



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

Subdivision 2005S-249G-03
Parmley Cove Subdivision
Preliminary PUD, 2004P-012U-03,
03 – Tucker
03 – Garrett
Dale and Associates, applicant for Jane D. and Howard
Parmley, and Howard Scott, owners
*Deferred from the September 8, 2005, Commission
meeting due to lack of a Quorum*

Deferral

Staff Reviewer
Staff Recommendation

Swaggart
Approve with conditions

APPLICANT REQUEST
Preliminary Plat

**A request for preliminary approval of a 50 lot,
cluster lot subdivision on 26.51 acres, located on the
east side of Whites Creek Pike, north of Green Lane.**

Zoning
RS15

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.

RS20

RS20 requires a minimum 20,000 square foot lot and is
intended for single-family dwellings at a density of 1.85
dwelling units per acre.

CLUSTER LOT OPTION

The cluster lot option was created in order to provide
for flexibility in design, the creation of common open
space, and the preservation of natural features or unique
or significant vegetation. The cluster lot option allows
lots to be reduced up to two base zone districts, while
providing at least 15% open space per phase.

Pursuant to Section 17.12.080(D) of the Metro Zoning
Ordinance, cluster lot subdivisions require a minimum
of 15% open space per phase. The plan calls for
approximately 8.7 acres of open space, which is
approximately 32%.

SUBDIVISION DETAILS

As proposed, the request will create 50 lots on
approximately 26 acres of land with an over all density
of 1.92 dwelling units per acre. The lots range in size
from 10,000 square feet to 20,400 square feet. Fourteen
lots are denoted as critical lots, which are lots with 20%
or greater slopes. Critical lots are lots that may not be
suitable for slab foundation homes, and require homes



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Access

to be built with the slope of the lot to reduce environmental impacts.

All lots will be accessed by new streets, with primary access for the subdivision along Whites Creek Pike. As proposed, access to Whites Creek Pike will be provided through a street within an adjacent Commercial Planned Unit Development (Parmley Commercial PUD). If the Planned Unit Development is not approved, then this access point will not be available. Another possible access point for this development is through a proposed subdivision to the east (Derby Downs). The closest access point through this development would be over a mile to the east from Knight Drive.

Stub Street(s)

Stub streets are being provided for future connection to adjacent property to the east, west and the south. Temporary turn-arounds are shown, on the east and west stub streets. A temporary turn-around is not required on stub street to the west because the street is less than 150-feet long.

Sidewalks

Sidewalks are proposed along all streets.

Staff Recommendation

If the Commercial Planned Unit Development revision is approved, then staff recommends approval of this subdivision. However, if the PUD revision is not approved, then staff recommends that the subdivision be disapproved due to the lack of access. Although access could be provided through Derby Downs (if approved), the distance this development is from Knight Drive, and the number of lots that would utilize this access would make it an inappropriate single point of access for this project.

PUBLIC WORKS RECOMMENDATION

1. Final approval is subject to Public Works' approval of construction plans.
2. Dimension circular turnarounds. Show 50' pavement radius, curb and gutter, grass strip, and 5' sidewalk.



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STORMWATER RECOMMENDATION

Approve Except as Noted on 8/22/05.

“ We received a fax today indicating that the state did downgrade the blue-line into a wet weather conveyance. This means that you may remove that portion of the buffer. Please note that the portion for ">40 acres" must remain on the plat and development must stay out of that portion of the buffer.”

“The location of the "> 40" acres buffer is OK for preliminary. But, you may be required to submit drainage area calculations to support it when your grading plans are being reviewed”

CONDITIONS

1. Per Public Works, dimension circular turnarounds. Show 50' pavement radius, curb and gutter, grass strip, and 5' sidewalk.

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.

2. No part of any building shall be more than 500 Ft. from a fire hydrant via an approved hard surface. Fire hydrants should flow at least 1,000 GPM's at 40 psi.

3. Dead end roadways over 150 Ft. in length requires a 100 – foot diameter turn around, or a T – type that is approved by the Fire Marshal's Office.

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.



Project No.
Project Name
Associated Case
Council Bill
Council District
School District
Requested By

Planned Unit Development 88P-042G-03
Parmley Commercial PUD
None
None
03 – Tucker
03 – Garrett
Dale and Associates, applicant for Jane and Howard Parmley, and Howard Scott, owners
Deferred from the September 8, 2005, Commission meeting due to lack of a Quorum

Deferral

Staff Reviewer
Staff Recommendation

Swaggart
Approve with conditions

APPLICANT REQUEST
Revise Preliminary

Request to revise the Preliminary plan for a 12.07 acre Commercial Planned Unit Development district located at 3705 Whites Creek Pike, north of Green Lane, approved for 80,000 square feet of office and retail development, to allow for the revision of the building and street layout.

PLAN DETAILS
History

The original residential and commercial PUD (88P-042G-03) was adopted by the Metro Council in 1988, and encompassed a larger land area than the 12.07 acre parcel affected by this request. The residential portion of the original PUD was cancelled in 1991. In 2004, a request was made to cancel the remaining unbuilt commercial PUD (88P-042), and for approval of a new residential PUD, proposed for 121 single-family homes. The applications were approved by the Planning Commission, but deferred indefinitely at Council.

Plan Details

The current plan is located on the remaining originally approved commercial PUD (88P-042) that was approved for 80,000 square feet of office and retail development. As proposed, the plan calls for 80,000 square feet of office and retail use, and is in keeping with the original plan. The only significant changes from the original plan include the rearrangement of streets and buildings to accommodate the proposed adjacent residential developments. The proposed revised plan does not change the overall concept originally approved by Council.



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Adjacent Development

The application for preliminary approval for two separate subdivisions (Parmely Cove, and Derby Downs) is relevant to this application because access will be provided to both subdivisions through this development. While Derby Downs will have additional access points, Parmley Cove's only access point to Whites Creek Pike will be through this development.

PUBLIC WORKS RECOMMENDATION

1. Install a 125 feet southbound left turn lane on Whites Creek at the main access road.
2. Install a 100 feet southbound left turn lane on Whites Creek Road at the northern intersection with Knight Road.
3. Developer shall submit signal warrant analysis for the access road /Whites Creek intersection at 65% completion. Upon approval by the Traffic and Parking Commission and signal plan approval by the Metro Traffic Engineer, Developer shall install a traffic signal at this intersection.
4. The proposed roadway intersections should be located as to provide adequate sight distance per AASHTO. Developer shall prepare a sight distance analysis at the PUD plan revision to insure adequate sight distance is provided.
5. The Parmley Cove PUD plans indicate that the access road will be constructed as a 60 feet collector. Provide a minimum of 200 feet queue distance from the signal to the first commercial driveway.
6. The original conditions were not phased, so these roadway improvements will be conditioned for phase 1 of any development, including the Parmley Cove 53 lot residential subdivision since its access is by way of the PUD access road.
7. Install a right turn lane with 100 feet of storage on Whites Creek Pike at the access road.



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CONDITIONS

1. Install a 125 feet southbound left turn lane on Whites Creek at the main access road.
2. Install a 100 feet southbound left turn lane on Whites Creek Road at the northern intersection with Knight Road.
3. Developer shall submit signal warrant analysis for the access road /Whites Creek intersection at 65% completion. Upon approval by the Traffic and Parking Commission and signal plan approval by the Metro Traffic Engineer, Developer shall install a traffic signal at this intersection.
4. The proposed roadway intersections should be located as to provide adequate sight distance per AASHTO. Developer shall prepare a sight distance analysis at the PUD plan revision to insure adequate sight distance is provided.
5. The Parmley Cove PUD plans indicate that the access road will be constructed as a 60 feet collector. Provide a minimum of 200 feet queue distance from the signal to the first commercial driveway.
6. The original conditions were not phased, so these roadway improvements will be conditioned for phase 1 of any development, including the Parmley Cove 53 lot residential subdivision since its access is by way of the PUD access road.
7. Install a right turn lane with 100 feet of storage on Whites Creek Pike at the access road.
8. 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.
9. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments



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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.

10. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. 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.



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

Subdivision 2005S-242G-02
Bell Grimes Subdivision
3 – Tucker
3 - Garrett
Dale & Associates, applicant/surveyor, for Umbrella Investment Corp., owner.

Deferral

Deferred from the September 8, 2005, Commission meeting due to lack of a quorum

Staff Reviewer
Staff Recommendation

Pereira
Approve with conditions

APPLICANT REQUEST
Final Plat

Request is for final plat approval to create 41 single-family lots on 23.29 acres, located at the northeast corner of Brick Church Pike and Bell Grimes Lane.

ZONING
RS20 district

RS20 requires a minimum lot size of 20,000 square feet and intended for single-family dwellings at an overall density of 1.85 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 RS20 (minimum 20,000 sq. ft. lots) to RS10 size lots (minimum 10,000 sq. ft. lots). The applicant is not allowed to increase the number of lots, however. Pursuant to Section 17.12.080(D) of the Metro Zoning Ordinance, cluster lot subdivisions require a minimum of 15% open space. The plan proposes 8.85 acres of open space (38%), which complies with this provision.

SUBDIVISION DETAILS
Plan Details

This subdivision proposes the creation of 41 cluster lots, ranging from 10,016 to 20,112 square feet in size. While the preliminary plat was approved with conditions for only 39 lots at the August 26, 2004, Planning Commission meeting, Section 3-4.1E of the Subdivision Regulations permit the lot count to vary by as much as five percent from the preliminary plat. The increase to 41 lots on this final plat represents such an increase.

Access

The preliminary plat proposed the only access for the subdivision to be on Bell Grimes Lane, with two stub-streets to adjacent properties on the north and southeast. On the preliminary plat, there was no access proposed to Brick Church Pike since that would require crossing



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a stream and because there are serious sight distance problems along this portion of Brick Church Pike. This final plat, however, proposes a joint access driveway off of Brick Church Pike for ingress/egress for the two additional lots being proposed. Staff recommends that given the continuing site distance problems along Brick Church Pike, as well as the additional traffic created by the two proposed additional lots, the final plat must be revised to remove these two lots, to be consistent with the preliminary plat.

PUBLIC WORKS RECOMMENDATION

As a condition of the preliminary plat approval, an access study was to be submitted prior to final plat approval. This access study was submitted, and the Public Works conditions of approval of this plat are as follows:

1. Show/identify easement around Carley Drive temporary turnaround.
2. Show sidewalks as shown on the construction plan.

STORMWATER RECOMMENDATION

Construction Drawings approved on 7/21/05. Final plat approved on 8/19/05.

CONDITIONS

1. Prior to the recording of this final plat, the applicant must post bonds for:
 - Landscape buffer yards
 - Sidewalks and roads
 - Stormwater facilities
 - Water and Sewer improvements
2. Prior to the recording of this final plat, the applicant must comply with the Public Works conditions of approval as outlined above. 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.
3. Prior to the recording of this final plat, the final plat shall be revised to remove the two additional lots proposed for access off of Brick Church Pike.



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

Planned Unit Development 2005P-024U-10
Lindawood Corner
None
34 – Williams
08 - Harkey
Civil Site Design Group, applicant, for John C. Hayes, owner.

Deferral

Deferred from the September 8, 2005, Commission meeting due to lack of a Quorum

Staff Reviewer
Staff Recommendation

Fuller
Disapprove

APPLICANT REQUEST
Preliminary PUD

Request for preliminary approval of a Planned Unit Development on 0.92 acres, located on the southeast corner of Castleman Drive and Lindawood Drive, to permit two single-family lots.

Zoning
R20 district

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

PLAN DETAILS

The plan proposes removing one existing duplex and replacing it with 2 single-family lots fronting Lindawood Drive. The current duplex sits at the established setback on both streets. The proposed houses would sit closer to the street than the existing duplex and would have larger building footprints.

Lot Comparability

As proposed the request will create 2 new lots along the southeast corner of the intersection of Lindawood Drive and Castleman Drive with the following area(s), and street frontage(s):

- Lot 1: 20,128 Sq. Ft., (0.46 Acres), and 90 Ft. of frontage;
- Lot 2: 20,044 Sq. Ft., (0.46 Acres), and 100 Ft. of frontage;

Section 2-4.7 of the Subdivision Regulations states that new lots in areas that are predominantly developed are to be generally in keeping with the lot frontage and lot size of the existing surrounding lots. A lot comparability waiver can be granted if the lot fails the lot comparability analysis (is smaller in lot frontage



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and/or size) if the new lots would be consistent with the General Plan. The Planning Commission does not have to grant the waiver if they do not feel it is appropriate. The lot comparability analysis yielded a minimum lot area of 31,155 square feet, and a minimum lot frontage of 126 linear feet. Both lots fail for comparability.

Staff recommends disapproval of an exception to the lot comparability requirements. The Subarea 10 plan calls for Residential Low policy intended for residential development within a density range of one to two units/homes per acre. Staff recommends that the Commission not grant an exception for comparability because:

1. The lots fail for lot area by approximately 11,000 square feet and for frontage by 36 feet (lot 1) and 26 feet (lot 2).
2. The lots are inconsistent with the existing pattern of development along Lindawood Drive and Castleman Drive.
3. This property is also outside of the half mile radius from the Green Hills Regional Activity Center land use policy, and therefore is not eligible for an exception from the lot comparability requirements.

**STORMWATER
RECOMMENDATION**

Approve. It does not appear that this site will need a grading permit.

**METRO PUBLIC WORKS
RECOMMENDATION**

No exceptions taken.

CONDITIONS (if approved)

1. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. 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 and electronic



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copy 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.

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 approval of any final plat or the issuance of any building permits.
4. This preliminary plan approval of the proposed master plan 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 determines there is less site acreage.



Project Name

Proposed Amendment to the Antioch-Priest Lake Community Plan: 2003 Update

Associated Cases

2005Z-102U-13, 2005P-021U-13

Council Bill

None

Council Districts

33 Bradley

School District

6 – Awipi

Requested by

Roy Dale

Deferral

Deferred from the September 8, 2005 Commission meeting.

Staff Reviewer

Wood

Staff Recommendation

Approve

APPLICANT REQUEST

Change the Structure Plan land use policy from Neighborhood General and Neighborhood Center to Residential Medium-High Density for approximately 100 acres of property located along the south margin of Mt. View Road.

Existing Land Use 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 NC areas are those that meet daily convenience needs and/or provide a place to gather and socialize.

Proposed Land Use Policy

Residential Medium High Density (RMH)

RMH is a Structure Plan category designed and intended for existing and future residential areas characterized by densities of about nine to twenty



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dwelling units per acre. A variety of multi-family housing types are appropriate in RMH areas. The most common types include attached townhomes and walk-up apartments.

ANALYSIS

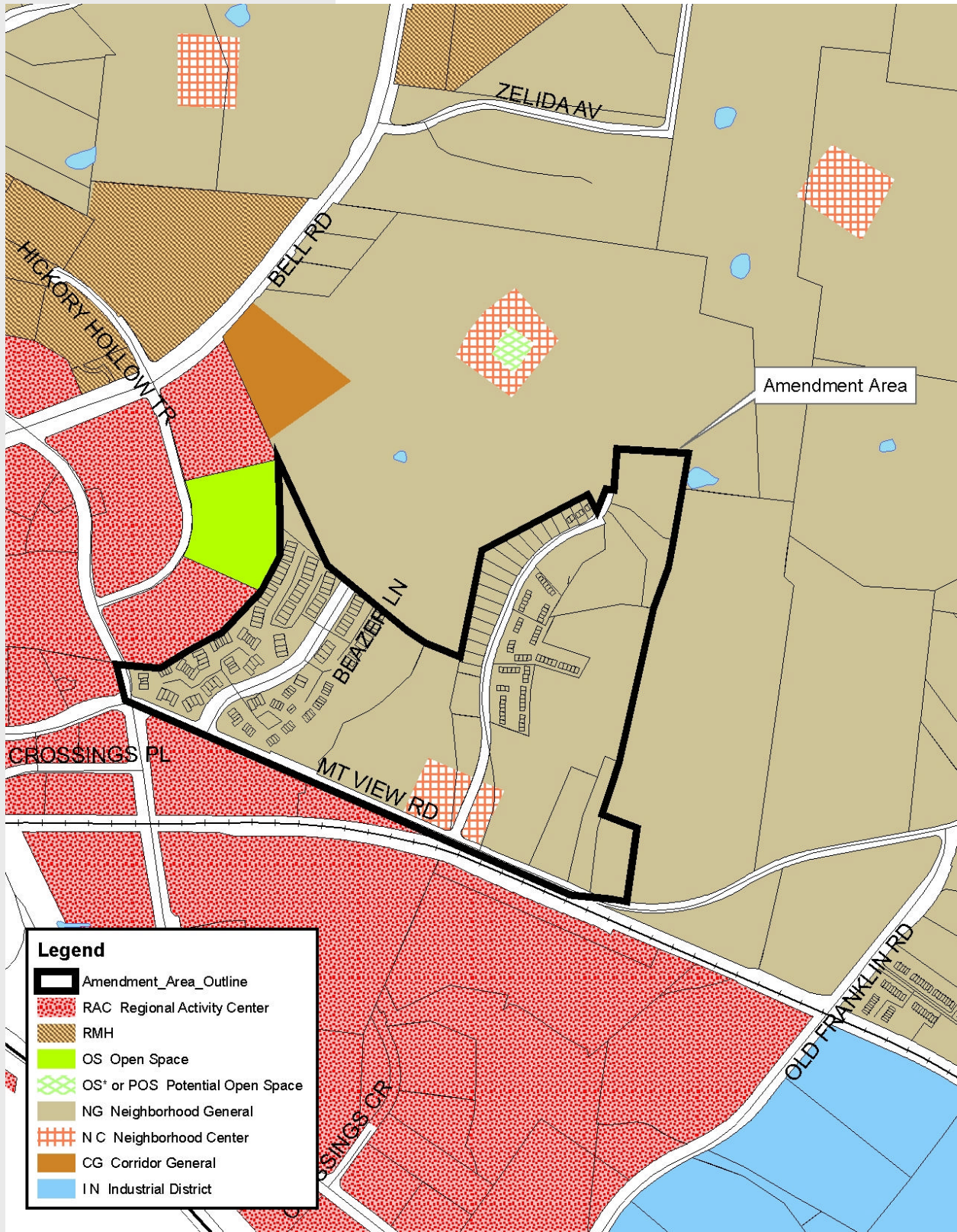
This proposed amendment to the Antioch-Priest Lake Community Plan is appropriate because further staff analysis of this area that was conducted in association with the PUD and zone change requests revealed that it would be impossible to achieve the degree of neighborhood connectivity needed to implement Neighborhood General and Neighborhood Center policies in this area. This is due to both topography and the pattern of existing development in the area, which does not permit interconnectivity among the various individual developments and prohibits the interconnection of infill parcels within the area as these develop.

Residential Medium High Density policy would allow for compatible infill that is similar in character to most of the development that has already taken place in this approximately half-developed area. The maximum density allowed under Residential Medium High Density (20 units per acre) is the same as would be allowed under Neighborhood General. This is appropriate for a site that is immediately adjacent to the Hickory Hollow Regional Activity Center.

The amendment area and land use policies are shown on the accompanying graphic.



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

Zone Change 2005Z-065U-13
2005P-025U-13
None
33– Bradley
6 – Awipi
Terry D. Stevens of the Stevens Group, applicant for
Barbara C. Dobson, et. al, owner.
*Deferred from the September 8, 2005, Commission
meeting.*

Deferral

Staff Reviewer
Staff Recommendation

Harris
Disapprove

APPLICANT REQUEST

Request to change 1.06 acres from residential single and two-family (R15) to commercial service (CS) district on a portion of property located at 519 Bell Road, south of Murfreesboro Pike.

Existing Zoning
R15 district

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

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.

**ANTIOCH-PRIEST LAKE
COMMUNITY PLAN**

Residential Medium High

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

Retail Concentration Community

RCC policy is intended to accommodate concentrations of community scale retail. Community scale retail includes many forms of retail activity, including most types of retail shops, restaurants, entertainment, and consumer services but at a scale smaller than that of a regional mall.



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Policy Conflict

Yes. The proposed CS district is not consistent with the Antioch-Priest Lake Community Plan's RMH policy intended for residential development at a density of nine to twenty units per acre. Although there is a small portion in the RCC policy, the majority of the property lies within RMH policy.

RECENT REZONINGS

None.

PUBLIC WORKS' RECOMMENDATION

No exception taken.

Typical Uses in Existing Zoning District: R15

Land Use (ITE Code)	Acres	Density	Total Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	1.71	2.47	4	40	4	5

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
Car wash (948)	1.71	0.188	14,004	na	na	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
--						10

Maximum Uses in Existing Zoning District: R15

Land Use (ITE Code)	Acres	Density	Total Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	1.71	2.47	4	40	4	5

Maximum Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Convenience Market (851)	1.71	0.08*	5,959	4398	400	313

*Adjusted as per use

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
--	--	--	--	4358		318



Project No.
Project Name
Council Bill
Council District
School District
Associated Case
Requested By

Planned Unit Development 2005P-025U-13
Jeric Commercial PUD

None
33 - Bradley
6 - Awipi
2005Z-065U-13
Fulghum, Macindoe and Associates, applicants, for
Barbara Dobson, et al, owner.
*Deferred from the September 8, 2005, Commission
meeting.*

Deferral

Staff Reviewer
Staff Recommendation

Harris
*Disapprove, since it is not consistent with the land use
policy, including a recommendation to disapprove
variance requests for residential setbacks, wash bays
opening toward residentially zoned property, and for
landscape buffer yard.*

APPLICANT REQUEST
Preliminary PUD

**Request for Preliminary approval of a Planned Unit
Development district to allow for the development of
a 5,301 square foot car wash, on a 1.06 acre portion
of property located at 519 Bell Road, south of
Murfreesboro Pike.**

ZONING & LAND USE POLICY
Existing Zoning—R15

This request for preliminary PUD approval is
associated with a zone change request to change from
R15 to CS.

Antioch-Priest Lake Community
Plan Residential Medium High
(RMH) Land Use
Policy

The proposed CS zoning district is not consistent with
the RMH policy intended for residential development at
a density of nine to twenty units per acre.

PLAN DETAILS
Site Design

The plan proposes a 5,301 square foot car wash facility.
Access is proposed from Bell Road with two wash
bays.

Variance (Section 17.16.070F)

The plan proposes two wash bays opening toward
residentially zoned (R15) properties to the west, which
is not allowed by the Zoning Ordinance. The applicant
has requested a variance to this section of the Zoning



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Variance (Section 17.16.070F)

Ordinance. Section 17.16.070F of the Zoning Ordinance states that “All washing facilities shall be located within a structure which is enclosed except those openings necessary for vehicular and pedestrian access. Such opening shall not face any adjacent residentially zoned property.” The applicant has stated that the hardship is that the lot is narrow and long resulting in the layout of the proposed car wash.

The applicant has also requested a variance for the residential setback requirement. Section 17.16.070 of the Zoning Ordinance states that “Whether automatic, free, self-service or by hand, the car wash structure (including wash bays) and any outdoor vacuuming machines or areas, shall be located fifty feet away from residential zone district or district permitting residential use.” The applicant proposes a 36’ setback to the south adjacent to R15 zoned property and 40’ to the rear, as opposed to the required 50’ setback. The applicant has stated that the hardship is also due to the orientation of the lot. The Planning Commission will make a recommendation to the Board of Zoning Appeals on this variance request.

Variance (Section 17.24.030)

The applicant has also requested a variance for the 20’ minimum requirement for landscape buffer yard between CS zoning and R15 zoning. The applicant is not showing a landscape buffer yard, but may be able to provide 14’, which would still require a variance from the Board of Zoning Appeals. The applicant has cited the following as the unique hardship:

“Due to the dimensions of the lot and the operating procedures of the full-service car wash, the full width of the transitional landscape buffer yard cannot be maintained. A pavement width of 36’ is needed on the north side of the building in order for vacuuming and interior cleaning operations to occur in an effective manner. A minimum pavement width of 36’ will allow for the safe opening of vehicular doors and minimize the possibility of vehicular doors colliding, which would result in damage to the vehicles to be serviced by the full-service car wash.”

STAFF RECOMMENDATION

Staff recommends disapproval of all three variance requests since there is no unique hardship presented, and due to the timing of the proposed car wash and the



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proposed land use policy update and Detailed Neighborhood Design Plan for the area. The DNDP will provide the appropriate design specifications for the area. Also, the current land use policy does not support this land use.

STORMWATER RECOMMENDATION

Stormwater has recommended approval of the preliminary PUD plan on 8/10/05.

PUBLIC WORKS RECOMMENDATION

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

1. Show and dimension right-of-way along Bell Road at property corners. Label and show reserve strip for future right of way, 70 feet from centerline to property boundary, consistent with the approved major street plan (S8-140' ROW).
2. Reconstruct sidewalk at abandoned driveway.
3. Driveway ramp per ST-324/325, sidewalk per ST-210.
4. Document adequate sight distance.
5. Indicate on plan adjacent and opposed drives.

CONDITIONS (If approved)

1. All Public Works recommendations listed above shall be required.
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.



Project No.

**Zone Changes 2005Z-068U-13 and
2005Z-102U-13**

**Associated Case
Council Bill
Council District
School District
Requested by**

2005P-021U-13
None
33 - Bradley
6 - Awipi
Gary Whaley, Signature Homes, applicant for owners,
Patsy Hedgepath, Mary E. Wilson, et. Al.
*Deferred from the September 8, 2005, Commission
meeting*

Deferral

**Staff Reviewer
Staff Recommendation**

Pereira
*Approve with the condition that the associated
Townhomes at Southridge PUD and subarea plan
amendment are approved. If the PUD and subarea
plan amendment are disapproved, staff recommends
disapproval.*

APPLICANT REQUEST

**Request to change 7.55 acres from agricultural and
residential (AR2a) to residential multi-family
(RM15) district property located at 5505, 5515, and
5525 Mount View Road, approximately 450 feet east
of Baby Ruth Lane**

Existing Zoning
AR2a zoning:

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. On this property, a maximum of 3 units would
be allowed under AR2a zoning.

Proposed Zoning
RM15 zoning:

RM15 is intended for single-family, duplex, and multi-
family dwellings at a density of 15 dwelling units per
acre. On this property, a maximum of 113 units would
be allowed under RM15 zoning.

**ANTIOCH-PRIEST LAKE
COMMUNITY PLAN POLICY**

Neighborhood General (NG)

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.



Metro Planning Commission Meeting of 9/22/05

Proposed policy amendment to the Antioch-Priest Lake Community plan Residential Medium High (RMH)

The NG policy also requires that residential development other than single family be supported by a special policy or detailed neighborhood design plan. An example would be townhomes located along busy streets that connect a Neighborhood Center to a Community Center.

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

Policy Conflict

The proposed RM15 zoning is inconsistent with the existing Neighborhood General policy, due to the high density multifamily development that it allows. This RM15 zoning application is accompanied by the Townhomes at Southridge preliminary PUD, a residential PUD request that includes 83 townhome units, with access off of private drives.

The RM15 zoning is consistent with the middle range of the amended RMH land use policy, which calls for multifamily housing at nine to twenty units per acre.

STAFF RECOMMENDATION

Staff recommends that the rezoning to RM15 be approved with the Commission's approval of the associated Townhomes at Southridge PUD and subarea plan amendment. If the PUD and subarea plan amendment are disapproved, staff recommends disapproval of this request.

RECENT REZONINGS

None.

PUBLIC WORKS RECOMMENDATION

No Exception Taken. Additional right-of-way dedication and/or reservation may be required along existing street(s) at development.



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2005Z-068U-13

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)	4.8	0.5	2	28	11	4

Maximum Uses in Existing 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 (210)	4.8	15	72	483	40	46

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
--			+70	455	29	42

2005Z-102U-13

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)	2.75	0.5	1	10	1	2

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

Land Use (ITE Code)	Acres	Density	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Residential Condo/townhome (230)	2.75	15	41	222	25	28

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--			+40	212	24	26

METRO SCHOOL BOARD REPORT

Projected student generation

10 Elementary 6 Middle 5 High

Schools Over/Under Capacity

Students would attend Maxwell Elementary School, Antioch Middle School, or Antioch High School. Antioch High School has been identified as being overcapacity by the Metro School Board. Maxwell Elementary and Antioch Middle School have capacity



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within the school cluster, but Antioch High School does not. Glenclyff is an adjacent cluster with capacity.

The Metro School Board notes that there are new elementary and middle schools under construction on a property on Pettus Road, and that there is an acquisition underway for a new high school property near I-24 and Old Hickory Boulevard. This information is based upon data from the school board last updated August 2, 2005.



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

Planned Unit Development 2005P-021U-13
Townhomes at Southridge PUD

None
33 – Bradley
6 - Awipi
2005Z-068U-13 and 2005Z-102U-13
Dale and Associates, applicant for Signature Homes, owner

Deferral

Deferred from the September 8, 2005, Commission meeting.

Staff Reviewer
Staff Recommendation

Pereira
Approve with the condition that the associated subarea plan amendment and zone change requests are approved. If the subarea plan amendment and zone change requests are disapproved, staff recommends disapproval.

APPLICANT REQUEST
Preliminary PUD

Request for preliminary approval for a Planned Unit Development district on 7.55 acres located at 5505, 5515 and 5525 Mt. View Road, west of Old Franklin Pike, to permit 81 multi-family units.

PLAN DETAILS
History

This PUD plan was submitted by the applicant at the request of Planning Staff, with the requirement that the applicant demonstrate via a PUD plan that RM15 was an appropriate zoning for this site. The applicant was advised by staff that the “straight” RM15 rezoning request (without a PUD) was inappropriate for the existing Neighborhood General land use policy. The applicant chose to defer the zone change request in order to submit a PUD application and an amendment to the subarea plan to allow development consistent with the Residential Medium High density policy.

Site Design, Access, & Parking

The submitted plan proposes 81 townhome units situated on new private drives, with one single ingress/egress drive that accesses Mount View Road. Forty-one 3-bedroom units and forty 2-bedroom units are proposed. There is 90 degree angle parking proposed off of the western private drive to serve units without garages, 27 units with garages, and 17 units that face Mount View Road, with parking in the rear.



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Open Spaces

The applicant has worked with Planning Staff to address the need for centralized open space areas, as well as the need for tree preservation on this property. The plans propose two open space areas in this PUD, both of which include portions where existing trees will be preserved. In all, there are 3.3 acres proposed for open space, constituting 44 percent of the PUD.

Cul-de-sac requirements

One private drive in the western part of the PUD extends north and terminates with a 100' diameter cul-de-sac. The Fire Marshal's Office does require a 100-foot diameter turnaround on any cul-de-sac greater than 150 feet in length. The Planning Department also requires a landscaped median in any such cul-de-sac.

Sidewalks

Sidewalks *have* been shown on both sides of the private drives that serve the townhomes on the western side and eastern sides of the proposed PUD. Planning staff supports these sidewalks as they fulfill the intent of the PUD to increase internal pedestrian circulation. Planning staff recommends that there be an internal pedestrian connection midblock from the western private drive to the northeastern open space area, as well as from the cul-de-sac to the same open space area. In addition, Planning staff recommends that the sidewalk be extended all the way around the eastern open space area.

Landscape buffers

A class "B" landscape buffer is required along the northern boundary of the PUD, as the proposed RM15 zoning would abut R8 zoning. On the eastern perimeter of the proposed PUD that abuts AR2a zoning, a class "C" landscape buffer would be required with the proposed RM15 zoning. The applicant *has* indicated the intent on the plans to comply with the second bufferyard, but not the first. The final PUD plans must be revised to comply with the required B landscape buffer on the north.

Anticipated revised plans

The councilman has met with the applicant and Planning staff to provide specific feedback on the most current set of plans. One of the councilman's suggestions for improving these plans included having all of the units front on open area instead of private drives. The applicant agreed to comply with these suggestions on a set of modified plans, and the councilman agreed to re-refer these modified set of



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plans back to the Planning Commission prior to 2nd reading at Council.

STORMWATER RECOMMENDATION

Preliminary PUD Approved on 8/30/05.

PUBLIC WORKS RECOMMENDATION

Public Works' comments: Exception Taken

1. Approvals are subject to Public Works' review and approval of construction plans.
2. Dimension drive isle widths, and identify pavement section.
3. Sight distance appears inadequate along Mt. View Road at project access. Submit documentation of adequate sight distance with mitigations at access road / Mt. View Road intersection.
4. On sheet C1.0, remove traffic condition notes. Show notes as approved by Metro Traffic Engineer, and conditioned by the Metropolitan Planning Commission / Council Bill.
5. Developer shall improve Mt. View Road (U2 - 60' ROW) to a 3 lane cross section across property frontage.
6. Access drive shall be constructed with two (2) exit lanes and one (1) entering lane.

CONDITIONS

1. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. 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 and electronic copy of the final boundary plat for all property within the overlay district must be



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submitted, complete with owners' signatures, to the Planning Commission staff for review.

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 approval of the final plat. 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.
5. This preliminary plan approval for the residential portion of the master plans is based upon the stated acreage. The actual number of dwelling units to be constructed may be reduced upon approval of a final site development plan if a boundary survey confirms there is less site acreage.
6. The final PUD plans must show the required B landscape buffer on the northern boundary of the PUD that abuts R8 zoning.
7. The final PUD plans must show an internal pedestrian connection midblock from the western private drive to the northeastern open space area, as well as a pedestrian connection from the cul-de-sac to the same open space area.
8. The final PUD plans must show an extension of the sidewalk around the perimeter of the eastern open space area.
9. Approvals are subject to Public Works' review and approval of construction plans submitted with their final PUD.



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10. Prior to final PUD approval, all Public Works comments above must be adequately addressed.



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

Zone Change 2005Z-099U-10
2005P-019U-10
None
34 - Williams
8 - Harkey
Gresham, Smith & Partners, engineer, for Ruth Campbell, Ray O'Steen, William Gaw and Mary Buckner (Buckner Family Charitable Foundation), owners.

Deferral

Deferred from the August 25, 2005, Commission meeting.

Staff Reviewer
Staff Recommendation

Fuller
Approve

APPLICANT REQUEST

Request to change 2.34 acres from residential single-family and duplex (R20) to residential multi-family (RM9) district property located at 2201 Hobbs Road, 4207 and 4211 Stammer Place, 2200 Castleman Drive.

Existing Zoning
R20 zoning

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.

Proposed Zoning
RM9 district

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

**GREEN HILLS-MIDTOWN
COMMUNITY PLAN POLICY**

Existing 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 plan policy of Residential Medium that was adopted July 28, 2005.



Metro Planning Commission Meeting of 9/22/05

METRO SCHOOL BOARD REPORT

Projected student generation 1 Elementary 0 Middle 0 High

Schools Over/Under Capacity

Students would attend Julia Green Elementary School, Moore Middle School, or Hillsboro High School. Julia Green 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 August 2, 2005.

RECENT REZONINGS

None.

TRAFFIC PUBLIC WORKS' RECOMMENDATION

No exceptions taken.

Typical Uses in Existing Zoning District: R20

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)	2.34	1.85	4	55	13	6

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)	2.34	9	20	169	15	17

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
--				114	2	11



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

Planned Unit Development 2005P-019U-10
Stammer Parke
2005Z-099U-10
None
34 - Williams
8 - Harkey
Gresham, Smith & Partners, engineer, for Ruth Campbell, Ray O'Steen, William Gaw and Mary Buckner (Buckner Family Charitable Foundation), owners.

Deferral

Deferred from the August 25, 2005, Commission meeting.

Staff Reviewer
Staff Recommendation

Fuller
Approve, with conditions, including a recommendation of approval to the Board of Zoning Appeals for a setback variance.

APPLICANT REQUEST

Preliminary PUD

Request for preliminary approval of a Residential Planned Unit Development district located at 2201 Hobbs Road, 4207 and 4211 Stammer Place, and 2200 Castleman Drive, on the south side of Hobbs Road, west side of Stammer Place, and north side of Castleman Drive, to permit the development of 20 townhomes.

PLAN DETAILS

Site Design

The proposed development fronts on three streets. The primary streets are Hobbs Road and Castleman Drive. The townhouse units have been sited at the existing setback along the two primary streets and the units front the streets, with parking garages located behind and away from view along the primary frontages. The secondary street frontage is Stammer Place. A circular entrance drive has been oriented opposite the Belmont Village assisted living driveway court on Stammer Place. The townhomes have been oriented around the circular drive to mirror the courtyard design of the assisted living facility.

Setback Variance

The applicant is seeking a variance for the setback requirements on Stammer Place and Castleman Drive. The street setback from a property zoned RM9 located on a non-arterial street is 70 feet from the centerline of



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the street. Both Stammer Place and Castleman Drive are non-arterial streets, so the 70-foot setback requirement applies. The setback for a single-family residential building is 30 feet for a local street or 40 feet for a collector street, measured from the edge of the right-of-way (or 45 feet to 55 feet from the center of the right of way).

The different requirements for RM9 (multifamily) and single-family zoning make it very difficult for a project such as the one proposed here to respect the established development pattern on a street or even create a new cohesive development pattern where both single and multifamily units are in close vicinity. In order for the proposed attached living units to sit at the setbacks currently established on Castleman Drive and Stammer Place, the applicant will need to obtain a variance from the Zoning Code setback requirements from the Board of Zoning Appeals (BZA). Staff recommends support of this variance request. The Planning Commission action will serve as a recommendation to the BZA regarding the setback variance request.

STORMWATER RECOMMENDATION

Preliminary PUD approved except as noted. There is a buffer disturbance at the north section of the site. A variance to disturb the buffer must be approved through the Stormwater Management Committee for the layout to be accepted with this design

PUBLIC WORKS RECOMMENDATION

Following are review comments for Stammer Parke 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. On Hobbs Road, dedicate right-of-way 30-feet from the centerline.
3. At Stammer Place, provide a minimum 27' pavement width per Metro ST-252. Provide curb, gutter, grass strip and sidewalk along property frontage on Hobbs Road, Stammer Place and Castleman Drive.



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4. Show Metro ST-324 driveway ramp for access from public streets.

CONDITIONS

1. Approvals are subject to Public Works' review and approval of construction plans submitted with the final PUD.
2. On Hobbs Road, dedicate right-of-way 30-feet from the centerline.
3. At Stammer Place, provide a minimum 27' pavement width per Metro ST-252. Provide curb, gutter, grass strip and sidewalk along property frontage on Hobbs Road, Stammer Place and Castleman Drive.
4. Show Metro ST-324 driveway ramp for access from public streets.
5. Prior to final PUD plan approval, a variance for the building setback on Stammer Place and Castleman Drive must be obtained from the Board of Zoning Appeals.
6. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
7. 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 and electronic copy 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.
8. 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



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the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.

9. 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 approval of any final plat or the issuance of any building permits.
10. This preliminary plan approval of the proposed master plan 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 determines there is less site acreage.



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

Zone Change 2005Z-122T
None.
BL2005-763
Countywide
N/A
Metro Urban Forester
Councilmembers J. B. Loring and Amanda McClendon
Deferred from the August 25, 2005, Commission meeting.

Staff Reviewer
Staff Recommendation

Regen
Approve with proposed staff amendments.

APPLICANT REQUEST

Amend Zoning Code to modify landscape and buffer yard requirements and standards, and to prohibit the “topping” of trees.

ANALYSIS

Status of Council Bill

This Council bill was deferred by the Planning Commission at its August 25, 2005, meeting. Councilmember Loring informed the Commission he would defer the bill at Council to allow the Commission an opportunity to consider the bill before it is passed by the Council on 3rd reading. The bill was considered by the Council on public hearing and passed on 2nd reading on September 6. Although the bill is on the September 6 Council agenda on 3rd reading, it is anticipated that the bill will be deferred so the Commission can provide a formal recommendation to the Council.

Existing Law

The current Zoning Code includes landscaping provisions that address the submittal of landscaping plans, the width and location of interior and perimeter site landscaping, tree density factors, parking lot landscaping, and landscape buffer yards along zoning district boundaries.

Proposed Text Change

The proposed amendment does not delete any of the provisions now covered by the Zoning Code. In a few places, new requirements are created or existing ones modified. From a planning perspective, the most significant change proposed by this bill is the elimination of landscape buffer yards along certain zoning district boundaries to eliminate “double



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buffering,” particularly where commercial, office, and industrial uses are adjacent to residential uses.

Analysis*Technical Items*

It has been over seven years since the current Zoning Code was adopted. In that time, the Urban Forester and Metro Codes Department have learned what works and does not work with the current landscape provisions. Many of the changes proposed by the bill have been developed by Codes staff based upon their field experience in applying the current ordinance. In reviewing the proposed amendment, planning staff has deferred to the Urban Forester and Codes Department on these technical changes, including topping of trees, the width of landscape strips, diameter of trees at breast height, size of shrubbery upon initial planting, etc.

For example, when the Zoning Code was initially adopted, property owners were not required to have an automatic sprinkler system to water the landscape. It was at their option to either use sprinklers or a garden hose. The Urban Forester reports that experience has shown few property owners will pay for an employee to water the landscape with a garden hose. The net effect is that landscaping materials die or have significantly stunted growth due to a lack of water. Under the proposed bill, all required landscaping must be maintained by a fully automatic underground irrigation system, operational at time of use and occupancy.

*Tractor-Trailers &
Warehouse/Distribution*

The bill addresses a long-standing issue related to warehousing and distribution uses which have vast expanses of impervious surfaces. The Zoning Code requires all uses to provide interior parking lot landscaping. For warehousing/ distribution uses where tractor-trailers are entering a site, maneuvering on-site, and then exiting, the interior parking lot landscape provisions can be problematic. Recognizing limitations such as these, the bill proposes to permit such operations to group the required number of individual tree islands within the parking lot into larger tree islands. This measure would eliminate the need for trucking operations to get a variance, as currently is required in order to propose alternative landscape solutions. More importantly, it ensures all land uses continue to provide the requisite landscaping.



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Landscape Bufferyards

The most significant change proposed by this bill involves Table 17.24.230, the landscape buffer yard table. As set forth in the Purpose and Intent of the Landscaping, Buffering and Tree Replacement chapter of the Zoning Code, Section 17.24.010, buffering standards were created to implement the general plan, associated subarea plans, and to mitigate the results of differing activities that may occur when different zone districts and/or land uses abut one another.

The proposed bill would eliminate some buffer yards or reduce the required width between various zoning districts. The bill does this principally by removing the need for residential uses to “buffer” against commercial or industrial uses. The presumption being residential properties should not be required to provide a buffer against a neighboring Walgreen’s, McDonald’s, or Kroger. The argument is that only the non-residential use should be required to buffer against the residential use. The bill similarly revises the buffering requirements for commercial and industrial uses by removing the need for a commercial/industrial use to “buffer” against another commercial/industrial use.

LANDSCAPE BUFFER YARDS

Zoning District	Currently*	Proposed*
RS10 to CS	B (10 feet)	None
RS15 to IWD	C (20 feet)	None
RS10 to CS	A (5 feet)	None
CS to SCR	A (5 feet)	None
MUN to RS10	C (20 feet)	B (10 feet)
SCR to RS10	D (30 feet)	C (20 feet)
OR20 to RS20	C (20 feet)	B (10 feet)

* Compares B-3, C-3, to D-3 buffers since smallest buffers assume an 8' of wall is installed on property line which is not common.

Planning staff recommends that some buffer yards should not be changed because of the significant impact from certain land uses. For example, the bill proposes a reduced buffer yard – from a “D” standard to a “C” – for CA, CF, SCR, MUG, MUI, ORI, and OG uses that abut R and RS districts. SCR zoning covers large malls and shopping centers while ORI covers hospital campuses, and MUG zoning includes large retail and office developments of the type along West End Avenue. Where those types of large-scale projects abut R and RS districts, they should be required to provide the largest



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buffer to minimize their impact on abutting residential uses. In addition, the bill proposes a reduction in the required buffer yard for higher intensity multifamily districts and some office and shopping districts. Because those districts also can have a significant impact on neighboring R and RS uses, staff believes the current buffer yard standard should be maintained. Staff would therefore recommend the following changes to the proposed new landscape buffer yard table:

		ZONING DISTRICT PROVIDING BUFFER YARD						
		AG, AR2a, All R and RS Districts	RM2, RM4	RM6, RM9, RM15, RM20, RM40, RM60, MHP	ON, CN, MUN, SCN, OL, OR20, OR40	CL, CS, MUL, SCC, I	CA, CF, SCR, MUG, MUI, ORI, OG	IWD, IR, IG
ABUTTING ZONING DISTRICT	AG, AR2a, All R and RS Districts	*	A	B C	B C	C	C D	D

The bill also clarifies that for uses permitted with conditions (PC) and special exception (SE) uses, where a buffer yard is required by the respective use in Chapter 17.16, that buffer yard will be used in lieu of the one shown in the table. While helpful, the starred (*) annotation at the bottom of the proposed new table essentially assumes all PC and SE uses have a required buffer yard. Some do not such as automobile convenience, automobile service, day care centers, bars/nightclubs, car washes, self-service storage, and park and ride lots. To ensure a buffer yard is still required for such uses, staff suggests the following change to the note:

* Uses that are either Permitted with Conditions (PC) or Special Exception (SE) in Table 17.08.030 must provide the buffer yard required by its respective use, or where no buffer is identified, the buffer yard required by this table.

Staff Recommendation

Approve with proposed staff amendments. This text amendment provides needed changes to the landscaping provisions of the Zoning Code to ensure the viability, sustainability, and long-term maintenance of grasses, shrubs, and trees planted in landscape areas. While staff recommends approval of the provisions that



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reduce the size of some required buffer yards, and eliminates the need for others, staff recommends the bill be amended to preserve the buffer yards for certain uses abutting R and RS districts.



Project No.
Council District
School District
Requested by

Zone Change 2005Z-128U-05

8 - Hart
5 - Hunt

Michael Rippetoe, applicant/purchaser of property, for Belmont University, owner.

Deferral

Deferred by the applicant at the request of the councilmember from the September 8, 2005, Commission meeting.

Staff Reviewer
Staff Recommendation

Pereira
Disapprove

APPLICANT REQUEST

Rezone 0.83 acres from residential single-family (RS10) to commercial limited (CL) district property located at Riverwood Drive (unnumbered), at the northeast corner of Gallatin Pike and Riverwood Drive.

Existing 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.

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.

**EAST NASHVILLE
COMMUNITY PLAN POLICY**

Commercial Arterial Existing (CAE)

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

Draft East Nashville Updated Plan
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.



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Policy Conflict

The proposed CL district is inconsistent with the intent of the existing East Nashville Community Plan, drafted in 1994, which calls for townhomes, walkup apartments, and institutional uses along this strip of Gallatin Pike extending northward. There are also existing single-family homes on all sides of this undeveloped parcel, all of which have been deemed Worthy of Conservation by the Metro Historical Commission. Commercial, office, or mixed use development (zoning) could threaten the established nature of this residential area that is deemed worthy of conservation, and continue the long-term deleterious pattern of “leap-frog” commercial development along Gallatin Pike.

Special requirement of CAE policy on commercial rezoning requests

The commercial zoning request is also inconsistent with the general CAE policy, which states that “commercial zoning between major intersections . . . should not be intensified” unless there is an “existing pattern of intensive commercial zoning.” If a commercial zoning district is sought, the CAE policy requires the submittal by the applicant of:

- 1) **A market study demonstrating that there is a shortage of available CS zoned property within a 1.5 mile radius of the subject site.**
- 2) **Evidence that adjacent affordable housing will not be displaced or otherwise rendered unstable by commercial expansion.**

Neither of these items has been submitted by the applicant. In addition to the inconsistency with the existing community plan and policy, this area is designated as Neighborhood General in the East Nashville Plan Update (draft) and is slated for a Detailed Neighborhood Design Plan. Given this fact, Planning staff recommends that any commercial rezoning at this property be disapproved as both inappropriate and premature.

Staff Recommendation

Staff recommends disapproval of the CL zoning as being particularly inconsistent with the existing East Nashville Community Plan, as well as more generally in conflict with the requirements of the CAE land use policy. The Community Plan *does* call for medium



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density housing, and Planning staff could consider a zone change application more in line with the plan.

RECENT REZONINGS

None.

TRAFFIC PUBLIC WORKS' RECOMMENDATION

No Exception Taken. An access study may be required at development.

Typical Uses in Existing Zoning District: RS10

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)	0.83	3.7	3	30	3	4

Typical Uses in Proposed Zoning District: CL

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Specialty Retail Center (814)	0.83	0.228	8,243	391	Na	42

Maximum Uses in Proposed Zoning District: CL

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Convenience Market (851)	0.83	0.6	21,693	16009	1454	1137

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
				361	Na	38



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

Subdivision 2005S-128G-12
Old Hickory Crossing Subdivision
32 – Coleman
2 - Blue
Cornerstone Land Co., owner, Batson & Associates, surveyor.
Deferred from the September 8, 2005, Commission meeting.

Deferral

Staff Reviewer
Staff Recommendation

Harris
Approve with conditions

APPLICANT REQUEST
Preliminary Plat

Request is to create 115 single-family lots on 34.8 acres on the east side of Old Hickory Boulevard and south of Legacy Drive.

ZONING
RS10 District

RS10 requires a minimum 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 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 RS10 (minimum 10,000 sq. ft. lots) to RS5 (minimum 5,000 sq. ft. lots). The proposed lots range in size from 5,100 square feet to 11,120 square feet.

Pursuant to Section 17.12.080(D) of the Metro Zoning Ordinance, cluster lot subdivisions require a minimum of 15% open space per phase. The applicant proposes a total of 10.81 acres (31%) of open space.

The Commission recently adopted a policy clarifying that detention areas cannot be located in the minimum 15% open space required by the cluster lot option. The proposed detention areas do meet this requirement and are outside of the 15% open space requirement, however, a note needs to be added in the site data table that addresses the amount of open space used for detention areas.

SUBDIVISION DETAILS
Access/Street Connectivity

Access is proposed from stub streets from the adjacent subdivision (Old Hickory Hills) to the north. Although the Community Plan calls for a collector that runs north



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to south, this plat does not propose a collector since it would connect to a local street already approved with the Old Hickory Hills subdivision. Legacy Drive to the north serves as a collector in this area. No access is proposed from Old Hickory Boulevard, as required by the Public Works Department and Planning staff.

Stub streets are proposed to the south and east for future connectivity.

Sidewalks

Sidewalks are proposed along all the new streets within the subdivision.

Landscape Buffer Yards

Landscape buffer yards (C-20') are proposed around the boundary of the property since the lots are reduced in size two zoning districts.

Stormwater

Stormwater Appeal approval will be required for the two areas where the road crosses the buffer. This will be required during the grading plan review. Also, a 60 ft. buffer for the drainage ways are shown and is acceptable for preliminary, but the actual buffer could be wider on the grading plans and the final plat if the waterway is greater than 10 ft. wide.

PUBLIC WORKS RECOMMENDATION

1. Approvals are subject to Public Works' review and approval of construction plans.
2. Show and dimension right of way along Old Hickory Boulevard at property corners. Label and dedicate right of way 30 feet from centerline, consistent with the approved major street / collector plan.
3. The horizontal centerline radius of Crossing Drive (C4), Creek Valley Drive (C6), and Lawson Drive (C8) does not appear to conform to AASHTO 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.
4. Where a street approach to an intersection is curved, there shall be a one hundred (100) foot minimum



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curve tangent, as measured from the ultimate edge of pavement. Identify point of curvature and tangency for horizontal curves.

5. It appears that the proposed Creek Valley Drive will connect into Parker Drive. Street names to be verified with Public Works records section.
6. Construct Creek Valley Drive eastern stub street to property line.

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 approval of any final plat. 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 cul-de-sac shown on the western end of the property includes parking in the median, which is not a design that has been approved by all Metro agencies. It may be necessary for this cul-de-sac to be redesigned prior to approval of the final plat.
3. A revised preliminary plan is to be submitted by October 13, 2005, that removes the note "This area is reserved for future lots along Crossings Drive."
4. Prior to final plat approval, a note is to be added in the site data table that addresses the amount of open space used for detention areas.



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

Subdivision 2005S-238U-07
West Nashville, Resubdivision
20 – Walls
1 - Thompson
Paulette S. Miller, owner, H & H Land Surveying, surveyor.

Deferral

Deferred from the September 8, 2005, Commission meeting.

Staff Reviewer
Staff Recommendation

Harris
Approve with conditions

APPLICANT REQUEST
Final Plat

Request to create three lots from five existing lots on 0.48 acres on the north side of Michigan Avenue, approximately 200 feet east of Morrow Road.

ZONING
R6 District

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

SUBDIVISION DETAILS

As proposed the request will create 3 new lots from 5 existing lots along the north side of Michigan Avenue with the following area(s), and street frontage(s):

- Lot 1317: 6,003 Sq. Ft., (0.138 Acres), and 40 Ft. of frontage;
- Lot 1321: 6,003 Sq. Ft., (0.138 Acres), and 40 Ft. of frontage;
- Lot 1323: 8,253 Sq. Ft., (0.189 Acres), and 55 Ft. of frontage.

Lot Comparability

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

Although the lot comparability analysis was conducted, it was not used as a determination for staff's recommendation. Since this plat is considered a lot consolidation plat, lot comparability is not required to be conducted or used for analysis (as per Section 2-4.7 of the Subdivision Regulations).

All three proposed lots pass for lot area, but two of the lots did not passed comparability analysis for lot area.



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Sidewalks

The required lot area was determined to be 5,693 square feet, and the required lot frontage was determined to be 47.7 feet.

Sidewalks are not required since there are five existing lots already approved and no additional development rights are being requested.

STORMWATER RECOMMENDATION

Approve.

PUBLIC WORKS RECOMMENDATION

No Exception Taken.

CONDITIONS

1. Prior to recordation, the following changes need to be made to the plat:
 1. Add parcel number for Lot 1323.
 2. A mylar with a \$15 check made to the Register of Deeds office must be submitted.
 3. Label the existing 10" sanitary sewer lines and 20' sanitary sewer easement on plat.



Project No.
Council Bill
Council District
School District
Requested by
Deferral

Zone Change 2005Z-110U-13
None
29 - Wilhoite
6 - Awipi
Jerry Ward, owner
Deferred from the July 28, 2005, Commission meeting.

Staff Reviewer
Staff Recommendation

Pereira
Disapprove

APPLICANT REQUEST

Request to change 0.21 acres from residential single-family and duplex (R10) to mixed use neighborhood (MUN) district property, located at 2643 Smith Springs Road.

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
MUN district

MUN is intended for a low intensity mixture of residential, retail, and office uses.

**ANTIOCH/PRIEST LAKE
COMMUNITY PLAN POLICY**

Neighborhood Center (NC)

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

Policy Conflict

Although the proposed MUN district is consistent with NC policy, MUN zoning is not consistent with existing (occupied) single-family homes on both sides of this parcel. In addition, as this parcel falls in the middle of a strip of parcels with Neighborhood Center policy, the



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premature redevelopment of this parcel is not consistent with the NC policy's requirement for a coordinated development plan involving **all** of these parcels, if any of them are to be redeveloped. There are also existing developed and undeveloped residential properties across Smith Springs Road from this property.

A MUN rezoning application with an appropriate site plan for the southwest corner of Smith Springs Road and Bell Road would be a more appropriate way to implement the NC policy in this area. Beginning at one end of the policy area as a transition to a more mixed use/neighborhood center area is preferable to beginning with a single lot in the middle of existing single-family uses. Staff recommends disapproval of this request since it does not address coordinated redevelopment of the larger area.

RECENT REZONINGS

None.

PUBLIC WORKS RECOMMENDATION

No Exception Taken.

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)	0.21	3.7	1	10	1	2

Typical Uses in Proposed Zoning District: MUN

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Specialty Retail Center (814)	0.21	0.157	1,436	100	Na	25

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	0.21			90	Na	23



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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)	0.21	3.7	1	10	1	2

Maximum Uses in Proposed Zoning District: MUN

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	0.21	0.6	5,489	143	19	85

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	0.21			133	18	83

METRO SCHOOL BOARD REPORT

Projected student generation*

0 Elementary 0 Middle 0 High

Schools Over/Under Capacity

Students would attend Lakeview Elementary School, Kennedy Middle School, or Antioch High School. Antioch High School has been identified as not having capacity, but the adjacent cluster of Glencliff has capacity, as identified by the Metro School Board. This information is based upon data from the school board last updated August 2, 2005.

* Student generation numbers are based upon the assumption of three units, at 1,000 square feet each.



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

Zone Change 2005Z-130G-14
PUD No. 189-73-G-14
None
14 - White
4 - Nevill
Russell Pitzer, engineer/applicant for Merry Land Holdings LLC, owner

Staff Reviewer
Staff Recommendation

Fuller
Approve

APPLICANT REQUEST

Request to change 2.56 acres from residential multi-family (RM15) to mixed use limited (MUL) district property located at Central Pike (unnumbered), just east of Dodson Chapel Road.

Existing Zoning
RM15 district

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

Proposed Zoning
MUL district

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

**DONELSON- HERMITAGE-OLD HICKORY
COMMUNITY PLAN (2004 UPDATE)**

Existing Plan Policy
Mixed Use in 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.



Metro Planning Commission Meeting of 9/22/05

Policy Conflict

No. The requested zone change is consistent with the plan policy of Mixed Use in Neighborhood Center that was adopted in 2004. This property was included in the area shown in the Hermitage Detailed Neighborhood Design Plan. The goal for the area is to create a pedestrian friendly neighborhood center near Benson's Market at the intersection of Dodson Chapel Road and Central Pike. The associated PUD proposes a building set close to Central Pike. The uses will be office and retail and will meet the convenience shopping needs of nearby residents and will be within walking distance of Cherry Creek Apartments and Hermitage Meadows.

RECENT REZONINGS

None.

PUBLIC WORKS RECOMMENDATION

No exceptions taken; see 189-73-G-14 for comments.

Typical Uses in Existing Zoning District: RM15/PUD

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	2.56	n/a	11,700	226	30	90

Typical Uses in Proposed Zoning District: MUL/PUD

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Specialty retail (814)	2.56	n/a	31,920	1403	Na	99

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
--				1177		9



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

Planned Unit Development 189-73-G-14
Central Centre
2005Z-130G-14
None
14 - White
4 - Nevill
Russell Pitzer, engineer/applicant for Merry Land Holdings LLC, owner

Staff Reviewer
Staff Recommendation

Fuller
Approve with conditions

APPLICANT REQUEST

Amend PUD

Request to amend a portion of a Residential Planned Unit Development currently proposed for 11,700 square feet of office, to allow for the development of 31,920 Sq. Ft. of office and retail space, located on the south side of Central Pike, east of Dodson Chapel Road.

PLAN DETAILS

Site Design

The plan proposes a two-story commercial building with 19,320 square feet on the first floor, and 12,600 square feet on the second floor. Retail use is proposed on the first floor and office on the second floor. The building is situated as close to Central Pike as is possible due to reservation of right-of-way for future widening of the road.

Two driveways are proposed on each side of the building with parking located off these drives and to the rear of the building. There is a secondary emergency-access shown to connect with Cherry Creek Apartments, located to the southeast, which is also part of this PUD.

Landscape buffer yards are required against the Hermitage Baptist Church and the adjacent residentially zoned residential properties.

STORMWATER RECOMMENDATION

Preliminary PUD approved.



Metro Planning Commission Meeting of 9/22/05

PUBLIC WORKS RECOMMENDATION

Following are review comments for Central Centre PUD (189-73-G-14):

1. Approvals are subject to Public Works' review and approval of construction plans.
2. Provide transition of new asphalt pavement. Show a minimum 8:1 transition, as available.

Traffic Conditions:

1. One access driveway will be allowed instead of the 2 driveways proposed in the traffic study. Developer shall install 1 access drive located a minimum distance of 275 ft from Dodson Chapel Road and a minimum distance of 100 ft from Wisteria Lane. Adequate sight distance shall be provided.
2. Developer shall construct a 2 way left turn lane on Central Pike along property frontage. Turn Lane shall be aligned with and extended from left turn lane on Central Pike at Dodson Chapel Road. Transition shall be in accordance with AASHTO standards.
3. Roadway widening may be required along both sides of Central Pk.
4. Developer shall allow future cross access with adjacent property along the eastern and western property lines.
5. Developer shall reserve 1/2 ROW along Central Pike frontage in accordance with the major street plan U-4 classification and an additional 4 feet right-of-way for future bike lane in accordance with Metro Strategic Plan for Sidewalks & Bikeways
6. In accordance with Access study, developer shall provide Parking spaces per Metro zoning code.
7. Developer shall provide adequate truck turning movements for on site circulation.



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CONDITIONS

1. Approvals are subject to Public Works' review and approval of construction plans submitted with the final PUD.
2. Pedestrian access will be provided between this development and Cherry Creek Apartments.
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 and electronic copy 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 approval of any final plat or the issuance of any building permits.
7. This preliminary plan approval of the proposed master plan is based upon the stated acreage. The actual square footage to be constructed may be reduced upon approval of a final site development plan if a boundary survey determines there is less site acreage.



Project No.
Council Bill
Council District
School District
Requested by

Zone Change 2005Z-139G-12
None
31 – Toler
2 - Blue
Hickory Holdings, LLC, applicant/owner

Staff Reviewer
Staff Recommendation

Pereira
Disapprove

APPLICANT REQUEST

Request to change 19.33 acres from agricultural/residential (AR2a) to residential single family (RS10) district property located at 1160 Barnes 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
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.

SOUTHEAST COMMUNITY PLAN POLICY

Residential Low Medium (RLM)

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

Policy Conflict

Although the proposed residential density as allowed by the RS10 district (3.7 single-family homes per acre) is consistent with the density range permitted by RLM policy (2-4 homes per acre), the site falls both within the Infrastructure and School Deficiency Area established in the Southeast Community Plan.

Infrastructure Deficiency Area

This property is located within an infrastructure deficiency area for transportation and schools established by the Planning Commission in the Southeast Community Plan. The transportation infrastructure deficiency grid that has been developed by staff was used to analyze Barnes Road at this location. The road scored a “4” because the property



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can only be accessed from Barnes Road, which meets the criteria as a "fair segment of a fair road"; Barnes Road is not currently built to the required collector standard.

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 Barnes Road as a collector road 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 Barnes Road for deficiencies, the road would be deemed a "fair segment of a fair road," scoring a "4," because the pavement width will not be in compliance with the requirements of the Major Street Plan. The road does not have enough right-of-way for a standard collector (it has only 50 feet, which is not sufficient for a collector, which requires 60 feet) or enough pavement width (only 24 feet, whereby 37 feet are required). 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 community plan. On the Southeast Community Plan, there is a collector road that is proposed to extend northwest near the southwestern edge of this parcel ultimately to connect with Old Hickory Boulevard. This residential development will not add segments to the required collector road, as this nearby proposed collector road does not cross this property, so no points were added to the score. Accordingly, the project receives 4 points total, since it provides no required Major Street Plan connection.

School deficiency area

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



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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

12 Elementary 10 Middle 9 High

Schools Over/Under Capacity

Students would attend Maxwell Elementary School, Antioch Middle School, or Antioch High School. Antioch High School has been identified as being over capacity by the Metro School Board, but Glenclyff is an adjacent cluster with capacity. New elementary and middle schools are under construction on a property located along Pettus Road, and there is a land acquisition underway for a new high school near I-24 and Old Hickory Boulevard.

This information is based upon data from the school board last updated August 2, 2005.

RECENT REZONINGS

2003Z-143G-12 was approved March 22, 2004 by the Metro Council to change 5.28 acres from AR2a district to RS10 district properties on the south side of Barnes Road, just east of this property.

PUBLIC WORKS RECOMMENDATION

No Exception Taken. An access study 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)	19.33	0.5	10	126	17	14

Typical Uses in Proposed Zoning District: **RS10**

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)	19.33	3.7	72	766	60	80

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
--			+62	640	43	66



Project No.
Council District
School District
Requested by

Zone Change 2005Z-140U-14
15 - Loring
4 - Nevill
Sandor L Braun of Braun Properties General Partnership, applicant/owner.

Staff Reviewer
Staff Recommendation

Pereira
Disapprove, as inconsistent with the land use policy, and lack of the Public Works-required Traffic Impact Study.

APPLICANT REQUEST

Rezone 3.88 acres from residential single family (RS10) and commercial limited (CL) to commercial service (CS) district property located at 1636 Lebanon Pike and Lebanon Pike (unnumbered).

Existing 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.

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.

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.

**DONELSON-HERMITAGE
COMMUNITY PLAN POLICY**

Residential Low Medium (RLM)

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

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,



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Policy Conflict

prevent additional expansion along the arterial, and ultimately redevelop into more pedestrian-friendly areas.

The proposed CS district is completely inconsistent with the CAE and the RLM policies on this site. CS zoning allows many commercial uses, which are not consistent with the exclusively residential intent of the RLM policy; these same commercial uses are expressly what the CAE policy attempts to prevent—the continuing expansion of commercial zoning along arterial roads.

RECENT REZONINGS

None.

PUBLIC WORKS RECOMMENDATION

A TIS is required prior to rezoning.

Typical Uses in Existing Zoning District: RS10

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	3.88	3.7	14	169	17	14

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
General Office (710)	3.88	0.198	33,464	573	79	117

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
--				404	62	103



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Maximum Uses in Existing Zoning District: RS10

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	3.88	3.7	14	169	17	14

Maximum Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Convenience Market (851)	3.88	0.08*	13,521	9979	907	709

*Adjusted as per use

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
--				9810	890	695



Project No.
Council District
School District
Requested by

Zone Change 2005Z-141U-02
3 – Baldwin-Tucker
1 - Thompson
Robert Trent, Knollcrest G.P., applicant/owner.

Staff Reviewer
Staff Recommendation

Pereira
Disapprove RM15. Alternatively, defer the request until the applicant submits a Planned Unit Development that controls new expansions, and conserves open space.

APPLICANT REQUEST

Rezone 17.93 acres from residential single family (RS7.5) to residential multifamily (RM15) district property located at 3301 Creekwood Drive.

Existing Zoning
RS7.5 district

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

Proposed Zoning
RM15 district

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

PARKWOOD/UNION HILL COMMUNITY PLAN POLICY

Residential Low Medium (RLM)

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

Policy Conflict

Yes. The proposed RM15 district is inconsistent with the RLM policy on this site. RM15 zoning allows multifamily residential development, which is not consistent with the lower density residential intent of the RLM policy (2-4 homes per acre).

Existing apartments

There are currently 200 apartment units developed on this site. Though the applicant's stated intent is only to build a recreation center and 10 more residential units, the proposed RM15 rezoning could have much larger implications for the property, its current and future residents, and its neighbors. Sixty-eight more units would be allowed under RM15 zoning, which represents a large increase. In addition, the stated



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incremental units would likely be developed on the only significant remaining piece of contiguous open space area for this development. For these reasons, staff recommends that the applicant submit an application for a Planned Unit Development, which would restrict the site's development to limit future additional units and ensure a design that is sensitive to both its residents and the surrounding neighbors - including landscaping, pedestrian facilities, and open space.

RECENT REZONINGS

None.

PUBLIC WORKS RECOMMENDATION

No Exception Taken.

Typical Uses in Existing Zoning District: RS7.5

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)	17.93	4.94	89	935	72	97

Typical Uses in Proposed Zoning District: RM15

Land Use (ITE Code)	Acres	Density per Acre	Total Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Res. Condo/townhome (230)	17.93	15	269	1636	115	135

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--			+180	701	43	38



Project No.
Council Bill
Council District
School District
Requested by

Zone Change 2005Z-142U-08

None
2 - Isabel
1 - Thompson
Milton G. Pitts, Jr., owner.

Staff Reviewer
Staff Recommendation

Pereira
Deferral to the October 13, 2005, Planning Commission meeting to allow time for the associated amendments to the Buena Vista Heights Detailed Neighborhood Design Plan and North Nashville Community Plan to be advertised.

APPLICANT REQUEST

Rezone 0.60 acres from industrial warehouse/distribution (IWD) to residential single-family (RS3.75) district property located at 2115 24th Avenue North.

Existing Zoning
IWD district

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

Proposed Zoning
RS3.75 district

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

**NORTH NASHVILLE
COMMUNITY PLAN POLICY**

Corridor Center (CC)

CC is intended for dense, predominantly commercial areas at the edge of a neighborhood, which either sits at the intersection of two major thoroughfares or extends along a major thoroughfare. This area tends to mirror the commercial edge of another neighborhood forming and serving as a “town center” of activity for a group of neighborhoods. Appropriate uses within CC areas include single- and multi-family residential, offices, commercial retail and services, and public benefit uses. An accompanying Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

Buena Vista Heights DNDP
Commercial in CC

This DNDP policy further specifies the use in this Corridor Center area to be commercial.



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Proposed Minor Amendment to the land use 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.

Policy Conflict

The proposed RS3.75 zoning district is consistent with proposed Mixed Use land use policy for this site. Mixed Use policy supports single-family residential development of a higher density – i.e. RS3.75 zoning, which allows over nine homes per acre. The existing Commercial in CC policy does not support the proposed residential use, but the policy change is also consistent with existing duplex on the site, and the RS3.75 zoning represents an improvement over the existing IWD zoning.

Future development

With RS3.75 zoning in place, this property would be large enough to be subdivided into roughly six single-family residential lots. The applicant and the Commission should note that a Planned Unit Development may be required with a future subdivision to help implement a responsible site design that recognizes the area as a transition from commercial and mixed uses near Clarksville Pike to residential uses to the north.

RECENT REZONINGS

Parcels 281, 283, 285 and 286 to the immediate south of this property were approved by the Commission for CL zoning at the September 8, 2005, Commission meeting.

PUBLIC WORKS RECOMMENDATION

No Exception Taken.



Metro Planning Commission Meeting of 9/22/05

Typical Uses in Existing Zoning District: IWD

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	0.60	0.184	4,809	130	17	85

Maximum Uses in Existing Zoning District: IWD

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing ()	0.60	0.80	20,908	428	28	19

Typical Uses in Proposed Zoning District: RS3.75

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)	0.60	9.89	6	60	5	7

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
				-368	-23	-12



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

Subdivision 2005S-130G-14
Aaron's Cress Subdivision
12 – Gotto
4 - Nevill
Madge S. Barham, owner, Wamble & Associates,
surveyor.

Staff Reviewer
Staff Recommendation

Harris
Approve with conditions

APPLICANT REQUEST
Preliminary Plat

Request to create 83 single-family lots on 33.64 acres on the east side of New Hope Road, on the eastern terminus of Myra 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.

CLUSTER LOT OPTION

The cluster lot option allows the applicant to reduce minimum lot sizes two base zone districts from the base zone classification of RS15 (minimum 15,000 sq. ft. lots) to RS7.5 (minimum 7,500 sq. ft. lots). The proposed lots range in size from 8,600 square feet to 23,000 square feet.

Pursuant to Section 17.12.080(D) of the Metro Zoning Ordinance, cluster lot subdivisions require a minimum of 15% open space. The applicant complies with this requirement by proposing a total of 6.10 acres (18%) of open space – which exceeds the minimum open space acreage required. Although the Commission recently adopted a policy clarifying that detention areas cannot be located in the minimum 15% open space required by the cluster lot option, this plat was filed in April 2005, and was not reviewed under this by this criteria.

SUBDIVISION DETAILS

Access/Street Connectivity

Access is proposed from North New Hope Road with stub streets proposed in each direction for future connectivity.

Sidewalks

Sidewalks are proposed along all the new streets within the subdivision. Sidewalks are not required along North New Hope Road since it is outside of the Urban



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Landscape Buffer Yards

Services District and is not in a Sidewalk Priority Index area greater than 20.

Landscape buffer yards (C-20') are proposed around the western and northern boundary of the property since the lots are reduced in size two zoning districts. Although these buffer yards are not labeled accurately on the plan, they are shown with the required 20' buffer.

A landscape buffer yard is not shown on the eastern and southern boundary of the property, but one is required since these lots are reduced in size by two zoning districts.

Critical Lots

Seven critical lots have been shown on the plan. These lots are designated as critical since there is topography exceeding 15 percent. A note must be added to the plat stating: "Prior to final plat approval, a grading plan shall be submitted and approved for the critical lots and surrounding open space area for the proposed development." The required grading plan will allow review of the proposed lot layout and grading so that the design is appropriate for the slope of the lot.

STORMWATER RECOMMENDATION

Correct the labels for the 100-yr floodplain. You currently have the labels "Water Edge @ 100 year storm" and "1' rise above 100-yr storm". Please change those two labels to "100-year floodplain line".

A variance will be required for the road crossing through the buffer and across the drain. This will be addressed during the grading plan review. This layout will be affected if the variance is not granted.

PUBLIC WORKS RECOMMENDATION

1. Approvals are subject to Public Works' review and approval of construction plans.
2. Label and dimension right of way along North New Hope Road, and amount necessary to accommodate required turn lane(s).



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3. Developer shall construct a 3 lane cross section with center turn lane on North New Hope along property frontage, or conduct an access study.
4. Document adequate sight distance at access road (Gates Head Drive) and North New Hope Road.

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 approval of any final plat. 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.
3. The following note must be added to the plat:

“Prior to final plat approval, a grading plan shall be submitted and approved for the critical lots and surrounding area for the proposed development.”
4. A C-type landscape buffer yard must be added to the eastern and southern boundaries of the property.
5. Correct label of landscape buffer yard on western property line to Buffer Yard 20' “C” landscape.
6. Correct the labels for the 100-yr floodplain. The plan currently has the labels: “Water Edge @ 100 year storm” and “1' rise above 100-yr storm”. Please change those two labels to “100-year floodplain line”.



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

Subdivision 2005S-250G-03
Derby Downs Subdivision
3 – Tucker
3 - Garrett
Shuler Properties, LLC, optionee, Dale & Associates, surveyor.

Staff Reviewer
Staff Recommendation

Harris
Disapprove. If Stormwater approval is received prior to the meeting the recommendation is to approve with conditions.

APPLICANT REQUEST
Preliminary Plat

Request to create 632 single-family lots on 370.02 acres on the west side of Knight Road, north of Brick Church Pike.

ZONING
RS20 District

RS20 requires a minimum 20,000 square foot lot and is intended for single-family dwellings at a density of 1.85 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 RS20 (minimum 20,000 sq. ft. lots) to RS10 (minimum 10,000 sq. ft. lots).

Pursuant to Section 17.12.080(D) of the Metro Zoning Ordinance, cluster lot subdivisions require a minimum of 15% open space. The applicant complies with this requirement by proposing a total of 43% or 160 acres in open space for this project. The applicant has chosen to use the cluster lot option due to steep topography exceeding 25% and streams running through the property.

SUBDIVISION DETAILS

Phases

Six phases are proposed for this subdivision:

- Phase 1—108 lots
- Phase 2—97 lots
- Phase 3—123 lots
- Phase 4—93 lots
- Phase 5—133 lots
- Phase 6—78 lots



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Access/Street Connectivity

Access is proposed from Knight Drive via the proposed Derby Downs Boulevard, which would connect to the proposed Parmley Cove subdivision to the west. Derby Downs Boulevard would become a collector and connect to Brick Church Lane through the Parmley Cove development. Two additional stub streets are proposed to the north.

Sidewalks

Sidewalks are proposed along all the new streets within the subdivision.

Landscape Buffer Yards

Landscape buffer yards (C-20') are proposed around the western and northern boundary of the property since the lots are reduced in size two zoning districts. Lots 21 thru 23 are required to have a landscape buffer yard along the property line since they are perimeter lots that are reduced down to two base zone districts.

STORMWATER RECOMMENDATION

Returned for Correction:

1. Correct the FEMA note. Delete the word "PANEL" from the FEMA note and replace it with 'Number.' Furthermore, cite the effective date of the maps, which is 4/20/2001.
2. With regard to sheet number C4.0, show a water quality concept for lots 561-608. Currently, the water from said lots are simply directed towards the buffers. The pipes near lots 563, 581, and 591 must discharge the water towards the water quality detention pond or other water quality device.
3. With regard to sheet number C4.0, there are two culverts depicted towards the bottom of the central buffer. The uppermost culvert appears unnecessary, however, the lowermost culvert appears either unnecessary or improperly located. Appropriate correction is required.

PUBLIC WORKS RECOMMENDATION

1. Developer shall realign eastern portion of Derby Downs Boulevard to align with Brick Church Lane. Extend Derby Downs Boulevard right of way to Parcel 144 for collector extension.



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2. Southern access to be relocated for adequate sight distance, and shall connect to Derby Downs Boulevard. This access shall be located a minimum of 1,000 feet from Brick Church Lane at a location with adequate sight distance. The access road shall be constructed with a residential collector cross section to its connection with the proposed east/west collector section. The connection to Derby Downs Boulevard shall be at a right angle.

3. Developer shall widen Knight Road to a minimum of 1/2 of collector standards along property frontage; a minimum 5 feet of right of way shall be dedicated along Knight Road property frontage. The minimum 1/2 collector standard along the property frontage shall be completed prior to the issuance of 300 building permits.

4. Developer shall construct a northbound left turn lane with a minimum 150 feet of storage on Knight Road and a southbound right turn lane with 50 ft of storage at southern access road. The northbound left turn lane and southbound right turn lane at the southern access road shall be completed prior to the issuance of 150 building permits.

Developer shall construct a northbound left turn lane with a minimum of 100 feet of storage on Knight Road and a southbound right turn lane with 50 ft of storage at the northern access road. The northbound left turn lane and southbound right turn lane at the northern access road shall be completed prior to the issuance of 200 building permits.

Transitions for turn lanes shall be per AASHTO Standards.

Adequate sight distance at both access road intersections shall be provided in accordance with AASHTO standards.

5. Both access roads with Knight Road shall be designed with one (1) entering lane and two (2) exiting lanes with a minimum of 100 feet of storage for each lane.

6. Developer shall construct a separate southbound left turn lane on Knight Road at Ewing Drive with a



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minimum of 100 ft of storage with transitions per AASHTO standards. Coordinate design with intersection roadway improvements by others.

7. Developer shall conduct traffic counts at Knight Rd and Ewing Drive and submit signal warrant analysis at development of 200 lots and each subsequent development of 200 lots. Upon signal approval by the Traffic and Parking Commission, developer shall submit signal plans for approval by Metro Traffic Engineer, and upon approval shall install traffic signal.

8. Developer shall conduct traffic counts and signal warrant analysis for the southern main access road / Knight Road intersection upon completion of 75% of development, or 470 lots. If approved by the Traffic and Parking Commission, developer shall submit signal plans for approval by Metro Traffic Engineer, and upon approval shall install traffic signal.

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

Show and dimension right of way along Knight Drive. Label and dedicate 5' of right of way (30 feet from centerline), consistent with the approved major street / collector plan. Dimension for roadway centerline to boundary.

Label and dimension 50' pavement radius at circular turnarounds, including curb & gutter, grass strip, and 5' sidewalk.

Extend right of way boundary line to property line for temporary turnarounds.

Show additional street section per Metro ST-252: Residential Local Street (50' ROW).

A. Preakness Circle from Churchill Lane to Belmont Stakes Drive.

B. Preakness Circle from Derby Downs Blvd to Churchill Lane.

CONDITIONS (If approved)

1. All traffic conditions listed above must be completed or bonded prior to final plat approval.



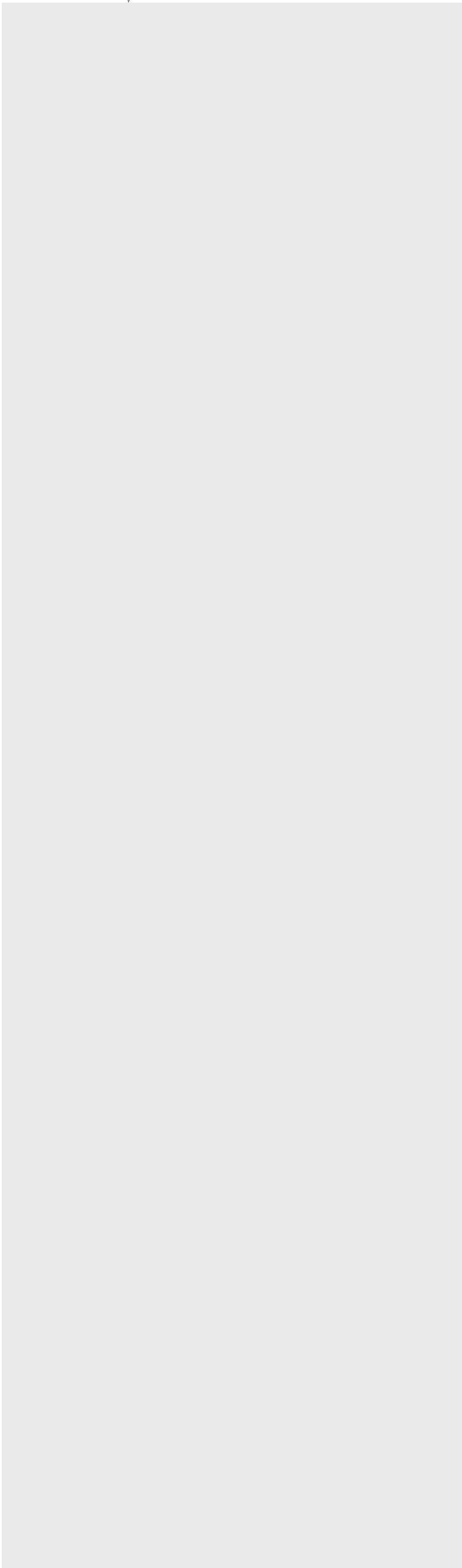
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2. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to approval of any final plat. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees.
3. Revised plans are to be received by October 13, 2005, that shows the following:
 - a. Removes Traffic Impact Study conditions off of face of plat
 - b. Labels all temporary turnarounds.
4. A note should be added stating: "Because this preliminary plat contains lots that have been designated as "critical lots" pursuant to Section 17.28.030 of the Metro Code and the Metro Subdivision Regulations (the "critical lot requirements"), no grading permits may be issued for any phase of this preliminary plat containing critical lots until a grading plan for that phase has been approved by the Planning Department. Prior to final plat approval, a grading plan shall be submitted and approved demonstrating the feasibility of complying with the critical lot standards for the critical lots and the surrounding open space areas for the proposed development. It is possible that the final plat will be required to contain significantly fewer lots than shown on this preliminary plat if the lots designated as critical lots cannot be developed in compliance with the critical lot requirements."

The required grading plan will allow review of the proposed lot layout and grading to ensure the design will allow the proposed lots to meet the critical lot standards.



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

Subdivision 2004S-253G-02
Dawn Brook
3 – Tucker
3 - Garrett
Tommy Cunningham, developer, Burns & Associates, surveyor.

Staff Reviewer
Staff Recommendation

Fuller
Approve with conditions

APPLICANT REQUEST
Preliminary Plat

Request to create 63 single-family lots on 31.65 acres on the south margin of Campbell Road and the north margin of Lowes Lane.

ZONING
R20 District

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

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 R20 (minimum 20,000 sq. ft. lots) to R10 (minimum 10,000 sq. ft. lots). The proposed lots range in size from 10,000 square feet to 27,730 square feet.

The applicant erred when calculating the number of lots allowable in the subdivision. Based on 31.65 acres, only 59 lots are allowable. The plan will need to be revised to remove four of the proposed lots.

Pursuant to Section 17.12.080(D) of the Metro Zoning Ordinance, cluster lot subdivisions require a minimum of 15% open space. The applicant proposes a total of 11.16 acres (35%) of open space.

The largest open space (30% of the total) preserves the steepest part of the site in contiguous open space. The detention areas are located outside of this main open space area. The Commission recently adopted a policy clarifying that detention areas cannot be located in the minimum 15% open space required by the cluster lot option. The proposed detention areas do meet this requirement and are outside of the 15% open space requirement.



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SUBDIVISION DETAILS

Access/Street Connectivity

Access is proposed from Campbell Road. Stub streets are provided to the east and south to allow for connectivity as adjacent properties develop.

The plat proposes 3 lots on Lowes Lane. A through street in this location is not possible due to severe slopes. This land contains slopes over 25% and has been set aside on open space.

Sidewalks

Sidewalks are proposed along all the new streets within the subdivision.

Landscape Buffer Yards

Landscape buffer yards (C-20') are proposed around the eastern and southern boundary of the property since the lots are reduced in size two zoning districts.

PUBLIC WORKS RECOMMENDATION

Prior to phase 3 development of 43 lots, a westbound left turn lane with a minimum of 75 feet of storage and transition per AASHTO standards shall be constructed on Campbell Road at project access, or a Traffic Impact Study shall be conducted to identify roadway improvements to be constructed in order to mitigate project's impact.

CONDITIONS

1. All traffic conditions listed above must be completed or bonded prior to final plat approval.
2. Remove 4 lots from the plan to drop the number of proposed lots to a total of 59.
3. The plat needs to be corrected to show a "C" landscape buffer yard where the lots are using the R10 district standards.
4. A revised plat shall be submitted by October 13, 2005.



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

Subdivision 2005S-261G-04
Liberty Downs Subdivision
10 – Ryman
3 - Garrett
Austin M. Writesman & Jack Nixon, owners, MEC,
Inc., surveyor.

Staff Reviewer
Staff Recommendation

Harris
Approve with conditions

APPLICANT REQUEST
Preliminary Plat

Request to create 59 lots on 17.38 acres located on the east side of Liberty Lane, approximately 850 feet north of Pebbles Court.

ZONING
RS10 District

RS10 requires a minimum 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre. The RS10 district would allow 64 total lots on this property.

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 RS10 (minimum 10,000 sq. ft. lots) to RS5 (minimum 5,000 sq. ft. lots). The proposed lots range in size from 5,000 square feet to 10,489 square feet.

Pursuant to Section 17.12.080(D) of the Metro Zoning Ordinance, cluster lot subdivisions require a minimum of 15% open space. The applicant complies with this requirement by proposing a total of 6.83 acres (39%) of open space – which exceeds the minimum open space acreage required. The applicant has chosen the cluster lot option because a stream and TVA transmission line easement run through the property.

SUBDIVISION DETAILS

Access/Street Connectivity

Access is proposed from both Liberty Lane and Peeples Court with a stub street proposed to the east for future connectivity.

Sidewalks

Sidewalks are proposed along all the new streets within the subdivision. Sidewalks are not required along Liberty Lane and Peeples Court since it is within the General Services District and not in an area with a Sidewalk Priority Index (SPI) greater than 20.



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Landscape Buffer Yards

Landscape buffer yards (C-20') are proposed around the western and northern boundary of the property since the lots are reduced in size two zoning districts. Lots 21 thru 23 are required to have a landscape buffer yard along the property line since they are perimeter lots that are reduced down to two base zone districts.

STORMWATER RECOMMENDATIONS

The buffer that is shown is 30 ft. from centerline of drain in most places. It has been squeezed down a little in other places (near lot 32). This is acceptable for the preliminary concept, but on grading plans and final plat, the actual buffer of 25' from top of bank is to be shown, if it larger than what is currently shown. This could affect the lot sizes and pond sizes and their locations.

During grading plan review, approval from the Tennessee Valley Authority will be required to receive approval for any grading or drainage within their easement. This could potentially affect your water quality concept, roadways, lots, etc.

PUBLIC WORKS RECOMMENDATIONS

1. Show professional seal.
2. Approvals are subject to Public Works' review and approval of construction plan.
3. Construct Liberty Lane to Meridian Hill Trail intersection.
4. Construct Meridian Hill Trail stub street to property line.
5. Traffic recommends that Wintergreen Way terminate in a cul-de-sac with no connection to Peeples Court, due to queue distance and separation of Wintergreen Way from the Peeples Court / Liberty Lane intersection.



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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 approval of any final plat. 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.
3. Prior to final plat approval, a landscape buffer yard (Standard Type C "20 feet") is required and is to be shown along the property lines of lots 21 thru 23.
4. In connection with the Public Works' condition requiring Wintergreen Way to end in a cul-de-sac, a 10 foot wide public pedestrian easement shall be provided and constructed to provide pedestrian and bicycle access from Wintergreen Way to People's Court.



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

Subdivision 2005S-258G-06
Paul A. Justice Subdivision
None
35 – Tygard
09 – Warden
Duclos Survey and Design, applicant, for Joanne and Paul A. Justice, owners

Staff Reviewer
Staff Recommendation

Swaggart
Approve with conditions

APPLICANT REQUEST
Final Plat

Request to subdivide approximately 3.89 acres into three new lots located on the south side of Highway 100, east of Trace Creek Drive.

Zoning
RS40

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.

SUBDIVISION DETAILS

As proposed three new lots will be created out of two individual parcels of land. The lots will have the following area(s), and frontage(s):

- Lot 1: 65,684 sq. ft. (1.51 ac.), and 83.85 ft. of frontage;
- Lot 2: 40,041 sq. ft. (.02 ac.), and 150.55 ft. of frontage;
- Lot 3: 63,560 sq. ft. (1.46 ac.), and 65.61 ft. of frontage.

Lot Comparability

Although all three lots meet the RS40 lot area requirement, 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.” An exception can be granted if the lot fails the lot comparability analysis (is smaller in lot frontage and size) if the new lots would be consistent with the General Plan.

The lot comparability analysis for this area concluded that the minimum lot area is 87,555 square feet, and the minimum allowable lot frontage is 141 linear feet. All three proposed lots fail for area, and lot 1 and 3 fail for frontage.



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Greenway

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. This proposal is consistent with the RLM policy, with an overall density of about 1 dwelling unit per acre.

Staff Recommendation

There is an identified greenway that crosses the property along the Harpeth River.

Because the proposed lots are consistent with the area's policy, staff recommends that the request be approved. Homes on lots one and three should be generally oriented towards the Harpeth River.

PUBLIC WORKS RECOMMENDATION

No Exceptions Taken

CONDITIONS

1. Correct the 50' floodway buffer along Harpeth River. The 50' buffer should begin at the edge of the floodway line and run north.
2. Correct the identified 25' Greenway/Conservation Access and Trail Area Easement. This should be in addition to the 50' floodway buffer.
3. Homes on lots one and three must be oriented towards the Harpeth River.
4. Correct Finished Floor Elevations (FFE's) prior to recordation.
5. Identify appropriate width drainage easement for the Harpeth River on the plat prior to recordation.



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

Subdivision 2005S-259U-11
Patel Subdivision
None
16 – McClendon
7 - Kindall
Sanjay Patel, owner, Jerry Swords, surveyor.

Staff Reviewer
Staff Recommendation

Pereira
Approve with conditions, including approval of a variance to allow one flag-shaped lot.

APPLICANT REQUEST

Final Plat

Request to create two lots on 5.14 acres located on the south side of Murfreesboro Pike along the east side of I-24 West.

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.

PLAN DETAILS

This request proposes the subdivision of one parcel into two lots. There are two hotel buildings on the proposed Lot 1 (the rear of parcel 25), and there is one existing restaurant on the proposed Lot 2 (which fronts Murfreesboro Pike). There is an existing joint access easement along the southern lot line between Lot 1 and Lot 2, which also represents the road frontage for Lot 1. As proposed, the request will create two new lots along the south side of Murfreesboro Pike with the following areas, and street frontages:

- Lot 1: 4.45 Acres, and 30 Ft. of frontage;
- Lot 2: 0.53 Acres, and 178 Ft. of frontage

Sidewalk requirement

This property does fall within the Urban Services District. There are no existing sidewalks on Murfreesboro Pike at this location, but given that this subdivision does not create any new development rights, staff recommends that that subdivision regulations do not require the construction of a sidewalk along the frontage of the lots on Murfreesboro Pike.

Variance to allow a flag-shaped lot

Section 2-4.2 of the Subdivision Regulations states that each lot shall have frontage on a public street or, where permitted, on a private street to enable vehicular access



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to be provided. This section also states that flag lots “generally” shall not be permitted. The proposed Lot 1 is a flag-shaped lot, and the applicant has submitted a variance request to permit this lot.

STAFF RECOMMENDATION

Staff recommends approval of the subdivision, and approval of the variance to allow one flag-shaped lot (Lot 1) because the proposed lots simply recognize the existing development on the property.

TRAFFIC/PUBLIC WORKS’ RECOMMENDATIONS

Traffic comment:

1. A minimum 24 ft. wide driveway joint access easement shall be identified along the lot 2/lot 1 eastern property line and a minimum 24-foot wide driveway joint easement shall be identified for the lot 2/lot 1 southern property line.
2. Also identify an access easement between lot 106 and lot 2 that is aligned with the Murfreesboro Pike median cut.

STORMWATER COMMENTS

Approved Except as Noted (9/12/05):

1. Rename “Stormwater Easement” as “Drainage Easement.”
2. The drainage easement shall not extend into the Right-of-way. Consequently, remove the portions of the drainage easement that extend into the Right-of-way.

CONDITIONS

1. Prior to plat recordation, the plat must be revised to rename the “Stormwater Easement” as the “Drainage Easement.”
2. Prior to plat recordation, the plat shall be revised so that the drainage easement does not extend into the Right-of-way.
3. Prior to plat recordation, all Traffic/Public Works comments as listed above shall be adequately addressed.



Project No.
Project Name

Subdivision 2005S-262U-05
Montgomery Heights Resubdivision, Lots 1, 2, & 3

Associated Cases
Council District
School Board District
Requested By

None
7 – Cole
5 - Hunt
Roger W. Evans, owner, John A. Hood, surveyor.

Staff Reviewer
Staff Recommendation

Pereira
Approve with an exception to lot comparability

APPLICANT REQUEST
Final Plat

Request to create two lots from portions of three lots along the east side of Scott Avenue (0.34 acres).

ZONING
R6 district

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

PLAN DETAILS

This subdivision proposes the subdivision of portions of three lots into two buildable lots. Metro has had this property mapped as parcel 267 since 1973 because portions of the three existing lots that front on Litton Avenue were deeded to two different owners (owners of current parcels 266 and 267). The proposed Lot 2 currently has an existing duplex on it.

As proposed, the request would create two new lots along the east side of Scott Avenue with the following areas, and street frontages:

- Lot 1: 6,758 Sq. Ft., (0.16 Acres), and 50 Ft. of frontage;
- Lot 2: 7,858 Sq. Ft., (0.18 Acres), and 50 Ft. of frontage

Sidewalk requirement

This property does fall within the Urban Services District. A sidewalk is required to be constructed along the frontage of lot 1 on Scott Avenue. Alternatively, the applicant may choose to make a financial contribution to the Metro sidewalk fund, given the lack of a sidewalk network in the vicinity. The applicant has indicated the intent to make the contribution with a note on the plat.



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Lot Comparability

Section 2-4.7 of the Subdivision Regulations states that new lots in areas that are predominantly developed are to be generally in keeping with the lot frontage and lot size of the existing surrounding lots. A lot comparability 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 7,601 sq. ft., and a minimum lot frontage of 51.2 linear feet. **Lot 1** did not pass for either minimum lot area or lot frontage, and **Lot 2** did not pass for minimum lot frontage.

STAFF RECOMMENDATION

Staff recommends approval of a lot comparability exception. The proposed lots meet the density that is called for by the land use policy of Residential Medium. The Land Use Policy Application (LUPA) recommends a density of four to nine dwelling units per acre for this RM policy.

Staff recommends that an exception to lot comparability be granted by the Commission. The proposed lots are consistent with the land use policy for the area. In addition, the proposed lots are not out of character with other lots in the area and they meet the minimum lot size required by the R6 zoning (6,000 square feet in size).

PUBLIC WORKS RECOMMENDATIONS

No Exception Taken

STORMWATER RECOMMENDATION

Approved on 9/1/05.



Project No.

Subdivision 2005S-269U-05

Project Name

Brownsville, Resubdivision of Lot 51

Associated Cases

None

Council District

7 – Cole

School Board District

5 - Hunt

Requested By

Natalie Cothron, owner, Mark D. Devendorf, surveyor.

Staff Reviewer

Harris

Staff Recommendation

Approve, including a lot comparability waiver.

APPLICANT REQUEST

Final Plat

Request to create two lots on 1.33 acres on the north side of Rosebank Avenue at the northern terminus of Crescent Hill Road.

ZONING

R10 District

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

SUBDIVISION DETAILS

Lot Comparability

As proposed, the request will create two new lots along the north side of Rosebank Avenue with the following proposed area and street frontage:

- Lot 1: 47,394.78 Sq. Ft., (0.78 Acres), and 89.70 Ft. of frontage;
- Lot 2: 13,196.86 Sq. Ft., (0.24 Acres), and 80 Ft. of frontage.

Section 2-4.7 of the Subdivision Regulations states that new lots in areas that are predominantly developed are to be generally in keeping with the lot frontage and lot size of the existing surrounding lots. A lot comparability 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 8,681 sq. ft., and a minimum lot frontage of 88 linear feet. Both lots pass for area, but Lot 2 fails for minimum frontage.

STAFF RECOMMENDATION

Staff recommends approval of a lot comparability exception for Lot 2's frontage. The area land use



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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 significantly out of character with other lots in the area, and that the proposal meets RLM policy. The applicant has also shifted the lot line over to allow an 80' frontage, which is closer to the required 88' lot frontage requirement.

At the July 28, 2005, meeting, the Commission disapproved this request based on lot comparability, however, at that time, the lots were proposed for 109' lot frontage for Lot 1 and 60' lot frontage for Lot 2. The application has been revised to be more consistent with the lot frontage requirement of the lot comparability analysis.

Sidewalks

Sidewalks shown for Lot 2 must be either bonded or constructed prior to final plat recordation.

PUBLIC WORKS RECOMMENDATION

No Exception Taken.



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

Planned Unit Development 94-71-G-06
Bellevue Center Super Wal-Mart
None
22 – Crafton
9 – Warden
Barge, Waggoner, Sumner, and Cannon, Inc., applicant, for Scott Chernoff of Oaktree Capital representing Bellevue Properties, LLC, and Bellevue Parcel II, LLC, owners.

Staff Reviewer
Staff Recommendation

Fuller
Approve with conditions

APPLICANT REQUEST
Revise Preliminary PUD

Request to revise the preliminary commercial Planned Unit Development, (70.06 acres), approved for 1,462,854 sq. ft. of commercial, office and retail use, to develop a new 212,305 sq. ft. retail unit, a 64,360 sq. ft. expansion within the existing retail mall, bringing the overall developed area within the plan to 1,397,481 sq. ft. located at 7624 Highway 70S.

PLAN DETAILS
Access/Connections

The access is proposed from the currently existing private driveway to the mall called Mall Circle Road, which circles the existing Bellevue Center Mall. There are three connections from Mall Circle Road to Highway 70 and two connections from Mall Circle Road to Sawyer Brown Road.

Site Details

The focus of this request is an 11.95 acre tract within the Bellevue Center Mall PUD that has, at different times over the years, been proposed as 200,000 square foot medical office, a 5,000 seat church with townhouses, and has been used for the Tennessee Titans and local youth soccer teams as a practice facility. The site is now proposed for a Super Wal-Mart.

The existing Mall Circle Road will become the Wal-Mart driveway to access the store entrance. The new Mall Circle Road will be relocated to the east, closer to Dillard’s and the mall. The current parking area for Dillard’s will become the parking for Wal-Mart.

The plan proposes adding 11,000 square feet on to the existing core of the mall, 28,000 square feet in two



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Recommendation

restaurants located in out parcels along Highway 70, a new 126,200 square foot anchor next to Sears, and structured parking located between Dillard's and Hecht's.

The applicant has submitted a material palette that is similar in character to the existing mall. This palette will be made a condition of approval.

Staff recommends approval of the proposed revision to the PUD because the change to the plan does not extend beyond what is permitted in the underlying zoning district and is in keeping with the original concept of the PUD as a regional shopping attraction. This plan proposes a change that fits within the original vision for the development.

PUBLIC WORKS RECOMMENDATION

The Bellevue Wal-Mart TIS dated 8/24/05 has been reviewed and the following conditions are required for approval of this project.

1. Developer shall record cross access agreements between parcel owners.
2. Developer shall fund a SYNCHRO signal re-timing study for the eight (8) signalized intersections in the adjacent Highway 70 corridor, using Metro Traffic's signal optimization consultant, six (6) months after the Wal-Mart store is opened to customers.
3. In accordance with the TIS, the site plan shall ensure that buses can access the site.

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

STORMWATER RECOMMENDATION

Returned For Corrections. The applicant will need to address these comments with Stormwater prior to the Final PUD approval.

1. The full length of the buffered stream is not shown. It appears that on the west side, approximately 70 feet of length of buffered stream was omitted. The Super Walmart parking area/construction area appears to encroach on the stream buffer in this area. The full



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length of the buffered stream was not indicated on the east side as well.

2. The adequacy of the number, location, and adequacy of the water quality unit will be determined in the review of the grading permit application.

CONDITIONS

1. All traffic and Public Works conditions shall be bonded and/or completed as required by the Department of Public Works, as listed above.
2. Stormwater issues must be addressed with the submittal of the Final PUD.
3. All materials shall be consistent with the material palette submitted as part of this approval.
4. The sign will be a monument sign not to exceed 7 feet tall by 14 feet wide.
5. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
6. 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 and electronic 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.
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.



Project No.
Project Name
Council Bill
Council District
School District
Associated Case
Requested By

Planned Unit Development 122-83-U-12
The Woodlands PUD
None
31 – Toler
2 - Blue
None
Civil Site Design, engineer, Prestige Homes, owner.

Staff Reviewer
Staff Recommendation

Harris
Approve with conditions

APPLICANT REQUEST
Final PUD

Request for final PUD approval for Phases IB, 2, and 3 to permit 112 single-family lots at the terminus of Woodlands Avenue.

Zoning
R15 district

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

PLAN DETAILS
Site Design

The plan proposes 112 single-family lots connecting to Woodlands Avenue. The plan is consistent with the preliminary plan that was conditionally approved by the Commission on December 9, 2004, with the condition stating that a 15’ buffer shall be shown on the final plan along Cedar Way Drive for common open space. This required landscape buffer is shown on the final plan.

Preliminary PUD plans are concept plans that do not typically provide final grading details. The grading plans for this project, therefore, are being reviewed for the first time with this final PUD submittal. Several of the lots in this phase are labeled as critical lots due to steep slopes on the property. The applicant’s proposed grading of the property to attempt to manage the steep slopes and produce buildable lots has created large cuts, fills and retaining walls. Two retaining walls greater than 20-feet tall are proposed. One of the retaining walls is adjacent to the right-of-way for Cedarway Lane, where the landscape buffer yard is required. In April, there were concerns from Metro Public Works and Planning Staff about the height of the retaining walls adjacent to two public right of ways. The



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applicant has since worked with Public Works and agreed upon conditions for final PUD approval that will have to be addressed during construction. Planning Staff has conditioned the approval upon a fence requirement at the top of the retaining wall to address safety concerns for the single-family homes at the top of these large retaining walls, and the issue has been addressed by proposing the retaining walls at least 10 feet from the public right of way. Also, these phases will have to come back for final plat approval.

The main concerns were for retaining walls along public right-of-ways. The retaining wall along Cedarway Lane is approximately 15' tall and may need a fence along the lots at the top of the wall to ensure safety. The retaining wall for Road 104 ranges in height from approximately 8.5 feet to 13 feet. Any retaining walls with a height of 10' or greater should include a fence along the rear property lines of the proposed lots to ensure safety.

Patterson cemetery is also located on the southern boundary of the property. Access shall be provided to the cemetery according to State Law.

**STORMWATER
RECOMMENDATION**

Approved Except as Noted. Notice of Coverage from TDEC is required before Pre-Construction meeting.

**PUBLIC WORKS
RECOMMENDATION**

1. Approvals are subject to Public Works' review and approval of construction plans.
2. For a presplit wall from 0-40 feet in height adjacent and parallel to right of way: Locate presplit walls a minimum 20' behind right of way. Show an 18' maximum vertical cut then construct an overburden bench. The overburden bench shall be a minimum of 10 feet in width, or as specified in a geotechnical report. For rockfall catchment ditches, show a 6:1 slope in the clear zone. For rockfall catchment ditches that do not use a 6:1 slope in the clear zone, widths shall be as specified in a geotechnical report. During construction provide a geotechnical certification as cuts are made, and prior to stone placement regarding the appropriate catchment width behind the right of way, given the particular



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site conditions and the stability of the proposed presplit walls along the right of way. Presplit faces shall be formed or scaled of loose rocks and overhangs in accordance with approved standards. There may be some thickness above solid rock that is a weathered rock zone. The top of the rock cut shall be below this weathered zone.

3. Approvals are subject to Public Works' review and approval of construction plans.
4. Identify road names.
5. Add 6:1 clear zone slope to retaining wall detail.
6. Remove retaining wall notes related to "design build" activities.
7. Show sidewalks, as required by Planning.

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 include a landscaped median in the middle of the turn-around, including trees.
3. Any retaining walls with a height of 10' or greater shall include a fence no less than 5 feet tall along the rear property lines of the proposed lots to ensure safety.



Project No.
Project Name
Associated Case
Council Bill
Council District
School Board District
Requested By

Planned Unit Development 16-86-P-14
Hermitage Market Place PUD
None
None
11- Brown
04- Nevill
Green Farrow, applicant for Home Depot U.S.A.,
owner

Staff Reviewer
Staff Recommendation

Swaggart
Approve with conditions.

APPLICANT REQUEST
Revise Preliminary PUD
and approve Final PUD

Request to revise a portion of the preliminary Commercial Planned Unit Development, and for final approval of the PUD to permit the addition of a 3,596 square foot convenience market, gas station, and car wash.

PLAN DETAILS

The application is for the development of a 2,732 square foot convenience store/gas station with six pumps, and an 864 square foot car wash. The project will be located in southwest section of the existing Home Depot parking lot.

Access

Ingress/Egress will be from an internal drive within the PUD, and from within the Home Depot parking lot.

Parking

The old park required regulations under this which PUD was originally approved 442 spaces were required (1/200 GSF) for Home Depot. Approximately 82 parking spaces for Home Depot will be lost with this development, leaving approximately 476 spaces, maintaining its legally required number of parking spaces. Included in the 476 spaces, approximately 30 spaces are being used for display, which was not approved in the PUD plan, and is not a legal use within the parking area. Although, the loss of 30 spaces does not effect compliance with parking requirements, it was not approved with the PUD, and should be removed to areas designated for display.

STORMWATER
RECOMMENDATION

Approve as noted:
1. Provide Stormwater Detention Maintenance Agreement for water quality structure.



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2. Place elevations on water quality detail.
3. Signature is required on EPSC statement.
4. A dedication of easement must be provided for water quality structure.

PUBLIC WORKS RECOMMENDATION

No Exceptions Taken

CONDITIONS (if approved)

1. The exterior display within the parking area must be removed from the plans, and a note stating that no display shall be allowed within any parking area must be added to the plans. Furthermore, any existing display must be removed from within the parking area, and building permits for the current project may not be issued until all these condition have been met.
2. Prior to the issuance of any permits, confirmation from Metro Stormwater must be received indicating that the conditions, as outlined in the staff report have been satisfied.
3. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Section of the Metropolitan Department of Public Works.
4. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
5. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must



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include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.

6. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission.
7. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
8. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.