30” sewer line and a 6” water line starting at the southeasterly portion of the parcel running northwesterly through the entire parcel. No other responding departments or agencies take exception.

RECOMMENDATION

The following departments or agencies have reviewed this request and taken no exception: Metro Public works, Historical Commission, Parks, Water Services, and NES.



Project No.
Project Name

Mandatory Referral 2004M-026U-10
Aerial encroachment: Vanderbilt/West End fiber optic cable

Council Bill
Council District
Requested By

None
18 - Hausser
Vanderbilt University, applicant

Staff Reviewer
Staff Recommendation

Reed
Approve

APPLICANT REQUEST

A request for an aerial encroachment to place fiber optic cable in the right-of-way from 300 feet south of the Acklen Avenue ramp to 300 feet north, along Acklen Avenue and Orleans Drive, requested by Vanderbilt University, applicant.

Two fiber optic cables lashed together would span approximately 500 feet attached to three existing NES poles at a minimum height of 18 feet above the street. Applicant has submitted a complete application, complied with conditions for a license agreement and certificate of insurance that exceeds the minimum amounts.

DEPARTMENT AND AGENCY COMMENTS

Metro Water Services requires that any digging plans be submitted to MWS for approval. MWS will not be responsible for any damage to water or sewer lines during construction or installation of cable lines. No other responding departments or agencies take exception.

RECOMMENDATION

The following departments or agencies have reviewed this request and taken no exception: Metro Public Works, Historical Commission, Parks, Emergency Communications Center, and Water Services.



Project No.
Project Name

[Mandatory Referral 2004M-030U-03](#)
**Whites Creek Conservation Greenway
Easement**

Council Bill
Council Districts
Staff Reviewer

None
1 – Gilmore and 2 - Isabel
Harris

Staff Recommendation

Approve

APPLICANT REQUEST

A request to accept and record easements, located on the east margin of Clarksville Pike, in favor of the Metropolitan Government for use in connection with the development of the Whites Creek greenway.

APPLICATION REQUIREMENTS

None

**DEPARTMENT AND AGENCY
RECOMMENDATIONS**

The following agencies have required this request and taken no exception: Emergency Communication Center, Nashville Electric Service, Metro Historical Commission and Metro Water Services. Planning staff supports the request.

Metro Water Services recommends that easement rights be retained for an exiting 54” sewer line.