



**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 23, 2005*

\*\*\*\*\*

*4:00 PM*

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

**PLANNING COMMISSION:**

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

**Staff Present:**

Rick Bernhardt, Executive Director  
Ann Hammond, Assistant Director  
Margaret Holleman, Legal Counsel  
David Kleinfelter, Planning Manager II  
Trish Brooks, Administrative Assistant  
Kathryn Fuller, Planner III  
Adriane Harris, Planner II  
Luis Pereira, Planner I  
Jason Swaggart, Planner I  
Keith Covington, Planning Manager II  
Cynthia Wood, Planner I  
Jeff Lawrence, Assistant Director

**Commissioners Absent:**

Judy Cummings

**I. CALL TO ORDER**

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

**II. ADOPTION OF AGENDA**

Ms. Hammond announced the agenda had one correction. Item #31 should read: Contract renewals for Jennifer Higgs, Nicholas Lindeman, Lee Jones and Jennifer Regen, *and Patricia Brooks*.

Ms. Hammond also announced there was an addendum to the agenda. Item #33, Resolution RS2005-475 – A resolution requesting a report on Council's Plan of Services for annexing part of Councilman Coleman's District 32 into the Urban Services District.

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

**III. APPROVAL OF MAY 26, 2005 MINUTES  
APPROVAL OF JUNE 9, 2005 MINUTES**

Mr. Ponder moved and Mr. Loring seconded the motion, which passed unanimously to approve the minutes of May 26, 2005 and June 9, 2005. **(9-0)**

**IV. RECOGNITION OF COUNCILMEMBERS**

8/5/2005 5:26:55 PM

Councilman Whitmore spoke in support of Item #14 – 2005Z-087U-08 and Item #21 – 2005UD-006U-10. He stated that both proposals will enhance the respective areas of his district.

Councilman Bradley stated he would reserve his comments regarding Item #8, 94-85-P-13 until after the proposal was presented. He was also present to speak regarding Item #12, 2005Z-085U-13.

Councilman Toler stated he would reserve his comments regarding all of the items pertaining to his district until after the items were presented.

Councilman Shulman spoke in favor of Items #18, 2005Z-97T and #20, 2005UD-005U-10. He stated that he has been meeting with both the developer and community on these two items. He also spoke in favor of Item #24, 2005S-158U-10. He stated that his community is in favor of the proposal, but is not in favor of the recommended placement of the stub street.

Councilwoman Williams stated she would reserve her comments until after Item #15, 2005Z-088U-10 was presented.

Council Lady Baldwin Tucker spoke in favor of Item #3, 2005Z-060G-02. She also spoke regarding Item #23, 2005S-142G-01. She mentioned issues with the cluster lot option that was included in this proposal and read a letter that she had written to Mr. Bernhardt in which she voiced her concerns. In this letter she requested the following data from the Planning Department:

1. The number of developments since 1999 that have used the cluster option.
2. The locations of where the options were granted.
3. The names of developers and engineers making the request to use cluster lot options.

She asked that this information be given to her by July 25, 2005.

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

26. 2005S-156-10 Petty Subdivision - A request for final plat approval to create two lots on the southwest corner of Shackelford Road and Belmont Park Terrace -- deferred indefinitely 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 as presented. (9-0)

**VI. PUBLIC HEARING: CONSENT AGENDA**

**VIII. SOUTHEAST COMMUNITY PLAN 2004 UPDATE – Approve**

**IX. PROPOSED AMENDMENT TO THE METRO COLLECTOR STREET PLAN - Approve**

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

3. 2005Z-060G-02 Request to change from R10 to CS district property located at 3570 and 3564 Dickerson Pike, south of Bellshire Drive - Approve w/conditions

**PRELIMINARY SUBDIVISION PLATS**

5. 2005S-138G-12 Jackson Valley – Request for preliminary plan approval for 44 lots abutting the east margin of Nolensville Road, approximately 200 feet south of Autumn Oaks Drive - Approve w/conditions including variance

**FINAL PLATS**

6. 2005S-122G-06 Hulan Heights - A request for final plat approval to create 3 lots on the south side of Bellevue Road, west of Wild Iris Drive - Approve w/conditions

**ZONING MAP AMENDMENTS AND ZONING TEXT CHANGES**

- |     |                |   |  |
|-----|----------------|---|--|
| 10. | 2005Z-062G-12  | Request to change from AR2a to RM9 and MUL district properties located at Carothers Road (unnumbered), 7156, 7107, 7176, 7211, 7244 Carothers Road, and Battle Road (unnumbered)  | - Approve w/ conditions  |
| 11. | 2005UD-003G-12 | Request to apply an Urban Design Overlay district at Carothers Road (unnumbered), 7156, 7107, 7176, 7211, 7244 Carothers Road, and Battle Road (unnumbered), to permit a maximum of 2,300 units and 150,000 square feet of commercial uses,   | -Approve with conditions, add the following to “Parking Requirements” in Neighborhood Edge” zone: Front facing garages, with the exception of those associated with the Ridge House Type, shall be recessed from the façade of the principal building a minimum of 20 feet   |
| 12. | 2005Z-085U-13  | Request to change from AR2a to RM20 district property located at 1396 Rural Hill Road, approximately 1,000 feet north of Mt. View Road  | - Approve w/ conditions  |
| 14. | 2005Z-087U-08  | Request to change from R6 to RS5 district property located at various addresses south of Centennial Boulevard, west of 40th Street  | - Approve  |
| 16. | 2005Z-089U-05  | Request to change from CN, CS, OR20 and R6 to MUL district property located at 1004, 1006, 1008, 1009, 1011, 1012, 1015, 1017, 1100 Fatherland Street, Fatherland Street (unnumbered) 1100, 1104, 1106, 1108 Russell Street, 301 S. 10th Street, 306 A S. 11th Street, 214 S. 11th Street | Approve MUL zoning for all parcels except Parcels 091 and 030, for which the recommendation is to <u>disapprove</u> . Also, a condition should be added to the recommendation of approval that a Notice of Violation issued by Metro Stormwater for 1012 Fatherland Street must be resolved prior to third reading at Council. If the violation is not resolved prior to third reading at Council, the recommendation is to disapprove MUL zoning on <u>all</u> parcels. |
| 18. | 2005Z-097T     | A council bill to amend Section 17.36.300 (Permitted Land Uses) and Section 17.36.320 (Variation of Conventional Standards) to permit alternative development standards for specific land uses within Urban Design Overlay Districts  | - Approve  |
| 19. | 2005Z-098T     | A council bill amending Section 17.080.030 of the Zoning Code to allow animal hospitals in certain zoning districts   | - Approve  |

- |     |                |  |  |
|-----|----------------|--|--|
| 20. | 2005UD-005U-10 | A council bill to amend the Bedford Avenue Urban Design Overlay district to eliminate floor area ratio exemptions, to limit the size of restaurants, and to eliminate maximum building footprints                                  | - Approve, the following condition must be added:<br>Change restaurant size standard to limit all commercial establishments to 5,250 square feet of gross floor area per establishment |
| 22. | 2005UD-007G-12 | A request to amend the Urban Design Overlay district located along the east side of Nolensville Pike at Lenox Village Drive, classified MUL and RM9, to clarify variations to the conventional standards of the underlying zoning, | - Approve  |

**XIII. FINAL PLATS**

- |     |               |  |                         |
|-----|---------------|--|-------------------------|
| 25. | 2005S-115U-10 | Request for final plat approval to create 2 lots, located at the southeast corner of Belmont and Elmwood | - Approve w/ conditions |
|-----|---------------|--|-------------------------|

**PLANNED UNIT DEVELOPMENTS**

- |     |   |  |  |
|-----|---|--|--|
| 27. | 97P-004G-13   | Nashboro Village Retail Center - Request to revise a portion of the preliminary plan and for final approval for a portion of the Commercial Planned Unit Development district located along the east side of Murfreesboro Pike, north of Nashboro Boulevard, classified SCC, to permit a drive-thru pharmacy in the parking area for the retail shopping center      | - Approve w/ conditions  |
| 28. | 98P-007U-12   | Seven Springs (Office Building, Parcel H) – Request to revise a portion of the preliminary and for final approval for a portion of the Commercial Planned Unit Development district located along the north side of Old Hickory Boulevard, opposite Cloverland Drive, to permit a 24,000 square foot office building, replacing a 20,000 square foot office building | - Approve w/ conditions, including that all stormwater requirements shall be met.  |
| 29. | 2004P-032G-02   | Chadwell Retreat - Request for final approval for a Planned Unit Development located on the south margin of Chadwell Drive and abutting the west side of Interstate 65, classified RS20 and proposed for RM4, to permit the development of 36 townhouses   | -Approve w/conditions including a condition that prior to the issuance of any building permits the following are needed for Metro Stormwater’s approval.<br>1. Notice of Coverage from the Tennessee Department of Environmental and Conversation.<br>2. 1’ freeboard over 100-year event for the detention pond |
| 30. | 2004P-035G-12   | Burkitt Place, Phase I – Request for final approval for a phase of the Residential Planned Unit Development district located on the south side of Burkitt Road, approximately 1,000 feet east of Nolensville Pike, to permit 100 single-family lots  | - Approve w/conditions   |
| 31. | Contract renewals for Jennifer Higgs, Nicholas Lindeman, Lee Jones, Jennifer Regen, and Patricia Brooks - |  | - Approve  |

32. Corrections to Commission minutes from March 10, 2005. -- Approve

Mr. Small moved and Ms. Nielson seconded the motion to approve the Consent Agenda as corrected and presented. (9-0)

## **VII. BELLEVUE COMMUNITY PLAN 2003 UPDATE**

**Staff Recommendation** - *Approve with Special Policy*

**APPLICANT REQUEST** - Change the land use policy from Residential Low Medium Density (RLM) to Residential Medium Density (RM) for approximately 32.8 acres for property located at the southern terminus of Vaughns Gap Road and the southern terminus of Highland Park Drive, including the applicant's property at 11 Vaughns Gap Road (10.7 acres).

### **Existing Land Use Policy**

**Residential Low Medium Density** - RLM policy is intended for existing and future (RLM) residential areas characterized by densities of two to four dwelling units per acre. The most common housing type found in these areas is single family detached, although other types may also be found, such as duplexes and low-density townhouses and apartments.

### **Proposed Land Use Policy**

**Residential Medium Density (RM)** - RM policy is intended for existing and future residential areas characterized by densities of four to nine dwelling units per acre. A variety of housing types can be found in RM areas.

**ANALYSIS** - The applicant has requested to change the land use policy of 11 Vaughns Gap Road, site of the Westside Athletic Center, from Residential Low Medium Density to Residential Medium Density in order to develop a condominium building on the site while retaining the athletic center. In reviewing the amendment request, staff has expanded the amendment area to include the two adjacent residential developments that are already built at medium densities but which are currently included in the Residential Low medium Density policy area. These are the Harpeth Glen condos (5.27 dus/acre) and Belle Meade Highlands condos (8.83 dus/acre). The graphic shows both the amendment area requested by the applicant and the overall amendment area as expanded by staff.

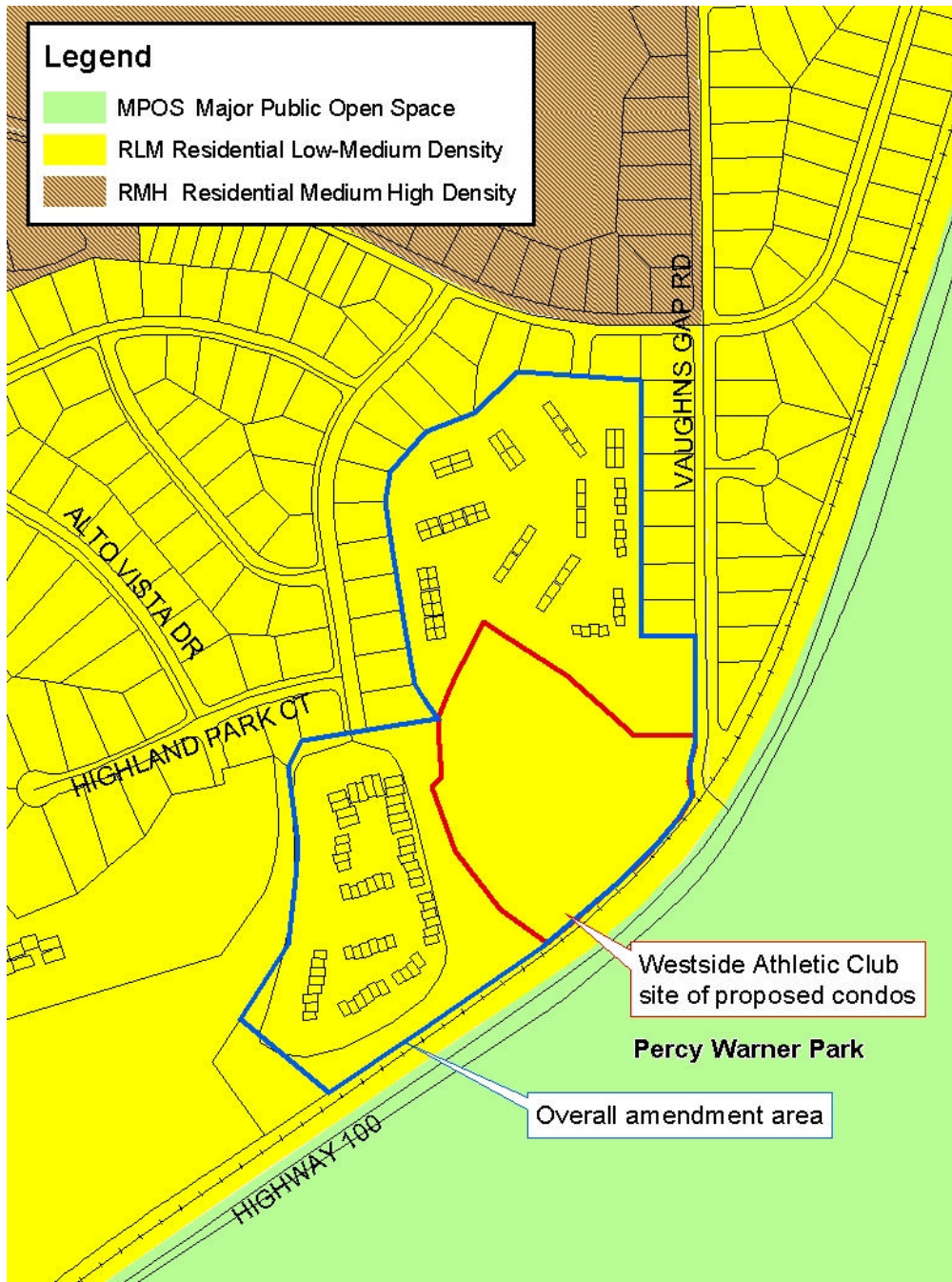
Staff believes that the policy change is appropriate because the Westside Athletic Center property is sandwiched between existing medium density housing and would be a completion of that pattern. Application of RM policy here would to a large degree recognize a situation that has been in existence for a long time and, if responsive to the existing scale of development and to hillside considerations, would provide for compatible infill.

Staff held a community meeting to discuss the proposal on Thursday, March 3 that was attended by approximately 110 people. Attendees expressed concerns about the design and height of the condo building that is being proposed, increased traffic, the possibility of unstable soils on the property, and stormwater drainage.

Staff is also concerned about height in this setting, given the fact that this proposal is for infill in a stable developed area and the site is highly visible across scenic Highway 100 from Percy Warner Park. Other buildings in this area range from one to three stories, and the height of buildings on this site should be compatible. Staff thus proposes the following policy language:

*Special Policy 7 applies to an approximately 33 acre area at the end of Vaughns Gap Road and Highland Park Drive, adjoining the railroad tracks. Much of this area is already developed with medium density housing and an athletic club. Existing buildings range from one to three stories in height. The intent is for the height of new buildings to be compatible with existing buildings in this area, respect the views from the scenic corridor and nearby park, and respond sensitively to hillside development considerations. Therefore, the height of new buildings in this special policy area shall not exceed three stories anywhere on the site.*

*In addition, applications for changes in zoning in this special policy area shall be accompanied by a Planned Unit Development or other design overlay in order to ensure the compatibility of infill development with surrounding development and with site characteristics such as topography and drainage.*



Ms. Wood presented and stated that staff is recommending approval with special policy.

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

## **VIII. SOUTHEAST COMMUNITY PLAN 2004 UPDATE**

**Staff Recommendation** - *Approve*

**APPLICANT REQUEST** - Change the Structure Plan land use policy from Rural to Neighborhood General and Neighborhood Center with Detailed Land Use Policies of Mixed Housing, Mixed Live/Work, Mixed Use, and Open Space for approximately 682.46 acres for property located along Carothers and Battle Roads.

**Existing Land Use Policy**

**Rural (R)** -Rural is a category designed for areas that are generally physically suitable for urban or suburban development, but for which the community has chosen that they remain predominantly rural in character. The predominant type of development in Rural areas is low density residential that is rural in character. Agricultural uses and low intensity community facility uses are also found in Rural areas.

### **Proposed Land Use Policies**

#### ***Structure Plan Policies:***

**Neighborhood General (NG)** - Neighborhood General is a Structure Plan classification for areas that are primarily residential in character. To meet a spectrum of housing needs, ideally, Neighborhood General areas contain a variety of housing that is carefully arranged, not randomly located. Civic and public benefit activities are also characteristic of Neighborhood General areas. Transitional offices are another use occasionally found along the edges of these areas next to an intense center or incompatible district.

**Neighborhood Center (NC)** - Neighborhood Center is the Structure Plan classification for small, intense areas that may contain multiple functions and are intended to act as local centers of activity. Ideally, a neighborhood center is a "walk-to" area within a five minute walk of the surrounding neighborhood it serves. The key types of uses intended within Neighborhood Center areas are those that meet daily convenience needs and/or provide a place to gather and socialize. Residential development in these areas generally consists of a mix of medium to high density single- and multi-family housing.

#### ***Detailed Land Use Policies:***

**Parks, Reserves and Other Open Space** - This category, similar to the Structure Plan component, is reserved for open space intended for active and passive recreation, as well as buildings that support such open space.

**Mixed Housing** This category includes single family and multifamily housing that varies based on lot size and building placement on the lot. Housing units may be attached or detached, but are not encouraged to be placed at random. Generally, the character (mass, placement, height) should be compatible to the existing character of the majority of the street.

**Mixed Live/Work** - This category is primarily residential in character, allowing all housing types found in the Mixed Housing category, while providing opportunities for small commercial establishments, mostly home-run professional or retail services. Appropriate stand-alone activities include all types of permanent household residential, plus civic and public benefit uses deemed appropriate in residential areas, such as places of worship and day care.

**Mixed Use** - This category includes 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.

### **ANALYSIS**

This proposed amendment to the Southeast Community Plan is appropriate for three primary reasons. One is that the location and design of the proposed policy change provides a buffer and land use transition between the growing suburban residential area that abuts the site to the east in neighboring Rutherford County and the remainder of the Rural policy area west of Battle Road and Cane Ridge Park. The proposed policy arrangement provides a transitional edge of open space and compatible housing for the Rural policy area.

A second reason is that this site provides one of Davidson County's very few remaining land large holdings with reasonable topography and good access (note the site's proximity to the Interstate 24 interchange primarily via a nearby arterial, Burkitt Road) on which it is feasible to develop a master planned community of this nature. The opportunities to live, work, and shop in a newly constructed community of compact, walkable neighborhoods with a mixture of housing types, convenient consumer services, and meaningfully arranged open space in Davidson County are very few and are unlikely ever to be common due to the increasing scarcity of large land holdings. It is important to recognize exceptional opportunities such as this when they are presented to the community for consideration.

A third reason is that the local community, which is concerned about maintaining a significant rural environment in the general area, is generally supportive of the proposed amendment. A planning charrette that incorporated four community meetings and was otherwise open to the public was conducted, in January to develop the plan for the site. Neighbors' concerns were generally focused on the quality and price points of the proposed housing and maintaining a more open, low intensity environment along the western edge of the site adjoining the remaining Rural area. This has been accomplished in the proposed policies and UDO.

In addition, opening this portion of the Rural area to urban sewer development does not open up the remainder of the Rural area to the west to sewers. The development proposed for the amendment area will be served by sewers coming from Rutherford County that will be at the termination of that service area. Moreover, the proposed development will use up all of the remaining capacity, limiting pressure to expand urban development into the remaining rural area.

The recommended policy arrangement is shown on the accompanying graphic. Please note that the amendment area includes a few parcels that are not part of the UDO but are either surrounded by it or are sandwiched between it and Rutherford County. Therefore, staff has assigned policies to these properties that reflect a logical continuation of the development pattern of the UDO. These properties, if ever developed, should be required to develop according to a UDO.

The community plan amendment also involves changes to its transportation plan component. The street network that is contained in the UDO will be added to the community plan's network of Required Street Connections. This interconnected street network also enables Carothers Road to be redesignated from a Collector to a Local street (see related Collector Street Plan amendment). The street network is also shown on the graphic.





**Resolution No. RS2005-212**

“BE IT RESOLVED by The Metropolitan Planning Commission that the Southeast Community Plan 2004 Update is **APPROVED. (9-0)**”

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

**Staff Recommendation** - *Approve*

**APPLICANT REQUEST** - Amend the Collector Street Plan to change Carothers Road from a Collector to a Local designation.

**ANALYSIS** - This proposed amendment to the Collector Street Plan is supportable because the network of local streets proposed by the applicant successfully replaces the function envisioned for Carothers Road in the Collector Street Plan. The objectives of the street classification system are clearly to accommodate circulation needs, but additionally to complement the expected development pattern for a given area.

Carothers Road begins at Battle Road in Davidson County and ends at Waldron Road in Rutherford County, where it serves a growing residential area. Carothers Road in Davidson County serves a relatively small area that largely corresponds with the 682 acre amendment area. The function of Carothers Road in the currently planned street network, which is a portion of a sparse rural rather than denser urban or suburban street network, is to carry all of the east-west traffic for the amendment area (see first graphic), provide a connection from Burkitt Road (an arterial) via Battle Road (a collector) to points east, and to provide access to the properties that adjoin it.

The proposed new policies will support the development of a mixed-use environment that contains predominantly urban developed areas set within a substantial open space network. The community envisioned to be developed on the UDO site, which occupies 556 of the 682 acre amendment area, is planned to consist of three distinct, walkable villages within Davidson County (a fourth will be in neighboring Rutherford County), each with its own mixed use center (one of which is the Town Center for all of the villages), variety of housing, and open space. This is a land use pattern that will capture a higher than usual percentage of trips within the development that would otherwise travel outside of it for such needs as shopping, employment, and recreation. This land use pattern needs to be supported by an appropriate street network that facilitates the movement of people (on foot and bicycle as well as by automobile) among the various land uses within the development as well as the movement of people through the development without causing conflicts between the various modes of travel. This requires narrower streets than the typical collector cross section of 37 feet of pavement with a 60 foot right-of-way.

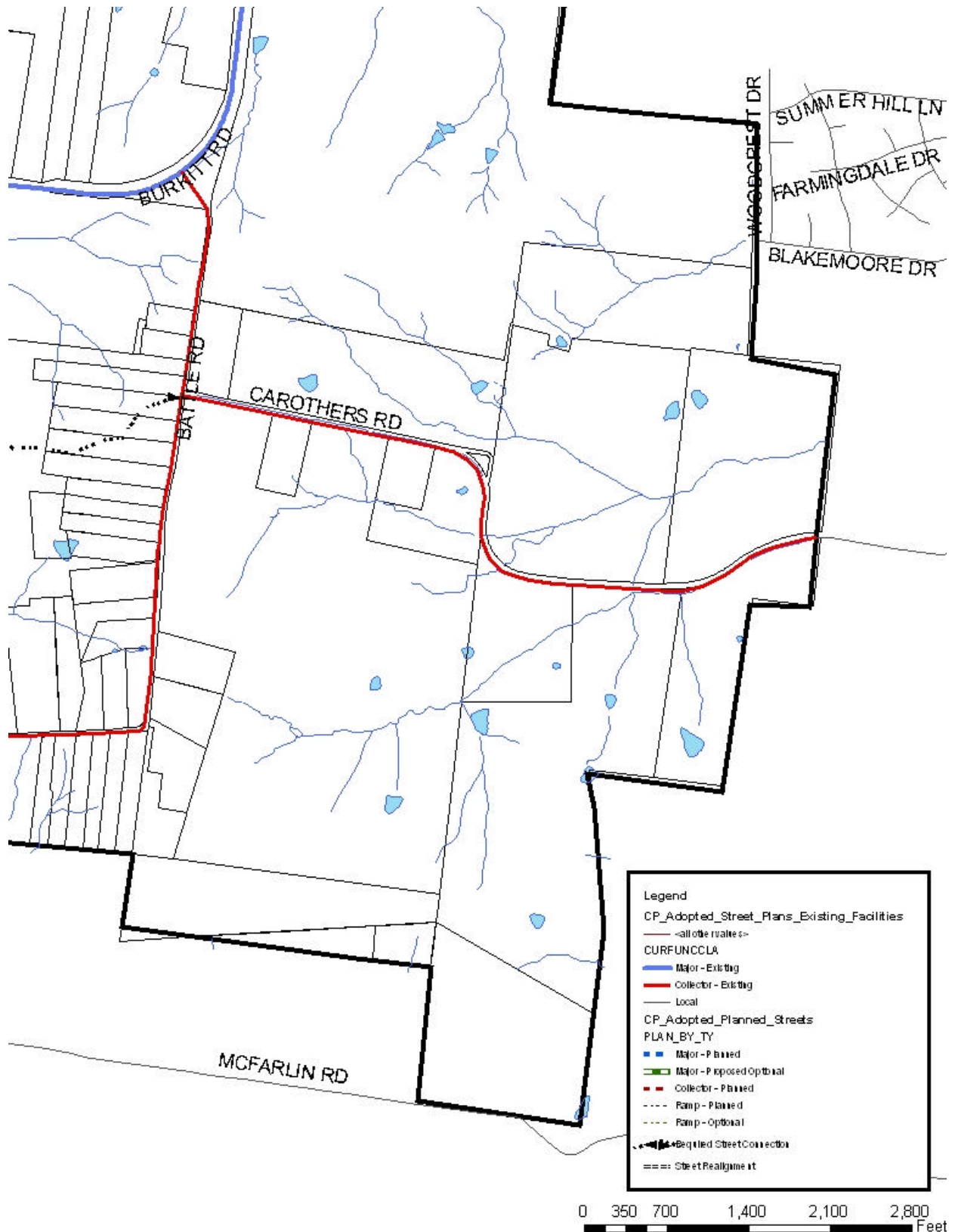
What has been done in the street network proposed for this development is that the east-west function provided by Carothers Road has been assigned to two east-west local streets instead, both of which connect to Battle Road as well as to the remainder of Carothers Road in Rutherford County. These two streets are highlighted in red on the second graphic. Additionally, a dense network of local streets would be connected into these two east-west streets. Some of these other local streets would also provide access outside the project site.

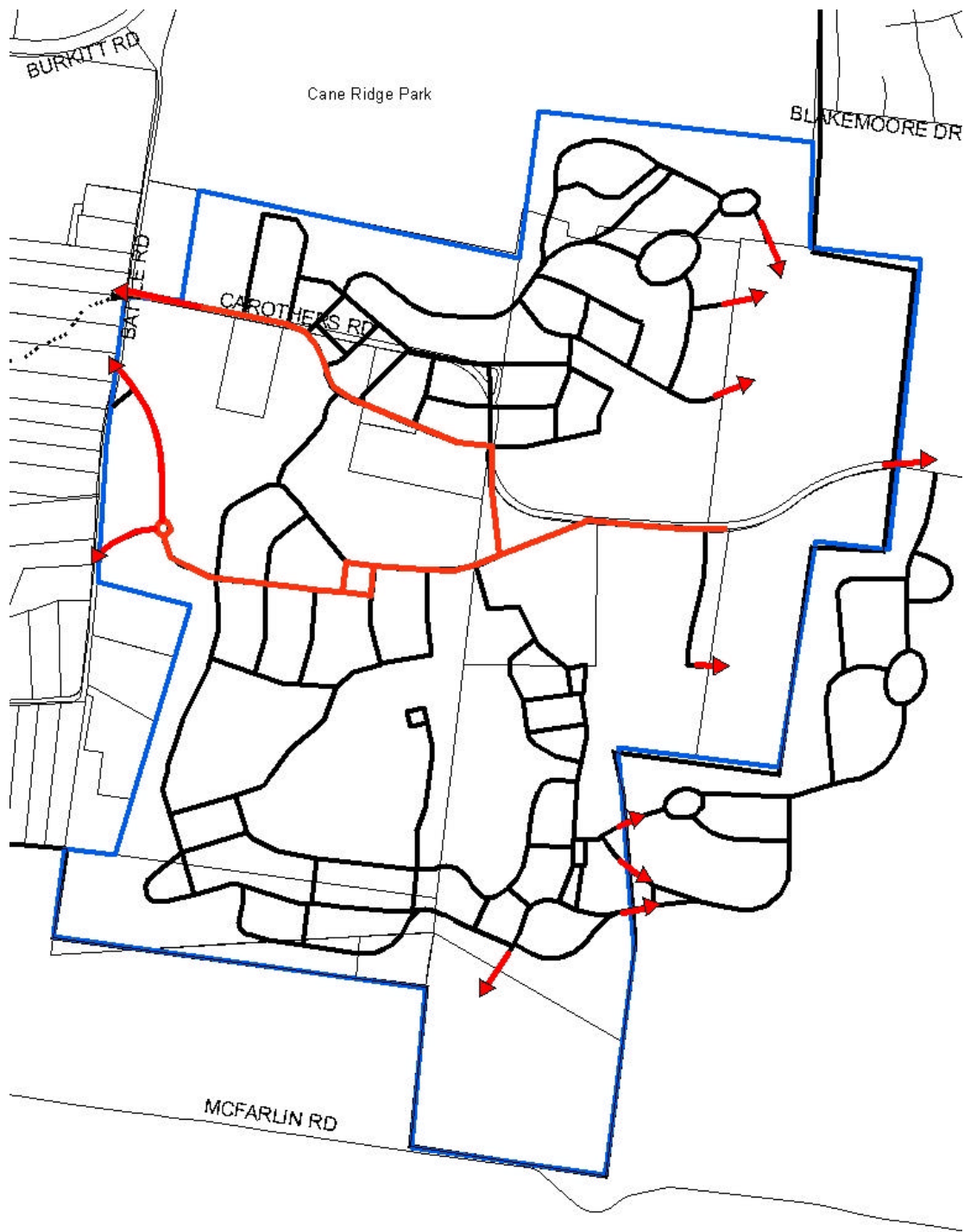
The design of this street network is sensitive to the context of the development it is planned to serve. All of these streets are planned to be appropriately designed to carry automobile traffic at speeds that will not endanger bicyclists or pedestrians who are intended to be more common users of the transportation network than they would be in the originally planned rural environment for this area.

A required Traffic Impact Study prepared for the developer documents that the two east-west streets will operate successfully in circulating traffic through and within the project site. All four of the key intersections along these streets will operate at Level of Service C or better in both the AM and PM peak hours on a scale from A to F where A represents the best level of service and F represents the worst. Level of Service C is an appropriate level of service, especially for an urban environment such as that which is proposed to be constructed on this site.

The two east-west replacement streets, as part of a complete and interconnected street network, will continue to carry east-west traffic through the amendment area at speeds appropriate to the environment through which it passes.

This successful operation of the primary replacement east-west network combined with the land use pattern and accompanying dense, interconnected street network lead staff to recommend approval of the redesignation of Carothers Road as a local street. A collector is no longer needed in this location to circulate traffic and serve adjoining land uses because its function has been replaced by an integrated land use and street network appropriate to the type of policy planned to be in this area assuming the policy amendment is adopted.





**Resolution No. RS2005-213**

“BE IT RESOLVED by The Metropolitan Planning Commission that the Proposed Amendment to The Metro Collector Street Plan is **APPROVED. (9-0)**”

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

**ZONING MAP AMENDMENTS**

1. **2005Z-041G-06**  
Map 143, Parcel 007  
Subarea 6 (2003)  
District 35 (Tygard)

A request to rezone from R8 to RM9 property located at 11 Vaughns Gap Road (10.7 acres), requested by Jeff Zeitlin of Westside Lofts, LLC, applicant, for Westside Property Holdings, LLC, owner.

**Staff Recommendation** - *If the Metro Planning Commission approves the Proposed Amendment to the Bellevue Community Plan: 2003 Update, then staff recommends approval of this zone change with the associated Planned Unit Development (2005P-011G-06).*

**APPLICANT REQUEST** - A request to change 10.7 acres from Residential single-family and duplex (R8) to Multi-Family Residential (RM9) district, property located at 11 Vaughns Gap Road, along the north side of Highway 100.

**Existing Zoning**

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

**Proposed Zoning**

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

**BELLEVUE COMMUNITY PLAN POLICY**

**Existing 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.

**Proposed Plan Policy**

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.

Policy Conflict - No. The requested zone change is consistent with the proposed plan policy. The policy recognizes the existing development pattern bordering this property that are built at RM policy. Further, the associate PUD will ensure that development on this property is consistent with the Special Policy limiting the height of buildings that is part of the proposed Community Plan amendment.

**METRO SCHOOL BOARD REPORT**

Projected student generation     4 Elementary     3 Middle     3 High

Schools Over/Under Capacity - Students would attend Westmeade Elementary School, Bellevue Middle School, or

Hillwood High School. Westmeade been identified as being over capacity by the Metro School Board. There is capacity at an elementary school within the cluster. This information is based upon data from the school board last updated February 3, 2005.

**RECENT REZONINGS** - None.

**TRAFFIC PUBLIC WORKS' RECOMMENDATION** - Access study required and submitted.

**Typical Uses in Existing Zoning District: R8**

Land Use (ITE Code)	Acres	Density	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	10.7	4.63	50	550	45	58

**Typical Uses in Proposed Zoning District: RM9/PUD\***

Land Use (ITE Code)	Acres	Density	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Residential Condo/townhome (230)	10.7	9*	95*	615	50	58

**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
--	--			65	5	0

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

- 2005P-011G-06**  
 Westside Lofts  
 Map 143-00, Parcel 7  
 Subarea 6 (2003)  
 District 35 (Tygard)

A request for preliminary approval for a Planned Unit Development district located at 11 Vaughns Gap Road, along the north side of Highway 100, classified R8 and proposed for RM9, (10.70 acres), to permit 72 condo units within 9 buildings, and to permit the existing 74,540 square foot recreational facility, requested by Westside Lofts LLC, for Westside Property Holdings, LLC, owner.

**Staff Recommendation** - *If the Metro Planning Commission approves the Proposed Amendment to the Bellevue Community Plan: 2003 Update, and the associated zone change (2005Z-041G-06, then staff recommends approval with conditions of this Planned Unit Development.*

**APPLICANT REQUEST**

**Preliminary PUD** - A request for Preliminary approval for a Planned Unit Development district on 10.70 acres, located at at 11 Vaughns Gap Road, along the north side of Highway 100, to permit 72 condo units within 9 buildings, and to permit the existing 74,540 square foot recreational facility, requested by Westside Lofts LLC, for Westside Property Holdings, LLC, owner.

**PLAN DETAILS**

**Site Design** - The existing Westside Athletic Club will remain on-site. The 72 condo units are proposed at the rear of the site. The plan has been completely revised since beginning the review process with the input of the staff and the neighborhood. The original submittal was for a 7-story tower. The current submittal includes nine buildings that are distributed throughout the site and will rise only 3 stories above grade to blend with the existing pattern of

development in the vicinity and comply with the community plan amendment and neighborhood desires. The parking area for the existing club will be revised to meet the current requirements for landscaping and number of parking spaces.

The applicant conducted a geotechnical investigation of the site because of neighborhood concerns about the presence of unstable soils in the Bellevue area. Three test pits were excavated, and no colluvial (slipping) soils were present. The geotechnical engineer expects that bedrock will be encountered at depth of 2 to 12 feet at the site and will make for a firm foundation.

**Zoning** - Westside Athletic Club was approved by BZA as a change of a non-conforming use from a drive-in theater. This use would be classified as a "club" today. However, there are some uses in the facility that are not permitted: STAR Physical Therapy and a beauty salon. Both of the uses are open to the public without being a member of the club. These uses are illegal under the current and proposed zoning and should be required to be removed as a condition of approval for this PUD.

**STORMWATER** - Approve the preliminary plan.

**METRO PUBLIC WORKS' RECOMMENDATION** - Following are review comments for Westside Lofts preliminary PUD (2005P-011G-07) received June 2, 2005. Public Works' review comments are as follows:

1. Approvals are subject to Public Works' review and approval of construction plans submitted with their final PUD.
2. Identify garbage/waste management pickup plan.
3. Confirm with Planning sidewalk requirement. If required, show Metro ST-324 Driveway Ramp, Metro ST-200 Curb and Gutter, and Metro ST-210 sidewalk.

Traffic Comments (revised conditions)

1. Parking shall be prohibited along the access driveway.
2. Developer shall reconstruct access driveway to provide a minimum 24 ft width, and to provide less skew at the intersection with Vaughns Gap Road.
3. The access driveway shall be a minimum of 50 ft from driveway on adjacent property.
4. The access driveway shall accommodate the turning radius of a SU-30 design vehicle and provide adequate sight distance.
5. Developer shall construct a northbound left turn lane with 50' of storage and transition per AASHTO standards on Vaughns Gap Road at site driveway.
6. The transition pavement markings for northbound left turn lane shall not prevent turning movements into adjacent driveway.
7. Developer shall construct a flared approach to provide 2 south bound approach lanes with a minimum of 40 ft of storage on Vaughns Gap Road at Highway 100.
8. Provide 222 parking spaces for the club facilities with 3,000 members in order to provide a total of 312 on site spaces for the club and proposed residential land use. Plan indicates only 274 total spaces provided. If membership is expanded to 3,500 as planned, an additional 37 spaces will be required for a total of 349 on site parking spaces.

**CONDITIONS**

1. All Public Works Conditions as listed above.
2. Prior to the issuance of building permits for the condominium units, the illegal uses must be removed from the property.

3. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
4. 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.
5. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
6. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and fire flow water supply during construction must be met prior to the issuance of any building permits.
7. This preliminary plan approval for the residential portion of the master plans is based upon the stated acreage. The actual number of dwelling units to be constructed may be reduced upon approval of a final site development plan if a boundary survey confirms there is less site acreage.

Ms. Fuller presented and stated that staff is recommending approval of Zone Change 2005Z-041G-06 along with approval with conditions on the Planned Unit Development 2005P-011G-06.

Ms. Kim Hawkins, 2205 Natchez Trace, spoke in favor of the proposal.

Ms. Juliana Ericson, 6317 Percy Drive, spoke in opposition to the proposal.

Mr. Eli Roty, 68 Vaughns Gap Road, spoke in opposition to the proposal.

Mr. David Friedlander, 939 Percy Warner Blvd, spoke in opposition to the proposal.

Mr. John Cordwell, II, 6843 Highland Park Drive, spoke in opposition to the proposal.

Mr. Bob Murphy, RPM Transportation, spoke in favor of the proposal.

Mr. Jon Goff, PDR Engineers, spoke in favor of the proposal.

Mr. Alan Dooley, 6319 Percy Drive, spoke in opposition to the proposal. He submitted information to the Commission.

Ms. Angie Arnold, 21 Vaughns Gap Road, spoke in opposition to the proposal.

Mr. Kevin Gangaware, 6040 Bresslyn Road, spoke in support of the proposal.

Dr. Jules Marquart, 313 Cana Circle, spoke in opposition of the proposal. She submitted petitions of opposition to the Commission.

Ms. Janet Coscarelli, 946 Percy Warner Blvd, spoke in opposition to the proposal.

Mr. Bob Teague, 923 Percy Warner Blvd, spoke in opposition to the proposal. He submitted additional information to the Commission.

Ms. Cynthia Paschal, 6312 Percy Drive, spoke in opposition to the proposal. She signatures of opposition to the Commission.

Mr. Dan Shilstat, 21 Vaughns Gap, spoke in opposition to the proposal.

Dr. David Nole, 902 Percy Warner Blvd, spoke in opposition to the proposal. He submitted additional information to the commission.

Ms. Connie Freeman, 904 Neuhoff, spoke in opposition to the proposal.

Mr. Tom Turk, 643 Harpeth Trace Drive, spoke in opposition to the proposal.

Mr. Steve Small, 26 Vaughns Gap Road, spoke in opposition to the proposal.

Ms. Lisa Colt-Taylor, 3053 Liberty Hills Drive, Franklin, spoke in support the proposal.

Ms. Keli Jackson, 5528 Irongate Drive, Franklin, spoke in support of the proposal.

Ms. Sarah Davis, 1364 Holly Tree Road, Brentwood, spoke in support of the proposal.

Ms. Holly Davis, 6141 Tuckaleechee Lane, spoke in support of the proposal.

Ms. Christine Cash, 3020 Oxford Glenn Drive, spoke in support of the proposal.

Ms. Vickie Dooley, 6319 Percy Drive spoke in opposition to the proposal.

Mr. Emanuel Zeitlan spoke in support of the proposal.

Mr. Mark Booth, 932 Percy Warner Blvd, spoke in opposition to the proposal.

Mr. Paul Devgan, 846 Percy Warner Blvd., spoke in opposition to the proposal.

Ms. Mary Margaret Lohre, 225 Cana spoke in opposition to the proposal.

Ms. Sybil Creekmore, 21 Vaughns Gap Road, spoke in opposition to the proposal.

Mr. Keith Helmke, 325 Harpeth Ridge, spoke in opposition to the proposal.

Mr. Martin Kennedy, 929 Percy Warner Blvd, spoke in opposition to the proposal.

Ms. Ann Hartson, 6823 Highland Park Drive, spoke in opposition to the proposal.

Ms. Kathleen Heneghan, 21 Vaughns Gap Road, spoke in opposition to the proposal.

Ms. Gisela Patterson, 851 Highland Crest Drive, spoke in opposition to the proposal.

Ms. Mary Jones, 412 Arlington Place, spoke in support of the proposal.

Ms. Sandra Lee, 800 Highland Park Court, spoke in support of the proposal.

Ms. Holly Spann, 21 Vaughns Gap, spoke in opposition to the proposal.

Mr. Stewart Englert, 21 Vaughns Gap Road, spoke opposition to the proposal.

Mr. Steve Mitchell, 915 Marengo Lane, spoke in support of the proposal.

Mr. Woodrow Richardson, 66 Vaughns Gap Road, spoke in opposition to the proposal.

Mr. Jeff Zeitlan, 6315 Chickering Woods Drive, developer, spoke in support of the proposal.

Mr. Ponder complimented the constituents for their work on this project. He suggested that the project may not have been explored to its fullest extent. He stated he has some reservations regarding the proposal.

Mr. Tyler requested additional information on the current zoning and the proposed zone change request in relation to the project. He stated he was in agreement with the density of the proposal but has reservations with the procedures of the development of the proposal.



Mr. Clifton requested further clarification on the proposed rezoning in relation to land uses.

Mr. Bernhardt further explained these issues in relation to the proposed development.

Mr. Clifton stated that this proposal may contain too much density in light of the geography of the area.

Mr. McLean requested clarification on the number of students that would be generated by this proposal. He further requested additional information on the size of the units that would be included.

Ms. Nielson expressed reservation with the existing zoning and the proposed development and how it will conform to the area.

Mr. Small acknowledged the concerns expressed by the residents. He stated that the issues expressed by the residents currently exist and are a result of other development in the community. He stated that the development as proposed accommodates the land use policy for the area. He expressed issues with the size of the development and how it will affect the current property owners.

Ms. Jones acknowledged the concerns of the residents. She stated she understood the emotions expressed by the constituents in relation to the density of the proposal and its location.

Mr. Loring expressed issues with the density of the proposal. He stated that this particular location is not appropriate for the multi-uses as proposed.

Mr. Bernhardt explained staff's recommendation regarding the non-conforming units and the heights of each that were included in the proposal.

Mr. McLean moved and Mr. Small seconded the motion to approve staff recommendation on the Bellevue Community Plan 2003 Update, Zone Change 2005Z-041G-06 and the Preliminary Planned Unit Development 2005P-011G-06. (3-6)

This motion failed.

Mr. Clifton offered that he would move to disapprove, but wanted to suggest that discussions continue regarding this parcel of land, and with the admonition that other possibilities that will be proposed for this site.

Mr. Clifton moved and Mr. McLean seconded the motion to disapprove staff recommendation on Bellevue Community Plan 2003 Update, Zone Change 2005Z-041G-06 and the Preliminary Planned Unit Development 2005P-011G-06. **(7-2) Small, Jones**

The commission recessed at 6:10 p.m.

Chairman Lawson left the meeting at 6:30 p.m.

The Commission resumed at 6:30 p.m.

Mr. Small, Vice-Chairman chaired the remainder of the meeting.

Mr. Kleinfelter announced that Item #25 2005S-115U-10 could be placed on the Consent Agenda and approved with conditions.

Ms. Nielson moved and Mr. Ponder seconded the motion to place Item #25 2005S-115U-10 on the Consent Agenda and approve with conditions. **(8-0)**

**Resolution No. RS2005-241**

**“BE IT RESOLVED by The Metropolitan Planning Commission that the Bellevue Community Plan 2003 Update is DISAPPROVED. (6-2)”**

**Resolution No. RS2005-215**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005Z-041G-06 is **DISAPPROVED. (6-2)**

**The proposed RM9 zoning and PUD is not consistent with the surrounding area, and the proposed Residential Medium Policy is not appropriate for this site since it will allow a higher density on this portion of the property than what is appropriate given the surrounding properties and park. It is also inconsistent with the existing Residential Low Medium policy calling for two to four dwelling units per acre.”**

**Resolution No. RS2005-216**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005P-011G-06 is **DISAPPROVED. (6-2)**

**The proposed RM9 zoning and PUD is not consistent with the surrounding area, and the proposed Residential Medium Policy is not appropriate for this site since it will allow a higher density on this portion of the property than what is appropriate given the surrounding properties and park. It is also inconsistent with the existing Residential Low Medium policy calling for two to four dwelling units per acre.”**

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

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

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

**APPLICANT REQUEST** - Rezone 6.12 acres from residential (R10) to commercial service (CS) district a portion of property located at 3564 and 3570 Dickerson Pike, along the west side of Dickerson Pike, south of Bellshire Drive.

**Existing Zoning**

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

**Proposed Zoning**

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

**SUBAREA 2 PLAN Policy**

Commercial Arterial Existing (CAE) -CAE policy is intended to recognize existing areas of “strip commercial” which is characterized by commercial uses that are situated in a linear pattern along arterial streets between major intersections. The intent of this policy is to stabilize the current condition, prevent additional expansion along the arterial, and ultimately redevelop into more pedestrian-friendly areas.

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

**Policy Conflict** - The proposed CS district is consistent with the CAE policy intended for existing commercial development to remain, however, it is not consistent with the RM policy intended for residential development with four to nine units per acre. Although a portion of the property is within the RM policy, the established residential neighborhood to the northwest is protected from the commercial development along Dickerson Pike by the steep

topography. There is an existing stub street in the residential neighborhood that abuts this property, however, the topography may not allow for future connection for residential development. Therefore, it would only allow access from the commercial development along Dickerson Pike. The CS is appropriate because it is proposed on the portions of the site with the less severe topography. The steeper topography serves as a natural boundary between the commercial zoning and the residential.

The applicant originally requested to rezone 7.67 acres of the site, which included acreage with steep slopes, but has amended to 6.12 acres to only include the flatter portion of the site.

**RECENT REZONINGS** - Several properties to the west were approved by the Commission on the May 12, 2005, agenda from CS, RS7.5, and IWD to SCR (included in the Nashville Commons at Skyline proposal).

**METRO PUBLIC WORKS' RECOMMENDATION TRAFFIC**

1. Cross access shall be allowed to adjacent parcels and PUD.
2. One access with 2 exit lanes and 1 entering lane shall be allowed on Dickerson Pk for parcel 033 and shall be located opposite Due West Ave.
3. As determined by the Traffic Impact Study (TIS), the developer shall construct a right turn lane on Due West Ave. at Dickerson Pk. with 200 ft of storage and transition per AASHTO standards and modify traffic signal at this location.
4. Developer shall incorporate bus bay on Dickerson Pk in site plan per MTA design guidelines.
5. At development of rezoned property, developer may submit a focused TIS to modify the conditions if generated peak hour trips are less than 470.

**Typical Uses in Existing Zoning District: R10**

Land Use (ITE Code)	Acres	Density	Total No. of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	6.12	3.7	23	268	26	29

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

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
New Car Sales (841)	6.12	0.020	5,332	178	11	15

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	6.12				-90	-15

**Maximum Uses in Existing Zoning District: R10**

Land Use (ITE Code)	Acres	Density	Total No. of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	6.12	3.7	23	268	26	29

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

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Convenience Market (851)	2.12*	0.1	9,235	6816	619	484

\*Adjusted as per use and size of site

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

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (820)	4.0*	0.6	104,544	6975	161	646

Adjusted as per use and size of site

**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
--					13253	754 1101

**CONDITIONS**

1. Cross access shall be allowed to adjacent parcels and PUD.
2. One access with 2 exit lanes and 1 entering lane shall be allowed on Dickerson Pike for parcel 033 and shall be located opposite Due West Ave.
3. As determined by the Traffic Impact Study (TIS), the developer shall construct a right turn lane on Due West Ave. at Dickerson Pike. with 200 ft of storage and transition per AASHTO standards and modify traffic signal at this location.
4. Developer shall incorporate bus bay on Dickerson Pike in site plan per MTA design guidelines.
5. At development of rezoned property, developer may submit a focused TIS to modify the conditions if generated peak hour trips are less than 470.

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

**Resolution No. RS2005-217**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005Z-060G-02 is **APPROVED WITH CONDITIONS. (9-0)**

**Conditions of Approval:**

1. Cross access shall be allowed to adjacent parcels and PUD.
2. One access with 2 exit lanes and 1 entering lane shall be allowed on Dickerson Pike for parcel 033 and shall be located opposite Due West Ave.
3. As determined by the Traffic Impact Study (TIS), the developer shall construct a right turn lane on Due West Ave. at Dickerson Pike. with 200 ft of storage and transition per AASHTO standards and modify traffic signal at this location.
4. Developer shall incorporate bus bay on Dickerson Pike in site plan per MTA design guidelines.
5. At development of rezoned property, developer may submit a focused TIS to modify the conditions if generated peak hour trips are less than 470.

**The proposed CS district is consistent with the Parkwood/Union Hill Community Plan policy of Commercial Arterial Existing on a portion of the site, which is intended to recognize existing and continuing commercial development. Although a portion of the property is within the Residential Medium policy of the Parkwood/Union Hill Community Plan, the established residential neighborhood to the northwest is protected from the commercial development along Dickerson Pike by the steep topography. Given the steep topography, access to the commercial development will be limited to Dickerson Pike.”**

4. **2005Z-076U-12**  
 Map133-15, Parcel 106  
 Subarea 12 (2004)  
 District 26 (Adkins)

A request to change from RM20 to CL district property located at 326 Travis Drive, north side of Welch Road (2.31 acres), requested by Adam Alger, CB Richards Ellis, Inc., applicant for South Central Bell Telephone Company, owner.

**Staff Recommendation - Disapprove**

**APPLICANT REQUEST** - Request to change 2.31 acres from residential multi-family (RM20) to commercial limited (CL) district property located at 326 Travis Drive, on the north side of Welch Road.

**Existing Zoning**

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

**Proposed Zoning**

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

**CRIEVE HALL/TUSCULUM 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.

**Policy Conflict** - Yes. The proposed CL zoning is not consistent with the Residential Low Medium policy on this site, and an existing condominium development surrounds this parcel on the east and the north. Residential policies begin at Travis Drive and continue to the east. RS10 and R8 zoning currently exist in these areas. As reflected by the adopted land use policy, commercial and other more intensive uses should not cross Travis Drive.

A BellSouth call center currently occupies the site, which is a nonconforming use under the site's existing residential zoning. The call center has not been in operation for several years.

**RECENT REZONINGS** -None.

**TRAFFIC PUBLIC WORKS' RECOMMENDATION** - A TIS may be required at development.

**Typical 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)	2.31	20	46	1153	28	32

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

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (820)	2.31	0.249	25,055	2752	68	253

**Maximum Uses in Proposed 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)	2.31	20	46	1153	28	32

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

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Convenience Market (851)	2.31	0.6	60,374	44,556	4047	3165

**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
--				43403	4019	3133

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

Ms. Nielson moved and Mr. Mclean seconded the motion, which passed unanimously, to disapprove Zone Change 2005Z-076U-12. **(8-0)**

**Resolution No. RS2005-218**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005Z-076U-12 is **DISAPPROVED. (8-0)**

**The proposed CL zoning is not consistent with the Southeast Community Plan’s Residential Low Medium policy on this site, and since an existing condominium development surrounds this parcel on the east and the north. Residential policies begin at Travis Drive and continue to the east, and RS10 and R8 zoning currently exist in these areas. As reflected by the adopted land use policy, commercial and other more intensive uses should not cross Travis Drive.”**

**PRELIMINARY SUBDIVISION PLATS**

- 5. **2005S-138G-12**  
Jackson Valley  
Map 18, Parcel 044  
Subarea 12 (2004)  
District 31 (Toler)

A request for preliminary plan approval for 44 lots abutting the east margin of Nolensville Road, approximately 200 feet south of Autumn Oaks Drive (7.7 acres), classified within the AR2a District and proposed for RS5, requested by GSH Development, LLC, owner/developer, Alley & Associates, surveyor.

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

**APPLICANT REQUEST - Preliminary Plat**

A request to create 44 single-family lots on 7.7 acres on the east side of Nolensville Road, south of Autumn Oaks Drive.

**ZONING**

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

**SUBDIVISION DETAILS** - This subdivision proposes 44 single-family lots with sizes ranging from 5,000 to 10,000 square feet. One access drive (Jackson Valley Drive) is proposed from Nolensville Pike. A stub street is proposed to the south for future connectivity to the recently approved Legg Development PUD.

Turnaround Length Variance - Section 2-6.2.1 of the Subdivision Regulations states that the maximum lengths of streets leading to turnarounds shall be 750 feet. The proposed length of the entire street from Nolensville Pike is 1,295 feet total. The length of the permanently dead-ended portion of the street is 905 feet which exceeds the maximum street length for a turnaround cul-de-sac. The applicant has requested a variance to maximum length of cul-de-sacs.

Staff recommends approval of the variance. There are steep slopes that prevent a possible connection to the north. The applicant is proposing a stub street further south that would provide a future connection.

A midblock traffic calming device is required by Planning Department policy for any cul-de-sac longer than 750 feet. The device shall be designed and coordinated with the Metro Planning Department and Public Works Departments.

This midblock traffic calming device has not been shown on the plan, as required.

Sidewalks - A five foot wide sidewalk is proposed on both sides of the new street and stub street.

Landscape Buffer Yards - Ten foot landscape buffer yards (B-3) are proposed around the property boundary since the zoning of this is RS5 adjacent to R20 zoning to the north and AR2a zoning to the south.

#### **PUBLIC WORKS RECOMMENDATION**

1. The centerline of Jackson Valley Drive does not appear to conform to geometric design requirements for a 30 mph design speed. The minimum centerline radius of curved segments shall be in accordance with the Subdivision Regulations of the Metropolitan Planning Commission.
2. Developer shall construct a 3-lane cross section on Nolensville Pike along the property frontage. The center turn lane shall align with the southbound left turn lane which is to be constructed by Autumn Oaks developer.
3. Developer shall construct 2 exit lanes with 50 feet of storage on access road at Nolensville Pike.

#### **CONDITIONS**

1. All traffic conditions listed above must be shown on the final plat as appropriate, completed or bonded prior to final plat approval.
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. Grading plans must be approved prior to final plat approval.
4. A revised preliminary plan is to be submitted prior to final plat approval showing a traffic calming turn around between the proposed stub street and cul-de-sac.

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

#### **Resolution No. RS2005-219**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005S-138G-12 is **APPROVED WITH CONDITIONS, including variance for length of dead-end street. (9-0)**

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

1. The centerline of Jackson Valley Drive does not appear to conform to geometric design requirements for a

30 mph design speed. The minimum centerline radius of curved segments shall be in accordance with the Subdivision Regulations of the Metropolitan Planning Commission.

2. Developer shall construct a 3-lane cross section on Nolensville Pike along the property frontage. The center turn lane shall align with the southbound left turn lane which is to be constructed by Autumn Oaks developer.
3. Developer shall construct 2 exit lanes with 50 feet of storage on access road at Nolensville Pike.
4. 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.
5. Grading plans must be approved prior to final plat approval.
6. A revised preliminary plan is to be submitted prior to final plat approval showing a traffic calming turn around between the proposed stub street and cul-de-sac."

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## FINAL PLATS

6. **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.

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

### APPLICANT REQUEST - Final Subdivision

Request for final plat approval to create three lots on the south side of Bellevue Road, west of Wild Iris Drive.

### 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.

**PLAN DETAILS** - As proposed the request will create three new lots along the south side of Bellevue Road with the following area(s), and street frontage(s):

- Lot 1: 18,945 Sq. Ft., (.43 Acres), and 107 Ft. of frontage;
- Lot 2: 38,895 Sq. Ft., (.89 Acres), and 100 Ft. of frontage;
- Lot 3: 42,116 Sq. Ft., (.96 Acres), and 130 Ft. of frontage.

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". An exception can be granted if the lot fails the lot comparability analysis (is smaller in lot frontage and/or size), if the new lots would be consistent with the General Plan.

The lot comparability analysis yielded a minimum lot area of 20,500 sq. ft., and a minimum lot frontage of 103 linear feet. Lot 2 and 3 pass for area, while lot 1 fails, and lots 1 and 3 pass for minimum frontage, while lot 2 fails.

The area land use policy is Residential Low-Medium. The Land Use Policy Application (LUPA) recommends a density of two to four dwelling units per acre for this RLM policy. The request is consistent with the RLM policy.



Staff recommends that an exception be granted, because the proposed lots are not out of character with other lots in the area, and that the proposal meets RLM policy.

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

**CONDITION**

1. Drainage easement for the buffered drain needs to be extended and shown on the plat prior to recordation, as per Metro Stormwater requirements

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

**Resolution No. RS2005-220**

“BE IT RESOLVED by The Metropolitan Planning Commission that **APPROVED WITH CONDITIONS, including a lot comparability exception. (9-0)**

**Conditions of Approval:**

1. Drainage easement for the buffered drain needs to be extended and shown on the plat prior to recordation, as per Metro Stormwater requirements”

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7. **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.

**Staff Recommendation - Disapprove**

**APPLICANT REQUEST - Final Plat**

Request for final plat approval to subdivide approximately 0.94 acres into three lots at the southeast intersection of Wallace Road and Humber Drive.

**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**

As proposed the request will create three new lots, each with the following area and frontage:

- Lot 1: 12,502 Sq. Ft. (0.29 Ac); 60 ft frontage
- Lot 2: 13,915 Sq. Ft. (0.32 Ac); 105 ft. frontage along Humber Drive and 130 along Wallace Lane.
- Lot 3: 13,781 Sq. Ft. (0.32 Ac); 100 ft. frontage.

Lot 1 will front Wallace Road, lot 2 will front Wallace Road and Humber Drive, and lot 3 will front Humber Drive.

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.” An exception can be granted if the lot fails the lot comparability analysis (is smaller in lot frontage and/or size) if the new lots would be consistent with the General Plan.

The lot comparability analysis for these lots shows that a minimum lot area of 30,546 square feet is required and a minimum allowable lot frontage of 144 linear feet. All three proposed lots fail for area, and lot 1 also fails for frontage. All three lots are less than half the lot area required by the comparability analysis.

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 three proposed lots are consistent with the RLM policy because no duplexes are allowed under the RS10 zoning.

The Subdivision Regulations state that lots within 300 feet from the proposed new lots are to be used in the lot comparability analysis. The lots within this defined area are much larger, and have greater frontages, than the proposal. Outside the 300 foot radius, many lots in the general area are significantly smaller. While the size of the proposed lots is in keeping with the expanded area, the proposed frontage for lot 1 is shorter.

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. The proposed lots are consistent with the RLM policy in this area. However, staff recommends disapproval of the three lots, because:

1. The proposed lots are less than half the size of the lots included in the comparability analysis; and
2. Proposed Lot 1 has a frontage that is shorter than any in the area, even beyond 300 feet from the proposed subdivision.

Staff may be able to recommend approval of a two lot subdivision on this property, depending on the lot configuration proposed by the applicant.

**PUBLIC WORKS’ TRAFFIC RECOMMENDATION**

Approve with the following conditions:

1. Identify and dimension right-of-way along Wallace Road. Label and dedicate ROW 30 feet. from centerline, consistent with the approved major street/collector plan.
2. Show and dimension ROW along Humber Drive.
3. Show pedestrian easement along public Sidewalk, parallel and adjacent to ROW. Minimum easement shall be three feet parallel, and adjacent to ROW, plus the width of the sidewalk outside the ROW.

**STORMWATER RECOMMENDATION - Approve**

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

Mr. McLean moved and Ms. Nielson seconded the motion, which passed unanimously to disapprove final plat 2005S-154U-12. **(8-0)**

**Resolution No. RS2005-221**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005S-154U-12 is **DISAPPROVED. (8-0)**”

**PLANNED UNIT DEVELOPMENTS**

8. **94-85-P-13**  
Chinquapin  
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 margin of Una-Antioch Pike, within the R15 zoning district for 19 multifamily units, requested by MEC, Inc., applicant, for General Construction, owner.

**Staff Recommendation - Approve with conditions.**

**APPLICANT REQUEST - Revision to Preliminary PUD**

Revise the preliminary plan for a planned unit development (2.32 Acres), located along the east side of Una-Antioch Pike, to relocate the driveway for 19 multifamily units.

**PLAN DETAILS**

Site Design - The plan proposes 19 multi-family units with a driveway proposed from Treetop Drive. The original plan was approved in 1986, by Metro Council for the same number of units on this property. These units will be two-story townhomes with the floor area for each unit proposed at 1,300 square feet.

Thirty-eight parking spaces are proposed allowing two spaces per unit.

Driveway Relocation - The previously approved preliminary plan proposed access from Una Antioch Pike, however, the new access point is proposed from Treetop Drive. Section 17.40.120 of the Zoning Ordinance states that specific modifications to the plan including a new vehicular access point to an existing street, road or thoroughfare not previously designated for access is to be reviewed by the Planning Commission as an amendment rather than a revision.

Even though this proposed revision is creating a new access point, Treetop Drive was not an existing street when the PUD was approved by the Metro Council in 1986. The Oakwood Subdivision along with Treetop Drive was developed in 1992. This plan may be reviewed and treated by the Commission as a revision. No approval of the change by Metro Council is required.

The proposed relocation of the driveway creates a better access point than the originally approved access point on Una Antioch Pike. The original access point was about 100 feet from the centerline of Treetop Drive, which would cause some traffic conflicts, while the new access point is over 410 feet from the intersection.

Alternative Access Points Metro Public Works and Planning Staff have reviewed alternative access points and the proposed driveway is more appropriate than an access drive off of Una-Antioch Pike. Una-Antioch Pike is classified as an urban arterial requiring 84’ right-of-way and is substandard at this time with only 60’ right-of-way currently. If an access drive were to be proposed along Una-Antioch Pike, it would be too close to the existing Treetop Drive (less than 300’-required by the Subdivision Regulations). It would also require a stream crossing and disturbance of the natural floodplain area of the property.

Dedicated Right-Of-Way - Typically access to a PUD is provided within the boundary of the PUD, but this project is separated from Treetop Drive by a separate parcel of property that is not within the boundary of the PUD. A 90-foot length of dedicated right-of-way is proposed off of Treetop Drive for access to the project so that an easement through private property is not required.

A turnaround for waste disposal vehicle is proposed in the dedicated right of way. This is to be relocated away from the existing residential homes across from the site.

*Common Open Space*-Seventy-five percent of Phase 2 of the PUD is proposed for common open space to protect the stream(s) on the property.

*Sidewalks* - Sidewalks are to be determined at the development stage since sidewalks were not proposed on the original PUD plan.

**PUBLIC WORKS’ RECOMMENDATION**

1. The relocation of the access from Una Antioch to Treetop Drive is acceptable to Traffic, and is preferred to the location identified on the previous PUD plan.
2. Turnaround for waste disposal vehicle to have sufficient radii to allow for SU-30 vehicle turning movements. Locate turnaround behind landscape buffer.
3. The access drive, a minimum of 24 ft. wide, shall provide adequate sight distance and truck turning radius.

**CONDITIONS**

1. Conditions listed above under the Public Works recommendations are to be made a part of the final PUD plan prior to final approval.

2. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
3. Prior to any consideration by the Metropolitan Planning Commission for final site development plan approval, a paper print of the final boundary plat for all property within the overlay district must be submitted, complete with owners signatures, to the Planning Commission staff for review.
4. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
5. The requirements of the Metropolitan Fire Marshal’s Office for emergency vehicle access and 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. Add the FEMA note and the 78-840 note to the plan as per Metro Stormwater.

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

Mr. Curt Stubblefield, 721 Oak Creek Drive, spoke in support of the proposal.

Councilman Bradley spoke in favor of the proposal. He stated that he and his constituents support the revision that has been proposed by the developer.

Ms. Audrey Clayborn, 2553 Treetop Drive, spoke in support of the proposal.

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

Mr. Joe McConnell, 400 Breeze Point, spoke in support of the proposal.

Mr. Clifton expressed concerns regarding revisions versus amendments in relation to proposed developments presented to the Commission.

Mr. Clifton moved and Mr. Ponder seconded the motion, which passed unanimously to approve the preliminary Planned Unit Development 94-85-P-13. **(8-0)**

**Resolution No. RS2005-222**

“BE IT RESOLVED by The Metropolitan Planning Commission that 94-85-P-13 is **APPROVED WITH CONDITIONS. (8-0)**

**Conditions of Approval:**

1. The relocation of the access from Una Antioch to Treetop Drive is acceptable to Traffic, and is preferred to the location identified on the previous PUD plan.
2. Turnaround for waste disposal vehicle to have sufficient radii to allow for SU-30 vehicle turning movements. Locate turnaround behind landscape buffer.
3. The access drive, a minimum of 24 ft. wide, shall provide adequate sight distance and truck turning radius.
4. 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.

5. 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.
6. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
7. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and 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.
8. Add the FEMA note and the 78-840 note to the plan as per Metro Stormwater."

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

9. **2005Z-035G-12**  
Map183, Parcels 11, 11.01, 12, 12.01, 60  
Subarea 12 (2004)  
District 31 (Toler)

A request to change from AR2a to RM15 district property located at 13153, 13159 and 13167 Old Hickory Boulevard and Old Hickory Boulevard (unnumbered), located at the eastern terminus of October Woods Drive (23.97 acres), requested by Tim Keach, purchaser, for Gene Allen Smith, Shirley Jones Smith, Walter L. Jones, Pamela Nell Jones, Bruce Gold and Joan Gold Cypress, owners.

**Staff Recommendation** - *Disapprove. Old Hickory Boulevard should be widened to the S4 functional standards (96 foot roadway) from the I-24 interchange to Burkitt Road prior to this property being rezoned.*

**APPLICANT REQUEST** - A request to change 23.97 acres from agricultural/residential (AR2a) to residential multi-family (RM15) district property located at 13153, 13159 and 13167 Old Hickory Boulevard and Old Hickory Boulevard (unnumbered), located at the eastern terminus of October Woods Drive.

**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. The existing zoning permits 12 single-family lots.

**Proposed Zoning**

RM15 District - RM15 is intended for single-family, duplex, and multi-family dwellings at a density of 15 dwelling units per acre.

**SOUTHEAST COMMUNITY COMMUNITY PLAN POLICY**

**Existing Plan Policy** - 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.

**Policy Conflict** - No. The proposed RM15 district is consistent with the Commercial Mixed Concentration policy.

**Infrastructure Deficiency Area** - This property is located within an infrastructure deficiency area for transportation and schools identified by the Planning Commission in the Southeast Community Plan. The transportation infrastructure deficiency grid that has been developed by staff was used to analyze Old Hickory Boulevard at this

location. The road scored a “4” because the property is located on a “fair segment of a fair road.”

A property’s road frontage is analyzed to determine that it meets all standards for public streets with respect to:

- pavement width;
- right-of-way width;
- horizontal radii of curves;
- and tangents between reverse curves from intersection to intersection.

The Major Street Plan classifies Old Hickory Boulevard as a S4, Scenic Arterial in this location. When analyzing a road for infrastructure deficiencies, the Major Street Plan is generally used as the guide for determining appropriate pavement and right-of-way width. In analyzing this section of Old Hickory Boulevard for deficiencies, the road would be deemed a “fair segment of a fair road,” scoring a “4,” because the pavement width is not in compliance with the requirements of the Major Street Plan. When a road scores less than a total of “6” the Commission may recommend disapproval due to the roadway infrastructure inadequacy.

The score can be raised if a project is adding segments of a required street connection or collector street as shown on the major street plan of community plan. This project extends a local street to create an intersection opposite October Woods Drive at Old Hickory Boulevard but this was not a required connection so it did not contribute to the score.

The Planning Commission could consider approving this zone change with a condition in addition to the Public Works conditions that the pavement of Old Hickory Boulevard be widened to S4 functional standards prior to or in conjunction with development of this property.

In addition to road infrastructure deficiencies, the Southeast Community Plan notes that “inadequate 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. The school board has programmed for new schools in this area.

#### **METRO SCHOOL BOARD REPORT**

**Projected student generation      23 Elementary 15 Middle      11 High**

**Schools Over/Under Capacity** - Students would attend Maxwell Elementary School, Antioch Middle School, or Antioch High School. All three schools have been identified as being over capacity by the Metro School Board. There is capacity at an elementary and middle school within the cluster and capacity at a high school in an adjacent cluster (Glencliff). This information is based upon data from the school board last updated February 3, 2005.

**RECENT REZONINGS** - None.

**TRAFFIC PUBLIC WORKS’ RECOMMENDATION** - TIS was required for this rezoning  
As recommended in the TIS,

1. Developer shall construct a southbound left turn lane on Old Hickory Blvd at Muci Drive with 100 feet of storage and transitions per AASHTO standards.
2. Developer shall construct a southbound left turn lane on Old Hickory Blvd at the project access road opposite Octoberwoods Drive with 100 feet of storage and transitions per AASHTO standards.
3. Developer shall construct road shoulders a minimum of 4 feet wide along the Old Hickory Boulevard property frontage.
4. The project access road (Muci Drive extension) at Old Hickory Boulevard shall be located opposite Octoberwoods Drive and shall be constructed with an entering lane and 2 exiting lanes. Exiting lanes shall provide a left turn lane and a through/right turn lane both with 100 feet of storage and transitions per AASHTO standards.
5. Developer shall dedicate a minimum 30 feet of right-of-way along Old Hickory Boulevard frontage and

Reserve r.o.w. consistent with 1/2 of a U4 or 42 feet from centerline.

6. Developer shall conduct traffic counts and submit signal warrant analysis at both intersections of Muci Drive with Old Hickory Boulevard at 50% and 90% of project completion and install a traffic signal at either or both intersections upon approval of Metro Traffic Engineer and Traffic and Parking Commission. Developer shall modify any traffic signals installed by others at these locations prior to development in conjunction with constructing the 4th leg of this intersection. Developer shall coordinate installation of traffic signals with PUD developments opposite these 2 Muci Drive intersections with Old Hickory Boulevard.
7. Developer shall allow cross access to parcel 10, 041, and 035 and construct a roadway connection to parcel 11.
8. Developer shall construct the extension of Muci Drive consistent with Public Works standards and dedicate required public ROW for Muci Drive extension.

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

Land Use (ITE Code)	Acres	Units Per Acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single Family Detached (210)	23.97	0.5	12	148	18	16

**Maximum Uses in Proposed Zoning District: RM15**

Land Use (ITE Code)	Acres	Density Per Acre	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Residential Condo/Townhome	23.97	15	359	1901	144	171

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				347	1753	126 155

**CONDITION (if approved)**

1. All Public Works conditions of approval must be included as conditions in any Council bill filed.

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

Mr. Bernard Weinstein, 95 White Bridge Road, spoke in support of the proposal. He submitted a drawing for the record.

Mr. Clifton requested additional clarification regarding the maximum number of units that could be included in this proposal. He commented on the needed infrastructure and its relation to this proposed development.

Mr. McLean commented on the request and the density of the proposal.

Mr. Ponder moved and Ms. Nielson seconded the motion, to disapprove Zone Change 2005Z-035G-12. **(7-1) No Vote - McLean**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005Z-035G-12 is **DISAPPROVED**. (7-1)

**The proposed RM15 district is consistent with the Southeast Community Plan’s Commercial Mixed Concentration policy. Despite this consistency with policy, the property is located within an infrastructure deficiency area for transportation and schools. The transportation infrastructure deficiency grid developed by staff was used to analyze Old Hickory Boulevard at this location. It was found that Old Hickory Boulevard should be widened to the S4 functional standards (96 foot roadway) from the I-24 interchange to Burkitt Road prior to this property being rezoned.”**

**10. 2005Z-062G-12**  
Map188, Parcels 4, 5, 8, 11, 13, 33, 34, 10,  
Map190, Parcel 1  
Subarea 12 (2004)  
District 31 (Toler)

A request to change from AR2a to RM9 (303.56 acres) and MUL (216.24 acres) district properties located at Carothers Road (unnumbered), 7156, 7107, 7176, 7211, 7244 Carothers Road, and Battle Road (unnumbered), (519.80 acres), requested by Woodridge Investments, LLC, for Robert E. Carothers, etux, Steve and Janice Williams, Elizabeth Thomason, and David L. Copeland, etux, owners.

**Staff Recommendation** - *Approve zone change with conditions, including the associated subarea plan amendment, Collector Street Plan Amendment and Urban Design Overlay.*

**APPLICANT REQUEST** - Rezone 519.80 acres from agricultural and residential (AR2a) to multi-family residential (RM9) (303.56 acres) and MUL (216.24 acres) district properties located at Carothers Road (unnumbered), 7156, 7107, 7176, 7211, 7244 Carothers Road, and Battle Road (unnumbered).

**Existing Zoning**

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

**Proposed Zoning**

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

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

**SOUTHEAST COMMUNITY PLAN**

**Existing policy**

Rural -R is intended for areas that are physically suitable for urban or suburban development but the community has chosen to remain predominantly rural in character. Agricultural uses, low intensity community facility uses, and low density residential uses (one dwelling unit per two acres or lower) may be appropriate.

**Proposed Land Use Policies**

Neighborhood Center -NC is intended for small, intense areas that may contain multiple functions and are intended to act as local centers of activity. Ideally, a neighborhood center is a "walk-to" area within a five minute walk of the surrounding neighborhood it serves. The key types of uses intended within NC areas are those that meet daily convenience needs and/or provide a place to gather and socialize. Appropriate uses include single- and multi-family residential, public benefit activities and small scale office and commercial uses. An accompanying Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

Neighborhood General -NG is intended to meet a spectrum of housing needs with a variety of housing that is carefully arranged, not randomly located. 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.



**Policy Conflict - No.** The proposed RM9 district is consistent with the Southeast Community Plan’s proposed policy of Neighborhood General and the proposed MUL district is consistent with the proposed Neighborhood Center policy. Both land use policies recommend that an Urban Design (UDO) or Planned Unit Development (PUD) overlay accompany proposals in the area to assure that it conforms to the intent of the policy. There is an accompanying UDO (Carother’s Crossing—2005UD-003G-12) that conforms to the intent of the policy.

**RECENT REZONINGS - None.**

**PUBLIC WORKS’ RECOMMENDATION -** A Traffic Impact Study (TIS) is required prior to rezoning; TIS was scoped on 4/7/05 and has been reviewed.

**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 (210)	511.03	0.5	256	2466	189	250

**Typical Uses in Proposed Zoning District: RM9/UDO\***

Land Use (ITE Code)	Acres	Density per acre	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	511.03	n/a	1,100	9415	780	926

**Typical Uses in Proposed Zoning District: RM9/UDO\***

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)	511.03	n/a	600	2952	217	260

**Typical Uses in Proposed Zoning District: RM9/UDO\***

Land Use (ITE Code)	Acres	Density per acre	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi Family (220)	511.03	n/a	400	2555	200	238

**Typical Uses in Proposed Zoning District: MUL/UDO\***

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (820)	511.03	n/a	120,000	7632	175	707

**Typical Uses in Proposed Zoning District: MUL/UDO\***

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	511.03	n/a	30,000	529	72	113

**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
				20617	2699	1994

**METRO SCHOOL BOARD REPORT**

**Projected student generation     278 Elementary     213 Middle     175 High**

**Schools Over/Under Capacity** - Students would attend Maxwell Elementary School, Antioch Middle School, or Antioch High School. All three schools have been identified as being overcrowded by the Metro School Board. There is capacity at another elementary and middle school within the cluster and capacity at another high school in an adjacent cluster (Glencliff). This information is based upon data from the school board last updated February 3, 2005.

**School Site Dedication** - Due to the potential impact of this development on the public school system, the applicant is required by Planning Commission policy to offer for dedication a school site in compliance with the standards of Section 17.16.040 for high schools with a capacity of 2000 students.

This land dedication requirement is proportional to the development’s student generation potential. Such site shall be within Davidson County and in accordance with the site condition and location criteria of the Metropolitan Board of Education. The Board of Education may decline such dedication if it finds that a site is not needed or desired. No final plat for development of any residential uses on the site shall be approved until a school site has been dedicated to the Metro Board of Education or the Board has acted to relieve the applicant of this requirement. However, failure of the Board of Education to act prior to final plat consideration and approval by the Metropolitan Planning Commission in accordance with its schedule and requirements shall constitute a waiver of this requirement by the Board of Education.

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

**Resolution No. RS2005-224**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005Z-062G-12 is **APPROVED WITH CONDTIONS. (9-0)**

**Conditions of Approval:**

1. A Traffic Impact Study (TIS) is required prior to rezoning; TIS was scoped on 4/7/05 and has been reviewed.

**The proposed RM9 district is consistent with the Southeast Community Plan’s proposed policy of Neighborhood General and the proposed MUL district is consistent with the proposed Neighborhood Center policy. Both land use policies recommend that an Urban Design (UDO) or Planned Unit Development (PUD) overlay accompany proposals in the area to assure that it conforms to the intent of the policy. The accompanying Carother’s Crossing UDO conforms to the intent of the policy.”**

11. **2005UD-003G-12**  
Carothers Crossing  
Map 188, Parcels 4, 5, 8, 11, 13, 33, 34, 10  
Map 190, Parcels 1, 2, 3  
Subarea 12 (2004)  
District 31 (Toler)

A request to apply an Urban Design Overlay district at Carothers Road (unnumbered), 7156, 7107, 7176, 7211, 7244 Carothers Road, and Battle Road (unnumbered), classified AR2a, (519.80 acres), to permit a maximum of 2,300 units and 150,000 square feet of commercial uses, requested by Woodridge Development for Robert E. Carothers, etux, Steve and Janice Williams, Elizabeth Thomason, and David L. Copeland, etux, owners.

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

**APPLICANT REQUEST - Preliminary UDO**

Request to adopt a preliminary Urban Design Overlay (UDO) to allow for the development of 2,300 residential units and 150,000 square feet of mixed-use commercial on a total of 519.80 acres. The site is located along the south side of Carothers Road, east of Battle Road.

**CONDITIONS**

1. Prior to final UDO approval, the applicant shall work with the Fire Marshal to meet access requirements or present alternative solutions that meet the intent of the Urban Design Overlay as well as objectives established by the Fire Marshal.
2. Prior to third reading in Council the Preliminary UDO document shall be updated as follows:
  - Remove item 11 under “Property Owners Association Standards” (p. 29)
  - Add the following to “Tree Pattern” under “Drive” in the Landscape Regulations: “or alley 30 feet on center” (p. 25)
  - Revise “Percentage Allocation of Unit Types” for “Single Family Detached Units” to “35% min./ 40% max.” (p. 26)
  - Add “roof overhangs” to “Encroachments Allowed” in setbacks for all zones.
  - Revise “rear setback” for “outbuildings” to “5 ft. min., 5 ft. or 15 ft. and greater if garage doors open onto an alley or service lane” in all zones.
  - Revise setbacks under “Parking Requirements” to match setbacks for “Outbuildings” in all zones.
  - Add the following to “Parking Requirements” in “Neighborhood Edge” zone: “Front facing garages shall be recessed from the façade of the principal building a minimum of 20 ft.” (p. 33)
  - On-street parking for street cross section F shall not be striped.
3. Specific street locations shall be as indicated on the Thoroughfare Assignment Plan of the UDO or as may be approved by the Planning Commission during final subdivision review.
4. The maximum ROW required for any street shall be as indicated on the Thoroughfare Assignment Plan of the UDO or as may be approved by the Planning Commission during final subdivision review.
5. All street cross-sections and roadway improvements shall be approved by the Department of Public Works. In determining the most safe and appropriate cross-section, the Department shall work to ensure that the development intent of the UDO is properly attained. In determining the intent of the UDO, the Department of Public Works shall, at a minimum, consult with the Planning Department and utilize the Project Concepts and Planning Principles, the Master Plan and Village explanations, the Street Network plan, the Thoroughfare Assignment plan, the draft Street Types plan, and other relevant components of the UDO in determining the street cross-section that protects public safety and most appropriately achieves the community development goals of the UDO. The final approved street cross-sections may be either:
  - Standard Metro Department of Public Works cross-sections;
  - Cross-sections as described in the “Street Type” section of the Thoroughfare Assignment Plan; or
  - Any other street cross-section developed in accordance with AASHTO guidelines as set forth in the latest edition of “A Policy on Geometric Design of Highways and Streets” and certified by an appropriately licensed engineer.Any necessary variances shall go through the appropriate (Metro) process.
6. Focused TIS reports may be required in conjunction with development of individual project phases to identify specific intersection requirements to achieve the planning, mobility and accessibility concepts of the approved UDO.
7. Developer shall construct a three-lane rural roadway with shoulders on Battle Road between the southern access roadway and Burkitt Road to meet final development plan requirements.
8. Developer shall construct westbound left turn lanes at existing intersection of existing Carothers Road and Battle Road to provide separate right and left turn lanes.
9. Developer shall be responsible for the pro rata share of the cost of off-site improvements identified as

necessary in the TIS analysis. Contributions shall be phased in conjunction with development phases.

10. Developer's plans shall identify trail locations and intersect near street intersections.
11. Prior to third reading at Council, the property owners' signatures for parcels 002 and 003 shall be submitted or deed information is to be provided that shows new ownership.

The developer shall submit a traffic improvements and mitigation phasing plan for review and approval by the Planning Commission prior to approval of the initial subdivision plat. This plan shall be reviewed and recommendations provided by the Department of Public Works and Planning Department. The plan shall identify specific traffic improvements and mitigation measures needed to address the impact of the development on Burkett Rd and Old Hickory Blvd and any additional issues presented in the TIS. The plan shall establish the developers pro rata share of the identified improvements and a schedule for construction of the improvements or the means for payment or bonding of the pro rata sha

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

**Resolution No. RS2005-225**

**“BE IT RESOLVED by The Metropolitan Planning Commission that 2005UD-003G-12 is APPROVED WITH CONDITIONS, adding the following to “Parking Requirements” in “Neighborhood Edge” zone: “Front facing garages, with the exception of those associated with the Ridge House Type, shall be recessed from the façade of the principal building a minimum of 20 feet.**

**Conditions of Approval:**

1. Prior to final UDO approval, the applicant shall work with the Fire Marshal to meet access requirements or present alternative solutions that meet the intent of the Urban Design Overlay as well as objectives established by the Fire Marshal.
2. Prior to third reading in Council the Preliminary UDO document shall be updated as follows:
  - Remove item 11 under “Property Owners Association Standards” (p. 29)
  - Add the following to “Tree Pattern” under “Drive” in the Landscape Regulations: “or alley 30 feet on center” (p. 25)
  - Revise “Percentage Allocation of Unit Types” for “Single Family Detached Units” to “35% min./ 40% max.” (p. 26)
  - Add “roof overhangs” to “Encroachments Allowed” in setbacks for all zones.
  - Revise “rear setback” for “outbuildings” to “5 ft. min., 5 ft. or 15 ft. and greater if garage doors open onto an alley or service lane” in all zones.
  - Revise setbacks under “Parking Requirements” to match setbacks for “Outbuildings” in all zones.
  - Add the following to “Parking Requirements” in “Neighborhood Edge” zone: “Front facing garages shall be recessed from the façade of the principal building a minimum of 20 ft.” (p. 33)
  - On-street parking for street cross section F shall not be striped.
3. Specific street locations shall be as indicated on the Thoroughfare Assignment Plan of the UDO or as may be approved by the Planning Commission during final subdivision review.
4. The maximum ROW required for any street shall be as indicated on the Thoroughfare Assignment Plan of the UDO or as may be approved by the Planning Commission during final subdivision review.
5. All street cross-sections and roadway improvements shall be approved by the Department of Public Works. In determining the most safe and appropriate cross-section, the Department shall work to ensure that the development intent of the UDO is properly attained. In determining the intent of the UDO, the Department of Public Works shall, at a minimum, consult with the Planning Department and utilize the Project Concepts and Planning Principles, the Master Plan and Village explanations, the Street Network plan, the Thoroughfare Assignment plan, the draft Street Types plan, and other relevant components of the UDO in determining the street cross-section that protects public safety and most appropriately achieves the community development goals of the UDO. The final approved street cross-sections may be either:
  - Standard Metro Department of Public Works cross-sections;
  - Cross-sections as described in the “Street Type” section of the Thoroughfare Assignment Plan; or

- Any other street cross-section developed in accordance with AASHTO guidelines as set forth in the latest edition of “A Policy on Geometric Design of Highways and Streets” and certified by an appropriately licensed engineer.
- Any necessary variances shall go through the appropriate (Metro) process.
6. Focused TIS reports may be required in conjunction with development of individual project phases to identify specific intersection requirements to achieve the planning, mobility and accessibility concepts of the approved UDO.
  7. Developer shall construct a three-lane rural roadway with shoulders on Battle Road between the southern access roadway and Burkitt Road to meet final development plan requirements.
  8. Developer shall construct westbound left turn lanes at existing intersection of existing Carothers Road and Battle Road to provide separate right and left turn lanes.
  9. Developer shall be responsible for the pro rata share of the cost of off-site improvements identified as necessary in the TIS analysis. Contributions shall be phased in conjunction with development phases.
  10. Developer’s plans shall identify trail locations and intersect near street intersections.
  11. Prior to third reading at Council, the property owners’ signatures for parcels 002 and 003 shall be submitted or deed information is to be provided that shows new ownership.

**This plan proposes four villages with varying densities and housing types to address the natural features of the site (topography and creeks). They are the Town Center, the School Village, the Ridge Village, and the Hamlet. The community is compact, walkable, and contains a variety of building types—all of which meet the intent of the Urban Design Overlay designation.”**

**12.** **2005Z-085U-13**  
 Map 163, Parcel 172  
 Subarea 13 (2003)  
 District 33 (Bradley)

A request to change from AR2a to RM20 district property located at 1396 Rural Hill Road, approximately 1,000 feet north of Mt. View Road (4.71 acres), requested by Coleman Lake Partners, LLC, applicant, for James Andrew Layne, owner.

**Staff Recommendation** - *Approve with conditions, including an access easement across this property to connect to the parcels that border it to the north and south, and one shared ingress/egress point for parcels 172 and 096 onto Rural Hill Road*

**APPLICANT REQUEST-** Request to change 4.71 acres from agricultural and residential (AR2a) to residential multi-family (RM20) district property located at 1396 Rural Hill Road, approximately 1,000 feet north of Mt. View Road.

**Existing Zoning**

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

**Proposed Zoning**

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

**ANTIOCH/PRIEST LAKE COMMUNITY PLAN POLICY**

Neighborhood General - NG is intended to meet a spectrum of housing needs with a variety of housing that is carefully arranged, not randomly located. An accompanying Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to ensure appropriate design and that the type of development conforms with the intent of the policy.

Policy Conflict - The proposed RM20 zoning is not entirely consistent with the Neighborhood General policy on this site, but the parcel to the north of this site was recently rezoned to RM20 in August 2001. If the property proposed for rezoning is approved, it will be included in the development plans of this existing RM20 district to the north. Planning staff is requiring the applicants to provide a site plan for the two parcels that shows the following: 1) An access easement across this property to connect parcels 096 and 172 and stubs into parcel 095 to the south, and 2) One shared ingress/egress point for parcels 172 and 096 onto Rural Hill Road. The applicants have indicated their intent to submit this site plan prior to the June 23, 2005, Planning Commission meeting.

**RECENT REZONINGS** -On July 18, 2001, the Metro Council passed on third reading the rezoning of parcel 096 from AR2a to RM20. This rezoning became effective on August 4, 2001.

**TRAFFIC PUBLIC WORKS' RECOMMENDATION** - A TIS may be required at development.

**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 (210)	4.71	0.5	2	28	2	3

**Typical Uses in Proposed Zoning District: RM20**

Land Use (ITE Code)	Acres	Density	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Residential Condo/townhome (230)	4.71	20	94	983	76	102

**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
--			+92	955	74	99

**METRO SCHOOL BOARD REPORT**

**Projected student generation**     8 Elementary     5 Middle     4 High

**Schools Over/Under Capacity** - Students would attend J.E. Moss Elementary School, Apollo Middle School, or Antioch High School. There is capacity within the cluster for the elementary and middle schools, but not for the Antioch High School. There is capacity in the adjacent cluster of Glencliff. This information is based upon data from the school board last updated February 3, 2005.

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

**Resolution No. RS2005-226**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005Z-085U-13 is **APPROVED WITH CONDITIONS. (9-0)**

**Conditions of Approval:**

1. Include an access easement across this property to connect to the parcels that border it to the north and south, and one shared ingress/egress point for parcels 172 and 096 onto Rural Hill Road.

**The proposed RM20 zoning is consistent with the Antioch/Priest Lake Neighborhood General policy on this site given the surrounding development pattern and land uses. The parcel to the north of this site was recently rezoned to RM20. This property will be included in the development plans of this existing RM20**

**district to the north. Planning staff has required the applicants to provide a site plan for the two parcels that shows the following: 1) An access easement across this property to connect parcels 096 and 172 and stubs into parcel 095 to the south, and 2) One shared ingress/egress point for parcels 172 and 096 onto Rural Hill Road.”**

**13. 2005Z-086G-12**  
 Map 181, Parcel 095  
 Subarea 12 (2004)  
 District 31 (Toler)

A request to change from AR2a to CS district property located at 6433 Nolensville Pike, approximately 300 feet north of Bluff Road (9.61 acres), requested by Roy Dale, applicant, Robert Morris, owner.

**Staff Recommendation - Disapprove**

**APPLICANT REQUEST** - Request to change 9.61 acres from agricultural and residential (AR2a) to commercial services (CS) district property located at 6433 Nolensville Pike, approximately 300 feet north of Bluff Road.

**Existing Zoning**

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

**Proposed Zoning**

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

**CRIEVE HALL/TUSCULUM COMMUNITY PLAN POLICY**

Corridor General CG is intended for areas at the edge of a neighborhood that extend along a segment of a major street and are predominantly residential in character. CG areas are intended to contain a variety of residential development along with larger scale civic and public benefit activities. Examples might include single-family detached, single-family attached or two-family houses; but multi-family development might work best on such busy corridors. 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. No such plan or overlay district has been proposed.

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

**Policy Conflict - Yes.** The proposed CS zoning is not consistent with the Corridor General and Natural Conservation policies on this site. CG policy does not allow for commercial development, and Natural Conservation policy is intended only for low intensity residential development and for the preservation of natural features endogenous to the site. There is a considerable amount of floodplain on the southern end of the site, on the property’s frontage on Bluff Road.

**RECENT REZONINGS** - None.

**TRAFFIC PUBLIC WORKS’ RECOMMENDATION** - A TIS may be required at development.

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

Land Use (ITE Code)	Acres	density	Total Number of lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	9.61	0.5	5	66	13	8

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

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Specialty Retail Center (914)	9.61	0.249	104,234	4497	NA	272

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

Land Use (ITE Code)	Acres	density	Total Number of lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	9.61	0.5	5	66	13	8

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

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (820)	9.61	0.6	251,166	12,333	271	1153

**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
--				12267	258	1145

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

Mr. Robert Morris, 6433 Nolensville Road, spoke in support of the proposal.

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

Mr. Ponder requested additional information on the subdivision of this lot in relation to the entire area.

Mr. McLean stepped out of the meeting.

Mr. Bernhardt explained the subarea policy for this particular area.

Mr. Clifton acknowledged the fact that the proposal does not adhere to the subarea plan. He stated that this area supports residential.

Mr. Loring stated he would be in support of the CL Zoning for this area and would support it in lieu of a disapproval of CS.

Mr. Clifton moved and Ms. Nielson seconded the motion, to approve staff recommendation to disapprove zone change 2005Z-086G-12. (7-1) No Vote – Loring

Mr. McLean stepped back into the meeting.

**Resolution No. RS2005-227**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005Z-086G-12 is **DISAPPROVED. (8-0)**

**The proposed CS zoning is not consistent with the Southeast Community Plan’s Corridor General and Natural Conservation policies on this site. CG policy does not allow for commercial development, and Natural Conservation policy is intended only for low intensity residential development and for the**



**preservation of natural features endogenous to the site. There is also a considerable amount of floodplain on the southern end of the site, on the property's frontage on Bluff Road."**

- 14. 2005Z-087U-08**  
Map 091-04, Parcels 035, 036, 038, 039  
Map 091-08, Parcels Various  
Map 091-12, Parcels 197, 198, 199, 301  
Subarea 8 (2002)  
District 21 (Whitmore)

A request to change from R6 to RS5 district property located at various addresses south of Centennial Boulevard, west of 40th Street (37.35 acres), requested by Councilman Whitmore, for various property owners.

**Staff Recommendation - Approve**

**APPLICANT REQUEST** - Request to change 37.35 acres from R6 to RS5 district property, located at various addresses south of Centennial Boulevard, and west of 40th Street.

**Existing Zoning**

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

**Proposed Zoning**

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

**NORTH NASHVILLE COMMUNITY PLAN POLICY**

**Neighborhood General** - NG is intended to meet a spectrum of housing needs with a variety of housing that is carefully arranged, not randomly located.

**Tomorrow's Hope Detailed Neighborhood Design Plan**

**Single Family Detached in Neighborhood General** -SFD is intended for single-family housing that varies based on the size of the lot. Detached houses are single units on a single lot.

**Single Family Attached & Detached in Neighborhood General** - SFAD is intended for a mixture of single family housing that varies based on the size of the lot and the placement of the building on the lot. Detached houses are single units on a single lot (e.g. single family house), while attached houses are single units that are attached to other single family houses (e.g. townhomes).

**Parks, Reserves, and other Open Space in Neighborhood Center** - A small parcel with frontage off 40<sup>th</sup> Street is designated as "Parks, Reserves, and other Open Space in Neighborhood Center." These policy areas are reserved for open space intended for active and passive recreation, as well as buildings that will support such open space. The alternate land use policy for this parcel is "Mixed Use."

**Clifton/Southwest Detailed Neighborhood Design Plan**

**Mixed Use in Neighborhood Center** - 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.

**Policy Conflict** - The proposed RS5 zoning is generally consistent with the various land use policies of Tomorrow's Hope Detailed Neighborhood Design Plan, including the NG, SFD, and SFAD policies that apply to the majority of the proposed properties. The proposed RS5 is not entirely consistent with the Parks and Opens Space policy on one parcel and the MU in NC policy on three parcels in the Clifton/Southwest DNDP; however, these are minor inconsistencies. Of the 176 properties that are included in this rezoning, many have single-family homes, several have duplex units, while many others are currently vacant. There are three properties with community, institutional,

and utility uses, and two with residential units numbering four or more. Only one property has a current commercial use.

**RECENT REZONINGS -None.**

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

**METRO SCHOOL BOARD REPORT**

**Projected student generation** - This rezoning is in a predominantly developed area. No new students are expected to be generated with this rezoning.

Approved, (9-0) *Consent Agenda*

**Resolution No. RS2005-228**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005Z-087U-08 is **APPROVED. (9-0)**

**The proposed RS5 zoning is generally consistent with the various North Nashville land use policies that apply to the majority of these properties, including those of the Tomorrow’s Hope Detailed Neighborhood Design Plan—Neighborhood General, Single Family Detached, and Single Family Attached and Detached housing policies. The proposed RS5 is not entirely consistent with the Parks and Opens Space policy on one parcel and the Mixed Use in Neighborhood Center policy on three parcels in the Clifton/Southwest DNDP; however, since these parcels are already zoned residential these are minor inconsistencies.”**

15. **2005Z-088U-10**  
Map, Parcel Various  
Subarea 10 (1994)  
District 34 (Williams)

A request to change from R40 to RS40 district properties located south of Harding Place, north of Tyne Boulevard (271.06 acres), requested by Councilmember Lynn Williams, applicant, for various owners.

**Staff Recommendation - Approve**

**APPLICANT REQUEST** - Request to change 271.06 acres from R40 to RS40 district properties located south of Harding Place, north of Tyne Boulevard.

**Existing Zoning**

R40 zoning: 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.

**Proposed Zoning**

RS40 zoning: 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.

**GREEN HILLS/MIDTOWN COMMUNITY PLAN POLICY**

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

Residential Low Area 3C-Area 3C is one of three areas of the Green Hills/Midtown Community Plan that has a Residential Low policy applied to it, given that it is largely residentially developed with densities at or below two dwelling units per acre.

**Policy Conflict** - No. The density of the proposed RS40 zoning (0.93 homes per acre) is consistent with the lower end of the density allowed by Residential Low policy (1 unit per acre).

Of the 226 properties that are included in this rezoning, there are 4 existing duplexes, several vacant properties, 3 institutional/community uses, and the remaining parcels currently hold single-family residences.

**RECENT REZONINGS** -None.

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

Mr. Pereria presented and stated that staff is recommending approval.

Mr. Martin Katahn, 4607 Belmont Park Terrace, submitted information to the Commission. He spoke in support of the zone change.

Mr. Joe Hamilton, 305 Mountainside Drive, spoke in support of the zone change.

Mr. Everett Davis, a Belmont Park Terrace, spoke in support of the zone change request.

Mr. Robert Chapman, 4700 Benton Smith Road, spoke in opposition to the RS zone change request.

Mr. Brenden Kiefer, 1325 Burton Valley Road, spoke in support of the zone change request.

Mr. Bill Terry, 4641 Villa Green Drive, spoke in support of the proposal.

Mr. Van Fletcher, 1310 Burton Valley Road, spoke in support of the proposal.

Mr. Roland Stricker, 4704 Belmont Park Terrace, spoke in support of the proposal.

Mr. Thomas Patterson, 4709 Villa Green Drive spoke in support of the proposal.

Ms. Elizabeth Fletcher, 1310 Burton Valley Drive, spoke in support of the proposal.

Mr. Tony Darren spoke in support of the proposal.

A resident of 1350 Burton Valley Road, spoke in favor of the proposal.

Councilwoman Williams spoke in favor of the proposal. She stated that this was a neighborhood request and that 93% of the neighbors responded favorably for the request. She requested that the Commission approve the community request.

Mr. Brian Good, 4637 Chives Hill, spoke in favor of the proposal.

Mr. Richard Exton, 1313 Tyne Blvd, requested that this zone change be deferred.

Mr. Dan Cleary, 1464 Tyne, spoke in support of the zone change request.

Ms. Laura Rose, 4604 Villa Green Drive, spoke in support of the proposal.

Ms. Janel Hamilton, 305 Mountainside Drive, spoke in support of the proposal.

Ms. Pat Patterson, 4709 Villa Green Drive, spoke in support of the proposal.

Mr. Loring spoke in support of the RS zone change request for this neighborhood.

Ms. Jones expressed a concern with the tool utilized in accomplishing these zone change requests. She did acknowledge staff's work on updating the tools.

Mr. McLean stated he was in favor of the proposed zone change, but expressed issue with those who oppose who would like to opt out of the request.

Mr. Clifton spoke in favor of the zone change request.

Mr. Ponder spoke in favor of the zone change request.

Mr. Ponder moved and Mr. Loring seconded the motion, which passed unanimously to approve Zone Change 2005Z-088U-10. **(8-0)**

**Resolution No. RS2005-229**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005Z-088U-10 is **APPROVED. (8-0)**

**The density of the proposed RS40 zoning (0.93 homes per acre) is consistent with the lower end of the density allowed by the Green Hills/Midtown Community Plan’s Residential Low policy (1 unit per acre).”**

**16. 2005Z-089U-05**  
Map 083-13, Parcels 004, 005, 007-009, 030-032, 034, 072, 073, 091-095  
Subarea 5 (1994)  
District 6 (Jameson)

A request to change from CN, CS, OR20 and R6 to MUL district property located at 1004, 1006, 1008, 1009, 1011, 1012, 1015, 1017, 1100 Fatherland Street, Fatherland Street (unnumbered) 1100, 1104, 1106, 1108 Russell Street, 301 S. 10th Street, 306 A S. 11th Street, 214 S. 11th Street (3.42 acres), requested by Whitney Kemper, owner.

**Staff Recommendation - Approve**

**APPLICANT REQUEST** - Request to change 3.42 acres from CN, CS, OR20 and R6 to MUL district property located at 1004, 1006, 1008, 1009, 1011, 1012, 1015, 1017, 1100 Fatherland Street, Fatherland Street (unnumbered) 1100, 1104, 1106, 1108 Russell Street, 301 S. 10th Street, 306 A S. 11th Street, 214 S. 11th 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.

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.

OR20 district: Office/Residential is intended for office and/or multi-family residential units at up to 20 dwelling units per acre.

R6 district: R6 requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.72 dwelling units per acre including 25% duplex lots.

**Proposed Zoning**

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

**EAST NASHVILLE COMMUNITY PLAN POLICY**

Mixed Use -MU policy is intended to encourage an integrated, diverse blend of compatible land uses ensuring unique opportunities for living, working, and shopping. Predominant uses include residential, commercial, recreational, cultural, and community facilities. Commercial uses appropriate to MU areas include offices and community, neighborhood, and convenience scale activities. Residential densities are comparable to medium, medium-high, or high density. 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. All of these parcels fall within the Five Points Redevelopment District Plan, administered and implemented by MDHA, and all of these parcels fall within two neighborhood conservation overlay districts.

Mixed Use Area 7B - This area was identified as Mixed Use for several reasons: 1) it is an area where a complete transition to nonresidential uses has not occurred, 2) it contains viable residential components, and a mixture of land

uses exists and is functioning well, 3) the overall balance is not expected to change, and 4) it contains some architecturally and historically unique features. The East Nashville Plan calls for the continuation of the various protection measures that apply in part or in full to Area 7B, including the East Nashville Historic District, the Five Points Redevelopment Plan, and the East-End Lockeland Springs historic conservation overlay district. It is recommended that MDHA be consulted for specific information about the Five Points Redevelopment area.

**Five Points Redevelopment District Plan** - The MDHA redevelopment plan has specific land use and design guidelines for this area, and any development proposals on these parcels must pass through the MDHA design review committee, which includes Planning Department urban design staff.

**Lockland Springs-East End Neighborhood Conservation Overlay (115-85-U and subsequent additions)**The Lockland Springs-East End Overlay is a Neighborhood Conservation Overlay District originally approved in September 1985, on these properties. Initially including some 1,200 properties, the overlay has since been amended various times (in 2003 and 2004) to add new parcels to it. This overlay district is overseen by the Historic Zoning Commission, which has a set of guidelines to govern the design of new building constructions, additions, demolitions, and relocations. The Historic Zoning Commission does not govern land uses; its recommendations do not affect base zoning.

**Policy Conflict** - No. The proposed MUL zoning is consistent with the MDHA design guidelines called for in the Five Points Redevelopment District Plan. Of the properties that are included in this rezoning, several have current small-scale commercial and strip shopping uses, and several are vacant.

**RECENT REZONINGS** - Several properties to the east of these parcels were approved by the Commission to change from R6 to RM15 on February 24, 2005. Metro Council passed this rezoning on third reading in March 15, 2005 (2005Z-021U-05).

**TRAFFIC PUBLIC WORKS' RECOMMENDATION** - A TIS will be required at development.

**Typical Uses in Existing Zoning District: CN, CS, OR20 and R6**

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (820)	3.42	0.3*	44,692	4024	97	369

\*Adjusted for various zoning districts assuming all commercial

**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 (945)	3.42	0.088	13,109	NA	1019	1264

**Typical Uses in Proposed Zoning District: MUL (possible mixed use proposal) assuming 1,400 s.f. units**

Land Use (ITE Code)	Acres	FAR	Total Dwelling Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Res. Condo/townhome (230)	1.71	1.0	53	377	35	36

**Typical Uses in Proposed Zoning District: MUL (possible mixed use proposal)**

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Specialty retail (814)	1.71	0.228	16,983	765	NA	63

**Maximum Uses in Existing Zoning District: CN, CS, OR20 and R6**

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (820)	3.42	0.3*	44,692	4024	97	369

\*Adjusted for various zoning districts assuming all commercial

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

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Gas station With Convenience Market ()	3.42	0.10*	14,897	NA	1158	1436

\*Adjusted as per use

**METRO SCHOOL BOARD REPORT**

Projected student generation\* **11** Elementary **8** Middle **6** High

**Schools Over/Under Capacity** - Students would attend Warner Elementary School, Bailey Middle School, or Stratford High School. There is capacity within the cluster for all three schools. This information is based upon data from the school board last updated February 3, 2005.

\*Based on an assumed maximum of 79 multifamily units at 1,500 square feet each.

Approved, (9-0) *Consent Agenda*

**Resolution No. RS2005-230**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005Z-089U-05 is **APPROVED MUL zoning for all parcels except for 091 and 030, for which the recommendation is to DISAPPROVE MUL. The recommendation of approval also includes the condition that the Notice of Violation issued by Metro Stormwater for 1012 Fatherland Street must be resolved prior to third reading at Council. If the violation is not resolved prior to third reading at Council, the recommendation is to disapprove MUL zoning on ALL parcels.**

The proposed MUL district *is* consistent with the MDHA design guidelines called for in the Five Points Redevelopment District Plan for the majority of the parcels requested for rezoning (Neighborhood Commercial and Mixed Use land uses); MUL is *not* consistent with the One & Two Family Residence land use that parcels 091 and 030 have been designated as in the Five Points Redevelopment District Plan. Of the properties that are included in this rezoning, several have current small-scale commercial and strip shopping uses, and several are vacant. The recommendation of approval also includes the condition that the Notice of Violation issued by Metro Stormwater for 1012 Fatherland Street must be resolved prior to third reading at Council. If the violation is not resolved prior to third reading at Council, the recommendation is to disapprove MUL zoning on all parcels.”

17. **2005Z-091T**  
BL2005-701  
District 11 (Brown)

A council bill to amend Chapters 17.16, 17.36 and 17.40 of the Zoning Code to add Historic Bed and Breakfast Homestay (HB) as a classification of the historic overlay districts, rather than as a Special Exception (SE) use, sponsored by Councilmember Feller Brown.

**Staff Recommendation - Disapprove**

**APPLICANT REQUEST** - Amend Zoning Code to convert “Historic Bed and Breakfast Homestay” from a special exception (SE) use to a historic overlay district.

### **ANALYSIS**

**Existing Law** - The Zoning Code currently permits, under Sections 17.08.030 and 17.16.160.A, a historic bed and breakfast homestay as a special exception (SE) use in residential zoning districts as well as ON, OL, and OG districts subject to Board of Zoning Appeals (BZA) approval. A historic B&B homestay is permitted by right in the mixed-use districts, OR20, OR40, ORI, and CF districts. That is, no BZA approval is required.

Under the current Zoning Code provisions, the BZA approves a historic B&B homestay as a Special Exception use, but the Metro Council must approve the homestay’s location by council resolution, prior to BZA action. As set forth in Section 17.40.280, the Council has 60 days to act on such a request after first being notified by the zoning administrator the application’s filing. The Council’s pre-approval of historic B&B homestay’s was added in 2000 through council bill BL2000-172.

**Proposed Text Change** - The proposed text amendment would essentially convert a historic bed and breakfast homestay from a SE use to an overlay district requiring Metro Council approval; no BZA review or action would be required.

### ***Proposed Text Amendment***

- Delete subsection A of Section 17.16.160 in its entirety and relettering subsections B. and C. accordingly.
- Amend Chapter 17.36 by adding the following new subsection D.:  
D. Historic Bed and Breakfast Homestay (HB) District. The boundaries shall be shown on the zoning map or on special overlays thereto that are made a part of this zoning code and noted by name on such maps, in which no structure shall be constructed, altered, repaired, relocated or demolished in whole or in part unless the action complies with the requirements set forth in this title.
- Amend Section 17.36.120 by adding the following new subsection C.:  
C. Historic Bed and Breakfast Homestay.
  1. An historic bed and breakfast homestay is defined as a building or structure containing three or fewer furnished guest rooms for pay within a private, owner-occupied historically significant structure. Meals may be provided to overnight guests, and the maximum stay for any guest shall be fourteen consecutive days. An historic bed and breakfast homestay shall meet one or more of the following criteria:
    - a. The historic bed and breakfast homestay is associated with an event that has made a significant contribution to local, state or national history;
    - b. It is associated with the lives of persons significant in local, state or national history;
    - c. It embodies the distinctive characteristics of a type, period or method of construction, or that represents the work of a master, or that possesses high artistic value; or
    - d. It is listed or is eligible for listing in the National Register of Historic Places.
  2. In addition to the criteria listed in subsection C.1. of this section, the historic bed and breakfast homestay shall satisfy the following conditions:
    - a. Exterior work proposed to be done will be subject to design review guidelines adopted by the metropolitan historic zoning commission for determining the architectural compatibility and historical significance of such work. The design review guidelines for neighborhood conservation districts shall apply to historic bed and breakfast homestays. The metropolitan historic zoning commission's approval of work shall be granted in writing as a condition for issuance of a zoning permit.
    - b. Owner-Occupied. The owner of the property must reside permanently in the historic home. Where there is more than one owner of the home, or where an estate, corporation, limited partnership or similar entity is the owner, a person with controlling interest, or possessing the largest number of outstanding shares owned by any single individual or corporation, shall reside permanently in the historic home. If two or more persons own equal shares that represent the largest ownership, at least one of the persons shall reside permanently in the historic home.
    - c. No more than one off-street parking space shall be provided for each guest room. The commission shall advise on the appropriate location and potential adverse impacts caused by the off-street parking of vehicles, and may recommend fencing, screening and landscaping to buffer and protect surrounding residential properties.

- d. No signs shall be permitted for advertising. An accessory residential sign, not to exceed the dimensions of one square foot of area, displaying the name and/or address of the owner may be permitted.
  - e. The bulk regulations of the district for a residence shall apply. Overnight guest rooms may be located within historically significant accessory structures.
  - f. The owner shall maintain and make available to the zoning administrator a guest register for each calendar year.
  - g. Meal service shall be restricted to overnight guests only; no cooking facilities shall be permitted in any guest room.
  - h. The metropolitan fire marshal shall approve the structure for safety.
- Amend Section 17.40.280 by deleting the phrase "historic bed and breakfast homestay,".

### **Analysis**

The proposed amendment contains three major changes from the current Zoning Code provisions:

- 1) establishes a land use through an overlay district;
- 2) the review and approval process is moved from the BZA to the Metro Council; and
- 3) the qualifying criteria for evaluating a historic B&B homestay.

*Land Use*-The Metro Zoning Code establishes land use by the base zoning district. The proposed amendment would establish a single land use, in this case, a historic B&B homestay by the adoption of an overlay district. Currently, land uses permitted on a property are determined by the base zoning district, with two exceptions – planned unit developments (PUDs) approved prior to January 1, 1998 and the neighborhood landmark overlay district.

With the rewrite of the Metro Zoning Code in 1998, the Metro Council made a decision that the base zoning district would ordinarily determine the range of land uses permitted on a piece of property. A property owner may voluntarily desire to restrict his/her use of the property through a PUD to one or more land uses. In the case of this proposed amendment, it would be establishing a singular use of a property. – a historic B&B homestay.

*Review/Approval* - Instead of a property owner filing an application with the Codes Department for BZA action and Metro Council pre-approval of the location, an owner would file a zone change application with the Metro Planning Department for Metro Planning Commission and Metro Council action as to the design, location, and use of the structure. The Metro Historic Zoning Commission would continue to provide input to the Metro Council via the Metro Planning Commission, as provided under Section 17.40.410.A of the Zoning Code.

The proposed changes will result in a process that takes more time to get a historic B&B homestay approved. Currently, it takes about four weeks from BZA application submittal to BZA action. As proposed, it will take a property owner three to four months from zone change application submittal to Metro Planning Commission and Metro Council action.

*Qualifying Criteria* - While the amendment does not alter the basic definition of a historic B&B homestay, it does establish more restrictive criteria for qualifying as a homestay. Previously, only the structure needed to be determined by the Metro Historic Zoning Commission to be a “historically significant structure”, as defined in Section 17.040.060 of the Zoning Code. The proposed text amendment proposes more restrictive qualifying criteria. Borrowing heavily from the definition of a historic landmark district in Section 17.36.120.B of the Zoning Code, the amendment requires an evaluation of the structure’s role in local, state, or national history, mastery of craftsmanship, or its listing or eligibility for listing on the National Register of Historic Places.

*Administrative* - While the proposed amendment is to create a new overlay district, several sections of the Zoning Code have not been proposed to remove historic B&B homestay: Definitions, Land Use, and Parking (Sections 17.04.060, 17.08.030, and 17.20.030). Only land uses are defined under the Definitions section. Only land uses permitted by right (P), permitted with conditions (PC), special exception (SE), or as an accessory (A) use are identified on the land use table. Therefore, if this council bill were adopted “as is”, historic B&B homestay would still appear as a definition in the code, in the land use table as a special exception use, and as a land use in the parking requirements section.

*Metro Historical Commission* - The staff of the Metro Historical Commission are currently reviewing this bill. A written recommendation from the Historical Commission will be forwarded to the Metro Planning Commission, prior to its meeting on June 23, 2005.



**Staff Recommendation - Disapprove.** This text amendment establishes a singular land use by overlay district. Land use generally should be established by the base zoning district. Further, the text amendment does not modify other sections of the Zoning Code, which if retained, would continue to identify a historic B&B homestay as a special exception use.

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

Mr. Loring spoke in favor of the proposal and commented on the Councilman’s work on the project.

Ms. Nielson moved and Mr. Ponder seconded the motion to adopt staff recommendation to disapprove Zone Change 2005Z-091T. **(7-1) No Vote – Loring**

**Resolution No. RS2005-231**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005Z-091T is **DISAPPROVED. (7-1)**”

**18. 2005Z-097T**  
BL2005-702  
District 25 (Shulman)

A council bill to amend Section 17.36.300 (Permitted Land Uses) and Section 17.36.320 (Variation of Conventional Standards) to permit alternative development standards for specific land uses within Urban Design Overlay Districts, requested by the Metropolitan Planning Department, sponsored by Councilmember Jim Shulman.

**Staff Recommendation - Approve**

**APPLICANT REQUEST -** To amend the Zoning Code to allow Urban Design Overlay Districts to establish alternative development standards for specific land uses.

**ANALYSIS**

**Existing Law -** Urban design overlay districts are intended to allow for the application and implementation of special design standards with the intent of achieving a sense of place that otherwise is not insured by the application of the conventional bulk standards for the Zoning Code. All uses afforded by the underlying zoning district are permitted within an urban design overlay district. While urban design overlays may vary from the conventional bulk standards of the underlying zoning district, they currently are not able to provide alternative development standards for specific uses allowed within the underlying zoning district.

In many cases it is essential to apply alternative standards to individual land uses to achieve a sense of place within an overlay area as envisioned by the Zoning Code.

**Proposed Text Change -** This bill allows urban design overlay districts to apply alternative development standards to specific land uses. It does so by adding the following sentence to Section 17.36.300 (Permitted land uses):  
““While all land uses classified as 'A', 'P', or 'PC' by the underlying zoning district(s) shall be permitted within the urban design overlay district, the urban design overlay guidelines may provide alternative development standards for specific land uses as necessary to achieve the overall design intent of the district.”

This bill reinforces the ability to provide alternative development standards within urban design overlay districts by adding Chapter 17.16, Sections 17.16.020 through 17.16.330 to Section 17.36.320 (Variation of conventional standards). The addition of these sections to the list of sections that urban design overlay districts may vary from, will allow UDO’s to modify the land use development standards applied by the Zoning Code for specific land uses.

This bill also includes one housekeeping item. It deletes the word “bulk” following the word “conventional” within Section 17.36.320 (Variation of conventional standards). The word “bulk” should have never been applied here because the sections listed include standards beyond what are considered the “bulk” standards of the Zoning Code.

**STAFF RECOMMENDATION - Approve.** Each urban design overlay district is applied following an intensive design study with a great deal of public participation. In order to achieve the intent of the urban design overlay district to create a “sense of place,” as well as to realize the vision of neighbors and property owners, it is essential

to provide the ability to establish alternative development standards for specific land uses with urban design overlay districts.

Approved, (9-0) *Consent Agenda*

**Resolution No. RS2005-232**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005Z-097T is **APPROVED. (9-0)**”

**19.**                                      **2005Z-098T**  
BL2005-704  
District 16 (McClendon)

A council bill amending Section 17.080.030 of the Zoning Code to allow animal hospitals in certain zoning districts, sponsored by Councilmember Amanda McClendon.

**Staff Recommendation** - *Approve*

**APPLICANT REQUEST** - Amend Zoning Code to add “Animal Hospital” as a “P” (permitted use) in the IWD and IR zoning districts.

**ANALYSIS** - This text amendment is a housekeeping amendment. The Planning Commission approved text amendment 2005Z-051T (Council Bill BL2005-630) on April 28, 2005, to add “animal hospital” as a new use in the Zoning Code. The caption of that bill, however, omitted one of the section number’s to be changed in the Metro Zoning Code, specifically “Section 17.08.030”. To ensure no legal challenge could be raised to the validity of BL2005-630, staff was advised to do this housekeeping amendment.

**Staff Recommendation** - Approve. This text amendment provides a much needed service in the Nashville community.

Approved, (9-0) *Consent Agenda*

**Resolution No. RS2005-233**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005Z-098T is **APPROVED. (9-0)**”

**20.**                                      **2005UD-005U-10**  
Bedford Avenue UDO  
Map117, Parcel Various  
Subarea 10 (1994)  
District 25 (Shulman)

A council bill to amend the Bedford Avenue Urban Design Overlay district to eliminate floor area ratio exemptions, to limit the size of restaurants, and to eliminate maximum building footprints, requested by Metro Planning Department.

**Staff Recommendation** - *Approve*

**APPLICANT REQUEST** - Amend the Bedford Avenue Urban Design Overlay District in order to eliminate floor area ratio exemptions, limit the size of restaurants, and remove the maximum building footprint standard.

**Existing Zoning**

MUL and OR20 districts with Urban Design Overlay - Mixed commercial, office and residential use and Mixed housing type residential development in accordance with a design concept plan and design guidelines.

**SUBAREA 10 PLAN POLICY** - Existing Regional Activity Center (RAC) and Residential Low Density (RL) within a Community Plan Design Guide Area; Proposed Regional Activity Center (RAC) and Office Transition (OT).

**Policy Conflict - No.**

**STAFF ANALYSIS** -This amendment is proposed to ensure that the intended design objectives for building form, massing, and character within the Bedford Avenue Urban Design Overlay district are met by eliminating floor area ratio exemptions, restricting the size of restaurants, and removing the maximum building footprint standard.

1. Elimination of Floor Area Ratio Exemptions

The “Floor Area Ratio” (FAR) determines the amount of floor space a building is permitted to have in relation to the size of the lot on which it is located. No FAR was established within the Bedford Avenue UDO design guidelines, so there is no standard from which to be exempt.

FAR is not a good determining factor in building form, scale, and massing, therefore strict standards were established within the document for setbacks, building heights, building widths, and building depths. The application of standards such as these is far more successful at achieving a specific design intent versus the application of a maximum floor area ratio. The existing FAR exemptions should be removed from the document, allowing the UDO’s thorough design standards to dictate building form.

2. Restriction of Restaurant Size

Bedford Avenue charrette participants were committed to limiting restaurants within this overlay area. At the time the overlay was adopted, however, urban design overlay districts did not have the ability to provide alternative development standards for individual land uses. The underlying zoning district establishes the permitted land uses within a UDO, and there was no provision for altering the development standards for specific uses allowed within the underlying zoning district.

BL2005-702 allows urban design overlay districts to provide alternative development standards for specific land uses permitted within the underlying zoning district. This bill restricts restaurant sizes within the Bedford Avenue UDO by adding the following before “2. Parking structures”: “1. Restaurant size: Restaurant, Fast-Food Restaurant, Full-Service Restaurant, Take-Out Restaurant. Establishments shall be limited to five thousand two hundred fifty square feet of gross floor area per establishment. No zoning permit shall be issued for an establishment to be used as a restaurant unless it meets this and all other applicable standards.”

The adoption of BL2005-702 will allow this standard for restaurant establishment size, and the vision for Bedford Avenue will be achievable.

3. Removal of Maximum Building Footprint Standard

An across-the-board maximum building footprint was applied within the underlying zoning district allowing restaurants in order to preclude the construction of a space to be used for an unwanted restaurant. This has proven to be problematic. The east side of Bedford Avenue is intended to contain larger buildings broken up into smaller establishments with a mixture of uses, much like Hillsboro Village. The Illustrative Concept Plan within the UDO document demonstrates this desire, but the maximum building footprint standard will not allow it. The existing 5,250 square feet maximum building footprint standard should be removed from the Bedford Avenue Urban Design Overlay Design Guidelines in order for the street to develop as it was intended.

Approved, (9-0) *Consent Agenda*

**Resolution No. RS2005-234**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005UD-005U-10 is **APPROVED WITH ADDITIONAL CONDITION to change the restaurant size standard to limit all commercial establishments to 5,250 square feet of gross floor area per establishment. (9-0)**”

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21. **2005UD-006U-10**  
31st Avenue/Long Boulevard  
Map 92, Parcels Various  
Map 104, Parcels Various  
Subarea 10 (1994)  
District 21 (Whitmore)

A council bill to amend the 31st Avenue/Long Boulevard Urban Design Overlay district to vary the setbacks for particular building types and to provide opportunities for additional building types, requested by Metro Planning Department.

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

**APPLICANT REQUEST** -Amend the 31st Avenue/Long Boulevard Urban Design Overlay District in order to vary the setbacks for particular building types and to provide opportunities for additional building types.

**Zoning**

RM20, RM40, MUL and ORI districts with Urban Design Overlay - Mixed commercial, office and residential use and Mixed housing type residential development in accordance with a design concept plan and design guidelines.

**SUBAREA 10 PLAN POLICY** - Neighborhood General (NG), Neighborhood Center (NC), and Neighborhood Urban (NU)

**Policy Conflict**-No.

**STAFF ANALYSIS** -This amendment is intended to establish consistency in the side setback provisions for building types within the Core Sub-districts of the adopted UDO concept plan, provide greater flexibility for side setbacks adjacent to service lanes, and to establish general design language for Cottage building types.

The side setbacks for Stacked and Courtyard Flats in the Core sub-districts will be changed from a 10 feet minimum to a 5 feet minimum. This change will create consistency with other building types permitted in these sub-districts. Buildings in these districts, which lie east of 31<sup>st</sup> Avenue North, are more intense than the rest of the UDO and their character should be more urban. This change will enable the desired urban character for these districts.

Where adjacent to a service lane, the side setback for Stacked and Courtyard Flat building types will be changed from 10 feet minimum to 5 feet minimum. The current standard is appropriate where buildings may be adjacent to existing single-family structures; however, it is appropriate to reduce the current requirement where adjacent to a service lane.

In the Center and Core sub-districts, the rear setback for Stacked and Courtyard Flat building types will be changed from 20 feet minimum to 5 feet minimum. This change will create greater consistency with Commercial/Mixed-use building types that currently have minimum rear setbacks of 5 ft. This standard allows greater flexibility in meeting the design intent of the UDO as it relates to issues such as hiding parking behind buildings and creating larger courtyards.

For Cottage building types, a note will be added to permit a sub-type of Cottages commonly called a “Bungalow Court”. The Bungalow Court type is generally single-family detached cottages that are situated on a single lot in a manner that creates an internal courtyard. Parking located to the rear of the lot and buildings face the courtyard or the fronting street. This building type is a good alternative to achieving density within an urban neighborhood with a single-family detached building type and character.

**CONDITIONS**

1. Apply the standards of the Bungalow Court building type to Townhouses.
2. Maintain the 10 feet minimum setback for Stacked and Courtyard Flat types in the G-1 sub-district.

Due to the variety of physical conditions within and adjoining the 31<sup>st</sup> Avenue/Long Boulevard UDO, the area has been divided into eight sub-districts. Where appropriate, specific design standards have been developed for each sub-district by building type.

**Permitted Building Types**

**Core Sub-districts**

CO-1, CO-2 Commercial/Mixed-Use, Live/Work, Flats, Courtyard Flats, Townhouses, Cottages, Houses

**Center Sub-districts**

CE-1, CE-2 Commercial/Mixed-Use, Live/Work, Flats, Courtyard Flats, Townhouses, Cottages, Houses

**General Sub-districts**

G-1, G-2, G-3 Flats, Courtyard Flats, Townhouses, Cottages, Houses  
G-4 Townhouses, Cottages, Houses

**Figure 13 - Regulating Plan**



**Appendix A - Regulating Plan**

**Regulating Plan Showing All Sub-Districts And Permitted Building Types By Sub-District**

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

Ms. Nancy Hanna, 3135 Long Boulevard, spoke in opposition to the overlay.

Ms. Margaret Bean, 3127 Bellwood Avenue, expressed issues with the urban design overlay.

Mr. Ponder requested further specifics on the bungalow concept included in the proposal.

Mr. Tyler requested further specifics on the cottage courtyard included in the proposal. He also requested further clarification on project management once the plan was approved and who would oversee it to completion.

Mr. Bernhardt further explained the concept of project management in relation to the Planning Department.

Mr. Clifton further commented on the concept of project management.

Mr. McLean requested additional information on the size of the cottages included in the proposal. He also requested additional information on other projects that utilize the bungalow courts.

Mr. Loring moved and Mr. McLean seconded the motion, which passed unanimously to approve Urban Design Overlay 2005UD-006U-10. **(8-0)**

**Resolution No. RS2005-235**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005UD-006U-10 is **APPROVED WITH CONDITIONS, with additional condition adding language that disallows parking to be located within the central open space of the Bungalow Court type.**

**Conditions of Approval:**

1. Apply the standards of the Bungalow Court building type to Townhouses.
2. Maintain the 10 feet minimum setback for Stacked and Courtyard Flat types in the G-1 sub-district.”

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- 22. 2005UD-007G-12**  
Lenox Village (2005 Amendment)  
Map172, Parcels Various  
Map173, Parcels Various  
Subarea 12 (2004)  
District 31 (Toler)

A request to amend the Urban Design Overlay district located along the east side of Nolensville Pike at Lenox Village Drive, classified MUL and RM9, to clarify variations to the conventional standards of the underlying zoning, requested by Councilmember Toler.

**Staff Recommendation - Approve**

**APPLICANT REQUEST** -Amend the Lenox Village Urban Design Overlay District in order to clarify additions to and variations from the bulk standards of the zoning ordinance as established by the Urban Design Overlay with regard to building height for Village Core building types, setback from Nolensville Pike for Village Core, Live/Work, and Multi-family building types, lot area for Townhouse building types, and number of contiguous Townhouse building types.

**Existing Zoning**

MUL and RM9 districts with Urban Design Overlay - Mixed commercial, office and residential use and Mixed housing type residential development in accordance with a design concept plan and design guidelines.

**SOUTHEAST COMMUNITY PLAN POLICY** - Neighborhood General (NG) and Neighborhood Center (NC)

**Policy Conflict** - No.

**STAFF ANALYSIS** - This amendment is intended to clarify additions to and variations from the bulk standards

that currently do not match between the main body of the UDO document and its appendix.

Under Village Core building types, the maximum height requirement in the appendix is incorrect. This requirement will be changed to “3 ½ stories/48 feet”.

To clarify discrepancies between Village Core, Live/Work, and Multi-family building types related to setback from Nolensville Pike, the main body and appendix of the UDO will be modified. The front setback for the above building types with frontage on Nolensville Pike will be changed to “between 5 ft. and 20 ft. of the front property line”. Staff is working with TDOT on the proposed cross section for the widening of Nolensville Pike as it relates to Lenox Village to make it as pedestrian-friendly as possible while facilitating vehicular movement through the area. The setback range proposed, will allow flexibility to place buildings appropriate to the future context of Nolensville Road.

To clarify discrepancies in the main body of the UDO as well as the appendix, the minimum lot area for Townhouse building types will be changed to 1,080 square feet. This requirement will match the product of multiplying the minimum lot width by the minimum lot depth, which is the same for other building types.

To clarify a discrepancy between the main body of the UDO and the appendix, the maximum units per building for Townhouse building types will be changed to 10.

Approved, (9-0) *Consent Agenda*

**Resolution No. RS2005-236**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005UD-007G-12 is **APPROVED. (9-0)**”

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## **XII. PRELIMINARY SUBDIVISION PLATS**

- 23. 2005S-142G-01**  
Timberwood  
Map 050, Parcel 025  
Subarea 2 (1995)  
District 3 (Tucker)

A request for preliminary plat approval for 111 lots at the south terminus of Heartdale Drive and the west terminus of Rainwood Drive (25.18 acres), classified within the RS7.5 District, requested by Robert Earheart, owner, MEC, Inc., surveyor.

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

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

Request to create 111 single-family lots on 25.18 acres on the east side of Old Hickory Boulevard and south of Legacy Drive.

### **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.

**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 RS7.5 (minimum 7,500 sq. ft. lots) to RS3.75 (minimum 3,750 sq. ft. lots). The proposed lots range in size from 4,200 square feet to 15,000 square feet. The cluster lot option is being used due to a gas easement that runs through the property.

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 approximately a total of 4 acres (16%) of open space – which exceeds the minimum open space acreage required.

### **SUBDIVISION DETAILS**

Access/Street Connectivity - Access is proposed from the existing stub streets of Rainwood Drive, Trailway Circle, Heartdale Place, and Hawkwood Lane. The stub street of Stockdale Lane is not proposed to connect due to the proximity of the proposed Hawkwood Court and the angle of the existing stub street. A 10' pedestrian easement is proposed from Stockdale Lane to Hawkwood Lane.

Sidewalks - Sidewalks are required along all the new streets within the subdivision, however, they are not shown on the plan.

Landscape Buffer Yards - Landscape buffer yards are not required since the lots along the perimeter are 7,500 square feet or greater.

#### **PUBLIC WORKS RECOMMENDATION**

1. Show professional seal.
2. Approvals are subject to Public Works review and approval of construction plans.
3. Placement of sidewalks shall be in accordance with the Subdivision Regulations of the Metropolitan Planning Commission, latest revision. Show sidewalk, as required by Planning.
4. Show and dimension right of way radius, and edge of pavement radius for all circular turnarounds. At all circular turnarounds, show and dimension right of way to accommodate 30' minimum edge of pavement radius, curb and gutter, 4' grass area/furnishing zone, and 5' sidewalk per Metro ST-210.
5. Where a street approach to an intersection is curved, there shall be a one hundred (100) foot minimum curve tangent, as measured from the ultimate edge of pavement.

#### **CONDITIONS**

1. All traffic conditions listed above must be completed or bonded prior to final plat approval.
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, sidewalks shall be shown on all new streets within the subdivision.

Ms. Harris presented and stated that staff is recommending approval with conditions, including the Public Works conditions that were inadvertently omitted from the staff report. Ms. Harris stated that the developer was in agreement with these added conditions.

Mr. Kent Woods, 3331 Doverside Drive, expressed issues with the proposal. He requested that the proposal be deferred to allow additional time for the community to meet with the developer.

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

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

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

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

Mr. Joe McConnell spoke in favor of the proposal.

Ms. Nielson questioned the repercussions of deferring this proposal in order to further study the cluster lot option.

Mr. McLean requested further clarification on the cluster lot option as mentioned by Council Lady Tucker at the onset of the meeting.



Mr. Clifton commented on subdivision development as mandated by the Metro Code. He requested additional clarification on cluster lot options and whether the Commission has the authority to deny this concept in various proposals.

Mr. Tyler also expressed concerns regarding the cluster lot option.

Mr. Ponder requested further clarification regarding sidewalks and if they would be included in the proposal.

Mr. Loring spoke in support of the proposal.

Mr. Loring moved and Mr. McLean seconded the motion, to approve Preliminary Subdivision Plat 2005S-142G-01.

**(7-1) No Vote – Tyler**

**Resolution No. RS2005-237**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005S-142G-01 is **APPROVED WITH CONDITIONS. (7-1)**

**Conditions of Approval:**

1. Show professional seal.
2. Approvals are subject to Public Works review and approval of construction plans.
3. Placement of sidewalks shall be in accordance with the Subdivision Regulations of the Metropolitan Planning Commission, latest revision. Show sidewalk, as required by Planning.
4. Show and dimension right of way radius, and edge of pavement radius for all circular turnarounds. At all circular turnarounds, show and dimension right of way to accommodate 30’ minimum edge of pavement radius, curb and gutter, 4’ grass area/furnishing zone, and 5’ sidewalk per Metro ST-210.
5. Where a street approach to an intersection is curved, there shall be a one hundred (100) foot minimum curve tangent, as measured from the ultimate edge of pavement.
6. 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.
7. Prior to final plat approval, sidewalks shall be shown on all new streets within the subdivision.”

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**24. 2005S-158U-10**  
Morgan Hall  
Map132-01, Parcel 030, 031  
Subarea 10 (1994)  
District 25 (Shulman)

A request for preliminary plan approval to create 10 lots abutting the west margin of Lealand Lane, approximately 270 feet south of Greenland Drive (3.4 acres), classified within the RS10 and R20, proposed for RS10 district, requested by Scott Morgan, owner, MEC, Inc., surveyor.

**Staff Recommendation - Disapprove**

**APPLICANT REQUEST-Preliminary Plat**

Request for preliminary approval to create 10 lots on 3.4 acres, abutting the west side of Lealand Lane, approximately 270 feet south of Greenland Drive.

**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.

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

**SUBDIVISION DETAILS** - The proposed subdivision consists of 10 single-family lots ranging in size between 10,008 square feet. and 18,530 square feet, and will be accessed by a permanently dead-end street off of Lealand Lane. As proposed, sidewalks are not required because the street is permanently dead-ended, and less than 750 feet in length and is considered infill development.

**Connections** - The Subdivision Regulations require streets to be extended to property lines, unless prevented by topography or other physical conditions, or it is deemed unnecessary by the Planning Commission.

Although not proposed by the applicant, a connection should be provided to the north for future development. A connection will help reduce the number of curb cuts along Lealand Lane, if and when the properties to the north are developed. Even though the properties to the north are currently zoned R20, if the proposed rezoning (discussed below) of a portion of this property passes third reading, it sets precedent for the area that the properties north of this proposal could be rezoned and developed at some time in the future. Adjacent property owners have stated opposition to the northern connection, saying that they do not wish to develop their land, but future property owners could. Also, applicants have not provided any information that would indicate that a connection would be impossible due to topographical reasons.

#### **Associated Case**

**R20 to RS10 Zone Change** - The proposal will be located on two individual parcels. The southern parcel is currently zoned RS10, and the northern parcel is currently zoned R20. Applicants have requested that the northern parcel be rezoned from R20 to RS10. The request is in Council (BL2005-617), and was deferred to the June 21 Metro Council meeting. This subdivision should not be approved until the Metro Council has approved the associated rezoning. If the rezoning is deferred at Council, then the subdivision should be deferred until such time that the rezoning is approved.

**Staff Recommendation** - Staff recommends that the request be disapproved, because a connection has not been provided to the northern property line for future development. If the Commission decides to approve this application, then it should be approved with conditions.

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

Approve with the following conditions:

1. Subject to Public Work's review and approval of construction plans.
2. The elevation of public streets must be one foot minimum above the 100-year flood elevation.

#### **STORMWATER RECOMMENDATION** - Approve

#### **CONDITIONS (if approved)**

1. Prior to final plat approval, approvals from Public Works shall be obtained, and revised plans shall be submitted.
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. If larger turnarounds are necessary to meet Fire Marshal requirements, the total number of lots may be reduced to accommodate these revisions.

Mr. Swaggart presented and stated that staff is recommending approval with conditions including the stub street to the north be included in the proposal.

Mr. Shawn Henry, 315 Deadrick Street, spoke in support of the proposal without the requirement of the stub street to the north.

Mr. Joe McConnell, MEC Inc., spoke in support of the proposal without the requirement of the stub street.

Ms. Mary Moran, 4108 Lealand, spoke in support of the proposal without the stub street requirement.

Mr. Scott Morgan, owner, spoke in favor of the proposal without the stub street requirement to the north.

Mr. Ponder requested clarification on the current zoning.

Mr. Tyler requested further clarification on staff's recommendation.

Mr. Clifton questioned the end results of the proposal if the cul-de-sac was granted as opposed to the recommended stub street.

Mr. Clifton requested that Mr. McConnell provide additional information on the three lots that are adjacent to the property in question if the stub street to the north was not required.

A brief discussion ensued on the options available to the Commission on their recommendation.

Mr. McLean questioned the layout of the stub street if included in the proposal.

Mr. Loring spoke in support of the proposal without inclusion of the stub street.

Mr. Ponder requested clarification on whether an emergency vehicle could turn around in the proposed cul-de-sac.

Mr. Loring moved and Mr. McLean seconded the motion, to approve Preliminary Subdivision Plat 2005S-158U-10 without the required stub street located to the north of the proposal. (8-0)

**Resolution No. RS2005-238**  
“BE IT RESOLVED by The Metropolitan Planning Commission that 2005S-158U-10 is **APPROVED WITHOUT THE STUB STREET TO THE NORTH PROPOSED BY STAFF. (8-0)**”

### **XIII. FINAL PLATS**

- 25.                                      2005S-115U-10**  
Belmont Heights  
Map 104-16, Parcel 389  
Subarea 10 (1994)  
District 18 (Hausser)

A request for final plat approval to create 2 lots, located at the southeast corner of Belmont and Elmwood (0.40 Acres), classified within the R8 zoning district, requested by Daniels and Associates, Inc., surveyor, for Bebe Willis, owner.

**Staff Recommendation**    *Approve with conditions*

#### **APPLICANT REQUEST - Final Plat**

Request to create two lots along the east side of Belmont Boulevard and south side of Elmwood Avenue (0.4 acres).

#### **ZONING**

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

#### **SUBDIVISION DETAILS**

Plan Details - This subdivision proposes the division of one existing lot at the southeast corner of Belmont Boulevard and Elmwood Avenue into two buildable lots, lot 1 (0.2 acres) and lot 2 (0.2 acres). Lot 1 has frontage

on both streets, while lot 2 only has frontage on Belmont Boulevard. The existing duplex on this parcel will be demolished.

Sidewalk requirement - This property is in the Urban Services District. There are existing sidewalks on both sides of Elmwood Avenue down the street, and existing sidewalks on both sides of Belmont Boulevard. Sidewalk extensions must be constructed to fill in the current gap along the frontage of this property on Elmwood Avenue. This has been indicated on the plat.

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. The lot comparability test yielded a minimum lot size of **8,000** square feet (as required by the base zoning, R8) and minimum allowable lot frontage of **47** feet. Both proposed lots meet the requirement for minimum lot area and minimum lot frontage:

- Lot 1: 8,775 square feet (0.201 acres) and 50 feet of frontage;
- Lot 2: 8,630 square feet (0.198 acres) and 49 feet of frontage.

Neighborhood Conservation Overlay - This property falls within a recently approved Neighborhood Conservation Overlay district (2005Z-023U-10), which applies to various properties located between Ferguson Avenue and Magnolia Boulevard in the Belmont-Hillsboro area. The NCO district was requested by Metro Historical Commission on behalf of various property owners, was approved at the February 24, 2005, Commission meeting, and passed on 3<sup>rd</sup> reading by Metro Council on April 4, 2005. This overlay district is overseen by the Historic Zoning Commission, which has a set of restrictive guidelines to govern the design of new building constructions, additions, demolitions, and relocations. The Historic Zoning Commission does not govern land uses; its recommendations do not affect base zoning, and it must review and approve any new developments that are proposed within this NCO district.

Side setback variance - The applicant has requested a variance from the Board of Zoning Appeals to allow a setback of four feet from Elmwood Avenue on the proposed Lot 1, where a 20 foot front setback is normally required. The Board of Zoning Appeals granted this setback variance at the June 16, 2005 meeting, as well as approved an 11 foot side setback on the south side of Lot 2.

**PUBLIC WORKS RECOMMENDATIONS** - Show pedestrian easement along public sidewalk outside of right of way. Minimum easement shall be the width of sidewalk outside right of way plus three feet.

**Traffic** - No Exceptions Taken.

**STORMWATER RECOMMENDATIONS** - Approved

**CONDITION OF APPROVAL:**

1. Show pedestrian easement along public sidewalk outside of right of way. Minimum easement shall be the width of sidewalk outside right of way plus three feet.
2. Prior to plat recordation, the applicant must submit a revised plat that explicitly notes and labels the setback variances as approved by the Board of Zoning Appeals.

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

**Resolution No. RS2005-239**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005S-115U-10 is **APPROVED WITH CONDITIONS. (9-0)**”

**Conditions of Approval:**

1. Show pedestrian easement along public sidewalk outside of right of way. Minimum easement shall be the width of sidewalk outside right of way plus three feet.
2. Prior to plat recordation, the applicant must submit a revised plat that explicitly notes and labels the setback variances as approved by the Board of Zoning Appeals.”

26. **2005S-156U-10**  
Petty Subdivision  
Map 131-03, Parcel 154  
Subarea 10 (1994)  
District 25 (Shulman)

A request for final plat approval to create two lots on the southwest corner of Shackelford Road and Belmont Park Terrace (0.53 acres), classified within the R10 District, requested by Camellia Petty, owner, John Kohl & Company, P.C., surveyor.

**The Metropolitan Planning Commission DEFERRED Final Plate 2005S-156U-10 indefinitely at the request of the applicant. (9-0)**

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

27. **97P-004G-13**  
Nashboro Village Retail Center  
Map 135, Parcel 249  
Subarea 13 (2003)  
District 29 (Wilhoite)

A request to revise a portion of the preliminary plan and for final approval for a portion of the Commercial Planned Unit Development district located along the east side of Murfreesboro Pike, north of Nashboro Boulevard, classified SCC, (9.42 acres), to permit a drive-thru pharmacy in the parking area for the retail shopping center, requested by CEI Engineering, for Regency Centers, L.P.

**Staff Recommendation - Approve**

##### **APPLICANT REQUEST - Revise Preliminary and Final**

Revise a portion of the preliminary plan, and final approval for a portion of the commercial Planned Unit Development district located on the east side of Murfreesboro Pike, north of Nashboro Boulevard, to permit a drive-thru pharmacy in the Kroger parking area.

**PLAN DETAILS** - The request for the construction of a remote drive-thru pharmacy for the existing Kroger store. The drive-thru will be located in the parking area, approximately 75 feet west of Nashboro Boulevard, and 285 feet north of Murfreesboro Road.

**PUBLIC WORKS RECOMMENDATION** - No Exceptions Taken

**STORMWATER RECOMMENDATION** - Approved

##### **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.
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 reapproval by the Planning Commission.

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

**Resolution No. RS2005-240**

“BE IT RESOLVED by The Metropolitan Planning Commission that 97P-004G-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. 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.
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 reapproval by the Planning Commission.”

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28. **98P-007U-12**  
Seven Springs (Office Building, Parcel H)  
Map 160, Parcel 242  
Subarea 12 (2004)  
District 31 (Toler)

A request to revise a portion of the preliminary and for final approval for a portion of the Commercial Planned Unit Development district located along the north side of Old Hickory Boulevard, opposite Cloverland Drive, classified OR20, (1.77 acres), to permit a 24,000 square foot office building, replacing a 20,000 square foot office building, requested by Barge Cauthen and Associates, for Seven Springs Associates, owner.

**Staff Recommendation** - *Disapprove or defer until the applicant has addressed Metro Stormwater technical review comments.*

**APPLICANT REQUEST - Revision to Preliminary And Final PUD**

Request to revise a portion of the preliminary and final approval for the Commercial Planned Unit Development district located along the north side of Old Hickory Boulevard, opposite Cloverland Drive, to permit a two-story, 24,000 square foot medical office building, replacing a two-story 20,000 square foot office building.

## **PLAN DETAILS**

Site Design & Access - The proposed plan increases the square footage on this parcel from 20,000 square feet of office uses to 24,000 square feet of medical office uses. The plan does not significantly change the footprint, building orientation, building height, or site design. The plan is consistent with the plan approved by Council and meets the council-approved conditions listed below. Access is proposed from an internal private driveway, as was part of the preliminary PUD plan.

### **Zoning District**

OR40 - Office/Residential is intended for office and/or multi-family residential units at up to 40 dwelling units per acre. Medical Office uses are permitted within the OR40 district.

**PUBLIC WORKS' RECOMMENDATIONS:** No Exception taken.

### **COUNCIL CONDITIONS**

The following conditions were adopted by the Metro Council on March 26, 1999, and again on May 21, 2004, when the PUD was amended. This PUD revision complies with all of these conditions:

1. The following minimum set-backs from the eastern boundary adjacent to Hearthstone Manor Condominiums shall be as follows:
  - 1 or 2 story buildings: 100 feet
  - 3 stories: 150 feet
  - 4 stories: 200 feet
2. Maximum building height shall be four (4) stories from the main entry drive to the eastern boundary.
3. The following minimum set-backs from the northern boundary adjacent to Hemmingwood shall be as follows:
  - 1 or 2 story buildings: 100 feet
  - 3 stories: 150 feet
  - 4 stories: 200 feet
  - 5 stories: 350 feet
  - 6 stories: 400 feet
  - 7 stories: 520 feet
  - 8 stories: 550 feet
4. The buffer area as depicted on the site plan will be bermed and will have a green colored six (6) foot high security (cyclone) fence running the entire length of the eastern and northern boundaries.
5. The landscape berm will begin no less than ten (10) feet from the eastern and northern property lines and will extend in width to no less than fifty (50) feet at any point along the northern borders from the Hemmingwood property line and will at certain points be greater than fifty (50) feet as shown on the plan. The buffer along the eastern border with Hearthstone Manor Condominiums shall be no less than twenty-five (25) feet wide from Old Hickory Boulevard right-of-way to approximately 340 feet north, at which point it widens to no less than thirty-five (35) feet, as shown on the plan.
6. The landscape berm will be landscaped per Metro Government Code on the homeowner side of the slope, which shall include crown vetch grass, a drainage swale along the toe of the slope sufficient to contain any water run-off from the slope, and preservation of the existing tree line and various evergreen shrubs and trees.
7. The Assisted Living building will be restricted to two (2) stories maximum.
8. The Independent Living building will be restricted to three (3) stories maximum, and not more than 250 units. This building will be permitted at the 100-foot set-back line as an exception to the three (3) story set-back requirement.
9. The financial buildings (banks) fronting Old Hickory Boulevard will be limited to two (2) stories in height.

### **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 fire flow water supply during construction must be met prior to the issuance of any building permits.
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 reapproval by the Planning Commission.

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

**Resolution No. RS2005-241**

“BE IT RESOLVED by The Metropolitan Planning Commission that 98P-007U-12 is **APPROVED WITH CONDITIONS, including that all Stormwater conditions be met. (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. 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 fire flow water supply during construction must be met prior to the issuance of any building permits.
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 reapproval by the Planning Commission.”

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29. **2004P-032G-02**  
Chadwell Retreat  
Map 51, Parcel 3  
Subarea 2 (1995)  
District 4 (Craddock)

A request for final approval for a Planned Unit Development located on the south margin of Chadwell Drive and



abutting the west side of Interstate 65, classified RS20 and proposed for RM4, (9.8 acres), to permit the development of 36 townhouses, requested by Dillard Holdings, developer and Dale and Associates, applicant.

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

**APPLICANT REQUEST - Final PUD**

Request to permit 36 townhomes on 9.8 acres, at 1501 Chadwell Drive, west of Interstate 65.

**ZONING & LAND USE POLICY** -The zoning and preliminary PUD were approved by Metro Council in January 2005. The Commission recommended approval of both the zone change from RS20 to RM4 in November 2004.

**PLAN DETAILS**

**Site Design** -The plan proposes 36 townhomes with 96 parking spaces, which exceeds the requirement of 72 spaces. The open space and detention area is located on the southern and western boundaries of the property. Open space is also proposed throughout the development. Along the southern boundary, a 6 foot high wood privacy fence is also proposed. This plan is consistent with the preliminary PUD plan approved in January 2005, by Metro Council.

**Access** -Access to the development is proposed along Chadwell Drive. Private roads are proposed through the development. Sidewalks are proposed throughout the development. There was a condition of the preliminary PUD that a turnaround be provided for the eastern most driveway. This condition has been met and pedestrian access is provided between the two driveways.

**Landscape Buffer yards** -Although a landscape buffer yard is not required along the western boundary of the PUD plan, the applicant proposes a 20' Class C landscape buffer between the RS20 and the RM4 zoning districts.

The existing tree line will serve as a landscaping buffer along the eastern and southern edges of the development. There is also a blue-line stream abutting the property to the north, east, and south, but it does not fall within floodway or floodplain.

**PUBLIC WORKS RECOMMENDATION**

1. Submit letter to Public Works verifying 350' intersection sight distance.

**CONDITIONS**

1. Submit letter to Public Works verifying 350' intersection sight distance.
2. 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.
3. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
4. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and 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.
5. 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.
6. 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.

7. 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. RS2005-242**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2004P-032G-02 is **APPROVED WITH CONDITIONS, including that prior to the issuance of any building permits, the following must be added to the plans per Metro Stormwater:**

1. **Notice of Coverage from the Tennessee Department of Environment and Conservation**
2. **1-foot freeboard over 100 year event for the detention pond (9-0)”**

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**30. 2004P-035G-12**  
Burkitt Place, Phase 1  
Map 186, Parcel Part of 015, Part of 21  
Subarea 12 (2004)  
District 31 (Toler)

A request for final approval for a phase of the Residential Planned Unit Development district located on the south side of Burkitt Road, approximately 1,000 feet east of Nolensville Pike, classified R8 and RS10, (37.7 acres), to permit 100 single-family lots, requested by Ramsey McMurray, James N. McFarlin, William T. McFarlin, and Civil Site Design Group, applicant.

**Staff Recommendation** - *Disapprove, or defer until approvals are obtained from Stormwater and Public Works. The comments listed below have been returned to the applicant. Based on the substance of the comments below, staff recommends that the applicant defer until the issues have been addressed.*

**APPLICANT REQUEST - Final PUD**

Request for final approval to permit 100 single-family lots, located along the south side of Burkitt Road, east of Nolensville Pike.

The Preliminary Planned Unit Development approved by Council included the development of 60 townhomes, 52 duplex lots (104 units), and 243 single-family lots for 445 total units on 111.70 acres.

**PLAN DETAILS**

Site Design - This phase provides one access point onto Burkitt Road and includes one access point onto Nolensville Pike through Williamson County. This phase includes lots that are either in Williamson County or touch the Davidson/Williamson County line. The lots that are completely within Williamson County are not counted as part of the PUD request in Davidson County.

The lot layout proposed in this phase matched the preliminary except that single family lots are being proposed in place of duplex lots and the clubhouse/pool is not being proposed at this time. The plan includes a 6-foot evergreen landscape buffer along the northeast corner of the site to screen the development from the existing large lot single-family.

The plans include conditions, placed on the PUD by the Council, that control with building materials and minimum house square footages.

Schools The applicant has worked with the Metro School Board to provide a series of financial contribution to the school district instead of a dedication of a school site.

**PUBLIC WORKS RECOMMENDATION**

Approvals are subject to Public Works review and approval of construction plans.

1. Provide construction plans for Nolensville Road Improvements. Provide Sheet C1.09 (Nolensville Road Improvements) as identified on Sheet C1.00.

2. Provide construction plans for Burkitt Road Improvements. Provide Sheet C1.10 for roadway grading plan and additional information, as indicated on Sheet C1.11.
3. Shifting Burkitt Road at project entrance to the opposite side of Road for required turn lanes is not acceptable. Provide all applicable site information, such as existing edge of pavement, etc., and proposed roadway construction details.
4. Show and dimension right of way along Burkitt Road at property corners. Label and dedicate right of way 30 feet from pavement centerline, [when applicable the following] and amount necessary to accommodate required turn lane(s). Label and show reserve right of way strip 42 feet from centerline to property boundary, consistent with the approved major street plan (U4 - 84' ROW).
5. Identify proposed road names.
6. Revise Road 113 to reflect Metro ST-252 cross section, as indicated on overall layout.
7. For Road 190 (future phase), driveways require at least 30' separation, per zoning 17.20.160.
8. For Alleys, match Metro ST-263: Standard Alley Section. Show Metro ST-324: New Construction Commercial Driveway Ramp for access from public street. Plan calls out Alleys as concrete. Are they asphalt as indicated in details? Provide grading / profile plan.
9. Cul-de-sac's to be per fire Marshall requirements.
10. Roundabout "B" does not follow AASHTO design standards. No reverse curves on outside edge of roundabouts. Reference Civil Site roundabout design on Hamilton Church project.
11. For roundabout "B" section detail: Identify truck lane concrete section details for Roundabout "B" Section. Show and identify reinforcement / wire mesh, and provide design calculations. Match Metro ST-252 Pavement Schedule. Remove note: The asphalt wearing surface shall not be placed for a minimum of one year or until 75% of the home construction has been completed.
12. For roundabout "A" section detail: Match Metro ST-252 Pavement Schedule. Remove note: The asphalt wearing surface shall not be placed for a minimum of one year or until 75% of the home construction has been completed.
13. Show storm inlet structures / storm sewer on roadway profiles. Verify adequate cover for road base.
14. Verify roadway profile slope and centerline elevations. Match roadway centerline elevations with proposed slopes, specifically Road 105.
15. Show detectable warnings at curb ramps.
16. Show curb ramps / detectable warnings geometric layout (curb radius greater than 25') per Metro ST-327 / ST-330 at the following locations to provide cross street accessibility: Middlewick Lane & Caswick Court intersection, Road 107 & Road 117 intersection.
17. Show curb ramps / detectable warnings on Roundabout "A" sidewalk at all intersecting roadways to allow pedestrian crossing.
18. Replace detail: Combination Curb Ramp with Grass Strip with Metro ST-320: New Construction Curb Ramp. Show 5' landing.
19. Replace Alley Section detail with Metro ST-263 Standard Alley Section.
20. Add all applicable Public Works details, including Metro ST-322 New Construction Residential Driveway Ramp.

Any street cross section not show with Public Works signatures, numbers, dates, etc., will be subject to the latest revision at the time of construction plan approval. (Note: Standard drawings can be "down loaded" at the Public Works website and inserted directly into the CAD drawing.)

Following are Public Works' Traffic conditions and comments for the Burkitt Place, Phase 1 (2004P-035G-12):

1. The engineer has provided traffic with a copy of the phasing plan dated 2/25/05 that determines the schedule for off-site improvements and revises the original conditions. RPM has also provided a revised recommendation concerning queue space and storage for the exiting road 102, which is revised from RPM's original TIS recommended design.

### **Traffic Conditions**

Developer shall comply with the following conditions and construction schedule:

1. *The thresholds are expressed as the Certificate of Occupancy ("CO") of a certain number of residential units in this development.*
2. *The developer shall construct a westbound left turn lane with 125 ft. of storage and transition per AASHTO standards on Burkitt Rd. at the project access. **Threshold: (162 homes)***
3. *The developer shall construct a southbound left turn lane with 200 ft. of storage and transition per ASSHTO standards on Nolensville Rd. at Burkitt Road. **Threshold: (145 homes)***
4. *The developer shall construct both project access roads at Phase 1. The access road in Davidson County off of Burkitt shall have 1 entering lane and 2 exiting lanes with separate left and right turn lanes with **100** ft of storage and transitions per ASSHTO standards.*
5. *Provide adequate sight distance at Burkitt / project access intersection.*
6. *The one-way Roundabout shall be designed with splitter islands and smooth radius to accommodate adequate truck turning movements.*
7. *7. The developer shall construct a right turn with 75 ft. of storage and transition per AASHTO standards on Burkitt at project access. **Threshold: (162 homes)** This work should be completed at the same time that the left turn lane on Burkitt Road (item 1) is constructed.*
8. *Dedicate / Reserve 1/2 ROW for U4 (84'2) cross-section along Burkitt Rd. plus ROW for right turn lane. Burkitt is identified as having 2 - 10 ft. travel lanes. The developer shall reconstruct Burkitt Rd. from the project access road to Nolensville Rd. with 12 ft. wide travel lanes and 4 feet shoulders. This is in addition to turn lanes on Burkitt Rd. at project access road. (Due to topographic constraints on the north side of the road along the project boundaries, the developer intends to perform this widening all on the south side of the road from the project access road to the western boundary of the property. Then from the western boundary of the property to Nolensville Rd., the widening will be provided symmetrically on each side of the road. Appropriate horizontal transitions will be provided.) **Threshold: (162 homes)** This work should be completed at the same time that the left turn lane on Burkitt Road (item 1) is constructed.*
9. *Provide vehicular cross access to adjacent property along Nolensville Rd.*
10. *The developer shall conduct traffic counts at Burkitt Rd. and Nolensville Rd. and submit warrant analysis to Metro Traffic Engineer for signal approval at 50%, 75% and 100% issuance of building permits in Davidson and Williamson County. Submit signal plan for approval when warranted and install signal when approved.*

**STORMWATER RECOMMENDATION** - (The comments below were returned to the applicant by Stormwater on 6/8/2005. Applicant submitted revised plans 6/15/2005. The project is too large for Stormwater to be able to complete review of the resubmitted plans prior the mailing of this staff report.)

These comments relate to the construction planned for the Davidson County portion of the development. However, information related to site drainage mapping is requested for the entire site. The following items are requested in the technical review of the above plans:

1. The drainage area mapping submitted is difficult to read. It is unclear how future phases are being addressed in the storm pipe sizing. For example, it is not clear where lots 164 to 171 drain. It is not clear what the drainage areas are for C4 and C3, or the other inlets in that "drainage area". Do inlets E4, E3, E26 and E27 include drainage of the adjacent Phase 2 future lots? Where in the drainage system is the flow for the future phase 2 introduced? Drainage areas within the future phase are only partially delineated, and it is not clear to what area B18, etc. are intended to drain. To clarify, please submit site drainage mapping as follows:
  - a drainage area map over a topo delineating the pre- and post-development drainage areas of each of the ponds and citing the total drainage area to the pond, including off-site run-on and post-development by-

- pass areas;
  - an overall drainage map showing the drainage pattern for Phase 1 and those future phases that will be dependent on Phase I structures;
  - a clearer drainage area delineation to each inlet;
  - a drainage area map showing the general drainage pattern of the future phases to clarify if they need to be addressed in Phase 1 structures.
2. The modeling for the storm structures does not completely match the pipe data table on sheet C5.01. Details of some differences noted (not all were checked) are attached. This makes the modeling results questionable.
  3. Include on the pipe data table the pond outfall structures and pipes. Provide a summary of the
  4. pond outlet pipe capacity, and flow/velocity at the 10-year storm event.
  5. In a few cases, pipe flows were less than 2.5 fps and spreads were greater than 8 feet. Can these be redesigned to achieve minimum flows and spreads?
  6. It is assumed that this development is to be platted, therefore a Deed of Easement is not be required. Show drainage easements on the drawing in accordance with Metro Volume 1, Tables 6-1 and 6-2 for pipes and ditches crossing lots, and around any ponds or stormwater structures not located in open space.
  7. Outlet protection locations should be shown on the drawings at the pond inlets and outlets. Add to the outlet protection detail that the 20' dimensions are minimum dimensions, and reference Metro detail PESC-07-01 for outlet protection.
  8. Show the location of the construction entrance on the Stormwater Pollution Prevention Plan.

#### **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 gallons per minute at 40 psi.
3. Dead end roadways over 150 feet in length require a 100-foot diameter turnaround or a T-type that is approved by the Fire Marshal's Office.

#### **CONDITIONS (if approved):**

2. 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.
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 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.
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. RS2005-243**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2004P-035G-12 is **APPROVED WITH CONDITIONS. (9-0)**

**Conditions of Approval:**

**PUBLIC WORKS RECOMMENDATION**

Approvals are subject to Public Works review and approval of construction plans.

1. Provide construction plans for Nolensville Road Improvements. Provide Sheet C1.09 (Nolensville Road Improvements) as identified on Sheet C1.00.
2. Provide construction plans for Burkitt Road Improvements. Provide Sheet C1.10 for roadway grading plan and additional information, as indicated on Sheet C1.11.
3. Shifting Burkitt Road at project entrance to the opposite side of Road for required turn lanes is not acceptable. Provide all applicable site information, such as existing edge of pavement, etc., and proposed roadway construction details.
4. Show and dimension right of way along Burkitt Road at property corners. Label and dedicate right of way 30 feet from pavement centerline, [when applicable the following] and amount necessary to accommodate required turn lane(s). Label and show reserve right of way strip 42 feet from centerline to property boundary, consistent with the approved major street plan (U4 - 84' ROW).
5. Identify proposed road names.
6. Revise Road 113 to reflect Metro ST-252 cross section, as indicated on overall layout.
7. For Road 190 (future phase), driveways require at least 30' separation, per zoning 17.20.160.
8. For Alleys, match Metro ST-263: Standard Alley Section. Show Metro ST-324: New Construction Commercial Driveway Ramp for access from public street. Plan calls out Alleys as concrete. Are they asphalt as indicated in details? Provide grading / profile plan.
9. Cul-de-sac's to be per fire Marshall requirements.
10. Roundabout "B" does not follow AASHTO design standards. No reverse curves on outside edge of roundabouts. Reference Civil Site roundabout design on Hamilton Church project.
11. For roundabout "B" section detail: Identify truck lane concrete section details for Roundabout "B" Section. Show and identify reinforcement / wire mesh, and provide design calculations. Match Metro ST-252 Pavement Schedule. Remove note: The asphalt wearing surface shall not be placed for a minimum of one year or until 75% of the home construction has been completed.
12. For roundabout "A" section detail: Match Metro ST-252 Pavement Schedule. Remove note: The asphalt wearing surface shall not be placed for a minimum of one year or until 75% of the home construction has been completed.
13. Show storm inlet structures / storm sewer on roadway profiles. Verify adequate cover for road base.
14. Verify roadway profile slope and centerline elevations. Match roadway centerline elevations with proposed slopes, specifically Road 105.
15. Show detectable warnings at curb ramps.
16. Show curb ramps / detectable warnings geometric layout (curb radius greater than 25') per Metro ST-327 / ST-330 at the following locations to provide cross street accessibility: Middlewick Lane & Caswick Court intersection, Road 107 & Road 117 intersection.
17. Show curb ramps / detectable warnings on Roundabout "A" sidewalk at all intersecting roadways to allow pedestrian crossing.

18. Replace detail: Combination Curb Ramp with Grass Strip with Metro ST-320: New Construction Curb Ramp. Show 5' landing.
19. Replace Alley Section detail with Metro ST-263 Standard Alley Section.
20. Add all applicable Public Works details, including Metro ST-322 New Construction Residential Driveway Ramp.

Any street cross section not show with Public Works signatures, numbers, dates, etc., will be subject to the latest revision at the time of construction plan approval. (Note: Standard drawings can be "down loaded" at the Public Works website and inserted directly into the CAD drawing.)

Following are Public Works' Traffic conditions and comments for the Burkitt Place, Phase 1 (2004P-035G-12):

1. The engineer has provided traffic with a copy of the phasing plan dated 2/25/05 that determines the schedule for off-site improvements and revises the original conditions. RPM has also provided a revised recommendation concerning queue space and storage for the exiting road 102, which is revised from RPM's original TIS recommended design.

### **Traffic Conditions**

Developer shall comply with the following conditions and construction schedule:

1. *The thresholds are expressed as the Certificate of Occupancy ("CO") of a certain number of residential units in this development.*
2. *The developer shall construct a westbound left turn lane with 125 ft. of storage and transition per AASHTO standards on Burkitt Rd. at the project access. **Threshold: (162 homes)***
3. *The developer shall construct a southbound left turn lane with 200 ft. of storage and transition per ASSHTO standards on Nolensville Rd. at Burkitt Road. **Threshold: (145 homes)***
4. *The developer shall construct both project access roads at Phase 1. The access road in Davidson County off of Burkitt shall have 1 entering lane and 2 exiting lanes with separate left and right turn lanes with **100** ft of storage and transitions per ASSHTO standards.*
5. *Provide adequate sight distance at Burkitt / project access intersection.*
6. *The one-way Roundabout shall be designed with splitter islands and smooth radius to accommodate adequate truck turning movements.*
7. *7. The developer shall construct a right turn with 75 ft. of storage and transition per AASHTO standards on Burkitt at project access. **Threshold: (162 homes)** This work should be completed at the same time that the left turn lane on Burkitt Road (item 1) is constructed.*
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**Stormwater Recommendations:**

1. The drainage area mapping submitted is difficult to read. It is unclear how future phases are being addressed in the storm pipe sizing. For example, it is not clear where lots 164 to 171 drain. It is not clear what the drainage areas are for C4 and C3, or the other inlets in that “drainage area”. Do inlets E4, E3, E26 and E27 include drainage of the adjacent Phase 2 future lots? Where in the drainage system is the flow for the future phase 2 introduced? Drainage areas within the future phase are only partially delineated, and it is not clear to what area B18, etc. are intended to drain. To clarify, please submit site drainage mapping as follows:
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4. In a few cases, pipe flows were less than 2.5 fps and spreads were greater than 8 feet. Can these be redesigned to achieve minimum flows and spreads?
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**XV. OTHER BUSINESS**

31. Contract renewals for Jennifer Higgs, Nicholas Lindeman, Lee Jones and Jennifer Regen, and Patricia Brooks.

Approved, (9-0) *Consent Agenda*

32. Corrections to Commission minutes from March 10, 2005.

Approved, (9-0) *Consent Agenda*

33. **RS2005-745** -- A resolution requesting a report on Council's Plan of Services for annexing part of Councilman Coleman's District 32 into the Urban Services District.

Mr. Lawrence presented and stated that staff is recommending approval of staff's report.

Mr. Small moved and Mr. Ponder seconded the motion, to adopt staff's recommendation on Resolution RS2005-475. (8-0)

33. Executive Director Reports

34. Legislative Update

**XVI. ADJOURNMENT**

The meeting adjourned at 9:15 p.m.



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Chairman

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Secretary