



**METROPOLITAN GOVERNMENT  
OF NASHVILLE AND DAVIDSON COUNTY**

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

**Minutes  
Of the  
Metropolitan Planning Commission**

*October 27, 2005*

\*\*\*\*\*

*4:00 PM*

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

**PLANNING COMMISSION:**

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

**Staff Present:**

Rick Bernhardt, Executive Director  
Ann Hammond, Assistant Director  
Margaret Holleman, Legal Counsel  
David Kleinfelter, Planning Mgr. II  
Bob Leeman, Planner III  
Kathryn Fuller, Planner III  
Trish Brooks, Admin. Svcs. Officer 3  
Luis Pereira, Planner I  
Jason Swaggart, Planner I  
Adriane Harris, Planner II  
Nekya Young, Planning Tech I  
Jennifer Carlat, Communications  
Keith Covington, Planning Mgr. II  
Lee Jones, Planner II

**I. CALL TO ORDER**

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

**II. ADOPTION OF AGENDA**

Ms. Hammond announced that there were no changes to the agenda.

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

**III. APPROVAL OF OCTOBER 13, 2005 MINUTES**

Mr. Ponder moved and Ms. Nielson seconded the motion, which passed unanimously to approve the October 13, 2005 minutes as presented. (9-0)

**IV. RECOGNITION OF COUNCILMEMBERS**

Councilmember Ryman stated he would reserve his comments until after his items were presented to the Commission.

Councilmember Craddock stated he would reserve his comments until after his items were presented to the Commission.

Councilmember Toler spoke in favor of Item #18 – 2005S-218G-12 and Item #23 – 2005S-303G-12 which were on the Consent Agenda for approval.

Councilmember Bradley stated he understood staff's recommendation for the disapprovals on Items #2 – 2005Z-065U-12 and #3 – 2005P-025U-13. He then stated he would reserve his comments for Item #4 – 2005Z-123U-13, Item #5 – 2004P-

022U-13 and Item #6 – 2005UD-008U-13 until after they were presented to the Commission. He also introduced Isabel Ross, a USN senior, who is working as a volunteer intern for him.

Councilmember Coleman spoke in favor of Item #27 – Adoption of Policy for Staff Analysis of Applications within the Identified Infrastructure Deficiency Areas. He stated that the modifications of this policy will improve future development for his Council district.

Councilmember Gotto was present at the meeting and did not address the Commission.

Councilmember Shulman spoke in favor of Item #14 – 2005Z-156U-10. He stated that that the residents of this area contacted him and requested this zone change. He also spoke in favor of #15 – 2005UD-005U-10.

Council Lady Baldwin Tucker spoke regarding Item #1 – 2004Z-021G-03. She mentioned she would like to hold a neighborhood meeting with area residents to discuss this proposal. She stated that she has spoke with the developer who is in agreement to defer.

Councilmember Hart stated he would reserve his comments until after his items were presented to the Commission.

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

Ms. Hammond announced there were no items to be deferred or withdrawn from the agenda.

Mr. Lawson announced that there were several written requests before the Commission, requesting Item #26 – Adoption of Commission Policy for Interpretation of “Cluster Lot” Provisions of the Metro Code be deferred until November 10, 2005.

Mr. Ponder moved and Mr. Small seconded the motion, which passed unanimously, to defer Item #26 – Adoption of Commission Policy for Interpretation of “Cluster Lot” Provisions of the Metro Code to November 10, 2005, as requested. (9-0)

**VI. PUBLIC HEARING: CONSENT AGENDA  
PUBLIC HEARING: ZONING MAP AMENDMENTS**

- 11. 2005Z-144U-13 Request to change from R10 to CS district property located at Murfreesboro Pike (unnumbered), between Kermit Avenue and Jupiter Drive - Approve CL but, Disapprove CS
- 14. 2005Z-156U-10 Request to change from R10 to RS10 various properties located between Maplehurst Avenue and Woodvale Drive, and between Granny White Pike and Lealand Lane - Approve
- 15. 2005UD-005U-10 Bedford Avenue UDO Amendment - Request to amend the Bedford Avenue Urban Design Overlay district to modify variations to the conventional standards of the underlying zoning - Approve
- 16. 2005UD-009U-10 Hillsboro Village UDO Amendment - Request to amend the Hillsboro Village Urban Design Overlay (UDO) district located on various properties between Magnolia and Wedgewood to modify variations to the conventional standards of the underlying zoning - Approve

**FINAL PLATS**

- 18. 2005S-218G-12 Sayasack Estates - Request for final plat approval to create three lots located on the south side of Old Hickory Boulevard and at the south end of Legacy Drive - Approve with conditions including a condition that prior to recordation, show and dimension right of way along Old Hickory Boulevard at property corners. Label and dedicate right of way 30 feet from pavement centerline, consistent with the approved major street / collector plan.
- 20. 2005S-297G-06 Walnut Hill Manor - Request for final plat approval to - Approve with the

- |     |   |   |
|-----|---|---|
|     | create one lot located on the northeast corner of Stirrup Drive and Stirrup Court -   | condition that the lot cannot be further subdivided                         |
| 21. | 2005S-299G-06 Edobor Final Plat - Request for final plat approval to create one lot located on the east side of Tolbert Road                                | - Approve   |
| 22. | 2005S-300U-08 North Nashville - Resub Lot 157 & 159 - Request to amend the lot line between two existing lots, located on the east side of 6th Avenue North | - Approve   |
| 23. | 2005S-303G-12 Bobby Hall's Burkitt Road Subdivision - Request for final plat approval to create 2 lots located on the south side of Burkitt Road            | - Approve w/ conditions, including variance for a lot with no road frontage |

**PLANNED UNIT DEVELOPMENTS**

- |     |  |                           |
|-----|--|---------------------------|
| 24. | 2005P-007U-08 John Henry Hale Homes - Request for final approval of a residential Planned Unit Development located on the southeast corner of Jo Johnston Avenue and 17th Avenue North, to permit the construction of 228 multi-family units, including a community building and management office   | - Approve w/ conditions   |
| 25. | 2005P-008G-06 Harpeth Village (Phase 1), Publix - Request for final approval for phase one of a Planned Unit Development district located at 7727, 7739, 7745 Old Harding Pike, 8020, 8024, 8036 Highway 100, Old Harding Pike (unnumbered), and Highway 100 (unnumbered), (8.10 acres), to permit the development of a 45,600 square foot grocery store, and 23,100 square feet of retail | - Approve with conditions |
| 27. | Adoption of Policy for Staff Analysis of Applications Within the Identified Transportation Infrastructure Deficiency Areas   |                           |

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

**VII. PUBLIC HEARING:**  
**ZONING MAP AMENDMENTS**

1. **2004Z-021G-03**  
Map 039, Parcel portion of 94  
Subarea 3 (2003)  
District 3 - Carolyn Baldwin Tucker

A request to change from AR2a to RM4 a portion of property located at 5424 Clarksville Pike, approximately 350 feet southeast of Old Hickory Blvd., (22 acres), requested by Jim Lukens, P.E., Lukens Engineering Consultants, applicant, for Carroll and Greg Richardson, owners.

**Staff Recommendation: Disapprove**

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

Mr. Greg Richardson, owner, stated he would be in favor of deferring this zone change request.

Mr. Clark spoke in opposition to the zone change request.

Mr. Wayne Warner, 6497 Old Hickory Blvd., spoke in opposition to the zone change request.

Mr. Charles Miller 6470 Old Hickory Blvd., spoke in opposition to the proposal.

Ms. Mary Jane Dewey, 6450 Old Hickory Blvd., spoke in opposition to the proposal.

Mr. Robert Sutton, 5385 Simpkins Road, spoke in opposition to the proposal.

Ms. Nielson moved and Mr. Loring seconded the motion, which passed unanimously to defer Zone Change 2004Z-021G-03 indefinitely at the request of the applicant as well as Council Lady Baldwin Tucker. **(9-0)**

**Resolution No. RS2005-383**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2004Z-021G-03 is **DEFERRED INDEFINITELY.**  
**(9-0)**

2. **2005Z-065U-13**  
 Map 149, Parcel portion of 200  
 Subarea 13 (2003)  
 District 33 - Tommy Bradley

A request to change from R15 to CS district on a portion of property located at 519 Bell Road, south of Murfreesboro Pike (1.06 acres), requested by Terry D. Stevens of the Stevens Group, applicant for Barbara C. Dobson, et. al, owner (see PUD #2005P-025U-13).

**Staff Recommendation: Disapprove**

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

**Existing Zoning**

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

**Proposed Zoning**

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

**ANTIOCH-PRIEST LAKE COMMUNITY PLAN**

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

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

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

**RECENT REZONINGS** - None.

**PUBLIC WORKS RECOMMENDATION** - No exception taken.

Typical Uses in Existing Zoning District: R15

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

Typical Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Car wash(948)	1.71	0.188	14,004	na	na	15

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--						10

Maximum Uses in Existing Zoning District: R15

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

Maximum Uses in Proposed Zoning District: CS

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

\*Adjusted as per use

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	--	--	--	4358		318

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

- 3. **2005P-025U-13**  
 Jeric Commercial PUD  
 Map 149, Parcel portion of 200  
 Subarea 13 (2003)  
 District 33 - Tommy Bradley

A request for preliminary approval of a commercial Planned Unit Development located on a portion of property on the west side of Bell Road, west of Murfreesboro Pike (1.06 acres), classified R15 and proposed for CS, to allow for the development of a 5,301 Sq. Ft. car wash, requested by Fulghum, Macindoe and Associates, applicants, for Barbara Rose Dobson et al, owner.

**Staff Recommendation: Disapprove**

**Staff Recommendation** - Disapprove, including a recommendation to the Board of Zoning Appeals to disapprove variance requests for residential setbacks, wash bays opening toward residentially zoned property, and for landscape buffer yard.

**APPLICANT REQUEST - Preliminary PUD**

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

**ZONING & LAND USE POLICY**

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

**Antioch-Priest Lake Community Plan**

Residential Medium High (RMH) Land Use Policy - The proposed CS zoning district is not consistent with the RMH policy intended for residential development at a density of nine to twenty units per acre.

## PLAN DETAILS

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

Variance (Section 17.16.070F) Carwash Requirements - The plan proposes two wash bays opening toward residentially zoned (R15) properties to the west, which is not allowed by the Zoning Ordinance. The applicant has requested a variance to this section of the Zoning Ordinance. Section 17.16.070F of the Zoning Ordinance states: "All washing facilities shall be located within a structure which is enclosed except those openings necessary for vehicular and pedestrian access. Such opening shall not face any adjacent residentially zoned property." The applicant has stated that the hardship is that the lot is narrow and long-- resulting in the layout of the proposed car wash.

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

Variance (Section 17.24.030) Landscape Buffer Yard -The applicant has also requested a variance for the 20' minimum requirement for landscape buffer yard between CS zoning and R15 zoning. The applicant is not showing a landscape buffer yard, but may be able to provide 14', which would still require a variance from the Board of Zoning Appeals. The applicant has cited the following as the unique hardship:

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

Staff Recommendation - Staff recommends disapproval of all three variance requests since there is no unique hardship presented. The current land use policy does not support this land use. A Detailed Neighborhood Design Plan is being developed for this area. The DNDP will provide appropriate design guidelines for this area. It is not known whether this proposed car wash will be consistent with those design standards.

Re-referral - The Council member has requested that the following conditions be added to the bill and re-referred to the Commission for consideration. The requested conditions are:

Monument Sign - (Foundation/Brick to match brick of Car Wash)

100% Brick

No Motor Vehicle Storage

No Motor Vehicle Sales

No Motor Vehicle Repair

Define Hours of Operation as being from **8:00 am to dark** (The Zoning Code currently limits the hours of operation for a carwash located near residential uses to 8:00 am to 10:00 pm)

Gated Entrance (Closed and Locked after hours)

Underground Utilities

Typically, staff would not recommend these types of conditions for inclusion in a PUD. These may be appropriate conditions once the DNDP has been established in this area, however to deal with design issues. These conditions still do not change the recommendation from staff because the proposed use is not consistent with the existing land use policy.

**STORMWATER RECOMMENDATION** - Stormwater has recommended approval of the preliminary PUD plan on 8/10/05.

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

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

**CONDITIONS (If approved)**

1. All Public Works recommendations listed above shall be required.
2. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
3. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
4. Subsequent to enactment of this planned unit development overlay district by the Metropolitan Council, and prior to any consideration by the Metropolitan Planning Commission for final site development plan approval, a paper print of the final boundary plat for all property within the overlay district must be submitted, complete with owner's signatures, to the Planning Commission staff for review.
5. Unless added as a condition by Council, 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.

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

Ms. Nielson moved and Mr. McLean seconded the motion, which passed unanimously to disapprove Zone Change 2005Z-065U-13, and Planned Unit Development 2005P-025U-13. **(9-0)**

**Resolution No. RS2005-384**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2005Z-065U-13 is **DISAPPROVED. (9-0)**

**The proposed CS district is not consistent with the Antioch-Priest Lake Community Plan's Residential Medium High policy calling for residential development at 9 to 20 dwelling units per acre."**

**Resolution No. RS2005-385**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2005P-025U-13 is **DISAPPROVED. (9-0)**

**The requested PUD plan and associated rezoning from R15 to CS are not consistent with the Antioch-Priest Lake Community Plan's Residential Medium High policy calling for residential development at 9 to 20 dwelling units per acre."**

4. **2005Z-123U-13**  
Map 150, Parcels 119, 164, 44  
Subarea 13 (2003)

## District 33 - Tommy Bradley

A request to change from RS7.5 to RM9 (6.0 acres) district property located at 3161 Hamilton Church Road and to change from AR2a to RM9 (18.17 acres) and RM20 (12.25 acres) district property located at 3300 Murfreesboro Pike (36.42 total acres) requested by the Metro Planning Department, applicant, for Councilmember Bradley.

**Staff Recommendation: Approve**

**Staff Recommendation** -Approve zone change with associated Urban Design Overlay.

**APPLICANT REQUEST** - Rezone 6 acres from single family residential (RS7.5) to multi-family residential (RM9) district property located at 3161 Hamilton Church Road; and rezone 18.17 acres from agricultural and residential (AR2a) to multi-family residential (RM9) and 12.25 acres from agricultural and residential (AR2a) to multi-family residential (RM20) district property located at 3300 Murfreesboro Pike.

**Existing Zonings**

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.

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 Zonings**

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

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

**ANTIOCH/PRIEST LAKE COMMUNITY PLAN**

Corridor General (CG) - Corridor General is the Structure Plan classification for areas at the edge of a neighborhood that extend along a major street and are predominantly residential in character. Corridor General areas are intended to contain a variety of residential development ranging from single-family houses to multi-family buildings. Offices, commercial, and other nonresidential uses are not appropriate in CG areas.

The intensity of development within CG areas should decrease with distance from centers of activity and distance away from the corridor. Development along interfaces with adjoining Structure Plan areas should be designed to provide a smooth, seamless transition from one area to the other. Ideally, CG areas would consist of primarily alley-loaded buildings with rear parking to minimize the interference with thoroughfare access.

Neighborhood General - Neighborhood General is a Structure Plan classification for areas that are primarily residential in character. To meet a spectrum of housing needs, ideally, NG areas contain a variety of housing that is carefully arranged, not randomly located. For example, medium density housing, such as townhouses, might be located on busy streets that connect a neighborhood to the existing regional transportation network in order to provide a transition from a busy street to lower intensity housing within the neighborhood. Multi-family development is also appropriate provided the location and the particular type of residential development proposed are supported by a detailed neighborhood design plan or overlay. Regardless of location, the right mix of density is the key to the success of a NG area. Too much of one type of residential development could be detrimental to the neighborhood. All NG areas are intended to be integral elements of planning neighborhoods.

**Policy Conflict** - No. The proposed RM9 district is consistent with the Antioch/Priest Lake Community Plan's existing policy of Neighborhood General, and the proposed RM20 district is consistent with the existing Corridor General policy. Both land use policies recommend that an Urban Design (UDO) or Planned Unit Development (PUD) overlay accompany proposals in the area to assure that it conforms to the intent of the policy. There is an accompanying UDO (Hamilton Hills UDO—2005UD-008U-13) that was designed expressly to implement the existing land use policies.

**RECENT REZONINGS** - 3161 Hamilton Church Road was recently rezoned to RS7.5 with an accompanying PUD. The Harden Property PUD is being canceled with the approval of the owner in order to develop the property under the proposed RM9 zoning and proposed Hamilton Hills UDO.



**PUBLIC WORKS RECOMMENDATION** - An access study may be required at development; cross access to adjacent parcels may be required.

Additional comments may be forthcoming prior to the Planning Commission meeting. If additional comments/conditions are added, staff will inform the Commission at the meeting.

**METRO SCHOOL BOARD REPORT**

**Projected student generation**     40 Elementary   26 Middle     20 High

**Schools Over/Under Capacity** -Students would attend Edison Elementary School, Kennedy Middle School, and Antioch High School. Kennedy Middle and Antioch High School have been identified as being over capacity by the Metro School Board. There is capacity at another middle school within the cluster. There is high school capacity in the adjacent Glenclyff cluster. This information is based upon data from the school board last updated February 3rd, 2005.

*[Note: Items #4, #5, and #6 were discussed by The Metropolitan Planning Commission together. See Item #6 for actions and resolutions.]*

- 5.     **2004P-022U-13**  
        Harden Property  
        Map 150, Parcel 119  
        Subarea 13 (2003)  
        District 33 - Tommy Bradley

A request to cancel a Planned Unit Development district at 3161 Hamilton Church Road, located abutting the south side of Hamilton Church Road, 1,600 feet east of Murfreesboro Pike, classified RS7.5, (6.0 acres), approved for 27 single-family lots, requested by the Metro Planning Department and Councilmember Bradley.

**Staff Recommendation: Approve**

**APPLICANT REQUEST - Cancel PUD**

Request to cancel a Planned Unit Development district, classified RS7.5, (6.0 acres), approved for 27 single-family lots, and located on the south side of Hamilton Church Road, 1,600 feet east of Murfreesboro Pike.

**PLAN DETAILS** - he PUD plan is being cancelled in order to include this property in the Hamilton Hills UDO (2005UD-008U-13).

**ANTIOCH/PRIEST LAKE COMMUNITY PLAN**

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

The cancellation of the Harden PUD, along with the application of the Hamilton Hills UDO is consistent with the Antioch Priest Lake Community Plan’s NG policy. This new UDO will bring the property in exact compliance with the Community Plan’s policy, while the existing PUD was not completely consistent.

**PUBLIC WORKS RECOMMENDATION** - No exceptions taken if cross access to adjacent parcels remains.

*[Note: Items #4, #5, and #6 were discussed by The Metropolitan Planning Commission together. See Item #6 for actions and resolutions.]*

- 6.     **2005UD-008U-13**  
        Hamilton Hills  
        Map 150, Parcels 114, 119-122, 125-128, 183, 204  
        Map 164, Parcels 42-46 and 48-51  
        Subarea 13 (2003)  
        District 33 - Tommy Bradley

A request for preliminary approval for an Urban Design Overlay district located at 3100, 3124, 3214, 3300 and 3332 Murfreesboro Pike, 5925, 5953, 5969, 5995 and 6005 Mt. View Road, 3161, 3173, 3179, 3183, 3201, 3205, 3209, 3215,

3221, 3227 and 3233 Hamilton Church Road, within the area bounded by Murfreesboro Pike, Hamilton Church Road, and Mt. View Road, (120.14 acres), to permit a mixture of building types for a maximum of 1,100 overall dwelling units, requested by the Planning Department and Councilmember Bradley for various property owners.

**Staff Recommendation: Approve with conditions**

**APPLICANT REQUEST - Preliminary UDO**

Request to adopt a preliminary Urban Design Overlay (UDO) to allow for the development of a mixture of residential building types and a portion of mixed-use commercial on a total of 120.14 acres. The site is located in the area bounded by Murfreesboro Pike, Hamilton Church Road, and Mt. View Road.

**ZONING & LAND USE POLICY**

**Existing Zoning--AR2a, RS7.5, and CS**

This request for preliminary UDO approval is associated with a zone change request to change from RS7.5 to RM9, to change from AR2a to RM9 and RM20, and a PUD cancellation.

**ANTIOCH/PRIEST LAKE COMMUNITY PLAN**

**Corridor General (CG), Neighborhood General (NG), and Neighborhood Center (NC)** - This Urban Design Overlay was designed specifically to implement the existing land use policies in the area.

**PLAN DETAILS**

**Overall Site Plan** - This overlay is being placed on 21 individually owned properties in the Antioch area. The plan has been designed to allow large parcels to develop individually; however, the plan promotes incremental growth that results in coordinated and compatible design features, as if all of the properties were to develop under a single ownership. Two property owners have requested to have their properties rezoned consistent with the overlay. The remaining 19 property owners are expected to request to rezone their properties to comply with the overlay at a later date.

The Hamilton Hills Illustrative Concept Plan implements the existing Corridor General land use policy by providing stacked flat (multi-family) building types along Murfreesboro Pike. The plan further corresponds with the policy by decreasing residential intensities away from the arterial corridor and providing a smooth, seamless transition into the adjacent Neighborhood General land use policy area. As the policy suggests, development in this area consists of primarily alley-loaded buildings with rear parking to minimize the interference with thoroughfare access.

The portion of the plan that falls within the Neighborhood General land use policy area contains a variety of housing that is carefully arranged, not randomly located. For example, medium density housing, such as townhouses, are located along Mt. View Road and Hamilton Church Road to provide a transition from these busy streets to lower intensity housing within the neighborhood. Higher density housing is also located at the top of a hill, near the identified neighborhood center along Hamilton Church Road. Since the right mix of density is the key to the success of a Neighborhood General area, this plan places maximum percentages on individual building types to insure that an appropriate mix is realized. Small open spaces (parks, greens, squares, plazas) are integrated into the overall open space system. This area contains both alley-loaded and front-loaded buildings as prescribed by the policy.

The plan also provides a small, intense neighborhood center at the intersection of Murfreesboro Pike and Mt. View Road. Commercial Mixed-use buildings are allowed in this location and are intended to frame a small plaza created by the acute intersection. Buildings are primarily alley-loaded with parking located to the rear or side.

The design of this community will help realize the vision of the overall Antioch/Priest Lake Community Plan to achieve a socially and economically diverse community, provide adequate infrastructure for new development, and preserve natural features. This plan creates a community that is compact, walkable, and contains a variety of building types—all of which meet the intent of the Urban Design Overlay district. Goals and Objectives within the document embody the intent of the Urban Design Overlay to create a sense of place by fostering pedestrian-friendly development.

Seven sub-districts with specific design characteristics have been created to implement the land use policy and to achieve the overall vision of the community. Specific design standards have been developed for each subdistrict by building type. The Building Regulating Plan will make development within each sub-district succinct and predictable. The sub-districts cover the least intense areas of the community consisting of larger homes on larger lots up to the most urban and dense building types along Murfreesboro Pike.

Building Types - The following building types are proposed as part of the UDO plan:

**Sub-district 1:**

- House- Single-family detached houses with a minimum lot size of 7,500 square feet with garages accessed from the facing street.

**Sub-district 2:**

- Cottage- Single-family detached houses with a minimum lot size of 5,000 square feet with parking accessed via a rear lane or side street.

**Sub-district 3:**

- Cottage- Single-family detached houses with a minimum lot size of 4,000 square feet with parking accessed via a rear lane or side street.
- Townhouse- Single-family attached buildings with a minimum lot size of 1,600 square feet with parking accessed via a rear lane or side street.

**Sub-district 4:**

- Townhouse- Single-family attached buildings with a minimum lot size of 1,600 square feet with parking accessed via a rear lane or side street.

**Sub-district 5:**

- Cottage Courtyard- Single-family detached housing with rear alley access. The Cottage Courtyard type permits cottages arranged around a courtyard.
- Townhouse Courtyard- Single-family attached buildings with rear alley access. The Townhouse Courtyard type permits townhouses arranged around a courtyard.

**Sub-district 6:**

- Flat- Multi-family building type with units on top of each other.

**Sub-district 7:**

- Live/Work- Single-family attached housing with ground floor storefront for residential, office, and retail store
- Commercial/Mixed-use- Occupies the full frontage of its lot with vehicular access via a rear service lane or driveway. Primary pedestrian entrances are located along the street frontage of the building.

General architectural standards, including building materials, for all buildings within the UDO are also provided within the document.

**Streets and Access** - The UDO area has frontage on Murfreesboro Pike, Hamilton Church Road, and Mt. View Road. The plan proposes access from all three arterials. The street network involves four proposed street cross-sections, and all four are current Metro standard sections with embellishments to the planting strips and sidewalks. The four streets include a divided street, a low-density residential street, a medium-density residential street, and a “connector” street. Connector streets provide primary connections from the neighborhood out to adjacent arterials. These streets are designed to disperse traffic efficiently and are lined with higher-density residential buildings. Slight variations of the Major Street Plan’s urban arterial standards are also offered for the existing arterials surrounding the UDO area. The variations include wider planting strips to accommodate street trees.

**Environmental / Open Space** - The design of Hamilton Hills provides a variety of formal and informal parks and open spaces for the enjoyment of the community. The following open space types have been included in the illustrative concept plan:

- Eyebrow- An informal open space created along a street that preserves an existing natural feature that is in the path of the street.
- Green- A medium-sized formal or informal open space for unstructured recreation with residential buildings fronting all sides.
- Playground- A formal or informal open space that accommodates recreational equipment for children.
- Plaza- A formal open space that is composed of hardscaped areas and is fronted on all sides by buildings with a mix of uses.
- Pocket Park- A formal or informal open space formed by the remaining space between streets, blocks, and buildings.

The document provides required standards for open space, street trees, screening, and detention.

**PUBLIC WORKS RECOMMENDATION** - Recommend deferral until a TIS is prepared and approved by the Metro Traffic Engineer.

Following are Public Works conditions and comments for the Hamilton Hills UDO (2005UD-008U-13) from the review of the illustrative plan and draft document.

**Engineering Division**

1. All roadway geometry shall support usage by SU30 (service and fire) design vehicles and the projected traffic volumes.

**Traffic Division**

1. Further conditions will be required, as applicable, as final plans are developed and submitted for approval.

**FIRE MARSHAL RECOMMENDATION**

1. No Part of any building shall be more than 500 feet from a fire hydrant via an approved hard surface road. Metro Ordinance 095-1541 Sec: 1568.020B
2. Fire hydrants should flow at least 1,000GPM @40psi.
3. Roadways shall be at least 20 feet in clear width with no parking for two-way traffic.
4. Roadways shall be at least 14 feet of clear width with no parking for one-way Traffic.
5. If parking is provided it shall be added to the minimum roadway width.
6. Dead end roadways over 150 feet in length require a 100 foot diameter turnaround or a T-type that is approved by the Fire Marshal's Office.

**CONDITIONS**

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 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.
2. As per the Hamilton Hills UDO guidelines, a Traffic Impact Study may be required at each final UDO phase. Traffic conditions will be required, as applicable, as final plans are developed and submitted for approval.

Mr. Leeman presented and stated that staff is recommending approval of Zone Change 2005Z-123U-13 with the associated Urban Design Overlay, approval of canceling the Planned Unit Development 2004P-022U-13 with the associated Urban Design Overlay, as well as approval with conditions on Urban Design Overlay 2005UD-008U-13.

Councilmember Bradley spoke in support of this overlay and indicated that many of the property owners affected by this proposal were also in support. He did mention there were some Public Works issues associated with it and that he would continue to work on them prior to the third reading at Council. In closing, he commended Lee Jones for his work on this proposal and stated that this overlay will enhance this community.

Ms. Nielson and Mr. Ponder seconded the motion, which passed unanimously to approve Zone Change 2005Z-123U-13 with the associated Urban Design Overlay, approve the cancellation of the Planned Unit Development 2004P-022U-13 with the associated Urban Design Overlay, as well as approval with conditions on Urban Design Overlay 2005UD-008U-13. **(8-0-1) McLean abstained**

Mr. McLean stated that he abstained from voting on 2005Z-123U-13, 2004P-022U-13 and 2005UD-008U-13.

**Resolution No. RS2005-386**

**"BE IT RESOLVED** by The Metropolitan Planning Commission that 2005Z-123U-13 is **APPROVED. (8-0-1)**

The proposed RM9 district is consistent with the Antioch/Priest Lake Community Plan’s existing policy of Neighborhood General, and the proposed RM20 district is consistent with the existing Corridor General policy.”

**Resolution No. RS2005-387**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2004P-022U-13 is **APPROVED. (8-0-1)**

The cancellation of the Harden PUD, along with the application of the Hamilton Hills UDO is consistent with the Antioch Priest Lake Community Plan’s NG policy.”

**Resolution No. RS2005-388**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005UD-008U-13 is **APPROVED. (8-0-1)**

This Urban Design Overlay was designed specifically to implement the existing land use policies in the area, and is consistent with the Antioch Priest Lake Community Plan’s NG policy.”

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 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.*
2. *As per the Hamilton Hills UDO guidelines, a Traffic Impact Study may be required at each final UDO phase. Traffic conditions will be required, as applicable, as final plans are developed and submitted for approval.”*

Amended by MPC on 12/8/05 – See 12/08/05 minutes

7. **2005Z-137U-05**  
Map 061, Parcels 9, 9.01, 46  
Map 61-03, Parcels 72, 73, 74, 75 76, 77, 78, 78.01  
Subarea 5 (1994)  
District 4 - Michael Craddock

A request to change from RS7.5 to SCR district property located at 1001, 1005, 1007, 1009, 1011, 1013, 1015 Joyce Lane, and Joyce Lane (unnumbered), and 5007 Gallatin Pike (16.27 acres), requested by Kroeger Real Estate, applicant for owners, Robert N. Moore Jr., Millard V. Oakley, John H. Tunstall, Jr., Wendell B. Woods, Lloyd and Clenna Pate, Mary J. Wheeler, Robert King Jr., Walter B. Bumpus, Otto Werrbach, J.B. Warner.

**Staff Recommendation: Disapprove**

**APPLICANT REQUEST** - Request to change approximately 16.27 acres located at 1001, 1003, 1005, 1007, 1009, 1011, 1013, 1015 Joyce Lane, and Joyce Lane (unnumbered), and 5007 Gallatin Pike from RS7.5 to SCR district.

**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**

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

**Subarea 5 Community Plan**

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

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

**North Gallatin Road CAE Area**

Design Plan - This policy is intended to achieve a particular mix and arrangement of land uses within the area of CAE policy along both sides of Gallatin Road between the CSX railroad crossing to Briley Parkway.

**Policy Conflict** Yes. The proposed SCR district is not consistent with the low to medium residential land use

recommended by the RLM policy.

**PUBLIC WORKS RECOMMENDATION - In accordance with the 2005 TIS and TIS supplement:**

1. Approve, subject to final design and approved by Public Works and the Tennessee Department of Transportation.
2. Developer shall realign the Briley Parkway eastbound on-ramp and the eastbound to southbound off-ramp. These ramps shall be located opposite Joyce Lane. Developer shall modify off-ramp per Tennessee Department of Transportation determination.
3. Developer shall modify the existing median on Gallatin Pike to allow through and left turning movements from Joyce Lane and to allow northbound traffic on Gallatin Pike to turn left onto Joyce Lane.
4. Developer shall construct a northbound left turn lane on Gallatin Pike at Joyce Lane with a minimum of 150 feet of storage length with transition per AASHTO standards.
5. Developer shall rebuild the traffic signal at Briley Parkway on-ramp / Gallatin Pike and Joyce Lane to accommodate roadway modifications. Replace existing poles with mast arms. Pedestrian signals and facilities shall be provided per ADA standards. Developer shall submit signal plans to Metro Traffic Engineer for approval.
6. Developer shall modify the existing southbound left turn lane on Gallatin Pike at the Briley Parkway on-ramp and construct a minimum storage length of 660 feet. This southbound left turn lane shall abut the northbound left turn lane. Northbound left turn lane storage shall be determined with future analysis.
7. On Joyce Lane at Gallatin Pike intersection, Developer shall construct an eastbound left turn lane with a minimum of 350 feet of storage, a separate through lane and a separate right turn lane with 150 feet of storage with transition per AASHTO standards.
8. Out parcel driveway on Joyce Lane shall be eliminated by developer and access provided by cross access from superstore access driveway.
9. Developer shall reconstruct Joyce Lane to provide a three lane cross section, including a full with pavement overlay with transition per AASHTO standards. Curb & gutter and sidewalk shall be constructed on both sides of Joyce Lane.
10. Developer shall reconstruct Gallatin Pike to provide three southbound lanes from the westbound off-ramp from Briley Parkway to Solley Drive.
11. Developer shall construct a westbound right turn lane on Joyce Lane at main driveway with a minimum of 75 feet of storage and transition per AASHTO standards.

**Typical Uses in Existing Zoning District: RS7.5 (does not include existing PUD use)**

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)	16.27	4.94	78	829	64	86

**Maximum Uses in Proposed Zoning District: SCR/PUD**

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
HOME IMPROVEMENT (862)	16.27	n/a	104,456 (does not include outparcels)	3295	126	256

**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

--				2466	62	170
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[Note: Item #7, #8, #9, and #10 were discussed by The Metropolitan Planning Commission together. See Item #10 for actions and resolutions.]

- 8. **2005P-027U-05**  
 Home Depot  
 Map 061, Parcels 9, 9.01, 46,  
 Map 61-03, Parcels 72, 73, 74, 75, 76, 77, 78, 78.01  
 Subarea 5 (1994)  
 District 4 - Michael Craddock

A request for preliminary approval for a commercial Planned Unit Development district to be located at 5007 Gallatin Pike, 1001, 1003, 1005, 1007, 1009, 1011, 1013, 1015 Joyce Lane, and Joyce Lane (unnumbered), (16.27 acres), classified RS7.5 and proposed for SCR, to permit the development of a 133,007 square foot retail unit, and two 7,300 square foot buildings on 2.18 acre out parcel, requested by Kroeger Real Estate, applicant, for Robert N. Moore Jr., Millard V. Oakley, John H. Tunstall, Jr., Wendell B. Woods, Lloyd and Clenna Pate, Mary J. Wheeler, Robert King Jr., Walter B. Bumpus, Otto Werrbach, J.B. Warner, owners (See 2005Z-137U-05).

**Staff Recommendation: Disapprove**

**APPLICANT REQUEST - Preliminary PUD**

Request for preliminary approval of a Planned Unit Development overlay, to be located at 5007 Gallatin Pike, 1001, 1003, 1005, 1007, 1009, 1011, 1013, 1015 Joyce Lane, and Joyce Lane (unnumbered), (16.27 acres), to permit the development of a 133,007 square foot retail store, and two 7,300 square foot buildings on 2.18 acre out parcel.

**PLAN DETAILS**

Site Design - As proposed the development will consist of a single commercial retail unit for Home Depot with approximately 133,007 sq. ft. of floor area. The site plan and data tables provided by the applicant are inconsistent. According to the data table the total area to be used for retail is 132,554 sq. ft.; however, the plan shows 133,007 sq. ft. The building will be located along the western property line, and will be oriented towards Gallatin Pike (east).

Parking Section 17.20.030 requires one parking space per 200 square feet for home improvement sales. The total number of parking spaces required for this development is 665 (133,007 sq. ft. / 200 = 665). The plan proposes a total of 516 parking spaces, which is approximately one parking space per 256 sq. ft. Also, the plans identify an area within the parking area designated for outdoor display (15 spaces) that further decrease the number of parking spaces to 501 (approximately one parking space per 265 sq. ft.). Display areas are not a permitted use within parking areas.

Sidewalks - Sidewalks are identified on some of the internal portions of the plan, but not along Joyce Lane, as is required by the Zoning Code. A coordinated pedestrian network is not provided in the applicant’s plan.

Outparcel - A 2.18 acre outparcel is identified on the plan, but, the plan does not specify any proposed use. It does identify two 7,300 sq. ft. building pads, as well as a location for “house relocation” (the main house on the property, Evergreen Place, has been demolished). The Code requires a PUD plan to identify uses, building locations, parking locations, and access locations for the outparcels. These have not been provided on the plan.

Buffer Yards - A “D” class buffer yard is required between the proposed SCR district and the RS7.5 district to the south of the site. The plan shows a 30 ft. wide “D” class buffer along a majority of the south perimeter, and a 15’ “D” class buffer near the Joyce Road and Gallatin Road intersection.

Access/Connections - As proposed, access will be provided along Joyce Lane, a residential street. The intersection of Joyce Lane and Gallatin Pike is within State right-of-way, and any improvements will require approval from the Tennessee Department of Transportation (TDOT). Conceptual approval from TDOT has been received by staff. The main access for the proposed Home Depot will be along Joyce Lane.

Environmental - Several springs are located just north of the site. The springs and their corresponding channels are waters of the State, and therefore, are regulated by the State Department of Environment and Conservation. A 40 acre drain traverses the site and the plan calls for it to be relocated underground. At this time, the relocation of the drain has not been

approved by the Stormwater Appeals Committee. Furthermore, the State has expressed concerns regarding the proposed development's impact on the springs. The State has neither approved nor specifically recommended disapproval of this development application, however.

Staff Concerns - As proposed, this application is deficient in many major areas. The proposed development will be within a well established residential neighborhood, and the proposed development will have a significant impact on the character of this residential neighborhood. The main entrance will be along Joyce Lane, and will introduce a dramatic increase in trips along Joyce Lane, as well as neighboring streets. Noise and other nuisance typically associated with this type of development will likely have a negative impact on the neighborhood.

The proposed SCR zoning is not consistent with the proposed land uses in the adopted Subarea 5 plan. The policy for the majority of the property is Residential Low Medium. The community plan is currently being updated, but the policy for this area has not changed in the current draft plan. Shortly after this application was filed, the applicants were told that a policy amendment was required, but it was not received until early October. The subarea amendment application is scheduled to be considered by the Planning Commission at the December 8, 2005, meeting.

As proposed, the number of parking spaces shown on the plan is not in compliance with the total number of parking spaces required by the Zoning Code. Furthermore, the plan identifies areas within the parking area for display, which is not allowed. Since this plan does not appear to provide the required number of parking spaces, a variance would be required from the Board of Zoning Appeals. The Planning Commission is required to make a recommendation to the BZA on variance within PUDs. Staff recommends disapproval of this variance since there is no identifiable hardship.

The Planned Unit Development overlay is intended to allow for the coordinated development of land. Preliminary PUDs typically serve as a concept plan, and should present a comprehensive view of the development. This concept is incomplete as no particular land use or plan is provided for the outparcel. Because of the intensity of the proposed use, and the impact it may have on the adjacent neighborhood, a comprehensive concept plan should be provided.

The plan calls for the abandonment and relocation of a 40 – acre drain. The request was indefinitely deferred by the Stormwater Appeals Committee. Furthermore, the State has expressed significant concerns with this development's impact on adjacent springs. As proposed, the drain is to be rerouted under ground.

One of the minimum performance standards of the PUD overlay districts is that environmentally sensitive areas such as major drains should be protected and preserved to a greater extent than what would result from development at the minimum protection standards of Chapter 17.28. The proposed relocation and piping of this drain does not meet this basic standard of the PUD overlay.

Staff Recommendation - Due to the incompleteness of this plan, the lack of consistency with the subarea policy, and numerous other significant problems listed above, staff recommends that this request be disapproved.

**PUBLIC WORKS RECOMMENDATION** - Any approval is subject to Public Works approval of the construction plans. Final design and improvements may vary based on field conditions.

**In accordance with the 2005 TIS and TIS supplement:**

1. Approve, subject to final design and approved by Public Works and the Tennessee Department of Transportation.
2. Developer shall realign the Briley Parkway eastbound on-ramp and the eastbound to southbound off-ramp. These ramps shall be located opposite Joyce Lane. Developer shall modify off-ramp per Tennessee Department of Transportation determination.
3. Developer shall modify the existing median on Gallatin Pike to allow through and left turning movements from Joyce Lane and to allow northbound traffic on Gallatin Pike to turn left onto Joyce Lane.
4. Developer shall construct a northbound left turn lane on Gallatin Pike at Joyce Lane with a minimum of 150 feet of storage length with transition per AASHTO standards.
5. Developer shall rebuild the traffic signal at Briley Parkway on-ramp / Gallatin Pike and Joyce Lane to accommodate roadway modifications. Replace existing poles with mast arms. Pedestrian signals and facilities shall be provided per ADA standards. Developer shall submit signal plans to Metro Traffic Engineer for approval.
6. Developer shall modify the existing southbound left turn lane on Gallatin Pike at the Briley Parkway on-ramp and construct a minimum storage length of 660 feet. This southbound left turn lane shall abut the northbound left turn lane. Northbound left turn lane storage shall be determined with future analysis.
7. On Joyce Lane at Gallatin Pike intersection, Developer shall construct an eastbound left turn lane with a minimum of 350 feet of storage, a separate through lane and a separate right turn lane with 150 feet of storage with transition per AASHTO standards.
8. Out parcel driveway on Joyce Lane shall be eliminated by developer and access provided by cross access from



- superstore access driveway.
9. Developer shall reconstruct Joyce Lane to provide a three lane cross section, including a full width pavement overlay with transition per AASHTO standards. Curb & gutter and sidewalk shall be constructed on both sides of Joyce Lane.
  10. Developer shall reconstruct Gallatin Pike to provide three southbound lanes from the westbound off-ramp from Briley Parkway to Solley Drive.
  11. Developer shall construct a westbound right turn lane on Joyce Lane at main driveway with a minimum of 75 feet of storage and transition per AASHTO standards.

**STORMWATER RECOMMENDATION** -Preliminary PUD returned for corrections (Stormwater recommends that the 40-acre drain disturbance be minimized or provide variance/appeal.) There is a 40-acre drain located onsite which requires a 25' buffer from top of bank (both sides). Remove all disturbance (building and parking) within the buffer area or provide a Stormwater variance for the buffer disturbance.

**CONDITIONS** (if approved)

1. All Public Works recommendations listed above shall be required.
2. Prior to final PUD approval plans and site data tables should be consistent.
3. The total number of provided parking spaces must meet parking requirements prior to final PUD approval.
4. An adequate sidewalk network that allows pedestrians to move safely throughout the development must be provided and approved by planning staff prior to final PUD approval.
5. Prior to final PUD approval, the plan should identify the uses and site layout of the out parcel. This may require an amendment to the plan.
6. Improvements within State owned right-of-way, must have final approval from TDOT prior to final PUD approval.
7. All stormwater appeals must be approved prior to final PUD approval. The plan may need to be amended if approvals are not given by the Stormwater Appeals Committee.
8. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Section of the Metropolitan Department of Public Works.
9. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
10. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
11. 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 copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission.
12. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
13. 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.

*[Note: Item #7, #8, #9, and #10 were discussed by The Metropolitan Planning Commission together. See Item #10 for*

*actions and resolutions.]*

- 9. 106-80-U-05**  
Grinstead Place  
Map 61, Parcel 9.01, 46  
Subarea 5 (1994)  
District 4 - Michael Craddock

A request to cancel a residential Planned Unit Development district, located at Joyce Lane (unnumbered), south of Briley Parkway (9.84 acres), classified RS7.5 approved for 96 condominium units, requested by Kroeger Real Estate, applicant, for Robert N. Moore Company, and Millard Oakley, owners.

**Staff Recommendation: Disapprove**

**APPLICANT REQUEST - Revise preliminary and final**

Request to cancel a 9.84 acre Residential Planned Unit Development located on the north side of Joyce Lane, that was approved for a 96 unit condominium complex.

**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.

**Subarea 5 Community Plan Residential Low Medium (RLM)** - RLM policy is intended to accommodate residential development within a density range of two to four dwelling units per acre. The predominant development type is single-family homes, although some town-homes and other forms of attached housing may be appropriate.

**PLAN DETAILS** - Applicant is requesting that the residential Planned Unit Development be canceled. The original plan was approved for a 96 unit condominium complex. Currently, the property is undeveloped. The owner is requesting that current PUD be canceled so that the property can be combined with adjacent properties that are proposed for a new commercial PUD.

**Staff Recommendation** - Staff recommends that the request be disapproved because the associated new PUD plan is not consistent with area policy.

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

*[Note: Item #7, #8, #9, and #10 were discussed by The Metropolitan Planning Commission together. See Item #10 for actions and resolutions.]*

- 10. 121-80-U-05**  
Jim Reeves Museum  
Map 61, Parcel 9  
Subarea 5 (1994)  
District 4 - Michael Craddock

A request to cancel a commercial Planned Unit Development district, located at 5007 Gallatin Pike, south of Briley Parkway (4.73 acres), classified RS7.5, and approved for a 5,200 square feet museum, and a 1,000 square feet souvenir shop, requested by Kroeger Real Estate, applicant, for Robert N. Moore Company, and Millard Oakley, owners.

**Staff Recommendation: Disapprove**

**APPLICANT REQUEST - Revise preliminary and final**

Request to cancel a 4.73 acre Commercial Planned Unit Development located at 5007 Gallatin Pike, that was approved for a 5,200 sq. ft. museum, and a 1,000 sq. ft. souvenir shop.

**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.

**Subarea 5 Community Plan**

**Residential Low Medium (RLM)** - RLM policy is intended to accommodate residential development within a density

range of two to four dwelling units per acre. The predominant development type is single-family homes, although some townhomes and other forms of attached housing may be appropriate.

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

**North Gallatin Road CAE Area**

**Design Plan** - This policy is intended to achieve a particular mix and arrangement of land uses within the area of CAE policy along both sides of Gallatin Road between the CSX railroad crossing to Briley Parkway.

**PLAN DETAILS** - Applicant is requesting that the Commercial Planned Unit Development be canceled. The original plan was approved for a 5,200 sq. ft. museum, and a 1,000 sq. ft. souvenir shop. The home that was used for the museum was demolished on September 22, 2005. The owner is requesting that current PUD be canceled so that the property can be combined with adjacent properties that are proposed for a new commercial PUD.

**Staff Recommendation** - Staff recommends that the request be disapproved because the associated new PUD plan is not consistent with area policy. The approved PUD overlay is less intense than the proposed PUD plan and is less intrusive to the adjacent neighborhood.

**PUBLIC WORKS RECOMMENDATION-No Exceptions Taken**

Mr. Swaggart presented and stated that staff is recommending disapproval of Zone Change 2005Z-137U-05, disapproval of preliminary approval for a commercial Planned Unit Development 2005P-027U-05, disapproval of cancellation of a residential Planned Unit Development, 106-80-05 and disapproval of cancellation of a commercial Planned Unit Development 121-80-U-05.

Mr. Bernhardt explained that the applicant filed the land use amendment on October 5, 2005 and that staff began its process in accordance to the Commission’s procedures. He stated that a public meeting on this amendment was scheduled for November 8, 2005.

Mr. Tom White, 315 Deadrick Street, spoke in favor of the proposal.

Mr. Kevin Rogers, 2455 Paces Ferry Road, spoke in favor of the proposal.

Ms. Kristine Osburn, 1755 The Exchange, spoke in favor of the proposal.

Mr. John Hardcastle, 4429 Sheppard Place, spoke regarding this proposal.

Mr. James Howell, 3804 Brush Hill Road, spoke in support of the proposal.

Mr. Marcel Keller, 4821 Lindell Street, spoke in opposition to the development.

Mr. James Darin, 4615 Grinstead place, spoke in opposition to the proposal.

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

Mr. Greg O’Loughlin, 1410 Hemlock Avenue, spoke in opposition to the proposal.

Ms. Emily Benedict, 618 Maplewood, spoke in opposition to the proposal.

Mr. Greg Davis, 4303 Brush Hill Road, spoke in opposition to the proposal.

Mr. Myron Smith, 3806 Moss Rose Drive, spoke in support of the proposal.

Mr. Roy Dale, Dale & Associates, spoke in support of the proposal.

Mr. Steve Kroeger, 2003 Chadwick Drive, spoke in favor of the proposal .

Mr. Robert King, 1009 Joyce Lane, spoke in favor of the proposal.

Ms. Linda Carter, 1011 Joyce Lane, spoke in support of the proposal.

Ms. Laura Dennis, 1018 Joyce Lane, spoke in support of the proposal.

Ms. Susan Skeletta, 4430 Brush Hill Road, spoke in opposition to the proposal.

Mr. William Massey, 5461 Wilderness Trail, spoke in support of the proposal.

Ms. Shirley Shell, 911 Maplewood Place spoke in favor of the proposal.

Mr. Robert Moore, 1615 Parkway Towers, spoke in support of the proposal.

Mr. Jeffrey Keller spoke in opposition to the proposal.

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

Councilmember Craddock spoke of the many meetings he has attended regarding this proposal. He briefly spoke of the latest meeting in which he and Councilmember Hart hosted to allow area residents, developers, and City Departments to meet and discuss this development. He indicated that invitations for this meeting were sent to property owners within 2000 feet of the subject property. He further explained that after presentations by developers, and a question and answer session, he called for a vote on this issue. He stated that of 110 persons present at the meeting, there were 80 in favor and only four against. Councilmember Craddock also addressed the issue regarding the plan amendment and requested that the Planning Commission approve this development.

Councilmember Hart stated that he too has received favorable feedback regarding this proposal and requested approval. He briefly explained the history of this parcel and then stated that the proposed development would be the most compatible for this particular area.

Mr. Lawson reminded Commissioners, that prior to their deliberations, they should be advised that a request to amend the subarea plan for this area was not included in the proposal.

Mr. Bernhardt explained the procedures of a subarea plan amendment and its relation to this proposed development.

Mr. Ponder stated he was in favor of this development. He acknowledged the favorable steps taken by the developer to comply with the wishes of the area residents. He stated that presently, the Commission can not take favorable action, but in the future, he was confident a favorable action could take place.

Ms. Cummings expressed issues with a commercial development locating to a residential area. She stated the proposal was not compatible to the area and contained many unsettled issues causing her to favor staff's recommendation to disapprove.

Mr. Clifton stated that the zone change request was not in a position that the Commission could vote on due to the subarea plan amendment process.

Mr. McLean spoke of existing land uses surrounding this property. He was not sure whether this proposal could be approved as it was presented.

Ms. Nielson spoke of the Commission following its own processes and the unwanted precedent that would be set if the proposal was approved.

Mr. Small also spoke of adhering to the processes that have been set by the Commission. He mentioned there were numerous technical issues that have not been addressed by the applicant that should be further reviewed by staff.

Ms. Jones spoke of the timing of the project and the issues included in its application.

Mr. Loring spoke favorably of the proposal. He stated that there have been many meetings concerning this property and that it has been studied intensely. He spoke of the many people who were in favor of approval and mentioned that there was minimal opposition. He moved that the Commission approve the land use plan amendment as well as all four applications.

Mr. Lawson spoke of adhering to their policies and procedures and the overall integrity of the Commission.

The motion made by Mr. Loring failed.

There was added discussion regarding the motion on this proposal.

Mr. Small moved and Ms. Cummings seconded the motion to disapprove Zone Change 2005Z-137U-05, Planned Unit Development 2005P-027U-05, Planned Unit Development, 106-80-05, as well as disapprove the request to cancel the commercial Planned Unit Development 121-80-U-05. **(7-2) No Votes – Loring, Jones**

**Resolution No. RS2005-389**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005Z-137U-05 is **DISAPPROVED. (7-2)**

**The proposed SCR district and associated PUD plan are not consistent with the areas Residential Low Medium policy calling for residential development between two to four dwelling units per acre.”**

**Resolution No. RS2005-390**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005P-027U-05 is **DISAPPROVED. (7-2)**

**The proposed commercial PUD and associated commercial zone change are not consistent with the areas Residential Low Medium policy calling for residential development between two and four dwelling units per acre.”**

**Resolution No. RS2005-391**

“BE IT RESOLVED by The Metropolitan Planning Commission that 106-80-U-05 is **DISAPPROVED. (7-2)**

**The proposed PUD plan that would replace this overlay is not consistent with the areas Residential Low Medium policy calling for residential development between two and four dwelling units per acre.”**

**Resolution No. RS2005-392**

“BE IT RESOLVED by The Metropolitan Planning Commission that 121-80-U-05 is **DISAPPROVED. (7-2)**

**The proposed PUD plan that would replace this overlay is not consistent with the areas Residential Low Medium policy calling for residential development between two and four dwelling units per acre.”**

The Commission recessed at 6:00 p.m.

Ms. Cummings left the meeting at 6:00 p.m.

Mr. Tyler arrived at the meeting at 6:00 p.m.

The Commission resumed at 6:20 p.m.

- 11. 2005Z-144U-13**  
Map 120-01, Parcel 167  
Subarea 13 (2003)  
District 13 - Carl Burch

A request to change from R10 to CS district property located at Murfreesboro Pike (unnumbered), between Kermit Avenue and Jupiter Drive (1.04 acres), requested by Sam Bernhard, owner.

**Staff Recommendation: Disapprove CS, but Approve CL**

**APPLICANT REQUEST** - Request to change approximately 1.04 acres from residential single-family and duplex to commercial service (CS) district, located at Murfreesboro Pike (unnumbered), between Kermit Avenue and Jupiter Drive.

**Existing Zoning**

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

**Proposed Zoning**

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

**Staff Recommended Zoning**

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

**Antioch/Priest Lake Community Plan**

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

**Policy Conflict** - Yes. The requested commercial zoning district is not consistent with the areas residential policy. Because of the surrounding land uses, however, residential uses are unlikely for this property. The RLM policy has eroded over time as rezonings inconsistent with that policy have been approved.

Staff does not recommend approval of the requested CS district, but does recommend extension of the adjacent CL district. The CL district is more appropriate, and will allow commercial uses, but the allowed uses are more limited than what is allowed in the CS district. The table below indicates some of the different land uses permitted in the CS and CL districts.

Land Use	CS	CL	Land Use	CS	CL	Land Use	CS	CL
Custom assembly	P	PC	Vehicular Sales Limited	P		Manufacturing, light	PC	
Distributive business/wholesale	PC		Home improvement sales	P	PC	Multi-media production	P	
Drive-in movie	P		Home occupation			Power plant	A	
Fuel storage	A		Hospital	P		Radio/TV studio	P	
Funeral home	P	PC	Hotel/motel	P	PC	Research service	PC	
Furniture store	P	PC	Laundry plants	P		Restaurant, fast-food	P	P
Heavy equipment sales	PC		Major appliance repair	P		Restaurant, full-service	P	P

**MPC Resolution** - On November 9, 2000, the Metro Planning Commission approved a rezoning from R10 to CL on an adjacent property (Parcel 153). The Commission’s Resolution approving CL for parcel 153 also stated that CL was appropriate for this parcel (167).

**Staff Recommendation** - Staff recommends disapproval of CS, but that CL be recommended to the Council for approval.

**PUBLIC WORKS RECOMMENDATION** - An access study may be required at development.

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

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)	1.04	3.7	4	48	4	6

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

Land Use (ITE Code)	Acres	FAR	Total Square Footage	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	1.04	0.188	10,810	240	32	91

**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
--	1.04	--	--	192	28	85

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

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)	1.04	3.7	4	48	4	6

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

Land Use (ITE Code)	Acres	FAR	Total Square Footage	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Convenience Market ( )	1.04	0.11*	6,325	4668	424	326

\*Adjusted as per use.

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	1.04	--	--	4620	420	326

- Approve CL but, Disapprove CS, (9-0) *Consent Agenda*

**Resolution No. RS2005-393**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005Z-144U-13 is **DISAPPROVED CS, APPROVED CL. (9-0)**

**The proposed CS zoning district is not consistent with the areas residential policy. Because of the surrounding land uses, however, residential uses are unlikely for this property. The RLM policy has eroded over time as rezonings inconsistent with that policy have been approved. Although the CS district is not appropriate, the CL district is more appropriate given the surrounding zoning pattern.”**

Map 034-02, Parcel 50  
 Subarea 4 (1998)  
 District 10 - Rip Ryman

A request to change from R20 to CN district property located at 100 Shepherd Hills Drive, approx. 420 feet south of Gallatin Pike (.91 acres), requested by Don Wise, applicant, for Harold & Esther Gregory, owners.

**Staff Recommendation: Approve**

**APPLICANT REQUEST**-Request to change 0.91 acres from residential single-family and duplex (R20) to commercial neighborhood (CN) district property located at 100 Shepherd Hills Drive, approximately 420 feet south of Gallatin Pike.

**Existing Zoning**

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

**Proposed Zoning**

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

**SUBAREA 4 COMMUNITY PLAN**

Retail Concentration Super Community (RCS) - RCS policy is intended for large size retail uses and to provide a wide array of goods and services. Typical RCS uses include retail shops, consumer services, restaurants, and entertainment. In RCS areas that are located at highway interchanges, a limited amount of uses intended to serve travelers is also appropriate. In addition, super community scale retail concentrations usually contain large, single, specialized retail stores, which draw people from a wider market area.

The Madison Plan also identifies this RCS area as “Community Plan Design Guide Area (non-DNDP).” A key goal of this area is to ensure that land uses are compatible with nearby residential development. Another goal is that along rear, side, and front property lines, landscape buffering is needed for transitioning between the RCS and RL policy area.

**Policy Conflict** - No. The uses permitted within the proposed CN zoning district are consistent with the RCS land use policy for this site. This parcel falls completely within the RCS policy area. The owner has indicated the intent to construct a cake supplies store. In addition, the applicant will be required to provide a landscape buffer between the CN district and the adjacent R20 zoning on the south side of the parcel.

**RECENT REZONINGS** - None.

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

**Typical Uses in Existing Zoning District: R20**

Land Use (ITE Code)	Acres	Density per Acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached( 210)	0.91	1.85	2	20	2	3

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

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Specialty Retail Center (814 )	0.91	0.103	4,083	212	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
--	0.91	--	--	192	Na	30

**Maximum Uses in Existing Zoning District: R20**



Land Use (ITE Code)	Acres	Density per Acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached(210 )	0.91	1.85	2	20	2	3

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

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	0.91	0.25	9,909	226	30	90

**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
--	0.91	--	--	206	28	87

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

Mr. Jim Harbison, 113 Shepherd Hills Drive spoke in opposition to the zone change request..

Ms. Polly Harbison, 113 Shepherd Hills Drive spoke in opposition to the zone change request.

Ms. June Caroland, 117 Shepherd Hills Drive, spoke in opposition to the zone change request.

Ms. Esther Gregory, applicant, spoke in favor of the proposal.

Councilmember Ryman stated that he has recently received numerous calls from residents who are opposed to this zone change request. He stated he held a community meeting in October and is planning on another meeting in November to discuss this request with area residents. He explained the issues of opposition and then stated that the request was contrary to the subarea plan. He requested disapproval.

Ms. Nielson noted that the zone change request was within the land use policy for the area. She stated she was in favor of its approval.

Mr. McLean requested clarification on the policy for this area and the information Councilmember Ryman referred to while addressing the Commission.

Mr. Kleinfelter and Mr. Bernhardt explained this information to the Commission.

Mr. Clifton mentioned the policies of the Commission and briefly on issues where requests are contrary to subarea plans. He indicated he was not sure how he would vote on this request.

Mr. Tyler requested clarification on the land uses that are located across from the property. He expressed issues with commercial development encroaching residential areas.

Mr. Ponder spoke in disapproval.

Mr. Small acknowledged the concerns of the Councilmember and the residents of the area. He explained that the Commission will follow land use policies when deliberating applications. He indicated that this request may not be consistent with the land use policy for the area.

Mr. Loring stated that he would be in favor of disapproving this zone change request.

Mr. Loring moved, and Mr. Ponder seconded the motion to disapprove Zone Change request 2005Z-150G-04. **(7-2) No Votes – Jones, Nielson**

**Resolution No. RS2005-394**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005Z-150G-04 is **DISAPPROVED. (7-2)**

**The proposed CN district is not consistent with the overall residential neighborhood. More commercial zoning encroaching into the residential neighborhood may set a bad precedent and would encourage more commercial zoning.”**

Mr. Bernhardt explained that staff will continue to work with the Councilmember on this area.

**13. 2005Z-152U-07**

Map 091-12, Parcels 125, 126, 127, 128, 130, 131

Subarea 7 (2000)

District 20 - Billy Joe Walls

A request to change from R6 and OR20 to CS district property located at 4605 Georgia Avenue and 600, 602, 606, 608 and 610 47th Avenue North (1.24 acres), requested by Bill Lockwood, engineer, for C & S Properties, owner.

**Staff Recommendation: Disapprove**

**APPLICANT REQUEST** - Request to change 1.24 acres from residential single-family and duplex district (R6) and office/residential district (OR20) to commercial service (CS) district property located at 4605 Georgia Avenue and 600, 602, 606, 608 and 610 47th Avenue North.

**Existing Zoning**

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

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.

**SUBAREA 7 COMMUNITY PLAN POLICY**

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

*Nations-Urbandale Plan Area 5A* - Area 5A of the Subarea 7 (West Nashville) Plan calls out this property as a "sensitive" location, and this designation includes the larger "nonconforming area of commercial zoning in the vicinity of I-40 and 46th Ave. North." This reference includes the existing Harley Davidson dealership and the existing CS/CL zoning cluster. For such sensitive locations, the plan says that the "expansion of nonconforming uses . . . is not intended, and any changes in those uses or zoning should be toward greater conformance with RM policy" (pp. 30-31, *Subarea 7 Plan: 1999 update*).

**Policy Conflict** - Yes. The uses permitted within the proposed CS zoning district are not consistent with the strictly residential development as called for by the Residential Medium land use policy for this site, and the CS zoning is particularly inconsistent with the specific language of the West Nashville Plan. The applicant has indicated an intent to expand the existing vehicular sales use, as well as construct a new retail/restaurant building on these properties.

Given the policy conflict, the applicant was notified by Planning staff of the need for applying for a subarea plan amendment to request a change to the land use policy to one that would allow commercial or mixed uses. A change in policy could permit the proposed CS district, the restaurant/retail uses, and the Harley Davidson facility expansion. Because the community plan is over six years old, the community desires for the area might have changed since that plan was adopted. Planning staff also suggested that the requested redevelopment/expansion might be appropriate for the use of a Planned Unit Development or the "Specific Plan" district, as recently adopted by Council. Any such PUD or SP request should be accompanied by a request to amend the Community Plan. To date, the applicant has not applied for a policy change, or a PUD or SP.

**RECENT REZONINGS** - None.

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

**Typical Uses in Existing Zoning District: R6/OR20\***

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	1.24	0.236	12,747*	271	37	94

\*Assumes all of property is OR20

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

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Specialty Retail Center ( 814)	1.24	0.44	23,766	1017	Na	79

**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
--	1.24	--	+11,019	746	Na	15

**Maximum Uses in Existing Zoning District: R6/OR20**

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Drive in bank (912)	1.24	0.10*	5,401	1242	67	247

\*Adjusted as per use

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

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Convenience Market(851 )	1.24	0.12*	6,481	4783	435	340

\*Adjusted as per use

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	1.24	--	+1,080	3541	368	93

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

Mr. Loring spoke in favor of approving this application.

Mr. Small moved, and Mr. Ponder seconded the motion to disapprove Zone Change 2005Z-152U-07. **(8-1) No Vote – Loring**

**Resolution No. RS2005-395**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005Z-152U-07 is **DISAPPROVED. (8-1)**

**The proposed CS district is not consistent with the areas Residential Medium policy calling for residential development at four to nine dwelling units per acre.”**

- 14. 2005Z-156U-10**  
 Map 117-16, Various Parcels  
 Map 131-04, Various Parcels  
 Map 118-13, Various Parcels  
 Subarea 10 (1994)  
 District 25 - Jim Shulman

A request to change from R10 to RS10 various properties located between Maplehurst Avenue and Woodvale Drive, and between Granny White Pike and Lealand Lane, (34.90 acres), requested by Councilmember Jim Shulman for various property owners.

**Staff Recommendation: Approve**

**APPLICANT REQUEST** - Request to change 34.9 acres from residential single family and duplex zoning (R10) to residential single-family (RS10) district property located on various properties along Maplehurst Avenue, Belvidere Drive, Woodvale Drive, Rockdale Avenue, Granny White Pike, and Lealand Lane.

**Existing Zoning**

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

**Proposed Zoning**

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

**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 single family residential use as permitted within the proposed RS10 zoning district is consistent with the RL land use policy for this site. In addition, some of these properties fall within an area identified by the Green Hills Plan as being under “pressure to redevelop, gentrify, or otherwise absorb new housing that may be out of character” with the existing housing stock. The plan calls for “protection to maintain the existing physical and social conditions” of such residential communities. Of the 119 properties in this request, there are 27 existing duplex/triplex lots, one four-unit lot, and the remaining lots have single-family uses, according to tax records.

**RECENT REZONINGS** - None.

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

**METRO SCHOOL BOARD REPORT** - The number of students generated by this rezoning is negligible.

Approved, (9-0) *Consent Agenda*

**Resolution No. RS2005-396**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005Z-156U-10 is **APPROVED. (9-0)**

**The proposed RS10 district is consistent with the areas Residential Low policy calling for residential development at one to two dwelling units per acre.”**

- 15. 2005UD-005U-10**  
 Bedford Avenue UDO Amendment  
 Map 117, Parcels Various  
 Subarea 10 (1994)  
 District 25 – Jim Shulman

A request to amend the Bedford Avenue Urban Design Overlay district to modify variations to the conventional standards

of the underlying zoning, requested by Metro Planning Department sponsored by Councilmember Shulman.

**Staff Recommendation: Approve**

**APPLICANT REQUEST** - A request to amend the Bedford Avenue Urban Design Overlay (UDO) district located on various properties at Bedford Avenue and Crestmoor Road to modify variations to the conventional standards of the underlying zoning, requested by Planning Department staff and sponsored by Councilmember Jim Shulman.

**Existing Zoning**

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

Proposed Zoning -Not Applicable

**GREEN HILLS/MIDTOWN COMMUNITY PLAN POLICY** - Regional Activity Center (RAC) and Office Transition (OT) within a Community Plan Design Guide Area.

**Policy Conflict** - No.

**STAFF ANALYSIS** - This amendment is proposed to ensure that the intended design objectives for building form, massing, and character within the Bedford Avenue Urban Design Overlay district are met by restricting the size of commercial establishments.

This amendment deletes the following requirement in the UDO:

"1. Restaurant size: Restaurant, Fast-Food Restaurant, Full-Service Restaurant, Take-Out Restaurant. Establishments shall be limited to five thousand two hundred fifty square feet of gross floor area per establishment. No zoning permit shall be issued for an establishment to be used as a restaurant unless it meets this and all other applicable standards."

This amendment replaces the above with the following:

"1. Commercial establishment size: Commercial establishments shall be limited to five thousand two hundred fifty square feet of gross floor area per establishment in Subdistrict 2. Commercial establishments that are permitted as accessory to principal uses on the same property within Subdistricts 1 and 3 shall occupy no more than five hundred square feet of gross floor area within the principal building. No zoning permit shall be issued for an establishment to be used for commercial use unless it meets this and all other applicable standards."

Restriction of Commercial Use Size

Bedford Avenue charrette participants were committed to limiting restaurants within this overlay area. At the time the overlay was adopted, however, urban design overlay districts did not have the ability to provide alternative development standards for individual land uses. A recently adopted bill, BL2005-702 allows urban design overlay districts to provide alternative development standards for specific land uses permitted within the underlying zoning district.

In July the Bedford UDO was amended to restrict restaurant sizes. During that process, the community requested that all commercial establishments in sub-district 2 and accessory commercial uses in sub-districts 1 and 3 be limited; however, this request was made after the bill was filed and the bill was too narrow in its description to permit an amendment. The decision was made to pass the bill as it was written, limiting only restaurants, and follow up later with a new bill to accomplish the community's request.

The adoption of BL2005-832 will allow this standard for commercial establishment size, and the vision for Bedford Avenue will be achievable.

**PUBLIC WORKS RECOMMENDATION**

**Traffic Study Submitted** - No

**Metro Traffic Engineer's Findings** - Not Applicable

**CONDITIONS** - None

Approved, (9-0) *Consent Agenda*

**Resolution No. RS2005-397**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005UD-005U-10 is **APPROVED. (9-0)**

**The proposed amendment will ensure that the intended design objectives for building form, massing, and character within the Bedford Avenue Urban Design Overlay district are met by restricting the size of commercial establishments.”**

- 16. 2005UD-009U-10**  
 Hillsboro Village UDO Amendment  
 Map 104, Parcel Various  
 Subarea 10 (1994)  
 District 18 - Ginger Hausser  
 District 19 - Ludye N. Wallace

A request to amend the Hillsboro Village Urban Design Overlay (UDO) district located on various properties between Magnolia and Wedgewood to modify variations to the conventional standards of the underlying zoning, requested by Planning Department and Council Member Ginger Hausser.

**Staff Recommendation: Approve**

**APPLICANT REQUEST** - A request to amend the Hillsboro Village Urban Design Overlay (UDO) district located on various properties between Magnolia and Wedgewood to modify variations to the conventional standards of the underlying zoning, requested by Planning Department and Council Member Ginger Hausser.

**Existing Zoning**

MUL and MUN districts with a UDO -Mixed commercial, office and residential use development in accordance with a design concept plan and design guidelines.

**Proposed Zoning** -Not Applicable

**GREEN HILLS/MIDTOWN COMMUNITY PLAN POLICY**

Neighborhood Urban (NU)

**Policy Conflict** No.

**STAFF ANALYSIS** -This amendment is proposed in order to 1) clarify discrepancies between the main body of the document and the regulatory appendix; and 2) provide flexibility for civic and institutional structures within the UDO.

1. Clarify Discrepancy

In the main body of the document under Height for Sub-districts 3A and 3B, it states “Building height shall not exceed 3 stories and 45 ft. (including parapet wall) at the front building wall. Additional building height shall not exceed a height control plane of 2V:1H measured from the front building wall (See Appendix Section A).” In the appendix in table A-1, the maximum height for sub-districts 3A and 3B is listed as 3 stories (excluding parking structures), yet in a separate row the sky exposure plane mentioned above is also included. The height of parking structures is not addressed in the main body of the document. We believe that the main body of the document, which establishes intent for additional building height, includes the correct standard. This bill will match the main body and appendix.

This amendment deletes the following requirement in the UDO:

“3 stories (excluding parking structures)” under “Maximum Number of Stories” within sub-district “3A and 3B” in “Table A-1: Bulk Standards by Sub-district: Hillsboro Village Urban Design Overlay District”

and replaces the above as follows:

“3 stories at the front building wall”

2. Flexibility for Civic Structures

Most other UDO’s, such as Carothers Crossing, Harding Town Center, Gateway, and 31<sup>st</sup> Avenue, allow flexibility for civic and institutional structures because these types of uses should be unique within the fabric of the neighborhood.

Historically, civic and institutional uses occupied the high points in cities and neighborhoods, included landmark features such as towers, or were otherwise given prominence by being placed further back or closer to the street than other buildings. This amendment provides the flexibility to treat these uses in a similar manner while meeting the overall design intent of the UDO (Note: While this allows for flexibility in the design of civic and institutional uses, the maximum intensity (FAR) and impervious coverage (ISR) established by the UDO will be enforced). Currently, there are two civic uses within the Hillsboro Village UDO (Belmont United Methodist Church and the Post Office), but the proposed changes would apply to any lot with a civic or institutional use.

The proposed amendment to the UDO defines civic and institutional uses and establishes the design intent that each of these uses must meet before approval is granted. The approval process for civic and institutional uses will be the same as other projects. The Planning Commission has granted the staff the ability to administratively approve applications within the UDO. In this UDO, there is also a separate review committee that reviews and approves projects within the overlay. Drawings are submitted and will be reviewed by Planning staff for compliance with the UDO. The Hillsboro Village UDO Advisory Committee will review the proposal collectively and vote for approval or disapproval. If the staff and committee reach the same conclusion, the approval is administrative. If the conclusion between the two is different, the matter will be referred to the Planning Commission for final approval.

This amendment modifies the UDO as follows:

...by adding subsection “e” under “1. General Provisions” under “Section A: Hillsboro Village Urban Design Overlay Bulk Standards” as follows:

- e) **CIVIC BUILDINGS**: Civic buildings are building types designed and constructed for community use or benefit by governmental, cultural, educational, public welfare, religious, or transportation organizations.
  - Civic buildings are inherently unique structures that present opportunities for unusual and iconic design within the urban fabric. Civic buildings should be designed with prominence and monumentality.
  - Civic buildings shall be oriented to streets and public spaces and follow the design intent of the UDO with regard to pedestrian orientation, massing, and articulation.
  - Key architectural features should act as community focal points. Where possible, street axes should be terminated by the primary building form or architectural feature. Towers, spires, and other vertical forms are encouraged.
  - The FAR and ISR of civic building sites shall not exceed that which is required by the UDO.
  - Designs for civic buildings and sites shall be subject to approval by the Hillsboro Village UDO Advisory Committee and the Metro Planning Commission.

...by adding footnote designation “j” after “Bulk Standards” in “Table A-1: Bulk Standards by Sub-district: Hillsboro Village Urban Design Overlay District” and adding the footnote as follows:

“<sup>j</sup>Civic buildings shall be exempt from the standards of Table A-1, with the exception of maximum FAR and ISR, and shall be reviewed by the Hillsboro Village UDO Advisory Committee and the Metro Planning Commission on a case by case basis.”

**PUBLIC WORKS RECOMMENDATION**

Traffic Study Submitted - No

**Metro Traffic Engineer’s Findings** - Not Applicable

**CONDITIONS** - None

Approved, (9-0) *Consent Agenda*

**Resolution No. RS2005-398**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005UD-009U-10 is **APPROVED. (9-0)**

**The proposed amendment will 1) clarify discrepancies between the main body of the document and the regulatory appendix; and 2) provide flexibility for civic and institutional structures within the UDO.”**

**VIII. PRELIMINARY SUBDIVISION PLATS**

17. **2005S-187G-04**  
Spring Branch Subdivision  
Map 034-03, Parcel 064  
Subarea 4 (1998)  
District 10 - Rip Ryman

A request for preliminary plan approval to create 24 clustered lots located at the northern terminus of Spring Branch Drive, approximately 690 feet north of Twin Hills Drive (12.82 acres), classified within the R20 District, requested by Glenn Nabors, owner, Batson & Associates, surveyor.

**Staff Recommendation: Disapprove**

Mr. Kleinfelter explained that this application was originally slated for disapproval due to some issues relating to stormwater. He further explained that it was the staff's beliefs that this issue would be resolved prior to this meeting. However, the issue was not resolved and staff is recommending deferral to allow additional time to work out the issues with Metro Stormwater.

Mr. Ponder moved and Mr. Loring seconded the motion, which passed unanimously, to defer Preliminary Subdivision Plat 2005S-187G-04 to November 10, 2005. **(9-0)**

**The Metropolitan Planning Commission DEFERRED 2005S-187G-04 to the November 10, 2005 COMMISSION meeting. (9-0)**

## **IX. FINAL PLATS**

18. **2005S-218G-12**  
Sayasack Estates  
Map 182, Parcel 044  
Subarea 12 (2004)  
District 31 - Parker Toler

A request for final plat approval to create three lots located on the south side of Old Hickory Boulevard and at the south end of Legacy Drive (4.87 acres), classified within the RS40 district, requested by Lang, Lay, Sybandit and Sunnee Sayasack, owners, William Murray Wall, surveyor.

**Staff Recommendation: Approve with conditions**

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

Subdivide 4.87 acres into 3 single-family lots on the south side of Old Hickory Boulevard at the south end of Legacy 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 the request will create 3 new lots along the south side of Old Hickory Boulevard with the following area(s):

- Lot 1: 1.50 acres
- Lot 2: 1.50 acres
- Lot 3: 1.87 acres

*Access* - Access is proposed from a joint access easement that begins at lot 1 and provides access to the proposed lots 2 and 3. Old Hickory Boulevard at this location is substandard and a joint access easement would alleviate traffic concerns along the curve into the access point for the Old Hickory Hills Subdivision.

*Sidewalks* - Sidewalks are not required since it is within the General Services District and is not within a Sidewalk Priority Index area greater than 20.

**STORMWATER RECOMMENDATION** - Approve.

**PUBLIC WORKS RECOMMENDATION** - No exception taken.



**CONDITIONS**

1. Prior to recordation:
  - Add parcel numbers to the plat.
  - Change note 11 to state that the zoning is RS40.

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

**Resolution No. RS2005-399**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005S-218G-12 is **APPROVED WITH CONDITIONS. (9-0)**

**Conditions of Approval:**

- Add parcel numbers to the plat.
- Change note 11 to state that the zoning is RS40.”

**19. 2005S-296G-10**

H. P. Gwinner Subdivision  
 Map 159-00, Parcel 48  
 Subarea 2 (1995)  
 District 34 - Lynn Williams

A request for final plat approval to create two lots located at 5444 Granny White Pike, opposite Beddington Prairie and between Camelot Drive and Radnor Glen Drive (3.0 acres), classified R40 District, requested by H. P. Gwinner, owner, Hart-Freeland & Roberts, surveyor.

**Staff Recommendation: Disapprove**

**APPLICANT REQUEST - Final Plat**

Subdivide approximately 3 acres into two new lots located at 5444 Granny White Pike.

**Zoning**

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

**SUBDIVISION DETAILS** - As proposed, two new lots will be created out of one existing lot. As proposed, Lot 1 will be a flag lot. The lots will have the following area(s), and frontage(s):

- Lot 1: 81,571 sq. ft.(1.87 ac), and 80 ft. of frontage;
- Lot 2: 49,257 sq. ft. (1.13 ac), and 146 ft. of frontage.

Lot Comparability - Although both lots meet the R40 lot area requirement, Section 2-4.7 of the Subdivision Regulations stipulates that new lots in areas that are predominantly developed are to be “generally in keeping with the lot frontage and lot size of the existing surrounding lots”. An exception can be granted if the lot fails the lot comparability analysis (is smaller in lot frontage and size) if the new lots would be consistent with the General Plan.

The lot comparability analysis for this area concluded that the minimum lot area is 36,345 square feet, and the minimum allowable lot frontage is 169 linear feet. Both lots pass for area, and lot 1 fails for frontage.

The land use policy for the area is Residential Low. Metro’s Land Use Policy Application (LUPA) recommends a density of one to two homes per acre for RL policy. This proposal is consistent with the RLM policy. Although this proposal could qualify for an exception, based on the flag-lot layout, which will be discussed below, Staff recommends that the Commission not grant the exception.

**Variance Request**

Section 2-4.2.A Section 2-4.2., Lot Dimensions, generally requires lot lines to be at right angles to street lines when unless a variation will give a better street or lot plan. Section 2-4.2.A further states that “Flag lots generally shall not be permitted.

As proposed lot one will be a flag lot. Review of the property does not show any existing topographic conditions (streams,

hillside) which warrant this configuration. According to the applicant, the variance will allow for any structure that may be developed on Lot 1 to face Granny White.

Staff’s review of the plan indicates that the lot could be split without the flag lot configuration, and that a house could be constructed on the site fronting Granny White.

Recommendation This request is creating additional building rights. Any request variance must be supported with a true hardship, which has not been demonstrated. Furthermore, the lot could be split into two lots without requiring a flag lot configuration. Staff recommends that this request be disapproved.

**PUBLIC WORKS RECOMMENDATION** - Show and dimension right of way along Granny White Pike at property corners. Granny White scales 50 feet on the plat.

**STORMWATER RECOMMENDATION** - Surveyor must sign and date the plat.

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

Ms. Maria Holland, 515 Dekemont Land, spoke in favor of the proposal. She submitted information to the Commissioners.

Mr. Kell Holland, 515 Dekemont Lane, spoke in favor of the proposal.

Mr. Loring stated that plan was excellent and moved for its approval.

Mr. Small expressed issues with approving flag-shaped lots. He stated he was not in favor of approving this application.

Mr. Clifton stated he was in favor of the application. He spoke of the general aesthetics of the application.

Ms. Holleman reminded Commissioners that a specific approval of a variance for this application should be included in the motion.

Mr. Loring moved and Ms. Jones seconded the motion to approve Final Plat 2005S-296G-10 as well as the variance necessary for a flag lot. **(7-2) No Votes – Small, Nielson**

**Resolution No. RS2005-400**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005S-296G-10 is **APPROVED WITH A VARIANCE FOR A FLAG-SHAPED LOT. (9-0)**”

- 20. **2005S-297G-06**  
Walnut Hill Manor  
Map 142-03, Parcel 010  
Subarea 6 (2003)  
District 22 - Eric Crafton

A request for final plat approval to create one lot located on the northeast corner of Stirrup Drive and Stirrup Court (1.37 acres), classified within the RS15 District, requested by Steven Willis, owner, Dale & Associates, surveyor.

**Staff Recommendation: Approve**

**APPLICANT REQUEST - Final Plat**

Request to create one lot from an existing 1.37 acre reserve parcel on the northeast corner of Stirrup Drive and Stirrup Court.

**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 request will take an existing 59,446 square foot (1.37 ac) reserve parcel and create a buildable lot. Although it is an existing parcel, building permits can not be issued until the parcel is platted.

Reserve Parcel The original subdivision plat shows the proposed lot as a reserve parcel and states that it cannot be used for an individual building site without prior Planning Commission approval. The plat does not state why the parcel was designated as a reserve parcel.

Although the parcel has an unusual shape, the applicant has demonstrated to staff that a house can be built on the proposed lot within required setbacks.

Variance

Section 2-4.2.D Section 2-4.2.D stipulates that proposed lot area shall not exceed three times the minimum lot size required by the Zoning Regulations for the zone district.

The size of the lot is 59,446 square feet. As stipulated in Section 2-4.2.D, a lot in a RS15 district should not exceed 45,000 square feet. Because this is an existing parcel, the variance should be granted. Furthermore, the request should have no negative impact on the character of the area.

Staff Recommendation - Because this is an existing parcel staff recommends that final plat including a variance to Section 2-4.2.D be approved.

**PUBLIC WORKS RECOMMENDATION - No Exceptions Taken**

**STORMWATER RECOMMENDATION**

1. Add the new subdivision number
2. Add a vicinity map to the plat.

Approved, (9-0) *Consent Agenda*

**Resolution No. RS2005-401**

**“BE IT RESOLVED by The Metropolitan Planning Commission that 2005S-297G-06 is APPROVED WITH A CONDITION THAT THE LOT CANNOT BE FURTHER SUBDIVIDED. (9-0)”**

21. **2005S-299G-06**  
Edobor Final Plat  
Map 114, Parcel 305  
Subarea 6 (2003)  
District 23 - Adam Dread

A request for final plat approval to create one lot located on the east side of Tolbert Road, approximately 800 feet east of Old Hickory Boulevard (1.17 acres), classified within the R20 District, requested by Michele Lawrence, owner, Jeff Kimbro, surveyor.

**Staff Recommendation: Approve**

**APPLICANT REQUEST-Final Plat**

Request to create one lot from an existing 1.17 acre parcel on the east side of Tolbert Road.

**Zoning**

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

**SUBDIVISION DETAILS** - The request will take an existing 51,001 square foot (1.17 ac) parcel and create a buildable lot. Although it is an existing parcel, building permits can not be issued until the parcel is platted.

Variance

Section 2-4.2.E Section 2-4.2.E stipulates that the “Lot width, at the front yard line stipulated in the Subdivision Regulations, shall be not less than twenty-five percent (25%) of the average lot depth.

The width at the front yard line is approximately 50 feet. According to Section 2-4.2.E the width at the front yard line should be at least 255 feet. Because this is an existing parcel, and the immediate area consists of numerous properties with the similar relative width to depth dimensions, the variance will not have any negative impact on the character of the area.

Required side setbacks in the R20 zone district are 10 feet on each side of the property. The proposed lot will include only a 30-foot wide building envelope. Any structure wider than 30-feet will require a variance from the Board of Zoning Appeals.

Staff Recommendation - Staff recommends that final plat including a variance to Section 2-4.2.E be approved.

**PUBLIC WORKS RECOMMENDATION - No Exceptions Taken**

Approved, (9-0) *Consent Agenda*

**Resolution No. RS2005-402**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005S-299G-06 is **APPROVED. (9-0)**”

**22. 2005S-300U-08**

North Nashville - Resub Lot 157 & 159  
Map 082-09, Parcel 001, 002  
Subarea 8 (2002)  
District 19 - Ludye N. Wallace

A request to amend the lot line between two existing lots, located on the east side of 6th Avenue North, approximately 70 feet north of Hume Street (0.41 acres), classified within the R6 District, requested by Albert T. Doss, owner, Campbell, McRae & Associates, surveyor.

**Staff Recommendation: Approve**

**APPLICANT REQUEST - Final Plat**

To amend the property line between two lots on the east side of 6<sup>th</sup> Avenue, north of Hume Street.

**ZONING**

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

**SUBDIVISION DETAILS** - As proposed the request will amend the lot lines between 2 existing lots along the east side of 6<sup>th</sup> Avenue North with the following area(s), and street frontage(s):

- Lot 1: 11,174 Sq. Ft., (0.26 Acres), and 62.35 Ft. of frontage;
- Lot 2: 6,730 Sq. Ft., (0.15 Acres), and 37.65 Ft. of frontage;

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 waiver may be granted if the lots fail the lot comparability analysis (is smaller in lot frontage and/or size) if the new lots would be consistent with the Community Plan policy. The Planning Commission does not have to grant the waiver if they do not feel it is appropriate.

The lot comparability analysis yielded a minimum lot area of 6,237 square feet, and a minimum lot frontage of 42 linear feet. Lot 1 passes the comparability test for area and frontage, while lot 2 fails for lot frontage.

**Staff Recommendation** - Staff recommends approval of a lot comparability waiver. The area land use policy is Mixed Housing in Neighborhood General. The Land Use Policy Application (LUPA) recommends a mixture of housing types and densities.

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

Sidewalks - There are existing sidewalks in the area so new sidewalks are not required.

**STORMWATER RECOMMENDATION** - Approve.

**PUBLIC WORKS RECOMMENDATION** - No exception taken.

Approved, (9-0) *Consent Agenda***Resolution No. RS2005-403**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005S-300U-08 is **APPROVED. (9-0)**”

- 23. 2005S-303G-12**  
 Bobby Hall's Burkitt Road Subdivision  
 Map 187, Parcel 136  
 Subarea 12 (2004)  
 District 31 - Parker Toler

A request for final plat approval to create 2 lots located on the south side of Burkitt Road, approximately 500 feet south of Whitmore Lane (11.44 acres), classified within the AR2a District, requested by Bobby Hall, owner, Stanley K. Draper, surveyor.

**Staff Recommendation: Approve with conditions**

**APPLICANT REQUEST - Final Plat**

Subdivide 11.44 acres one parcel into two lots located on the south side of Burkitt Road, approximately 500 feet west of Whitmore Lane, at Burkitt Road (unnumbered).

**ZONING**

AR2a district Agricultural/residential requires a minimum lot size of two 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 two acres.

**PLAN DETAILS** - This subdivision proposes the creation of two lots from one parcel. Lot 1 is proposed to have access along an approximately 48'-wide strip of land that touches Burkitt Road, and Lot 2 would not have direct frontage on Burkitt Road, instead proposed to directly access the 48' ingress/egress drive that is a part of Lot 1. Lot 1 currently has a structure on it that will remain, but Lot 2 is currently undeveloped. Both lots will have septic fields, approved by the Metro Health Department. As proposed, the two new lots have the following areas and street frontages:

- Lot 1: 155,920 Sq. Ft., (3.58 Acres), and 48 ft. of frontage on Burkitt Road.
- Lot 2: 326,609 Sq. Ft., (7.50 Acres), and no road frontage

Sidewalk requirement - This property falls within the General Services District, so no new sidewalks are required to be constructed with this plat.

Lot comparability - Section 2-4.7 of the Subdivision Regulations states that new lots in areas that are predominantly developed are to be generally in keeping with the lot frontage and lot size of the existing surrounding lots. Lot comparability is not required with this subdivision as the area is not predominantly developed; it is rural.

Variance request - Because lot 2 will not have direct public road frontage, a variance from section 2-4.2 of the Subdivision Regulations is required. Lot 1 will be a flag-shaped lot, but no variance is required given the existing flag shape of the parent parcel.

This is a predominantly rural area, designated as Rural in the Community Plan. There are several parcels/lots in the area that are currently flag-shaped and have **minimal** lot frontage on a public road (parcel 133 to the west, parcel 149 to north). In addition, there are also several parcels with **no** lot frontage on a public road (parcels 081, 158, 083, and 146), similar to the proposed lot 2. Rural policy calls for areas to remain predominantly undeveloped, and one way to ensure this is to prevent the extension of *many* new public roads. Rural development of this type, on large lots, thus allows limited development without promoting further development of the area. A public road may be developed in the future, but in the interim, private drives can be sufficient for access to the new lot.

Right-of-way dedication - This property has two street connections on it – a proposed collector in the Major Street Plan, and a required “street connection” in the Community Plans Adopted Streets plan (Southeast Community Plan). The purpose/intent of such a road is to connect Burkitt Road on the north to Kidd Road/Battle Road on the south, towards the county line. In order to comply with the intent of these plans, road construction or right-of-way dedication is necessary. The applicant was asked to offer for dedication as right-of-way for future public road the area starting from the westernmost property line to 25' from the western property line, beginning on the north at the point labeled "fence post" (where the proposed concrete drive curves) down to the southwestern-most point of the proposed lot 1. The applicant has shown this

dedication on the plat. *If* developed as a public road in the future, both lot 1 and 2 *could* have public street frontage along this road. The adjacent parcel 011, if it develops, will likely also be required to dedicate right-of-way and construct the required public road. The topography will be a factor in determining where the road will be located.

Greenway dedication - Given that this property has a planned greenway on the Greenway plan, along Indian Creek, the applicant has indicated on the plat the required stream buffer and greenway easement (stream bed plus a 25' corridor, measured from the top of the bank, outward). The area has been labeled "Dedicated Greenway Conservation and Public Access Easement." Prior to plat recordation, the applicant shall label this easement in several places to clarify its presence along the 25' buffer.

Staff Recommendation - Given that the applicant has complied with the greenway and right-of-way dedications, as well as demonstrated the appropriateness of these lots in a predominantly rural area, staff recommends approval with conditions of this two-lot subdivision, and the approval of the variance to allow lot 2, which has no public road frontage.

**PUBLIC WORKS RECOMMENDATIONS - No Exceptions Taken (10/14/05).**

**STORMWATER RECOMMENDATION -Approved Except as Noted:**

1. With reference to the "10' channel/drainage easement" label, delete the word, "channel." The label should read, '10' Drainage easement.'
2. With reference to the "60' buffer easement" label, delete the word, "Easement." The label should read, '60' buffer.'
3. With reference to the "30' Blue-Line Stream Buffer Easement" label, delete the word, "Easement." The label should read, '30' Blue-line Stream Buffer.'

**CONDITIONS**

1. Prior to plat recordation, all Stormwater requirements as indicated above must be addressed.
2. Prior to plat recordation, the applicant shall label the Dedicated Greenway Conservation and Public Access Easement in several places on the plat to clarify its presence along the greenway.

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

**Resolution No. RS2005-404**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005S-303G-12 is **APPROVED WITH CONDITIONS, including a variance for a lot with no road frontage. (9-0)**

**Conditions of Approval:**

1. Prior to plat recordation, all Stormwater requirements as indicated above must be addressed.
2. Prior to plat recordation, the applicant shall label the Dedicated Greenway Conservation and Public Access Easement in several places on the plat to clarify its presence along the greenway.”

**X. PLANNED UNIT DEVELOPMENTS (revisions)**

24. **2005P-007U-08**  
John Henry Hale Homes  
Map 92-8 Parcel 160  
Subarea 8 (2002)  
District 19 - Ludy N. Wallace

A request for final approval of a residential Planned Unit Development located on the southeast corner of Jo Johnston Avenue and 17th Avenue North, classified R6 and RM9, (31.75 Acres), to permit the construction of 228 multi-family units, including a community building and management office, requested by Barge, Waggoner, Cannon and Sumner, Inc., applicant for MDHA, owner.

**Staff Recommendation: Approve with conditions**

**APPLICANT REQUEST - Final PUD**

Request for final approval for a residential Planned Unit Development, classified R6 and RM9, (31.75 Acres), to permit the construction of 228 units in a mix of townhouses, one and two-family dwellings, including a community building and management office, replacing 498 existing units, located on the southeast corner of Jo Johnston Avenue and 17th Avenue North.

**PLAN DETAILS**

This request is part of a Hope VI grant to redevelop the John Henry Hale housing development. The design for redevelopment includes a reconfigured street pattern that will integrate it into the existing neighborhood street pattern. This plan will bring the property in conformance with the overall spirit of the Watkins Park Neighborhood Design Plan, which specifically recommended for this property a reduction in density to 9 dwelling units per acre and rearranging of the street network. The density is proposed to be lowered from the existing 15.7 units per acre to 9 units per acre. This plan proposes a mix of townhouses, one and two-family dwellings ranging in size from 1 to 4 bedrooms. The existing community center and management building will be remodeled and enlarged.

Streetscape - Planning staff is requiring, as a condition, additional landscape treatment along Millie Place. Planning and Civic Design Center staff worked with the applicant to locate Millie Place on axis with the western face of the Capitol as indicated in the Plan of Nashville. The additional landscape treatment required will strengthen that axis visually through an allee of columnar deciduous trees at approximately 40 ft. on center on both sides of Millie Place. The tree species used should be distinct from other species to enhance this special treatment. The applicant has agreed to this condition.

**STORMWATER RECOMMENDATION - Approve with conditions.**

1. Provide the drainage map showing area to each treatment unit.
2. Provide Notice of Coverage from Tennessee Department of Environment and Conservation.

**PUBLIC WORKS RECOMMENDATION - No exceptions taken.**

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

**CONDITIONS**

1. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Section of the Metropolitan Department of Public Works.
2. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
3. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission.
4. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
5. 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.
6. Prior to the issuance of any building permits, a revised landscape plan shall be submitted to the Metro Planning Department identifying columnar deciduous street trees (such as a columnar Maple) along both sides of Millie Place at a maximum of 40 feet on-center, as agreed upon by the applicant.

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

**Resolution No. RS2005-405**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005P-007U-08 is **APPROVED WITH CONDITIONS. (9-0)**

**Conditions of Approval:**

1. Provide the drainage map showing area to each treatment unit.
2. Provide Notice of Coverage from Tennessee Department of Environment and Conservation.
3. Approvals are subject to Public Works' review and approval of construction plans submitted with their final PUD.
4. **CONDITIONS**
5. 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.
6. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
7. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission.
8. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
9. 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.
10. Prior to the issuance of any building permits, a revised landscape plan shall be submitted to the Metro Planning Department identifying columnar deciduous street trees (such as a columnar Maple) along both sides of Millie Place at a maximum of 40 feet on-center, as agreed upon by the applicant.”

**25. 2005P-008G-06**

Harpeth Village (Phase 1), Publix  
 Map 156, Parcels 4, 5, 26, 28, 29, 30, 76, 113  
 Subarea 6 (2003)  
 District 35 - Charlie Tygard

A request for final approval for phase one of a Planned Unit Development district located at 7727, 7739, 7745 Old Harding Pike, 8020, 8024, 8036 Highway 100, Old Harding Pike (unnumbered), and Highway 100 (unnumbered), (8.10 acres), classified CL and RM6, to permit the development of a 45,600 square foot grocery store, and 23,100 square feet of retail requested by Dale and Associates for Barclay Harpeth Village Partners, LLC, owner.

**Staff Recommendation: Approve with conditions****APPLICANT REQUEST - Final PUD**

Request for final approval for phase one of a Planned Unit Development district, classified CL, to permit the development of a 45,600 square foot grocery store and 23,100 square feet of retail, located at 7727, 7739, 7745 Old Harding Pike, 8020, 8024, 8036 Highway 100, Old Harding Pike (unnumbered), and Highway 100 (unnumbered).

**PLAN DETAILS** - The plan proposes the construction of Temple Road extension (connecting Old Harding Pike and Highway 100) and a Publix Grocery Store with surrounding smaller retail shops. The layout is exactly as was proposed on the Preliminary PUD plan. The new road extension will improve traffic patterns in the area.

The Planning Commission recommended that the applicant work of the design of outparcels A, B and C to hide parking from Highway 100 and maintain a scenic road frontage. The outparcels are not a part of this request.

As stated in the Public Works recommendations, below, the preliminary PUD for this project was approved with the condition that traffic improvements be coordinated with the adjoining Shoppes on the Harpeth PUD. The Shoppes on the



Harpeth PUD, as approved by the Commission and Public Works, included a connection to Old Harding Pike and improvements to that road. The Council bill approving the Shoppes on the Harpeth PUD removed the connection to Old Harding Road. Accordingly, the traffic analysis that supported approval of this preliminary PUD is no longer valid.

**STORMWATER RECOMMENDATION** -Approve with conditions.

1. Need Notice of Coverage from the Tennessee Department of Environment and Conservation.
2. Need recorded Stormwater Management Agreement.

**PUBLIC WORKS RECOMMENDATION**

The Harpeth Village PUD and the Shoppes on the Harpeth PUD were conditioned to coordinate traffic flows through cross connections to and from Old Harding Pike, Highway 100 and the new Temple Road extension. The Preliminary PUD Plans for both projects received approval with those conditions being met. If the originally approved conditions are modified or changed on either project, a revised traffic analysis may be required for Public Works approval to properly address safety and alternate traffic mitigations. Removal of the access point on Old Harding Pike will require a revised traffic analysis.

Public Works recommends approval as long as this PUD and the adjacent Shoppes on the Harpeth PUD (2005P-017G-06) comply with all conditions of approval on the Preliminary PUD plans as adopted by the Metropolitan Planning Commission.

1. Approvals are subject to Public Works' review and approval of construction plans.
2. Show sidewalk along Highway 100 behind curb & gutter / grass strip. Show ramps at radius of return.
3. Sheet C4.0, the western access drive shows a turning template for a truck turning right onto Highway 100 from the left turn lane, and encroaching into the Highway 100 eastbound left turn lane. At northern access drive on Temple Road, turning template encroached onto the oncoming lane.
4. At western access at Highway 100, show three 12' lanes, and 30' radius in turning direction to accommodate truck turning movements. At northern access at Temple Road, show 30' radius in turning direction to accommodate truck turning movement.
5. Dedicate right of way along Old Harding Pike to accommodate sidewalk within right of way.
6. Comply with Previous PUD conditions.
7. Modify Striping for Eastbound left turn lane on Hwy 100 at unsignalized access drive to omit hatching and provide a smooth taper from existing centerline with dashed white transition line.
8. Developer should coordinate with adjacent PUD development which will be constructing a 3-lane cross section along Hwy 100 frontage. Stop bar needs to be removed for this left turn lane.
9. The unsignalized driveway shows inadequate exit storage. It is recommended that Driveway be constructed as a 3 lane cross section to internal driveway. Exit left lane stop bar needs to be offset; stop bar for the northbound lane should be removed.
10. At the signalized intersection with Temple Road, Show 150 ft long eastbound left turn lane on Hwy 100. Modify bay taper to 250 ft. Left turn lane stop bar needs to be offset. Stop bar locations shall be consistent with Signal Plan. Correct hatching direction. All work on Hwy 100 shall be approved by TDOT.
11. Submit signal plan to modify signal for 4th leg. Correct all stop bar locations on site plan to be consistent with signal plan. Stripe crosswalk and include pedestrian signals across Temple Road extension at Hwy 100.
12. The southbound left turn lane on Temple Road at Hwy 100 should have 150 ft of dedicated storage. Dimension right turn lane transition. Pavement markings for Temple Road Extension shall break at driveway intersections.
13. On Old Harding Pike, smooth the radius of center lane hatching on both ends to accommodate turning movements. Correct hatching direction. Dimension smooth transition with a minimum 160 feet if widened on both sides of road. Coordinate road widening with adjacent PUD construction of 3-lane cross section along its property frontage. A left turn lane may be installed at Olmstead Drive in conjunction with adjacent PUD road widening.

14. Stop bars will not be installed on Old Harding Pike until a signal is installed at Temple. Offset westbound left turn lane stop bar.
15. Modify Striping for southbound left turn lane transition on Old Harding Pike to remove hatching and provide a dashed white transition line.
16. Westbound 67 truck turns enter opposing traffic lanes; Traffic does not support using Old Harding Pike as a truck route.
17. Show adequate truck turning movements entering and exiting from Hwy 100.
18. No mid block ramps will be allowed along Temple Road Extension

**CONDITIONS** (if approved)

1. A PUD Boundary plat will be recorded prior to the issuance of building permits. A final plat dedicating Temple Road extension and related improvements will be recorded prior to the issuance of building permits.
2. Comply with all Public Works conditions of approval.
3. One Sheet C2.1 remove the following note, "Easement and connection to property line will be executed once all zoning conditions for both PUDS relative to this cross access are satisfied and monetary agreement per Council Bills BL2005-611 and BL2005-746 for infrastructure improvements is agreed upon by both parties." The easement and connection will be per the approved preliminary PUD conditions.
4. 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.
5. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
6. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and 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.
7. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission.
8. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
9. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.

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

**Resolution No. RS2005-406**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2005P-008G-06 is **APPROVED WITH CONDITIONS. (9-0)**

**Conditions of Approval:**

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

2. Show sidewalk along Highway 100 behind curb & gutter / grass strip. Show ramps at radius of return.
3. Sheet C4.0, the western access drive shows a turning template for a truck turning right onto Highway 100 from the left turn lane, and encroaching into the Highway 100 eastbound left turn lane. At northern access drive on Temple Road, turning template encroached onto the oncoming lane.
4. At western access at Highway 100, show three 12' lanes, and 30' radius in turning direction to accommodate truck turning movements. At northern access at Temple Road, show 30' radius in turning direction to accommodate truck turning movement.
5. Dedicate right of way along Old Harding Pike to accommodate sidewalk within right of way.
6. Comply with Previous PUD conditions.
7. Modify Striping for Eastbound left turn lane on Hwy 100 at unsignalized access drive to omit hatching and provide a smooth taper from existing centerline with dashed white transition line.
8. Developer should coordinate with adjacent PUD development which will be constructing a 3-lane cross section along Hwy 100 frontage. Stop bar needs to be removed for this left turn lane.
9. The unsignalized driveway shows inadequate exit storage. It is recommended that Driveway be constructed as a 3 lane cross section to internal driveway. Exit left lane stop bar needs to be offset; stop bar for the northbound lane should be removed.
10. At the signalized intersection with Temple Road, Show 150 ft long eastbound left turn lane on Hwy 100. Modify bay taper to 250 ft. Left turn lane stop bar needs to be offset. Stop bar locations shall be consistent with Signal Plan. Correct hatching direction. All work on Hwy 100 shall be approved by TDOT.
11. Submit signal plan to modify signal for 4th leg. Correct all stop bar locations on site plan to be consistent with signal plan. Stripe crosswalk and include pedestrian signals across Temple Road extension at Hwy 100.
12. The southbound left turn lane on Temple Road at Hwy 100 should have 150 ft of dedicated storage. Dimension right turn lane transition. Pavement markings for Temple Road Extension shall break at driveway intersections.
13. On Old Harding Pike, smooth the radius of center lane hatching on both ends to accommodate turning movements. Correct hatching direction. Dimension smooth transition with a minimum 160 feet if widened on both sides of road. Coordinate road widening with adjacent PUD construction of 3-lane cross section along its property frontage. A left turn lane may be installed at Olmstead Drive in conjunction with adjacent PUD road widening.
14. Stop bars will not be installed on Old Harding Pike until a signal is installed at Temple. Offset westbound left turn lane stop bar.
15. Modify Striping for southbound left turn lane transition on Old Harding Pike to remove hatching and provide a dashed white transition line.
16. Westbound 67 truck turns enter opposing traffic lanes; Traffic does not support using Old Harding Pike as a truck route.
17. Show adequate truck turning movements entering and exiting from Hwy 100.
18. No mid block ramps will be allowed along Temple Road Extension
19. A PUD Boundary plat will be recorded prior to the issuance of building permits. A final plat dedicating Temple Road extension and related improvements will be recorded prior to the issuance of building permits.
20. Comply with all Public Works conditions of approval.
21. One Sheet C2.1 remove the following note, "Easement and connection to property line will be executed once all zoning conditions for both PUDS relative to this cross access are satisfied and monetary agreement per Council Bills BL2005-611 and BL2005-746 for infrastructure improvements is agreed upon by both parties." The easement

and connection will be per the approved preliminary PUD conditions.

- 22. 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.
- 23. 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.
- 24. 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.
- 25. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission.
- 26. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
- 27. 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.

**XI. OTHER BUSINESS**

- 26. Adoption of Commission Policy for Interpretation of "Cluster Lot" Provisions of the Metro Code

**The Metropolitan Planning Commission DEFERRED Adoption of Commission Policy for Interpretation of "Cluster Lot" Provisions of the Metro Code to November 10, 2005. (9-0)**

- 27. Adoption of Policy for Staff Analysis of Applications Within the Identified Transportation Infrastructure Deficiency Areas

Approved, (9-0) *Consent Agenda*

- 28. Executive Director Reports
- 29. Legislative Update

**XII. ADJOURNMENT**

The meeting adjourned at 7:00 p.m.

\_\_\_\_\_ Chairman

\_\_\_\_\_ Secretary

### Equal Employment Opportunity Employer



The Planning Department does not discriminate on the basis of age, race, sex, color, national origin, religion or disability in access to, or operation of its programs, services, activities or in its hiring or employment practices. **ADA inquiries should be forwarded to:** Josie L. Bass, Planning Department ADA Compliance Coordinator, 730 Second Avenue South, Nashville, TN 37201, (615)862-7150. **Title VI inquiries should be forwarded to:** Michelle Lane, Metro Title VI Coordinator, 222 Third Avenue North, Suite 200, Nashville, TN 37201, (615)862-6170. **All employment related inquiries should be forwarded to Metro Human Resources:** Delaine Linville at (615)862-6640.