



**METROPOLITAN GOVERNMENT  
OF NASHVILLE AND DAVIDSON COUNTY**

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

**Minutes  
Of the  
Metropolitan Planning Commission**

*June 9, 2005*

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**4:00 PM**

***Howard School Auditorium, 700 Second Ave., South***

**PLANNING COMMISSION:**

James Lawson, Chairman  
Doug Small, Vice Chairman  
Judy Cummings  
Tonya Jones  
James McLean  
Councilmember J.B. Loring  
Phil Ponder, representing Mayor Bill Purcell

**Staff Present:**

Rick Bernhardt, Executive Director  
Margaret Holleman, Legal Counsel  
Trish Brooks, Administrative Assistant  
Kathryn Fuller, Planner III  
Bob Leeman, Planner III  
Luis Pereira, Planner I  
Jason Swaggart, Planner I  
Cynthia Wood, Planner III

**Commission Members Absent...**

Stewart Clifton  
Ann Nielson  
Victor Tyler

**I. CALL TO ORDER**

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

**II. ADOPTION OF AGENDA**

Ms. Fuller announced one correction to the agenda. She stated that Item #19 Corrections to Commission Minutes for October 28, 2004 and March 10, 2005 should read: Correction to Commission Minutes for October 28, 2004. The March 10, 2005 minute correction has been deferred to the June 23, 2005 meeting.

Mr. McLean moved and Ms. Cummings seconded the motion, which passed unanimously to approve the agenda as corrected and presented. (7-0)

**III. APPROVAL OF MAY 12, 2005 MINUTES**

Ms. Fuller stated that the minutes of May 12, 2005 contained a correction. The correction pertained to Item #34 – Adoption of the Commission's Rules and Regulations.

She explained that the amended Rules and Regulations did not contain the adoption date of May 12, 2005 and that this date was necessary for the adoption process. She also explained that the Commission adopted a complete new set of Rules and Regulations, and not an amendment.

Mr. McLean moved and Ms. Nielson seconded the motion, which passed unanimously to approve the minutes of May 12, 2005, with the clarification that the Commission's vote on Item 34 on their agenda under "Other Business --

Adoption of Revised Planning Commission Rules" was the adoption of an new set of rules, not merely a revision to the Commission's existing rules. In addition, the Rules adopted by the Commission will indicate that they were adopted on May 12, 2005. (7-0)

**IV. RECOGNITION OF COUNCILMEMBERS**

Councilmember Coleman thanked the commission for their service to the community.

Councilmember Toler also thanked the Commission for their service and stated that he had three items on the agenda. He stated he would address the Commission after the items were presented.

Councilmember Bradley spoke in favor of Item #9 2005Z-080T. He mentioned that he has prepared the amendment that staff has recommended to accompany this text change.

Councilmember Gotto requested that Item #10 2005Z-081G-14 be removed from the Consent Agenda. He stated that his constituents have concerns regarding the zone change request in relation to its density. He announced that he would move the bill through its 2<sup>nd</sup> reading at Council, and then defer indefinitely. He requested that the Commission approve his zone change request.

Councilmember Gotto also spoke regarding Item #13 2005S-083G-14. He explained that he held a community meeting and the residents expressed opposition to the removal of the tree buffer located on Old Lebanon Dirt Road. He explained that staff has recommended that a sidewalk be included in the proposal that would require removal of the tree buffer, which the neighbors are opposed. He also mentioned that staff has recommended a walking path would encroach on the current property owner's backyards. He requested that the Commission approve the proposal without the sidewalks or walking path.

Councilmember Jameson spoke on Item #2 2005Z-085U-05. He mentioned that he held a community meeting and his constituents were opposed to the proposal including either a restaurant or bar. He requested that the Commission disapprove this zone change.

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

**VII. PROPOSED AMENDMENT TO THE SUBAREA 4 PLAN: 1998 UPDATE**

-- deferred indefinitely at the request of the applicant

- |     |   |  |   |
|-----|---|--|---|
| 1.  | 2005Z-056BT   | A council bill to amend Section 17.32.050 of the Zoning Code to permit signs with graphics or electronic displays along a four-lane or controlled access highway   | – deferred to August 11, 2005 at the request of the applicant |
| 7.  | 2005Z-026G-04   | A request to change from OR20 to MUN district property located at 1202 South Graycroft Avenue  | – deferred indefinitely at the request of the applicant       |
| 8.  | 2005Z-060G-02   | A request to change from R10 to CS district a portion of property located at 3564 and 3570 Dickerson Pike  | – deferred to June 23, 2005 at the request of the applicant   |
| 12. | 2004S-257G-01   | Falls Subdivision – A request for preliminary plat approval for a cluster lot subdivision for 77 single family lots, 2 multi-family lots and 6 commercial lots located on the east margin of Whites Creek Pike | – deferred indefinitely at the request of the applicant       |
| 14. | 2005S-154U-12   | Beverly Heights – a request for final plat approval to create three lots located at the southeast corner of Wallace Road and Humber Drive (0.94 acres), classified within the RS10 District                    | – deferred to June 23, 2005                                   |
| 19. | Correction of Minutes for March 10, 2005 meeting – deferred to June 23, 2005 at the request of the applicant. |  |   |

Mr. McLean moved and Mr. Ponder seconded the motion which passed unanimously to approve the Deferred and Withdrawn Items. (7-0)

**VI. PUBLIC HEARING: CONSENT AGENDA**

**VIII. PROPOSED AMENDMENT TO THE SOUTHEAST COMMUNITY PLAN: 2004 UPDATE**

– Open and continue Public Hearing to the June 23, 2005 meeting

**IX. PROPOSED AMENDMENT TO THE COLLECTOR STREET PLAN**

– Open and continue Public Hearing to the June 23, 2005 meeting

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**PREVIOUSLY DEFERRED ITEMS AND ITEMS ON PUBLIC HEARING**

- |    |               |   |                        |
|----|---------------|---|------------------------|
| 5. | 2005S-125G-10 | A request for final plat approval to create 12 lots located along the east side of Granny White Pike, (12.66 acres), classified within the R40 district   | - Approve w/conditions |
| 6. | 103-79-G-14   | Request for final approval for a portion of a commercial Planned Unit Development district located along the south side of Robinson Road, to permit the extension of infrastructure, as well as, grading to a remaining portion of undeveloped property | - Approve w/conditions |

**ZONING MAP AMENDMENTS AND TEXT AMENDMENTS**

- |     |               |  |                       |
|-----|---------------|--|-----------------------|
| 9.  | 2005Z-080T    | A council bill to amend Section 17.32.070 of the Zoning Code to require permanent on-premises signs to be constructed of rigid materials | - Approve w/amendment |
| 10. | 2005Z-081G-13 | Request to change from AR2a to IWD district property located at Old Hickory Boulevard (unnumbered)                                       | - Approve             |
| 11. | 2005Z-082G-13 | Request to change from AR2a to IWD district property located at Old Hickory Boulevard (unnumbered)                                       | - Approve             |

**PLANNED UNIT DEVELOPMENTS**

- |     |             |   |                        |
|-----|-------------|---|------------------------|
| 17. | 155-79-U-11 | Request to amend a portion of the preliminary plan for the Commercial Planned Unit Development district located along the west side of Sidco Drive, to permit a 8,656 square foot addition to the existing 8,837 square foot retail use   | - Approve w/conditions |
| 18. | 89P-018G-12 | A request to revise the preliminary plan for a portion of the Commercial Planned Unit Development district located along the west side of Nolensville Pike, to permit a 9,000 square foot building containing restaurant and retail uses and to permit a 19,000 square foot building containing general office, retail, and restaurant uses, replacing 38,000 square feet of undeveloped retail and office uses | -Approve w/conditions  |

**OTHER BUSINESS**

19. Correction to Commission Minutes for October 28, 2004 – approve

Mr. Mclean moved and Mr. Ponder seconded the motion to approve the consent agenda as presented with the condition to keep the public hearing open until June 23, 2005 on Items VIII & IX (Proposed Amendment to the Southeast Community Plan: 2004 Update, Proposed Amendment to the Collector Street Plan) (7-0)

**VII. PROPOSED AMENDMENT TO THE SUBAREA 4 PLAN: 1998 UPDATE**

**The Metropolitan Planning Commission DEFERRED the Proposed Amendment to the Subarea 4 Plan: 1998 Update indefinitely at the request of the applicant. (7-0)**

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**VIII. PROPOSED AMENDMENT TO THE SOUTHEAST COMMUNITY PLAN: 2004 UPDATE**

**The Metropolitan Planning Commission opened the Public Hearing, and will continue the Public Hearing on the Proposed Amendment to the Southeast Community Plan: 2004 Update, to June 23, 2005 at the request of the applicant. (7-0)**

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**IX. PROPOSED AMENDMENT TO THE COLLECTOR STREET PLAN**

**The Metropolitan Planning Commission opened the Public Hearing, and will continue the Public Hearing on the Proposed Amendment to the Collector Street Plan, to June 23, 2005 at the request of the applicant. (7-0)**

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**X. PUBLIC HEARING: PREVIOUSLY DEFERRED ITEMS AND ITEMS ON PUBLIC HEARING**

**ZONING MAP AMENDMENTS AND TEXT CHANGES**

- 1. 2005Z-056BT**  
Council Bill BL2005-648  
Changeable Text & Graphic Signs

A council bill to amend Section 17.32.050 of the Zoning Code to permit signs with graphics or electronic displays along a four-lane or controlled access highway, sponsored by Councilmember-at-Large Buck Dozier.

**The Metropolitan Planning Commission DEFERRED Zone Change 2005Z-056T to August 11, 2005 at the request of the applicant. (7-0)**

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- 2. 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.

**Staff Recommendation - *Approve***

**APPLICANT REQUEST** - Request to change 0.12 acres from Commercial Neighborhood (CN) to Mixed Use Limited (MUL) district zoning located at 1516 Ordway Place, west of North 16<sup>th</sup> Street.

**Existing Zoning**

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

**Proposed Zoning**

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

**EAST NASHVILLE 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.

RM Area 5G in Subarea 5 Plan - RM policy also applies to this entire subsection of the East Nashville Community Plan.

The East Nashville Community Plan is currently undergoing an update, but has not yet been approved by the Planning Commission. The draft plan calls for a Neighborhood Center policy for this parcel.

**Policy Conflict** - The proposed MUL is in partial conflict with the existing RM policy of the East Nashville Community Structure Plan, and RM Area 5G in the same plan, because MUL allows restaurant, retail, and office uses. However, the proposed MUL district is not in conflict with the draft policy for the site, Neighborhood Center. *MDHA and Historical Commission Consideration* - This parcel also falls within the Five Points Redevelopment District Plan, overseen by MDHA, and is categorized as a historic property on the National Register, overseen locally by the Metro Historical Commission.

In the opinion of MDHA and the Historical Commission staff, the site's land uses are legally limited to only those uses allowed by both zoning *and* the Five Points Redevelopment District land use plan. The MDHA plan is more restrictive than straight MUL zoning regarding land uses, and has the effect of precluding the more intensive uses allowed by a straight MUL district, including a fast food restaurant, automobile parking, a mobile storage unit, or a car wash. MDHA and Historical staffs also consider the design guidelines of the Five Points Plan to be sufficiently restrictive so as to ensure appropriate design for the site, staying consistent with the established neighborhood character.

*Neighborhood meeting* - A community meeting was held on May 26, 2005, in order for the developer to better explain his plans with neighborhood residents. The Councilmember has informed staff that the consensus at the community meeting was that a Planned Unit Development should accompany the applicant's request to rezone to MUL. The applicant has not, to date, applied for a PUD on this property.

Staff recommends approval of the requested MUL zoning because it is consistent with the MDHA Five-Points Redevelopment Plan and that Plan restricts the uses available on the property under MUL zoning.

**RECENT REZONINGS** - None.

**TRAFFIC PUBLIC WORKS' RECOMMENDATION** -No Exceptions Taken

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

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (820)	0.12	0.302	1,578	455	13	41

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

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Gas Station W/Convenience Market (853)	0.12	0.088	460	389	21	28

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	0.12			-66	8	-13

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

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
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<b>General Office (710)</b>	<b>0.12</b>	<b>0.25</b>	<b>1,307</b>	<b>47</b>	<b>6</b>	<b>81</b>
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**Maximum Uses in Proposed Zoning District: MUL**

<b>Land Use (ITE Code)</b>	<b>Acres</b>	<b>FAR</b>	<b>Total</b>	<b>Daily Trips (weekday)</b>	<b>AM Peak Hour</b>	<b>PM Peak Hour</b>
<b>Gas Station With Convenience Market (853)</b>	<b>0.12</b>	<b>0.2*</b>	<b>1,045</b>	<b>884</b>	<b>48</b>	<b>64</b>

\*Adjusted as per use

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

<b>Land Use (ITE Code)</b>	<b>Acres</b>	<b>--</b>		<b>Daily Trips (weekday)</b>	<b>AM Peak Hour</b>	<b>PM Peak Hour</b>
<b>--</b>				<b>837</b>	<b>42</b>	<b>17</b>

**METRO SCHOOL BOARD REPORT**

Projected student generation\*      1 Elementary    0 Middle      0 High

**Schools Over/Under Capacity** - Students would attend Ross Elementary School, Bailey Middle School, or Stratford 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 Feb. 3, 2005.

\*School generation numbers are based on a 4 units at 1,000 square feet each.

Mr. Pereira presented and stated that staff is recommending approval of the MUL zoning given its consistency with the MDHA Five Points Redevelopment Plan and the Historic Zoning Commission’s Neighborhood Conservation District.

Mr. Mike Stewart 1412 N. 16<sup>th</sup> Street, spoke in opposition to the proposal.

Mr. John Donelson, owner, spoke in favor of the proposal.

Mr. McLean questioned the owner on his intentions of a planned unit development to be included in the proposal as mentioned by Councilmember Jameson.

Mr. Lawson mentioned to the Commissioners that there are various options that could be sent on to the Council regarding this zone change request.

Mr. Ponder suggested that the Commission defer the item indefinitely to allow additional time for the owner to work with the community.

Mr. McLean suggested that the Commission approve with the recommended restrictions that the proposal not include a restaurant or bar and that there be no commercial activity after 9 p.m.

Mr. Bernhardt explained that the recommended restrictions should be included in a planned unit development, not with a straight rezoning which is what is being requested.

Mr. Loring spoke in support of disapproving the zone change request.

Mr. Loring moved, and Mr. McLean seconded the motion, to disapprove Zone Change 2005Z-058-05.

This motion failed.

Mr. Ponder moved, and Mr. McLean seconded the motion, which passed unanimously, to defer Zone Change 2005Z-058U-05 indefinitely. (7-0)

**Resolution No. RS2005-199**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005Z-058U-05 is **DEFERRED INDEFINITELY. (7-0)**

Mr. Leeman announced that Councilmember Gotto had requested to place Item #10 2005Z-081G-14 back on the Consent Agenda.

Mr. McLean moved and Ms. Cummings seconded the motion, which passed unanimously to placed Item #10 2005-081G-14 back on the consent agenda and approve. (7-0)

**PRELIMINARY SUBDIVISION PLATS**

3. **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.

**Staff Recommendation** - *Approve with conditions.*

**APPLICANT REQUEST**

**Preliminary Plat** -A request to create 39 single-family lots on 10.79 acres on the east side of Shute Lane, approximately 600 feet south of Saundersville Road.

**ZONING**

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

**CLUSTER LOT OPTION** - The cluster lot option allows the applicant to reduce minimum lot sizes two base zone districts from the base zone classification of R10 (minimum 10,000 sq. ft. lots) to R6 (minimum 6,000 sq. ft. lots). The proposed lots range from 6,392 square feet to 12,476 square feet.

Pursuant to Section 17.12.080(D) of the Metro Zoning Ordinance, cluster lot subdivisions require a minimum of 15% open space per phase. The applicant complies with this requirement by proposing a total of 1.78 acres (16%) of open space – which exceeds the minimum open space acreage required.

**SUBDIVISION DETAILS** - This property was once included in the cemetery adjacent to the west, however, it has been sold. No gravesites have been identified on this plan.

*Access* One access road is provided from Andrew Jackson Parkway directly across from the entrance into Fox Run Subdivision. No stub streets are proposed since a cemetery is to the west and the adjacent properties to the north and south have already been developed.

*Sidewalks* - Sidewalks are proposed along Andrew Jackson Parkway and the new street (Hamlet Drive).

*Landscape Buffer Yards/Berm* - Landscape buffer yards are not required since the perimeter lots are proposed for 10,000 square feet or greater and since the cemetery is to the north. A 3'-9" tall landscaped berm is provided along Hamlet Drive to provide a barrier between cars on that road and Andrew Jackson Parkway.

**Stormwater Management-** Approve, except as noted. Notes include: " You show water coming from the Wembly Downs subdivision in a 24" CMP that currently flows into a ditch cutting through the middle of this development. Per the approved plans for Wembly Downs, it should actually be twin 24" CMP's. You will need to route that water through your site. If necessary, you might be able to run some of this water through your water quality pond as make-up water since it doesn't appear that your proposed pond location could have all water from your site going through it. These items would be worked out during grading plan review."

#### **PUBLIC WORKS' RECOMMENDATION**

1. Along Hamlet Drive, show curb and gutter, four (4) feet grass area / furnishing zone, and five (5) feet sidewalk per Metro ST-210.
2. Approvals are subject to Public Works' review and approval of construction plans.

**CONDITIONS** 1. All traffic conditions listed above must be completed or bonded prior to the recording of the first final plat.

Mr. Leeman presented and stated that staff is recommending approval with conditions.

Mr. Gerald Purvis, 808 S. Chestnut, spoke in favor of the development, however, mentioned issues with stormwater management issues.

Mr. Larry Carter, 415 General Kershaw, spoke in opposition to the proposal.

Councilmember Loring expressed concerns regarding the water issues. He requested reassurance that the development would not generate additional issues concerning water run off.

Mr. Steve Mishu, Metro Stormwater, explained that his department has seen the property in question. He mentioned he had noticed some sinkhole activity near the cemetery, but was unable to examine it due to the collected trash that it contained. Mr. Mishu mentioned that since the project is in its preliminary stage, they do not have drainage calculations. He did state that the developer would have to address the issue of an offsite water issue that would drain onto their site.

Mr. Loring mentioned he had issues with the development of this project causing the existing water runoff to divert and cause flooding the current property owners.

Mr. Mishu explained that the stormwater department would require retention ponds to assist with the collection of water. He also stated that it is a requirement of the stormwater division to insure that a development or project not increase additional water runoff.

Mr. Ponder requested additional information regarding the detention pond in relation to the proposal.

Mr. Mishu explained that the project will probably require a detention pond and it will probably be located somewhere in the green areas. Due to the project's preliminary stages, Metro Stormwater only looks at the water quality and quantity concept.

Ms. Jones stated that this project was deferred to allow additional time for the developer to meet with the community and explain his intentions. She stated that this project is still in its preliminary stages and staff has recommended approval due to their evaluation and its compatibility with the surrounding neighborhood.

Mr. Small expressed issues with the utilization of cluster lot subdivisions in relation to the zoning codes and subdivision regulations.

Mr. Small suggested that staff prepare additional information on the concepts of cluster lots and their purposes.



Mr. McLean requested that Councilmember Brown’s added condition regarding the six foot shadow box cedar fence be added to the original motion.

Mr. Ponder spoke in favor of the motion.

Mr. Lawson suggested that staff prepare information regarding cluster lot subdivision for the Commission and hold a vision session to discuss this topic.

Mr. Small suggested that the motion also include that this subdivision be brought back before the commission for final approval before any grading permits are issued.

Ms. Jones moved, and Mr. McLean seconded the motion, which passed unanimously to approve staff recommendation on Preliminary Subdivision Plat 2005S-084G-14 with the condition that no grading permits be issued before final approval is granted by the Commission, and also that the developer install a six-foot shadow box cedar fence at the rear of Lots 21, 22 and 23, which are adjacent to Caleb Chase. The developer is to plant spruce trees approximately 20-25 feet apart at the rear of these lots. If the developer does not have room to place these trees on this development, if permitted, he will plant the trees at the rear of adjacent lots in Caleb Chase. (7-0)

**Resolution No. RS2005-200**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005S-084G-14 is **APPROVED WITH CONDITIONS, including the condition that no grading be allowed until after obtaining final plat approval by the Planning Commission, and a condition requiring the installation of a six-foot shadow box cedar fence at the rear of Lots 21, 22, and 23, which are adjacent to Caleb Chase, and also to plant spruce trees approximately 20-25 feet apart at the rear of these lots. If the developer does not have room to place these trees on his development, if permitted, he will plant the trees at the rear of adjacent lots in Caleb Chase. (7-0)**

**Conditions of Approval:**

1. Along Hamlet Drive, show curb and gutter, four (4) feet grass area / furnishing zone, and five (5) feet sidewalk per Metro ST-210.
2. Approvals are subject to Public Works' review and approval of construction plans”

Mr. Bernhardt stated that the staff has the same concerns regarding cluster lot subdivisions. He explained that staff has been working on revising the subdivision regulations and one of the concepts under revision includes the open spaces that are part of the cluster lot subdivisions. He stated that the revisions should be submitted to the Commission sometime in August.

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**FINAL PLATS**

4. **2005S-105G-12**  
Brentwood Knoll  
Map172, Parcel 172  
Subarea 12 (2004)  
District 31 (Toler)

A request for final plat approval to create 15 lots abutting the southeast corner of Bryce Road and Mt. Pisgah Road (5.0 acres) including a sidewalk variance request, classified within the RS10 District, requested by Dean Balding Baxter and Mark Sarmadi, owners, Roger H. Harrah, surveyor.

**Staff Recommendation** - *Disapprove sidewalk variance.*

**APPLICANT REQUEST - Final Plat**

A request to create 15 lots on 5.0 acres at the southeast corner of Mt. Pisgah Road and Bryce Road. This final plat ordinarily could be administratively approved by staff. The applicant is requesting a sidewalk variance, however,

for the proposed new street (Brentwood Knoll Court).

The final plat is not ready to be approved at this time because all approvals have not been received from the various Metro agencies, including Metro Stormwater and Water Services. Staff recommends that the Commission act only on the applicant's requested sidewalk variance. Staff will approve the final plat when all necessary approvals have been received.

## **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.

This property was recently rezoned by the Metro Council from R20 to RS10 (BL2004-474) in January 2005. The Commission recommended conditional approval in October 2004.

**SUBDIVISION DETAILS** - The preliminary plat was approved with conditions including an offset T intersection variance from the Commission on February 24, 2005.

The plan proposes 15 single-family lots ranging in size from 10,000 square feet to 16,000 square feet. The access is proposed from Bryce Road on a cul-de-sac less than 750 feet in length.

**Sidewalk Variance** - Sidewalks are required along the new street (Brentwood Knoll Court). Sidewalks are not required along the lots with frontage on Bryce Road because those lots will be on an existing road in the General Services District and the area has a Sidewalk Priority Index score less than 20. The Subdivision Regulations do not require sidewalks on infill cul-de-sacs that are less than 750 feet in length. This application is not considered infill development because the development pattern is emerging and not established in this area of Davidson County.

**Applicant Request** - The applicant is requesting that the Commission consider the following for the sidewalk variance on Brentwood Knoll Court:

1. The subdivision should be considered to be an infill development as per the sidewalk regulations in Section 2-6.1 A. 3. of the Subdivision Regulations, which states that "Where all interior lots of an infill development, as defined in section 5-2, are accessed from permanently dead-ended street(s) of no more than 750 feet in length, sidewalks are not required along the dead-end street(s)."

*The applicant requests that the Commission allow the extension of the existing sidewalk along Bryce Road to Mt. Pisgah Road in lieu of constructing sidewalks on the cul-de-sac.*

2. Could the Commission waive the requirement for sidewalks on the side of the new street with no houses?

The applicant states that the hardship is that this is a small infill development with a 600' cul-de-sac, with lots only on one side of the street for most of its length. Additionally, much of the road way must be cut out to achieve the width necessary for sidewalks. This will require significant additional excavation, reduce the land available for the detention pond, and possibly necessitate a retaining wall.

**Public Works Recommendation** - Sidewalks are constructible at this site.

**Staff Recommendation** - Staff recommends disapproval of a sidewalk variance. Infill development is defined as "areas previously subdivided or predominantly developed." The property to the north is zoned AR2a and a request to rezone property to the north to RS10 is currently pending subdivision into 5 lots. This area is not "predominantly developed," but rather is an area of emerging development. The property to the south is developed, but the majority of the land to the north is not. By providing sidewalks on the new street, the applicant would be providing pedestrian access to Bryce Road, which currently has a sidewalk and leads to the developed area to the south (Holt Woods Subdivision). There is no unique hardship cited as a reason for the sidewalk variance and therefore, no

grounds for recommending approval of the variance.

**Coordinated Access** - The Commission recommended conditional approval of the zone change from R20 to RS10 with the condition that “with the submittal of any preliminary or final plat on this property, coordinated access may be required to be provided between various parcels shown on an overall development plan for the area prior to development.”

A cul-de-sac is proposed since there is a cemetery adjacent to the north, and existing residential developments are adjacent to the south and west. Staff would recommend approval of the cul-de-sac once the plat is approved by Stormwater, because the existing conditions prevent street connectivity to the adjacent property.

Mr. Leeman presented and stated that staff is recommending approval of the final plat, but disapproval of the sidewalk variance request.

Ms. Debbie Nave, 108 Glendower Ct., spoke in favor of the sidewalk variance.

Mr. John Goff, 1876 Cayce Springs, spoke in favor of the sidewalk variance.

Mr. Small requested additional clarification regarding the existing number of homes and the number of homes being proposed.

Mr. Small spoke in favor of staff recommendation.

Mr. Loring expressed issues with the disapproval of the sidewalk variance.

Mr. McLean requested additional clarification on the existing sidewalks in the area.

A brief discussion ensued regarding the various placements of sidewalks in the area and the requested variance by the developer.

Mr. Small moved and Ms. Cummings seconded the motion to approve staff recommendation of final plat 2005S-105G-12 which includes disapproval of the sidewalk variance request. **(6-1) No Vote – Loring**

**Resolution No. RS2005-201**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005S-105G-12 is **DISAPPROVED SIDEWALK VARIANCE. (6-1).**”

- 5. **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, (12.66 acres), classified within the R40 district, requested by J. Mack Cantrell, applicant, for Mildred B. Carter, owner.

**Staff Recommendation** - *Approve with conditions*

**APPLICANT REQUEST - Final Plat**

A request for approval of a cluster lot development to create 12 lots on 12.66 acres abutting the east side of Granny White Pike, approximately 1,000 feet south of Radnor Glen Drive.

**ZONING**

**R40 District** - R40 requires a minimum 40,000 square foot lot and is intended for single-family dwellings and

duplexes at an overall density of 1.16 dwelling units per acre including 25% duplex lots.

**SUBDIVISION DETAILS** - All reviewing agencies have recommended approval.

The Cluster Lot Option is being used in order to address the topographic constraints of the site. The applicant has elected to reduce the lot sizes to 30,000 square feet (one zone district), with the smallest lot being 30,085 square feet, and the largest being 48,052 square feet. Access to the site is provided by a cul-de-sac of less than 750 in length, with a street grade of less than 12 percent slope. The remainder of parcel 127 consists of 6.04 acres and is part of a large contiguous slope of 25 percent or greater, which is not included in this plat.

The double frontage lots along Granny White will be buffered with a 20 foot Landscape Buffer Yard, as is required under the Cluster Lot provisions of the Zoning Code. The applicant has included an additional 40 foot natural vegetation easement in order to further buffer the development. An additional easement has been provided to the south of the development to allow access to an existing cemetery. To promote future connectivity, a stub street has been provided to the south of the development.

All streets are exempt from the sidewalk requirements for two reasons: 1) The subdivision occurs outside of the Urban Services District where the Sidewalk Priority Index score is less than twenty, 2) the subdivision is infill development with a dead end street less than 750 feet in length.

*Water Services/Stormwater* At the February 24, 2005, meeting, the Planning Commission recommended approval with the condition that the final plat be approved by the Planning Commission, that no grading be permitted prior to final plat approval, and that final plat must be approved by the Planning Commission, not administratively by staff.

**STAFF RECOMMENDATION** - Staff recommends approval with the following conditions:

**CONDITIONS:**

1. Approval subject to issuance of a utility construction bond prior to recordation.
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 be platted to allow 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 (7-0), *Consent Agenda*

**Resolution No. RS2005-202**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005S-125G-10 is **APPROVED WITH CONDITIONS. (7-0)**”

**Conditions of Approval:**

1. Approval subject to issuance of a utility construction bond prior to recordation.
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 be platted to allow a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.”

**PLANNED UNIT DEVELOPMENTS**

6. **103-79-G-14**  
Riverfront Shopping Center (Dollar General) (Old Hickory Centre)  
Map 53, Parcel Part Of 42  
Subarea 14 (2004)

District 11 (Brown)

A request for final approval for a portion of a commercial Planned Unit Development district located along the south side of Robinson Road, classified R10, (3 Acres), to permit the extension of infrastructure, as well as, grading to a remaining portion of undeveloped property, requested by Wastewater Engineers for Old Hickory Centre (owner).

**Staff Recommendation** - *Approve with conditions*

**APPLICANT REQUEST -Final PUD**

A request for final approval of a portion of the Commercial Planned Unit Development district located along the south side of Robinson Road, (3 acres), to permit the extension of infrastructure, as well as grading to a remaining portion of undeveloped property. Final PUDs including building site plans will need to be approved before building permits can be issued.

This plan matches the revision to preliminary PUD plan that was approved by the Commission on March 10, 2005. That revision reconfigured previously approved retail and office uses and included buildings along Robinson Road where a large unbroken parking lot had previously been approved. The parking and landscaping were adjusted to meet the current regulations and the access drives were aligned with Martingale Drive and the existing Eckerd's access drive on the opposite side of Robinson Road.

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

**STORMWATER RECOMMENDATION**

1. A new Maintenance Agreement is needed for the detention pond.
2. The final plat provided does not show all pipes carrying public water within an easement. That will have to be included within the plat or a separate instrument (Dedication of Easement).
3. Need to show the outlet protection on sheet 2. Be sure to show the proper size of the outlet protection. Be sure that the outlet protection does not extend beyond your property limits.

**CONDITIONS**

1. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Section of the Metropolitan Department of Public Works.
2. This approval does not include any signs. Business accessory or development signs in commercial or 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.

Approved with conditions, *(7-0) Consent Agenda*

**Resolution No. RS2005-203**

"BE IT RESOLVED by The Metropolitan Planning Commission that 103-79-G-14 is **APPROVED WITH CONDITIONS. (7-0)**

**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. 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."

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**XI. PUBLIC HEARING:  
ZONING MAP AMENDMENTS AND TEXT AMENDMENTS**

7. **2005Z-026G-04**  
Map 051-06, Parcel 032  
Subarea 4 (1998)  
District 4 (Craddock)

A request to change from OR20 to MUN district property located at 1202 South Graycroft Avenue, located on the east side of Briarville Road and the west side of South Graycroft Avenue (0.88 acres), requested by Catherine A. and Marion J. Hoormann, applicant/owners.

**The Metropolitan Planning Commission DEFERRED Zone Change 2005Z-026G-04 indefinitely at the request of the applicant. (7-0)**

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8. **2005Z-060G-02**  
Map 050, Parcel Part of 33 and 134  
Subarea 2 (1995)  
District 3 (Tucker)

A request to change from R10 to CS district a portion of property located at 3564 and 3570 Dickerson Pike, south of Bellshire Drive (6.12 acres), requested by Charles D. Lowe, P.E., of Ragan Smith Associates, Inc., applicant for Chambliss & Denney Properties LLC, owners.

**The Metropolitan Planning Commission DEFERRED Zone Change 2005Z-060G-02 to June 23, 2005 at the request of the applicant. (7-0)**

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9. **2005Z-080T**  
Council Bill BL2005-658

A council bill to amend Section 17.32.070 of the Zoning Code to require permanent on-premises signs to be constructed of rigid materials, sponsored by Councilmember Tommy Bradley.

**Staff Recommendation** -*Approve with amendment.*

**APPLICANT REQUEST** -Amend Zoning Code to require permanent on-premise signs to be constructed of rigid materials. Prohibits use of canvas, vinyl, fabric or similar kinds of materials in sign construction.

**ANALYSIS**

**Existing Law** -The Zoning Code currently does not identify what kinds of materials may be used in the construction of a permanent on-premise sign.

**Proposed Text Change** -The proposed amendment would require permanent on-premise signs to be constructed of rigid materials. It specifically prohibits the use of canvas, vinyl, fabric or similar kinds of materials. Amendment would apply countywide to any new sign for a residential development, day care, religious institution, school, office, commercial or industrial use. The bill's sponsor has indicated this bill is not intended to prohibit awnings or canopies which are considered by the Zoning Code to be "wall-mounted signs," as defined in Section 17.04.060.

This bill proposes to amend Section 17.32.070 as follows:

- Reletter existing subsection “C” to subsection “D”.
- Add a new subsection “C” as follows:

C. Sign construction materials. All permanent on-premises signs shall be constructed of a rigid, weatherable material such as hard plastic, wood, MDO plywood, aluminum, steel, PVC, and/or Plexiglas. On-premises permanent signs shall not be constructed of nonrigid materials including, but not limited to, vinyl, fabric, or canvas.

**Analysis** This text amendment seeks to eliminate signs that are made of nondurable materials. When signs made of non-rigid materials are exposed to the sun, rain, cold, and heat, they get dirty, torn, and faded. Further, due to their construction materials, they typically flap or bend in the wind, making them difficult to see and read. These types of materials do not lend themselves well to being permanent advertising devices.

*Clarification* As written, the amendment does not specifically exempt canopies and awnings. The sponsor may want to consider amending the bill to clarify that canopies and awnings are excluded as follows:

“C. Sign construction materials. All permanent on-premises signs shall be constructed of a rigid, weatherable material such as hard plastic, wood, MDO plywood, aluminum, steel, PVC, and/or Plexiglas, excluding awnings and canopies...”

**Staff Recommendation** - Approve with amendment. This text amendment provides for permanent on-premise signs that are made of durable materials, when exposed to the weather. The minor amendment proposed by staff simply clarifies the bill does not apply to canopies and awnings that are affixed or attached to a building.

Approved with amendment, (7-0) *Consent Agenda*

**Resolution No. RS2005-204**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005Z-080T is **APPROVED WITH AMENDMENT. (7-0)**”

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**10. 2005Z-081G-14**  
Map 087, Parcel 5, 6, 7,164  
Subarea 14 (2004)  
District 12 (Gotto)

A council bill to change from RS15 district to RS40 district property located at 818 and 840 Old Lebanon Dirt Road and 6340 and 6344 North New Hope Road, on the west side of North New Hope Road, (13.2 acres), owned by William A. Wright, Jr. Trustee, Thomas Barry Wright, etux and Pamela Evetts, sponsored by Councilmember Jim Gotto.

**Staff Recommendation** - *Approve*

**APPLICANT REQUEST** - A council bill to change 13.2 acres from residential single-family (RS15) district to residential single-family (RS40) district property located at 818 and 840 Old Lebanon Dirt Road and 6340 and 6344 North New Hope Road.

**Existing Zoning**

RS15 district: RS15 requires a minimum 15,000 square foot lot and is intended for single-family dwellings at a density of 2.47 dwelling units per acre. A maximum of 32 single-family lots are allowed on this property under RS15 zoning.

**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. A maximum of 12 single-family lots are allowed on this property under RS40 zoning.

**DONELSON/HERMITAGE COMMUNITY PLAN POLICY**

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

*History* These same parcels were approved for a rezoning from AR2a to RS15 at the January 8, 2004, Planning Commission meeting. Metro Council approved this rezoning on third reading at the March 15, 2005, Council meeting.

**Policy Conflict** -The proposed RS40 zoning is slightly lower than what is called for by the Residential Low Medium policy (RS40 allows approximately one unit per acre, while RLM calls for two to four homes per acre). The existing zoning pattern in the area is AR2a and RS15. the proposed RS40 will be consistent with the AR2a, larger-lot pattern and the AR2a zoning that existed on this property until March 2005.

**RECENT REZONINGS** - None.

**TRAFFIC PUBLIC WORKS' RECOMMENDATION** -No Exception Taken.

**Typical Uses in Existing Zoning District: RS15**

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)	13.2	2.47	33	355	33	40

**Typical Uses in Proposed Zoning District: RS40**

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)	13.2	0.93	12	149	18	16

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--			-21	-206	-15	-24

**METRO SCHOOL BOARD REPORT**

Projected student generation      1 Elementary    1 Middle      1 High

**Schools Over/Under Capacity** - Students would attend Dodson Elementary School, Dupont-Tyler Middle School, or McGavock High School. McGavock High School has been identified as full by the Metro School Board, but adjacent clusters of Stratford and Glencliff have capacity. 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.

Approved, (7-0) *Consent Agenda*

**Resolution No. RS2005-205**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005Z-081g-14 is **APPROVED. (7-0)**

**The proposed RS40 district is consistent with the Donelson/Hermitage Community Plan’s Residential Low Medium policy, as its development density is slightly lower than what is called for by the Residential Low Medium policy (RS40 allows approximately one unit per acre, while RLM calls for two to four homes per acre). The existing zoning pattern in the area is AR2a and RS15, and the proposed RS40 zoning will be**



consistent with the AR2a, larger-lot pattern, and the AR2a zoning that existed on this property until March 2005.”

11. **2005Z-082G-13**  
 Map175, Parcel 126, 137, 181  
 Subarea 13 (2003)  
 District 32 (Coleman)

A request to change from AR2a to IWD district property located at Old Hickory Boulevard (unnumbered), approximately 2,300 feet north of I-24 West (64.23 acres), requested by Harry Burkitt, owner.

**Staff Recommendation - Approve**

**APPLICANT REQUEST** - Request to change 64.23 acres from agricultural/residential (AR2a) to industrial warehousing and distribution (IWD) district zoning, located at Old Hickory Boulevard (unnumbered), approximately 2,300 feet north of I-24 West.

**Existing Zoning**

AR2a district: Agricultural/residential requires a minimum lot size of 2 acres and intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per 2 acres.

**Proposed Zoning**

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

**ANTIOCH-PRIEST LAKE COMMUNITY PLAN POLICY**

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

**Policy Conflict** -No. The proposed IWD is consistent with the Industrial Policy of the Antioch-Priest Lake Community Plan, which applies to the area between I-24 on the southwest, and CSX Railroad on the north.

*Previous MPC consideration* A plat for parcel 023 (to the northwest of these parcels) was previously considered at the April 25, 2002, Planning Commission meeting, for an industrial subdivision. The plat was deferred indefinitely so that the applicant could work on getting site access to Crossings Boulevard. This right-of-way and access has not yet been obtained, so these three parcels will be used for a road extension to access this industrial property from Old Hickory Boulevard.

**RECENT REZONINGS** -None.

**TRAFFIC PUBLIC WORKS’ RECOMMENDATION** - A TIS is required prior to development.

**Typical Uses in Existing Zoning District: AR2a**

Land Use (ITE Code)	Acres	Density	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	64.23	0.5	32	365	32	39

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

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	64.23	0.301	842,155	3450	377	351

**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
--	--			3085	345	312

**Maximum Uses in Existing Zoning District: AR2a**

Land Use (ITE Code)	Acres	Density	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached(210)	64.23	0.5	32	365	32	39

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

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	64.23	0.8	2,238,287	8588	758	758

**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
--				8223	726	719

Approved, (7-0) *Consent Agenda*

**Resolution No. RS2005-206**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005Z-082G-13 is **APPROVED. (7-0)**

The proposed IWD district is consistent with the Antioch-Priest Lake Community Plan’s Industrial policy for the site, which applies to area between between I-24 on the southwest, and CSX Railroad on the north. IN areas include non-hazardous manufacturing, distribution centers and mixed business parks containing compatible industrial and non-industrial uses.”

**XII. PRELIMINARY SUBDIVISION PLATS**

12. **2004S-257G-01**  
 Falls Subdivision  
 Map 15, Parcel 7  
 Subarea 1 (2003)  
 District 1 (Gilmore)

A request for preliminary plat approval for a cluster lot subdivision for 77 single family lots, 2 multi-family lots and 6 commercial lots located on the east margin of Whites Creek Pike and the north margin of I-24 (73.03 acres), located in the RS15, RM6 and CL districts, requested by Joe Smith, representative for Joseph Falls, and Robert McKinney, engineer.

**The Metropolitan Planning Commission DEFERRED Preliminary Subdivision Plat 2004S-257G-01 indefinitely at the request of the applicant. (7-0)**

### **XIII. FINAL PLATS**

**13. 2005S-083G-14**  
Monticello  
Map 087, Parcel 009  
Subarea 14 (2004)  
District 12 (Gotto)

A request for final plat approval to create 39 lots abutting the south margin of Old Lebanon Dirt Road, approximately 280 feet west of Chesney Glen Drive (13.7 acres), classified within the RS15 District, including a sidewalk variance along Old Lebanon Dirt Road, requested by Corrinthean Custom Homes, owner/developer, Crouch Engineer, surveyor/engineer.

**Staff Recommendation** - *Defer until updated Traffic Impact Study has been submitted and approved by Public Works.*

#### **APPLICANT REQUEST - Preliminary Plat**

A request for preliminary plat approval to subdivide 73.03 acres into 77 single-family lots, 2 multi-family lots, and 6 commercial lots, located along the west side of Whites Creek Pike at I-24.

#### **ZONING**

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

**CL District:** Commercial Limited is intended for retail, consumer service, financial, restaurant, and office uses.

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

#### **CLUSTER LOT OPTION**

**RS15 Portion (32.10 Acres)** - This plat proposes 77 single-family lots located on several newly proposed streets. The residential portion of the plat ties into the multi-family residential portion and the commercial portion of the site. The cluster lot option allows the reduction of the minimum lot sizes two base zone districts from the base zone classification of RS15 (minimum 15,000 sq. ft. lots) to RS7.5 lots (minimum 7,500 sq. ft. lots). The lots in this proposed subdivision range in size from 9,313 square feet to 15,606 square feet.

Pursuant to Section 17.12.080 (D) of the Metro Zoning Ordinance, cluster lot subdivisions require a minimum of 15% open space per phase. The plan meets this requirement.

**Commercial Portion (26.19 acres)** The plat also proposes 6 commercial lots located along a new collector street, including a 10.79 acre lot, a 6.52 acre lot, and four lots between 1 and 2 acres.

**Collector Street** The proposed collector street shown on the plan is consistent with the Joelton Community Plan (Subarea 1) calling for an East/West Collector street. This collector street can potentially tie into Stagner Road to the west. Stagner Road is an existing road that accesses Bidwell Road.

**Multi-Family Portion (14.32 acres)** - The plat proposes two multi-family lots where the RM6 zoning exists. This area would permit 86 multi-family units.

#### **SUBDIVISION DETAILS**

**Access** Due to the topographic conditions of the site, the collector road has been designed at the southern end of

the site. Staff met with the applicant and discussed several possible locations for this road, but because of a stream running through the site, there were limited options on placement of the collector road. The location proposed on the plat is the best location given the site constraints.

**Recent Zone Change** - This property was rezoned in 2003, after many community meetings relating to the Joelton Community Plan update. It was part of two separate zoning bills (2003Z-002G-01 and 2003Z-097G-01). The Planning Commission recommended approval of both zone changes.

#### **TRAFFIC PUBLIC WORKS' RECOMMENDATION**

**Traffic Comments** -As of staff report mailout date, a revised Traffic Impact Study (TIS) has not been submitted by the applicant, as required by Metro Public Works. A TIS was submitted in 2003, with the zone change requests and must be updated to reflect the current proposal.

#### **CONDITIONS (If Approved)**

1. All traffic conditions required by Public Works must be completed or bonded prior to the recording of the first final plat, unless a specific phasing plan is approved by Public Works and the Planning Department.
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 be platted to include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
3. Prior to final plat approval for Phase 3, the Western Corridor Road must be revised to show a temporary turnaround, at a location approved by the Fire Marshal, at the western end of the road.

Mr. Swaggart explained that this plat would have been approved administratively, but could not be due to the applicant's request for a sidewalk variance on Old Lebanon Dirt Road.

Mr. Swaggart then stated, in talking with Legal Counsel prior to the meeting, that the sidewalks are not required due to the fact that the plat was previously approved under the old subdivision regulations and since the location of the project is located in the General Services District and the sidewalk priority index is below 20, the sidewalks are not required.

Ms. Holleman confirmed Mr. Swaggart's statement.

Mr. McLean moved and Mr. Ponder seconded the motion, which passed unanimously, to approve with conditions Final Plat 2005S-083G-14, as submitted by the applicant. **(7-0)**

#### **Resolution No. RS2005-207**

**"BE IT RESOLVED** by The Metropolitan Planning Commission that 2005s-083g-14 is **APPROVED WITH CONDITIONS, and no action taken on sidewalk variance request as a variance was found to not be required.** **(7-0)**

#### **Conditions of Approval:**

1. All traffic conditions required by Public Works must be completed or bonded prior to the recording of the first final plat, unless a specific phasing plan is approved by Public Works and the Planning Department.

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 be platted to include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
3. Prior to final plat approval for Phase 3, the Western Corridor Road must be revised to show a temporary turnaround, at a location approved by the Fire Marshal, at the western end of the road."

**14.** **2005S-154U-12**  
Beverly Heights  
Map 147-04, Parcel 057  
Subarea 12 (2004)  
District 30 (Kerstetter)

A request for final plat approval to create three lots located at the southeast corner of Wallace Road and Humber Drive (0.94 acres), classified within the RS10 District, requested by Naim Abulabam, owner, Jeff Leopard, surveyor.

**The Metropolitan Planning Commission DEFERRED Final Plat 2005S-154U-12 to June 23, 2005 at the request of the applicant. (7-0)**

**15.** **2005S-157U-10**  
M.N. Youngs Parkview Sub-Resub Lot 29 and part of 30  
Map 131-04, Parcel 175  
Subarea 10 (1994)  
District 25 (Shulman)

A request for final plat approval to create two lots located on the south margin of Frances Avenue, approximately 425 feet east of Parkview Circle (0.57 acres), classified within the RS10 District, requested by Glen D. & Jennifer Tackett, owners, Campbell, McRae & Associates, surveyor.

**Staff Recommendation** -Disapprove, since lots do not meet the lot comparability standards for lot frontage.

#### **APPLICANT REQUEST**

**Final Plat** -This request is to create 2 single-family lots on 0.57 acres on the south side of Frances Avenue, east of Parkview Circle.

#### **ZONING**

**RS10 District** -RS10 requires a minimum 10,000 square foot lot and is intended for single-family dwellings at an overall density of 3.7 dwelling units per acre.

#### **SUBDIVISION DETAILS**

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

A lot comparability analysis test was performed and both lots fail for lot frontage. The minimum required lot area was determined to be 11,818 sq. ft., while the minimum required lot frontage was 91 feet.

The lots are proposed for 11,978 and 12,644 sq. ft., while the proposed lot frontage is 72 feet on lot 1 and 77.5 feet on lot 2.

The land use policy for the area is Residential Low-Medium. Metro's Land Use Policy Application (LUPA) recommends a density of two to four homes per acre for RLM policy. The two proposed lots are consistent with the

RLM policy because no duplexes are allowed under the RS10 zoning.

Under 2-4.7 A. of the Subdivision Regulations, the Commission has the discretion to grant an exception for lot comparability for proposed lots that are consistent with the General Plan. Because the proposed lots are consistent with the RLM policy in this area, the Commission could grant an exception for lot comparability for the proposed lots. Staff recommends that the Commission not grant an exception for comparability, however, because:

1. The lots fail for lot frontage by 19 feet and 13.5 feet; and
2. The lots are inconsistent with the majority of the existing pattern of development along Frances Avenue.

*Sidewalks* Sidewalks are required since the property is located within the Urban Services District, however, they are not shown on the plat. If the subdivision is approved, the applicant can either construct the sidewalks or make a financial contribution to the Metro Sidewalk Fund in lieu of constructing the sidewalks.

**PUBLIC WORKS RECOMMENDATION -No Exception Taken.**

**CONDITIONS (If Approved)**

Prior to the recordation of the final plat:

1. Add parcel numbers.
2. Show proposed sidewalk or add note that states the financial contribution has been made.
3. Owners must sign the owners' certificate.

Mr. Leeman presented and stated that staff is recommending disapproval due to non-compliance with the lot comparability.

Mr. Doug Tackett, 1113 Frances Avenue, spoke in support of the proposal.

Mr. Mike Davidson, 1112 Frances Avenue, spoke in favor of the proposal.

Mr. Mark Sanders, 1106 Frances Avenue, spoke in favor of the proposal.

Mr. Ponder spoke in favor of staff recommendations.

Mr. McLean acknowledged that there was no opposition from the neighbors. He stated that the lot contains the square footage, but the frontage is less than the average and he was in favor of approving.

Mr. Small spoke in favor of staff recommendations. He stated that the differences of the required lot comparability issues are substantial.

Mr. Ponder spoke in favor of staff recommendations.

Mr. McLean moved and Mr. Loring seconded the motion to approve final plat 2005S-157U-10 based on the waiver provisions of the comparability. **(2-5)**

The motion failed.

Mr. Ponder moved, and Mr. Small seconded the motion, to approve staff recommendation on final plat 2005S-157U-10 which is to disapprove, since lots do not meet the lot comparability standards for lot frontage. **(5-2) No Votes – Loring, Mclean**

**Resolution No. RS2005-208**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005S-157U-10 is **DISAPPROVED. (5-2)**”

**16.** **2005S-159U-12**  
Brentwood Marketplace  
Map 161, Parcel 044, 285, 286  
Subarea 12 (2004)  
District 31 (Toler)

A request for final plat approval to revise a public utility easement located on 3 lots on the south margin of Old Hickory Boulevard, approximately 800 feet west of Edmondson Pike (3.11 acres), classified within the SCC District, requested by Alliant Partners I, G.P., owner/developer, Gresham, Smith & Partners, surveyor.

**Staff Recommendation -Approve**

**APPLICANT REQUEST -Final Plat**

Request to revise a public utility easement located on 3 lots on the south margin of Old Hickory Boulevard.

**ZONING**

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

**SUBDIVISION DETAILS** This request is to revise the 30' wide NES easement located on the east side of Lot 1 to a 20' wide NES easement and add a 10' wide easement on the west side of Lot 1.

The area proposed for abandonment contains no existing utilities. NES will be providing service via a proposed underground power line through the easement on the west side of lot 1.

This plat would normally be handled administratively, but the party with an option to purchase Lot 1 has contacted the Planning Department to object to the requested easement revision.

**RECOMMENDATION** -Staff recommends approval of the requested revision to the utility easement.

**PUBLIC WORKS RECOMMENDATION** -No Exception Taken.

Ms. Fuller presented and stated that staff is recommending approval.

Mr. Lawson requested further clarification regarding the motion and the subject property.

Mr. Bernhardt explained that NES and the owner of the property are in agreement with the requested change to the public utility easement. He further explained that the potential purchaser of lot 1 was not in agreement with the requested change and was present to speak at the meeting.

Mr. George Etzell, 1918 Blair Blvd., spoke in opposition to the proposal.

Mr. McLean requested further clarifications of the original easement and the requested change to the easement.

Mr. Ponder moved and Ms. Cummings seconded the motion, to adopt staff recommendation and to approve final plat 2005S-159U-12. **(7-0)**

**Resolution No. RS2005-209**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005S-159U-12 is **APPROVED. (7-0)**”

#### **XIV. PLANNED UNIT DEVELOPMENTS (revisions)**

- 17. 155-79-U-11**  
Sidco Drive PUD  
Map132-15, Parcel 58  
Subarea 11 (1999)  
District 16 (McClendon)

A request to amend a portion of the preliminary plan for the Commercial Planned Unit Development district located along the west side of Sidco Drive, north of Harding Place, and along the west side of Interstate 65, classified CL, (1.33 acres), to permit a 8,656 square foot addition to the existing 8,837 square foot retail use, requested by MFS3 Designs, P.C., for Richard A. Epperson and Timothy Causey, owners.

**Staff Recommendation** -*Approve with conditions*

##### **APPLICANT REQUEST** -Amend Preliminary

A request to amend the preliminary plan for a portion of the Commercial Planned Unit Development district located along the west side of Sidco Drive, north of Harding Place, and along the west side of I-65, to permit a 8,656 square foot addition to the existing 8,837 square foot retail building.

**PLAN DETAILS** -The request is for an 8,656 square foot addition to the existing 8,837 square foot Re-Creations furniture retail building. The addition will consist of a stand-alone building, to be located immediately south of the existing building. The two buildings will be connected by an enclosed walkway. Additional landscaping including fountains and two courtyards are also proposed.

##### **TRAFFIC PUBLIC WORKS RECOMMENDATION**

1. Show and dimension ROW along Sidco Drive at property corners.
2. Label and dedicate ROW 30' from pavement centerline, [when applicable the following] and amount necessary to accommodate required turn lane(s).
3. Label and show reserve ROW strip 42' from centerline to property boundary, consistent with the approved major street plan (U4 – 84" ROW).
4. Show Metro ST – 324 driveway ramp for access from public streets.
5. Identify Note 8.
6. Provide a copy of approved PUD plan and previous conditions for development.
7. Submit trip generation comparison to generated trips by approved and existing land use.

##### **STORMWATER RECOMMENDATIONS**

1. Correct FEMA map number.
2. Add 78-840 note.
3. Add preliminary note.
4. Add existing topographic information.

##### **CONDITIONS**

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 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.

Approved with conditions, (7-0) *Consent Agenda*

**Resolution No. RS2005-210**

"BE IT RESOLVED by The Metropolitan Planning Commission that 155-79-u-11 is **APPROVED WITH CONDITIONS. (7-0)**

**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 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."

- 18. 89P-018G-12**  
Gillespie Meadows  
Map 172, Parcel 87  
Subarea 12 (2004)  
District 31 (Toler)

A request to revise the preliminary plan for a portion of the Commercial Planned Unit Development district located along the west side of Nolensville Pike, north of Bradford Hills Drive, (4.89 acres), classified SCN, to permit a 9,000 square foot building containing restaurant and retail uses and to permit a 19,000 square foot building containing general office, retail, and restaurant uses, replacing 38,000 square feet of undeveloped retail and office uses, requested by Anderson Delk, Epps and Associates, for Yazdin Construction, owner.

**Staff Recommendation** -*Approve with conditions*

**APPLICANT REQUEST -Preliminary PUD**

Request to revise the preliminary plan for a portion of the Commercial Planned Unit Development district located along the west side of Nolensville Pike, north of Bradford Hills Drive, (4.89 acres), classified SCN, to permit a 9,000 square foot building containing restaurant and retail uses and to permit a 19,000 square foot building containing general office, retail, and restaurant uses, replacing 38,000 square feet of undeveloped retail and office uses.

**PLAN DETAILS**

The proposed plan is similar to the original preliminary plan approved in 1989, except that it is 10,000 square feet smaller in floor area proposed. A 30-foot wide undisturbed zone located along the northern edge of the property adjacent to Forest Acre Estates was a condition of the previous plan approval and is being carried forward.

The original plan approved two entrances onto Nolensville Pike. This revision proposes one and aligns it with the existing Lords Chapel Drive on the opposite side of Nolensville Pike. A sidewalk is also proposed along the Nolensville Pike frontage.

An internal access drive will carry traffic out to the signalized Bradford Hills Road intersection opposite Lenox Village.

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

**Traffic Comments:**

1. Developer shall construct 1 access driveway aligned with Lord's Chapel Drive with 2 exit lanes and 1 entering lane. Entrance to internal parking drives shall be located a minimum of 20 ft from ROW. Identify driveway width and striping for lanes.
2. Developer shall identify cross access to adjacent parcel 195 (parcel B of the original PUD plan). Access shall align and connect with existing drive on adjacent parcel. Parking space and drive aisle width shall comply with Metro zoning code.
3. Developer shall construct a southbound right turn lane with 100 ft of storage and transition per AASHTO standards on Nolensville Road at the project access driveway or conduct access study.
5. Developer shall label and dedicate ROW 30 ft from centerline and the amount necessary to accommodate turn lanes. Developer shall label and reserve ROW along Nolensville Pike consistent with major street plan (U-6) 54 ft from centerline.

**STORMWATER RECOMMENDATION**

1. Approved except as noted.
2. Correct FEMA note.
3. Parcel is located on 0364 F.
4. Flood information is correct

**FIRE MARSHAL RECOMMENDATION**

1. No part of any building shall be more than 500 feet from a fire hydrant via a hardsurface road.
2. Fire Hydrants should flow at least 1,000 GPM's @40 psi.

**CONDITIONS:**

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, and the Metro Fire Marshal's Office.
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.

Approved with conditions, *(7-0) Consent Agenda*

**Resolution No. RS2005-211**

“BE IT RESOLVED by The Metropolitan Planning Commission that 89P-018G-12 is **APPROVED WITH CONDITIONS. (7-0)**

**Conditions of Approval:**

1. Developer shall construct 1 access driveway aligned with Lord's Chapel Drive with 2 exit lanes and 1 entering lane. Entrance to internal parking drives shall be located a minimum of 20 ft from ROW. Identify driveway width and striping for lanes.
2. Developer shall identify cross access to adjacent parcel 195 (parcel B of the original PUD plan). Access shall align and connect with existing drive on adjacent parcel. Parking space and drive aisle width shall comply with Metro zoning code.
3. Developer shall construct a southbound right turn lane with 100 ft of storage and transition per AASHTO standards on Nolensville Road at the project access driveway or conduct access study.
6. Developer shall label and dedicate ROW 30 ft from centerline and the amount necessary to accommodate turn lanes. Developer shall label and reserve ROW along Nolensville Pike consistent with major street plan (U-6) 54 ft from centerline.

**STORMWATER RECOMMENDATION**

- 1. Approved except as noted.
- 2. Correct FEMA note.
- 3. Parcel is located on 0364 F.
- 4. Flood information is correct

**FIRE MARSHAL RECOMMENDATION**

- 1. No part of any building shall be more than 500 feet from a fire hydrant via a hardsurface road.
- 2. Fire Hydrants should flow at least 1,000 GPM's @40 psi.

**CONDITIONS:**

- 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, and the Metro Fire Marshal's Office.
- 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."

**XV. OTHER BUSINESS**

- 19. Corrections to Commission Minutes for October 28, 2004, and March 10, 2005.

Approved, (7-0) *Consent Agenda*

- 20. Executive Director Reports
- 21. Legislative Update

**XIV. ADJOURNMENT**

The meeting adjourned at 5:45 p.m.



\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary