



**METROPOLITAN GOVERNMENT
OF NASHVILLE AND DAVIDSON COUNTY**

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

**Minutes
Of the
Metropolitan Planning Commission**

May 12, 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
Phil Ponder, representing Mayor Bill Purcell

Staff Present:

Rick Bernhardt, Executive Director
Margaret Holleman, Legal Counsel
David Kleinfelter, Planning Manager II
Kathryn Fuller, Planner III
Adriane Harris, Planner II
Bob Leeman, Planner III
Luis Pereira, Planner I
Nekya Young, Planning Tech I
Keith Covington, Planner Manager II
Marie Cheek, Planning Tech I
Charles Hasty, Public Works

Commissioners Absent:

Councilman J.B. Loring

I. CALL TO ORDER

The meeting was called to order at 4:00 p.m.

II. ADOPTION OF AGENDA

Ms. Hammond announced several corrections to the agenda. They were as follows:

Item #16 -- 2005Z-066G-12: The parcel numbers should read "Part of Parcel 27 and part of Parcel 209".

Item #28 -- 2005S-121U-05: The parcel number should include "Part of Parcel 239"

Item #31 -- 28-79G-19: The parcel number should read "Parcels 379 and 399".

Ms. Nielson moved and Mr. McLean seconded the motion, which passed unanimously, to approve the agenda as corrected. **(8-0)**

III. APPROVAL OF APRIL 28, 2005 MINUTES

Mr. McLean moved and Ms. Nielson seconded the motion, which passed unanimously to approve the minutes of April 28, 2005. **(8-0)**

IV. RECOGNITION OF COUNCILMEMBERS

Councilman Coleman spoke in favor of Items #20 – 2005Z-070G-13, #21 – 2005P-016G-13 and #22 – 2004S-158G-12 which were on the consent agenda. He mentioned that he had some concerns regarding Item #16 – 2005Z-066G-12 and the area's infrastructure surrounding this proposal. He stated he would be in favor of approving the proposal on the consent agenda, but that it will require additional attention during its next phase of the approval process.

Councilman Tygard spoke regarding Items #9 – 2004Z-116G-06 and #10 – 2005P-017G-06. He requested that the Commission approve the proposal and then request that it be re-referred back for approval. This process will keep the proposal moving forward and allow additional time so that he can continue to work with the community and the developer.

Councilman Jameson spoke regarding Item #13 – 2005Z-058U-05. He announced that the community meeting regarding this zone change would not take place until Thursday, May 26, 2005, and he was not prepared to support to change at this time.

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

7. 2004P-021U-12 A request to revise the preliminary and for final approval for a Planned Unit Development district located along the south side of Old Hickory Blvd., and the east side of Cloverland Drive, classified MUN (3.88 acres), to permit 16 condominium units and 12,960 square feet of office uses – deferred indefinitely at the request of the applicant.
11. 2005Z-054U-13 A request to change from AR2a to RM9 (8.7 acres) and RS5 (6.91 acres) district property located at 2801 Smith Springs Road, 2803 Smith Springs Road, Starboard Court (unnumbered), and Starboard Drive (unnumbered) – deferred to May 26, 2005 at the request of the applicant.
17. 2005Z-068U-13 A request to change from AR2a to RM15 district property located at 5505 and 5515 Mt. View Road, approximately 450 feet east of Baby Ruth Lane – deferred indefinitely at the request of the applicant
29. 2005S-122G-06 Hulan Heights - Request for final plat approval to create 3 lots on the south side of Bellevue Road, west of Wild Iris Drive – deferred indefinitely at the request of the applicant
30. 2005S-125G-10 Richland Woods - request for final plat approval to create 12 lots located along the east side of Granny White Pike – deferred to May 26, 2005 at the request of the applicant.

Ms. Nielson moved and Mr. McLean seconded the motion, which passed unanimously to approve the deferred and withdrawn items. **(8-0)**

Commissioner Cummings arrived at 4:17 p.m.

VI. PUBLIC HEARING: CONSENT AGENDA

PUBLIC HEARING: PREVIOUSLY DEFERRED ITEMS AND ITEMS ON PUBLIC HEARING

8. 2004P-024G-12 Christiansted Valley - A request for final approval for to permit 49 single-family lots, located on the eastern end of Christiansted Lane, and Palomar Court. - Approve /conditions

ZONING MAP AMENDMENTS

14. 2005Z-063U-10 Change from IR to ORI district property located at 3000 Charlotte Avenue - Approve without conditions
15. 2005Z-064U-08 Change from IR to MUN district property located at 510 Madison Street - Approve
18. 2005Z-069U-09 Change from RS3.75 to RM20 district properties located at 1002 Warren Street, 1010 B Jackson Street, 1010 A Jackson Street, 1008 Jackson Street, and 1006 Jackson Street - Approve
19. 2005UD-004U-09 Park Place Court - A request for preliminary approval for a Urban Design Overlay district to permit 8 multi-family units, located at 1002 Warren Street and 1006, 1008, 1010A and 1010B Jackson Street - Approve w/amended conditions
20. 2005Z-070G-13 Change from AR2a to RS10 district property located at 3681 Hamilton Church Road, east of Hobson Pike. Approve
21. 2005P-016G-13 Preliminary approval for a Planned Unit Development district located at 3681 Hamilton Church Road, east of Hobson Pike, classified AR2a and proposed for RS10 Approve w/conditions

PRELIMINARY SUBDIVISION PLATS

22. 2004S-158G-12 Preliminary Plat approval to create 75 lots on the northeast side of Cane Ridge Road, approximately 2,765 feet southeast of Old Franklin Road (31.0 acres), classified within the RS15 district Approve w/conditions

FINAL PLATS

24. 2005S-049U-12 H. G. Hill Edmondson Pike - A request for final plat approval to create 3 lots located on the southwest corner of Edmondson Pike and Nolensville Pike - Approve w/conditions
26. 2005S-108U-07 West Nashville Annex - Lots 1 & 2, Resub Lot 4 -A request for final plat approval to create 2 lots abutting the northern end of 23rd Street, approximately 450 feet west of Briley Parkway - *Approve with condition- that the plat must be revised either to show the sidewalk or a note must be added to the plat and proof provided that a financial contribution has been paid.*
27. 2005S-113U-03 Syrus Estates - A request for final plat approval to create 2 lots located on the north side of Yokley Road -Approve w/ conditions
28. 2005S-121U-05 Adler Subdivision - A request for final plat approval to create 4 lots at the terminus of McKennie Avenue, east of Chapel Avenue - Approve w/conditions including a lot comparability waiver

PLANNED UNIT DEVELOPMENTS (revisions)

31. 28-79-G-13 Berkley Hall Section III (formerly Hickory Highlands) - Approve w/conditions
-
A request for final PUD for Phase 2 to permit the development of 87 single family lots and 85 condominium units, located on the northwest side of Rural Hill Road and the eastern side of Moss Road
33. 2005P-014U-11 Morningstar Missionary Baptist- A request for Preliminary approval for a Planned Unit Development district located at Hart Street (unnumbered), and 36, 38 and 40 Hart Street, to permit a parking lot, - Approve w/ conditions

Ms. Nielson moved, and Mr. McLean seconded the motion, which passed unanimously, to approve the Consent Agenda as presented. (9-0)

VII. PUBLIC HEARING: PREVIOUSLY DEFERRED ITEMS AND ITEMS ON PUBLIC HEARING ZONING MAP AMENDMENTS

1. **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 Sallie R. Hicks Family, LLC, Alice Cranford and Corolene Bandy, Jenkins Properties L.P. et al, Jack L. Jenkins, and Pegasus Properties, owners.

Staff Recommendation -Approve with associated PUD.

APPLICANT REQUEST - 2004Z-113U-02

Rezone 81.71 acres from RS7.5, IWD, and CS to SCR district properties at Dickerson Pike (unnumbered), 3466 and 3446 Dickerson Pike, along the west side of Dickerson Pike.

APPLICANT REQUEST - 2004Z-115G-02

Rezone 6.82 acres from RS7.5 to SCR district a portion of property at Dickerson Pike (unnumbered), approximately 1,500 feet west of Dickerson Pike.

Existing 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.

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

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.

Proposed Zoning

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

PARKWOOD/UNION HILL COMMUNITY PLAN POLICY

Residential Low Medium - RLM policy is intended to accommodate residential development within a density range of two to four dwelling units per acre. The predominant development type is single-family homes, although some townhomes and other forms of attached housing may be appropriate.

Residential Medium -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.

Commercial Mixed Concentration -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.

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 - The proposed SCR rezoning is not consistent with the RLM and RM policies, but is consistent with the CMC and CAE policies. While this development will infringe into the residential policy areas to the northwest of the Dickerson/Doverside intersection, it is consistent with the commercial zoning pattern (CS and CL) and policy to the east of Dickerson Pike and to the southeast of this intersection. In addition, the proposed SCR zoning is more compatible with the surrounding residential uses than the existing IWD zoning on a portion of the property.

As part of the associated PUD (Nashville Commons at Skyline) the applicant will dedicate a large open space conservation easement that will buffer this development from the residential PUD to the west, and the steep slopes and buffer along the northern limit of this rezoned area will help shield these commercial/retail uses from residential areas to the north.

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

TRAFFIC PUBLIC WORKS' RECOMMENDATION - The TIS is discussed with the staff report for the associated PUD, 2005P-010G-02.

Typical Uses in Existing Zoning District: RS7.5 and IWD

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)	88.5	4.94	437 lots	4038	316	405

Typical Uses in Proposed Zoning District: SCR

Land Use (ITE Code)	Acres	FAR	Total Square feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (820)	88.5	0.140	718,781	24,475	511	2301

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
--				20437	195	1896

METRO SCHOOL BOARD REPORT - No new students would be generated by this rezoning.

Mr. Pereira stated staff recommends approval of zone changes 2004Z-113U-02 and 2004Z-115G-02 with associated PUDs, as well as approval with conditions of Planned Unit Development 2005P-010G-02 and Planned Unit Development 88P-056G-02. Mr. Pereira also stated that staff recommends that sidewalks are also recommended from internal drives to major retail buildings.

Mr. Shawn Henry, representing developer, spoke in favor of the proposal.

Mr. Mike Barry, Gresham Smith & Partners, spoke in favor of the proposal.

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

Ms. Beth Wright, Director of Marketing and Public Relations at Skyline, spoke in favor of the proposal.

Mr. Marty Lang, 1203 Dickerson Pike, spoke in favor of the proposal.

Dr. Kenneth Dupree, 3447 Brick Church Pike, spoke in favor of the development.

Mr. George Willis, 1395 Bella Vista Blvd., spoke in favor of the proposal.

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

Ms. Barbara Arnold, 1611 Berrywood Way, spoke in partial opposition to the proposal.

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

Ms. Neilson spoke of the stormwater issues mentioned and stated that the conditions surrounding stormwater runoff should be addressed.

Mr. McLean also mentioned the issue of stormwater runoff and stated that he is certain that the other Metro departments will address the issues before final approval is granted.

Mr. Clifton requested additional information regarding the entire land uses included in the proposal.

Mr. Pereira explained additional details regarding the land uses included in the proposal.

Mr. Clifton stated he had concerns regarding the size of the proposal.

Ms. Cummings spoke in favor of the proposal. She stated that she was comfortable that the stormwater issues would be addressed and that the necessary sidewalks for the proposal would be properly placed by conditions included with the proposal.

Mr. Tyler commented on traffic flow and the size of development in relation to the interstate exchanges already present; and he questioned the details of the traffic study.

Mr. Charles Hastings, Metro Public Works, stated that a projected traffic study was completed for the area and the proposed plan will assist in mitigating the traffic study numbers.

Mr. Ponder spoke in favor of the proposed sidewalks. He too would like to see proper stormwater management included in the proposal. He stated he was in concurrence with staff recommendation.

Mr. Small spoke of the size of the proposal and the economics of the area.

Ms. Jones stated that the proposal will improve the economic growth for the area. She too mentioned the sidewalks should be included in the proposal to accommodate the growth of the area as the project progresses.

Ms. Jones moved, and Mr. Ponder seconded the motion to approve staff recommendations for Zone Changes 2004Z-113U-02 and 2004Z-115G-02 as well as Planned Unit Developments 2005P-010G-02 and 88P-056-02. **(7-2) No Votes – Tyler, Clifton**

[Note: Items #1, 2, 3, and #4 were discussed by The Metropolitan Planning Commission together. See item #4 for actions and resolutions.]

2. **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 R. Hicks, et al, co-trustees.

See Item #1 for staff report.

3. **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, (125.84 acres), classified RS7.5, CS, IWD and proposed for SCR, to permit 718,781 square feet of retail and restaurant uses, requested by Gresham Smith and Partners, applicant for Sallie R. Hicks Family LLC, Bandy, Carolene and Alice Cranford, Pegasus Properties, and Jenkins Properties L.P. and Jack Jenkins, owners.

Staff Recommendation - Approve with conditions, including all Planning, Public Works, Stormwater, and Fire Marshall conditions as outlined below.

APPLICANT REQUEST - Preliminary PUD

Request for Preliminary approval for a Planned Unit Development district on 125.84 acres, located at Dickerson Pike (unnumbered), and 3438, 3446, 3466 Dickerson Pike, north of Doverside Drive, classified RS7.5, CS, IWD and proposed for SCR, to permit 718,781 square feet of retail and restaurant uses.

PLAN DETAILS

Site Design -The proposed plan calls for the development of 684,381 square feet of retail uses within 13 buildings, and 34,400 of restaurant uses within 6 restaurants, for a total building square footage of 718,781.

Parking - The parking requirement of one parking space for every 200 feet of retail use, and one space for every 100 feet of restaurant use has been fulfilled. The applicant has provided a total of 3,868 spaces, while the total required number of parking spaces is 3,765.

Access - There is one access drive along Dickerson Pike at the northeast portion of the PUD. Further south, the proposed relocation of Doverside Drive cuts through the southeastern edge of the PUD. There is also one access drive along Doverside on the southern portion of the PUD.

Sidewalk requirement - Sidewalks have not been shown along the frontages of Doverside Drive and Dickerson Pike. Although this site falls outside of the Urban Services District, Planning staff recommends that a sidewalk be required along those roads to provide surrounding residential developments the opportunity to walk to the development. Requiring a sidewalk along these streets is consistent with the PUD provisions of the Zoning Code that call for well-planned commercial development. Accordingly, a sidewalk must be shown on the frontage of Doverside Drive and Dickerson Pike, as per the overall intent of the PUD Ordinance.

Section 17.20.120 of the Metro Zoning Code requires the provision of **internal** sidewalks as well. This preliminary plan indicates a partial intent to meet this requirement and will be confirmed at the final PUD stage. The final PUD plans must also show internal sidewalks that connect the internal private drives with the sidewalk aprons of the major retail buildings within the PUD.

Open Space and Landscaping - The site plan has dedicated 38.51 acres to an open space and conservation easement, to be left permanently undisturbed from development, to the west of the proposed retail/restaurant buildings. As a condition of approval, this easement must be dedicated to an appropriate land trust prior to final PUD approval. A class "D" landscape buffer has been provided within this easement, as well as along the northern limits of this PUD. The proposal complies with the 0.80 maximum ISR (Impervious Surface Ratio) within the requested SCR zoning. The plans also comply with the 1.0 FAR (Floor Area Ratio) of the requested SCR zoning.

PUBLIC WORKS' RECOMMENDATION: The following are conditions of approval, provided to the applicant on 4/29/05:

1. The access driveway on Dickerson Pike shall be designed for safe operation with adequate sight distance of the signal.
2. Doverside Drive shall be relocated to align with Skyline Medical Center driveway and the road shall be designed for safe operation with adequate sight distance of the signal.

Doverside Drive intersection:

1. The developer shall construct the Doverside approach with 2 separate right turn lanes, a through lane, a separate left turn lane and 2 westbound through lanes with storage lengths as indicated on the PUD plan.
2. The developer shall submit a signal design for approval and install the signal modifications. Signal plan shall include pedestrian signals and ADA facilities.
3. The developer shall construct Dickerson Pk with 2 Northbound separate left turn lanes, 2 through lanes and a shared right/through lane with storage as indicated on the PUD plan.
4. Developer shall construct a new southbound through/right lane along the Dickerson Pk frontage and it shall extend to the through/right lane at the Briley Pkwy westbound on-ramp.

Access driveway on Dickerson Pike:

1. The developer shall construct the access driveway with separate left and right turn lanes. Additional ROW for the access driveway shall be reserved in order to install a separate through lane if a 4th leg is added to this intersection in the future. The access shall driveway shall include 2 westbound through lanes with storage lengths as indicated on the PUD plan.
2. The developer shall submit a signal design for approval and install the signal. Signal plan shall include pedestrian signals and ADA facilities. All new signals shall be interconnected and coordinated with signals in the vicinity of the project.
3. The developer shall construct Dickerson Pike with 2 Northbound separate left turn lanes, 2 through lanes in each direction and a southbound separate right turn lane with storage as indicated on the PUD plan. Required lane signage shall be installed.

Project site:

1. Access drives and project internal roads shall be designed to provide adequate truck turning movements.

Dickerson Pike and I-65 Northbound ramps:

1. The southbound exclusive left turn lane on Dickerson shall be striped to provide a minimum of 100 ft of storage for northbound traffic entering I-65 southbound in order to provide greater storage for southbound traffic turning left onto I-65 northbound.

2. TDOT approval of all Dickerson Pk modifications is required.

Doverside Drive and pharmacy intersection:

1. The developer shall install a westbound left turn lane with 100 ft of storage on Doverside at the pharmacy access driveway.

Doverside Drive and site access west of Dickerson:

1. The developer shall construct Doverside Drive with eastbound through and through/left lanes. The westbound approach shall be constructed with a through lane and a separate free-flow right turn lane. The southbound approach shall be constructed with 3 exit lanes and 2 entering lanes. Turn lane storage lengths shall be provided as identified on the PUD plan.
2. The developer shall submit a signal design for approval and install the signal at this intersection. Signal plan shall include pedestrian signals and ADA facilities if sidewalks are constructed. The signals shall be interconnected and coordinated with signals in the vicinity of the project. In accordance with Metro standards video detection shall be installed on the private approach and loop detection with advance detection shall be installed on the main line approaches.

Environmental and Stormwater -While this property does not have floodway and floodplain, the Metro Stormwater Division of Metro Water Services has indicated the existence of several streams, wetlands, and over-40 acre drains on the site within a buffer. Development generally is not allowed within these areas.

There are two proposed storm ponds within this PUD, one on the southwest, and one on the northwest, both adjacent to the open space conservation easement.

STORMWATER RECOMMENDATION: Approved Except as Noted:

1. Show standard buffer note: The buffer along waterways will be an area where the surface is left in a natural state, and is not disturbed by construction activity. This is in accordance with the Stormwater Management Manual Volume 1 – Regulations.
2. It is possible that the stream buffer will extend beyond what is shown on the plan. It is required, before final plan approval, that TDEC makes a stream determination of that portion of the stream in question. If it is classified as an intermittent stream or Waters of the State, then a 25-foot buffer from top of bank on each side of stream bank shall be applied. A variance from the Stormwater Management Committee must be granted for any disturbance in the buffer and an ARAP Permit from TDEC must be approved. If it is classified as a wet weather conveyance, then no action is required.
3. It is possible that there are wetlands on the property that need protecting. It is required, before final PUD approval, that a determination be made from the Army Corps of Engineers. If it is determined that it is a wetland, a 25' buffer shall be applied around the perimeter of the area delineated by the Corps. A variance from the Stormwater Management Committee must be granted for any disturbance in the buffer.

FIRE MARSHAL RECOMMENDATION: The Fire Marshal's office has indicated that the applicant must provide the minimum amount of water needed for a large box store retail development, which is 2,250 GPMs at 40 psi. This is an estimate for sprinkler design and hose requirements as per NFPA 13, which calls for a 300,000-gallon water tank. Prior to final PUD approval, the applicant must provide the water tank, or otherwise meet the Fire Marshal requirement of 2,250 GPMs at 40 psi.

Staff recommendation: Since last heard by the Planning Commission on March 10, 2005, Stormwater and Public Works issues have been adequately addressed by the applicant. Staff recommends that the Commission approve with conditions this preliminary PUD and the associated zoning cases, including all Planning, Public Works, Stormwater, and Fire Marshal conditions as outlined in this report.

CONDITIONS (if Approved):

1. Prior to final PUD approval, the applicant must show and dimension the Right-of-Way along Dickerson

Pike, consistent with the approved Major Street Plan (Dickerson is a U4, and thus requires an 84 foot ROW). The applicant must dedicate 30 feet minimum of ROW from the centerline to the property boundary and show the ROW reservation.

2. Prior to final PUD approval, the applicant must show and dimension Right-of-Way along Doverside Drive (a local road).
3. Prior to final PUD approval, the applicant must show on the plans, as per the requirements of the PUD overlay, a sidewalk along Doverside Drive, from the western edge of the PUD to the access drive into the PUD along this same street, to connect with the internal sidewalk that begins there. There shall also be an internal sidewalk along the drive that extends north just to the west of Restaurants #3, 4, 5, and 6.
4. Prior to final PUD approval, the applicant must show on the plans, as per the requirements of the PUD overlay, a sidewalk along Dickerson Pike. A transit stop shall be required accordingly, in coordination with sidewalks on Doverside Drive and Dickerson Pike. The final PUD plans must also show internal sidewalks that connect the internal private drives with the sidewalk aprons of the major retail buildings within the PUD.
5. Prior to final plat approval, by mandatory referral the Metro Council must approve the relocation of Doverside Drive.
6. Prior to final PUD approval, all analysis and approvals as required by Public Works above shall be fulfilled.
7. Prior to final PUD approval, all Stormwater conditions shall be addressed, as outlined above.
8. Prior to final PUD approval, calculations of the effective Impervious Surface Ratios for this site shall be submitted to the Metro Codes Department for .
9. 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.
10. 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.
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 adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
13. 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.
14. Prior to final PUD approval, the applicant shall dedicate the proposed open space and conservation easement to an appropriate land trust.

15. Note that to comply with the above Stormwater requirements, it is required for the applicant to put the following notes on the preliminary PUD plans:
- "Any intermittent stream or waters of the state, as identified by TDEC, shall have a 25 foot buffer from the top of the bank on each side of the stream bank."
 - "Buffer disturbance is *ONLY* permitted by Stormwater Management Committee variance # _____ and ARAP Permit # _____."
 - "A 25 foot buffer shall be applied around the perimeter of wetland areas, as delineated by the Army Corps of Engineers."
16. Prior to final PUD approval, the applicant must provide the minimum amount of water needed for a large box store retail development, which is 2,250 GPMs at 40 psi. This is an estimate for sprinkler design and hose requirements as per NFPA 13, which calls for a 300,000-gallon water tank. The applicant must provide the water tank, as required by the Fire Marshal, or otherwise meet the Fire Marshal requirement of 2,250 GPMs at 40 psi.

[Note: Items #1, 2, 3, and #4 were discussed by The Metropolitan Planning Commission together. See item #4 for actions and resolutions.]

4. **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 end of Mulberry Downs Circle, 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.

Staff Recommendation - Approve with adoption of associated PUD (2005P-010G-02)

APPLICANT REQUEST -Request to cancel a portion of aPreliminary PUD

Request to cancel 19.75 acres of a preliminary Residential Planned Unit Development district, classified RS7.5, approved for 68 single-family homes and 126 townhomes, and located at the terminus of Mulberry Downs Circle, approximately 1,500 feet west of Dickerson Pike.

PLAN DETAILS - This request to cancel a portion of a residential PUD will yield part of the acreage requested for the new proposed Nashville Commons at Skyline PUD (2005P-010G-02), a commercial PUD to be located to the east of Mulberry Downs. A portion of the requested 19.75 acres is to be dedicated as an open space and conservation easement, to remain permanently undisturbed from development. The other portion to be cancelled is also requested for rezoning to SCR (2004Z-115G-12), to serve as developable land in the proposed PUD (2005P-010G-02).

Resolution No. RS2005-158

“BE IT RESOLVED by The Metropolitan Planning Commission that 2004Z-113G-02 is **APPROVED**. (7-2)

The proposed Shopping Center Regional (SCR) zone district is consistent with the Parkwood/Union Hill Community Plans’ Commercial Mixed Concentration and Commercial Arterial Existing policies, but is inconsistent with the Residential Low Medium and Residential Medium policies, as the latter policies call only for residential zoning and uses. While the associated PUD overlay development will infringe into the residential policy areas to the northwest of the Dickerson Pike/Doverside Drive intersection, it is consistent with the commercial zoning pattern (CS and CL) and policy to the east of Dickerson Pike and to the southeast

of this intersection. In addition, the proposed SCR zoning is more compatible with the surrounding residential uses than the existing IWD zoning on a portion of the property. In addition, the PUD proposes a 38.51 acre area that will remain undeveloped and serve as a buffer between the proposed PUD and the residential uses to the east.”

Resolution No. RS2005-159

“BE IT RESOLVED by The Metropolitan Planning Commission that 2004Z-115G-02 is **APPROVED. (7-2)**

The proposed Shopping Center Regional (SCR) zone district is consistent with the Parkwood/Union Hill Community Plans’ Commercial Mixed Concentration and Commercial Arterial Existing policies, but is inconsistent with the Residential Low Medium and Residential Medium policies, as the latter policies call only for residential zoning and uses. While the associated PUD overlay development will infringe into the residential policy areas to the northwest of the Dickerson Pike/Doverside Drive intersection, it is consistent with the commercial zoning pattern (CS and CL) and policy to the east of Dickerson Pike and to the southeast of this intersection. In addition, the proposed SCR zoning is more compatible with the surrounding residential uses than the existing IWD zoning on a portion of the property. In addition, the PUD proposes a 38.51 acre area that will remain undeveloped and serve as a buffer between the proposed PUD and the residential uses to the east.”

Resolution No. RS2005-160

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005P-010G-02 is **APPROVED WITH CONDITIONS (7-2).**

Conditions of Approval:

1. Prior to final PUD approval, the applicant must show and dimension the Right-of-Way along Dickerson Pike, consistent with the approved Major Street Plan (Dickerson is a U4, and thus requires an 84 foot ROW). The applicant must dedicate 30 feet minimum of ROW from the centerline to the property boundary and show the ROW reservation.
2. Prior to final PUD approval, the applicant must show and dimension Right-of-Way along Doverside Drive (a local road).
3. Prior to final PUD approval, the applicant must show on the plans, as per the requirements of the PUD overlay, a sidewalk along Doverside Drive, from the western edge of the PUD to the access drive into the PUD along this same street, to connect with the internal sidewalk that begins there. There shall also be an internal sidewalk along the drive that extends north just to the west of Restaurants #3, 4, 5, and 6.
4. Prior to final PUD approval, the applicant must show on the plans, as per the requirements of the PUD overlay, a sidewalk along Dickerson Pike. A transit stop shall be required accordingly, in coordination with sidewalks on Doverside Drive and Dickerson Pike. The final PUD plans must also show internal sidewalks that connect the internal private drives with the sidewalk aprons of the major retail buildings within the PUD.
5. Prior to final plat approval, by mandatory referral the Metro Council must approve the relocation of Doverside Drive.
6. Prior to final PUD approval, all analysis and approvals as required by Public Works above shall be fulfilled.
7. Prior to final PUD approval, all Stormwater conditions shall be addressed, as outlined above.

8. Prior to final PUD approval, calculations of the effective Impervious Surface Ratios for this site shall be submitted to the Metro Codes Department for .
9. 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.
10. 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.
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 adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
13. 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.
14. Prior to final PUD approval, the applicant shall dedicate the proposed open space and conservation easement to an appropriate land trust.
15. Note that to comply with the above Stormwater requirements, it is required for the applicant to put the following notes on the preliminary PUD plans:
 - *"Any intermittent stream or waters of the state, as identified by TDEC, shall have a 25 foot buffer from the top of the bank on each side of the stream bank."*
 - *"Buffer disturbance is ONLY permitted by Stormwater Management Committee variance # _____ and ARAP Permit # _____."*
 - *"A 25 foot buffer shall be applied around the perimeter of wetland areas, as delineated by the Army Corps of Engineers."*
16. Prior to final PUD approval, the applicant must provide the minimum amount of water needed for a large box store retail development, which is 2,250 GPMs at 40 psi. This is an estimate for sprinkler design and hose requirements as per NFPA 13, which calls for a 300,000-gallon water tank. The applicant must provide the water tank, as required by the Fire Marshal, or otherwise meet the Fire Marshal requirement of 2,250 GPMs at 40 psi."

Resolution No. RS2005-161

“BE IT RESOLVED by The Metropolitan Planning Commission that 88P-056G-02 is **APPROVED WITH CONDITIONS. (7-2)”**

PRELIMINARY SUBDIVISION PLATS

5. **2005S-051G-06**
Avondale Park
Map 141 Parcel 10
Map 140, Parcels 016, 069, 074, 075
Subarea 6 (2003)
District 35 (Tygard)

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

Mr. Leeman presented and stated that staff is recommending disapproval of Subdivision 2005S-051G-06.

Chairman Lawson requested that Ms. Holleman, Metro Legal, address the deed restriction issues that were mentioned by staff.

Ms. Holleman stated that the deed restriction issue is relevant to the proposal. She indicated that the agreement between the land owner and CSX could be terminated at any time thus making no access to the backside of the property.

Mr. Nick Psillas, 100 St. Regis Court, spoke in favor of project.

Mr. Rob Porter, 5113 Brittany Drive, expressed issues regarding the proposal.

Ms. Ronda Taylor, 5600 Vine Ridge, spoke in opposition to the proposal.

Mr. Bob Murphy, 5627 Granny White Pike, spoke in favor of the development.

Mr. Jared Gray, 8170 Coley Davis Rd., spoke in favor of the development with certain restrictions placed on Coley Davis Road.

Mr. Jackie Allen, resident, spoke regarding the restrictions placed on the proposal.

Mr. David Wilson, resident, spoke in support of the proposal.

Ms. Jenae Brown, 100 Kendall Park, expressed issues with the proposal in relation to other developments in the area.

Mr. Roy Dale, 1657 Stokely Lane, spoke in favor of the development without an access to Coley Davis Road.

Mr. Tom White, attorney, spoke in favor of proposal.

Mr. Ponder expressed concerns regarding the number of homes and limited access.

Mr. Tyler also commented on the number of homes with only one access point.

Ms. Cummings mentioned issues with the number of homes included in the proposal and the limited access points. She also mentioned accessibility and emergency vehicles.

Mr. Clifton spoke of the actual request being made to the Commission. He stated that the large number of homes with limited access, would be difficult to approve as presented.

Mr. McLean requested clarification on street locations included in the proposal. He stated he would be in favor of deferring the proposal to allow additional study and review of the proposal.

Ms. Harris presented and stated that staff is recommending disapproval.

Mr. Walter Davidson, surveyor, spoke in favor of project.

Mr. Bernhardt questioned Mr. Davidson on the alignment of a rear lane adjacent to the property line.

Chairman Lawson requested legal advice regarding the language included in the bill in relation to the coordinated access.

Ms. Holleman explained that the language of the bill approving the zone change says that “coordinated access may be required” to be provided. She also stated that this language is used in the staff report which leaves the discretion to the Commission.

Mr. Ponder requested additional clarification on the access points included in the proposal.

Mr. Charles Hasty, Public Works, indicated that the proposed street connection is in a difficult place. He stated that Public Works has looked at the possibility of using joint use driveways to accommodate various users. They have also established specific guidelines to be used by the engineer to include proper site distances for the project.

Mr. Ponder suggested additional study be completed on the project.

Mr. Tyler expressed concerns regarding curve manipulation in relation to site distances included in the proposal. He spoke in favor of the joint driveway suggested made by Mr. Hasting.

Mr. Stewart suggested further study be completed on the access points.

Mr. McLean requested additional information regarding the grade levels of the site.

Ms. Nielson requested additional information regarding the possibility of placing the access road between parcels 2 and 3.

Mr. Hasty commented that from a grade standpoint, that possibility would work and that Public Works could work with the developer.

Mr. Small agreed that the proposal needs to be reexamined, in particular, whether the Commission should require the connectivity to the properties in the rear.

Ms. Jones agreed that the road configuration and access points contained in the proposal are a real concern. She suggested the developer grant an easement for any future roads and future development for this area.

Mr. Small moved, and Mr. Ponder seconded the motion, which passed unanimously to defer Preliminary Subdivision Plat 2005S-095G-12 to May 26, 2005 to allow the applicant to work with the Public Works and Planning Departments on the lot configuration. (8-0)

Resolution No. RS2005-163

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005S-095G-12 is **DEFERRED to the May 26, 2005 COMMISSION meeting for the applicant to work with Public Works and Planning Departments on lot configuration. (8-0)**”

PLANNED UNIT DEVELOPMENTS

7. **2004P-021U-12**
Presidents Reserve at Brentwood PUD
Map 160, Parcels 81, 83, and 84
Subarea 12 (2004)
District 31 (Toler)

A request to revise the preliminary and for final approval for a Planned Unit Development district located along the south side of Old Hickory Boulevard, and the east side of Cloverland Drive, classified MUN, (3.88 acres), to permit 16 condominium units and 12,960 square feet of office uses, requested by Daniel Burton, owner.

The Metropolitan Planning Commission DEFERRED Planned Unit Development 2004P-021U-12 indefinitely, at the request of the applicant. (8-0)

8. **2004P-024G-12**
Christiansted Valley
Map 172, Parcel 150,154
Subarea 12 (2004)
District 31 (Toler)

A request for final approval for a residential Planned Unit Development located on the eastern end of Christiansted Lane, and Palomar Court, classified RS15, (20 Acres), to permit 49 single-family lots requested by Lose and Associates for Turnberry Homes, owner.

Staff Recommendation - *Approve with the condition* that Stormwater Department comments are adequately addressed

APPLICANT REQUEST -Final PUD

Final approval of a Planned Unit Development on 20 acres located at 251 Holt Hills Road and Holt Hills Road (unnumbered), at the terminus of Palomar Court and Christiansted Lane, classified RS15 cluster lot, to permit 49 single-family lots.

PLAN DETAILS

Site Design & Access - The plan proposes 49 single-family lots at an extension of Palomar Court and Christiansted Lane. The current final PUD plans match the plans that were re-referred from Council and approved with conditions by the Commission on the December 9, 2004 meeting.

Original Plan - The original plan, approved by the Planning Commission at the September 24, 2004, Commission meeting, provided circuitous connectivity to the easternmost property line at the Holt Hills Road private roadway easement as is called for in the current Community plan. As part of the Southeast Community Plan update, the Planning Commission required that "special consideration" be given to this area with regards to traffic improvements and street connectivity. The street layout provided for non-direct connectivity of streets that would provide for traffic calming. These roadways, designated as local streets with 50 feet of right-of-way, were planned to eventually provide a necessary connection to Bradford Hills Drive.

Re-referred Plan from Council - Staff recommended disapproval of the preliminary PUD plan because it did not provide the required stub-out connection to the east (to Holt Hills Road). The re-referred plan from Council did not include the stub-out connection to the east, as is called for in the Southeast Community Plan. The final PUD plans are consistent with the plans approved by Council.

Topography - There are hillside/slope constraints associated with this subdivision proposal. The applicant is using the cluster option to reduce lot sizes so as to avoid areas of slope that exceed 25% slope.

PUBLIC WORKS' RECOMMENDATION - No Exceptions Taken.

Stormwater Department Comments:

Technical Review comments:

1. The detail needs to be updated for Pond 1 to show the revised weir elevation of 678.20. The calculations reflect this updated elevation.
2. The 100-year water surface elevation in the pond 1 must be the defining pond limit and should stay out of

the lot lines. The 100-year elevation is 681.76' per the applicant's calculations and the 682' contour reaches into the lot lines. The applicant may want to define the 681.76' contour and ensure that the limits of the pond is out of the lots.

3. The applicant must specify the vegetation type (turf is preferred) and height (grass must be mowed when it reaches 8" tall) in the biofilter swale and show on detail. The design of the swale needs to be re-visited because the flow depth is too high (8.4"). Refer to PTP-05 for maximum flow depths.
4. Prior to final plat approval, the applicant must record the detention agreement.
5. The applicant must show the NOC number on the final PUD plans, and provide a copy of the NOC letter to the Stormwater Department.

CONDITIONS (if approved):

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 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 adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
4. 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 copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission.
5. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
6. 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.

Approved with conditions, (9-0) *Consent Agenda*

Resolution No. RS2005-164

"BE IT RESOLVED by The Metropolitan Planning Commission that 2004P-024G-12 is **APPROVED WITH CONDITIONS. (9-0)**

Conditions of Approval:

1. The detail needs to be updated for Pond 1 to show the revised weir elevation of 678.20. The calculations reflect this updated elevation.
2. The 100-year water surface elevation in the pond 1 must be the defining pond limit and should stay out of the lot lines. The 100-year elevation is 681.76' per the applicant's calculations and the 682' contour reaches into the lot lines. The applicant may want to define the 681.76' contour and ensure that the limits of the

pond is out of the lots.

3. The applicant must specify the vegetation type (turf is preferred) and height (grass must be mowed when it reaches 8" tall) in the biofilter swale and show on detail. The design of the swale needs to be re-visited because the flow depth is too high (8.4"). Refer to PTP-05 for maximum flow depths.
4. Prior to final plat approval, the applicant must record the detention agreement.
5. The applicant must show the NOC number on the final PUD plans, and provide a copy of the NOC letter to the Stormwater Department.
6. 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.
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 adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
9. 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 copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission.
10. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
11. 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."

VIII. PUBLIC HEARING: ZONING MAP AMENDMENTS

9. **2004Z-116G-06**
Map 155, Parcels 208, 114, 116, 116.02
Map 156, Parcels 27, 27.01, 27.02
Subarea 6 (2003)
District 35 (Tygard)

A request to change from RS40 to CL district properties located at 7751, 8042, 8050, and 8100 Highway 100, and 7821, 7749, and 7751 Old Harding Pike, (10.57 acres), requested by R. Chris Magill- Architects Incorporated, applicant, for William S. O'Neil, A.W. Duke, Harold E. Cunningham, Eva D. and Herman M. Allen, Raymond F. Pyburn, and E.C. Gossett, owners.

[Note: Items #9 and #10 were discussed by the Metropolitan Planning Commission together. Please see item #10 for actions and resolutions.]

10.

2005P-017G-06

Shoppes On The Harpeth
Map 155, Parcels 208, 116, 114, 116.02
Map 156, Parcels 027, 27.02, 27.01
Subarea 6 (2003)
District 35 (Tygard)

A request for preliminary approval for a planned unit development (10.57 Acres), located between Harding Pike and Highway 100 (7751, 8042, 8050, and 8100 Highway 100, and 7821, 7749, and 7751 Old Harding Pike) classified RS40, (10.57 acres), to permit a 4,000 sq. ft. bank, a 3,000 sq. ft. bank, three restaurants totaling 12,400 sq. ft., 26,500 sq. ft. retail requested by Chris Magill, applicant for William S. O'Neil, A.W. Duke, Harold E. Cunningham, Eva D. and Herman M. Allen, Raymond F. Pyburn, E.C. Gossett, property owners.

Mr. Swaggart presented the zone change request, and stated that staff recommends deferral due to the PUD not being consistent with existing plan. If the applicant objects to the deferral, then staff recommends disapproval, or approval with outlined conditions.

Mr. Sean Henry, 315 Deadrick Street, spoke in favor of the proposal.

Mr. Dudley Parker spoke in favor of the proposed development.

Mr. John Rumble, 712 Burleigh Court, spoke in favor of the conditioned proposal.

Mr. John Ladd, 104 Temple Hollow Circle, mentioned some issues he had regarding the proposal.

Ms. Mary O'Neil, 6611 Fox Hollow Road, spoke in favor of the development.

Mr. Phil Ponder expressed issues regarding the property frontage along Hwy 100 and whether there could be expansion in the future.

Mr. Tyler also expressed issues with future growth in the area.

Mr. Clifton suggested that there be additional studies completed on the proposal before approving and moving it forward to Council.

Mr. Small mentioned that the design is not consistent with the Community Center policy.

Ms. Jones also agreed that there are valid issues that need additional studies before moving forward for approval.

Mr. Ponder moved and Ms Nielson moved to defer Zone Change 2004Z-116G-06 and Planned Unit Development 2005P-017G-06 for up to two meetings (either May 26, 2005 or June 9, 2005) to allow additional time for the developer to continue to work with the Planning staff. **(8-0)**

Resolution No. RS2005-165

“BE IT RESOLVED by The Metropolitan Planning Commission that 2004Z-116G-06 is DEFERRED to the June 9, 2005 COMMISSION meeting. (8-0)”

Resolution No. RS2005-166

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005P-017G-06 is DEFERRED to the June 9, 2005 COMMISSION meeting. (8-0)”

11. **2005Z-054U-13**
Map136, Parcel 071, 113
Map 136-14 Parcels 167, 168, 169
Subarea 13 (2003)
District 29 (Wilhoite)

A request to change from AR2a to RM9 (8.7 acres) and RS5 (6.91 acres) district property located at 2801 Smith Springs Road, 2803 Smith Springs Road, Starboard Court (unnumbered), Starboard Drive (unnumbered), (15.61 total acres), requested by Coleman Lake Partners, LLC, applicant, for James R. Jones, Russell Jones and Melvin Jones, owners.

The Metropolitan Planning Commission DEFERRED Zone Change 2005Z-054U-13 to May 26, 2005 at the request of the applicant. (8-0)

12. **2005Z-055U-12**
Map 147-12, Parcel 37, 39-50
Map148-09, Parcels 75-79, 81, 85-91
Subarea 12 (2004)
District 30 (Kerstetter)

A request to change from R10 to RS40 district properties located on Haywood Lane, (92.59 acres), requested by the Metro Planning Department, for various property owners.

Staff Recommendation - Approve *without conditions*

APPLICANT REQUEST - Request to change 92.59 acres from R10 to RS40 district properties located on Haywood Lane.

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

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.

CRIEVE HALL/TUSCULUM COMMUNITY 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.

The Planning Department initiated this application at the request of various property owners because these parcels fall within a special policy area of the community plan that calls for the rezoning of the R10 district to RS40, and because R10 does not fit the RL policy. The community wanted to see this area of large lots conserved and the Planning Commission concurred when the new community plan was adopted in 2004.

Policy Conflict - The proposed RS40 district *is* consistent with the RL policy.

Existing Lots - Out of the 26 parcels included in this rezoning request, 1 is currently developed with a two-family structure.

RECENT REZONINGS - None.

TRAFFIC PUBLIC WORKS' RECOMMENDATION - No Exception Taken:

1. Additional Right-of-way dedication and/or reservation may be required along existing street(s) at development.

Typical Uses in Existing Zoning District: R10

Land Use (ITE Code)	Acres	Density	Total Number of Lots Allowed	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	92.59	3.7	353	3295	257	331

Typical Uses in Existing Zoning District: R10

Land Use (ITE Code)	Acres	Density	Total Number of Lots Existing	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached(210)	92.59	3.7	25	290	27	31

Typical Uses in Proposed Zoning District: RS40

Land Use (ITE Code)	Acres	Density	Total	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	92.59	0.93	86	898	70	93

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
--			61	608	43	62

METRO SCHOOL BOARD REPORT

Projected student generation - The proposed rezoning decreases the allowable density for these properties and will not have significant impact on the area schools.

Schools Over/Under Capacity - Students would attend Haywood Elementary School, McMurray Middle School, or Overton High School. All three schools have been identified as having capacity by the Metro School Board.

CONDITIONS - Planning staff does not recommend that the Commission include the Public Works recommendation as a condition.

Mr. Pereira stated staff is recommending approval without the Public Works recommendation.

Ms. Amelia Workman, 305 Haywood Lane, spoke in favor of the requested zone change.

Ms. Flor Melgar, 327 Haywood Lane, spoke in opposition to the requested zone change.

Mr. Jim Hodge, 313 Haywood Lane, spoke in favor of the proposed zone change request.

Mr. Phil Ponder requested additional information on the zone restrictions for this parcel.

Mr. Clifton stated that the zone change request conforms with the subarea plan.

There was a brief discussion regarding the subarea plan and the specific policies associated with it.

Mr. Ponder moved and Mr. Clifton seconded the motion, which passed unanimously to approve zone change 2005Z-055U-12. **(8-0)**

Resolution No. RS2005-167

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005Z-055U-12 is **APPROVED WITHOUT CONDITIONS. (8-0)**

The proposed RS40 district is consistent with the Crieve Hall/Tusculum Community Plan's RL policy, 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. These parcels fall within a special policy area of the community plan that calls for the rezoning of the R10 district to RS40, and because R10 does not fit the RL policy. The community wanted to see this area of large lots conserved, and the Planning Commission concurred when the new community plan was adopted in 2004."

13. 2005Z-058U-05
Map 083-10, Parcel 10
Subarea 5 (1994)
District 6 (Jameson)

A request to change from CN to MUL district zoning located at 1516 Ordway Place, on the southwest corner of Ordway Place and N. 16th Street, (0.12 acres), requested by Donelson Construction and Development, applicant for Gary Lee Tussing, owner.

Mr. Pereira presented and stated that staff recommendation is approval.

Mr. Brian Smith, 501 North 16th St., requested additional time to learn more about the proposal.

Mr. Tim Jenkins, 1507 Gartland Avenue, requested additional time to learn more about the proposal.

Ms. Andrea Delmont, 1511 Gartland Avenue, spoke in opposition to the proposal.

Mr. Mike Stewart, 412 North 16th Street, requested deferral to allow additional time for a community meeting.

Mr. John Donelson, developer, spoke in support of the proposal.

Mr. Lawson reminded the Commission that Councilmember Jameson requested that this proposal be deferred to allow time for a Community meeting to discuss this development.

Mr. McLean moved, and Ms. Jones seconded the motion to approve Zone Change 2005Z-058U-05.

This motion failed.

Mr. Small moved and Ms. Jones seconded the motion, which passed unanimously to defer Zone Change 2005Z-058U-05 to June 9, 2005. **(8-0)**

Resolution No. RS2005-168

"BE IT RESOLVED by The Metropolitan Planning Commission that 2005Z-058U-05 is DEFERRED to the June 9, 2005 COMMISSION meeting. (8-0)"

14. 2005Z-063U-10
Map 92-14, Parcel 39
Subarea 10 (1994)
District 21 (Whitmore)

A request to change from IR to ORI district property located at 3000 Charlotte Avenue, (4.48 acres), requested by Phil Pace of Floreat, Inc., optionee, for Stephen Browne of Records Browne, LLC, owner.

Staff Recommendation - Approve *without* conditions

APPLICANT REQUEST-Request to change 4.48 acres from Industrial Restrictive (IR) to Office/Residential Intensive (ORI) district property located at 3000 Charlotte Avenue, west of 28th Avenue North.

Existing Zoning

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

Proposed Zoning

ORI district: Office/Residential Intensive is intended for high intensity office and/or multi-family residential uses with limited retail opportunities.

SUBAREA 10 COMMUNITY PLAN POLICY

Industrial and Distribution (IND) - IND policy is intended for existing and future areas of industrial and distribution development. Most types of industrial and distribution uses are found in this policy category including: storage, business centers, wholesale centers, and manufacturing. Certain support uses such as sales, service, and office facilities will also be present in IND areas. 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.

IND Area 14A in Subarea 10 Plan This area intends for uses allowed in IND policy.

Green Hills/Midtown Community Plan update - This community plan is currently undergoing an update, but has not yet been approved by the Planning Commission. This parcel falls within Special Policy Area #1 of the *draft plan update*, which calls for a transition to a Mixed Use policy in areas of existing Industrial policy if and when the proposed street connecting 31st Avenue North to 28th Avenue North is implemented.

Policy Conflict The ORI zoning is partially consistent with the current IND policy, as it allows office and limited retail opportunities, but the IND policy does not call for multi-family residential uses, which are allowed in the ORI district. Despite this inconsistency with policy, there are several parcels nearby to the east which are zoned MUL, including one that was rezoned to MUL by Metro Council within the past month.

RECENT REZONINGS - Properties located at 28th Avenue North and Charlotte Avenue were approved for a rezoning from IR to MUL at the January 13, 2005 Planning Commission meeting, and were approved on 3rd reading by the Metro Council on March 15, 2005.

TRAFFIC PUBLIC WORKS' RECOMMENDATION

1. A TIS may be required at development.
2. Additional right-of-way dedication and/or reservation may be required along existing street(s) at development.

Typical Uses in Existing Zoning District: IR

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	4.48	0.596	116,309	779	92	74

Typical Uses in Proposed Zoning District: ORI

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	4.48	0.497	96,988	1300	183	188

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
--	--			521	91	114

Maximum Uses in Existing Zoning District: IR

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Light Industrial (110)	4.48	0.6	117,089	773	49	5

Maximum Uses in Proposed Zoning District: ORI

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	4.48	3.0	585,446	5219	766	735

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
--				4446	717	730

METRO SCHOOL BOARD REPORT

Projected student generation* 48 Elementary 21 Middle 24 High

Schools Over/Under Capacity - Students would attend Park Avenue Elementary School, Bass Middle School, or Pearl-Cohn High School. Park Avenue has been identified as being full by the Metro School Board, and there is no capacity at another middle school within this cluster. Both Bass Middle School and Pearl-Cohn High School have been identified as having capacity by the Metro School Board. This information is based upon data from the school board last updated February 3, 2005.

*School generation numbers are based on 351 units at 1,500 square feet each.

Fiscal Liability - The Metro School Board reports that due to the overcrowded condition of the school impacted by this proposed rezoning and the lack of capacity of other schools within the cluster, approval of the rezoning and the development permitted by the rezoning will generate a capital need liability of approximately \$576,000 for additional school capacity in this cluster not presently programmed in the 10 year school capital plan. This estimate is based on maintaining current school zone boundaries.

CONDITIONS - Planning staff does not recommend that the Commission include the Public Works recommendations as conditions.

Approved without conditions, (9-0) *Consent Agenda*

Resolution No. RS2005-169

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005Z-063U-10 is **APPROVED WITHOUT CONDITIONS.** (9-0)

The ORI zoning district is partially consistent with the existing Subarea 10 plan’s Industrial (IND) policy, as it allows office and limited retail opportunities, but the ORI zoning also allows for multi-family residential uses, which are inconsistent with the intent of IND policy. Despite this inconsistency with policy, there are

several parcels nearby to the east which are zoned MUL, including one that was rezoned to MUL by Metro Council within the past month.”

- 15. **2005Z-064U-08**
Map 82-13, Parcel 198
Subarea 8 (2002)
District 19 (Wallace)

A request to change from IR to MUN district property located at 510 Madison Street, (.36 acres), requested by John Nelson of Tennessee Real Estate Development Corporation, applicant for owners, Jesse B. Cole and Sue Ellen Cole.

Staff Recommendation - Approve

APPLICANT REQUEST - Request to change 0.36 acres from Industrial Restrictive (IR) to Mixed Use Neighborhood (MUN) district property, at 510 Madison Street, located on the northeast corner of 6th Avenue North and Madison Street.

Existing Zoning

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

Proposed Zoning

MUN district: Mixed Use Neighborhood is intended for a low 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.

Germantown Detailed Neighborhood Design Plan

Mixed Live/Work in Neighborhood Urban - MLW is intended for primarily residential uses, while providing opportunities for small commercial establishments, mostly home-run professional or retail services.

Mixed Use in Neighborhood Urban - MU is intended for buildings that are mixed horizontally and vertically. The latter is preferable in creating a more pedestrian-oriented streetscape. This category allows residential as well as commercial uses. Vertically mixed-use buildings are encouraged to have shopping activities at street level and/or residential above.

The Germantown DNDP also intends that on corner lots in Mixed Use areas, structures should be built to the sidewalk to provide a “Main Street” layout, and on-street parking should be provided wherever feasible.

Policy Conflict - The proposed MUN zoning is consistent with both the *Mixed Live/Work in Neighborhood Urban* and the *Mixed Use in Neighborhood Urban* policies, as it calls for a low intensity mixture of residential, retail, and office uses.

RECENT REZONINGS - None.

TRAFFIC PUBLIC WORKS’ RECOMMENDATION - A TIS may be required 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

General Light Industrial (110)	0.36	0.561	8,797	61	8	9
--------------------------------	------	-------	-------	----	---	---

Maximum Uses in Proposed Zoning District: MUN

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	0.36	0.60	9,409	215	29	90

Typical Uses in Proposed Zoning District: MUN

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Specialty Retail Center (814)	0.36	0.169	2,650	151	28	129

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
--				90	20	120

METRO SCHOOL BOARD REPORT

Projected student generation* 0 Elementary 0 Middle 0 High

Schools Over/Under Capacity - Students would attend Eakin Elementary School, West End Middle School, or Hillsboro High School. All three schools have been identified as having capacity by the Metro School Board. This information is based upon data from the school board last updated February 3, 2005.

*School generation numbers are based on a 6 units at 1,000 square feet each.

Approved, (9-0) *Consent Agenda*

Resolution No. RS2005-170

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005Z-064U-08 is **APPROVED. (9-0)**

The proposed MUN zoning is consistent with both of the Germantown Detailed Neighborhood Design Plan’s land use policies—Mixed Live/Work in Neighborhood Urban and the Mixed Use in Neighborhood Urban—as it calls for a low intensity mixture of residential, retail, and office uses.”

16. **2005Z-066G-12**
 Map 182, Parcel 27
 Map 174, Parcel 151
 Subarea 12 (2004)
 District 32 (Coleman)

A request to change from AR2a to RS10 district properties located at 5791 Cane Ridge Road and a portion of property at Cane Ridge Road (unnumbered) (57.95 acres), requested by Dale & Associates, applicant for owner, Cane Ridge Farms, LLC.

Staff Recommendation - *Approve with condition that infrastructure deficiency issues may be required to be*

addressed at preliminary platting stage.

APPLICANT REQUEST - Rezone 57.95 acres from agricultural/residential (AR2a) to residential single-family (RS10) district at Cane Ridge Road (unnumbered).

Existing Zoning

AR2a district-Agricultural/residential requires a minimum lot size of 2 acres and is intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per 2 acres. This zoning district would permit approximately 25 homes total on this site. **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 proposed zoning district would permit approximately 214 homes total on this site.

SOUTHEAST COMMUNITY PLAN

Residential Low Medium - RLM policy is intended to accommodate residential development within a density range of two to four dwelling units per acre. The predominant development type is single-family homes, although some townhomes and other forms of attached housing may be appropriate.

Policy Conflict - No. The proposed RS15 district is consistent with the Southeast Community Plan’s RLM policy intended for residential development at a density of two to four dwelling units per acre.

Infrastructure Deficiency Area - This property is located within an infrastructure deficiency area for transportation and schools. The transportation infrastructure deficiency grid was applied and Cane Ridge at this location scored a “7”. The property is located on a “fair segment of a fair road” and would provide 50% of a required street connection (approximately 1,026 of approximately 1,666 feet in length), as identified in the Community Plan. Cane Ridge Road is intended to be a collector at this location with only 18’ of pavement existing and 40’ of existing right of way.

Proper road improvements should be considered at the development stage. Staff recommends that the Commission consider the conditions of the roadway prior to making their recommendation. A seven on the transportation deficiency grid, however, generally does not require disapproval of the proposed development under the Planning Commission’s adopted policy for infrastructure deficiency areas.

In addition to road infrastructure deficiencies, the Southeast Community Plan notes that “[i]nadequate school facilities in the area are also a problem in the Southeast Community.” Additional analysis of the projected student generation from this rezoning and school capacity in this area is provided below. Because the school board has programmed for new schools in this area, staff does not recommend disapproval of the requested rezoning based on school deficiencies.

RECENT REZONINGS Parcels to the south were rezoned from AR2a to RS10 in May 2004, by Metro Council. The Planning Commission recommended approval in March 2004.

PUBLIC WORKS’ RECOMMENDATION

1. A TIS is required at development.
2. Direct access to Cane Ridge may be prohibited.

Typical Uses in Existing Zoning District: AR2a

Land Use (ITE Code)	Acres	Density per Acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family	76.94	0.5	38	424	36	45

The Metropolitan Planning Commission DEFERRED Zone Change 2005Z-068U-13 indefinitely at the request of the applicant. (8-0)

18. 2005Z-069U-09
 Map 81-16, Parcels 626, 627, 628, 629, 630
 Subarea 9 (1997)
 District 19 (Wallace)

A request to change from RS3.75 to RM20 district properties located at 1002 Warren Street, 1010 B Jackson Street, 1010 A Jackson Street, 1008 Jackson Street, and 1006 Jackson Street, (0.41 acres), requested by Mitchell Pollard and Gregory Pollard, owners.

Staff Recommendation - Approve with the associated Urban Design Overlay.

APPLICANT REQUEST - Request to change 0.41 acres from Residential Single-Family (RS3.75) to Multi-Family Residential (RM20) district property located at 1002 Warren Street, 1010 A and 1010 B Jackson Street, 1008 Jackson Street, and 1006 Jackson Street.

Existing Zoning

RS3.75 zoning: RS3.75 requires a minimum 3,750 square foot lot and is intended for single-family dwellings at a density of 9.87 dwelling units per acre.

Proposed Zoning

RM20 zoning: RM20 is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre.

DOWNTOWN 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.

Policy Conflict - The development density allowed by the proposed RM20 zoning (20 units/acre) exceeds the development density allowed by RM policy (4-9 units/acre). Though inconsistent with the policy, the Park Place Court Urban Design Overlay has been submitted for this site, which proposes 8 units fronting Jackson and Warren Streets, as well as Hope Gardens Metro park to the north. The applicant has worked judiciously with the Planning Department and MDHA to follow their design guidance, and to design a plan consistent with the overall intent of the RM policy in the area.

RECENT REZONINGS -None.

TRAFFIC PUBLIC WORKS' RECOMMENDATION - No Exception Taken.

Typical Uses in Existing Zoning District: RS3.75

Land Use (ITE Code)	Acres	Density per Acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	0.41	9.89	4	54	13	6

Maximum Uses in Existing Zoning District: RM20

Land Use (ITE Code)	Acres	Density per Acre	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Residential Condo./townhome (230)	0.41	20	8	74	7	8

Setbacks - The Code-required front setbacks for RM20 zoning on a nonarterial street is 60 feet, and this standard would normally apply. However, under this UDO, the plan proposes a 10 foot front setback on both Warren and Jackson Streets to provide a solid streetscape.

Parking - eleven parking spaces have been provided at the rear (eastern) side of the UDO boundary, angled acutely towards the south along an existing alley (9 parking spaces are required). In addition, six feet of right-of-way has been dedicated to the existing alley, as per the Public Works' condition. *The exact final parking configuration must meet Public Works' conditions*, as outlined below, including a minimum queuing distance of twenty feet to be provided along all access drives between the street right-of-way line and the nearest parking space.

UDO standards and conditions - The applicants have worked with the Planning Department to follow specific design guidelines for this project, and where not complying with regular requirements of the Code, they have received the consent of Planning staff. All UDO standards that are noncompliant with the Metro Code must be noted on the plans. The following conditions of approval apply:

1. **Building Height:** The maximum building height shall not to exceed 2 ½ stories.
2. **Porches:** The minimum depth shall be 6 feet. Where houses are on the corners of streets and other public open space, wrap around porches shall be incorporated.
3. **Parking area screening:**
 - Parking must not be visible from public streets, except for alleys, and shall be screened with a 3 ft. year round screen (specify bed width if different from code.)
 - Parking shall be screened from interior courtyard.
4. **Landscape buffers:**
 - In lieu of the required B buffer yard on the east side of property, plant material shall be distributed throughout the site, and a landscaping plan that addresses this must be jointly approved by the Metro Planning and Parks Departments.
 - In lieu of the required B buffer yard to the north of the property, plant material shall be distributed throughout the adjacent park and a landscaping plan that addresses this must be jointly approved by the Metro Planning and Parks Departments.
5. A 5' sidewalk shall be shown along the parking area.
6. A 5' sidewalk shall be located on the park side of the northern property line (this must be coordinated with the Metro Parks Department). Maintenance of this sidewalk shall be the responsibility of the applicant. A note shall be added to the plans indicating this, and it must reference the restrictive covenant number, to be recorded by final UDO stage.
7. There is a requirement for a minimum raised foundation of 24 inches.
8. Architectural Treatment Standards:
 - Vinyl siding is prohibited.
 - Windows: With the exception of transoms, windows shall be square or vertically proportioned and rectangular in shape with vertically proportioned or square sashes and panes. Windows should not be flush mounted to the exterior of the façade.
 - Muntins, if installed, shall be true divided lites or simulated divided lites on both sides of the window. Snap-in type muntins are prohibited.
 - Shutters, if installed, shall be sized and shaped to match their openings.

METRO PUBLIC WORKS' CONDITIONS - Preliminary approvals are subject to Public Works approval of construction plans to be included with the final UDO.

1. Dedicate ½ of standard alley right-of-way on alley #565 and install 18 feet of pavement along property frontage.
2. Show passenger car turning template for turning movements for off-alley parking. Parking as shown does not appear to work.
3. Identify garbage/waste management pickup plan.
4. Show parking wheel stop, or other device, to prevent overhang of parked cars on proposed sidewalk
5. No portion of any required parking space shall be located within the right-of-way of a street or alley.
6. For parking areas with ten or more spaces, a minimum queuing distance of twenty feet shall be provided along all access drives between the street right-of-way line and the nearest parking space.
7. Revise the parking layout to configure parking spaces at an angle to the north, away from Jackson Street, as per the requirements of Section 17.20.060 of the Metro Zoning Ordinance. This configuration must comply with the stall depth and driveway width standards as per Table 17.20.060 (90 degree angle parking requires 24 feet of driveway width, 65 degree angle parking requires 17 feet of driveway width, etc.).

METRO STORMWATER RECOMMENDATION - Plans in line for technical review.

Note: Stormwater Department has indicated that minor comments on water detention areas are forthcoming. Revised plans must adequately address these minor comments.

CONDITIONS (if approved):

8. 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.
9. A maximum of one sign identifying the development may be permitted not to exceed 4 feet in height and 20 square feet in area. Sign shall be set back in line with the proposed building setbacks.
10. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
11. 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.
12. UDO plans must comply with the design conditions of Planning Department staff, as noted above.
13. UDO plans must comply with Public Works' requirements of approval, as noted above.
14. UDO plans must adequately address the final Stormwater technical review comments.

Approved with conditions, (9-0) *Consent Agenda*

Resolution No. RS2005-173

"BE IT RESOLVED by The Metropolitan Planning Commission that 2005UD-004U-09 is **APPROVED WITH CONDITIONS, including the elimination of "UDO standards and conditions" #4b and #6, the amendment of "UDO standard and condition" #4a to read "...that plant material shall be distributed throughout the site, and/or park..."**, and adding the new condition that the minimum setback from the property line along the park boundary is to be five feet, except for units 7 and 8, in which case there shall be a five foot minimum planting strip between the front porch and the inside edge of the proposed sidewalk. (9-0)

Conditions of Approval:

Note: the following list includes both Urban Design Overlay standards and conditions with which must be complied. Following this first list are other conditions of approval for this UDO.

UDO standards and conditions:

1. Building Height: The maximum building height shall not exceed 2 ½ stories.
2. Porches: The minimum depth shall be 6 feet. Where houses are on the corners of streets and other public open space, wrap around porches shall be incorporated.
3. Parking area screening:
 - a. Parking must not be visible from public streets, except for alleys, and shall be screened with a 3 ft. year round screen (specify bed width if different from code.)
 - b. Parking shall be screened from interior courtyard.
4. Landscape buffers:
 - a. In lieu of the required B buffer yards, plant material shall be distributed throughout the site, and/or park, and a landscaping plan that addresses this must be jointly approved by the Metro Planning and Parks Departments.
5. A 5' sidewalk shall be shown along the parking area.
6. *Condition 6 omitted*
7. There is a requirement for a minimum raised foundation of 24 inches.
8. Architectural Treatment Standards:
 - a. Vinyl siding is prohibited.
 - b. Windows: With the exception of transoms, windows shall be square or vertically proportioned and rectangular in shape with vertically proportioned or square sashes and panes. Windows should not be flush mounted to the exterior of the façade.
 - c. Muntins, if installed, shall be true divided lites or simulated divided lites on both sides of the window. Snap-in type muntins are prohibited.
 - d. Shutters, if installed, shall be sized and shaped to match their openings.
9. Minimum setback from the property line along the park boundary is to be five feet, except for units 7 and 8, in which case there shall be a five foot minimum planting strip between the front porch and the inside edge of the proposed sidewalk.
10. Minimum setback from front property line is ten feet.
Maximum setback from front property line is twenty-five feet.

Conditions of approval:

1. 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.
2. A maximum of one sign identifying the development may be permitted not to exceed 4 feet in height and 20 square feet in area. Sign shall be set back in line with the proposed building setbacks.
3. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
4. 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.

interconnected street network and the open space is provided in appropriate locations.

RECENT REZONINGS - There have been many rezonings and subdivision developments in this area over the past several years. The property adjoining to the east and the south was rezoned to RS10 by BL2002-1148 in 2002 and was commonly referred to as "Windhaven Shores."

TRAFFIC PUBLIC WORKS' RECOMMENDATION - No exceptions taken.

Typical Uses in Existing Zoning District: AR2a

Land Use (ITE Code)	Acres	Density per Acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached	17.37	0.5	9			

Maximum Uses in Existing Zoning District: RS10/PUD

Land Use (ITE Code)	Acres	Density per Acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single Family Detached	17.37	3.7	46*			

*number of lots proposed in associated PUD

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
--			+37			

METRO SCHOOL BOARD REPORT

Projected student generation **11** Elementary **9** Middle **8** High

Schools Over/Under Capacity - Students would attend Mt. View Elementary School, Kennedy Middle School, and Antioch High School. All three have been identified as being over capacity by the Metro School Board. There is capacity at other elementary and middle schools within the cluster, but not at other high schools. There is high school capacity in the adjacent Glenclyff cluster. This information is based upon data from the school board last updated February 3rd, 2005.

Approved, (9-0) *Consent Agenda*

Resolution No. RS2005-174

"BE IT RESOLVED by The Metropolitan Planning Commission that 2005Z-070G-13 is **APPROVED. (9-0)**

This zone change request is consistent with the Antioch/Priest Lake Community Plan's Neighborhood General policy because the associated Planned Unit Development district ensures that the layout of the streets and lots conforms to the policy. The plan provides an interconnected street network and open space is provided in appropriate locations."

- 21. **2005P-016G-13**
Meroney Property
Map 164, Parcel 57
Subarea 13 (2003)

District 32 (Coleman)

A request for Preliminary approval for a Planned Unit Development district located at 3681 Hamilton Church Road, east of Hobson Pike, classified AR2a and proposed for RS10, (17.37 acres), to permit 46 single-family lots, requested by Wamble and Associates for Kenneth Meroney, owner.

Staff Recommendation *Approve with conditions*

APPLICANT REQUEST -Preliminary PUD

Request for preliminary approval for a Planned Unit Development district located at 3681 Hamilton Church Road, east of Hobson Pike, classified AR2a and proposed for RS10, (17.37 acres), to permit 46 single-family lots.

PLAN DETAILS

Site Design -This subdivision completes Pin Oak Drive, which connects Hamilton Church Road to Pin Hook Road on the south.

Stormwater - Prior to final PUD approval, this project will need an approval from the Stormwater Management Appeal Board for the road crossing the stream. A larger buffer around the stream may be required. The minimum stream buffer width is 60 feet. There are some sections that are less than 60 feet. All of these sections are in open space and should not affect lot layout or roadways.

Water and Sewer- A sewer pump station and force main improvements may be required.

Fire Marshal's Office

1. No part of any building shall be more than 500 feet from a fire hydrant via an approved hard surface road.
3. Fire hydrants shall flow at least 1,000 gallons per minute at 40 PSI.
4. Dead end roadways over 150 feet in length require a 100-foot diameter turnaround or a temporary turnaround approved by the Fire Marshal's Office.

PUBLIC WORKS' RECOMMENDATION - Approvals are subject to Public Works of construction plans submitted with their final PUD.

The minimum elevation of public streets shall be a minimum of one foot above the 100-year flood plain elevation.

Traffic

1. Construct a three lane cross section on Hamilton Church Road along the length of the property frontage.
2. Install a 2-way center turn land on Hamilton Church Road with transitions per AASHTO standards.
3. Provide adequate sight distance at access road and Hamilton Church Road.
4. Construct access road with 2 exit lanes with a minimum of 100 feet of storage.

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. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.

Approved with conditions, (9-0) *Consent Agenda*

Resolution No. RS2005-175

"BE IT RESOLVED by The Metropolitan Planning Commission that 2005P-016G-13 is **APPROVED WITH CONDITIONS. (9-0)**

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 adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.”

IX. PRELIMINARY SUBDIVISION PLATS

22. **2004S-158G-12**
 Waterford Estates (Formerly Cane Ridge Estates)
 Map 174, Parcel 035
 Subarea 12 (2004)
 District 32 (Coleman)

A request for revision to the preliminary plat approval to create 75 lots on the northeast side of Cane Ridge Road, approximately 2,765 feet southeast of Old Franklin Road, (31.0 acres), classified within the RS15 district, requested by Dotson and Thomasson, owner/developer, Dale and Associates, surveyor.

Staff Recommendation - *Approve with conditions*

APPLICANT REQUEST - Preliminary Plat

A request to revise a condition of approval on a preliminary subdivision plat of 30.6 acres into 74 lots using the cluster lot option, at a proposed density of 2.4 units per acre.

The plat was conditioned that grading could not take place until the final plat was approved by the Planning Commission. The grading plans for the project have been approved by Metro Stormwater, and all state approvals have been obtained, and the applicant now desires to begin grading.

A similar preliminary plat for 86 lots was approved on this site 8/22/02, entitled Cane Ridge Estates. The property is located on the east side of Cane Ridge Road, opposite the Cane Ridge Farms Subdivision.

ZONING

RS15 District - RS15 district requiring a minimum lot size of 15,000 square feet and intended for single family dwellings at a density of 2.47 dwelling units per acre.

CLUSTER LOT - Applicant proposes to reduce lots two (2) base zoning districts, from RS15 (minimum 15,000 sq. ft. lot) to RS7.5 (minimum 7,500 sq. ft. lot). The proposed lots range in size from 7,500 sq. ft. to 13,400 sq. ft. The plan sets aside 33.4% (11.01 acres) in open space.

SUBDIVISION DETAILS CURRENT - Plans for lot layout, grading, storm drainage and water quality features (including buffer yard designations) have been approved by Metro Stormwater. Permits from the State of Tennessee, Department of Environment and Conservation and the Us Army Corps of Engineers have been obtained for road crossings and utility line crossings of streams and alterations of wet weather conveyances. The plans match the preliminary plat that was approved by the Planning Commission on June 10, 2004. Staff recommends removing the condition to hold grading permits until final plat approval because the applicant has met the intent of the condition with this request.

STAFF REPORT FROM 6/10/04 - The strip of land that abuts the south side of Cane Springs Road and runs

approximately 580 feet starting at the project entrance on Cane Ridge Road and extending east is being dedicated by the plat as right-of-way. This dedication will make possible future access or utility connections for property to the south. It is not a "spite strip."

Blue Line Stream - The plan has been revised to account for blue line stream, or drain, traversing the property. Concern about these blue line streams was raised during the review of the Cane Ridge Estates plat in 2002, and staff indicated that a redesign would most likely be necessary. The applicant is showing a 60-foot buffer around the drain. This means that the stream is only 10 feet wide with 25-foot buffers on each side. On the grading plans and the final plat, the applicant will be required to show the top of the bank and the stream buffer. If the drain turns out to be more than 10-feet wide and causes the encroachment of the buffer into the lots, some of the lots may be lost. Lots cannot encroach into the buffers.

Spring House - Concern was raised during the last review over a natural spring that is located in the vicinity of the Cane Springs Road/Springhouse Way intersection, adjacent to lots 273 and 274. This plat makes reference in that the spring will be protected by temporary fencing during construction. Crossing of the springbed must be approved by TDEC before construction begins. There is great concern about this spring as it feeds a well and a pond on the adjacent neighbor's property (Mark W. and Carol A. Dugger).

The previous approval of Cane Ridge Estates included a condition that until more details have been presented about the spring's preservation and the treatment of the blue-line stream, **no grading, blasting or building construction permits be issued until after Metro Stormwater and TDEC conduct their final investigation, and the Planning Commission approves a final plat.** Staff recommends that this condition remain.

Southeast Parkway - The Southeast Parkway is proposed to cross this property on the south side of the TVA easement. A reservation of 84 feet was negotiated in 2002, and has been shown on the plat. Since that time, it has been determined that the need for the Southeast Parkway will be 92 feet.

TRAFFIC PUBLIC WORKS RECOMMENDATION

The following were the previously approved conditions for Cane Ridge Estates and are recommended being included as a condition of approval for this project:

1. As a condition of this approval, the developer will provide additional pavement width on Cane Ridge Road south of Preston Road. This is to be the continuation of the southbound, right side edge of pavement from north of Preston Road to south of Preston Road and then a smooth transition back to the existing alignment. In addition, the developer will smooth the transition on Cane Ridge Road through the intersection by attempting to shave the top of the hill and create a less severe drop in the roadway. A plan will need to be submitted to and approved by the Traffic Engineer prior to the approval of any final plats.

Additionally:

1. Cane Ridge Road is identified as a U4. Identify Cane Ridge Road and the proposed Cane Springs Road intersection design to include a southbound left turn lane on Cane Ridge Road, 84 feet of ROW and the proposed Cane Ridge Road alignment with the existing road.
2. Sight distance at the proposed access road shall be documented.
3. All preliminary plats are subject to Public Works' of construction plans.
4. The minimum radius of a turnaround is 41.5 feet.

CONDITIONS

The following conditions need to be satisfied prior to the planning commission meeting:

1. A standard "C" type landscape buffer yard must be clearly delineated as running the entire western boundary of the perimeter of the subdivision. If existing vegetation is to be used to satisfy the required landscape buffer yard requirements of the Zoning Code, landscape plans must be reviewed and approved by the Urban Forester prior to grading plan approval.

2. ~~Due to the issues involved with this site and the lack of information that is available at the preliminary plat stage, a note must be added across the plat's lot layout in large, bold font: "No grading, blasting, or building permits shall be issued for any portion of this property prior to the approval of the final plat." This is the condition to be deleted pursuant to the applicants current request~~
3. All conditions listed in the Public Works Recommendation shall be required, and the developer must submit a plan to the Metro Traffic Engineer for the improvement of the Cane Ridge Road in the vicinity of Preston Road prior to the approval of any final plats.
4. The reservation of 84 feet for the Southeast Parkway needs to be adjusted to 92 feet.

Approved with conditions, **(9-0) Consent Agenda**

Resolution No. RS2005-176

"BE IT RESOLVED by The Metropolitan Planning Commission that 2004S-158G-12 is **APPROVED WITH CONDITIONS. (9-0)**

Conditions of Approval:

1. As a condition of this approval, the developer will provide additional pavement width on Cane Ridge Road south of Preston Road. This is to be the continuation of the southbound, right side edge of pavement from north of Preston Road to south of Preston Road and then a smooth transition back to the existing alignment. In addition, the developer will smooth the transition on Cane Ridge Road through the intersection by attempting to shave the top of the hill and create a less severe drop in the roadway. A plan will need to be submitted to and approved by the Traffic Engineer prior to the approval of any final plats.
2. Cane Ridge Road is identified as a U4. Identify Cane Ridge Road and the proposed Cane Springs Road intersection design to include a southbound left turn lane on Cane Ridge Road, 84 feet of ROW and the proposed Cane Ridge Road alignment with the existing road.
3. Sight distance at the proposed access road shall be documented.
4. All preliminary plats are subject to Public Works' of construction plans.
5. The minimum radius of a turnaround is 41.5 feet.
6. A standard "C" type landscape buffer yard must be clearly delineated as running the entire western boundary of the perimeter of the subdivision. If existing vegetation is to be used to satisfy the required landscape buffer yard requirements of the Zoning Code, landscape plans must be reviewed and approved by the Urban Forester prior to grading plan approval.
7. ~~Due to the issues involved with this site and the lack of information that is available at the preliminary plat stage, a note must be added across the plat's lot layout in large, bold font: "No grading, blasting, or building permits shall be issued for any portion of this property prior to the approval of the final plat." This is the condition to be deleted pursuant to the applicants current request~~
8. The reservation of 84 feet for the Southeast Parkway needs to be adjusted to 92 feet."

23. **2005S-084G-14**
Hay's Hamlet
Map 064, Part of Parcel 032
Subarea 14 (2004)
District 11 (Brown)

A request for preliminary approval for 39 lots abutting the east side of Shute Lane, approximately 600 feet south of

Saundersville Road,(10.79 acres), classified with the R10 District, requested by National Heritage of Tennessee, Inc., owner Craighead Development, LLC, owner/developer, Volunteer Surveying, surveyor.

Ms. Harris presented and stated that staff is recommending approval. She also stated that Councilmember Brown requested a deferral, but the applicant chose to move forward.

Mr. Gerald Pervis, 808 South Chestnut Court, requested that the proposal be deferred to allow additional time to learn about the development.

Ms. Eva Scott, 806 S. Chestnut Court, requested that the proposal be deferred to allow additional time to learn about the development.

Ms. Jones moved, and Ms. Nielson seconded the motion, which passed unanimously to defer Subdivision 2005-084G-14 to June 9, 2005. **(8-0)**

Resolution No. RS2005-177

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005S-084G-14 is **DEFERRED to the June 9, 2005 COMMISSION meeting. (8-0)**”

X. FINAL PLATS

24.

2005S-049U-12

H. G. Hill Edmondson Pike
Map 147-03, Parcel 013
Map 147-07, 29, 30, 34
Subarea 12 (2004)
District 27 (Foster)

A request for final plat approval to create 3 lots abutting the southwest corner of Edmondson Pike and Nolensville Pike, (12.25 acres), classified within the MUL and CL Districts, requested by H. G. Hill Realty, owner, Cherry Land Surveying, surveyor.

Staff Recommendation - Approve

APPLICANT REQUEST - Final Plat

This request is to create 3 lots at the southwest corner of Edmondson Pike and Nolensville Pike (12.25 acres).

ZONING

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

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.

SUBDIVISION DETAILS - This subdivision proposes the consolidation of four existing parcels and then resubdivides these 4 into three buildable lots-- Lot 1 fronts on both Edmondson and Nolensville Pike (2.184 acres), lot 2 fronts on Nolensville Pike (1.19 acres), and lot 3 fronts on Edmondson Pike (9.92 acres).

Sidewalks-As this is in the Urban Services District and there is an existing sidewalk on the property frontage along Edmondson Pike, sidewalk extensions must be constructed around the corner from Edmondson to the frontage of the property with Nolensville Pike. This has been indicated on the plat.

Floodplain and stream-This site has 100-year floodplain on it, which has been shown accordingly. A 50' buffer has been observed on both sides of a stream.

PUBLIC WORKS' RECOMMENDATION - The conditions of approval that were placed on 2003Z-119U-12, a rezoning from R6 to MUL on a portion of this property, have been deferred by Public Works to the building permit stage.

STORMWATER DEPARTMENT RECOMMENDATION

Approved Except as Noted:

1. The base flood elevation should be 508.8 per the study instead of 509.8 per the study. The base flood elevation as shown is acceptable. The FFE in note #13 is correct at 509.8 (1 ft. over 100-year flood).

Approved with conditions, **(9-0) Consent Agenda**

Resolution No. RS2005-178

"BE IT RESOLVED by The Metropolitan Planning Commission that 2005S-049U-12 is **APPROVED WITH CONDITIONS. (9-0)**

Conditions of Approval:

1. The base flood elevation should be 508.8 per the study instead of 509.8 per the study. The base flood elevation as shown is acceptable. The FFE in note #13 is correct at 509.8 (1 ft. over 100-year flood)."

-
25. **2005S-091U-11**
Glendale Subdivision
Map 119-07, Parcel 002
Subarea 11 (1999)
District 16 (McClendon)

A request for final plat approval to create two lots abutting the northwest corner of Dodge Drive and Old Glenrose Avenue, (0.64 acres), classified within the RS10 District, requested by Bob Bass, owner, Crouch Engineering, surveyor.

Staff Recommendation - Approve, but *disapprove sidewalk variance*.

APPLICANT REQUEST - Final Plat

This request is to create 2 lots on 0.64 acres on the northwest corner of Dodge Drive and Old Glenrose Avenue.

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.

SUBDIVISION DETAILS

Lot Comparability -Section 2-4.7 of the Subdivision Regulations states 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 both lots pass for lot area and frontage.

Sidewalk Variance - A variance has been requested for sidewalks for lot 2 along Dodge Drive. A sidewalk constructability report was conducted by Metro Public Works and found that if the sidewalk is constructed, the at grade storm inlet structure may need some adjustment to utilize the existing drainage system.

Sidewalks are required on lot 2 since the property is located within the Urban Services District and new development rights are being created on that lot only, however, they are not shown on the plat.

Lot Size Variance - Section 2-4.2 (D) of the Subdivision Regulations states that the proposed lot area is not to exceed three times the minimum lot size required by the Zoning Ordinance for the zone district where the proposed subdivision is located.

The zoning district in this area is R8, which requires a minimum lot size of 8,000 square feet and the under the Regulations allows a maximum of 24,000 square feet. The plan proposes a 27,641 square foot lot for Lot 2, which exceeds the maximum lot size requirement under the Regulations.

Staff recommends approval of this variance. The existing parcel is 0.87 acres or 37,897 sq. ft., which already exceeds the maximum lot size requirement for R8 zoning.

Sidewalks - Sidewalks are required on lot 2 since the property is located within the Urban Services District and new development rights are being created on that lot only. Sidewalks are not shown on the plat, however. The applicant can either construct the sidewalks or make a financial contribution in lieu of constructing the sidewalks to the Metro Sidewalk Fund. The plat must be revised either to show the sidewalk, or a note must be added to the plat and proof provided to indicate that the required contribution has been paid.

PUBLIC WORKS RECOMMENDATION - No Exception Taken.

Approved with condition that the plat must be revised either to show the sidewalk or a note must be added to the plat and proof provided that a financial contribution has been paid. **(9-0), Consent Agenda**

Resolution No. RS2005-180

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005S-108U-07 is **APPROVED WITH CONDITION THAT THE PLAT BE REVISED PRIOR TO RECORDING TO EITHER SHOW THE SIDEWALK, OR A NOTE AND PROOF THAT A FINANCIAL CONTRIBUTION HAS BEEN PAID. (9-0)**”

27. **2005S-113U-03**
Syrus Estates
Map 71-0, Parcel 46
Subarea 3 (2003)
District 2 (Isabel)

A request for final plat approval to create 2 lots located on the north side of Yokley Road, (0.344 Acres), classified within the RS7.5 district, requested by Dale and Associates, applicant, for DY Properties II, LLC, owner.

Staff Recommendation - *Approve with conditions, but disapprove sidewalk variance.*

APPLICANT REQUEST - Final Plat

Request for final approval to subdivide approximately 0.34 acres into 2 single-family lots.

Zoning

RS7.5-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.

PLAN DETAILS - As proposed, the request will create 2 new lots.

Lot Comparability - Section 2-4.7 of the Subdivision Regulations stipulates 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

Staff Recommendation - Approve with conditions if Metro Water Services has approved the plan prior to the Planning Commission meeting, and including a lot comparability waiver for lot frontage, but defer if Water Services approval is not received.

APPLICANT REQUEST

Final Plat - Request for final approval to subdivide approximately 0.75 acres into 4 single-family lots.

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.

PLAN DETAILS - As proposed the request will create 4 new lots with the following area:

- Lot 1: 7,534 Sq. Ft., (.17 Acres);
- Lot 2: 7,505 Sq. Ft., (.17 Acres);
- Lot 3: 8,774 Sq. Ft., (.20 Acres);
- Lot 4: 8,989 Sq. Ft., (.21 Acres).

The lots will be located along the eastern terminus of McKennie Avenue. McKennie Avenue will terminate at the western frontage of lots 3 and 4. Typically staff would recommend that the road be extended to the property line for future connections, or if the connection is not feasible that a turn around be provided at the end of the street. Since the eastern adjacent property is developed, however, it is very unlikely that the road will ever be extended. Therefore, a stub street for a future connection is not necessary.

A natural buffer exists along the eastern property line. This area was left as is to buffer the single-family residential neighborhood from the adjacent apartment complex. Any turn around would significantly impact the buffer, which could have a negative impact on the neighborhood. Because of the negative impact the turn around could have on the neighborhood by diminishing, if not completely removing the buffer, staff recommends the street remain in its existing conditions

Lot Comparability - Section 2-4.7 of the Subdivision Regulations stipulates 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” (p. 9). A lot comparability waiver can be granted if the lot fails the lot comparability analysis (is smaller in lot frontage and size) if the new lots would be consistent with the General Plan (p.9).

The lot comparability analysis yielded a minimum lot area of 5,853 sq. ft. and a minimum allowable lot frontage of 53 linear feet. All lots pass for minimum area, while lots 3 and 4 fail for minimum lot frontage.

Staff recommends approval of the waiver for lots 3 and 4 because it is consistent with the Residential Medium (RM) land use policy for this area. Residential Medium policy is for residential development with an overall density of this development 4 to 9 dwelling units per acre. As proposed, the density is approximately five dwelling units per acre.

Although the frontage for lots 3 and 4 are significantly less than the area average, the awkward layout of the current property lines, support the waiver because the proposed plat is the most coherent option for subdividing the property into 4 lots.

Sidewalks - Sidewalks are proposed along McKennie Avenue for lots 1 and 2. Due to the layout of the lots, staff recommends that sidewalks not be provided along the frontage of lots 3 and 4. Because the frontage for both lots will consist mostly of paved surface for the driveways, and that the frontage is the terminating point of the street, no contribution to the pedestrian network is required.

TRAFFIC PUBLIC WORKS’ RECOMMENDATION - Identify pedestrian easement along public sidewalk, parallel and adjacent to right-of-way. Minimum easement shall be three (3) feet parallel and adjacent to right-of-

way plus the width of sidewalk outside of right-of-way.

STORMWATER RECOMMENDATION - Approve

WATER SERVICES - Sewer line must be extended.

CONDITIONS

1. The extension of sewer service will be required, prior to building permits being issued.
2. A 10 foot wide natural landscape buffer must be identified on the plan and provided along the eastern property line of lots 3 and 4. This area is to be left in its natural state.
3. A 20 foot wide natural landscape buffer or buffer which will adequately protect existing trees (whichever is greater) must be identified on the plan and provided at the eastern end of lots 3 and 4 abutting the eastern terminus of McKennie Avenue. This area is to be left undisturbed in a natural state; however, additional plantings may be required if determined to be necessary by the Urban Forester or by MPC staff.
4. Identify pedestrian easement along public sidewalk, parallel and adjacent to right-of-way. Minimum easement shall be three (3) feet parallel and adjacent to right-of-way plus the width of sidewalk outside of right-of-way.
5. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.

Approved with conditions including a lot comparability waiver, **(9-0) Consent Agenda**

Resolution No. RS2005-182

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005S-121U-05 is **APPROVED WITH CONDITIONS, INCLUDING A LOT COMPARABILITY WAIVER. (9-0)**

Conditions of Approval:

1. The extension of sewer service will be required, prior to building permits being issued.
 2. A 10 foot wide natural landscape buffer must be identified on the plan and provided along the eastern property line of lots 3 and 4. This area is to be left in its natural state.
 3. A 20 foot wide natural landscape buffer or buffer which will adequately protect existing trees (whichever is greater) must be identified on the plan and provided at the eastern end of lots 3 and 4 abutting the eastern terminus of McKennie Avenue. This area is to be left undisturbed in a natural state; however, additional plantings may be required if determined to be necessary by the Urban Forester or by MPC staff.
 4. Identify pedestrian easement along public sidewalk, parallel and adjacent to right-of-way. Minimum easement shall be three (3) feet parallel and adjacent to right-of-way plus the width of sidewalk outside of right-of-way.
 5. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.”
-

29. **2005S-122G-06**
Hulan Heights
Map 142, Parcel 295,367
Subarea 6 (2003)
District 22 (Crafton)

A request for final plat approval to create 3 lots on the south side of Bellevue Road, west of Wild Iris Drive, (2.29 acres), classified within the RS15 district, requested by E.H. Evans, owner, Crawford Land Surveyors, surveyor.

The Metropolitan Planning Commission DEFERRED Subdivision 2005S-122G-06 indefinitely at the request of the applicant. (8-0)

30. **2005S-125G-10**
Richland Woods
Map 159, Parcel 54, 126, 127
Subarea 10 (1994)
District 34 (Williams)

A request for final plat approval to create 12 lots located along the east side of Granny White Pike, (19.02 acres), classified within the R40 district, requested by J. Mack Cantrell, applicant, for Mildred B. Carter, owner.

The Metropolitan Planning Commission DEFERRED Subdivision 2005S-125G-10 to May 26, 2005 at the request of the applicant. (8-0)

XI. PLANNED UNIT DEVELOPMENTS (revisions)

31. **28-79-G-13**
Berkley Hall Section II (formerly Hickory Highlands)
Map 149, Parcel 228
Subarea 13 (2003)
District 28 (Alexander)

A request for final approval for Section II of the Residential Planned Unit Development located on the northwest side of Rural Hill Road and the eastern margin of Moss Road, classified RM6 and RS10, (42.11 acres), to permit the development of 87 single family lots and 85 condominium units, requested by Dale and Associates for Burns, Deselms and Howell, owner.

Staff Recommendation - ~~Approve with conditions~~

Deleted: *Defer indefinitely due to lack of approval from Metro Stormwater*

APPLICANT REQUEST - Final PUD

A request for final approval for a phase of a Residential Planned Unit Development, to permit the development of 87 single-family lots and 85 condominium units on approximately 42 acres.

PLAN DETAILS

This is Phase II of a section of a multi-phased Planned Unit Development. This phase was originally approved for 140 single-family lots, but was amended in 2003, to allow 92 single-family lots, and 85 condominium units.

The present proposal is consistent with the 2003, amended plan with the exception that the number of single-family lots has been reduced from 92 to 87.

The Fire Marshal has expressed concern over the temporary stub streets proposed in this development, and will require some type of turn around that will adequately accommodate fire equipment. Although this requirement will not significantly change the present plan, it could cause the development to lose one or more lots. Staff has included a recommended condition, below, that addresses this situation.

TRAFFIC PUBLIC WORKS RECOMMENDATION

1. Identify centerline horizontal curve data. Include a minimum of four (4) references.
2. Centerline profile on Samwise Lane does not appear to conform to current AASHTO design requirements for a 30 mph design speed.
3. The centerline profile of Frodo Lane does not appear to show the Samwise Lane intersection location.
4. Check minimum cover over utilities for road base.
5. Identify curb accessibility ramps.
6. Identify Detectable Warnings at curb returns.
7. Identify pedestrian easement along public sidewalk and parallel to ROW. Minimum easement shall be three (3) feet parallel and adjacent to ROW plus the width of sidewalk outside of ROW.
8. Identify all applicable Public Works details. Delete standard drawings: ST-301, ST-213, ST-313 and ST-214. Add standard drawings including: ST-210, ST-209, ST-322, ST-320, ST-328, and ST-330.
9. Revise General Notes on Sheet C5.0
10. Add Public Works construction note:
 - All work within the public right of way requires an Excavation Permit from the Department of Public Works.
 - Proof-rolling of ALL street sub-grades is required in the presence of the Public Works' Inspector. This request is to be made 24 hours in advance.
 - Stop signs to be 30"x30"
 - Street sign to have six-inch white letters on a nine inch green aluminum blade.
 - All signs to have 3M reflective coating.
11. Identify garbage/waste management pickup plan.
12. Comply with all previous conditions of preliminary approval.

STORMWATER RECOMMENDATION

1. Need NOC.
2. Adjust erosion control as note on the plans. Reference the BMP associated with each measure.
3. Provide all civil details (correct outlet protection, junction box/manhole, etc.).
4. Adjust pipe sizes (P-17).
5. Pipe velocities exceed recommended velocities.
6. Check spread on public roads and adjust as needed.
7. Need access easement to Pond 1.
8. Provide water quality and quantity information for Pond 2.
9. Emergency spillway does not identify Cipoletti weir as cited in crest information.
10. Provide larger delineation (with elevations) of the 40 acre drainage.
11. Make all corrections as noted on the plans.

CONDITIONS

1. Must comply with all Stormwater conditions.
2. Must comply with all Public Works' conditions.
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 adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required

turnaround may be up to 100 feet diameter.

6. 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.
7. 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.
8. 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.

Approved with conditions, **(9-0) Consent Agenda**

Resolution No. RS2005-183

“BE IT RESOLVED by The Metropolitan Planning Commission that 28-79-G-13 is **APPROVED WITH CONDITIONS. (9-0)**”

Conditions of Approval:

1. Identify centerline horizontal curve data. Include a minimum of four (4) references.
2. Centerline profile on Samwise Lane does not appear to conform to current AASHTO design requirements for a 30 mph design speed.
3. The centerline profile of Frodo Lane does not appear to show the Samwise Lane intersection location.
4. Check minimum cover over utilities for road base.
5. Identify curb accessibility ramps.
6. Identify Detectable Warnings at curb returns.
7. Identify pedestrian easement along public sidewalk and parallel to ROW. Minimum easement shall be three (3) feet parallel and adjacent to ROW plus the width of sidewalk outside of ROW.
8. Identify all applicable Public Works details. Delete standard drawings: ST-301, ST-213, ST-313 and ST-214. Add standard drawings including: ST-210, ST-209, ST-322, ST-320, ST-328, and ST-330.
9. Revise General Notes on Sheet C5.0
10. Add Public Works construction note:
 - a. All work within the public right of way requires an 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. This request is to be made 24 hours in advance.
 - c. Stop signs to be 30”x30”
 - d. Street sign to have six-inch white letters on a nine inch green aluminum blade.
 - e. All signs to have 3M reflective coating.
11. Identify garbage/waste management pickup plan.
12. Comply with all previous conditions of preliminary approval.

13. Need NOC.
14. Adjust erosion control as note on the plans. Reference the BMP associated with each measure.
15. Provide all civil details (correct outlet protection, junction box/manhole, etc.).
16. Adjust pipe sizes (P-17).
17. Pipe velocities exceed recommended velocities.
18. Check spread on public roads and adjust as needed.
19. Need access easement to Pond 1.
20. Provide water quality and quantity information for Pond 2.
21. Emergency spillway does not identify Cipoletti weir as cited in crest information.
22. Provide larger delineation (with elevations) of the 40 acre drainage.
23. Make all corrections as noted on the plans.
24. 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.
25. 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.
26. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
27. 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.
28. 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.
29. 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."

32.

94-85-P-13

Chinquapin, Phase II
Map 149, Parcel 27
Subarea 13 (2003)
District 33 (Bradley)

A request to revise the preliminary plan for a planned unit development, (2.32 Acres), located along the east side of Una-Antioch Pike, within the R15 zoning district for 19 multifamily units, requested by MEC, Inc., applicant, for General Construction, owner.

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

Mr. Tom White, attorney, spoke in favor of staff recommendation.

Ms. Karen D'Apolito, 2548 Treetop Drive, spoke in opposition to the proposal.

Mr. Robert Ainsworth, 2556 Treetop Drive, spoke in opposition to the proposal.

Ms. Azri Ainsworth, 2556 Treetop Drive spoke in opposition to the proposal.

Mr. Curtis Stubblefield, 721 Oak Creek Drive, spoke in opposition to the proposal.

Ms. Audrey Claiborn, 2553 Treetop Drive, spoke in opposition to the development.

Mr. Small requested additional information on the original location of the access point and whether there were other options recommended from Public Works.

Mr. Small acknowledged the residents concerns regarding the access point be located on Treetop Drive. He indicated that the current location is better than the original point.

Ms. Nielson agreed that the access point is in a better location than previously approved.

Mr. McLean moved and Ms. Nielson seconded the motion, to approve staff recommendation.

Mr. Clifton requested that Metro Legal advise the Commission on the terms "amendment" and "revision".

Mr. Bernhardt explained the differences between these two terms.

Ms. Holleman stated that the Metro Codes states that it could be considered a revision to not be referred to Council if there is no introduction of a new vehicular access point to an existing street, road or thoroughfare, not previously designated for access.

Mr. Clifton expressed concerns regarding the decisions necessary to approve this proposal.

Mr. Tyler requested additional information on an alternative plan which would relocate the road and access point.

Mr. Ponder questioned the availability of an adjoining lot and the placement of an access point.

Mr. Stewart stated he has hesitation for moving this project forward with the information that has been provided.

The motion to approve staff recommendation failed.

A discussion ensued among the Commissioners regarding their options for this proposal.

Ms. Nielson moved, and Mr. seconded the motion, to defer Planned Unit Development 94-85-P-13 to June 9, 2005 to allow additional time for the applicant to work with Public Works and the Planning Department staff to explore an alternative access point. **(6-2) No Vote – Lawson, Jones**

Resolution No. RS2005-184

"BE IT RESOLVED by The Metropolitan Planning Commission that 94-85-P-13 is DEFERRED to the June 9, 2005 COMMISSION meeting, for the applicant, Public Works, and Planning Department staff to explore an alternative access point. (6-2)"

33.

2005P-014U-11

Morningstar Missionary Baptist
Map 105-04, Parcel 206, 207, 208, and 396
Subarea 11 (1999)
District 17 (Greer)

A request for Preliminary approval for a Planned Unit Development district located at Hart Street (unnumbered), and 36, 38 and 40 Hart Street, (0.56 acres), classified R6 and IWD and proposed for OL and IWD, to permit a parking lot, requested by Vickel Cawthon of Morningstar Baptist Church, applicant/owner.

Staff Recommendation - *Approve with conditions, including that prior to the May 12, 2005, Commission meeting, the applicant resubmit a revised set of PUD plans to the Stormwater Department that adequately identify and label water quality measures.*

APPLICANT REQUEST

Preliminary UDO - A request for preliminary approval for a Planned Unit Development district located at Hart Street (unnumbered), and 36, 38, and 40 Hart Street, on 0.56 acres, to permit a parking lot for the applicant church.

PLAN DETAILS

Site Design - The site is located on the north side of Hart Street, and the west margin of Lewis Street, in the Cameron Trimble Neighborhood of South Nashville. Forty-seven parking spaces have been provided within this PUD, for use by the applicant church.

Rezoning history - The two western-most parcels were requested for rezoning from R6 to OL district at the March 24, 2005, Planning Commission meeting. The straight rezoning to OL was approved by the Planning Commission only with the condition that a PUD accompany the rezoning to ensure that parking for the applicant church was the only permitted nonresidential use for this site.

Landscape buffers-The Metro Zoning Ordinance requires C landscape buffers (minimum 20 feet) on the western and northern limits of this PUD. The applicant has complied by showing a C5 standard of 10 foot width, which includes a masonry wall.

Access - The proposed parking lot has an access both on Hart and Lewis Streets.

METRO PUBLIC WORKS' RECOMMENDATION

Preliminary approvals are subject to Public Works of construction plans to be included with the final PUD.

1. No Exceptions Taken.

METRO STORMWATER COMMENTS

1. Water quality measures, including ponds and pipes, must be adequately located and properly labeled on the preliminary PUD plans. These revised plans must be resubmitted to the Stormwater Department and approved prior to the May 12, 2005, Commission meeting.

Stormwater appeal - The Stormwater Appeals Committee met on May 5, 2005, to consider this case. The applicant has agreed to use filterbeds in the design of the majority of the parking lot, so that stormwater runoff from this site would be minimized. On a small remaining portion of the lot that is not proposed to use such mitigation measures, the Stormwater Appeals Committee approved a variance for the resulting runoff to be created.

CONDITIONS (if approved):

1. 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.
2. 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.

3. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.

Approved with conditions, (9-0) *Consent Agenda*

Resolution No. RS2005-185

"BE IT RESOLVED by The Metropolitan Planning Commission that 2005P-014U-11 is **APPROVED WITH CONDITIONS. (9-0)**

Conditions of Approval:

1. 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.
2. 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.
3. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter."

XII. OTHER BUSINESS

34. Adoption of revised Planning Commission rules.
(Deferred from May 12, 2005, Commission meeting.)

Chairman Lawson opened the discussion regarding the Rules and Regulations of the Commission.

Mr. Ponder moved that the Commission change the meeting time from 4:00 p.m. to 2:00 p.m.

Mr. Clifton summarized the findings of his study he was charged with regarding the Commission's rules. He briefly explained the history of the meeting time and offered that a public survey was provided by the Planning Department and there was an overwhelming response to keep the meeting time at 4:00 p.m., and/or possibly move it later to 5:00 p.m. or 6:00 p.m.

The motion to move the meeting time to 2:00 p.m. failed.

Ms. Nielson stated that the attendance at the Commission meetings has remained the same even after moving it from 1:00 p.m. to 4:00 p.m.

Ms. Jones offered that with the many new tactics that have been put in place, the Community has other opportunities to voice their concerns.

Ms. Nielson stated that 4:00 p.m. would be better public relations.

Mr. McLean moved, and Mr. Clifton seconded the motion to keep the Commission meeting time at 4:00 p.m. (7-1)
No Vote - Ponder

Mr. Kleinfelter summarized the various other changes made to the Commission Rules.

There was discussion regarding Conflicts of Interest, items contained under "Other Business" and the enforcement policy of removing signage.

Chairman Lawson requested that Mr. Small and Ms. Jones study the various options that could be used to regulate and manage Planning Commission Notification signage.

Ms. Nielson moved, and Mr. Ponder seconded the motion, which passed unanimously to approve the revised rules of the Commission.

Resolution No. RS2005-186

"BE IT RESOLVED by The Metropolitan Planning Commission that the adoption of the Revised Planning Commission Rules is APPROVED. (8-0)"

35. Executive Director Reports

36. Legislative Update

XIII. ADJOURNMENT

The meeting adjourned at 8:45 p.m.



Chairman

Secretary