



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

Subdivision 2005S-051G-06
Avondale Park Subdivision
None
35 – Tygard
9 - Warden
Civil Site Design Group, LLC, for Avondale Park Partnership, owner.

Deferral

This item was deferred at the March 10, 2005, Planning Commission meeting.

Staff Reviewer
Staff Recommendation

Leeman
Disapprove since a second, non-emergency, point of access is not provided.

APPLICANT REQUEST
Preliminary Plat

Subdivide approximately 262 acres into 564 single-family lots along the north side of McCrory Lane and the south side of Interstate 40.

ZONING
RS15 District

RS15 district, requiring a minimum lot size of 15,000 square feet and intended for single-family dwellings at an overall density of 2.47 dwelling units per acre. The RS15 district would permit a maximum of 647 single-family lots, while 564 are proposed.

CLUSTER LOT OPTION

The cluster lot option allows the applicant to reduce minimum lot sizes two base zone districts from the base zone classification of RS15 (minimum 15,000 sq. ft. lots) to RS7.5 size lots (minimum 7,500 sq. ft. lots).

Pursuant to Section 17.12.080 (D) of the Metro Zoning Ordinance, cluster lot subdivisions require a minimum of 15% open space per phase. The plan proposes 116 acres of open space (44%), which complies with this provision.

SUBDIVISION DETAILS
Access

The project proposes one main access point via a public road from McCrory Lane, and one secondary emergency access under Interstate 40 to Newsom Station Road. The plan also proposes 222 lots on the north side of the CSX Railroad line that bisects the property. This plan proposes a bridge over the railroad track that will be constructed by the developer.



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Staff recommends disapproval of the proposed plan since it does not comply with the Bellevue Community Plan's Long Range Transportation Plan, which calls for a bridge connection over the Harpeth River to Coley Davis Road (Figure 6, page 45). Furthermore, it is not consistent with Priority Four under the Infrastructure Transportation portion of the plan, which states: "Pursue connectivity of roads to disperse traffic, decrease congestion" (Page 11). A secondary point of access to this proposed subdivision is needed to reduce traffic congestion on McCrory Lane and to disperse traffic. It is also needed to allow this subdivision to function safely.

Although there was significant neighborhood discussion during the Subarea Plan Update in 2003, the Planning Commission ultimately adopted the Long Range Transportation plan calling for the connection of Coley Davis Road over the river at this location. Staff has requested the applicant to revise the plan to provide either a bridge connection or a full-service, secondary access point at another location so all 564 lots have more than one primary point of access. As of the writing of this staff report, the applicant has not provided this second access point.

School Site Dedication

The plan also proposes a 7 acre school site dedication along the frontage of McCrory Lane at the entrance to this subdivision. The Metro School Board has agreed to the proposed location, but with a 10 acre site. The following conditions have been requested by the School Board:

1. School site increased to 10 acres with drawing showing it.
2. Option to contribute to the School Board the equivalent of the cost of 10 acres, which would be the value (price per acre) paid for the property.

Greenway Easement

The required Greenway/Conservation Easement is provided along the Harpeth River. Metro Greenways is requesting that the proposed trail along the main entrance road be extended to the river and along the Harpeth River on this property.



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Variances

Section 2-6.1 (Sidewalks)

The applicant is requesting a variance to the sidewalk provisions of the Subdivision Regulations for the main entrance road into the project. The Regulations require sidewalks along both sides of all new roads, while the plan only proposes one on the west side of the main entrance road. The plan proposes a 6-foot wide meandering trail along the east side of the main entrance road, which leads to the development and possibly to the future greenway along the Harpeth River. Staff supports the proposed variance since adequate pedestrian connectivity is provided.

TRAFFIC PUBLIC WORKS' RECOMMENDATION Traffic Comments

1. Developer shall construct a 3-lane (12 ft lane) collector cross section for the main access road. Median shall be redesigned in order to provide appropriate alignment and sight distance if a traffic signal is installed at the intersection of the access road and McCrory Lane in the future. This cross section will allow the future installation of a northbound left turn lane on the access road at the new school access driveway.
2. Dedicate ROW 30 feet from centerline and additional ROW as necessary for required Eastbound left turn lane on McCrory Lane, (S4) classification.
3. Developer shall construct a 3-lane cross-section with transitions per AASHTO standards, along McCrory lane property frontage and install an eastbound left turn lane with 125 ft of dedicated storage at the intersection with project access road.
4. Developer shall construct 2 exit lanes with 200 feet of storage and transitions per AASHTO design on access road at McCrory Lane.
5. Install northbound dedicated left turn lanes with 75ft of storage on Access Rd. at intersections with cross streets.
6. Bridge over railroad shall be designed to provide adequate sight distance and a minimum of 2 12 ft



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wide travel lanes. Final design to be per the approved construction plans. Bridge design and construction shall be coordinated with the Railroad Company.

7. Traffic circles will be allowed only at street intersections.
8. It is desirable to provide a Secondary Access due to the number of lots (580 in traffic study). The feasibility of a bridge over the interstate or the Harpeth River should be investigated and addressed in a TIS addendum. If a secondary access is required by MPC, then additional analysis shall be required to study the impacts of the revised traffic distribution and conditions may be modified.
9. Allow cross-access to eastern property in the vicinity of the 1st intersecting road with main access road.
10. Developer shall construct a southbound left turn lane with 150 ft of storage on McCrory at the eastbound interstate ramps as identified on page 13 of the TIS, if feasible, without reconstructing overpass.
11. The developer shall construct a northbound left turn with 100 feet of storage on McCrory Lane at the I-40 westbound ramp, if feasible without reconstructing overpass.
12. Developer shall remove vegetation at the Poplar Creek Rd /McCrory Lane intersection in order to provide adequate sight distance.
13. Conduct traffic counts and submit signal warrant analysis after issuance of use and occupancy permits at 50 %, 75% and 100% of project. Upon approval by the Metro Traffic Engineer, Developer shall install a traffic signal at access road and McCrory Lane. Developer shall submit signal plan for approval.

SITE PLAN COMMENTS

1. Per note, Alley system behind lot 181-185, which will provide access to emergency road is not clearly



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identified. Identify locations of alleys per note on sheet C1.03 and cross section shown on sheet C0.01. Construct standard alley pavement width.

2. Provide Access to Greenway and provide adequate parking for use of Greenway.
3. Clarify continuation of ROW which is being abandoned on sheet C1.02.

Public Works' comments for the 2/7/2005 DRC Meeting: Approvals are subject to Public Works review and approval of construction plans.

4. Show and dimension right of way along "McCrary Lane" at property corners. Label and dedicate right of way 30 feet from centerline, [when applicable the following] and amount necessary to accommodate required turn lane(s). Label and show reserve right of way strip 58 feet from centerline to property boundary, consistent with the approved major street plan (S4 - 116' minimum functional ROW).
5. Revise roadway details. Details shall be constructed per Metro ST-251 Residential - Low Density Minor Local Street, Metro ST-252 Residential - Medium Density Minor Local Street, and ST-253 Residential - Medium Density Collector or High Density Local Street.
6. Show names of all proposed streets and classifications.
7. Show and dimension ROW and Edge of Pavement on all streets in accordance with applicable standards.
8. The minimum centerline radius of curved segments, shall be in accordance with the AASHTO Manual, current edition.
9. Show and dimension ROW radius and edge of pavement of all circular turnarounds.
10. At all circular turnarounds, show and dimension ROW to accommodate curb and gutter, 4' grass



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area/furnishing zone, and 5' sidewalk per Metro ST-210.

11. Show sidewalk on both side of "unnamed street" off McCrory Lane, as required by Planning.
12. Above grade crossings will require Public Works review and approval of bridge plans. Approvals to include agreement with railroad, and City Council approval.
13. Meet all Public Works design standards.

CONDITIONS (If Approved)

1. All off-site traffic conditions listed above must be completed or bonded prior to the recording of the first final plat.
2. A school site should be offered for dedication that is acceptable to the Metro School Board, prior to or in conjunction with the first final plat.
3. The 6 foot wide meandering trail along the main entrance road shall be extended to the Harpeth River to connect to a future greenway. The applicant will be required to construct the greenway trail along the river when the Metro Greenway's Commission obtains approval for an at-grade pedestrian crossing.



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

Subdivision 97S-014U-03
Forest Vale Subdivision
None
1 - Gilmore
1 – Thompson
Metropolitan Department of Law
This item was deferred at the February 24, 2005, Planning Commission meeting at the request of the applicant.

Staff Reviewer
Staff Recommendation

Fuller
On advice from the Metropolitan Department of Law, staff recommends that the prior approval be rescinded.

APPLICANT REQUEST

The Metropolitan Department of Law recommends the rescission of the original approval of this subdivision since it was recorded in error without a bond in place. The original plat was recorded without the required sewer line extension being built or properly bonded.

SUBDIVISION DETAILS

Timeline
July 17, 1997

James S. Norman of Metro Water Services issued a letter to the Planning Department indicating approval of the Forest Vale Subdivision with the contingency for a bond for the construction of sanitary sewer in the amount of \$28,400.

January 14, 1999

The Forest Vale final plat was recorded without the required bond for sewer improvements.

February 21, 2003

Scott Potter, Director of Water Services, sent a letter to Terry Cobb, Director of Codes Administration, informing Codes of the problem and requesting that any building permit applications of these properties be denied. This letter was copied to Mr. Howard Fisher, the developer, and identified the steps that needed to be taken to rectify the situation.

The steps Mr. Potter identified to correct the situation were:

- Resubmittal of sewer construction plans for approval by the State of Tennessee and Metro Water Services.
- A posting of a bond for \$40,000.



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June 3, 2004

Brooks Fox, Metropolitan Department of Law, issued a letter to Howard Fisher, developer, informing him that if the steps were not taken to comply with the construction and bonding of the sewer line, then the Planning Commission could rescind the approval of the subdivision.

June 8, 2004

The Department of Law issued a letter to Mr. Rick Bernhardt, Planning Director, requesting that the issue be placed on the July 22, 2004, agenda of the Planning Commission to give the developer ample time to show an intent to comply. This letter was copied to both owners of the land, Howard Fisher and Don Whitfield.

July 22, 2004

The request to rescind the plat approval was deferred to August 26, 2004.

August 26, 2004

The request was recommend for indefinite deferral by the staff to allow the developer, Howard Fisher, time to resubmit construction plans for the sewer line.

October 1, 2004

Notice was given to Peter Curry, Esq. by Metro Legal that staff intended to recommend rescinding the plat, unless a construction permit was issued or an appropriate bond was posted by October 12, 2004.

January 25, 2005

The revised sewer plans were received by Metro Water Services on 1/25/05 and are ready for approval, subject to signing by Mike Morris. Metro Water Services did receive a contract for the construction of the sanitary line. However, it appears that the contractor may not have the required Municipal Utility license and classification to construct a public sanitary sewer.

STAFF RECOMMENDATION

Staff recommends rescission of the Forest Vale final subdivision plat approval. The developer of record, Howard Fisher, has had ample time to construct a sewer line since the recording of the plat in 1999, and has shown no intent to comply with the requirements of the subdivision plat approval.



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

Subdivision 2005S-058U-05
Jaywood Subdivision
None
5 – Murray
5 - Hunt
Mutual Contractors, LLC, owner, John Hood, surveyor
This item was deferred at the March 10, 2005, meeting at the request of the applicant.

Staff Reviewer
Staff Recommendation

Harris
Approve

APPLICANT REQUEST
Final Plat

This request is to create 3 lots on the east side of Lischey Avenue on 0.69 acres.

ZONING
RS5 district

RS5 requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 7.41 dwelling units per acre.

SUBDIVISION DETAILS

This subdivision proposes three lots fronting onto Lischey Avenue. There are currently two parcels existing with one parcel fronting on Marshall Street, an unimproved road in this location. Therefore, there is no access to the parcel. This subdivision creates a better situation by allowing street frontage for all three lots proposed.

Lot Comparability

Section 2-4.7 of the Subdivision Regulations state that new lots in areas that are predominantly developed are to be generally in keeping with the lot frontage and lot size of the existing surrounding lots.

A lot comparability test was conducted and all three lots pass for lot area and frontage.

PUBLIC WORKS
RECOMMENDATION

No Exception Taken.



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

Zone Change 2005Z-034U-09
None
None
6 – Jameson
5 – Hunt
Allen Ramsey, P.E., for Affordable Housing Resources and Rice Enterprises, LLC, owners.

Staff Reviewer
Staff Recommendation

Fuller
Approve

APPLICANT REQUEST

Rezone 5.76 acres from Industrial Warehousing and Distribution (IWD) to Mixed Use General (MUG) district zoning located at 501 and 537 Main Street.

Existing Zoning
IWD district

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

Proposed Zoning
MUG district

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

**SUBAREA 5
COMMUNITY PLAN POLICY**

Residential Medium High

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

Commercial Arterial Existing

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.

Policy Conflict

No. The MUG district will implement uses called for by the Residential Medium High and Commercial Arterial Existing policies. This zoning will promote development that can serve as the catalyst for



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redeveloping Main Street into a pedestrian-friendly area.

METRO SCHOOL BOARD REPORT

Projected student generation*

5 Elementary 2 Middle 1 High

Schools Over/Under Capacity

Students would attend Ross Elementary School, Bailey Middle School, or Stratford High School. None of the schools has been identified as being over capacity by the Metro School Board. This information is based upon data from the school board last updated February 3, 2005.

*MUG zoning permits a variety of uses, and the ultimate uses on this property are not known at this time. School generation estimates were based on number of units proposed in the associated Traffic Impact Study.

RECENT REZONINGS

None.

TRAFFIC PUBLIC WORKS' RECOMMENDATION

1. The driveway on Spring Street shall be located 255 feet from Main Street. This driveway shall be a right-in only driveway with no exiting lane.
2. A northbound right turn lane shall be constructed on Spring Street at the access driveway. This lane shall provide maximum available storage, approximately 115 feet, with a 90 foot transition per AASHTO standards. Transition will terminate 50 feet from Main Street/Spring Street intersection.
3. Construct a center turn lane along Main Street frontage with transition per AASHTO standards and install a westbound left turn lane on Main Street at Spring Street/5th Street with 250 feet of storage.
4. Install an eastbound left turn lane at the Main Street access driveway with 75 feet of storage in center turn lane.
5. Install a 2 way left turn lane from North 6th Street to the Main Street access drive way.
6. The project driveway on Main Street shall be constructed with a minimum of 1 lane for entering traffic and 2 lanes for exiting traffic. The exiting lanes shall have a minimum of 50 ft of storage.



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7. No parking shall be allowed along the access driveway for 50 feet from Main Street on the entering or exiting lanes including along any median constructed.
8. The project driveways on North 6th Street shall be constructed with a minimum of 1 lane for exiting traffic and 1 lane for entering traffic.
9. A westbound right turn lane shall be constructed on Main Street from Spring Street to project access driveway with transition per AASHTO standards.
10. Construct a westbound right turn lane on Main Street at access driveway with a bus pull-off bay along the remaining Main Street frontage with a design per MTA guidelines. No bulb outs along Main Street will be allowed.
11. Corner radii at Spring Street and North 6th Street shall be adequate for SU-30 truck turning movements.
12. Install pedestrian crosswalks and signals with ADA facilities on all approaches at the Main Street and Spring Street /South 5th Street intersection approaches.

Typical Uses in Existing Zoning District: IWD

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	5.76	0.244	61,221	304	28	29

Typical Uses in Proposed Zoning District: MUG

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	5.76	0.244	61,221	304	28	29

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
--				0	0	0

Maximum Uses in Existing Zoning District: IWD

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	5.76	0.80	200,724	1089	137	114

Maximum Uses in Proposed Zoning District: MUG

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	5.76	3	752,716	6312	943	921



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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				5223	806	807



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Associated Case
Council Bill
Council District
School District
Requested by

Zone Change 2005Z-038U-11

None
17 - Greer
7 - Kindall
Vickel Cawthon, applicant for owners, Morning Star Baptist Church

Staff Reviewer
Staff Recommendation

Pereira
Disapprove OL. If approved, staff recommends that a PUD accompany the rezoning to ensure that parking is the only permitted nonresidential use.

APPLICANT REQUEST

Request to rezone 0.28 acres from residential single-family (R6) to Office Limited (OL) district properties located at 36 Hart Street and Hart Street (unnumbered).

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 Zoning
OL district

Office Limited districts are intended for moderate intensity office uses.

SUBAREA 11 COMMUNITY PLAN POLICY

Residential Medium (RM)

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

Cameron-Trimble Detailed Neighborhood Design Plan (DNDP)

These properties also fall within the Cameron Trimble Detailed Neighborhood Design Plan. According to this DNDP, infill development is to be “compatible in scale and character of existing development,” consisting primarily of single-family and a moderate number of duplexes. In addition, the encroachment of nonresidential uses from commercial areas, particularly south of Lafayette



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Policy Conflict

Street and east of Lewis Street is “strongly discouraged.”

Yes. The OL district allows office uses, which are not permitted within the RM policy area.

In addition, the proposed OL district would not be compatible with the existing residential development pattern to the north of Hart Street and to the west of Lewis Street, as called for by the Cameron Trimble Neighborhood Plan. Hart Street currently acts as a limit for the largely industrial pattern of development to the south, and the immediate block south of Hart Street has transitional uses between the northern residential area and southern industrial land use pattern.

Another key factor to consider is that the Cameron Trimble Plan strongly recommends that office and low impact commercial uses be located between Lewis Street and Brown’s Creek, to the east of the properties proposed for rezoning to OL. This acts as further impetus to discouraging OL zoning to the west of Lewis Street.

It should be noted that the applicant’s previous request which did not come before the Commission included various parcels to the south of Hart Street for rezoning to OL. The applicant has qualified for an institutional special exception use for parking on these southern parcels, under the Metro Zoning Code, being a religious institution requesting parking within a residential zoning district. Under section 17.16.170 of the Metro Code, on a given block, “off-site parking associated with a place of worship shall be limited to a contiguous area”; accordingly, in this case, parcels 45-49 (those south of Hart Street) qualify for the institutional special exception use for parking in a residential area, being contiguous to church property.

Staff recommends disapproval of the rezoning to OL on the two parcels north of Hart Street. If this rezoning is approved by the Commission, staff recommends that a PUD accompany the rezoning to ensure that the **only** nonresidential use of the parcels is as parking for the applicant church.



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RECENT REZONINGS

None.

TRAFFIC PUBLIC WORKS RECOMMENDATIONS

No Exception Taken.
Dedicate Right-of-way ROW per Major Street Plan.

Typical Uses in Existing Zoning District: R6

Land Use (ITE Code)	Acres	Density	Total Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family detached (210)	0.28	4.81	1	10	1	1

Typical Uses in Proposed Zoning District: OL

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	0.28	0.163	1,988	66	9	3

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
--				56	8	2

Maximum Uses in Existing Zoning District: R6

Land Use (ITE Code)	Acres	Density	Total Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family detached (210)	0.28	4.81	1	10	1	1

Maximum Uses in Proposed Zoning District: OL

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
()	0.28	0.75	9,148	212	28	14

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
--				202	27	13

No exception taken



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

Zone Change 2005Z-042U-12
None
None
26 – Adkins
7 – Kindall
Mohsen Ghiassi, owner

Staff Reviewer

Swaggart

Staff Recommendation

Disapprove. The requested zoning district is not consistent with the subarea policy for the area.

APPLICANT REQUEST

Applicant request that an approximately 0.61 acre parcel of land be rezoned from Shopping Center Community (SCC) to Commercial Service (CS).

Existing Zoning
SCC District

Shopping Center Community (SCC) is intended for moderate intensity retail, office, restaurant, and consumer service uses for a wide market area.

Proposed Zoning
CS District

Commercial Services (CS) 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.

SOUTHEAST COMMUNITY PLAN POLICY
CC Policy

Community Center (CC) policy is intended for dense, predominately commercial areas at the edge of a neighborhood, which is either located at the intersection of two major thoroughfares, or extends along a major thoroughfare. Appropriate uses consist of a variety of retail and services that serves several neighborhoods. Also appropriate within this policy are higher intensity residential, small-scale non-nuisance type crafts and open space.

Policy Conflict

Yes. Although the proposed Commercial Services (CS) district will allow a variety of uses that can be found within the existing zoning (SCC), it also allows uses such as automobile sales, auto repair, and mini storage warehouse that are not allowed within the existing zoning. Many of the uses allowed in the existing zoning, as well as, the proposed zoning are not



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appropriate for the area policy. Also, the requested zoning is not listed as an acceptable zone within the existing policy (LUPA., p. 93). Although CS zoning is located along the east side of Nolensville Pike currently, extending more CS zoning to the west side is not appropriate, as it will set a precedent, which is not consistent with the area policy.

RECENT REZONINGS

None.

TRAFFIC PUBLIC WORKS' RECOMMENDATION

A Traffic Impact Study (TIS) may be required at development.

Typical Uses in Existing Zoning District: SCC

Land Use (ITE Code)	Acres	FAR	Total Square footage	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (820)	0.61	0.102	2,710	116	3	11

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)	0.61	0.249	6,616	294		18

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
--				178	3	7

Maximum Uses in Existing Zoning District: SCC

Land Use (ITE Code)	Acres	FAR	Total Square Footage	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (820)	0.61	0.5	13,286	571	14	50

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 (852)	0.61	0.6	15,942		495	552

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
--					481	502



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RECOMMENDATION

Because the requested zoning is not consistent with the current policy for this area, the request is *not* appropriate. Staff recommends that the request be disapproved.



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

Zone Change 2005Z-043U-08
None
None
19 - Wallace
1 - Thompson
Brett Massey, owner

Staff Reviewer
Staff Recommendation

Pereira
Approve

APPLICANT REQUEST

Request to rezone 0.84 acres from Industrial General (IG) to Mixed Use General (MUG) district property located at 96 Taylor Street, at the northeast corner of Taylor Street and 1st Avenue North.

Existing Zoning
IG district

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

Proposed Zoning
MUG district

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

**NORTH NASHVILLE
COMMUNITY PLAN POLICY**

Neighborhood Urban (NU)

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

*East Germantown Detailed
Neighborhood Design Plan*

Mixed Use in Neighborhood Urban

According to the East Germantown DNDP, the intent of MxU in NU policy is for a fairly intense area that contains a significant amount of residential uses, but overall having mixed uses. This policy recognizes commercial, residential, and light industrial land uses,



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Policy Conflict

and includes most of East Germantown and Germantown.

No. The proposed MUG district is consistent with the North Nashville Plan's Neighborhood Urban policy, as well as the East Germantown Plan's MxU in NC policy. MUG allows for a moderately high mix of residential, retail, and office uses, which are consistent with these policies.

RECENT REZONINGS

None.

TRAFFIC PUBLIC WORKS' RECOMMENDATION

No Exception Taken.

Typical Uses in Existing Zoning District: IG

Land Use (ITE Code)	Acres	FAR	Total Square feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Heavy Industrial (120)	0.84	0.204	7,464	12	4	5

Typical Uses in Proposed Zoning District: MUG

Land Use (ITE Code)	Acres	FAR	Total Square feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	0.84	0.184	6,733	75	11	10

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
--				63	7	5

Maximum Uses in Existing Zoning District: IG

Land Use (ITE Code)	Acres	FAR	Total Square feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Heavy Industrial (120)	0.84	0.6	21,954	33	12	15

Maximum Uses in Proposed Zoning District: MUG

Land Use (ITE Code)	Acres	FAR	Total Square feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	0.84	3	109,771	1434	202	202



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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				1401	200	187

METRO SCHOOL BOARD REPORT

Projected student generation

4 Elementary 2 Middle 3 High

Schools Over/Under Capacity

Students would attend Brookmeade Elementary School, Hill Middle School, or Hillwood High School. Hill Middle School has been identified as being over capacity by the Metro School Board, but there is capacity within the cluster. Hillwood High School has been identified as being full, but not overcrowded. There is capacity in the adjacent clusters of Whites Creek, Hillsboro, and Pearl-Cohn. This information is based upon data from the school board last updated January 16, 2005.



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

Zone Change 2005Z-044U-08
None
None
19 - Wallace
1 - Thompson
John N. Kawinzi, owner

Staff Reviewer
Staff Recommendation

Pereira
Disapprove MUL, but approve MUN. Alternatively, approve MUL with the submittal of a Planned Unit Development or site plan that fulfills the intent of the land use policy.

APPLICANT REQUEST

Request to change 0.40 acres from residential single-family (R6) to Mixed Use Limited (MUL) district property located at 1700 and 1702 5th Avenue North) on the northeast corner of Garfield Avenue and 5th Avenue North.

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 Zoning
MUL district

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

**NORTH NASHVILLE
COMMUNITY PLAN POLICY**

Neighborhood Center (NC)

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



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*Salemtown Detailed
Neighborhood Design Plan*
Mixed Use in Neighborhood Center:

The Salemtown DNDP calls for a MxU in NC policy for these two parcels. This plan says that on corner lots designated as mixed use, the structures are to be built to the sidewalk to provide a “main street” character.

Policy Conflict

The proposed MUL district is consistent with the North Nashville Plan’s Neighborhood Center policy, as well as the Salemtown Plan’s MxU in NC policy. MUL allows for a moderate intensity mix of residential, retail, and office uses, which are consistent with these policies.

The parcels in question make up one of the two neighborhood center areas designated in the Salemtown DNDP. They are also located across from the Metro Action Center, at the corner of a solid residential policy area. The potential for a quality retail/residential mixed use development on this site exists within the proposed MUL zoning, but given the uncertainty regarding the developer’s intent, several other uses not compatible with the neighborhood would be allowed and potentially implemented within MUL as well, including a fast food restaurant, automobile parking, a mobile storage unit, or a car wash.

The NC policy calls for the submittal of a Planned Unit Development application or site plan to accompany proposals in these policy areas to ensure appropriate design, and to ensure that the development conforms with the intent of the policy.

Staff Recommendation:

Staff recommends approval of **MUN** zoning, which is slightly less intense than MUL and proscribes the uses noted above (fast food restaurant, automobile parking, mobile storage unit, and car wash), with the concomitant disapproval of MUL. Alternatively, staff recommends approval of MUL with the submittal of an associated Planned Unit Development or other enforceable site plan, to ensure that the potential development is consistent with the overall intent of MxU in NC policy.

RECENT REZONINGS

None.



Metro Planning Commission Meeting of 3/24/05

TRAFFIC PUBLIC WORKS' RECOMMENDATION

TIS required prior to rezoning.

Typical Uses in Existing Zoning District: R6

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)	0.40	6.18	3	29	3	3

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
Gas Station with Convenience Market (945)	0.40	0.23*	4,007		312	387

*adjusted as per typical and maximum square footage for this type use.

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
--					309	384

METRO SCHOOL BOARD REPORT

Projected student generation

1 Elementary 0 Middle 0 High

Schools Over/Under Capacity

Students would attend Brookmeade Elementary School, Hill Middle School, or Hillwood High School. Hill Middle School has been identified as being over capacity by the Metro School Board, but there is capacity within the cluster. Hillwood High School has been identified as being full, but not overcrowded. There is capacity in the adjacent clusters of Whites Creek, Hillsboro, and Pearl-Cohn. This information is based upon data from the school board last updated January 16, 2005.



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

Zone Change 2005Z-045U-10
None
None
25- Shulman
8 - Harkey
Scott Morgan, applicant, for Horton G. Gangwer, owner.

Staff Reviewer
Staff Recommendation

Pereira
Disapprove

APPLICANT REQUEST

Rezone 1.65 acres from R20 to RS10 district property, located at 4109 Lealand Lane, approximately 550 feet north of Outer Drive.

Existing Zoning
R20 district

R20 requires a minimum 20,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 2.31 dwelling units per acre including 25% duplex lots. The R20 district allows approximately 5 dwelling units currently, with 25% duplex, or 4 lots.

Proposed Zoning
RS10 district

RS10 requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre. The RS10 district would allow for approximately 6 single-family lots.

SUBAREA 10 PLAN POLICY

Residential Low (RL)

RL policy is intended to conserve large areas of established, low density (one to two dwelling units per acre) residential development. The predominant development type is single-family homes.

Policy Conflict

Yes. The proposed RS10 district is not consistent with the Subarea 10 Plan's RL policy in this area intended for residential development at a density of one to two dwelling units per acre. The RS10 district allows for a density of 3.7 dwelling units per acre and exceeds the density range of the policy in this area.

RECENT REZONINGS

Adjacent parcel 31, to the south, was disapproved for RS10 zoning but approved for RS15 zoning by the Planning Commission at the December 9, 2004,



Metro Planning Commission Meeting of 3/24/05

Commission meeting. The item passed on first and second readings for RS10 zoning, was deferred by Metro Council on February 1, 2005, and subsequently passed by Council on third reading on February 15, 2005.

Properties to the south of adjacent parcel 31 were approved by the Commission for a change from R20 to RS20 zoning at its October 28, 2004, meeting.

TRAFFIC PUBLIC WORKS' RECOMMENDATION

1. Dedicate ROW per major street plan.
2. Provide future cross access to adjacent properties.

Typical Uses in Existing Zoning District: R20

Land Use (ITE Code)	Acres	Density	Total No. of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	1.65	1.85	3	29	3	3

Typical Uses in Proposed Zoning District: RS10

Land Use (ITE Code)	Acres	Density	Total No. of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	1.65	3.7	6	58	5	6

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
--		1.85	3	29	2	3

METRO SCHOOL BOARD REPORT

Projected student generation

0 Elementary 0 Middle 0 High

Schools Over/Under Capacity

Students would attend Glendale Elementary School, Moore Middle School, or Hillsboro High School. Moore has been identified as being over capacity by the Metro School Board, but there is capacity within the cluster. This information is based upon data from the school board last updated January 16, 2005.



Project No.

**Urban Design Overlay 2005UD-002U-09
Gateway Boulevard Urban Design Overlay**

**Associated Case
Council Bill
Council District**

None
None
24 – Jameson
19- Wallace

Requested by

Metropolitan Planning Department and the
Metropolitan Development and Housing Agency

**Staff Reviewer
Staff Recommendation**

Covington
Approve. This proposal is the outcome of collaboration between the community, Planning Department, and Metropolitan Development and Housing Agency in consultation with a local design firm. The UDO states: “The guidelines in this document are designed to shape the buildings that will radiate from and reinforce the strength of Gateway Boulevard as a primary vehicular and pedestrian thoroughfare. . . These guidelines attempt to form the individual buildings that, when joined together in a series of blocks, will result in a whole that is greater than the sum of its parts—an active urban space that befits the design of Gateway Boulevard itself, that bridges the urban fabric on both sides of the street, and serves as a vital artery pulsing energy into downtown Nashville.”

APPLICANT REQUEST

Apply an Urban Design Overlay (UDO) district to various properties located between 1st Avenue South and 8th Avenue South and between Demonbreun Street/Molloy Street and Peabody Street, and along the south side of Lafayette Street.

Background

This UDO establishes design standards for future development along Gateway Boulevard that create an environment consistent with the vision of several studies of the area including the Subarea 9 Center City Plan, the Franklin Boulevard Design Guidelines, the Rolling Mill Hill Master Plan, and the Plan of Nashville.

Implementation

The UDO shall apply immediately to proposed development projects that front Gateway Boulevard between 1st Avenue South and 4th Avenue South. The UDO will apply to proposed development projects that front Gateway Boulevard between 4th Avenue South



Metro Planning Commission Meeting of 3/24/05

Design Standards

and 8th Avenue South once the final alignment of Gateway Boulevard is determined.

The affected properties are located within an MDHA Redevelopment District. The appropriate MDHA Design Review Committee for that Redevelopment District will be responsible for reviewing new development projects along Gateway Boulevard for conformance with the guidelines. The Planning Department will have a staff member on the Design Review committee. If a Redevelopment District expires, the Planning Department will assume the responsibility for design review.

The design standards of the UDO are divided into the following sections: Massing, Façade, and Parking and Screening. Each section includes language that describes the design intent of the standards for that section. Required design standards accompany each section and are supplemented with photographs and drawings that illustrate the standards and intent.

Under massing, standards relate to the placement of mixed-use buildings close to the sidewalk as well as the maximum height of the building. Building height is established through a maximum at the build-to line (100 ft.) as well as allowances for additional height as the building steps away from the street. Standards guide urban residential development along the boulevard as well.

Under façade, standards relate to wall planes, windows, exterior cladding, and awnings and canopies. The amount and orientation of windows is established for street level as well as upper stories. Appropriate materials are established for facades and accent surfaces. Material and height standards are included for awnings and canopies.

Under parking and screening, standards relate to surface parking lots, parking structures, and screening of parking and equipment. This section establishes standards for the location and design of structures that face streets. Parking lots are strongly discouraged and must incorporate heavy screening when fronting Gateway Boulevard.



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SUBAREA 9 POLICY

The policy states that a UDO is recommended for development that fronts Gateway Boulevard. The goals and objectives established in the plan are as follows:

- To achieve a scale and form of development along this urban boulevard that emphasizes the sensitivity to the pedestrian environment;
- To minimize the intrusion of the automobile into the urban setting;
- To provide sensitive interconnection between building masses and the pedestrian oriented street forming a comfortable outdoor room at a pedestrian scale;
- And to provide sufficient landscaping and other street furniture amenities to soften the ambiance of the street.

Policy Conflict

No. The UDO implements the policy of the area.

TRAFFIC

Traffic Study Submitted

None. One was not required

Public Works' Recommendation

Approve. Public Works has reviewed the proposed urban design overlay plan and transportation plan and recommended changes that have been incorporated into the plans.



Project No.

Project Name

Associated Cases

Council District

School Board District

Requested By

Subdivision 2005S-070G-03

Whites Creek Manor Subdivision

None

3 – Tucker

3 - Garrett

Richard Binkley, owner, William T. Smith, surveyor.

Staff Reviewer

Harris

Staff Recommendation

Approve with conditions

APPLICANT REQUEST

Preliminary Plat

This request is to create 26 lots on the west side of Whites Creek Pike, south of Old Hickory Boulevard on 9.97 acres.

ZONING

R15 district

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

SUBDIVISION DETAILS

This subdivision proposes 25 single-family lots and 1 commercial lot fronting onto Whites Creek Pike. The single-family lots range in size from 10,000 square feet to approximately 11,000 square feet using the cluster lot option. The plat proposes 1.60 acres of open space, which exceeds the 15% requirement of 1.5 acres.

The commercial lot (lot 26) is split between two zoning districts: CS and R15. The R15 portion may be requested for rezoning in the future so that the property line and the zoning line will line up.

There is a stub street proposed to the south that will provide future connectivity. Steep slopes to the west prevent the possibility of street connection along the western property line.

PUBLIC WORKS'

RECOMMENDATION

1. Approvals are subject to Public Works' review and approval of construction plans.
2. Show and dimension ROW along Whites Creek Pike. Show ROW reservation (42' from centerline), consistent with the approved major street plan (U4-84' ROW).



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3. Show and dimension horizontal radius of Hardy's Court curve. Show 110' minimum radius as per the Subdivision Regulations of the Metropolitan Planning Commission, latest revision.
4. At all circular turnarounds, show and dimension ROW to accommodate 30' edge of pavement minimum radius, curb and gutter, 4' grass area/furnishing zone, and 5' sidewalk per Metro ST-210.
5. Show curb ramps and returns per Metro ST-320 and ST-326/ST-327.
6. Provide cross-access for future commercial development to the adjacent commercial development.

CONDITIONS

1. Prior to final plat approval, approvals from Metro Public Works shall be obtained and revised plans shall be submitted.



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

Subdivision 2005S-024G-14
Hadley's Bend City Subdivision
None
11 – Brown
4- Nevill
Ozzie Winters, owner, C & K Surveying, surveyors.

Staff Reviewer
Staff Recommendation

Harris
Approve with conditions

APPLICANT REQUEST
Final Plat

This request is to create 4 lots on 0.90 acres at the northeast corner of Commerce Street and Main Street.

ZONING
R8 district

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

SUBDIVISION DETAILS

This subdivision proposes four lots fronting onto Main Street and Hermitage Street. The lot sizes range from 8,000 square feet to more than 15,000 square feet. There are no duplexes proposed.

Sidewalks

Sidewalks are not required for this subdivision. The property is located outside of the Urban Services District (USD) and is located in an area where the Sidewalk Priority Index (SPI) is less than 20.

Lot Comparability

Section 2-4.7 of the Subdivision Regulations state that new lots in areas that are predominantly developed are to be generally in keeping with the lot frontage and lot size of the existing surrounding lots.

A lot comparability test was conducted and all four lots pass for lot area. Lot 2 did not pass for lot frontage. The comparability test indicates that the minimum lot frontage should be 54.3 feet, but the applicant proposes a frontage of 50.15 feet for Lot 2.

PUBLIC WORKS
RECOMMENDATION

No Exception Taken.



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CONDITION

1. Prior to the recordation of this plat, the following shall be revised:
 - a. The frontage for lot 2 shall be changed from 50.15 feet to at least 54.3 feet.
 - b. Add parcel numbers and subdivision number on the plat.
 - c. Add the Tree Ordinance note to the plat.



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

Subdivision 2005S-061U-12
Super Wal-Mart Subdivision
None
26 – Adkins
7- Kindall
Tennessee-Florida Investors, LLC, owner/developer,
Gresham, Smith & Partners, surveyor.

Staff Reviewer
Staff Recommendation

Harris
Approve with conditions.

APPLICANT REQUEST
Final Plat

This request is to create 6 lots on 21.51 acres along the northeast corner of Harding Place and Nolensville Pike, the current location of Harding Mall.

ZONING
SCR District

Shopping Center Regional is intended for high intensity retail, office, and consumer service uses for a regional market area.

SUBDIVISION DETAILS

This subdivision proposes six lots at the corner of Nolensville Pike and Harding Place. This is a commercial subdivision with two access drives from Harding Place, and one drive from Nolensville Pike. No additional access shall be permitted with the proposed lots along Nolensville and Harding Place. The existing drives on Welch Road are not shown on the plan and if to be used for the proposed development, they must be shown on the plan prior to the Planning Commission meeting.

This development is along Mill Creek and requires an additional 25' "Dedicated Conservation Greenway Public Access Trail Easement Area." This should be shown on the plan prior to the recordation of the plat.

PUBLIC WORKS' RECOMMENDATION

1. Label and show reserve right of way strip along Nolensville Road, 54 feet from road centerline to property boundary, consistent with the approved major street plan (U6 - 108' ROW).



Metro Planning Commission Meeting of 3/24/05

2. Label and show reserve right of way strip along Harding Place, 54 feet from road centerline to property boundary, consistent with the approved major street plan (U6 - 108' ROW).

Traffic Comments:

1. Cross access easement between lot 1, lot 6, and lot 5 are not clearly identified.

CONDITION

1. Prior to the recordation of the plat, approvals must be received from Metro Water Services, including all capacity fees and comments from the Stormwater Division.
2. Add 25' "Dedicated Conservation Greenway Public Access Trail Easement Area" to the plat along Mill Creek.
3. All traffic conditions listed above, under Public Works Recommendation, must be shown on the final plat prior to recordation.
4. Prior to the Planning Commission meeting, a revised plan must be submitted showing all existing and proposed access points for the development, especially along Welch Road.
5. A note shall be added to the plat that states that "Lots 2,3,4, and 5 shall have no direct access to Nolensville Pike or Harding Place."



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

Subdivision 2005S-068U-05
Pine Ridge Subdivision
None
2 – Isabel
5- Hunt
Allison & Betty Dawkins, owners, Dividing Line
Surveying Services, surveyor.

Staff Reviewer
Staff Recommendation

Harris
Approve with conditions, disapprove sidewalk variance request

APPLICANT REQUEST
Final Plat

This request is to create 2 lots on 0.68 acres on the south side of Pine Ridge Drive, approximately 270 feet west of Dickerson Pike.

ZONING
RS7.5 district

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

SUBDIVISION DETAILS

This subdivision proposes two lots on the south side of Pine Ridge Drive between a commercially zoned property to the east and a residential subdivision to the west.

Sidewalk Variance Request

The applicant has requested a variance for Section 2-6.1 of the Subdivision Regulations. Sidewalks are required since it is located within the Urban Services District (USD) and would create new development rights. The applicant has stated that there are no other sidewalks along Pine Ridge Drive and that the subject property is next to common open space for the adjacent subdivision.

Staff recommends disapproval of the sidewalk variance. According to the subdivision regulations, the applicant has the option of constructing the sidewalks or making a financial contribution to the Metro sidewalk fund since there are no other sidewalks along Pine Ridge Drive. The property is flat along the frontage, which would allow for sidewalk construction.



Metro Planning Commission Meeting of 3/24/05

**PUBLIC WORKS
RECOMMENDATION**

No Exception Taken.

CONDITION

Prior to the recordation of this plat, the following shall be revised:

- a. Add a 3' right-of-way dedication along Pine Ridge Drive;
- b. Add the sidewalk along Pine Ridge Drive; and
- b. Add parcel numbers and subdivision number on the plat.



Project No.	Planned Unit Development 97P-005U-11
Project Name	Bhomar PUD (Import Specialty Service)
Associated Case	None
Council Bill	None
Council District	16 - McClendon
School Board District	7 - Kindall
Requested By	Dale and Associates, applicant for Rod Kruse, owner
Staff Reviewer	Pereira
Staff Recommendation	<i>Approve with conditions</i>

APPLICANT REQUEST

Final PUD	Request for final approval of a commercial Planned Unit Development in the CS zoning district, located at 375 Glenrose Avenue, at Hester Avenue, to develop a 7,200 square foot, 8-bay, automotive repair facility.
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PLAN DETAILS

Site Design & Access

The proposed PUD plan includes an ingress/egress driveway to Glenrose Avenue. The plan also includes a 10 foot wide "B" Landscape Buffer yard along the frontage of Glenrose Avenue and Hester Avenue with a 6-foot tall masonry wall. A 6 foot wrought iron fence is also shown along the western property limit.

Planning staff recommended disapproval of the preliminary PUD at the September 23, 2004, Commission meeting, based on the automotive repair use being inconsistent with the surrounding residential neighborhood. The Planning Commission and Metro Council subsequently approved the PUD with conditions. The preliminary PUD approved by Metro Council included a long list of conditions, which are set out below. The conditions in **bold print** have been included by the applicant in the final PUD plan.:

1. **No sales of vehicles or equipment will be permitted. Only sales of services and goods relating to the general service and repair of automobiles will be permitted.**
2. No painting or body repair to any vehicle shall be allowed on the premises.
3. **Fencing along the western property line only shall consist completely of vertical wrought iron fencing with or without intermittent brick or**



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stone columns. A masonry wall with a minimum height of 6 feet and a maximum height of 8 feet, as required by the Zoning Code, will be required along the property lines facing residential property.

4. No barb razor wire shall be used on the premises. Metal projections may be used if they are the same color as the wrought iron metal fencing.
5. **The only signage, other than informational signage, shall be along the outside of the Glenrose Ave. wall frontage and on the building, meeting Metro Code requirements. There shall be no more than 2 signs total with a maximum of 20 square feet each and no higher than 6' on the outside wall.**
6. **The wall along Hester Ave shall be uninterrupted. No entrances shall be made in the perimeter of the wall except along Glenrose Avenue where a single driveway access is located.**
7. Low lux lighting shall be used and positioned so as not to shine into the residences on Glenrose and Hester Avenues.
8. No wrecked vehicles shall be allowed to sit on premises, nor any automotive parts that are not stored in the permanent building.
9. Dumpster shall be emptied between the hours of 7 a.m. and 7 p.m only.
10. **Landscaping consisting of trees and bushes, as required by the Metro Zoning Code, shall be placed along the outside of the wall along Hester and Glenrose Avenues and maintained in a good condition.**
11. **A Final Landscaping plan shall be submitted as part of the Final PUD approval.**
12. No vehicles belonging to customers or employees shall be parked along the perimeter of the business on Hester or Glenrose Ave. and through the adoption of this PUD, the owner agrees not to object to any placement of "No Parking" signs by Metro along those areas.
13. The property owner agrees that vehicles shall not be test driven at any time in the residential neighborhoods surrounding the premises. All test driving shall be done on Nolensville Pike and that section of Glenrose Ave from the entrance to the property and Nolensville Pike.



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The applicant has complied with these conditions.

Sidewalk along Hester Avenue

There is an existing sidewalk along the property frontage on Glenrose Avenue. The sidewalk ends abruptly on Glenrose as it turns the corner to Hester Avenue. Staff recommends that the Commission require a sidewalk to be shown on the final PUD plans along the frontage of Hester Avenue.

The Metro Zoning Administrator has opined that a sidewalk would not be required along Hester under the standard sidewalk provisions in the Metro Code. Because this is a PUD application, the property owner is given additional flexibility and the Commission can include additional requirements to improve the overall design of the project. This property is located in the USD, and a sidewalk network exists. There is residential property across Hester from this property. A sidewalk along the Hester frontage of this property will help mitigate the impacts of this commercial PUD on the surrounding residential neighborhood.

STORMWATER RECOMMENDATIONS:

1. Provide survey coordinates as NGVD or NAVD88, as appropriate, noted on the drawings.
2. Approval for the device selected for water quality treatment is pending acceptable submittals from the manufacturer. Until submittals are provided by the manufacturer and approved by Metro, this device will not be approved for use as the stand-alone water treatment measure.
3. Provide a Deed of Easement for the water quality and detention areas, unless the easements are to be platted.
4. Technical review will begin upon receipt of the above information.
5. A TN Department of Conservation (TDEC) Construction General Permit Notice of Coverage number will be required before plans will be approved.



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PUBLIC WORKS' RECOMMENDATIONS:

1. Show curb ramps and returns per Metro ST-320.
2. Show Detectable Warnings at Curb Returns per Metro ST-329/ST-330.
3. Show Metro ST-324 driveway ramp for access to site.
4. Remove abandoned access from Glenrose Avenue, and show sidewalk connectivity.
5. Show sidewalk along Hester Avenue, as required by Planning.

Traffic Comments:

1. Six foot wall shall be 10 feet from Right-of-way per 17.12.040 E. 26.

CONDITIONS OF APPROVAL

1. 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.
2. 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.
3. 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.
4. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.



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5. As a condition of final PUD approval, a sidewalk shall be required to be constructed by the developer along the frontage of the property at Hester Avenue.
6. Prior to the issuance of any building permits, all Public Works and Water Services conditions, listed above, shall be satisfied.



Project No.
Project Name

Planned Unit Development 2004P-013G-12
Legg Development Planned Unit
Development

Council Bill
Council District
School District
Associated Case
Requested By

None
31 - Toler
2 - Blue
None
Sain Associates, Inc., applicant for Hoover Inc., owner

Staff Reviewer

Pereira

Staff Recommendation

Approve with conditions

APPLICANT REQUEST
Revise Preliminary and Final PUD

Revise the preliminary and approve a final Planned Unit Development on 75.29 acres located on the north side of Nolensville Pike, opposite Concord Road, classified SCC, RM9, and RS15, to develop 45 single-family lots, 248 townhomes, and 236,851 square feet of retail, restaurant, and grocery store uses.

PLAN DETAILS
Site Design

The proposed plan shows the southern part of the PUD along Nolensville Pike designated for the development of 51,651 square feet of retail/restaurant uses, 66,000 square feet of grocery store uses, and 119,200 square feet of retail uses. Immediately north of the commercial uses, the plans call for 248 2-story townhome units, and 45 single family homes in the northernmost part of the PUD.

Access

There are 3 proposed access points along Nolensville Pike on the southern portion of the PUD. As a condition to the preliminary PUD, the plans show that the owner and tenants agree to abandon any access on the southeastern boundary of the property for the construction of the future Southeast Arterial Roadway (along the PUD's southeastern border). Stubbing from the main public road running through the PUD, there is another 50' wide public road to the western PUD boundary, called Valley Oak Drive. This stub-street was required by Planning Staff to provide future access to the adjacent property.



Metro Planning Commission Meeting of 3/24/05

Sidewalk requirement

This site does not fall within the Urban Services District or in an area where the SPI is greater than 20, but it is a large new PUD. Sidewalks are shown along both sides of Autumn Crossing Way and Concord Hills Drive, as required by the Council Bill. Sidewalks are shown on one side of the private drives that provide access to the townhome units. The sidewalk along the eastern access road of the townhomes connects to a 5' pedestrian easement that extends to the single family units. This is to provide safe pedestrian access to the commercial part of the PUD to the south. As a condition of final PUD approval, a sidewalk **shall** also be shown on the frontage of Nolensville Pike to provide future pedestrian access to the PUD from adjacent residential areas. This sidewalk may be bonded with the commercial part of the PUD. The applicant is in agreement with this sidewalk requirement.

Open Space and Landscaping

There are detention/open space areas located in the single family and townhome areas of the PUD. The plans comply with the 15% open space requirement of the single-family area, by providing 2.97 acres (17.5% of this area). The provided open space in the townhome part of the PUD is 6.69 acres (there is no requirement for open space in multifamily developments).

The site plan shows a class "C" landscape buffer along the southeastern commercial boundary of the PUD (adjacent to an AR2a district). As a condition of final PUD approval, the plans must also show the same class "C" landscape buffer along the western commercial PUD boundary.

TRAFFIC PUBLIC WORKS' RECOMMENDATION

Public Works' conditions of final PUD approval are as follows:

1. That the applicant identify solid waste collection and disposal procedures.
2. That the applicant identify mail service delivery for the multifamily area.



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3. Approval subject to Public Works' review and approval of construction plans submitted with the final PUD. Construction plan approval is contingent on the following:
 - a. All work within the Public right-of-way requires and Excavation Permit from the Department of Public Works.
 - b. Proof-rolling of all street sub-grades is required in the presence of the Public Works Inspector, with the request to be made 24 hours in advance.
 - c. Stop signs to be 30 inch by 30 inch.
 - d. Street signs to have six inch white letters on a nine inch green aluminum blade.
4. Final PUD approval is contingent on the following changes/additions being made to the residential portion of the PUD plans:
 - a. The centerline grade on the "main" road must match up with the commercial portion at Sta. 5+50.
 - b. The commercial driveway ramps shall be shown at the private drives.
 - c. Standard Public Works' drawings shall be shown, including signatures ST-200, 210, 252, 260, 320, 324, 328, and 330.
5. No building permits shall be issued until all off-site improvements have been designed, easements acquired, and construction plans approved by both Metro Public Works, and the Tennessee Department of Transportation.
6. No use and occupancy permits shall be issued until all conditioned off-site improvements have been constructed and accepted by the Department of Public Works and the Tennessee Department of Transportation.



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STORMWATER CONDITIONS:

1. Need drainage map showing sub-area flowing to each structure, including: Area, C/CN, Tc, and Q for Design Event.
2. Calculate hydraulic grade line at each structure.
3. Provide drainage table showing all structures including inlets, headwalls, junction boxes, manholes, ditches (bottom width and length), box culverts, etc.
4. Provide calculation for spread on road.
5. Provide drainage map showing existing condition and drainage map showing proposed condition for each flow direction.
6. Provide summary table showing existing and proposed flow for each exit.
7. Information on the next two downstream structures.

CONDITIONS OF APPROVAL:

1. The final PUD plans must be revised to show a class "C" landscape buffer on the western, commercial portion of the PUD (between the SCC and adjacent AR2a zoning district).
2. The final PUD plans must be revised to show a sidewalk connection between the 5 foot pedestrian access easement that connects the single family portion of the PUD with the townhomes and the sidewalk that connects the townhomes with the commercial part of the PUD on the eastern private drive.
3. Prior to any final plat approval, a sidewalk along the frontage of Nolensville Pike shall be completed or bonded. The applicant shall coordinate this with Public Works' scheduled road expansion of Nolensville Pike.
4. All conditions listed under "Public Works' Recommendation," "Stormwater Conditions," above, and all conditions listed in Bill BL2004-282 shall be satisfied.
5. 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.



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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.

8. 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.

9. 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.



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

Planned Unit Development 2004P-033G-06
Loveless Café

35 – Tygard
9 – Norris
Tuck Hinton Architects, applicant for Loveless Properties, LCC, owner

Staff Reviewer
Staff Recommendation

Swaggart
Approve with conditions

APPLICANT REQUEST
Revise Preliminary and Final PUD

Revise preliminary and approve a final Planned Unit Development (Loveless Café) in the CL zoning district, to permit 1,540 square feet of new retail space, a 10,000 square foot banquet hall, a 2,304 square foot motel with six executive suites, 142 parking spaces, and 66 deferred parking spaces.

PLAN DETAILS

A restaurant and retail building, totaling 7,932 square feet, currently exist on site. This plan proposes an additional 13,844 square feet and includes 6 new retail structures (a total of 1,540 square feet), a banquet hall (10,000 square feet), and a motel consisting of 2,304 square feet). There is a additional retail building included in the preliminary PUD of 1,200 square feet that will be developed in the future.

The preliminary PUD was approved for 22,786 square feet of floor area by the Metro Council in January 2005. The existing development, the development proposed by this plan and the remaining 1,200 square feet of future development total 22,976 square feet. This plan proposes 190 square feet (0.8%) over what the preliminary plan proposed and is thus considered to a be a revision to the preliminary plan. As long as the development proposed does not exceed 10% above the Council approved preliminary it can be considered a revision.

Approximately 188 parking spaces are required for the total development as proposed. There are 58 existing spaces, with 142 proposed new spaces, with a total of 200 parking spaces. An area has also been set aside, which will provide an additional 66 spaces when needed.



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TRAFFIC PUBLIC WORKS RECOMMENDATION

Submit tour bus truck turning template to show adequate turning movement in accordance with TIS recommendation at construction phase.

- Applicant has submitted this information to Metro Public Works.

WATER SERVICES STORMWATER RECOMMENDATION

1. Need Maintenance Agreement (for pond and water quality unit) and Dedication of Easement (if applicable).
2. Need size, location, and capacity of the next two downstream structures receiving runoff from the site.
3. May need a sediment trap.
4. Show the location of the construction exit?
5. Provide drainage maps for the stormwater system.
6. Need details for all erosion control measures. Use our details (Outlet Protection, Inlet Protection, Etc.) Add rip rap detail and size accordingly (TCP 25 / PTP 07).
7. Need an accepted stormwater quality unit. Provide flow calculations (3-month).

CONDITIONS

1. 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.
2. This approval does not include any signs. Business accessory or development signs in commercial or



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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.

3. 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.
4. 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.
5. 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 re-approval by the Planning Commission.