



**Project**

**Amendment to the detailed land use policy (Figure E-2.E) in the Buena Vista Heights Detailed Neighborhood Design Plan -- Appendix E to The Plan for the North Nashville Community: 2002 Update**

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

2005Z-142U-08  
2 – Jamie D. Isabel, Sr.  
1 – George H. Thompson III  
Milton G. Pitts, Jr., owner

**Staff Reviewer  
Staff Recommendation**

Eadler  
*Approve*

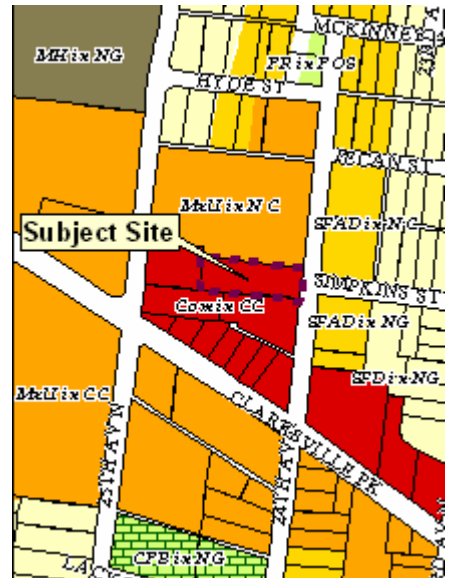
**APPLICANT REQUEST**

**Change the detailed land use policy from “Commercial (Com)” to “Mixed Use (MxU)” for a 0.61 acre parcel located along the west margin of 24<sup>th</sup> Avenue N. about 300 ft. north of Clarksville Pk.**

The applicant is seeking the change because the current plan and zoning do not support residential use and he wishes to use the property residentially.

This is a “minor plan amendment” to an adopted detailed neighborhood design plan [DNDP] only; no change is being proposed to the adopted structure plan for the community. As a minor plan amendment, notification describing the request is

to be sent to property owners within 500 ft of the subject site. In this case, the notification for the associated zone change included properties within 600 ft of the proposed zone change, so the notification for the public hearing on this plan amendment was sent to the same property owners to whom notices regarding the proposed zone change were sent.





## Metro Planning Commission Meeting of 10/13/05

### Existing Land Use Policies

Commercial (Com) in Corridor Center (CC)

“Com” is the policy on the Detailed Land Use Plan in the *Buena Vista Heights Detailed Neighborhood Design Plan*. “CC” is the underlying policy on the Structure Plan in *The Plan for the North Nashville Community: 2002 Update*. Areas designated “Com in CC” are, or are envisioned to be, mainly commercial in character. Many neighborhood and community scale retail and non-retail commercial uses are appropriate and are the primary uses intended in “Com” policy areas that are within “Corridor Center” areas on the community-wide Structure Plan. Office uses and civic and public benefit activities are also appropriate in “Com” areas. As a core shopping area serving surrounding neighborhoods and the community, residential uses are not intended in areas designated “Commercial” on the detailed land use plan.

### Proposed Land Use Policies

Mixed Use (MxU) in Corridor Center (CC)

“MxU” is the Detailed Land Use Plan classification for areas that are intended to contain an integrated mixture of residential and compatible office, commercial and civic/public benefit uses. These are, or are intended to be, walkable, pedestrian-friendly areas that offer opportunities to live, work, shop and relax in close proximity to each other.

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### ANALYSIS

The subject site is located on the edge of a “Corridor Center (CC)” area that is oriented toward Clarksville Pk. Within that CC area, the area designated “Com”, including the subject site, is all currently planned for continued development with mainly neighborhood and community scale retail commercial uses, but not residential.

- The subject site abuts an area to the north that is envisioned for mixed uses within a “Neighborhood Center.” And, it faces an area on the east side of 24<sup>th</sup> Ave. N. where single family homes and townhouses are planned within a “Neighborhood General” area on the community-wide Structure Plan.
- The subject site is suitably located for either the commercial uses it is currently designated for in the Buena Vista Detailed Neighborhood Design Plan, or, the proposed mixture of uses that includes residential.
- This amendment involves only a minor adjustment in the neighborhood’s detailed land use plan within the context of the existing Structure Plan that will remain unchanged.



**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, and September 22, 2005, Commission meetings.*

**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 3<sup>rd</sup> reading. The bill was considered by the Council on public hearing and passed on 2<sup>nd</sup> reading on September 6. The bill has been deferred to the October 18, 2005, Council meeting 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 buffering,” particularly where commercial, office, and industrial uses are adjacent to residential uses.



## Metro Planning Commission Meeting of 10/13/05

### Analysis of 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.

### Landscape Bufferyards

The most significant change proposed by this bill involves Table 17.24.230, the landscape buffer yard



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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' or 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 buffer to minimize their impact on abutting residential uses. In addition, the bill proposes a reduction in the



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

\* See also Section 17.24.190, Landscape Buffer Yard Exemptions. Further, uses that are either permitted with conditions (PC) or special exception uses (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.

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



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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.

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### 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 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 Bill**  
**Council District**  
**School District**  
**Requested by**  
**Deferral**

**Zone Change 2005Z-142U-08**  
None  
2 - Isabel  
1 - Thompson  
Milton G. Pitts, Jr., owner.  
*Deferred at the September 22, 2005, Planning Commission meeting to allow time for the associated amendment to the Buena Vista Heights Detailed Neighborhood Design Plan and North Nashville Community Plan to be advertised.*

**Staff Reviewer**  
**Staff Recommendation**

Pereira  
*Approve with the associated minor amendment to the Buena Vista Heights Detailed Neighborhood Design Plan and North Nashville Community Plan.*

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**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.

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**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.





## Metro Planning Commission Meeting of 10/13/05

### *Buena Vista Heights DNDP*

Commercial in CC

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

### **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 site design that recognizes the area as a transition from commercial and mixed uses near Clarksville Pike to residential uses to the north.

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### **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.

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### **PUBLIC WORKS RECOMMENDATION**

No Exception Taken.



# Metro Planning Commission Meeting of 10/13/05

## 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

## METRO SCHOOL BOARD REPORT

**Projected student generation**

**1 Elementary   0 Middle   0 High**

**Schools Over/Under Capacity**

Students would attend Gower Elementary School, Hill Middle School, or Hillwood High School. Hillwood High School has been identified as being overcrowded by the Metro School Board. There is capacity within adjacent clusters, including Whites Creek, Hillsboro, and Pearl-Cohn. This information is based upon data from the school board last updated August 2, 2005.



**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  
Greenberg Farrow, applicant for Home Depot U.S.A., owner

**Deferral**

*This item was deferred at the request of the applicant from the September 22, 2005, Planning Commission meeting.*

**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 original PUD was required to have 442 spaces, and provided a total of 553 spaces. Approximately 52 parking spaces will be lost with this development, leaving approximately 501 spaces, maintaining its legally required number of parking spaces.

**STORMWATER RECOMMENDATION**

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



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### **PUBLIC WORKS RECOMMENDATION**

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No Exceptions Taken

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### **CONDITIONS**

1. A note stating that no display shall be allowed within any parking area must be added to the plans.
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 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 copies of the corrected/revised plans have been



## Metro Planning Commission Meeting of 10/13/05

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 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.



**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  
3 - Tucker  
3 - Garrett  
Dale and Associates, applicant for Jane and Howard Parmley, and Howard Scott, owners  
*Deferred from the September 22, 2005, Commission meeting.*

**Deferral**

**Staff Reviewer**  
**Staff Recommendation**

Swaggart  
*Approve with conditions*

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**APPLICANT REQUEST**  
**Revise Preliminary**

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

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**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 disapproved by the Metro Council on October 4, 2005.

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



## Metro Planning Commission Meeting of 10/13/05

### Adjacent Development

revised plan does not change the overall concept originally approved by Council.

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.

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### **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.



## Metro Planning Commission Meeting of 10/13/05

### CONDITIONS

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1. Comply with all of Public Works' recommendations, above.
2. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Section of the Metropolitan Department of Public Works.
3. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
4. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.





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

**Subdivision 2005S-249G-03**  
**Parmley Cove Subdivision**  
Preliminary PUD, 88P-042G-03  
3 - Tucker  
3 - Garrett  
Dale and Associates, applicant for Jane D. and Howard Parmley, and Howard Scott, owners  
*Deferred from the September 22, 2005, Commission meeting.*

**Deferral**

**Staff Reviewer**  
**Staff Recommendation**

Swaggart  
*Approve with conditions (See the text of the report, below, for an alternative recommendation based upon a revised interpretation of existing Code and Regulation provisions)*

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**APPLICANT REQUEST**  
**Preliminary Plat**

**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 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.

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.

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**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%.

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**SUBDIVISION DETAILS**

As proposed, the request will create 50 lots on approximately 26 acres of land with an overall density of 1.92 dwelling units per acre. The lots range in size from 10,000 square feet to 20,400 square feet. Out of



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the proposed 50 lots, 94% are smaller than 15,000 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 to be built with the slope of the lot to reduce environmental impacts.

### Access

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.

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### 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.

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### PUBLIC WORKS RECOMMENDATION

1. Final approval is subject to Public Works' approval of construction plans.



## Metro Planning Commission Meeting of 10/13/05

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”

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### 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.



## Metro Planning Commission Meeting of 10/13/05

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### ALTERNATIVE RECOMMENDATION

At the September 22, 2005, Commission meeting, Commission members asked staff to further study the application in light of the Cluster Lot options and related provisions in the Code and Subdivision Regulations. Staff has reviewed the Cluster Lot provisions and has presented the Commission with a proposed policy document that may be considered by the Commission for adoption at either the October 13 or 27 Commission meetings. The alternative recommendation below is based upon existing Code and Subdivision Regulation provisions, but incorporates the same principles and recommended policy interpretations contained in the proposed policy document.

The Metro Code places a great deal of discretion in the hands of the Commission with respect to Cluster Lot subdivisions. Section 17.12.090 provides that "subdivisions in the R and RS districts may cluster lots." The Commission is not required, under any circumstances, to approve a Cluster lot subdivision application. The Code further states that lots may be reduced in area the equivalent of two smaller base zoning districts.

As directed by the Commission, staff has conducted further review of this application and can make an alternative recommendation to the Commission that it **disapprove** the requested cluster lot subdivision for reasons described below.

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### ALTERNATIVE ANALYSIS

1. The application does not provide for harmonious development by properly addressing neighboring properties. This may require significant buffering of the development from surrounding properties. In addition, it may be necessary for the applicant to provide lots near the perimeter of the subdivision that have the area of the base zoning, or perhaps even larger.

While the exterior lots along a majority of the property line are buffered by steep slopes, the lots along the western property line are adjacent to an existing residential lot. The lots along the western property line



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(lots 1-17) are on average around 10,000 sq. ft. with the largest being 13,700 sq. ft. The residential lots to the west are zoned AR2A and are much larger than the proposed lots, as well as, what is allowed with the RS20 base district. The only separation between the proposed lots along the western property line and the adjacent property, which is a single family lot on approximately 8.7 acres is a 20 ft. class “C” buffer yard. While this is the type buffer yard stipulated in the Zoning Code, it may not be adequate. To reduce the negative impact this proposal may have on the adjacent property, lots along the western perimeter should at least meet the minimum base zone requirement. This would allow for a more comprehensive development pattern to merge with the cluster lot and property to the west.

2. The application does not comply with the General Plan, including the adopted Bordeaux – White’s Creek Community Plan.

The Bordeaux – White’s Creek Community Plan designates 2.35 acres of the proposed project as Natural Conservation Land Use policy. There is approximately 102,340 sq. ft. (2.35 acres) of land with slopes 25% or greater. “NOC areas are intended to be rural in character, with very low intensity development.” The Community Plan identifies these areas as “generally unsuitable for conventional suburban or urban development. In general, densities should not exceed one dwelling unit per two acres.” The Commission could condition the exercise of its discretion to allow the cluster lot option by requiring that the density of the overall development be reduced to reflect one density per two acres of all property designated as NCO policy. The following is a breakdown of this provision:

Lots within NCO policy (1 unit/2 acres) – 1 lot  
(calculation:  $2.35 \text{ acres} * 15\% \text{ for streets} = 2 \text{ acres} / 2 = 1 \text{ lot}$ )

Lots within RLM (2.2 units/1 acre) – 45 lots  
(calculation:  $26.51 \text{ acres} - 2.35 \text{ acres in NCO policy} = 24.16 * 15\% \text{ for streets} = 20.5 \text{ acres} * 2.2 \text{ units per acre} = 45 \text{ lots}$ . Note: While RLM policy normally would allow up to four units per acre, the zoning for this portion of the property is RS20, which caps the density at one unit per 20,000 square feet, or 2.2 units per acre).



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Total Density = 46 lots.

Although Development Goal 4 of the Community Plan identifies this area for “new residential growth,” Goal C for the greater community calls for such residential growth to “preserve [the] unique rural district through sensitive development and design.” The Plan further “encourages using design to help reflect the character and quality of the community.” The current proposed subdivision does not meet these requirements. The maximum density allowed for the land located in Special Policy Area 1 is two dwelling units per acre within the RLM policy only. The proposed subdivision may need to be reduced in density in order to comply with these requirements in the Community Plan.

“The plan discourages typical suburban design and subdivision of the property along White’s Creek Pike into small lots that front the road. New development should blend into the natural landscape and protect the existing views from White’s Creek Pike.” Although there are no lots directly on White’s Creek Pike, the plan does not otherwise meet these requirements by protecting the existing natural views.

3. The application does not comply with the special protections contained in the Hillside Development Standards. “The development of residentially zoned property shall minimize changes in grade, cleared area, and volume of cut or fill on those hillside portions of the property with 20% or greater natural slopes.” Metro Code, § 17.28.030 A. When the Commission is exercising its discretion to allow a cluster lot subdivision, the Commission can also require that a proposed development comply with this section of the Code by staying completely out of any area with contiguous slopes of greater than 20%. The current proposed plat does include all contiguous areas with slopes greater than 20% as open space. Any revision to the plat to address the lot sizes along the western property line should not be permitted to result in the disturbance of any areas with 20% or greater slopes.

Each of these factors listed above is supported by an existing provision in either the Metro Code or the Regulations. The Commission would be within its



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authority to recommend disapproval of this application based on the failure of the application to meet these standards.



**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.

**Deferral**

*Deferred from the September 22, 2005, meeting after closing the Public Hearing.*

**Staff Reviewer**  
**Staff Recommendation**

Harris  
*Approve with conditions (See the text of the report, below, for an alternative recommendation based upon a revised interpretation of existing Code and Regulation provisions)*

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**APPLICANT REQUEST**  
**Preliminary Plat**

**Request to create 607 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.

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**CLUSTER LOT OPTION**

The cluster lot option allows the Commission to approve a reduction of 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 43.4% 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.

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**SUBDIVISION DETAILS**

Phases

Six phases are proposed for this subdivision:

- Phase 1—91 lots
- Phase 2—97 lots
- Phase 3—123 lots
- Phase 4—85 lots





## Metro Planning Commission Meeting of 10/13/05

Phase 5—145 lots

Phase 6—66 lots

The lots range in size from 10,000 sq. ft to 101,000 sq. ft. There are 579 lots (95%) proposed between 10,000 sq. ft and 14, 999 sq. ft. There are 25 lots (4%) proposed between 15,000 sq. ft. and 19,999 sq. ft and 3 lots (less than 1%) proposed over 20,000 sq. ft.

The current land use policy allows a maximum of 2 units per acre allowing 740 units, while the proposed subdivision provides 607 units.

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. There are also buffer yards along Knight Drive that well exceed this requirement and propose as much as 100' in some locations.

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### **STORMWATER RECOMMENDATION**

Approve.

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### **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.
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



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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 conduct traffic counts at Knight Road and Ewing Drive and submit signal warrant analysis with each final plat. Upon signal approval by the Traffic and Parking Commission, developer shall submit signal plans for approval by the Metro Traffic Engineer, and upon approval shall install



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traffic signal. Coordinate signal design with intersection roadway improvements by others.

7. When a signal is warranted at the intersection of Knight Road and Ewing Drive, the developer shall evaluate the need to construct a separate southbound left turn lane on Knight Road at Ewing Drive, per AASHTO standards. Public Works will consider an equitable payment in lieu of constructing the separate southbound left turn lane on Knight Road at Ewing Drive.
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.

Comments from the 8/8/2005 DRC Meeting.  
Preliminary plat dated: 7/27/2005.

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.
-



## Metro Planning Commission Meeting of 10/13/05

### CONDITIONS

1. All Public Works 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. Revised plans are to be received by October 27, 2005, that:
  - a. Label all temporary turnarounds.
  - b. Add "Cluster Lot Subdivision" under the name of the subdivision.
  - c. Lots with alley access shall have access only from the alley.
  - d. Label 10' R.O.W. Reservation note along boundary as Standard C Landscape buffer yard.
  - e. A note should be added to the preliminary plat 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



## Metro Planning Commission Meeting of 10/13/05

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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### ALTERNATIVE RECOMMENDATION

At the September 22, 2005, Commission meeting, Commission members asked staff to further study this application in light of the cluster lot options and related provisions in the Code and Subdivision Regulations. Staff has reviewed the cluster lot provisions and has presented the Commission with a proposed policy document that may be considered by the Commission for adoption at either the October 13 or 27 Commission meetings. The alternative recommendation below is based upon existing Code and Subdivision Regulation provisions, but incorporates the same principles and recommended policy interpretations contained in the proposed policy document.

The Metro Code places a great deal of discretion in the hands of the Commission with respect to Cluster Lot subdivisions. Section 17.12.090 provides that "subdivisions in the R and RS districts may cluster lots." The Commission is not required, under any circumstances, to approve a Cluster lot subdivision application. The Code further states that lots may be reduced in area the equivalent of two smaller base zoning districts.

As directed by the Commission, staff has conducted further review of this application and can make an alternative recommendation to the Commission that it disapprove the requested cluster lot subdivision for reasons described below.

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### ALTERNATIVE ANALYSIS

1. The application does not provide for harmonious by properly addressing neighboring properties. Significant additional buffering of the development from surrounding properties may be appropriate in this case. In addition, it may be necessary for the applicant to provide lots near the perimeter of the subdivision that



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have the area of the base zoning, or perhaps even larger. Lots 142, 470-471, 484, 588-591, 601-606, 57, and 51 are perimeter lots. As proposed, these lots do not comply with this provision since there is not a larger buffer greater than 30' adjacent to the lots or the lots should be made larger to conform to the base zoning minimum lot size requirement of 20,000 sq. ft. or greater. This would allow for a more comprehensive development pattern to merge with the existing cluster lot subdivisions to the south and the larger lots to the north.

2. The application does not comply with the General Plan, including the adopted Bordeaux – White's Creek Community Plan.

The Bordeaux – White's Creek Community Plan designates approximately 79 acres (according to Metro contours) of the proposed project as Natural Conservation Land Use policy. There are 52 acres that have slopes 25% or greater and 27 acres that are within 20-24% slopes. "NCO areas are intended to be rural in character, with very low intensity development." The application of the NCO policy is intended for slopes 20% or greater and other environmentally sensitive areas, but "the more environmentally sensitive or remote a site is, the lower the acceptable density," according to the Community Plan. The Commission could condition the exercise of its discretion to allow the cluster lot option by requiring that the density of the overall development be reduced to reflect one unit per two acres of all property designated as NCO policy. The following is a breakdown of this provision:

Lots within NCO policy (1 unit/2 acres)—34 lots  
(Calculation: 79 acres\*15% for streets = 67.15 acres/2 =34 units)

Lots within RLM special policy (2 units/1 acre)—  
495 lots  
(Calculation: 370.02 acres-79 acres in NCO policy = 291.02\*15% for streets = 247.37 acres\*2 units per acre = 495 lots)

Total density--- 529 lots



## Metro Planning Commission Meeting of 10/13/05

Although Development Goal 4 of the Community Plan identifies this area for “new residential growth,” Goal C for the greater community calls for such residential growth to “preserve [the] unique rural district through sensitive development and design.” The Plan further “encourages using design to help reflect the character and quality of the community.” The current proposed subdivision does not adequately meet these requirements. The maximum density allowed for the land located in Special Policy Area 1 is two dwelling units per acre within the RLM policy only. Although the proposed plan does meet the RLM special policy, it does not meet the NCO policy. The proposed subdivision would need to be reduced in density in order to comply with these requirements in the Community Plan.

3. The application does not comply with the special protections contained in the Hillside Development Standards. “The development of residentially zoned property shall minimize changes in grade, cleared area, and volume of cut or fill on those hillside portions of the property with 20% or greater natural slopes.” Metro Code, § 17.28.030 A. When the Commission is exercising its discretion to allow a cluster lot subdivision, the Commission can also require that a proposed development comply with this section of the Code by staying completely out of any area with contiguous slopes of greater than 20%. The application should be revised to comply with the Hillside Development Standards **by setting aside all areas with 20% or greater slopes as common open space to remain undisturbed.**

Each of these factors listed above is supported by an existing provision in either the Metro Code or the Regulations. The Commission would be within its authority to recommend disapproval of this application based on the failure of the application to meet these standards.



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

**Zone Change 2005Z-143G-04**  
None  
None  
9 - Forkum  
4 - Garrett  
Richard Rollins, owner

**Staff Reviewer**  
**Staff Recommendation**

Harris  
*Disapprove*

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**APPLICANT REQUEST**

**Request to change 2.12 acres from office and residential (OR20) to commercial service (CS) district on property located at 1119 Old Hickory Boulevard and Old Hickory Boulevard (unnumbered).**

**Existing Zoning**  
OR20 district

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

**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.

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**SUBAREA 4 PLAN**  
Office Concentration (OC)

The OC policy is intended for existing and future large concentrations of office development. It is expected that certain types of commercial uses that cater to office workers, such as restaurants, will also locate in these areas. Residential uses of at least nine to twenty dwelling units per acre (RMH density) are also an appropriate secondary use.

**Policy Conflict**

**Yes.** The proposed CS district is not consistent with the Subarea Plan's OC policy intended for office development. The proposed CS zoning would allow for more intense uses that are not consistent with the policy for the area. Although there is commercially zoned property adjacent on each end of the property (corner lots), it is not consistent with the development pattern along the block face of the property, which is zoned OR20. There are single-family homes in the area and a





# Metro Planning Commission Meeting of 10/13/05

commercial zoning in this area may not be appropriate at this time.

## RECENT REZONINGS

Yes. Parcel 004 to the east was rezoned from OR20 to CS in 2003. The Planning Commission recommended approval in April 2003, and Metro Council approved it in May 2003.

## PUBLIC WORKS RECOMMENDATION

A TIS may be required at development; Cross access to adjacent parcels may be required at development; no access will be allowed to State Rt. 45

### Typical Uses in Existing Zoning District: OR20

Land Use (ITE Code)	Acres	Density	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	2.12	0.184	16,992	341	46	98

### Typical Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Specialty Retail Center ()	2.12	0.368	33,984	1492	na	104

### 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
--	2.12		+16,992	1151	Na	6

### Maximum Uses in Existing Zoning District: OR20

Land Use (ITE Code)	Acres	Density	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Drive In Bank (912)	2.12	0.15*	13,852	2783	171	634

\*Adjusted as per use

### Maximum Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Sq. Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Convenience Market (851)	2.12	0.15*	13,852	10223	928	726

\*Adjusted as per use



## Metro Planning Commission Meeting of 10/13/05

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
--	2.12	--	+0	7440	757	92



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

**Zone Change 2005Z-145G-10**  
None  
34 - Williams  
8 - Harkey  
The Principles Group, applicant, for William A. King, et ux, owners

**Staff Reviewer**  
**Staff Recommendation**

Pereira  
*Approve*

**APPLICANT REQUEST**

**Rezone a 10.17 acre part of a parcel from residential single-family and duplex district (R40) to residential single-family district (RS20) located at 1333 Old Hickory Boulevard, opposite Agincourt Way.**

**Existing Zoning**  
R40 district

R40 requires a minimum 40,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 1.16 dwelling units per acre including 25% duplex lots.

**Proposed 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.

**GREEN HILLS/MIDTOWN COMMUNITY PLAN POLICY**

Residential Low (RL)

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

**Policy Conflict**

No. The proposed RS20 zoning district is consistent with the Residential Low land use policy for this site. Residential Low policy supports single-family residential development of a low density – i.e. RS20 zoning, which allows 1.85 homes per acre.

**RECENT REZONINGS**

None.

**PUBLIC WORKS RECOMMENDATION**

An access study may be required at development.



## Metro Planning Commission Meeting of 10/13/05

### Typical Uses in Existing Zoning District: R40

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single Family Detached (210)	11.5	0.93	11	106	9	12

### Maximum Uses in Proposed Zoning District: RS15

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single Family Detached (210)	11.5	2.47	28	321	29	34

### Change in Traffic between Typical and Maximum Uses in Existing and Proposed Zoning District

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)	11.5	--	+17	215	20	22

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## METRO SCHOOL BOARD REPORT

### Projected student generation

**1 Elementary   1 Middle   1 High**

### Schools Over/Under Capacity

Students would attend Piercy Priest Elementary School, Moore Middle School, or Hillsboro High School. All three schools have been identified as having capacity by the Metro School Board. This information is based upon data from the school board last updated August 2, 2005.



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

**Zone Change 2005Z-146U-03**  
None  
1 - Gilmore  
1 - Thompson  
Ellen L. Bryant, James Watkins, and Bertha Smith Clark, owners.

**Staff Reviewer**  
**Staff Recommendation**

Pereira  
*Disapprove RS20. The Commission might consider a Planned Unit Development or cluster lot subdivision application, with the existing RS40 zoning, that would conserve the site's steepest slopes, and minimize disturbance of the site's moderately steep slopes.*

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**APPLICANT REQUEST**

**Rezone 16.57 acres from residential single-family (RS40) to residential single-family (RS20) district property located at Homeland Drive (unnumbered), west of Clarksville Pike and north of Briley Parkway.**

**Existing Zoning**  
RS40 district

RS40 requires a minimum 40,000 square foot lot and is intended for single-family dwellings at a density of .93 dwelling units per acre. Fifteen lots would be the maximum number allowed on this property with this zoning.

**Proposed 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. Thirty lots would be the maximum number allowed on this property with this zoning.

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**BORDEAUX/WHITES CREEK COMMUNITY PLAN POLICY**

Residential Low (RL)

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

Natural Conservation (NCO)

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



## Metro Planning Commission Meeting of 10/13/05

### Policy Conflict

The proposed RS20 zoning district is consistent with the Residential Low land use policy that is on the front portion of this site, but is not consistent with the Natural Conservation land use policy that covers roughly the rear two-thirds of the site. Residential Low policy supports single-family residential development of a low density – i.e. RS20 zoning, which allows 1.85 homes per acre. Given the site’s steep slopes to the western rear of the site (much of it in excess of 25 percent slope), however, staff recommends disapproval of RS20 because it is an inappropriate residential density for the NCO policy portion of the site (NCO policy supports even lower density development, at one home per every two acres, which represents about *half* the density as allowed by the *existing* RS40 zoning). Staff could recommend approval of a PUD or cluster lot subdivision on this site with the existing RS40 zoning, to ensure that the maximum density as allowed by NCO and that the existing steep slopes are protected.

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### RECENT REZONINGS

None.

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### PUBLIC WORKS RECOMMENDATION

No exception taken.

#### Typical Uses in Existing Zoning District: RS40

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single Family Detached (210)	16.57	0.93	15	144	12	16

#### Maximum Uses in Proposed Zoning District: RS20

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single Family Detached (210)	16.57	1.85	31	355	32	38

#### Change in Traffic between Typical and Maximum Uses in Existing and Proposed Zoning District

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)	16.57	--	+16	211	20	22

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### METRO SCHOOL BOARD REPORT



## Metro Planning Commission Meeting of 10/13/05

**Projected student generation**

**Schools Over/Under Capacity**

**5 Elementary   4 Middle   4 High**

Students would attend Cumberland Elementary School, Joelton Middle School, or Whites Creek High School. All three schools have been identified as having capacity by the Metro School Board. This information is based upon data from the school board last updated August 2, 2005.



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

**Zone Change 2005Z-147U-13**  
None  
15 - Loring  
4 - Nevill  
Ronnie and Breon Degenhardt, owners.

**Staff Reviewer**  
**Staff Recommendation**

Pereira  
*Approve with the condition that the property shall be required at development to provide for cross access with the adjacent parcels.*

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**APPLICANT REQUEST**

**Rezone 0.88 acres from office/residential district (OR20) to mixed use neighborhood (MUN) district property located at 2115 Elm Hill Pike, west of Briley Parkway.**

**Existing Zoning**  
OR20 district

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

**Proposed Zoning**  
MUN district

Mixed Use Neighborhood is intended for a low intensity mixture of residential, retail, and office uses.

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**ANTIOCH/PRIEST-LAKE  
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.

**Policy Conflict**

No. The proposed MUN zoning district is consistent with the CAE land use policy for this site. Though MUN is comparable to OR20 in terms of permitted land uses, it implements the intent of the CAE policy to promote the redevelopment of properties along arterial roads (Elm Hill Pike) into more pedestrian-friendly, mixed use areas.





## Metro Planning Commission Meeting of 10/13/05

### EXISTING CONDITIONS AND SITE ACCESS

This property has an existing building on the northeastern part of the site, close to Elm Hill Pike, and an existing driveway. The parcel to the west (018) contains an existing church with a driveway that is located at a significant distance from this narrow property. The parcel that surrounds this property to the east and south has an existing apartment complex with a driveway off of Elm Hill Pike that is parallel to the property line. There is also a line of trees and a hill on this property line. Though existing conditions may not easily facilitate it, staff recommends that upon redevelopment, a viable cross access driveway be built within an easement across the frontage of this property, and that this site share a common ingress/egress onto Elm Hill Pike with one or both of these neighboring properties. This may most easily be achieved with the construction of a frontage road to serve all three properties.

### RECENT REZONINGS

None.

### PUBLIC WORKS RECOMMENDATION

Provide cross access to adjacent property.

#### Typical Uses in Existing Zoning District: OR20

Land Use (ITE Code)	Acres	FAR	Total Square Footage	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	0.88	0.236	9,047	209	28	89

#### Typical Uses in Proposed Zoning District: MUN

Land Use (ITE Code)	Acres	FAR	Total Square Footage	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Specialty Retail Center (814)	0.88	0.125	4,792	243	Na	33

#### Change in Traffic Between Typical uses in Existing and Proposed Zoning District

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	0.88	--	-4,255	34	Na	-56



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### Maximum Uses in Existing Zoning District: OR20

Land Use (ITE Code)	Acres	FAR	Total Square Footage	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
DRIVE IN BANK (912)	0.88	0.80	30,666	5849	379	1403

### Maximum Uses in Proposed Zoning District: MUN

Land Use (ITE Code)	Acres	FAR	Total Square Footage	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	0.88	0.60	22,999	429	58	105

### Change in Traffic Between Maximum uses in Existing and Proposed Zoning District

Land Use (ITE Code)	Acres	FAR	Total Square Footage	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	0.88	--	-7,667	-5420	-321	-1298

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## METRO SCHOOL BOARD REPORT

**Projected student generation\***

**1 Elementary   1 Middle   1 High**

**Schools Over/Under Capacity**

Students would attend McGavock Elementary School, Two Rivers Middle School, or McGavock High School. McGavock High School has been identified as not having capacity by the Metro School Board. Adjacent clusters with capacity include Stratford and Glencliff. This information is based upon data from the school board last updated August 2, 2005.

\*Student generation numbers are based on the assumption of 15 residential units of 1,500 square feet each.



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

**Zone Change 2005Z-149G-12**  
None  
31 - Toler  
2 - Blue  
Don C. Williams of Littlejohn Engineering, appellant,  
for William T. Chick, owner.

**Staff Reviewer**  
**Staff Recommendation**

Pereira  
*Approve with the condition that the property shall be required at development to provide for cross access along the frontage of this property to the adjacent parcels, as well along the rear of this property to the northwest property line.*

---

**APPLICANT REQUEST**

**Rezone 3.4 acres from agricultural/residential (AR2a) district to mixed use limited (MUL) district property located at 6664 Nolensville Pike, 1,265 feet south of Autumn Oaks Drive.**

**Existing Zoning**  
AR2a district

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

**Proposed Zoning**  
MUL district

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

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**SOUTHEAST COMMUNITY PLAN POLICY**

Community 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.

**Policy Conflict**

No. The uses permitted within the proposed MUL zoning district are consistent with the CC land use policy for this site. The context for MUL is also ideal, as the neighboring parcel to the east is zoned SCC and is approved for retail development. The MUL zoning



## Metro Planning Commission Meeting of 10/13/05

will serve as a transitional zoning district, moving away from the commercial zoning and development to the east of this parcel to the largely undeveloped parcels and nearby residential developments further to the west.

### EXISTING CONDITIONS AND SITE ACCESS

This property is currently undeveloped, but there is an old commercial PUD with an existing hotel use on the neighboring parcel to the northwest (parcel 46). The property to the east is the Legg Development PUD, which is currently zoned SCC, and has retail buildings approved in a PUD plan (parcel 49). Though this adjacent approved PUD plan does not easily facilitate a connection, staff recommends that upon development of this parcel, a viable cross access driveway be built within an easement across the frontage of this property to both property lines. This site should share a common ingress/egress onto Nolensville Pike with at least the existing hotel property to the west. The required cross access easement will allow for the possible future construction of a frontage drive to serve all three properties. Finally, given the undeveloped nature of the rear of parcel 046 to the northwest, and the high probability of development in the near future, staff recommends that upon development, an additional cross access easement be extended to the northwest property line at the rear of this parcel.

### RECENT REZONINGS

None.

### PUBLIC WORKS RECOMMENDATION

A TIS is 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)	3.4	0.50	1	10	1	2

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

Land Use (ITE Code)	Acres	FAR	Total Square Footage	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (820)	3.4	0.102	15,107	1979	51	180

#### 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
--	3.4	--	--	1969	50	178



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### Maximum Uses in Existing Zoning District: AR2a

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	3.4	0.50	1	10	1	2

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

Land Use (ITE Code)	Acres	FAR	Total Square Footage	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (820)	3.4	0.50*	74,052	5597	131	513

\* Probable maximum for this site given the size and shape of property.

### 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
--	3.4	--	--	5587	130	511

## METRO SCHOOL BOARD REPORT

### Projected student generation\*

**9** Elementary    **6** Middle    **4** High

### Schools Over/Under Capacity

Students would attend Shayne Elementary School, Oliver Middle School, or Overton High School. Overton High School has been identified as not having capacity by the Metro School Board. Adjacent clusters with capacity include Glencliff and Hillsboro. This information is based upon data from the school board last updated August 2, 2005.

\*Student generation numbers are based on the assumption of 99 residential units of 1,500 square feet each.



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

**Zone Change 2005Z-151G-04**  
None  
9 - Forkum  
1 - Thompson  
Metro Public Works, for owner, Metro Government

**Staff Reviewer**  
**Staff Recommendation**

Pereira  
*Approve*

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**APPLICANT REQUEST**

**Rezone a portion of a parcel (4.51 acres) from residential single-family district (RS7.5) to industrial restrictive district (IR) property, located at 939 Anderson Lane, east of Snow Avenue.**

**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**  
IR district

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

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**SUBAREA 4 PLAN**

Industrial and Distribution (IND)

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

**Policy Conflict**

No. The proposed IR zoning district is consistent with the IND land use policy for this site.

*Concept plan*

The majority of this 20.81 acre property is already zoned IR, and is intended for a Metro waste collection convenience center. The concept plan as submitted by Metro (dated 9/9/05) has two ingress/egress points onto Anderson Lane, with a detention pond and landscape buffering along the frontage of this road. The plan shows an office and a garden mulch area, as well as off-loading, recycling, storage, and parking areas on the site.



## Metro Planning Commission Meeting of 10/13/05

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**RECENT REZONINGS**

None.

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**PUBLIC WORKS'  
RECOMMENDATION**

No Exceptions Taken



**Project No.**  
**Project Name**

**2005Z-157T-08**  
**MDHA Phillips-Jackson Street**  
**Redevelopment Plan - Amendment**

**Council Bill**  
**Council District**  
**School District**  
**Requested by**

None  
19 - Wallace and 21 - Whitmore  
7 – Kindall and 5 – Hunt  
Metropolitan Development and Housing Agency

**Staff Reviewer**  
**Staff Recommendation**

Pereira  
*Approve*

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**APPLICANT REQUEST**

**An ordinance to amend the Phillips-Jackson Street Redevelopment Plan to change the amount of Tax Increment Financing available.**

**Details**

The Metropolitan Development and Housing Agency (MDHA) has proposed to amend the Phillips-Jackson Street Redevelopment plan to change the amount of Tax Increment Financing available.

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**NORTH NASHVILLE**  
**COMMUNITY PLAN POLICY**

**Policy Conflict**

None. The proposed changes to the Phillips-Jackson Redevelopment District do not affect the zoning or land development policies on the property.





<b>Project No.</b>	<b>2005Z-158T-08</b>
<b>Project Name</b>	<b>MDHA Jefferson Street Redevelopment Plan</b>
<b>Council Bill</b>	None
<b>Council District</b>	19 - Wallace and 21 - Whitmore
<b>School District</b>	7 – Kindall and 5 – Hunt
<b>Requested by</b>	Metropolitan Development and Housing Agency
<b>Staff Reviewer</b>	Pereira
<b>Staff Recommendation</b>	<i>Approve</i>

**APPLICANT REQUEST**

**An ordinance to apply the Jefferson Street Redevelopment Plan to properties located along a two-mile portion of Jefferson Street, from 12th Avenue, North, to 28th Avenue, North.**

**Details**

The Metropolitan Development and Housing Agency (MDHA) has proposed to put into effect a new redevelopment plan along Jefferson Street. The area of the Jefferson Street Redevelopment district is shown on the sketch accompanying this staff report. The MDHA plan permits the following uses on properties that front along the north and south sides of Jefferson Street, between 12<sup>th</sup> Avenue North to 28<sup>th</sup> Avenue North:

Permitted Uses:

- Single-family, two-family, and multi-family Dwellings
- Assisted Living and Retirement Facilities
- Hotels/Motels
- Churches
- University-related Facilities
- Schools
- Daycares
- Offices
- Medical Offices/Hospitals
- General Retail Not Including Liquor Sales or Adult-oriented Products
- Service Retail
- Restaurants Not Featuring Drive-through Service
- Nightclubs Not Including Adult Entertainment
- Theaters
- Cultural Facilities
- Public Facilities and Parks



## Metro Planning Commission Meeting of 10/13/05

The following land uses are permitted except on lots located at street corners:

- Surface Parking as a Primary Use
- Gas Stations
- Restaurants Featuring Drive-through Service

Parking structures are permitted only when they incorporate ground-level active uses (e.g. retail, office, residential, etc.) fronting Jefferson Street.

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### NORTH NASHVILLE COMMUNITY PLAN POLICY

#### Land Use Policy

The Jefferson Street Redevelopment Plan is largely consistent with the North Nashville Community plan and the various detailed neighborhood design plans (DNDPs) that currently govern the properties proposed for this new plan. The DNDPs that apply to these properties are the following:

- Fisk-Meharry
- Elizabeth Park
- Osage-North Fisk
- Hadley-Washington
- Hadley Park

The vast majority of these properties have a Mixed Use in Corridor Center land use policy in the above plans. Almost all of the land uses as noted above are permitted by these plans (MxU in CC policy), and for those permitted *with conditions* (assisted living, daycares, automobile parking), the conditions of the Metro Zoning Ordinance shall apply.

For a group of parcels along the north side of Jefferson Street between 26<sup>th</sup> Avenue North on the west and the railroad tracks on the east, there is a Mixed Housing in Corridor Center policy (the Hadley-Washington DNDP). This policy would support single-family, two-family, and multi-family residential uses. MDHA has concurred with Planning Department staff that given that the Metro Planning Commission's plans for these parcels are more restrictive than the Jefferson Street Redevelopment district plans, the Commission's adopted DNDP shall apply to them.



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

**Subdivision 2005S-268U-10**  
**Wallace Place Subdivision**  
34 – Williams  
8 - Harkey  
Karl E. Haury, Jr., owner, and T Square Engineering, surveyor/engineer.

**Staff Reviewer**  
**Staff Recommendation**

Harris  
*Disapprove*

**APPLICANT REQUEST**  
**Preliminary Plat**

**Request to create 5 lots on 3.71 acres located on the east side of Wallace Lane, approximately 820 feet north of Hobbs Road.**

**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.

**SUBDIVISION DETAILS**

As proposed, the request would create 5 new lots with 2 lots fronting along the east side of Wallace Lane and with the following area(s) and street frontage(s):

- Lot 1: 20, 074 Sq. Ft., and 138 Ft. of frontage;
- Lot 2: 20, 094 Sq. Ft., and 142.66 Ft. of frontage;
- Lot 3: 22,407 Sq. Ft., and 71.87 Ft. of frontage;
- Lot 4: 22,373 Sq. Ft., and 174.27 Ft. of frontage; and
- Lot 5: 21, 144 Sq. Ft., and 121 Ft. of frontage;

The existing structures on the property would be removed. There is one critical lot proposed due to steep topography.

Lot Comparability (for Lots 1 and 5)

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. Lot comparability was only conducted for lots 1 and 5 since they are proposed to face on an existing street (Wallace Lane). The other 3 lots are proposed on a new street and the Subdivision Regulations do not require lots on new roads to comply with lot comparability. Both lots facing Wallace Lane pass for lot area and frontage.



## Metro Planning Commission Meeting of 10/13/05

Access/Street Connectivity

Access is proposed from a new street, Wallace Place, to be constructed as a cul-de-sac.

Sidewalks

Sidewalks are proposed along the new street within the subdivision and along Wallace Lane.

Landscape Buffer Yards

Landscape buffer yards are not required. The lots range in size from 20,074 sq. ft. to 21,144 sq. ft., which is over the required minimum lot size requirement for the base zoning district (RS20). The applicant is not requesting to use the cluster lot option.

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### STAFF RECOMMENDATION

Staff recommends disapproval of the subdivision because it is not consistent with the existing development pattern in the area and could set a precedent that would not allow for "harmonious development," as described in the Subdivision Regulations and General Plan. The Green Hills-Midtown Community Plan also states that one of the development goals of the community is to preserve and protect established residential areas. This proposed plan is not consistent with the general plan or community plan for the area. The introduction of a new cul-de-sac along Wallace Lane is completely inconsistent with the development pattern along this street.

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### STORMWATER RECOMMENDATION

The Water Quality Device (i.e., detention pond) must be in an area that is labeled as 'Open Space'. Further, the Open Space should be designated as a Drainage Easement on a final plat.

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### PUBLIC WORKS RECOMMENDATION

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

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### CONDITIONS (If approved)

1. 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.



## Metro Planning Commission Meeting of 10/13/05

2. The Water Quality Device (i.e., detention pond) must be in an area that is labeled as 'Open Space'. Further, the Open Space should be designated as a Drainage Easement on a final plat.
3. Revise note #22 to state “The purpose of this plat is to create 5 single-family lots,” and move to note #1.
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.



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

**Subdivision 2005S-271U-03**  
**Enchanted Hills, Addition 1 Subdivision**  
1 - Gilmore  
1 - Thompson  
Lisa Beard Baldwin, owner, Barge, Cauthen & Associates, engineer/surveyor.

**Staff Reviewer**  
**Staff Recommendation**

Harris  
*Approve with conditions*

**APPLICANT REQUEST**  
**Preliminary Plat**

**Request to create 10 lots on 21.02 acres located on the east side of Lila Lane and the west side of Sumatra Road**

**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.

**SUBDIVISION DETAILS**

The proposed subdivision proposes 10 lots connecting to existing stub streets (Lila Lane and Sumatra Road) in the adjacent Enchanted Hills Subdivision. There is steep topography (11.32 acres greater than 25%) in the northern portion of the subdivision, which is proposed for open space. However, there are 2 lots labeled as critical lots, indicating that there are 15% or greater slopes within the lot.

**STORMWATER RECOMMENDATION**

Approve

**PUBLIC WORKS RECOMMENDATION**

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

**CONDITIONS**

1. 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.



## Metro Planning Commission Meeting of 10/13/05

2. 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.



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

**Subdivision 2005S-258G-06**  
**Paul A. Justice Subdivision**

None  
35 – Tygard  
9 – Warden  
Duclos Survey and Design, applicant, for Joanne and Paul A. Justice, owners

**Withdrawal**

*This item was mistakenly withdrawn at the September 22, 2005, Planning Commission meeting. Staff did not confirm with the applicant or owner and has now learned that the owner does not wish to have the item withdrawn. Since the Commission acted on the erroneous belief that the applicant or owner had requested withdrawal, staff recommends that the Commission rescind their action of withdrawal and approve the subdivision with conditions, as was previously recommend by staff.*

**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 district

RS40 requires a minimum 40,000 square foot lot and is intended for single-family dwellings at a density of .93 dwelling units per acre.

**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





## Metro Planning Commission Meeting of 10/13/05

lot fails the lot comparability analysis (is smaller in lot frontage and size) but 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.

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.

Greenway

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

Staff Recommendation

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 oriented towards the Harpeth River.

---

### STORMWATER RECOMMENDATION

1. The 50' floodway buffer is incorrectly depicted. Specifically, the buffer extends from a line that possesses no clear meaning. The ambiguous line should be deleted and the 50' floodway buffer should extend from the floodway line.
2. The elevation height listed immediately adjacent, "Zone AE Elevation" is incorrect. Specifically, delete the number, "596.5", and replace with '569.5.'
3. The 25' greenway easement can not reside within the floodway or floodway buffer. Appropriate correction is required.

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### PUBLIC WORKS RECOMMENDATION

No Exceptions Taken

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### CONDITIONS (If Approved)



## Metro Planning Commission Meeting of 10/13/05

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 Greenway/Conservation Access and Trail Area Easement. This should include the floodway and the 50' floodway buffer.
3. Place note on the plat that homes on lots one and three must be oriented towards the Harpeth River.
4. Correct the elevation height listed immediately adjacent, "Zone AE Elevation". Specifically, delete the number, "596.5", and replace with '569.5'.
5. Stormwater must approve all corrections before the plat can be recorded, except that the greenway easement may be located within the floodway and/or floodway buffer.



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

**Subdivision 2005S-156U-10**  
**Petty Subdivision**  
None  
25 – Shulman  
8 - Harkey  
Camellia Petty, owner, John Kohl & Company, P.C.,  
surveyor

**Staff Reviewer**  
**Staff Recommendation**

Harris  
*Disapprove, the proposed lots do not meet comparability standards for lot area.*

**APPLICANT REQUEST**  
**Final Plat**

**Request to create 2 single-family lots on 0.53 acres on the southwest corner of Shackelford Road and Belmont Park Terrace.**

**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**

As proposed the request would create 2 new lots on the southwest corner of Shackelford Road and Belmont Park Terrace:

- Lot 1: 13,174 Sq. Ft., (0.30 acres), and 100 feet frontage on Shackelford Road and 245 feet along Belmont Park Terrace
- Lot 2: 10,011 Sq. Ft., (0.23 acres), and 113.95 feet 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.

A lot comparability analysis was conducted for Shackelford Road and Belmont Park Terrace since this is a corner lot. Lot 1 passes for both lot area and lot frontage. Lot 2 fails for lot area, but passes for lot frontage. Lot 2 is proposed for 10,011 square feet, while the required lot area for Belmont Park Terrace is 14,962 square feet.



## Metro Planning Commission Meeting of 10/13/05

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 Planning Commission does not have to grant the exception if they do not feel it is appropriate.

Staff recommends disapproval of an exception for lot comparability. The Green Hills / Midtown Community Plan calls for Residential Low Medium policy intended for residential development within a density range of two to four units/homes per acre. Staff recommends that the Commission not grant an exception for comparability, however, because:

1. Lot 2 fails lot comparability analysis by 4,952 square feet. Although it is within one-half mile of the Green Hills Regional Activity Center, it is well under the lot comparability required lot area amount.
2. The lots are inconsistent with the majority of the existing pattern of development along Belmont Park Terrace and Shackleford.

Sidewalks

Sidewalks are required since the property is located within the Urban Services District and are shown on the plan for lot 2.

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### **STORMWATER RECOMMENDATION**

1. Add subdivision number to plat.
2. Add more specific bearings reference to enable identification of bearing used.

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### **PUBLIC WORKS RECOMMENDATION**

No Exception Taken.

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### **CONDITIONS (If approved)**

1. Add subdivision number to plat.
2. Add more specific bearings reference to enable identification of bearing used.



<b>Project No.</b>	<b>Subdivision 2005S-277U-12</b>
<b>Project Name</b>	<b>Beverly Heights – Section 2</b>
<b>Associated Cases</b>	None
<b>Council District</b>	30 – Kerstetter
<b>School District</b>	2 – Blue
<b>Requested By</b>	John Kohl and Company for Naim Abulabam, owner
<b>Staff Reviewer</b>	Swaggart
<b>Staff Recommendation</b>	<i>Approve</i>

**APPLICANT REQUEST**

<b>Final Plat</b>	<b>Request for final approval to subdivide approximately 0.92 acres into two lots at the southeast intersection of Wallace Road and Humber Drive.</b>
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<b>Zoning</b> RS10 district	<u>RS10</u> 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.
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**SUBDIVISION DETAILS**

As proposed, the request would create two new lots with the following area and frontage:

- Lot 1: 19,078 sq. ft. (.44 acres), approximately 90 ft. along Wallace Road;
- Lot 2: 21,122 sq. ft. (.48 acres), approximately 90 ft. on Wallace Road, and approximately 130 ft. on Humber Drive.

<b>Lot Comparability</b>	Section 2-4.7 of the Subdivision Regulations stipulates that new lots in areas that are predominantly developed are to be “generally in keeping with the lot frontage and lot size of the existing surrounding lots.” 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 Planning Commission does not have to grant the exception if they do not feel it is appropriate.
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The lot comparability analysis yielded a minimum lot area of 30,546 sq. ft. and a minimum allowable lot frontage of 144 linear feet. Both lots fail for area and frontage.



## Metro Planning Commission Meeting of 10/13/05

### History

The area policy is Residential Low-Medium, which specifies a density of about two to four dwelling units per acre. The request is located within one-quarter mile of office policy area. As proposed, the request is consistent with the RLM policy.

The applicants previously applied for a three lot subdivision at this location. Staff recommended that the lots were too small, and could have had a negative impact on the immediate area. The applicants were encouraged to revise the plan to only two lots, but the application was not revised, and was disapproved at the Planning Commission meeting on June 23, 2005.

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### STAFF RECOMMENDATION

The two lots are larger than the subdivision application previously disapproved by the Commission on June 23, 2005. This two-lot subdivision is more in keeping with the pattern of development in the immediate area. Also, the request is consistent with the area's land use policy. Staff recommends that an exception to lot comparability be approved, and that the subdivision application be approved as submitted.

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### PUBLIC WORKS RECOMMENDATION

No Exceptions Taken



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

**Subdivision 2005S-288U-09**  
**Hope Garden**  
None  
19 – Wallace  
7 - Kindall  
Elmer Freeman, Artmas Worthy, and M.D.H.A.,  
owners, Thornton & Associates, surveyor.

**Staff Reviewer**  
**Staff Recommendation**

Pereira  
*Approve*

**APPLICANT REQUEST**  
**Final Plat**

**Request to create three lots from two parcels on 0.26 acres and a previously abandoned alley right of way, located at 919 Phillips Street and 1021 9th Avenue North.**

**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.

RM15 district

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

**SUBDIVISION DETAILS**

This subdivision proposes the creation of three lots from two parcels and a portion of an alley (#216) that was recently abandoned by the Metro Council (BL2005-597). Lots 2 and 3 are proposed to front on Phillips Street, and Lot 1 is a corner lot that is proposed on the corner of Phillips Street and 9<sup>th</sup> Avenue North. The proposed lots are all currently undeveloped. As proposed, the three new lots have the following areas and street frontages:

- Lot 1: 4,355 Sq. Ft., (0.1 Acres), 65 ft. of frontage on 9<sup>th</sup> Ave., and 67 ft. of frontage on Phillips Street.
- Lot 2: 4,355 Sq. Ft., (0.1 Acres), and 67 Ft. of frontage
- Lot 3: 4,590 Sq. Ft., (0.105 Acres), and 42 Ft. of frontage

Sidewalks

This property does fall within the Urban Services District. There are existing sidewalks along the frontage of this property on 9th Avenue N. and Phillips Street at



## Metro Planning Commission Meeting of 10/13/05

Lot comparability

this location. No new sidewalks are required to be constructed with this plat.

Section 2-4.7 of the Subdivision Regulations states that new lots in areas that are predominantly developed are to be generally in keeping with the lot frontage and lot size of the existing surrounding lots. The lot comparability analysis revealed that each of the three proposed lots passed for minimum lot area and minimum lot frontage.

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### STAFF RECOMMENDATION

Given its compliance with the Subdivision Regulations and its consistency with the Hope Garden Redevelopment Plan by MDHA, Planning staff recommends approval of this three lot subdivision.

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### PUBLIC WORKS RECOMMENDATION

No Exception Taken

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### STORMWATER RECOMMENDATION

Approved Except as Noted:

1. Change note 13 such that it is consistent with the P.U.D.E. labels. Currently note 13 references only P.U.E's. As such, insert the phrase, "and Drainage," between the words, 'utility,' and 'easement.'





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

**Planned Unit Development 84-87-P-13**  
**The Crossings at Hickory Hollow**  
None  
None  
32 - Coleman  
6 - Awipi  
Littlejohn Engineering Associates, applicant, for Crews Investment Properties, owner.

**Staff Reviewer**  
**Staff Recommendation**

Fuller  
*Approve with conditions if Stormwater approval is received prior to the Planning Commission Meeting. If Stormwater approval is not received, then disapproval is recommended.*

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**APPLICANT REQUEST**

**Revise Preliminary PUD**

**Request to revise lots 13B and 14 of the preliminary PUD plan, to change the approved commercial, office and retail uses to allow 119,420 square feet of commercial and auto dealer uses, located along the north side of Interstate 24 and west of Old Franklin Road.**

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**PLAN DETAILS**

The property has a base zoning of R10 with a Commercial PUD overlay. The original PUD was approved in 1987, for a total of approximately 1.7 million square feet of “commercial” uses. Other uses in the PUD include retail uses, car dealership, office uses, and unspecified commercial uses.

This proposal includes 119,420 square feet of new auto dealership/retail uses, replacing 119,420 square feet of office, retail and commercial uses. The site plan has changed slightly to account for a blue-line stream that runs between the lots. Previously, a driveway was located in the buffer. That driveway has been removed from this revision.

The previously approved preliminary plan included one driveway curb cut onto Crossings Boulevard for each of the two lots. This proposal includes two driveway curb cuts for each lot and removes cross-access to the adjacent lots (13A and 15). Planning Staff supports the recommendation of the Traffic Engineer to require



## Metro Planning Commission Meeting of 10/13/05

cross access to adjacent lots and remove one of the driveways on lot 14.

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### STORMWATER RECOMMENDATION

Returned for Corrections

1. Delete the comment for the 50 foot stream buffer. Keep the buffer note: "25' buffer from top of bank or 30' from centerline, whichever is greater". Show the buffer to be at least 60 feet wide.
2. Either provide the 60' buffer for the full length of the stream or submit a drainage area delineation showing where the 40-acre drainage begins.
3. Add a water quality concept.
4. Add the location (map and parcel, or other) of the detention area used for this lot.
5. Change the block title to "Lots 13B and 14", instead of 17 and 18.
6. The FEMA Map number cited is correct, but referred to as a "Community Panel" number.
7. Change to "FEMA Map" number.
8. Delete call-outs for existing structures in stream beds that were permitted previously.
9. A variance will be required for the proposed stream crossing prior to grading permit issuance.

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### PUBLIC WORKS RECOMMENDATION

The following are review comments for the submitted Crossings at Hickory Hollow preliminary PUD (84-87-P-13). This revised submittal only requests a change in land use from 13b and 14 from commercial to auto dealer / retail. Public Works' comments are as follows:

Approvals are subject to Public Works' review and approval of construction plans submitted with their final PUD.

Label and dimension right of way for existing and proposed roadways.



## Metro Planning Commission Meeting of 10/13/05

### Traffic Engineer Comments:

No exception Taken for land use revision.

The PUD Site plan shall be revised to show the following:

1. Provide cross access between parcels 13b and 13a and 13b and 14.
2. Two Driveways for 13 B shall be constructed as right in and right out with no median cuts on Crossings Blvd.
3. Western driveway for parcel 14 shall be constructed as right in right out with no median cut.
4. Eastern driveway as shown for parcel 14 will not be allowed. Access shall be by connection to the joint access easement/driveway identified on parcel 15A per the Preliminary PUD plan dated 3/13/03. This joint use driveway shall be constructed opposite the apartment driveway at the existing median cut.
5. Provide adequate sight distance at driveways.

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### CONDITIONS

1. The plan shall be revised to show one curb cut onto Crossings Boulevard for each lot and constructed cross access to the adjacent lots (lots 15A and 13A).
2. Approvals are subject to Public Works' review and approval of construction plans submitted with the final PUD and compliance with the recommendations listed above.
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. 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.



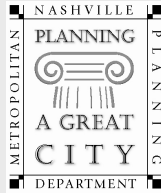
## Metro Planning Commission Meeting of 10/13/05

5. 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.
6. 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.



# Metro Planning Commission Meeting of 10/13/05

**Item # 22**



## Metropolitan Nashville Planning Department

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### 2006 Planning Commission Filing Deadlines & Meeting Schedule

**Filing Time:**  
4:30 PM filing closes  
Metro Planning Department

**Meeting Time & Location:**  
(or as otherwise may be announced)  
4:00 PM  
Howard Office Building Auditorium  
700 2<sup>nd</sup> Avenue South  
Nashville, TN 37201

<u>Filing Deadline</u>	<u>Meeting Date</u>
12/1/05	1/12/06
12/15/05	1/26/06
12/29/05	2/09/06
1/12/06	2/23/06
1/26/06	3/09/06
2/09/06	3/23/06
3/02/06	4/13/06
3/16/06	4/27/06
3/30/06	5/11/06
4/13/06	5/25/06
4/27/06	6/08/06
5/11/06	6/22/06
6/01/06	7/13/06
6/15/06	7/27/06
6/29/06	8/10/06
7/13/06	8/24/06
8/03/06	9/14/06
8/17/06	9/28/06
8/31/06	10/12/06
9/14/06	10/26/06
9/28/06	11/09/06
11/02/06	12/14/06
11/30/06	1/11/07