



**METROPOLITAN GOVERNMENT
OF NASHVILLE AND DAVIDSON COUNTY**

Planning Department
Lindsley Hall
730 Second Avenue South
Nashville, Tennessee 37201

**Minutes
Of the
Metropolitan Planning Commission**

March 10, 2005

4:00 PM

Howard School Auditorium, 700 Second Ave., South

PLANNING COMMISSION:

James Lawson, Chairman
Doug Small, Vice Chairman
Stewart Clifton
Judy Cummings
Tonya Jones
Ann Nielson
Victor Tyler
James McLean
Councilmember J.B. Loring
Phil Ponder, representing Mayor Bill Purcell

Staff Present:

Ann Hammond, Asst. Director
Margaret Holleman, Legal Counsel
David Kleinfelter, Planning Manager II
Trish Brooks, Administrative Assistant
Kathryn Fuller, Planner III
Adriane Harris, Planner II
Bob Leeman, Planner III
Luis Pereira, Planner I
Nekya Young, Planning Tech I

I. CALL TO ORDER

The meeting was called to order at 4:03 p.m.

II. ADOPTION OF AGENDA

Ms. Hammond announced that Item #22 – 2005Z-039U-11 should read Council District 16 – McClendon.

Mr. Small moved and Ms. Jones seconded the motion, which passed unanimously to approve the agenda as presented and amended. (9-0)

III. APPROVAL OF FEBRUARY 24, 2005 MINUTES

Mr. McLean moved and Mr. Small seconded the motion, which passed unanimously to approve the minutes of February 24, 2005 as presented. (9-0)

IV. RECOGNITION OF COUNCILMEMBERS

Councilmember Coleman spoke in favor of Item #2 – 2004Z-055G-13. He requested the removal of Item #26 – 89-67-G-13 Travel Centers of America from the Consent Agenda. He explained that he and the area residents who would be affected by this proposal have issues relating to water run-off and traffic. He asked that staff address these issues.

Council Lady Tucker spoke regarding Items #3, 4, 5 and 6 (2004Z-115G-02, 2004Z-115G-02, 2004P-010G-02 and 88P-056G-02). She acknowledged that these items were to be deferred to the March 24, 2005 meeting. However, she requested that the Commission hold the Public Hearing to allow area residents the opportunity to voice their concerns regarding this proposal. Council Lady Tucker also spoke regarding Item #24 – 2005S-051G-06. She explained that residents who reside in the Kendall Park area have issues and concerns regarding this development.

Ms. Nielson arrived at 4:10 p.m.

Councilmember Murray spoke regarding Item #25 – 2005S-058U-05. She requested that this item be deferred to allow the developer to meet with the area residents who have issues associated with the proposal.

Councilmember Toler spoke in favor of Item #8 – 2005Z-006U-12. He also spoke in favor of Items #9 and 10 (2005Z-015U-12 and 78-86-P-12 Southmark Commercial). He acknowledged that Item #17 – 2005Z-035G-12 was to be deferred.

Councilmember Tygard reserved his right to speak until after his application was presented to the Commission.

Councilmember Gilmore reserved her right to speak until after her application was presented to the Commission.

Councilmember Feller Brown reserved his right to speak until after his application was presented to the Commission.

Mr. McLean moved and Ms. Nielson seconded the motion, which was passed unanimously to suspend the normal rules of the Commission regarding Public Hearings procedures. (10-0)

V. PUBLIC HEARING: ITEMS REQUESTED TO BE DEFERRED OR WITHDRAWN

VII. BELLEVUE COMMUNITY PLAN: 2003 UPDATE deferred to March 24, 2005 at the request of the applicant.

- | | | |
|-----|---------------|--|
| 8. | 2005Z-006U-12 | A request to change from AR2a to CL district property located at Nolensville Road (unnumbered) – deferred to March 24, 2005 at the request of the applicant. |
| 17. | 2005Z-035G-12 | A request to change from AR2a to MUL district property located at 13153, 13159 and 13167 Old Hickory Boulevard and Old Hickory Boulevard (unnumbered) – deferred indefinitely at the request of the applicant |
| 22. | 2005Z-039U-11 | A request to change from RS7.5 to CS district property located at 401 McIver Street (0.45 acres) – deferred to April 14, 2005 at the request of the applicant |
| 23. | 2005P-009U-11 | A request for preliminary approval for a Planned Unit Development district located at 3101 and 401 McIver Street (1.1 acres), to permit an existing 1,547 square foot used vehicular sales facility and for additional vehicular sales area and parking – deferred to April 14, 2005 at the request of the applicant |
| 24. | 2005S-051G-06 | A request for preliminary approval to create 564 lots on the south margin I-40 east, on the west margin Coley Davis Road (261.66 acres) – deferred to March 24, 2005 at the request of the applicant |
| 25. | 2005S-058U-05 | Jaywood Subdivision - A request for final plat approval to create 3 lots abutting the east margin of Lischey Avenue – deferred to March 24, 2005 at the request of the applicant. |

Mr. Small moved and Ms. Cummings seconded the motion, which passed unanimously to approve the Deferred and Withdrawn Items. (10-0)

VI. PUBLIC HEARING: CONSENT AGENDA

PUBLIC HEARING: ZONING MAP AMENDMENTS

- | | | | |
|----|---------------|--|-----------|
| 2. | 2005Z-055G-13 | A request to change from IR to IG district property at 12761 Old Hickory Boulevard, | - Approve |
| 9. | 2005Z-015U-12 | A request to change from SCN to CL district property, located at 5843 Nolensville Pike | - Approve |

- | | | | |
|-----|---------------|--|-----------------------------------|
| 10. | 78-86-P-12 | A request to amend a portion of the Residential and Commercial PUD district located at 5843 Nolensville Pike, to permit a 10,200 square foot, 2-story, retail and office building, replacing a 2,800 square foot food service use | - Approve w/ conditions |
| 11. | 2005Z-022U-11 | A request to apply the Historic Landmark Overlay district to property located at 1110 1st Avenue South for the Cameron Middle School | - Approve |
| 12. | 2005Z-027U-11 | A request to apply the Historic Landmark Overlay District to Fort Negley, properties located at Vine Street (unnumbered), 609 and 640 Bass Street, 800 Fort Negley Boulevard., 534 Chestnut Street, and 1108 Fall Street | - Approve |
| 13. | 2005Z-029G-04 | A request to change from R10 to CS district property located at 2368 Gallatin Pike | - Approve |
| 14. | 2005Z-030U-14 | Change from CS and IWD to MUL district property located at 204 Spence Lane (3.59 acres) and 1515 Lebanon Pike (9.61 acres). | - Disapprove MUG, but approve MUL |
| 15. | 2005Z-031T | An ordinance amending Title 17 of the Metropolitan Code, zoning regulations, by amending Section 17.40.120 to require that district councilmembers be notified by the planning commission upon the filing of a master development plan application | - Approve |
| 18. | 2005Z-036G-14 | A request to rezone from R10 to RM9 district property located at Lebanon Pike (unnumbered) and Windsor Chase Way (unnumbered) | - Approve |
| 19. | 43-87-P-14 | A request to amend a portion of a Commercial PUD district located at Lebanon Pike (unnumbered), and Windsor Chase Way (unnumbered), to permit 118 townhomes, replacing 150,800 square feet of undeveloped office uses | - Approve w/conditions |

PLANNED UNIT DEVELOPMENTS (revisions)

- | | | | |
|-----|-------------|--|---------------------------|
| 27. | 103-79-G-14 | A request to revise a portion of the preliminary plan for the Commercial PUD district located along the south side of Robinson Road, to permit 92,941 square feet of retail/restaurant uses | - Approve w/conditions |
| 28. | 64-85-P-05 | A request for final PUD approval to permit the addition of 21,229 sq. ft. to the existing 45,297 sq. ft. grocery store at the southeast corner of the intersection of Gallatin Pike and Greenfield Avenue. | - Approve with conditions |

Ms. Nielson moved and Mr. Loring seconded the motion, which passed unanimously to approve the Consent Agenda as presented. (10-0)

VII. BELLEVUE COMMUNITY PLAN: 2003 UPDATE

The Metropolitan Planning Commission DEFERRED the Bellevue Community Plan: 2003 Update to March 24, 2005 at the request of the applicant. (10-0)

VIII. PUBLIC HEARING: PREVIOUSLY DEFERRED ITEMS AND ITEMS ON PUBLIC HEARING

PRELIMINARY SUBDIVISION PLATS

- 2005S-004G-03**
Carrington Place
Map 058, Parcel 078
Subarea 3 (2003)
District 1 (Gilmore)

A request for preliminary plat approval for 115 lots abutting the east margin of Eaton's Creek Road and the south margin of Briley Parkway (52.3 acres), classified within the RS15 District, requested by Elsie Carrington, owner, Anderson, Delk & Associates, Inc., surveyor.

Staff Recommendation - *Approve with conditions.*

APPLICANT REQUEST

Preliminary Plat - Request for preliminary plat approval to create 115 single-family lots on 52.3 acres in a cluster lot subdivision. The property is located on the east side of Eaton's Creek Road, south of Briley Parkway.

Zoning

RS15 district - RS15 requires a minimum of 15,000 square foot lot and is intended for single-family dwellings at a density of 2.47 dwelling units per acre. The property was zoned R15 in 1974, and rezoned to RS15 in 1998, with the overall zoning update. The RS15 zoning district permits a maximum of 129 lots on 52.3 acres.

Bordeaux/Whites Creek Community Plan 2003 Update:This area is located in the Residential Low Medium and Natural Conservation land use policies.

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.

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

PLAN DETAILS

Cluster Lot Option - The proposed plan utilizes the cluster lot option available in the Metro Zoning Code for areas with environmental constraints. The applicant is using the cluster lot option because of existing undisturbed steep slopes on the site. The plan proposes to utilize the bulk standards (setbacks, lot coverage, etc.) of the RS7.5 district, and proposes lots between 7,500 square feet and 18,533 square feet. The applicant is proposing 40%, or 21.2 acres, of open space, which exceeds the minimum requirement of 15%. This open space includes areas classified as Natural Conservation Policy by the Bordeaux/Whites Creek Community Plan because of steep slope and floodplain.

Street Connections - There are two connections into the proposed subdivision, one from a collector (Eaton's Creek Road) and one from an existing local street in the adjacent Gold Key Subdivision (Queens Lane). The applicant is not connecting to Lila Lane because of slope issues. A five acre tract with access to Lila Lane is being set aside for an estate lot.

TRAFFIC:

METRO PUBLICWORKS' RECOMMENDATION

- Preliminary approvals are subject to Public Works' review and approval of construction plans.
- With the construction plans, Public Works will require the sidewalk along Eatons Creek Road to be designed and constructed per the standard for the open ditch section and to be located in the right-of-way.
- The developer shall construct, stripe and sign a southbound left turn lane on Eaton's Creek Rd at the project access road with 75ft storage length and transitions per AASHTO standards.
- Dedicate 5 ft ROW along Eaton's Creek Road in accordance with the major street plan.

5. Remove vegetation as necessary in order to provide adequate sight distance at the proposed access road onto Eaton's Creek Road.
6. The Access road shall be constructed with one entering lane and 2 exit lanes with 50 ft of storage length.

CONDITIONS

1. Landscape plans for the required buffer yard shall be submitted to the Urban Forester for review prior to the issuance of the grading permit.
2. Comply with the Public Works conditions listed above.
3. The applicant is working with TDEC and Metro Stormwater to declassify a blue-line stream. TDEC has preliminarily agreed that stream is not a blue-line. The applicant may lose lots if the stream is ultimately found to be a blue-line or if the lots contain stream buffer.

Ms. Fuller presented and stated that is recommending approval. She also stated that Water Services is currently investigating the existence of a stream located on or near the proposed development site that may reduce the number of units included in this proposal.

Mr. Lawson announced that he would be recusing himself from the Chair, so that he could address the Commission as a member of the Community that would be affected by this proposal. He asked Mr. Small, Vice Chair, to run the meeting during his brief absence.

Mr. Arthur Harris, 4567 Clarksville Pike, spoke in opposition to the proposal. He presented pictures to the Commission for their review.

Mr. Jim Lawson, 4441 Enchanted Circle, spoke in support of the proposal.

Mr. Tom White, Tune Entrekin & White spoke in support of the proposal.

Ms. Corrine Garrett, 132 Queens Lane, spoke in opposition to the proposal.

Mr. Dan Lane, 3912 Drakes Branch Road, spoke in support of the proposal.

Ms. Constance Shelton, 117 Queens Lane expressed concerns regarding the development.

Mr. Dennie Marshall, 3420 Fairmeade Drive, spoke in support of the proposal.

Mr. Dwayne Bell, 4500 Queens Lane, spoke in support of the proposal, but expressed neighborhood concerns.

Mr. Milton McClain, 1619 Emerald Drive, spoke in opposition to the proposal.

Mr. Chris Utley, 511 Emerald Court, spoke in opposition to the proposal. He presented additional information to the Commissioners.

Mr. Joseph Bond spoke in opposition to the proposal.

Mr. Ron Carrington, owner, spoke in support of the proposal.

Ms. Beverly Bell, 4500 Queens Lane, spoke in opposition to the proposal.

Ms. Elaine Bailey-Bond, 4268 Kings Lane, spoke in opposition to the proposal.

Ms. Frances Utley spoke in opposition to the proposal.

Ms. Dorothy Wells spoke in opposition to the proposal.

Mr. Alfred Coleman spoke in opposition to the proposal.

Councilmember Gilmore read a letter of opposition into the record. The letter was written by Mr. and Mrs. Bill Hall. Councilmember Gilmore then briefly explained her current views regarding this development. She requested that the Commission receive more information pertaining to the location of the stream, as well as receive and review the covenants that outline various conditions agreed upon by the developer, before granting final approval for this proposal.

Mr. Matt Walker, 1709 Windover Drive – spoke in opposition to the proposal.

A resident of 4428 Enchanted Circle spoke in opposition to the proposal.

Mr. Chris Hopkins, 2041 Castleman Drive, spoke in support of the proposal.

Ms. Nielson acknowledged the concerns of the community. She explained that due to the fact that this proposal was at its preliminary stages many of the issues presented can still be addressed before final approval is granted.

Mr. McLean expressed issues regarding the stream and its location. He acknowledged this issue can be addressed before final approval was granted.

Mr. Clifton requested additional clarification on the stream and its affect on this proposal.

Mr. Steve Mishu, Metro Stormwater, explained these issues to the Commission.

Ms. Cummings requested additional information regarding stormwater run-off in relation to the proposed development.

Mr. Mishu stated that by law, the developer has to reduce or maintain the level of water run-off generated by a development.

Mr. Clifton spoke in favor of approving the preliminary plat for various reasons.

Ms. Cummings requested clarification on the various lot sizes included in the development.

Mr. Bernhardt explained that the larger lots will be placed on the northern and eastern boundaries of this development and that the developer has agreed to file restrictive covenants for these lots.

Ms. Cummings requested that the Commissioners include the restrictive covenants in their motion. She spoke in favor of approving the preliminary.

Mr. Tyler mentioned he was not in favor of cluster lots, but mentioned that the developer has met all of the design criteria needed for this proposal, and the proposal meets the subarea plan, and that he would be in favor of approving the preliminary plat.

Mr. Ponder commended all those who participated in the meetings regarding this proposal. He too has issues regarding the stormwater retention, but will be in favor of approving the preliminary project with the understanding that this proposal will be brought back to the Commission before final approval is granted.

Ms. Jones moved, and Mr. McLean seconded the motion, which passed unanimously to approve Preliminary Plat 2005S-004G-03, with the condition that before any grading permits are issued, the final plat shall be brought back to the Commission for review and approval, and that the restrictive covenants be included on the plat. **(9-0-1) – Abstained – Lawson**

Ms. Holleman pointed out to the Commissioners that Metro cannot enforce restrictive covenants included in plats.

Resolution No. RS2005-088

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005S-004G-03 is **APPROVED WITH CONDITIONS. (9-0-1)**

Conditions of Approval:

1. Preliminary approvals are subject to Public Works’ review and approval of construction plans.
2. With the construction plans, Public Works will require the sidewalk along Eatons Creek Road to be designed and constructed per the standard for the open ditch section and to be located in the right-of-way.
3. The developer shall construct, stripe and sign a southbound left turn lane on Eaton's Creek Rd at the project access road with 75ft storage length and transitions per AASHTO standards.
4. Dedicate 5 ft ROW along Eaton's Creek Road in accordance with the major street plan.
5. Remove vegetation as necessary in order to provide adequate sight distance at the proposed access road onto Eaton's Creek Road.
6. The Access road shall be constructed with one entering lane and 2 exit lanes with 50 ft of storage length.
7. Landscape plans for the required buffer yard shall be submitted to the Urban Forester for review prior to the issuance of the grading permit.
8. Comply with the Public Works conditions listed above.
9. The applicant is working with TDEC and Metro Stormwater to declassify a blue-line stream. TDEC has preliminarily agreed that stream is not a blue-line. The applicant may lose lots if the stream is ultimately found to be a blue-line or if the lots contain stream buffer.”

The Commission recessed at 5:25 p.m.

Ms. Cummings left the meeting at 5:30 p.m.

The Commission resumed at 5:40 p.m.

**IX. PUBLIC HEARING:
ZONING MAP AMENDMENTS**

2. **2004Z-055G-13**
Map 175, Parcel 36
Subarea 13 (2003)
District 32 (Coleman)

A request to change from IR to IG district property at 12761 Old Hickory Boulevard, approximately 300 feet north of Logistics Way, (3.26 acres), requested by Saeed Sassan, 101 Construction Company, Inc., owner/applicant.

Staff Recommendation - Approve

APPLICANT REQUEST - Rezone 3.26 acres from industrial restrictive (IR) district to industrial general (IG) district property at 12761 Old Hickory Blvd., approximately 300 feet north of Logistics Way.

Existing Zoning

IR district - Industrial Restrictive is intended for a wide range of light manufacturing uses at moderate intensities within enclosed structures.

Proposed Zoning

IG district - Industrial General is intended for a wide range of intensive manufacturing uses.

ANTIOCH-PRIEST LAKE COMMUNITY PLAN POLICY

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

Policy Conflict - No. The proposed IG zoning district is consistent with the IN policy. It is also consistent with surrounding zoning districts along the east side of Old Hickory Boulevard. The subarea plan calls for a Planned Unit Development (PUD) to accompany zone changes within the IN policy where there is no campus or master plan. This parcel is not within a campus or master plan, however, it is a small parcel that is already zoned for industrial uses where a PUD would have minimal benefits.

Although there is residential development proposed across from this site, Old Hickory Boulevard serves as the buffer between the residential and industrial uses. Future rezonings in this area to more intense industrial districts shall be away from Old Hickory Boulevard and further away from residential development.

RECENT REZONINGS - Parcel 104 was rezoned in January 2004 from IR to IG. The Commission recommended approval on September 11, 2003.

TRAFFIC

PUBLIC WORKS' - No Exception Taken. Dedicate ROW per Metro major street plan and cross access may be requested at development.

Typical Uses in Existing Zoning District: IR

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	3.26	0.213	30,247	150	14	15

Typical Uses in Proposed Zoning District: IG

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Heavy Industrial (120)	3.26	0.211	29,963	45	16	21

Maximum Uses in Proposed Zoning District: IR

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Light Industrial (110)	3.26	0.6	85,203	535	12	84

Maximum Uses in Proposed Zoning District: IG

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Heavy Industrial (120)	3.26	0.6	85,203	128	44	58

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

Land Use (ITE Code)	Acres	--	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				-105 (Typical) -407 (Maximum)	2 32	6 -26

Approved (10-0), *Consent Agenda*

Resolution No. RS2005-089

“BE IT RESOLVED by The Metropolitan Planning Commission that 2004Z-055G-13 is **APPROVED. (9-0)** **The proposed IG district is consistent with the Antioch-Priest Lake Plan’s IN policy, intended for non-hazardous manufacturing, distribution centers and mixed business parks containing compatible industrial and nonindustrial uses. This subarea plan calls for a PUD to accompany zone changes within the IN policy, however, this is a small parcel that is already zoned for industrial uses where a PUD would have minimal benefits.”**

- 3. 2004Z-113G-02**
Map 50, Parcels 49, 50, 52, 53 and portions of 45, 47, 51, 49.01,
Subarea 2 (1995)
District 3 (Tucker)

A request to change from RS7.5, IWD, and CS to SCR district properties at Dickerson Pike (unnumbered), 3466 and 3446 Dickerson Pike, abutting the west side of Dickerson Pike, (81.71 acres), requested by Gresham Smith and Partners for Sallier Hicks Family, LLC, Alice Cranford and Corolene Bandy, Jenkins Properties L.P. et al, Jack L. Jenkins, and Pegasus Properties, owners.

[Note: Items #3, 4, 5, and 6 were discussed by The Metropolitan Planning Commission together. See Item #6 for actions and resolutions.]

- 4. 2004Z-115G-02**
Map 50, Parcel a portion of 47.01
Subarea 2 (1995)
District 3 (Tucker)

A request to change from RS7.5 to SCR district a portion of property at Dickerson Pike (unnumbered), approximately 1,500 feet west of Dickerson Pike, (6.82 acres), requested by Gresham Smith and Partners for Sallie Hicks, et al, co-trustees.

[Note: Items #3, 4, 5, and 6 were discussed by The Metropolitan Planning Commission together. See Item #6 for actions and resolutions.]

- 5. 2005P-010G-02**
Nashville Commons at Skyline
Map 50, Parcel 49, 49.01, 50, 51, 52, 53, 140, and part of 45, 47, 47.01
Subarea 2 (1995)
District 3 (Tucker)

A request for Preliminary approval for a Planned Unit Development district located at Dickerson Pike (unnumbered), and 3438, 3446, 3466 Dickerson Pike, north of Doverside Drive, (126.01 acres), classified RS7.5, CS, IWD and proposed for SCR, to permit 763,181 square feet of retail and restaurant uses, requested by Gresham Smith and Partners, applicant for Sallier R. Hicks Family LLC, Bandy, Carolene and Alice Cranford, Pegasus Properties, and Jenkins Properties L.P. and Jack Jenkins, owners.

[Note: Items #3, 4, 5, and 6 were discussed by The Metropolitan Planning Commission together. See Item #6 for actions and resolutions.]

6.

88P-056G-02

Mulberry Downs (Formerly Apple Valley)
Map 50, Parcel part of 47.01
Subarea 2 (1995)
District 3 (Tucker)

A request to cancel a 19.75 acre portion of an existing Residential Planned Unit Development district located at the terminus of Mulberry Downs Cr, and approximately 1,500 feet west of Dickerson Pike, classified RS7.5 and SCR, to remove a 19.75 acre portion from the PUD, requested by Gresham Smith and Partners for George Hicks Family Trust, owner.

Mr. Loring left the meeting at 5:55 p.m.

Mr. Ponder left the meeting at 5:55 p.m.

Mr. Pereira presented and stated that staff is recommending to defer indefinitely until the associated PUD issues are resolved.

Mr. Tom White, Tune, Entrekin & White, spoke in favor of the proposal and requested that the Commission keep the Public Hearing open until the next meeting.

Mr. Mickey Sullivan, Gresham, Smith & Partners, spoke in support of the proposal.

Mr. Vaughn Pritchett, 1211 Westchester Drive, spoke in opposition to the proposal. He provided additional information to the Commissioners.

Mr. Mike Douglas, 2026 Rosecliff Drive, spoke in favor of the development.

Ms. Melissa Osesek, 3441 Dickerson Pike of Skyline Medical Center, spoke in support of the proposal.

Ms. Barb Arnold, 1611 Berrywood Way, expressed concerns in regards to the development.

Ms. Susie Harris, 3230 Healy Drive, spoke in opposition to the proposal.

Ms. Helen Bester, 3300 Stockdale Lane, spoke in opposition to the proposal.

Ms. Debra Bowers, 208 Trailway Circle, spoke in opposition to the proposal.

Mr. Robbie Moore, 3701 Chesapeake Drive, spoke in opposition to the proposal.

Ms. Doris Armstrong, 336 Oakview Drive, spoke in support of the proposal.

Mr. Kent Woods, 3331 Doverside Drive, spoke in favor of the proposal.

Mr. Nathan Massey, 5461 Wilderness Trail, spoke in support of the proposal.

Mr. Steve Denny, 3570 Dickerson Road, spoke in support of the development.

Mr. Terry Flatt, 3738 Dickerson Pike, spoke in support of the proposal.

Mr. McLean moved and Ms. Nielson seconded the motion, which passed unanimously to keep the public hearing open and defer indefinitely Zone Change 2004Z-113U-02, Zone Change 2004Z-115G-02, Preliminary Planned Unit Development 2004P-010G-02 and the cancellation of a portion of Planned Unit Development 88P-056G-02. **(7-0)**

Mr. Bernhardt explained that it was the intent of the applicant to only defer these items for one meeting in order to make the Council Public Hearing in May. He further explained that it may be difficult to achieve this schedule due to the fact that the filing deadline for the Council Public Hearing is the day after the next Planning Commission meeting.

Resolution No. RS2005-090

“BE IT RESOLVED by The Metropolitan Planning Commission that 2004Z-055G-13 is **DEFERRED INDEFINITELY, AND PUBLIC HEARING REMAINS OPEN. (7-0)**”

Resolution No. RS2005-091

“BE IT RESOLVED by The Metropolitan Planning Commission that 2004Z-115G-02 is **DEFERRED INDEFINITELY, AND PUBLIC HEARING REMAINS OPEN. (7-0)**”

Resolution No. RS2005-092

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005P-010G-02 is **DEFERRED INDEFINITELY, AND PUBLIC HEARING REMAINS OPEN. (7-0)**”

Resolution No. RS2005-093

“BE IT RESOLVED by The Metropolitan Planning Commission that 88P-056G-02 is **DEFERRED INDEFINITELY, AND PUBLIC HEARING REMAINS OPEN. (7-0)**”

7. **2004Z-158G-06**
Map 155, Parcel 56
Subarea 6 (2003)
District 35 (Tygard)

A request to change from AR2a to RS15 district property located at 8872 McCrory Lane, approximately 160 feet north of Spring Ridge Drive (4.92 acres), requested by Michael Hartley, Landmark Realty Services Corp., applicant, Roger Brown, owner.

Staff Recommendation - *Disapprove, as the applicant’s resubmitted application is not consistent with what Planning Commission recommended at the January 13, 2005, Commission meeting, and the associated PUD has been withdrawn.*

APPLICANT REQUEST - Rezone 4.92 acres from agricultural/residential (AR2a) to residential single-family (RS15) at 8872 McCrory Lane, approximately 160 feet north of Spring Ridge Drive.

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. Under this zoning district, a maximum of 2 lots would be permitted on this property.

Proposed Zoning

RS15 zoning: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. A maximum of 12 lots are permitted on this site under RS15 zoning.

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 - No. Special conditions on this site, however, make development under RS15 zoning district difficult. RS15 zoning allows 2.47 units/acre, at the middle range of the RLM policy. To address the site conditions, the applicant's initial zone change request to RS10 was accompanied by a proposed Planned Unit Development to limit the design of the proposed development to 16 lots, and provide the required 30-foot stream buffer for the stream along the property frontage. The applicant has been granted a variance (with conditions) by the Metro Stormwater Management Committee to allow the disturbance of the stream buffer to construct a road, sewerline and waterline crossing, and removal of an existing bridge.

This modified application requests a straight rezoning to RS15, and the PUD has been withdrawn. Rezoning this property to RS15 would allow 12 lots, representing a reduction of 4 units from the withdrawn PUD plan. The applicant has not addressed the issues identified by the Commission as important at the January 13, 2005, Commission meeting, however. The Commission directed the applicant to address environmental, stream, and traffic issues, as well as the surrounding lot sizes and pattern.

Site cleanup - The Metro Public Health Department visited the site and confirmed the existence of buried barrels, tires, car parts, and old telephone poles. Metro Water Services deferred to the Tennessee Division of Solid Waste (TSWM) on this matter. TSWM met with the owner (Mr. Roger Brown), who has taken responsibility for site cleanup and disposal. TSWM will assist the owner in determining the appropriate disposal and recycling options. Typically, TSWM expects cleanup to begin within 30 days of notice issuance.

RECENT REZONINGS - None.

TRAFFIC PUBLIC WORKS RECOMMENDATION-No exception taken. Dedicate ROW per Metro Major Street Plan.

The Department of Public Works has not identified any existing roadway network circumstances that would require any conditions to be placed on this rezoning or made any recommendations that the Metro Planning Commission and Metro Council disapprove the rezoning.

Typical Uses in Existing Zoning District: AR2a

Land Use (ITE Code)	Acres	Units Per Acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	4.92	0.5	2	29	11	4

Typical Uses in Proposed Zoning District: RS15

Land Use (ITE Code)	Acres	Units per Acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	4.92	2.47	12	148	18	16

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--			10	119	7	12

METRO SCHOOL BOARD REPORT

Projected student generation 1Elementary 1Middle 1High

Schools Over/Under Capacity - Students would attend Harpeth Valley Elementary School, Bellevue Middle School, and Hillwood High School. The elementary and middle schools have been identified as having capacity by the Metro School Board.

Hillwood High School has been identified as being full, but not overcrowded. There are high schools that have capacity in adjacent clusters, including Whites Creek, Hillsboro, and Pearl-Cohn. This information is based upon data from the school board last updated January 16, 2005.

Mr. Pereira presented and stated that staff is recommending disapproval.

Mr. James Sanders, 105 Spring Ridge Lane, submitted information to the commission and spoke in opposition to the proposal.

Mr. Wood Newton, 8201 Spring Ridge Drive spoke in opposition to the proposal.

Mr. Tom Peterman, 8875 McCrory Lane, spoke in opposition to the proposal and submitted a picture to the Commission.

Mr. Scott Peugeot, 109 Spring Ridge, spoke in opposition to the proposal.

Mr. Kenny Ferrelli, 825 Highland Park Court, spoke in support of the proposal and presented additional information to the Commission.

Ms. Jones stated she would not be in favor of moving this proposal forward.

Mr. Clifton requested additional clarification on the proposed number of lots in relation to the zone change request.

Mr. Tyler commented on the fact that the applicant did not make any of the necessary changes to the proposal.

Mr. Small moved and Ms. Jones seconded the motion, which passed unanimously to disapprove Zone Change 2004Z-158G-06. (7-0)

Resolution No. RS2005-094

“BE IT RESOLVED by The Metropolitan Planning Commission that 2004Z-158G-06 is **DISAPPROVED. (7-0)**

The proposed RS15 zoning district is consistent with the Bellevue Community Plan’s Residential Low Medium policy, intended for residential development within a density range of 2-4 dwelling units per acre. Special site conditions make development under RS15 zoning district difficult, however, and the applicant’s initial zone change request and accompanying PUD, which attempted to address difficult site issues, was withdrawn. The applicant did not address what the Commission identified at a previous meeting, including a modified zone change request to RS20, and environmental, stream, and surrounding lot sizes and pattern.”

8. **2005Z-006U-12**
Map 161, Parcel 108
Map172, Parcel 160
Subarea 12 (2004)
District 31 (Toler)

A request to change from AR2a to CL district property located at Nolensville Road (unnumbered), south of Swiss Avenue (10.76 acres), requested by Michael Cochrane of Gresham Smith & Partners, applicant, for Thomas H. and Ruby Smith and Lucy Ann Hardy, owners.

The Metropolitan Planning Commission DEFERRED Zone Change 2005Z-006U-12 to March 24, 2005 at the request of the applicant. (10-0)

9. **2005Z-015U-12**
 Map 161, Parcel 258
 Subarea 12 2004
 District 31 (Toler)

A request to change from SCN to CL district property, located at 5843 Nolensville Pike, approximately 1200 feet south of Swiss Avenue, (1.08 acres), requested by Patricia Embree,

Staff Recommendation - Approve

APPLICANT REQUEST - Rezone 1.08 acres of an existing Residential and Commercial Planned Unit Development, from shopping center neighborhood (SCN) to commercial (CL) district property, located at 5843 Nolensville Pike, approximately 1200 feet south of Swiss Ave.

Existing Zoning

SCN district - SCN is intended for a limited range of retail, office, and consumer service uses which provide for the recurring shopping needs of nearby residential areas.

Proposed Zoning

CL district - CL is intended for a limited range of commercial uses primarily concerned with retail trade and consumer services, general and fast food restaurants, financial institutions, administrative and consulting offices.

SOUTHEAST COMMUNITY PLAN POLICY

Retail Concentration Super Community (RCS) - RCS policy is intended for large size retail uses and to provide a wide array of goods and services. Typical RCS uses include retail shops, consumer services, restaurants, and entertainment. In RCS areas that are located at highway interchanges, a limited amount of uses intended to serve travelers is also appropriate. In addition, super community scale retail concentrations usually contain large, single, specialized retail stores, which draw people from a wider market area.

Special Policy -The property also falls within the Whittemore Branch Basin Plan, and Special Policy area 3 of the Southeast Community Plan, which requires that any rezonings be “contingent on stormwater management solutions proposed and undertaken by the applicants that improve the drainage situation over both the current situation and what would be accomplished simply by meeting current regulatory requirements.”

Policy Conflict - No. The commercial uses that are allowed by the proposed CL zoning district are consistent with the RCS policy. The RCS policy was recently put in place during the July 2004 update of the Southeast Community Plan, and should be observed to the fullest extent possible. This zone change request is accompanied by an amendment to the existing PUD that proposes to increase the amount of permitted retail use to 10,200 square feet of retail and office uses, replacing a 2,800 square foot food service use. Staff also finds that the proposal does not violate the purposes of the Special Policy for the Whittemore Branch Basin Plan.

RECENT REZONINGS - There have not been any recent rezonings in this area.

TRAFFIC PUBLIC WORKS’ RECOMMENDATION - A trip generation report was submitted which documents that the increase in PM trips is minimal. See conditions associated with PUD case 78-86-P-12.

Typical Uses in Existing Zoning District: SCN/PUD

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Fast Food Restaurant (934)	1.08	N/A	2,800*	1389	149	97

***Existing Square footage in commercial portion of PUD**

Typical Uses in Proposed Zoning District: CL/PUD

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	1.08	N/A	5,100*	256	35	34

*Square footage proposed in PUD amendment

Typical Uses in Proposed Zoning District: CL/PUD

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	1.08	N/A	5,100*	135	17	85

*Square Footage proposed in PUD amendment

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

Land Use (ITE Code)	Acres	--	Total	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	1.08			-998	-97	22

METRO SCHOOL BOARD REPORT - No new students would be generated by this rezoning. This information is based upon data from the school board last updated January 16, 2005.

Approved (10-0), *Consent Agenda*

Resolution No. RS2005-095

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005Z-015U-12 is **APPROVED. (10-0)**

The proposed CL zoning district is consistent with the Southeast Community Plan’s Retail Concentration Super Community policy, intended for large size retail uses, including retail shops, consumer services, restaurants, and entertainment. This request was accompanied by an amendment to an existing PUD that proposed to increase the amount of permitted retail use to 10,200 square feet of retail and office uses, replacing a 2,800 square foot food service use.”

- 10. 78-86-P-12**
 Southmark Commercial
 Map 161, Parcel 258
 Subarea 12 (2004)
 District 31 (Toler)

A request to amend a portion of the Residential and Commercial Planned Unit Development district located at 5843 Nolensville Pike, approximately 1200 feet south of Swiss Avenue, classified SCN and requested for CL (1.08 acres), to permit a 10,200 square foot, 2-story, retail and office building, replacing a 2,800 square foot food service use, requested by Civil Site Design Group, applicant for Patricia Embree, owner.

Staff Recommendation - Approve with conditions

APPLICANT REQUEST - Amend preliminary PUD

Request to amend a portion of the Residential and Commercial PUD to permit a 10,200 square foot, 2-story, retail and office building, replacing a 2,800 square foot food service use, on 1.08 acres, located at 5843 Nolensville Pike, south of Swiss Avenue.

PLAN DETAILS

History- The preliminary residential and commercial PUD, which included 52,000 square feet of office uses, 78,000 square feet of retail uses, 5,300 square feet of food service uses, and 190,000 square feet of residential uses (100

flats and 60 duplexes) was approved at the September 10, 1986, Planning Commission meeting. The PUD was subsequently amended at the July 20, 2000, Planning Commission meeting to cancel the 52,000 square feet of office uses, 78,000 square feet of retail uses, and 2,500 of the 5,300 square feet of food service uses. As a result, this PUD currently includes 2,800 square feet of approved commercial uses.

Site Design -The proposed plan calls for the development of a 2-story building with 5,100 square feet of retail uses on the first floor and 5,100 square feet of general office uses on the second floor. These uses would replace the approved 2,800 square feet of restaurant uses.

This request constitutes an amendment to the PUD because it exceeds a 10 percent increase in square footage beyond what the last Metro Council-approved PUD plans permitted. Accordingly, it must be treated under the Metro Code as an amendment to the existing Southmark PUD.

Parking - The parking requirement of one parking space for every 200 feet of retail use, and one space for every 300 feet of general office use has been fulfilled. The applicant has complied with the required 43 parking spaces by providing 49.

Access - There is an existing entrance drive for the Shadow Glen townhomes, located in the residential part of the PUD to the west. The proposed building would access this entrance drive twice for two parking areas. This drive connects to Nolensville Pike on the east, and the Public Works has agreed to a 12 foot ingress/egress easement to the north of the drive as it approaches Nolensville Pike, in lieu of a north left-bound turn lane onto Nolensville Pike.

Open Space - The site plan has 0.12 acres devoted to building coverage, 0.35 acres devoted to parking, and 0.61 acres to open space, the latter constituting 56.5% of the total land area within this PUD. The plans comply with the FAR (Floor Area Ratio) and ISR (Impervious Surface Ratio) requirements of the requested CL zoning.

Environmental - This property has floodway and floodplain, and the applicant has shown both of these on the plans. The applicant has labeled the required 50 foot stormwater buffer, but has received a stormwater appeal (case 2005-016) to encroach within it about 10-15 feet with the edge of the parking lot. This portion of the parking lot will consist of pervious material. There is a water quality/detention area proposed just south of the proposed retail building in this amendment to the PUD.

CONDITIONS

1. Prior to the issuance of building permits, construction plans for off-site road improvements must be submitted to the Metropolitan Department of Public Works for review and approval, including a northbound left-turn lane at the northernmost entrance into the site from Nolensville Pike, with storage of 125 feet and a 275 foot taper.
2. Prior to the issuance of building permits, the applicant must confirm that the proposed parking lot entrance on the access road be located at a minimum of 100 feet from Nolensville Road right-of-way.
3. The applicant shall comply with the conditions associated with Stormwater Appeal case number 2005-016, as well as receive final Stormwater approval.
4. Applicant shall dedicate right-of-way on the access road for a 75 foot left turn lane and transition per AASHTO standards.
5. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Section of the Metropolitan Department of Public Works.
6. 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.
7. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and fire flow water supply during construction must be met prior to the issuance of any building permits.

Approved with conditions(10-0), *Consent Agenda*

Resolution No. RS2005-096

“BE IT RESOLVED by The Metropolitan Planning Commission that 78-86-P-12 is **APPROVED WITH CONDITIONS. (10-0)**

Conditions of Approval:

1. Prior to the issuance of building permits, construction plans for off-site road improvements must be submitted to the Metropolitan Department of Public Works for review and approval, including a northbound left-turn lane at the northernmost entrance into the site from Nolensville Pike, with storage of 125 feet and a 275 foot taper.
2. Prior to the issuance of building permits, the applicant must confirm that the proposed parking lot entrance on the access road be located at a minimum of 100 feet from Nolensville Road right-of-way.
3. The applicant shall comply with the conditions associated with Stormwater Appeal case number 2005-016, as well as receive final Stormwater approval.
4. Applicant shall dedicate right-of-way on the access road for a 75 foot left turn lane and transition per AASHTO standards.
5. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Section of the Metropolitan Department of Public Works.
6. 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.
7. The requirements of the Metropolitan Fire Marshal’s Office for emergency vehicle access and fire flow water supply during construction must be met prior to the issuance of any building permits.”

-
- 11. 2005Z-022U-11**
Map 93-15, Parcel 366
Subarea 11 (1999)
District 17 (Greer)

A request to apply the Historic Landmark Overlay district to property located at 1110 1st Avenue South for the Cameron Middle School, requested by the Metro Historical Commission.

Staff Recommendation - Approve

APPLICANT REQUEST - Apply the Historic Landmark Overlay district to the Cameron Middle School located at 1110 1st Ave South.

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.

Proposed Overlay District Historic Landmark Overlay District (HLOD)

A historic landmark is defined in Section 17.36.120 of the Metro Zoning Ordinance as “a building, structure, site or object... of high historical, cultural, architectural or archaeological importance; whose demolition or destruction would constitute an irreplaceable loss to the quality and character of Nashville or Davidson County.” It must meet one or more of the following criteria:

Proposed Overlay District

Historic Landmark Overlay District (HLOD) - A historic landmark is defined in Section 17.36.120 of the Metro Zoning Ordinance as “a building, structure, site or object... of high historical, cultural, architectural or archaeological importance; whose demolition or destruction would constitute an irreplaceable loss to the quality and character of Nashville or Davidson County.” It must meet one or more of the following criteria:

1. Be associated with an event that made a significant contribution to local, state or national history;
2. Be associated with the lives of persons significant in local, state, or national history;
3. Embody the distinctive characteristics of a type, period, or method of construction, or that represents the work of a master, or possesses high artistic value;
4. Has yielded or may be likely to yield archaeological information important in history or prehistory; or
5. Be listed or is eligible for listing in the National Register of Historic Places.

SUBAREA 11 Community Plan Policy

Major Public Open Space (MPOS) -This area of South Nashville is designated as Major Public Open Space policy in the Subarea 11 Plan, updated in 1999. Major Public Open Space policy (which now has been replaced by OS policy in subarea plan updates since 2002) is designed to accommodate major public recreational and open space areas for active and passive use. Such uses are primarily accessible to the general public on land under public control. Such areas should in general have a high ratio of open space.

The Subarea 11 plan also recommended that Fort Negley be studied and restored, that vegetation not be disturbed, that a landscape plan be developed (including native plants and trees), and that the impact on the neighborhood south of Humphreys Street be studied. Fort Negley also falls within area 2F of the subarea plan, which is recommended for future uses that complement the development of the Mixed Use policy area 12C directly to the southeast.

Policy Conflict - No. Fort Negley was a Union army fort during the two-year occupation by federal troops during the Civil War. Last year the Parks Department, in consultation with the Historical Commission, made improvements to the site that culminated in the fort’s reopening last December. The improvements included installing interpretive plaques and making the site accessible. In addition the Historical Commission has adopted guidelines for this HLOD in accordance with the Secretary of the Interior’s Standards for the Treatment of Historic Properties. The HLOD is consistent with the intent of the MPOS policy and goals of area 2F of the subarea plan, in that it restores and complements the largely industrial development pattern surrounding Fort Negley in this part of South Nashville.

Metro Historic Zoning Commission Recommendation -Approved February 16, 2005

RECENT REZONINGS -None.

TRAFFIC PUBLIC WORKS RECOMMENDATION - his overlay does not allow for a change in uses. No Exceptions Taken.

Approved (10-0), *Consent Agenda*

Resolution No. RS2005-098

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005Z-027U-11 is **APPROVED. (10-0)**

The proposed Historic Landmark Overlay district is consistent with the Subarea 11 Community Plan’s Major Public Open Space (MPOS) policy, intended for major public recreational and open space areas for active and passive use. The Subarea 11 plan also recommended that Fort Negley be studied and restored, that vegetation not be disturbed, and that a landscape plan be developed.”

13.

2005Z-029G-04

Map 026, Parcel 059

Subarea 4 (1998)

District 10 (Ryman)

A request to change from R10 to CS district property located at 2368 Gallatin Pike, approximately 650 feet west of Cumberland Hills Drive (1.25 acres), requested by Andrew R. Barrett, owner.

Staff Recommendation - Approve

APPLICANT REQUEST - A request to change 1.25 acres from residential (R10) to commercial services (CS) district property at 2368 Gallatin Pike, west of Cumberland Hills Drive.

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.

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 4 Plan Policy

Commercial Mixed Concentration(CMC) - CMC policy is intended to include Medium High to High density residential, all types of retail trade (except regional shopping malls), highway-oriented commercial services, offices, and research activities and other appropriate uses with these locational characteristics.

Policy Conflict -The proposed CS district is consistent with the CMC policy intended for all types of retail trade and highway-oriented commercial uses. The CS district is also consistent with the surrounding zoning pattern in the area.

RECENT REZONINGS -None.

TRAFFIC PUBLIC WORKS' RECOMMENDATION -A Traffic Impact Study (TIS) may be required at development. Dedicate right-of-way (ROW) per Metro Major Street Plan.

Typical Uses in Existing Zoning District: R10

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)	1.25	3.7	5	66	13	8

Typical Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Square footage	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Specialty Retail Center (814)	1.25	0.299	16,280	722		61

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
--				656		53

Maximum Uses in Existing Zoning District: R10

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)	1.25	3.7	5	66	13	8

Maximum Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Square footage	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Convenience Market (851)	1.25	0.15*	8,168	6020	548	428

*Adjusted as per typical size for Convenience Market Use

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

Land Use (ITE Code)	Acres	--	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				5954	535	420

Approved (10-0), *Consent Agenda*

Resolution No. RS2005-099

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005Z-029G-04 is **APPROVED. (10-0)**

The proposed CS zoning district is consistent with the Subarea Area 4 Community Plan’s Commercial Mixed Concentration policy, intended for Medium High to High density residential, all types of retail trade, highway-oriented commercial services, offices, and other appropriate uses. The CS district is also consistent with the area’s surrounding zoning pattern.”

- 14. 2005Z-030U-14**
 Map 094, Parcel 082, Portion Of 084
 Subarea 14 (2004)
 District 15 (Loring)

A request to change from CS and IWD to MUL district property located at 204 Spence Lane (3.59 acres) and 1515 Lebanon Pike (9.61 acres), located at the southeast corner of Spence Lane and Lebanon Pike, requested by David Taylor, for estate of Jennie B. Taylor, owner.

Staff Recommendation - Disapprove MUG on 14.86 acres, but approve MUL on 13.2 acres. The pending Council bill proposes MUG on 14.86 acres, but the applicant has amended the application to request MUL on 13.2 acres.

APPLICANT REQUEST - Rezone 13.2 acres from CS and IWD to MUL district a portion of property at 204 Spence Lane, and 1515 Lebanon Pike, located at the southeast corner of Spence Lane and Lebanon Pike.

Existing 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. Under this zoning district, no residential lots are permitted on this property.

IWD District - Industrial Warehousing/Distribution is intended for a wide range of warehousing, wholesaling, and bulk distribution uses. Under the IWD district, no residential lots are permitted on this property.

Proposed Zoning

MUL district Mixed Use Limited is intended for a moderate intensity mixture of residential, retail, restaurant, and office uses. A maximum of 130 lots are permitted on this site under MUL zoning.

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

DONELSON/HERMITAGE COMMUNITY 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 intent of this policy is to stabilize the current condition, prevent additional expansion along the arterial, and ultimately redevelop into more pedestrian-friendly areas.

Industrial (IN) - IN areas are dominated by one or more activities that are industrial in character. Types of uses intended in IN areas include non-hazardous manufacturing, distribution centers and mixed business parks containing compatible industrial and non-industrial uses. On sites for which there is no endorsed campus or master plan, an Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in this policy area.

Policy Conflict - No. The intent of CAE policy is for revitalization, improved design, and adaptive reuse of existing development. A long term redevelopment goal is for development into a more compact form, with community scale clusters, mixed use, and higher density residential uses. MUL is consistent with these aims.

While MUL is not consistent with the IN policy on the southern portion of the site, the proposed MUL is consistent with the surrounding single and multifamily residential land use pattern.

RECENT REZONINGS - On the north side of Lebanon Pike, a request to change from R10 to CS property at 1510 Lebanon Pike was approved at the January 22, 2004, Commission meeting. It was approved on first reading at Council on February 3, 2004, and approved at Council public hearing on March 2, 2004. It passed on third reading on March 16, 2004.

TRAFFIC PUBLIC WORKS RECOMMENDATIONS - Department of Public Works has not identified any existing roadway network circumstances that would require any conditions to be placed on this rezoning or made any recommendations that the Metro Planning Commission and Metro Council disapprove the rezoning.

1. A TIS may be required at development.
2. Dedicate ROW per Metro Major Street plan.

Typical Uses in Existing Zoning District: CS and IWD

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	13.20	0.276	158,698	935	116	94

Typical Uses in Proposed Zoning District: MUL

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	13.20	0.198	113,848	1475	208	207

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				540	92	113

Maximum Uses in Existing Zoning District: CS and IWD

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	13.20	0.80	459,993	2043	246	218

Maximum Uses in Proposed Zoning District: MUL

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	13.20	1.0	574,992	5130	761	644

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
--				3087	515	426

METRO SCHOOL BOARD REPORT

Projected student generation 16 Elementary 13 Middle 11 High

Schools Over/Under Capacity - Students would attend McGavock Elementary School, Two Rivers Bellevue Middle School, and McGavock High School. The elementary and middle schools have been identified as having capacity by the Metro School Board. McGavock High School has been identified as being full, but not overcrowded. There are high schools that have capacity in adjacent clusters, including Glencliff and Hillsboro. This information is based upon data from the school board last updated January 16, 2005.

Resolution No. RS2005-100

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005Z-030U-14 is **DISAPPROVED MUG ON 14.86 ACRES, BUT APPROVED MUL ON 13.2 ACRES. (10-0)**

The proposed MUL zoning district is consistent with the Donelson/Hermitage Community Plan’s Commercial Arterial Existing (CAE) policy, intended to recognize and stabilize additional expansion of existing areas of “strip commercial” uses along arterial streets and between major intersections. The CAE policy intends for these areas to redevelop as more pedestrian-accessible. MUL is consistent with these aims. While MUL is not consistent with the Industrial policy on the southern portion of the site, it is consistent with the surrounding single and multifamily residential land use pattern.”

15. 2005Z-031T

An ordinance amending Title 17 of the Metropolitan Code, zoning regulations, by amending Section 17.40.120 to require that district councilmembers be notified by the planning commission upon the filing of a master development plan application, requested by Councilmember Jim Gotto.

Staff Recommendation - *Approve*

APPLICANT REQUEST - Amend Zoning Code to require written notice by the planning commission to the district councilmember(s), within five business days from receipt of a master development application, as to the substance of the proposed development.

ANALYSIS

Existing Law - The Zoning Code currently requires notification of a district councilmember regarding a development application in only one instance – when a new cell tower is proposed (Sections 17.16.080.C.6 and 17.16.180.A.5). There is no other requirement in the code for application notification.

Proposed Text Change - The proposed amendment (see below) would require the Planning Commission, within five (5) business days of receiving a master development plan application, to notify the district councilmember(s) of the application’s substance. The Zoning Code specifically defines a “master development plan” in Section 17.04.030. Therefore, its meaning is unambiguous. The Zoning Code uses that specific phrase elsewhere in reference to two applications, a planned unit development (PUD) and an institutional overlay.

Amending Text - Section 17.40.120.A.1 by adding the following new sentence after the first sentence:

Within five (5) business days from receiving a master development plan application, the planning commission shall send written notice to the district councilmember for the district(s) in which the property that would be subject to the master development plan is located as to the substance of the proposed development.

Analysis - In everyday terms, a master development plan is referred to as the preliminary PUD plan or an institution’s campus master development plan. As staff shared with the Planning Commission in its analysis of council bill BL2004-431 (2004Z-023T) on December 9, 2004, staff routinely provides notification to councilmembers of submitted applications. Such notice is provided for both preliminary PUD and campus master development plans as well as individual locations within those larger plans where a final site plan is required.

This amendment serves to codify existing administrative procedures. It does not indicate, however, what happens if the Planning Commission fails to provide the required notification. The ordinance also does not indicate whether the Commission is to delay the application until a response is received from the district councilmember. In both cases, therefore, staff assumes the application will move forward through Metro’s standard review and approval process without any additional delays.

Staff Recommendation - Approve. This amendment serves to codify existing administrative practice.

Typical Uses in Proposed Zoning District: RM9

Land Use (ITE Code)	Acres	Density	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Residential Condo/townhome (230)	2.02	9	18	150	14	15

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	--			25	-3	1

METRO SCHOOL BOARD REPORT

Projected student generation 3 Elementary 2 Middle 2 High

Schools Over/Under Capacity - Students would attend Joelton Elementary School, Joelton Middle School, or Whites Creek High School. Joelton Middle has been identified as being full, but not overcrowded by the Metro School Board. There is capacity at another middle school within the cluster. This information is based upon data from the school board last updated August 31, 2004.

Ms. Harris presented and stated that staff is recommending disapproval of RM9, but approval of RM6.

Mr. Kevin Hemphill, 1146 Olmsted Drive, spoke in support of the RM9 proposal.

Ms. Eloise Jackson, 1491 Dolan Road, spoke in support of the RM9 proposal.

Mr. Clifton expressed concerns on denying a request that is consistent with the general plan.

Mr. McLean requested additional information regarding the land use and the zone change request.

Mr. Bernhardt explained the reason for denying the RM9, but is recommending approval of the RM6.

Ms. Nielson agreed with staff recommendation due to the fact it would be a good transition for the area.

Mr. Small spoke in opposition to staff recommendation. He stated that the RS7.5 would be appropriate for the area.

Mr. Clifton moved and Mr. McLean seconded the motion to adopt staff recommendation to disapprove RM9, but to approve RM6 for Zone Change 2005Z-033U-03. (6-1) No Vote – Small, Aye Votes – Jones, Lawson, Nielson, Clifton, Tyler, McLean

Resolution No. RS2005-102

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005Z-033U-03 is **DISAPPROVED RM9, BUT APPROVED RM6.** (6-1)

While the proposed RM9 zoning district is consistent with the Bordeaux/White’s Creek Community Plan’s Residential Medium (RM) policy, intended for residential development at a density of four to nine homes per acre, it is not consistent with the established pattern of development in the area. A lower density zoning district such as RM6 would serve as a transition between the single-family homes that are adjacent to and across from the site, and the existing apartments to the northeast.”

17. **2005Z-035G-12**
 Map 183, Parcel 11, 11.01, 12, 12.01, 60
 Subarea 12 (2004)
 District 31 (Toler)

A request to change from AR2a to MUL district property located at 13153, 13159 and 13167 Old Hickory Boulevard and Old Hickory Boulevard (unnumbered), located at the eastern terminus of October Woods Drive (23.97 acres), requested by Tim Keach, purchaser, for Gene Allen Smith, Shirley Jones Smith, Walter L. Jones, Pamel Nell Jones, Bruce Gold and Joan Gold Cypress, owners.

The Metropolitan Planning Commission DEFERRED Zone Change 2005Z-035G-12 indefinitely at the request of the applicant. (10-0)

18. **2005Z-036G-14**
 Map 64-16, Parcel 53, 55
 Subarea 14 (2004)
 District 11 (Brown)

A request to rezone from R10 to RM9 district property located at Lebanon Pike (unnumbered) and Windsor Chase Way (unnumbered) (17.62 acres), requested by Mike Anderson of Anderson-Delk-Epps& Associates, applicant, for Gilbert S. Merritt, owner.

Staff Recommendation - Approve

APPLICANT REQUEST - A request to rezone from residential single family and duplex (R10) to multi-family (RM9) district property located at Lebanon Pike (unnumbered) and (Windsor Chase Way (unnumbered) (17.62 acres).

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.

Proposed Zoning

RM9 district - RM9 is intended for single-family, duplex, and multi-family dwellings at a density of 9 dwelling units per acre.

DONELSON-HERMITAGE_OLD HICKORY COMMUNITY PLAN POLICY

Existing Plan Office Concentration Policy - The OC policy is intended for existing and future large concentrations of office development. It is expected that certain types of commercial uses that cater to office workers, such as restaurants, will also locate in these areas. Residential uses of at least nine to twenty dwelling units per acre (RMH density) are also an appropriate secondary use.

Policy Conflict - No. The proposed RM9 zoning is specifically listed as an appropriate secondary use and will serve as a transition between the more intensive commercial uses on Lebanon Pike to the single-family residential development of Truxton Park.

TRAFFIC PUBLIC WORKS' RECOMMENDATION - See Public Works comments for 43-87-P-14.

Typical Uses in Existing Zoning District: R10

Land Use (ITE Code)	Acres	Density	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	17.62	3.7	65	700	55	73

Typical Uses in Existing Zoning District: Office PUD

Land Use (ITE Code)	Acres	Density	Total Floor area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General office (710)	17.62	n/A	150,800	1831	261	248

Typical Uses in Proposed Zoning District: RM9/PUD*

Land Use (ITE Code)	Acres	Density	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Residential Condo/townhome (230)	17.62	9	118*	739	59	69

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	--			-1792	-257	-252

METRO SCHOOL BOARD REPORT

Projected student generation* 14 Elementary 9 Middle 7 High

Schools Over/Under Capacity - Students would attend Andrew Jackson Elementary School, Dupont-Hadley Middle School, or McGavock High School. All three schools have been identified as being over capacity by the Metro School Board. There is capacity at an elementary and middle school within the cluster and capacity at a high school in an adjacent cluster (Stratford and Glencliff). This information is based upon data from the school board last updated August 31, 2004.

Approved (10-0), *Consent Agenda*

Resolution No. RS2005-103

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005Z-036G-14 is **APPROVED. (10-0)**

The proposed RM9 zoning district is consistent with the Donelson-Hermitage-Old Hickory Community Plan’s Office Concentration (OC) policy, intended for existing and future large concentrations of office development. Residential uses of at least nine to twenty dwelling units per acre (RMH density) are also an appropriate secondary use, and in this case, the RM9 zoning will serve as a transition between the more intensive commercial uses on Lebanon Pike and the single-family residential development of Truxton Park.”

19. **43-87-P-14**
 Oakwood Commons
 Map 64-16, Parcel 53, 55
 Subarea 14 (2004)
 District 11 (Brown)

A request to amend a portion of a Commercial Planned Unit Development district located at Lebanon Pike (unnumbered), and Windsor Chase Way (unnumbered), east of Andrew Jackson Parkway, classified R10 and proposed for RM9, (17.62 acres), to permit 118 townhomes, replacing 150,800 square feet of undeveloped office uses, requested by Anderson, Delk, Epps and Associates, for Gilbert S. Merritt, owner.

Staff Recommendation - *Approve with conditions*

APPLICANT REQUEST - Preliminary PUD

A request to amend a portion of a Commercial Planned Unit Development district located at Lebanon Pike

(unnumbered), and Windsor Chase Way (unnumbered), east of Andrew Jackson Parkway, classified R10 and proposed for RM9, (17.62 acres), to permit 118 townhomes, replacing 150,800 square feet of undeveloped office uses.

PLAN DETAILS

Site Design - The site is accessed from Andrew Jackson Parkway via Windsor Chase Way. This street is shared with the Truxton Park Subdivision. Inside, the condominium units are served by a network of private streets with sidewalks. A landscape buffer is provided along the property boundary abutting the adjacent commercial development. All individual driveways are to be 20 feet from the back of sidewalk to the units, to prevent vehicles from parking on the sidewalk.

METRO PUBLIC WORKS’ RECOMMENDATION - Preliminary approvals are subject to Public Works review and approval of construction plans to be included with the final PUD.

1. Show Metro ST-324 driveway ramp for access to site from public street.

Traffic Comments: The revised PUD plan does not show the access easement that RPM (Traffic Consultant) proposed for Map 65-13 Parcel 1. This future access should be indicated on the PUD plan as well as on the final plat.

CONDITIONS (if approved)

1. All Public Works Conditions as listed above shall be completed or bonded by the developer.
2. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
3. 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.
4. The requirements of the Metropolitan Fire Marshal’s Office for emergency vehicle access and fire flow water supply during construction must be met prior to the issuance of any building permits.
5. This preliminary plan approval for the residential portion of the master plans is based upon the stated acreage. The actual number of dwelling units to be constructed may be reduced upon approval of a final site development plan if a boundary survey confirms there is less site acreage.

Approved with conditions (10-0), *Consent Agenda*

Resolution No. RS2005-104

“BE IT RESOLVED by The Metropolitan Planning Commission that 43-87-P-14 is **APPROVED WITH CONDITIONS. (7-0) (10-0)**

The proposed RM6 and CL zoning districts are partially consistent with the Bellevue Community Plan’s Community Center (CC) and Residential Medium (RM) policies. CC policy is intended for dense, predominantly commercial areas at the edge of a neighborhood, uses within CC areas include single- and multi-family residential, offices, commercial retail and services, and public benefit uses. An accompanying Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas.”

Conditions of Approval:

1. ~~Show Metro ST-324 driveway ramp for access to site from public street.~~
2. ~~All Public Works Conditions as listed above shall be completed or bonded by the developer.~~
3. ~~Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the~~

Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Sections of the Metropolitan Department of Public Works.

4. 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.
5. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and fire flow water supply during construction must be met prior to the issuance of any building permits.
6. This preliminary plan approval for the residential portion of the master plans is based upon the stated acreage. The actual number of dwelling units to be constructed may be reduced upon approval of a final site development plan if a boundary survey confirms there is less site acreage.

~~The proposed RM6 and CL zoning districts are partially consistent with the Bellevue Community Plan's Community Center (CC) and Residential Medium (RM) policies. CC policy is intended for dense, predominantly commercial areas at the edge of a neighborhood, uses within CC areas include single- and multi-family residential, offices, commercial retail and services, and public benefit uses. An accompanying Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas.~~²² Amended 6/23/05 – See 6/23/05 Minutes – Other Business

20. 2005Z-037G-06
Map 156, Parcels 4, 5, 76, 113, 26, 28, 29, 30
Subarea 6 (2003)
District 35 (Tygard)

A request to change from RS40 to RM6 (17.68 acres) and CL (16.92 acres) district properties at 7727, 7745, 7739 Old Harding Pike, 8024, 8020 8036 Highway 100, Highway 100 (unnumbered), Old Harding Pike (unnumbered)(34.6 total acres), requested by Vanessa Santo of Barclay Group, applicant, for Alma D. P. Hooper, Daniel Stephen, R. V. Lineweaver et ux, James M. Cook et ux, Timothy L. Pendergrass et ux, Maxie L. Greer, Wayne & Maxie Greer. (See also PUD No.2005P-008G-06).

Staff Recommendation - Defer. Changes are needed to make the associated PUD plan consistent with the Bellevue Community Plan Policy as recently amended by the Commission. The TIS is inadequate and the PUD site plan is not consistent with the mitigations that have been proposed in the study.

APPLICANT REQUEST - Rezone 34.6 acres from RS40 to RM6 (17.68 acres) and CL (16.92 acres) district, properties at 7727, 7745, 7739 Old Harding Pike, 8024, 8020 8036 Highway 100, Highway 100 (unnumbered), Old Harding Pike (unnumbered).

Existing Zoning

RS40 district - RS40 requires a minimum 40,000 square foot lot and is intended for single-family dwellings at a density of .93 dwelling units per acre

Proposed Zoning

RM6 district - RM6 is intended for single-family, duplex, and multi-family dwellings at a density of 6 dwelling units per acre.

CL district - Commercial Limited is intended for retail, consumer service, financial, restaurant, and office uses

BELLEVUE COMMUNITY PLAN POLICY

Existing Plan Policy - On December 9, 2004, the MPC approved a change in the land use policy from Residential Low-Medium Density (RLM) to Community Center (CC) for approximately 25 acres and Residential Medium Density (RM) for approximately 10 acres for 21 properties between Old Harding Pike and Highway 100.

Community Center (CC) - CC policy is intended for dense, predominantly commercial areas at the edge of a neighborhood, which either sits at the intersection of two major thoroughfares or extends along a major thoroughfare. This area tends to mirror the commercial edge of another neighborhood forming and serving as a "town center" of activity for a group of neighborhoods. Appropriate uses within CC areas include single- and multi-family residential, offices, commercial retail and services, and public benefit uses. An 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.

CC areas can contain a wide range of uses and development intensities and a random development pattern is inappropriate in these areas. The specific arrangement and interrelationship of activities by type intended within CC areas overall should be carefully articulated in detailed design plans prepared for these areas. General design principles are as follows:

- Building setbacks (the distance of buildings from a property line) in CC areas are commonly shallow, or non-existent.
- Sidewalks are essential and should be wide in these areas to ease pedestrian traffic. CC areas consist of primarily “alley-loaded” buildings, with off-street parking located to the rear and side of buildings, not in front of buildings.
- Many CC areas are similar to the concept of a “Main Street” and benefit from being located along major transit and automobile routes.
- Civic activities are encouraged at prominent, highly visible locations.
- Development along the interface with adjoining Structure Plan areas should be designed to provide a smooth, seamless transition from one area to the other.

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 Yes and No. The portion of the site being requested for RM6 district is consistent with the RM Policy. Within the commercial portion of the PUD, there are a variety of uses proposed that would support neighborhood shopping needs, however, the proposed site plan does not meet the design criteria for the Community Center Policy. The opportunity to create a “Main Street” on the Temple Road extension has not been utilized. Buildings are setback at a wide distance from Temple Road and oriented to parking lots. The proposed library should be placed prominently at the corner of Old Harding Pike and Temple Road, not behind four rows of parking. Each building is set apart instead of a cohesive arrangement.

METRO SCHOOL BOARD REPORT

Projected student generation 6 Elementary 4 Middle 4 High

Schools Over/Under Capacity - Students would attend Harpeth Valley Elementary School, Bellevue Middle School, or Hillwood High School. Harpeth Valley Elementary School and Bellevue Middle School have been identified as being over capacity by the Metro School Board. Hillwood High School is considered to be full, but not over capacity. There is capacity at an elementary and middle school within the cluster and capacity at a high school in an adjacent cluster (Whites Creek, Hillsboro or Pearl-Cohn). This information is based upon data from the school board last updated August 31, 2004.

TRAFFIC PUBLIC WORKS’ RECOMMENDATION- See Public Works comments for 2005P-008G-06.

Typical Uses in Existing Zoning District: RS40

Land Use (ITE Code)	Acres	Density	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	34.6	0.93	32	365	32	39

Typical Uses in Proposed Zoning District: RM6/PUD*

Land Use (ITE Code)	Acres	Density	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Residential Condo/townhome (230)	17.68	6	74*	497	41	47

Typical Uses in Proposed Zoning District: CL/PUD*

Land Use (ITE Code)	Acres	FAR	Total Floor area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office/retail/restaurant (710)	16.92	n/a	114,600*	1482	210	208

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	--			1614	219	216

[Note: Items #20 and #21 were discussed by The Metropolitan Planning Commission together. See item #21 for actions and resolutions.]

- 21. 2005P-008G-06**
 Harpeth Village
 Map 156, Parcel 4, 5, 26, 28, 29, 30, 76, 113
 Subarea 6 (2003)
 District 35 (Tygard)

A request for Preliminary approval for a Planned Unit Development district located at 7727, 7739, 7745 Old Harding Pike, 8020, 8024, 8036 Highway 100, Old Harding Pike (unnumbered), and Highway 100 (unnumbered), (34.6 acres), classified RS40 and proposed for CL and RM6, to permit 74 townhomes, 26,700 square feet of office/library, 87,900 square feet of retail/restaurant/bank uses, requested by Dale and Associates for Alma and Daniel Hooper, Robert Lineweaver, etux, James Cook, etux, Timothy Pendergrass, etux, Maxie Greer, owners.

Staff Recommendation - Defer. Changes are needed to make the associated PUD plan consistent with the Bellevue Community Plan Policy as recently amended by the Commission. The TIS is inadequate and the PUD site plan is not consistent with the mitigations that have been proposed in the study.

APPLICANT REQUEST - Preliminary PUD

A request for Preliminary approval for a Planned Unit Development district located at 7727, 7739, 7745 Old Harding Pike, 8020, 8024, 8036 Highway 100, Old Harding Pike (unnumbered), and Highway 100 (unnumbered), (34.6 acres), classified RS40 and proposed for CL and RM6 to permit 74 townhomes, 26,700 square feet of office/library, 87,900 square feet of retail/restaurant/bank uses.

PLAN DETAILS

Site Design - The proposed plan is anchored by a large grocery/retail use and surrounded by ancillary uses that would support neighborhood shopping needs. The PUD site, however, plan does not meet the design criteria for the Community Center Policy. The opportunity to create a “Main Street” on the Temple Road extension has not been utilized. Buildings are setback at a wide distance from Temple Road and oriented inward toward parking lots. Although the library and one small retail building have been reoriented to Temple Road, the majority of the commercial buildings are located behind rows of parking and building is set apart as an individual unit instead of being designed to create a cohesive arrangement.

Proposed Library Site - The Nashville Public Library Staff has confirmed that a new Bellevue Library is needed in this community and is reflected in their FY 04-05 and FY 05-06 Capital Improvements Budget. This site appears to be a viable option for consideration. If the site were approved by the Library Board and Metro officials, there would need to be further study regarding the final design of the building and parking area.

Stormwater -Although Metro Stormwater has recommended approval of the project, they have noted that the site does not comply with stormwater regulations and that the site will need to obtain a variance from the Stormwater Appeals Board for buffer disturbances and possible uncompensated fill in the floodplain prior to construction plan approval.

METRO PUBLIC WORKS' RECOMMENDATION - Preliminary approvals are subject to Public Works review and approval of construction plans to be included with the final PUD.

Hwy 100 /Temple Rd intersection

1. Developer shall construct Temple Rd extension with separate southbound right, left and through lanes to align with the TDOT relocation of Temple Rd. northbound left, and thru/right turn lanes.
1. The southbound left turn lane shall provide a minimum of 150 ft of dedicated storage. Left turn lane shall continue north to Old Harding Pk as a 2 way left turn lane.
2. The southbound right turn lane shall provide a minimum of 100 ft of storage with transition per AASHTO standards .
3. Developer shall construct an eastbound left turn lane on Hwy 100 at Temple Rd EXT. with 150 ft of storage and transition per AASHTO standards and aligned with the westbound left turn lane constructed by TDOT.
4. Developer shall construct a separate westbound right turn lane on Hwy 100 at the Temple Rd. ext. with 100 ft of storage and transition per AASHTO standards.
5. Use and occupancy permits shall not be issued until completion of all intersection roadway and signal improvements at this location.
6. If signal has been installed by others , Developer shall modify signalization to accommodate the above geometrics. A signal plan shall be provided to the Metro Traffic Engineer for approval.

Extension of Temple Rd

1. All Driveways intersecting with this roadway shall provide a minimum of 2 exit lanes, to provide a separate left turn lane with 50 ft of storage , and 1 entering lane. Design shall accommodate the turning radius for an SU-30 as a minimum. A Minimum 50 ft driveway throat shall be provided prior to parking or drive aisles.

Hwy 100 and project access driveway

1. Developer shall construct the access driveway with 2 exit lanes, with a minimum left turn storage of 200 ft, and 1 entering lane. This driveway shall be aligned with the Church Driveway if feasible.
2. Cross access shall be provided along the western property line of project.
3. Developer shall construct a right turn lane on Hwy 100 with a minimum of 100 ft storage and transition per AASHTO standards.
4. Developer shall construct an eastbound left turn lane on Hwy 100 with 100 ft of storage and transition per AASHTO standards at access driveway.
5. No additional access driveways shall be allowed to Old Harding Pk or Hwy 100.

Old Harding Pk/Temple Rd Extension intersection

1. Developer shall construct a northbound right turn lane on Old Harding Pk with 100 ft of storage and transition per AASHTO standards.
2. Developer shall construct a southbound left turn lane on Old Harding Pk with 150 ft of storage and transition per AASHTO standards.
3. Developer shall conduct traffic counts at 50% and 100 % completion of project and submit warrant analysis to Metro Traffic Engineer. Developer shall install traffic signal at this location if approved. A signal plan shall be submitted for Metro Traffic Engineer approval.

For project

1. Developer shall dedicate ROW according to the major street plan and additional ROW as required to install turn lanes.

CONDITIONS (if approved)

1. All Public Works Conditions as listed above.
2. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
3. Subsequent to enactment of this planned unit development overlay district by the Metropolitan Council, and prior to any consideration by the Metropolitan Planning Commission for final site development plan

approval, a paper print of the final boundary plat for all property within the overlay district must be submitted, complete with owners' signatures, to the Planning Commission staff for review.

4. 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.
5. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and fire flow water supply during construction must be met prior to the issuance of any building permits.
6. This preliminary plan approval for the residential portion of the master plans is based upon the stated acreage. The actual number of dwelling units to be constructed may be reduced upon approval of a final site development plan if a boundary survey confirms there is less site acreage.

Ms. Fuller presented and stated that staff is recommending that the applicant defer, and submit a plan that would comply with the design principles of the Community Center Policy.

Mr. Roy Dale, developer, spoke in support of the proposal.

Ms. Lauren Pendergrass, 8020 Hwy 100, spoke in support of the proposal.

Ms. Jeanette Bolden, 5945 Temple Road spoke in support of the proposal.

Ms. Charline Greer, 713 Albar, Drive, spoke in support of the proposal.

Mr. John Ladd, a resident of the Templegate Community, spoke in opposition to the proposal.

Councilmember Tygard briefly explained the history regarding this area of his district. He explained various issues mentioned and discussed throughout all of the meetings. Issues included preservation of the Harpeth River and the scenic highway, additional traffic lanes/signals, reduction in the number of residential units, islands and boulevards, a new library for the area, sidewalks, below-grade crossings, etc. Councilmember Tygard spoke in favor of this proposal and requested the Commission's approval.

Ms. Nielson requested additional information on the green space included in the proposal. She commented that the proposal is moving in the right direction and is almost there.

Mr. Clifton requested additional information on the main street concept and its relation to this proposal and the community center policy. He spoke in favor of the concept and would like to see a different building orientation that what is being proposed.

Ms. Fuller explained that it is the planning department's interpretation of the community center policy that there are certain design plan requirements.

Mr. Bernhardt explained some of the changes the developer has incorporated into the plan thus far and the logistics of the site.

Mr. Clifton commented on the work and planning processes used for this proposal and spoke in favor of the proposal.

Mr. Tyler requested additional information on the main street concept and its use in this proposal.

Ms. Fuller stated that the main street concept includes building orientation, promotes pedestrian travel and places buildings close to the street.

Mr. Small commented on the building orientation included in the proposal. He stated he would not agree with layout, but due to the fact that the community and the Councilmember are happy with the proposal, he would be in favor of approving the proposal. He mentioned that there has been a great deal of work put into the project.

Ms. Jones spoke of the many community meetings that were necessary to move this project forward. She spoke in favor of approving the proposal.

Ms. Jones moved and Ms. Nielson seconded the motion, which passed unanimously to approve Zone Change 2005Z-037G-06 and Preliminary PUD 2005P-008G-06 with the condition that the Councilmember continue to work with staff to improve the development. (7-0)

Mr. Small mentioned that this approval is based on the plan that has been presented to the Commissioners and that any enhancements that are made to the proposal to improve the proposal is not a requirement.

Resolution No. RS2005-105

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005Z-037G-06 is **APPROVED**. (7-0)

Resolution No. RS2005-106

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005P-008G-06 is **APPROVED WITH CONDITIONS, including that the applicant work with Planning Department staff to improve the plan**. (7-0)

Conditions of Approval:

Hwy 100 /Temple Rd intersection

1. Developer shall construct Temple Rd extension with separate southbound right, left and through lanes to align with the TDOT relocation of Temple Rd. northbound left, and thru/right turn lanes.
2. The southbound left turn lane shall provide a minimum of 150 ft of dedicated storage. Left turn lane shall continue north to Old Harding Pk as a 2 way left turn lane.
3. The southbound right turn lane shall provide a minimum of 100 ft of storage with transition per AASHTO standards .
4. Developer shall construct an eastbound left turn lane on Hwy 100 at Temple Rd EXT. with 150 ft of storage and transition per AASHTO standards and aligned with the westbound left turn lane constructed by TDOT.
5. Developer shall construct a separate westbound right turn lane on Hwy 100 at the Temple Rd. ext. with 100 ft of storage and transition per AASHTO standards.
6. Use and occupancy permits shall not be issued until completion of all intersection roadway and signal improvements at this location.
7. If signal has been installed by others , Developer shall modify signalization to accommodate the above geometrics. A signal plan shall be provided to the Metro Traffic Engineer for approval.

Extension of Temple Rd

1. All Driveways intersecting with this roadway shall provide a minimum of 2 exit lanes, to provide a separate left turn lane with 50 ft of storage , and 1 entering lane. Design shall accommodate the turning radius for an SU-30 as a minimum. A Minimum 50 ft driveway throat shall be provided prior to parking or drive aisles.

Hwy 100 and project access driveway

1. Developer shall construct the access driveway with 2 exit lanes, with a minimum left turn storage of 200 ft, and 1 entering lane. This driveway shall be aligned with the Church Driveway if feasible.
2. Cross access shall be provided along the western property line of project.
3. Developer shall construct a right turn lane on Hwy 100 with a minimum of 100 ft storage and transition per AASHTO standards.
4. Developer shall construct an eastbound left turn lane on Hwy 100 with 100 ft of storage and transition per AASHTO standards at access driveway.
5. No additional access driveways shall be allowed to Old Harding Pk or Hwy 100.

Old Harding Pk/Temple Rd Extension intersection

1. Developer shall construct a northbound right turn lane on Old Harding Pk with 100 ft of storage and transition per AASHTO standards.
2. Developer shall construct a southbound left turn lane on Old Harding Pk with 150 ft of storage and

X. PRELIMINARY SUBDIVISION PLATS

- 24. 2005S-051G-06**
Avondale Park
Map 140, Parcels 009, 010, 016, 069, 074, 075
Subarea 6 (2003)
District 35 (Tygard)

A request for preliminary approval to create 564 lots on the south margin I-40 east, on the west margin Coley Davis Road (261.66 acres), classified within the AR2a and RS15 districts, requested by Avondale Park Partnership, owners, Civil Site Design Group, engineer.

The Metropolitan Planning Commission DEFERRED Preliminary Subdivision Plat 2005S-051G-06 to March 24, 2005 at the request of the applicant. (10-0)

XI. FINAL PLATS

- 25. 2005S-058U-05**
Jaywood Subdivision
Map 071-12, Parcels 22, 23
Subarea 5 (1994)
District 5 (Murray)

A request for final plat approval to create 3 lots abutting the east margin of Lischey Avenue at the east terminus of Marshall Street (0.91 acres), classified within the RS5 District, requested by Mutual Contractors, LLC, owner, John Hood, surveyor.

Approved (10-0), *Consent Agenda*

The Metropolitan Planning Commission DEFERRED this item to the March 24, 2005 COMMISSION meeting.

XII. PLANNED UNIT DEVELOPMENTS (revisions)

- 26. 89-67-G-13**
Travel Centers of America
Map 183, Parcel 25
Subarea 13 (2003)
District 32 (Coleman)

A request to amend the preliminary plan for a Commercial Planned Unit Development district located abutting the east side of Old Hickory Boulevard at I-24 South, (21.03 acres), classified IR, to permit a 3,870 square foot addition to the existing 24,355 square foot convenience market/truck stop facility with access to Old Hickory Boulevard, and Firestone Parkway requested by Quality Project Management, applicant, for Travel Centers of America, owner.

Staff Recommendation - *Approve with conditions*

APPLICANT REQUEST - Amend PUD

Request to amend the preliminary master plan for the existing Commercial Planned Unit Development district to allow for the addition of 3,870 square feet of building area to the existing 24,355 square foot convenience market/restaurant/truck stop facility.

ZONING & LAND USE POLICY

Existing Zoning

IR District - Industrial Restrictive (IR) is intended for a wide range of light manufacturing uses at moderate

intensities within enclosed structures.

Antioch-Priest Lake Community Plan

IN District - Industrial (IN) areas are dominated by one or more activities that are industrial in character. Types of uses intended in these areas include non-hazardous manufacturing, distribution centers and mixed business parks containing compatible industrial and non-industrial uses. On sites for which there is no endorsed campus or master plan, an Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in this policy area.

Policy Conflict - None. The applicant is not requesting any policy change, and the existing use is consistent with the current zoning and subarea policy.

PLAN DETAILS

Applicant is proposing to add 3,870 square feet of building area to the existing 24,355 square feet of building area. The proposed 3,870 addition will consist of a single structure, providing two additional truck bays, which will be used for truck maintenance and repair. The applicant originally requested a PUD revision and Final PUD, but because the addition (3,870) is in excess of ten percent (10 %) of what was originally approved by the Council, the Metro Code requires a PUD amendment. PUD amendments require preliminary review by the Planning Commission, and approval by the Metro Council.

TRAFFIC: PUBLIC WORKS' RECOMMENDATION

1. Show and dimension ROW along Old Hickory Blvd. at property corners, consistent with the approved major street plan (S4).
2. Show ROW along I-24, consistent with the approved major street plan (F6).
3. Show and dimension ROW along Gould Blvd.
4. Existing drive should provide access to the adjacent property to the east, if possible (parcel 133).

Staff Recommendation - Since the proposal is consistent with the originally approved preliminary PUD in terms of uses, staff recommends that the amendment to the preliminary PUD be approved with the conditions set out below.

CONDITIONS

1. Access drive to Firestone Pkwy must be recorded either by rerecording the plat detailing the new easement; or though instrument, which would require an applicants to submit a survey and legal description to Registers of Deeds.
2. That PUD must comply with all conditions and concerns from Public Works and Stormwater Management prior to the issuance of any building permit.
3. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
4. 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.
5. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and fire flow water supply during construction must be met prior to the issuance of any building permits.

Ms. Swaggart presented and stated that staff is recommending approval with conditions.

Mr. Jerry Chesney, spoke in favor of the development.

Ms. Nielson moved and Mr. Small seconded the motion, which passed unanimously to approve Preliminary Plan 89-67-G-13. **(7-0)**

Resolution No. RS2005-107

“BE IT RESOLVED by The Metropolitan Planning Commission that 89-67-G-13 is **APPROVED WITH CONDITIONS. (7-0)**

Conditions of Approval:

1. Show and dimension ROW along Old Hickory Blvd. at property corners, consistent with the approved major street plan (S4).
2. Show ROW along I-24, consistent with the approved major street plan (F6).
3. Show and dimension ROW along Gould Blvd.
4. Existing drive should provide access to the adjacent property to the east, if possible (parcel 133).
5. Access drive to Firestone Pkwy must be recorded either by rerecording the plat detailing the new easement; or through an instrument, which would require an applicant to submit a survey and legal description to Registers of Deeds.
6. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
7. 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.
8. The requirements of the Metropolitan Fire Marshal’s Office for emergency vehicle access and fire flow water supply during construction must be met prior to the issuance of any building permits.”

27. 103-79-G-14
Riverfront Shopping Center (Dollar General)
Map 53, Parcel part of 42
Subarea 14 (2004)
District 11 (Brown)

A request to revise a portion of the preliminary plan for the Commercial Planned Unit Development district located along the south side of Robinson Road, classified R10, (13.48 acres), to permit 92,941 square feet of retail/restaurant uses, requested by Waste Water Engineering, applicant, for Old Hickory Partnership, LTD, owner.

Staff Recommendation - *Approve with conditions.*

APPLICANT REQUEST - Revise Preliminary PUD

A request to revise a portion of the preliminary plan for the Commercial Planned Unit Development district located along the south side of Robinson Road, classified R10, (13.48 acres), to permit 92,941 square feet of retail/restaurant uses.

The proposed plan changes the building footprints, parking layout and green space configuration, and is considered to be a revision because the use was previously approved and the building square footage is being reduced.

PLAN DETAILS

Existing Zoning

R10/Commercial PUD - The property is currently zoned Commercial PUD with a base zoning of R10. The existing Commercial PUD is a grandfathered plan approved for office, retail, mini-storage/warehouse and restaurant uses in 1979. This portion of the PUD plan is currently undeveloped and was previously approved for 120,300 square feet of office, retail and food service.

Site Design -The proposed plan reconfigures previously approved uses. The new plan proposes buildings along Robinson Road where a large unbroken parking lot was previously approved. The parking and landscaping has been adjusted to meet the current regulations.

Access-The access drives will align with Martingale Drive and the Eckerd's access drive on the opposite side of Robinson Road. There is also an internal access road that served the PUD that connects with Merritt Street.

PUBLIC WORKS' RECOMMENDATION - Approvals are subject to Public Works review and approval of construction plans.

A trip generation comparison was submitted by the applicant. It appears that the proposed plan will generate fewer trips than the previously approved plan. Therefore, the following conditions are required for project approval:

1. Northern Access drive shall align with Eckerd's driveway.
2. Provide parking per Metro zoning code.

CONDITIONS

1. The proposed detention/water quality area behind building 3 will need to be relocated because it interferes with a required landscape buffer yard.
2. Comply with Public Works conditions of approval listed above.
3. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Section of the Metropolitan Department of Public Works.
4. 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.
5. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and fire flow water supply during construction must be met prior to the issuance of any building permits.

Approved with conditions (10-0), *Consent Agenda*

Resolution No. RS2005-108

"BE IT RESOLVED by The Metropolitan Planning Commission that 103-79-G-14 is **APPROVED WITH CONDITIONS. (10-0)**

Conditions of Approval:

1. Northern Access drive shall align with Eckerd's driveway.
2. Provide parking per Metro zoning code.
3. The proposed detention/water quality area behind building 3 will need to be relocated because it interferes with a required landscape buffer yard.
4. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Section of the Metropolitan Department of Public Works.

5. 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.
6. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and fire flow water supply during construction must be met prior to the issuance of any building permits."

28. 64-85-P-05
 Greenfield Plaza Kroger
 Map 072-02, Parcel 148
 Subarea 5 (1994)
 District 8 (Hart)

A request for final approval for a Commercial Planned Unit Development District located at the southeast corner of the intersection of Gallatin Pike and Greenfield Avenue, classified CL, (5.2 acres), to add 21,229 square feet to the existing grocery store, requested by CEI Engineering, for Cargill Incorporated, owner.

Staff Recommendation -*Defer one meeting to allow time for Metro Water Services and Public Works' comments to be resolved. If the applicant does not agree to deferral, then the recommendation is to disapprove.*

APPLICANT REQUEST - Final PUD

Request for final PUD approval to permit the addition of 21,229 square feet to the existing 45,297 square foot grocery store at the southeast corner of the intersection of Gallatin Pike and Greenfield Avenue.

Zoning (CL district) - Commercial Limited is intended for a limited range of commercial uses primarily concerned with retail trade and consumer services, general and fast food restaurants, financial institutions, administrative and consulting offices.

Subarea 5 Plan's Policy - 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.

PLAN DETAILS

Site Design - The plan proposes expansion of the existing grocery store, which would be 64,375 square feet including the proposed addition. This expansion will be completed in one phase. Access is provided from Greenfield Avenue, Gallatin Pike, and Shelton Avenue, which are existing access points. The total parking spaces proposed is 258, which exceeds the required parking requirement of 246 spaces for the requested square footage. The parking area is also to be reconfigured with additional landscaping and tree density requirements, which may cause some loss of parking spaces.

Stormwater- The following conditions are to be complied with prior to the issuance of any building permits:

1. Add NPDES # on plans.
2. Note on plans to install a suntree insert into each side of double catch basins.
3. Make the inlet located farthest west of the entrance to a double catch basin with a suntree insert installed on each side.
4. If there is available pavement on Greenfield and on-street parking can be removed without causing hardship on the neighboring properties, then the developer shall lengthen the Westbound left turn lane storage length from Gallatin Rd to access driveway on Greenfield and install approximate 50 ft of a 2 way left turn lane at project access driveway on Greenfield with transition per AASHTO standards.

5. If there is available pavement on Shelton and on-street parking can be removed without causing hardship on the neighboring properties, then the developer shall install a separate westbound left turn lane with 125 ft of storage on Shelton at Gallatin Rd. with transition per AASHTO standards.
6. Show Metro ST-324 driveway ramp for access from public streets.
7. Replace detail ST-314 with Metro ST-324 Commercial Driveway Ramp dated 5/12/03. Replace detail ST-210 with Metro ST-210 Sidewalk Construction, dated 7/15/04. Replace detail ST-270 with Metro ST-270 Trench Repair Within and Outside Roadway dated 7/15/04.
8. Show updated standard details from the Engineering Division of Public Works, as applicable.
9. A licensed Fire Sprinkler Contractor shall submit shop drawings for approval.
10. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Section of the Metropolitan Department of Public Works.
11. 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.
12. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and fire flow water supply during construction must be met prior to the issuance of any building permits.
13. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission.
14. 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.
15. 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.

TRAFFIC PUBLIC WORKS' RECOMMENDATION

1. Show Metro ST-324 driveway ramp for access from public streets.
2. Replace detail ST-314 with Metro ST-324 Commercial Driveway Ramp dated 5/12/03. Replace detail ST-210 with Metro ST-210 Sidewalk Construction, dated 7/15/04. Replace detail ST-270 with Metro ST-270 Trench Repair Within and Outside Roadway dated 7/15/04.
3. Show updated standard details from the Engineering Division of Public Works, as applicable.

The TIS was determined to be insufficient. Additional analysis is required prior to preparing conditions for this development.

STAFF RECOMMENDATION

Staff recommends deferral to allow time for Metro Water Services and Public Works comments to be resolved and addressed by the applicant. Metro Public Works and Water Services' approval is needed prior to final PUD approval based on the Commission's conditional approval in November 2004. If the applicant does not defer this request and the issues are not resolved by the other agencies by the day of the meeting, then the recommendation is to disapprove.

Resolution No. RS2005-109

“BE IT RESOLVED by The Metropolitan Planning Commission that 64-85-P-05 is **APPROVED WITH CONDITIONS, INCLUDING CONDITIONS LISTED BELOW: (10-0)**

The following conditions are to be complied with prior to the issuance of any building permits:

1. Add NPDES # on plans.
2. Note on plans to install a suntree insert into each side of double catch basins.
3. Make the inlet located farthest west of the entrance to a double catch basin with a suntree insert installed on each side.
4. If there is available pavement on Greenfield and on-street parking can be removed without causing hardship on the neighboring properties, then the developer shall lengthen the Westbound left turn lane storage length from Gallatin Rd to access driveway on Greenfield and install approximate 50 ft of a 2 way left turn lane at project access driveway on Greenfield with transition per AASHTO standards.
5. If there is available pavement on Shelton and on-street parking can be removed without causing hardship on the neighboring properties, then the developer shall install a separate westbound left turn lane with 125 ft of storage on Shelton at Gallatin Rd. with transition per AASHTO standards.
6. Show Metro ST-324 driveway ramp for access from public streets.
7. Replace detail ST-314 with Metro ST-324 Commercial Driveway Ramp dated 5/12/03. Replace detail ST-210 with Metro ST-210 Sidewalk Construction, dated 7/15/04. Replace detail ST-270 with Metro ST-270 Trench Repair Within and Outside Roadway dated 7/15/04.
8. Show updated standard details from the Engineering Division of Public Works, as applicable.
9. A licensed Fire Sprinkler Contractor shall submit shop drawings for approval.
10. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Section of the Metropolitan Department of Public Works.
11. 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.
12. The requirements of the Metropolitan Fire Marshal’s Office for emergency vehicle access and fire flow water supply during construction must be met prior to the issuance of any building permits.
13. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission.
14. 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.
15. 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.

16. Show Metro ST-324 driveway ramp for access from public streets.
17. Replace detail ST-314 with Metro ST-324 Commercial Driveway Ramp dated 5/12/03. Replace detail ST-210 with Metro ST-210 Sidewalk Construction, dated 7/15/04. Replace detail ST-270 with Metro ST-270 Trench Repair Within and Outside Roadway dated 7/15/04.
18. Show updated standard details from the Engineering Division of Public Works, as applicable.

XIII. OTHER BUSINESS

29. Executive Director Reports
30. Legislative Update

XIV. ADJOURNMENT

The meeting adjourned at 7:30 p.m.



Chairman

Secretary