



**METROPOLITAN GOVERNMENT  
OF NASHVILLE AND DAVIDSON COUNTY**

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

**Minutes  
Of the  
Metropolitan Planning Commission**

*January 12, 2006*

\*\*\*\*\*

*4:00 PM*

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

**PLANNING COMMISSION:**

James Lawson, Chairman  
Doug Small, Vice Chairman  
Ann Nielson  
Victor Tyler  
Jim McClean  
Councilman J.B. Loring  
Phil Ponder, representing Mayor Bill Purcell

**Staff Present:**

Rick Bernhardt, Executive Director  
Ann Hammond, Assistant Director  
Margaret Holleman, Legal Counsel  
David Kleinfelter, Planning 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 Officer  
Bob Eadler, Planner III

**Commission Members Absent:**

Tonya Jones  
Stewart Clifton  
Judy Cummings

**I. CALL TO ORDER**

The meeting was called to order at 4:05 p.m.

**II. ADOPTION OF AGENDA**

Ms. Hammond announced there were two addendums to the Agenda. There were as follows: Item #38, 2005S-033U-03, A request for final approval to create 4 lots located at the western end of Artic Avenue and the south side of Trinity Lane, approximately 680 feet west of Brick Church Pike (21.99 acres), zoned MUL; and Item #39, Announcement of rehearing for PUD #95-71-U-08, MetroCenter, Lot 1 (Crest Hummer Dealership), to permit the item to be considered as a revision and approval of a final PUD rather than as an amendment as approved by the Commission on November 10, 2005. Ms. Hammond also announced that Item #34, should be corrected to read as follows: "New Employee Contracts for Mary Beth Stephens and Michelle Dicken".

Ms. Nielson moved and Mr. McClean seconded the motion, which passed unanimously to adopt the agenda as presented. (7-0)

**III. APPROVAL OF DECEMBER 8, 2005 MINUTES**

Mr. Ponder moved and Ms. Nielson seconded the motion, which passed unanimously to approve the December 8, 2005 minutes as presented. (7-0)

**IV. RECOGNITION OF COUNCILMEMBERS**

Councilman Shulman spoke in favor of Item #2, 2005S-348U-10, Item #6, 2006Z-001U-10, Item #7, 2006Z-002U-10 and Item #9, 2006Z-007U-10. He gave a brief summary on each of the items and requested their approval.

Councilman Ryman spoke in favor of Item #16, 2004S-253G-02 and requested its approval.

Councilman Coleman requested that Item #VII and #VIII be removed from the Consent Agenda so that it could be explained to the audience. He spoke in favor of Item #26, 68-86-U-13 which was on the Consent Agenda.

Council Lady Baldwin Tucker spoke in opposition to Item #15, 2006Z-013U-02. She spoke in favor of Item #16, 2004S-253G-02. She requested deferring Item #17, 2005S-304G-03 and Item #28, 2003P-002G-02. She explained that the deferrals would allow additional time to work out the issues associated with the proposals prior to their appearance at Council.

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

- |    |               |   |   |
|----|---------------|---|---|
| 5. | 2005Z-179U-03 | Request to change from R8 to SP zoning, property located at 1106, 1108, 1110, 1112, 1116, 1120, and 1204 West Trinity Lane west of Youngs Lane to permit 205 townhouses with a clubhouse  | - deferred to January 26, 2006 at the request of the applicant. |
| 10 | 2006Z-008U-08 | A request to change from OR20 and R6 to MUG zoning, property located at Hume Street (unnumbered) and 8th Avenue North (unnumbered)  | - deferred indefinitely at the request of the applicant.        |
| 21 | 2006S-046U-03 | A request for final plat approval to remove sidewalks on the west side of Shady Dale Road and the north side of Hallmark Road   | - deferred to January 26, 2006 at the request of the applicant. |
| 22 | 2006S-047U-03 | A request for final plat approval to remove sidewalks on the south side of Shady Dale Drive, north side of Hallmark Road, and west side of Golden Hall Road   | - deferred to January 26, 2006 at the request of the applicant. |
| 23 | 8-65-G-03     | A request to revise the preliminary site plan and for final approval for a portion of the Planned Unit Development located on Whites Creek Pike at Moorman's Arm Road, zoned SCN, to permit development of a 9,180 square foot retail use   | - deferred indefinitely at the request of the applicant.        |
| 25 | 61-84-G-06    | A request to revise the approved preliminary site plan and for final approval of a Planned Unit Development located on the south side of Highway 70, South, east of Old Hickory Boulevard, zoned SCC, to permit development of an additional 4,000 square foot building for retail and restaurant uses                    | - deferred to January 26, 2006 at the request of the applicant. |
| 26 | 68-86-U-13    | A request to revise a portion of the approved preliminary site plan and for final approval of a Planned Unit Development located on the east side Murfreesboro Pike, and the north side of Laverge-Couchville Road, zoned AR2a, to allow a convenience store on a portion of the PUD that was approved for general retail | - deferred to January 26, 2006 at the request of the applicant. |

Ms. Nielson moved and Mr. McLean seconded the motion, which passed unanimously to approve the Deferred and Withdrawn items as presented. **(7-0)**

## **VI. PUBLIC HEARING: CONSENT AGENDA**

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

- |    |               |  |                        |
|----|---------------|--|------------------------|
| 3. | 2005P-009U-11 | Auto Masters PUD – A request for final approval of a commercial Planned Unit Development located on the west side of Nolensville Pike, to permit an existing 1,547 square foot used vehicular sales facility and for additional vehicular sales area and parking | - Approve w/conditions |
|----|---------------|--|------------------------|

### **ZONING MAP AMENDMENTS**

- |    |               |  |           |
|----|---------------|--|-----------|
| 7. | 2006Z-002U-10 | Request to change from R20 to RS20 zoning, various properties located north of Harding Place on Lone Oak Circle, Shys Hill Road, and Glendale Place, Belmont Park Trace and Belmont Park | - Approve |
|----|---------------|--|-----------|

- Court
8. 2006Z-005T Request to amend Sections 17.40.290 and 17.40.350 to require the Zoning Administrator to notify the district councilmembers within three business days from the date a special exception or variance application was filed - Approve
13. 2006Z-010G-06 Request to change from R15 to SP zoning properties located at 6949 Highway 70 South and Highway 70 South (unnumbered), approximately 2,245 feet east of Old Hickory Boulevard to permit 16 cottages and 19 townhouses for a total of 35 dwelling units - Approve w/ conditions
15. 2006Z-013U-02 Request to change from RS7.5 to SP zoning, property located at 3301 Creekwood Drive, on the north side of I-65 South to permit a vocational community center and 10 new multi-family units, and the 200 multi-family units currently existing - Approve w/ conditions

**PRELIMINARY SUBDIVISION PLATS**

18. 2006S-008G-13 Shoppes of Edge O Lake, Section 2 - Request for preliminary plat approval to create 14 lots located on the northeast corner of Edge-O-Lake Drive and Murfreesboro Pike - Approve w/ conditions

**FINAL PLATS**

20. 2006S-020G-04 Seventh Day Adventist & Tennessee Christian -Request to final plat approval to create 3 lots located at 500 Hospital Drive and 315 Larkin Springs Road, along eastern margin of Larkin Springs Road - Approve w/ conditions

**PLANNED UNIT DEVELOPMENTS (revisions)**

24. 177-74-U-14 Century City West (Fraternal Order of Police Building) - Request to revise the preliminary and for final approval for a portion of the Planned Unit Development located 701 Marriott Drive, at the northeast corner of Marriott Drive and Ermac Drive, to permit the development of a 9,000 square foot office building - Approve w/ conditions
27. 27-87-P-03 Creekside Trails, Phase 6 - Request for final approval for phase 6 of the Planned Unit Development located along the north side of Cato Road and the west side of Briley Parkway, to develop 30 single-family lots - Approve w/ conditions
30. 2003P-015U-05 Sam Levy Homes (McNeilly Center for Children) - Request to cancel a portion of a Planned Unit Development located at 400 Meridian Street, along the east side of Dickerson Pike - Approve
31. 2005UD-004-09 Park Place Court - Request for final approval for an Urban Design Overlay district located at the corner of Jackson Street and Warren Street, to develop 8 units - Approve w/ conditions

**OTHER BUSINESS**

33. Adoption of the Harding Town Center UDO Advisory Committee - Approve
34. New Employee Contracts for Mary Beth Stephens and Michelle Dicken - Approve
35. Adoption of Commission Policy for Interpretation of "Cluster Lot" Provisions of the Metro Code (Deferred from October 27, 2005, Planning Commission meeting) - Approve
36. Grant Agreement between the State of Tennessee, Department of Transportation and Metropolitan Planning Commission of the Metropolitan Government of Nashville-Davidson County on behalf of the Nashville Area Metropolitan Planning Organization for Planning and Coordination Activities in the Unified Planning Work Program for FY 2006" - Approve
37. Grant Agreement contract between the Metropolitan Government of Nashville and Davidson County and Walk Bike Nashville for \$46,569 to implement a Safe Routes to School Program and coordinate event promotions for the Music City Moves! program. - Approve
38. Villas on Trinity – A request for final plat approval to create 4 lots located at the western end of Artic Avenue and the south side of Trinity Lane, approximately 680 feet west of - Approve w/conditions

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

**VII. AMENDMENT TO SOUTHEAST COMMUNITY PLAN 2004 UPDATE: PROPOSAL TO AMEND THE COMMUNITY PLAN'S 'VEHICULAR NETWORK PLAN' IN THE AREA OF PETTUS, PRESTON, AND OLD FRANKLIN ROADS TO CONFORM WITH THE ADOPTED MAJOR STREET AND COLLECTOR STREET PLANS.**

**APPLICANT REQUEST** - Amend the 'Vehicular Network Plan' in the "Southeast Community Plan: 2004 Update" [Community Plan] by modifying the plans for certain major streets, collector streets, and required street connections in the vicinity of Pettus, Preston and Old Franklin roads as described and shown on the sketches on the opposite page. Property owners within 500 ft. of these proposed amendments were notified by mail of the January 12<sup>th</sup> public hearing.

**Existing 'Vehicular Network Plan' and 'Major' and 'Collector' Plans** - The adopted 'Vehicular Network Plan' in the Community Plan is shown in Figure 1. The currently adopted official Major Street Plan and Collector Street Plans are illustrated in Figure 2.

**Proposed Amendments to the 'Vehicular Network Plan'** -The proposed changes, shown in Figure 3, reconcile the differences between these street plans by revising the 'Vehicular Network Plan' so it is in conformance with the currently adopted *Major Street Plan* and *Collector Street Plan*.

**Analysis** - The adopted Major and Collector Street Plans are the official guides for determining how these types of streets are taken into account and reflected in the layout of proposed developments. Resolving the differences between the 'Vehicular Network Plan' and the Major and Collector Street plans was initially addressed in the fall of 2005. At that time, changing the Major and Collector street plans to bring them into conformance with the 'Vehicular Network Plan' was proposed to resolve the differences. Prior to and at a community meeting in November, area residents expressed their almost unanimous opposition to resolution of the differences in these plans by amending the Major and Collector street plans to conform with the 'Vehicular Network Plan.' Because of the greater amount of disruption implied by 'Vehicular Network Plan,' the community's preference is to resolve the differences the opposite of what was originally proposed--by amending the 'Vehicular Network Plan', rather than the Major and Collector street plans.

Deleting the planned major street between Pettus Rd and Old Franklin Road as shown in the current 'Vehicular Network Plan' would not significantly impact travel patterns as long as all of Old Franklin Rd is designated as a collector street and the proposed extension from Preston Road to Pettus Road is provided.

As currently configured, the planned 'required street connections' become dysfunctional if the changes proposed to the major and collector streets in the 'Vehicular Network Plan' are made. Therefore, the proposed 'required street connection' changes shown on Figure 3 reconfigure those streets so they will function in concert with the proposed changes in the major and collector streets.

*[Note: Items No. VII and No. VIII were discussed by The Metropolitan Planning Commission together. See Item No. VIII for actions and resolutions.]*

**VIII. AMENDMENT TO ADOPTED MAJOR STREET AND COLLECTOR STREET PLANS: PROPOSAL TO AMEND THE STREET PLANS IN THE AREA OF PETTUS, PRESTON, AND OLD FRANKLIN ROADS.**

Mr. Eadler presented both Items #VII – Amendment to Southeast Community Plan 2004 Update: Proposal to amend the community plan's vehicular network plan in the area of Pettus, Preston and Old Franklin Roads to conform with the adopted Major Street and Collector Street Plans and stated that staff is recommending its approval.

Councilman Coleman commended Mr. Eadler for his work and spoke in favor of the proposal.

Ms. Judith Mosley, 817 Preston Road, spoke regarding the proposal.

Ms. Nielson moved and Mr. McLean seconded the motion to approve the Amendment to the Southeast Community Plan 2004 Update: Proposal to amend the community plan's vehicular network plan in the area of Pettus, Preston and Old

Franklin Roads to conform with the adopted Major Street and Collector Street Plans, and to withdraw the Amendment to adopt Major Street and Collector Street Plans: Proposal to amend the street plans in the area of Pettus, Preston and Old Franklin roads. (7-0)

**Resolution No. RS2006-001**

“BE IT RESOLVED by The Metropolitan Planning Commission that the Amendment to the Southeast Community Plan: 2004 Update Proposal is **APPROVED. (7-0)**”

**Resolution No. RS2006-002**

“BE IT RESOLVED by The Metropolitan Planning Commission that the Amendment To Adopt Major Street Plan And Collector Street Plans was **WITHDRAWN. (7-0)**”

**IX. GREEN HILLS-MIDTOWN COMMUNITY PLAN: 2005 UPDATE INVOLVING PROPERTIES AT 110-118 WOODMONT BOULEVARD**

Mr. Eadler presented and stated that staff is recommending to approve the subject request together with “Special Policy #15” as presented in his proposal.

Mr. Bill Lockwood, Barge, Waggoner, Summer & Cannon, requested the proposal be deferred until February 9, 2006.

Councilman Summers spoke in favor of deferring the Green Hills-Midtown Community Plan 2005 Update to February 9, 2006; and requested that the Public Hearing remain open. He then briefly explained the issues associated with the project and stated that if there was not a consensus among the neighbors to move forward, the proposal would not return to the Commission.

Mr. Robert Covington, 907 Estes Road, spoke in opposition to the proposal.

A member of the Woodlawn Area Neighborhood Association spoke regarding the proposal.

Ms. Nielson moved and Mr. Small seconded the motion, which passed unanimously, to continue the public hearing, (which will remain open) on the Green Hills-Midtown Community Plan: 2005 Update Involving Properties at 110-118 Woodmont Boulevard to February 9, 2006. (7-0)

**Resolution No. RS2006-003**

“BE IT RESOLVED by The Metropolitan Planning Commission that the Green Hills-Midtown Community Plan: 2005 Update was **CONTINUED to the February 9, 2006 Planning Commission meeting, in which the public hearing will remain open. (7-0)**”

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

**ZONING MAP AMENDMENTS**

1. **2005Z-176U-14**  
Map 094-00, Parcels 020  
Subarea 14 (2004)  
District 15 - J. B. Loring

A request to change from R10 to IR district property located at 1705 River Hills Drive (0.18), requested by Chas.Hawkins Company, Inc., applicant for Cecil and Shanon Saffles, owners.

**Staff Recommendation - Approve**

**APPLICANT REQUEST** - Rezone 0.18 acres from residential (R10) to industrial restrictive (IR) district at 1705 River Hills 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**

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

**DONELSON-HERMITAGE-OLD HICKORY COMMUNITY PLAN POLICY**

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

**Policy Conflict** - The proposed zoning district (IR) is consistent with the Donelson-Hermitage-Old Hickory Community Plan’s IN policy for parcel 020. The property is surrounded by industrial development along the south side of River Hills Drive.

The applicant’s original request was also for the two parcels to the north of this property (011 and 012) on River Hills Drive, that are located in an Natural Conservation (NCO) policy area. The NCO policy is applied to the property due to floodplain adjacent to the Cumberland River. Although it is surrounded mostly by industrial zoning, the parcels to the north would not be suitable for industrial development and may not be able to accommodate any development due to the size of the parcels and the floodplain standards. Staff recommends approval of the IR district for parcel 020 only.

The proposed rezoning is in the vicinity of Demonbreun's Cave, a property listed in the National Register of Historic Places for its association with one of the area's earliest settlers and legendary figures. The cave is primarily visible from the Cumberland River rather than from River Hills Drive. The Metro Historical Commission recommends against allowing industrial development along the edge of the river bluff (particularly parcel 11 in the original application, which is included in the National Register boundary) in order to avoid visual intrusions on the historic property. These parcels are not included in the rezoning request.

**RECENT REZONINGS**-None.

**PUBLIC WORKS RECOMMENDATION** - No exception taken

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

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single Family Detached (210)	0.18	3.7	3	29	3	4

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

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	0.18	0.334	11,057	391	18	12

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

Land Use (ITE Code)	Acres	Density per acre	Total	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
				362	15	8

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

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single Family Detached (210)	0.18	3.7	3	29	3	4

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

Land Use (ITE Code)	Acres	FAR	Total Square Footage	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Light Industrial(110)	0.18	0.60	19,863	47	19	20

**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
--				18	16	16

Mr. Kleinfelter announced that this item was removed from the Consent Agenda due to a request to speak. After review of the request, it was noted that the address of the person who wished to speak on this item was for Item #38, and not Item #1.

Mr. Lawson asked if the person who requested to speak was in the audience and whether they wanted to speak on this item.

No one responded.

Mr. Loring moved, and McLean seconded the motion, which passed unanimously to place Item #2005Z-176U-14 back on the Consent Agenda and approve. (7-0)

**Resolution No. RS2006-004**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005Z-176U-14 is **APPROVED. (7-0)**

**The proposed IR district is consistent with the Donelson – Hermitage – Old Hickory Community Plan’s Industrial Policy that is intended for industrial activities.”**

**FINAL PLATS**

2. **2005S-348U-10**  
White Oak Subdivision  
Map 117-03, Parcel 117  
Subarea 10 (2005)  
District 25 - Jim Shulman

A request for final plat approval to create 2 lots located at the southeast corner of Sharondale Drive and Valley Road (0.70 acres), classified within the R10 District, requested by Thomas P. and Sally R. Kanaday, Jr., owners, Jesse Walker, surveyor.

**Staff Recommendation - Approve with conditions**

**APPLICANT REQUEST - Final Plat**

Request to create two lots from one parcel on 0.70 acres, located at the southwest corner of Sharondale Drive and White Oak Drive (classified within the R10 District).

**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.

**PLAN DETAILS** - This subdivision proposes the creation of two lots from one parcel. Lot 1 is proposed to have frontage on Sharondale Drive, White Oak Drive, and Valley Road, and Lot 2 will have frontage on White Oak Drive and Valley Road. The existing lot to be subdivided currently has an existing duplex structure on it that will be demolished. Currently, both lots show a common, cross easement access onto White Oak Drive and Valley Road, the latter of which acts as the rear of the current house on the existing lot.

**Sidewalk requirement** - This property falls within the Urban Services District, and lot 2 will create new development rights, so sidewalks are required to be constructed along the frontage of lot 2 of White Oak Drive and Valley Road. Because there is no existing sidewalk on streets in the immediate vicinity, an alternative to the required sidewalk on White

Oak Drive and Valley Road would be a contribution to the sidewalk fund, accepted in lieu of actually constructing the required sidewalks.

The applicant has chosen to pay the financial contribution instead of constructing the required sidewalks, and has added the required note to the plat that reads: "The applicant is required to make a financial contribution to the sidewalk fund prior to the issuance of building permits."

Staff finds that a variance for the required sidewalk along Valley Road would be most appropriate, as this side of the lots is heavily wooded, currently serves as the rear of the existing duplex, and it is not recommended for the homes to face this road.

**Lot comparability** -Section 2-4.7 of the Subdivision Regulations states that new lots in areas that are predominantly developed are to be generally in keeping with the lot frontage and lot size of the existing surrounding lots. A lot comparability exception can be granted if the lot fails the lot comparability analysis (is smaller in lot frontage and/or size) if the new lots would be consistent with the General Plan. The Planning Commission has discretion whether or not to grant a lot comparability exception.

Three lot comparability analyses were performed, given that the proposed Lot 1 fronts on three streets, and the proposed Lot 2 on two. The three lot comparability analyses yielded the following information:

Lot Comparability Analysis	Requirements:	
	Minimum lot size (sq.ft):	Minimum lot frontage (linear ft.):
street:		
Valley Road	12,006.2	70.2
White Oak Drive	17,723.0	95.0
Sharondale Drive	14,962.9	93.6

As proposed, the two new lots have the following areas and street frontages:

- Lot 1: 17,737 Sq. Ft., (0.41 Acres), and 127 ft. of frontage on Sharondale Drive, 107.5 ft. of frontage on White Oak Drive, and 122 ft. of frontage on Valley Road.
- Lot 2: 10,057 Sq. Ft., (0.23 Acres), and 81 ft. of frontage on White Oak Drive, and 82 ft. of frontage on Valley Road.

Lot 1 passes for minimum lot area and minimum lot frontage on all three streets. Lot 2 did not pass any of the minimum lot areas, and only passed the minimum lot frontage requirement for Valley Road.

Lots in developed areas are generally required to pass comparability analysis for all the roads on which the new lots will have frontage. The applicant has communicated a desire/intent to face the homes on both new lots onto either or both Valley Road and White Oak Drive.

**Variance from lot comparability** - The applicant has requested a variance from lot comparability, citing as a hardship the ditch that is parallel to Sharondale Drive, and the associated 25-foot stormwater buffer. The applicant argues this buffer takes up a great deal of the otherwise buildable lot area of lot 1, thereby forcing the lot line between lot 1 and 2 to the south to ensure that lot 1 is large enough to be developable. Even without the existing ditch and required buffer on this property, the subdivision of this property into lots of equal size would yield two 13,897-square foot lots, which still would be below the minimum lot size requirements for both Sharondale Drive and White Oak Drive. Therefore, the ditch does not establish a valid hardship to justify a variance from the lot comparability requirements of Sharondale Drive and White Oak Drive.

**Section 2-4.3 B of the Subdivision Regulations** - The applicant has requested a variance from section 2-4.3 B of the Subdivision Regulations, which states that "when a property is divided along an existing street, the Planning Commission may require that lots shall not, if avoidable, derive access from arterial or collector streets." As only Sharondale Drive is a collector street, this regulation means that there should be no access to it for the proposed lots in this subdivision. The applicant has not proposed access to Sharondale Drive, but only to Valley Road and/or White Oak Drive. Because Section 2-4.3 does not limit access to the two local streets, the variance request is not needed.



**Staff Recommendation -**

**Access and house façade** - All of the existing houses on the lots on the west side of White Oak Drive face and access only that street and not Valley Road. The applicant has proposed to allow access onto both or one of these roads. Planning staff recommends that the homes on both proposed lots 1 and 2 should be oriented facing only White Oak Drive, because of the existing built-out nature of the street. Driveway access, however, may be allowed from either White Oak Drive or Valley Road. Staff further recommends that a shared access driveway be required as the sole access for the two lots.

**Variance from the required sidewalk on Valley Road** - Staff recommends that the Commission approve the variance for the sidewalk along Valley Road, as this side of the lots serves only as the rear of the lots, and the area is heavily wooded. The applicant will be required to construct a sidewalk along the frontage of lot 2 on White Oak Drive, or pay the financial contribution to the sidewalk fund.

**Exception to lot comparability** - Staff recommends approval of a lot comparability exception, with a condition. The proposed lots meet the density that is called for by the land use policy of Residential Low Medium, if and only if both lots are limited only to single-family dwellings. The land use policy for this area is RLM, which supports a density of two to four dwelling units per acre. As *single-family only* lots, the density would be 2.86 homes/acre, which falls within this range. With one single-family and one duplex lot, the density would be 4.3 homes/acre, and as both duplex lots, the density would be 5.7 homes/acre, which both exceed the 2-4 homes/acre range.

**A caveat regarding contextual residential density** - Though the land use policy for this area is RLM, which allows residential uses from two to four units per acre, there are several properties along or near Sharondale Drive that have an existing density that exceeds four housing units per acre. Given the eclectic mixture of existing low medium to medium-high residential densities (based on individual lots on the north side of Sharondale it ranges from 3.5 to 7.7 homes per lot), there is some merit to the argument that it may be reasonable to continue the residential pattern with a density above the two to four units per acre called for in the RLM policy (see Fig.1 below). Staff notes that a duplex on the proposed lot 1 and a single family home on the proposed lot 2 would yield a final density of 4.3 homes per acre, a density not much higher than the maximum prescribed by the RLM land use policy.

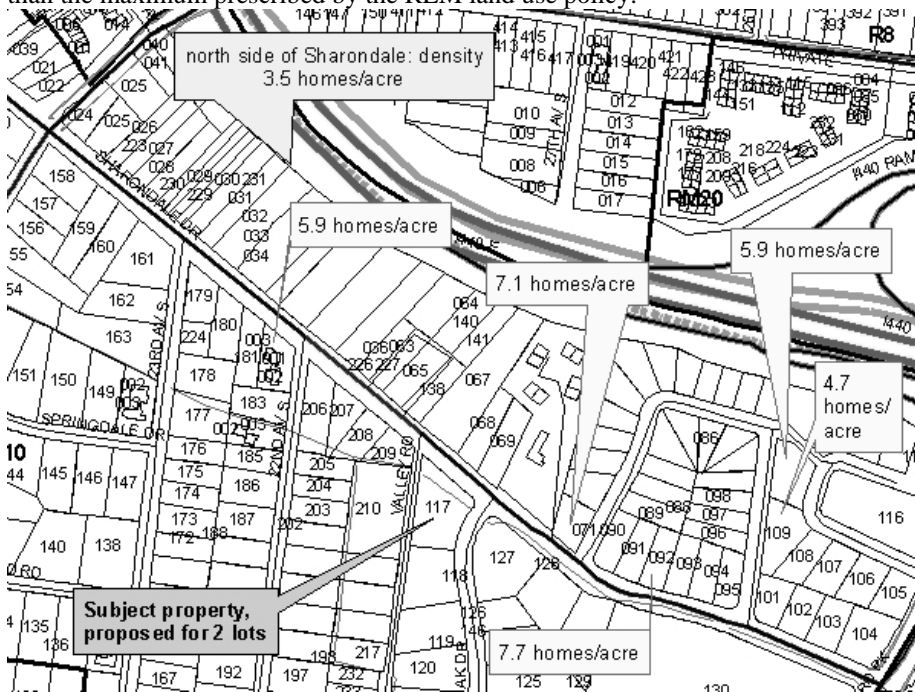


Fig. 1. Some existing lot-based residential densities on the north side of Sharondale Drive

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

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

1. Add dimensions to the northern P.U.D.E. (i.e., the P.U.D.E. that runs mostly parallel to the ditch).

**CONDITIONS**

1. Prior to final plat recordation, the plat must be revised to show the required sidewalk to be constructed along the frontage of lot 2 on White Oak Drive, or alternatively, add a note to the final plat that states that the applicant is required to make a financial contribution to the sidewalk fund prior to the issuance of building permits.

2. Prior to final plat recordation, the applicant must revise the plat to adequately comply with Stormwater comments as listed above.
3. Prior to final plat recordation, the applicant must add a note to the plat that reads that both lots will have vehicular access to either Valley Road or White Oak Drive via a shared access driveway.
4. Prior to final plat recordation, the applicant must revise the purpose note on the plat to read that both lots will be restricted to single-family residential development only.

Mr. Pereira presented and stated that staff is recommending approval with the condition that the lots be restricted to single-family uses only, disapprove the lot comparability variance, and approve the sidewalk variance along Valley Road.

Mr. Jesse Walker, 492 Saddle Drive, spoke in favor of the proposal.

Mr. Tom Kanaday, 204 Burlington Place, spoke in favor of the lot comparability variance request.

Ms. Sally Kanaday, 204 Burlington Place, spoke in favor of the lot comparability variance request.

Mr. William Clements, 2807 White Oak Drive, spoke in opposition to the proposal.

Mr. Ponder requested clarification on the specifics of Valley Road. He stated he was in favor of staff's recommendation in restricting the lots to single-family only.

Mr. Tyler requested further clarification on the land uses specified for the proposal.

Mr. McLean expressed issues with the single-family lot restriction. He spoke in favor of approving the proposal without restricting the land use to single-family only.

Ms. Nielson stated that she was in favor of staff's recommendation.

Mr. Loring stated he agreed with staff's recommendation.

Mr. Loring moved and Mr. Ponder seconded the motion, which passed unanimously to approve Subdivision 2005S-348U-10 with the condition that the lots be restricted to single-family use only; disapprove the lot comparability variance, and to approve the sidewalk variance along Valley Road. **(7-0)**

#### **Resolution No. RS2006-005**

**"BE IT RESOLVED** by The Metropolitan Planning Commission that 2005S-348U-10 is **APPROVED WITH THE CONDITION that the lots be restricted to single-family use only; DISAPPROVE the lot comparability variance, and to APPROVE the sidewalk variance along Valley Road. (7-0)**

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

1. Prior to final plat recordation, the plat must be revised to show the required sidewalk to be constructed along the frontage of lot 2 on White Oak Drive, or alternatively, add a note to the final plat that states that the applicant is required to make a financial contribution to the sidewalk fund prior to the issuance of building permits.
2. Prior to final plat recordation, the applicant must revise the plat to adequately comply with Stormwater comments as listed above.
3. Prior to final plat recordation, the applicant must add a note to the plat that reads that both lots will have vehicular access to either Valley Road or White Oak Drive via a shared access driveway.
4. Prior to final plat recordation, the applicant must revise the purpose note on the plat to read that both lots will be restricted to single-family residential development only."

---

## **PLANNED UNIT DEVELOPMENTS**

3. **2005P-009U-11**  
Auto Masters PUD  
Map 133-01, Parcels 102, 103  
Subarea 11 (1999)  
District 16 - Amanda McClendon

A request for final approval of a commercial Planned Unit Development located on the west side of Nolensville Pike, classified CS (1.12 acres), to permit an existing 1,547 square foot used vehicular sales facility and for additional vehicular sales area and parking, requested by Dale & Associates, applicant for and JMM, LLC, owner

**Staff Recommendation –Approve with conditions**

**APPLICANT REQUEST - Final PUD**

Request for final approval for a commercial Planned Unit Development district located on the west side of Nolensville Pike, classified CS (1.12 acres), to permit an existing 1,547 square foot used vehicular sales facility and for additional vehicular sales area and parking.

**PLAN DETAILS**

**History** - This preliminary PUD plan was disapproved by the Planning Commission at the April 14, 2005, Commission meeting on the basis of the underlying CS zoning being inconsistent with the residential land use policy on the western parcel 102, and inadequate landscape buffering with the adjacent residential area (McIver Street).

The PUD was subsequently passed on third reading at the Metro Council on August 16, 2005, with an amendment by the councilmember that included a series of conditions. These conditions were as follows:

**Conditions of amendment to Council Bill 2005-688**

- The business activity on the premises shall be limited to the sale of automobiles, motorcycles, and boats. The sale of any other goods or services relating to the engine and/or body repair of automobiles or other vehicles shall be prohibited. All vehicles offered for sale shall be roadworthy and capable of turnkey starting and driving upon inspection. No wrecked vehicles shall be kept on premises or off premises in the near vicinity.
- No painting or body repair to any vehicle shall be allowed on the premises.
- No engine repair shall be allowed on premises.
- Permanent masonry fencing along Ms. Berryhill's property line (western Boundary) shall be where the existing wooden fence is located. This requirement is in keeping with the final ruling in Davidson County Chancery Court in Smith vs. Berryhill, Docket No. 86-1786-I wherein Chancellor Irwin Kilcrease determined that the property to the west of the old existing fence line was actually property of Mr. and Mrs. Berryhill, regardless of the surveys presented in Court to the contrary. This requirement regarding the placement of the masonry fence shall inure to the benefit of all successors in interest to Ms. Berryhill's real property.
- Absolutely no razor or barbwire to be used upon the premises.
- Fencing along the perimeter abutting currently zoned residential properties shall consist of an 8-foot tall masonry wall built of either brick or split faced block with the decorative side facing the residential side of the abutting property owners. This wall shall be maintained by the property owner in good and attractive condition, and free of graffiti.
- Landscaping shall be installed and maintained as required by the Metropolitan Code of Laws and the Urban Forrester.
- Low lux lighting shall be used and positioned so as not to shine into the residences on McIver and Patterson.
- Dumpster shall be emptied between the hours of 7 a.m. and 7 p.m only.
- A Final Landscaping plan shall be submitted as part of the Final PUD approval.
- No vehicles belonging to owner or customers or employees shall be parked along the perimeter of the business on McIver and through the adoption of this PUD, the owner agrees not to object to any placement of "No Parking" signs by Metro along those areas.

- The property owner agrees that vehicles shall not be test driven at any time in the residential neighborhoods surrounding the premises. All test-driving shall be done on Nolensville Pike.
- No signage shall be allowed other than that currently in existence and is located upon the brick building. One small freestanding sign is allowed near the street, not to exceed 6 foot by 8 foot in size. The Low Lux lighting requirement also applies to signage lighting. Absolutely no billboards shall be allowed.
- Customer parking shall be marked "customer only" on the interior pavement and shall consist of at least 20 parking places.
- No music shall be placed upon the premises that can be heard beyond the perimeter of the property.
- All of the exterior premises, other than landscaped areas and the existing building, shall be paved.
- The Metropolitan applicant acknowledges that the installation of sidewalks along McIver Street may be required by the Metropolitan Code of Laws at the time of final PUD approval.
- The area currently zoned residential shall not be used for any reason until a final approval is obtained by the Planning Commission as to the satisfaction of the conditions herein.
- The failure to abide by the conditions in this document shall result in a revocation of the use and occupancy permit for the premises.

**Site Design, Access, & Parking** - The submitted plan is consistent with the amended preliminary plan approved by the Metro Council, with two ingress/egress driveway cuts that access McIver Street.

**Sidewalks** - According to section 17.20.120 of the Metro Zoning Ordinance, sidewalks along public streets are required for multifamily and nonresidential developments. A new sidewalk is required to be constructed on streets fronting the property wherever installation would be adjacent to and extend an existing sidewalk. As there is a sidewalk along the north side of McIver and along Nolensville Pike at this location, it is required for the applicant to construct a sidewalk along the south side of McIver Street, along this property's frontage. This sidewalk *has* been shown on the plans, as required.

**Stormwater Recommendation** - Plans approved 1/5/06.

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

**CONDITIONS**

All of the conditions included in the amendment to the preliminary PUD adopted by the Metro Council must be shown on the face of the Final PUD plans and on any final plat for this property.

1. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Section of the Metropolitan Department of Public Works.
2. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
3. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits
4. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission for filing and recordation with the Davidson County Register of Deeds.
5. 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 for filing and recordation with the Davidson County Register of Deeds.

6. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.
7. Prior to the recordation of the final plat, the applicant must comply with all Traffic/Public Works conditions as indicated above.
8. Prior to the recordation of the final plat, the required sidewalk along the south side of McIver Street must be either bonded or constructed to Metro standards.

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

**Resolution No. RS2006-006**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005P-009U-11 is **APPROVED WITH CONDITIONS. (7-0)**

**Conditions of Approval:**

All of the conditions included in the amendment to the preliminary PUD adopted by the Metro Council must be shown on the face of the Final PUD plans and on any final plat for this property.

1. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Section of the Metropolitan Department of Public Works.
2. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
3. The requirements of the Metropolitan Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits
4. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission for filing and recordation with the Davidson County Register of Deeds.
5. 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 for filing and recordation with the Davidson County Register of Deeds.
6. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.
7. Prior to the recordation of the final plat, the applicant must comply with all Traffic/Public Works conditions as indicated above.
8. Prior to the recordation of the final plat, the required sidewalk along the south side of McIver Street must be either bonded or constructed to Metro standards.”

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

4. **2005Z-178U-11**  
Map 119-01, Parcel 026  
Subarea 11 (1999)  
District 16 - Amanda McClendon

A request to change from RS5 to SP zoning property located at 106 Glenrose Avenue, approximately 185 feet east of Foster Avenue (0.24 acres), to permit a building/contractor supply use, office use, and/or residential use requested by Magdalena Samuchin, owner.

**Staff Recommendation - Approve with conditions**

**APPLICANT REQUEST** - Rezone approximately 0.24 acres from single-family residential (RS5) to Specific Plan (SP) district property located at 106 Glenrose Avenue.

**Existing Zoning**

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

**Proposed Zoning**

SP district - Specific Plan is a zoning district category that provides for additional flexibility of design, including the relationship of buildings to streets, to provide the ability to implement the specific details of the General Plan.

- The SP District is a new base zoning district, not an overlay. It will be labeled on zoning maps as “SP.”
- The SP District is not subject to the traditional zoning districts’ development standards. Instead, urban design elements are determined **for the specific development** and are written into the zone change ordinance, which becomes law.
- Use of SP **does not** relieve the applicant of responsibility for the regulations/guidelines in historic or redevelopment districts. The more stringent regulations or guidelines control.
- Use of SP **does not** relieve the applicant of responsibility for subdivision regulation and/or stormwater regulations.

**SUBAREA 11COMMUNITY PLAN**

Mixed Use (NG)- MU policy is intended to encourage an integrated, diverse blend of compatible land uses ensuring unique opportunities for living, working, and shopping. Predominant uses include residential, commercial, recreational, cultural, and community facilities. Commercial uses appropriate to MU areas include offices and community, neighborhood, and convenience scale activities. Residential densities are comparable to medium, medium-high, or high density. An accompanying Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

**Policy Conflict** - The request to use the property for a live/work unit is consistent with the mixed-use policy.

Plan Details - Since the proposal is for a small, single lot, no plan is being required by planning, but will be subject to the following conditions:

1. The only permitted uses are Office, Building Contractor Supply, and Residential (single-family or live work). There shall be no car lots, automotive repair, fast food, or bar/nightclub permitted.
2. The existing structure is to remain.
3. No more than 1,000 sq. ft. of additional floor area is allowed. Any addition must be located within the rear yard, behind the existing structure, and can be attached or detached.
4. All new development must meet the Metro Stormwater Regulations.
5. Any form of outside storage is prohibited.
6. No additional access to Glenrose Avenue is allowed.
7. Parking is only allowed within the side and rear yard.
8. A “B-5” class buffer yard is required along the western property line.
9. Setbacks are as follows from the property line:
  - Front: 20 feet
  - Rear: 15 feet
  - East: None
  - West: 5 feet
10. No razor wire fence shall be permitted.
11. For any development standards, regulations and requirements not specifically listed above, the property shall be subject to the standards, regulations and requirements of the MUN zoning district.

**FIRE MARSHAL**-Fire Marshal has indicated there are no issues with this plan.

**RECENT REZONINGS** - The adjacent property to the east is proposed for CS and a PUD. The Planning Commission recommended disapproval of this in 2005. The Metro Council has not taken action on Third Reading as of this staff report.

**STORMWATER RECOMMENDATION** -Any development must meet all Stormwater Regulations.

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

**Typical Uses in Existing Zoning District: RS5**

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	0.24	--	2	20	2	3

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

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Building Contractor Supply (812)	0.24	--	1,200	161	12	11

**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
--	0.24			141	10	8

**CONDITIONS**

1. The only permitted uses are Office, Building Contractor Supply, and Residential (single-family or live work). There shall be no car lots, automotive repair, fast food, or bar/nightclub permitted.
2. The existing structure is to remain.
3. No more than 1,000 sq. ft. of additional floor area is allowed. Any addition must be located within the rear yard, behind the existing structure, and can be attached or detached.
4. All new development must meet the Metro Stormwater Regulations.
5. Any form of outside storage is prohibited.
6. No additional access to Glenrose Avenue is allowed.
7. Parking is only allowed within the side and rear yard.
8. A "B-5" class buffer yard is required along the western property line.
9. Setbacks are as follows from the property line:
  - Front: 20 feet
  - Rear: 15 feet
  - East: None
  - West: 5 feet
10. No razor wire fence shall be permitted.
11. For any development standards, regulations and requirements not specifically listed above, the property shall be subject to the standards, regulations and requirements of the MUN zoning district.

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

**Resolution No. RS2006-007**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2005Z-178U-11 is **APPROVED WITH CONDITIONS.** (7-0)

**Conditions of Approval:**

1. The only permitted uses are Office, Building Contractor Supply, and Residential (single-family or live work). There shall be no car lots, automotive repair, fast food, or bar/nightclub permitted.
2. The existing structure is to remain.

3. No more than 1,000 sq. ft. of additional floor area is allowed. Any addition must be located within the rear yard, behind the existing structure, and can be attached or detached.
4. All new development must meet the Metro Stormwater Regulations.
5. Any form of outside storage is prohibited.
6. No additional access to Glenrose Avenue is allowed.
7. Parking is only allowed within the side and rear yard.
8. A "B-5" class buffer yard is required along the western property line.
9. Setbacks are as follows from the property line:
  - Front: 20 feet
  - Rear: 15 feet
  - East: None
  - West: 5 feet
10. No razor wire fence shall be permitted.
11. For any development standards, regulations and requirements not specifically listed above, the property shall be subject to the standards, regulations and requirements of the MUN zoning district.

**The proposed SP district and associated conditions are consistent with Subarea 11's Mixed Use policy that is for a diverse blend of compatible land uses ensuring unique opportunities for living, working and shopping."**

5. **2005Z-179U-03**  
Map 070-06, Parcels 038, 040, 041, 042, 044, 045, 046, 047, 048  
Subarea 3 (2003)  
District 2 - Jamie D. Isabel

A request to change from R8 to SP zoning, property located at 1106, 1108, 1110, 1112, 1116, 1120, and 1204 West Trinity Lane west of Youngs Lane (27.55 acres), to permit 205 townhouses with a clubhouse, requested by Lukens Engineering Consultants, applicant for Wanda Templeton, Silvia Carney, and Loyd R. Spradlin, owners.

**Staff Recommendation - Approve with conditions**

**The Metropolitan Planning Commission DEFERRED Zone Change 2005Z-179U-03 to January 26, 2006 at the request of the applicant. (7-0)**

6. **2006Z-001U-10**  
Map 104-13, Various Parcels  
Map 104, 14, Various Parcels  
Map 117-01, Various Parcels  
Map 117-02, Various Parcels  
Subarea 10 (2005)  
District 25 - Jim Shulman

A request to change from R8 and R10 to RS7.5 zoning, various properties located east of Bowling Avenue on Valley Vista Road, Bellwood Avenue, and Saratoga Drive (17.95 acres), requested by Councilmember Jim Shulman for various property owners.

**Staff Recommendation - Approve**

**APPLICANT REQUEST** - Request to change 17.95 acres from residential single-family and duplex zoning (R8 and R10) to residential single-family zoning (RS7.5) on 73 properties located east of Bowling Avenue on Valley Vista Road, Bellwood Avenue, and Saratoga Drive.



**Existing Zoning**

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

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**

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.

**GREEN HILLS/MIDTOWN COMMUNITY PLAN POLICY**

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

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

**Policy Conflict** - The single family residential use as permitted within the proposed RS7.5 zoning district is consistent with the Residential Low Medium policy, which applies to all but one of the 73 parcels in this request. Though the density of the proposed RS7.5 zoning (4.94 homes/acre) exceeds that of the RLM policy (2-4 homes/acre), the existing R8 zoning also already exceeds the RLM density. The RS7.5 zoning is consistent with the Residential Medium land use policy on the parcel at the corner of Bowling Avenue and Valley Vista Road (this parcel is zoned R10). The single-family only use of the RS7.5 zone district is consistent with the main intent of the RLM land use policy, and though this use would technically preclude the other forms of housing envisioned by the RM land use policies, the change to RS7.5 zoning would not be a fundamental shift away from the existing R8 and R10 zoning, thereby having a negligible effect.

**RECENT REZONINGS** - Recently in 2003, six properties on the north side of Woodlawn Drive between Timber Lane and Bowling Avenue were rezoned from RM20 to RS20, as a correction to the Metro zoning map. This case (2003Z-094U-10) was passed on third reading on July 15, 2003, at the Metro Council.

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

**METRO SCHOOL BOARD REPORT** - The number of students generated by this rezoning is negligible since this is an existing, platted area.

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

Mr. John Barrett, for Connie Sinclair of 3620 Valley Vista, spoke in opposition to the proposed zone change.

Mr. Bob Nickel, 3606 Valley Vista Road, spoke in favor of the proposed zone change.

Ms. Prudy Nickel, 3606 Valley Vista Road, spoke in favor of the proposal zone change.

Mr. Small stated he was in favor of the staff recommendation.

Mr. Loring stated he was in favor of the staff recommendation.

Ms. Nielson stated she was in favor of the staff recommendation due to the fact that Councilman Shulman stated he would work with those in opposition when the request reaches the Council level.

Ms. Nielson moved and Mr. Ponder seconded the motion, which passed unanimously, to approve Zone Change 2006Z-001U-10. **(7-0)**

**Resolution No. RS2006-008**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006Z-001U-10 is **APPROVED. (7-0)**”

**The proposed RS7.5 zoning district is consistent with the Green Hills/Midtown Community Plan’s Residential Low Medium and Residential Medium policies that are for residential development.”**

- 7. **2006Z-002U-10**  
Map 131-07, Various Parcels  
Map 131-11, Various Parcels  
Subarea 10 (2005)  
District 25 - Jim Shulman

A request to change from R20 to RS20 zoning, various properties located north of Harding Place on Lone Oak Circle, Shys Hill Road, Glendale Place, Belmont Park Trace and Belmont Park Court (44.57 acres), requested by Councilmember Jim Shulman for various property owners.

**Staff Recommendation - Approve**

**APPLICANT REQUEST** - Request to change 44.57 acres from residential single-family and duplex zoning (R20) to residential single-family zoning (RS20) on 54 properties located north of Harding Place on Lone Oak Circle, Shys Hill Road, Glendale Place, Belmont Park Trace, and Belmont Park Court.

**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**

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

**GREEN HILLS/MIDTOWN COMMUNITY PLAN POLICY**

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

**Policy Conflict** - The single family residential use as permitted within the proposed RS20 zoning district is consistent with the Residential Low policy, which applies to all 54 parcels in this request. The density of the proposed RS20 zoning (1.85 homes/acre) is in line with that of RL policy (1-2 homes/acre), and the single-family only use of the RS20 zone district is consistent with the intent of RL policy.

**RECENT REZONINGS** - Recently in 2005, various properties on the south side of Harding Place and north of Tyne Boulevard were rezoned from R40 to RS40, by Councilmember Lynn Williams. This case (2005Z-088U-10) was passed on third reading on July 19, 2005, at the Metro Council.

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

**METRO SCHOOL BOARD REPORT** - The number of students generated by this rezoning is negligible since this is an existing, platted area.

Approved, (7-0) *Consent Agenda*

**Resolution No. RS2006-009**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006Z-002U-10 is **APPROVED. (7-0)**”

**The proposed RS20 zoning district is consistent with the Green Hills/Midtown Community Plan’s Residential Low policy that is for residential development.”**

- 8. **2006Z-005T**  
Council Bill BL2005-910

A request to amend Sections 17.40.290 and 17.40.350 to require the Zoning Administrator to notify the district councilmembers within three business days from the date a special exception or variance application was filed, requested by Councilmember Ludy Wallace.

**Staff Recommendation - Approve**

**APPLICANT REQUEST** - Amend Zoning Code to require the Zoning Administrator to notify the district councilmember(s) within three business days of a special exception or variance application filing.

**ANALYSIS**

**Existing Law** - The Zoning Code currently requires notification of a district councilmember regarding a development application in only one instance – when a new cell tower is proposed (Sections 17.16.080.C.6 and 17.16.180.A.5). There is no other requirement in the code for application notification.

**Proposed Text Change** - The proposed amendment would require the Zoning Administrator to notify the district councilmember(s) within three business days of any special exception or variance application submittal.

**Analysis** - On December 13, 2005, the Board of Zoning Appeals amended its “Rules of Procedure” to require the Zoning Administrator to notify the district councilmember(s) of a special exception or variance application filing within 48 business hours or two business days. The proposed text amendment would not create a conflict with existing procedures nor be unduly burdensome.

This council bill is similar to two previously adopted bills relating to the rezoning of properties, Council Bills BL2004-489 and BL2005-553. The Planning Commission recommended approval of both bills.

This amendment serves to codify existing administrative procedures. It does not indicate, however, what happens if the Zoning Administrator fails to provide the required notification. The ordinance also does not indicate whether the Board of Zoning Appeals is to delay the application until a response is received from the district councilmember. In both cases, therefore, staff assumes the application will move forward through Metro’s standard review and approval process without any additional delays.

**Staff Recommendation** - Approve. This amendment serves to codify existing administrative practice.

Approved, (7-0) *Consent Agenda*

**Resolution No. RS2006-010**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006Z-005T is **APPROVED. (7-0)**

**The request to amend Sections 17.40.290 and 17.40.350 will serve to codify existing administrative practices.”**

- 9. **2006Z-007U-10**  
 Map 117-15, Parcels 061, 062, 063  
 Subarea 10 (2005)  
 District 25 - Jim Shulman

A request to change from R10 to SP zoning, property located at 1737, 1741 and 1745 Glen Echo Road, approximately 140 feet east of Hillmont Drive (3.07 acres), to permit the development of 12 single-family lots, requested by Bob Haley, applicant, for Cindy Lockhart, Delores Dennard, Jon Sheridan, Michelle Sheridan, and C. Dennard, owners.

**Staff Recommendation - Approve with conditions**

**APPLICANT REQUEST** - Request to change 3.07 acres from residential single-family and duplex (R10) to Specific Plan (SP) district property located at 1737, 1741, and 1745 Glen Echo Road, to permit 12 single-family lots.

**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**

**SP district** - Specific Plan is a zoning district category that provides for additional flexibility of design, including the relationship of buildings to streets, to provide the ability to implement the specific details of the General Plan.

- The SP District is a new base zoning district, not an overlay. It will be labeled on zoning maps as “SP.”

- The SP District is not subject to the traditional zoning districts' development standards. Instead, urban design elements are determined for the specific development and are written into the zone change ordinance, which becomes law.
- Elements that can vary from district bulk regulations include the height and size of buildings, setbacks, buffers, signage, and materials.
- Elements that must follow the goals and objectives of the General Plan are density/intensity of development and land uses.
- Use of SP does not relieve the applicant of responsibility for the regulations/guidelines in historic or redevelopment districts. The more stringent regulations or guidelines control
- Use of SP does not relieve the applicant of responsibility for subdivision regulation and/or stormwater regulations.

### **GREEN HILLS/MIDTOWN COMMUNITY PLAN POLICY**

**Residential Medium (RM)** - RM is a category designed to accommodate residential development within a density range of about four to nine dwelling units per acre. A variety of housing types are appropriate in RM areas. The most common types include compact, single-family detached units; townhomes; and walk-up apartments.

#### **Special Policy Area 11**

1. Development within this area should be limited to one and two family structures and townhouse type structures that are on separate lots designed for individual ownership.
2. Any development within this area should create a sustainable and walkable neighborhood. Buildings shall form an appropriate street wall consistent with the width of the street. This is critical for scale and to provide a clear definition to the street. The streetscape elements (sidewalks, street trees, street furnishings, etc.) shall fully support the development form. The massing of buildings shall complement each other in quality of construction and materials, scale, height, massing, and rhythm of buildings solid to open void. Any redevelopment shall achieve sensitive transition to surrounding development.
3. Development at RM intensities should be implemented only through Planned Unit Development or Urban Design Overlay zoning together with the appropriate base zoning.

**Policy Conflict** - No. The proposed SP district, including the proposed plan, is consistent with the Special Policy 11 within the Residential Medium Policy of the Green Hills-Midtown Community Plan. The plan includes single-family homes with the appropriate form called for within the special policy, including creating a street wall consistent with the street and buildings that compliment each other.

**Plan Details** - The proposed plan includes 12 single-family lots with a minimum front setback of 30 feet on Glen Echo Road. The two internal streets include setbacks of two to five feet. The smaller internal setbacks, along with the rear access to each lot, will create a street wall as called for in the Subarea Plan. The internal setbacks will also create a calming effect along the street since it will make the street appear narrower. The streets will be designed to Metro standards, however. The plan also includes sidewalks on both sides of all new streets, and along the frontage of Glen Echo Road, as called for in the Subarea Plan.

**Street Design** - The streets are designed in conformance with Metro standards, including a 46 foot right-of-way on Front Street and a 50 foot wide right of way on Main Drive. The Main Drive includes a six foot wide planting strip, instead of the normal 4 foot planting strip.

A temporary hammerhead design is proposed on the western end of Front Street. This design was used in place of the normal 100 foot diameter turnaround due to limited space, and because a temporary turnaround is required on any stub-street longer than 150 feet to meet Fire Code.

**Building Elevations** - The plan also includes architectural renderings (elevations) for the different building types within the development. As part of the Specific Plan ordinance, the Council will adopt these elevations as the required building type within the development. Staff has reviewed the elevations and finds them consistent with the proposed development plan.

**FIRE MARSHAL RECOMMENDATION** - Staff will update the Commission at the meeting if there are any issues with the plan.

**RECENT REZONINGS - None.**

**STORMWATER RECOMMENDATION**

1. FEMA note / information.
2. The 78-840 note: (Any excavation, fill or disturbance of the existing ground elevation must be done in accordance with storm water management ordinance no. 78-840 and approved by The Metropolitan Department of Water Services.)
3. Preliminary note must be added: (This drawing is for illustration purposes to indicate the basic premise of the development. The final lot count and details of the plan shall be governed by the appropriate regulations at the time of final application.)
4. Provide water quality concept.

[The plan calls for underground detention.]

**PUBLIC WORKS RECOMMENDATION**

1. All Public Works' design standards shall be met prior to any final approvals and permit issuance. Any approval is subject to Public Works' approval of the construction plans. Final design and improvements may vary based on field conditions.
2. Within residential developments all utilities are to be underground. The utility providing the service is to approve the design and construction. The developer is to coordinate the location of all underground utilities. Street lighting is required in the USD.
3. Show vicinity map at a reduced scale to show relative location of proposed development.
4. Show and dimension right of way and pavement width along Glen Echo Road.
5. Show and label 25' minimum right of way radii of corner returns at intersecting streets, and 30' minimum radii at curb.
6. Plan calls out "Shared Drive (Private Access Easement)". Provide plans for solid waste collection and disposal. Must be approved by the Public Works Solid Waste Division.
7. Plan shows right of way to property line. Extend Front Street to property line within right of way. Show turnaround on dead end streets greater the 150'.
8. Identify proposed parcels along west margin of site.

**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)	3.07	3.07	11	105	9	12

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

Land Use (ITE Code)	Acres	Density Per Acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
()	3.07	--	12	115	9	13

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	3.07	--	+1	10	0	1

**Projected student generation**      1 **Elementary**              1 **Middle**              1 **High**

**Schools Over/Under Capacity** - Students would attend Percy Priest Elementary School, Moore Middle School, and Hillsboro High School. Moore Middle School has been identified as being over capacity by the Metro School Board.

The projected fiscal impact of one student in the Moore Middle School cluster would be \$13,000. This information is based upon data from the school board last updated August 2, 2005.

**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. A hammerhead design is acceptable if it has a 50 foot centerline and is 100 feet from one end to the other.
2. It should also have a minimum width of 14 feet if one way traffic and 20 feet if two way traffic.
3. All traffic conditions, as recommended by Public Works must be bonded or completed prior to the recordation of any final plat.
4. All comments from Metro Stormwater shall be addressed at the final SP Plan stage.
5. All roadways shall be constructed to the property lines to allow for future connection of streets to adjacent parcels.

For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission approval, the property shall be subject to the standards, regulations and requirements of the RS10 zoning district, which must be shown on the plan.

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

Ms. Ni Li, 219 Ward Circle, spoke in favor of the proposal.

Ms. Nielson stated she was in favor of staff’s recommendation to approve with conditions.

Mr. Ponder spoke positively of the proposal and moved for its approval.

Mr. Ponder moved and Mr. Loring seconded the motion, which passed unanimously, to approve Zone Change 2006Z-007U-10. **(7-0)**

**Resolution No. RS2006-011**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006Z-007U-10 is **APPROVED WITH CONDITIONS. (7-0)**

**Conditions of Approval:**

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. A hammerhead design is acceptable if it has a 50 foot centerline and is 100 feet from one end to the other.
2. It should also have a minimum width of 14 feet if one way traffic and 20 feet if two way traffic.
3. All traffic conditions, as recommended by Public Works must be bonded or completed prior to the recordation of any final plat.
4. All comments from Metro Stormwater shall be addressed at the final SP Plan stage.
5. All roadways shall be constructed to the property lines to allow for future connection of streets to adjacent parcels.

**The proposed SP district and site plan are consistent with the Green Hills/Midtown Community Plan’s Residential Medium policy that is for residential developments and the specific special policy for these properties.”**

- 10. 2006Z-008U-08**  
Map 081-12, Parcels 328, 329  
Subarea 8 (2002)  
District 19 - Ludy N. Wallace

A request to change from OR20 and R6 to MUG zoning, property located at Hume Street (unnumbered) and 8th Avenue North (unnumbered) (1.52 acres total), requested by 2120 Partners LLC, applicant/owner.

**Staff Recommendation - Disapprove**

**The Metropolitan Planning Commission DEFERRED Zone Change 2006Z-008U-08 indefinitely at the request of the applicant. (7-0)**

- 11. 2006Z-009U-08**  
Map 081-12, Parcels 318, 320  
Subarea 8 (2002)  
District 19 - Ludy N. Wallace

A request to change from RM9 to MUG zoning property located at 1501 and 1507 8th Avenue North, opposite Hume Street (.99 acres), requested by 2120 Partners LLC, applicant/owner. (See also proposed PUD Cancellation).

**Staff Recommendation – Disapprove**

**APPLICANT REQUEST** - Request to change approximately 0.99 acres from residential multi-family (RM9) to mixed use general (MUG) property located at 1501 and 1507 8<sup>th</sup> Avenue North.

#### **Existing Zoning**

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

#### **Proposed Zoning**

**MUG District** Mixed Use General is intended for a moderately high intensity mixture of residential, retail, and office uses.

#### **NORTH NASHVILLE COMMUNITY PLAN**

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

#### **Buena Vista Detailed Neighborhood Development Plan**

**Mixed Housing (MH)** - MH is intended for single family and multi-family housing that varies on the size of the lot and the placement of the building on the lot. Housing units may be attached or detached, but are not encouraged to be randomly placed. Generally, the character should be compatible to the existing character of the majority of the street.

**Policy Conflict** - While the proposed MUG zoning district would allow for the kind of uses called for in the North Nashville Community Plan, the Buena Vista Detailed Neighborhood Development Plan is more specific and recommends only residential uses within this area. The proposed MUG district would allow for uses that are not consistent with this plan. A PUD or site plan would allow the uses to be limited to uses that are appropriate for the area; however, no plan was submitted. A plan not only ensures that the ultimate uses are appropriate, but that the layout is consistent with the area. This site is also within the Phillips-Jackson Street Redevelopment district, and is subject to design review by MDHA, but MDHA’s design guidelines do not take the adopted DNDP into consideration.

**Recommendation** - Because the requested MUG district allows uses that are not consistent with the areas policy, staff recommends that without a PUD or site plan the Commission disapprove the zoning request. MUG also permits very intense development, where a PUD or SP district would help to insure compatibility with the area.

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

**Typical Uses in Existing Zoning District: RM9**

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached(210 )	0.99	9	9	86	7	10

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

Land Use (ITE Code)	Acres	FAR	Total Square Footage	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	0.99	0.18	7,762	187	25	88

**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
--				101	18	78

**Maximum Uses in Existing Zoning District: RM9**

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached( 210)	0.99	9	9	86	7	10

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

Land Use (ITE Code)	Acres	FAR	Total Square Footage	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	0.99	3.0	129,373	1620	231	224

**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
--				1534	224	214

[Note: Items #11 and #12 were discussed by The Metropolitan Planning Commission together. See item #12 for actions and resolutions.]

- 12. **2006P-001U-08**  
 Cheatham Place Res. E.PUD  
 Map 81-12, Parcel 318, 320  
 Subarea 8 (2002)  
 District 19 - Ludye N. Wallace

A request to cancel a portion of a Planned Unit Development located at 1501 and 1507 8th Avenue North, zoned RM9 and proposed for MUG (0.99 acres), requested by 2120 Partners LLC, applicant/owner.



## **Staff Recommendation - Disapprove**

### **APPLICANT REQUEST - Cancel PUD**

Request to cancel a portion of a residential Planned Unit Development district located at 1501 and 1507 8<sup>th</sup> Avenue North.

### **Zoning**

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

### **NORTH NASHVILLE COMMUNITY PLAN**

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

### **Buena Vista Detailed Neighborhood Development Plan**

Mixed Housing (MH) - MH is intended for single family and multi-family housing that varies on the size of the lot and the placement of the building on the lot. Housing units may be attached or detached, but are not encouraged to be randomly placed. Generally, the character should be compatible to the existing character of the majority of the street.

**PLAN DETAILS** - The area was part of an older “Res – E” residential PUD that were adopted in the early 1970’s to recognize existing public housing developments, and the existing Res. E zoning that was put in place prior to comprehensive zoning to recognize public housing developments. There was never a master plan adopted with these public housing PUDs.

Recommendation - Because no plan has been submitted with the associated zone change, and the base zone could allow for a use that may not be consistent with the area policy staff recommends disapproval.

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

Mr. Swaggart presented and stated that staff is recommending disapproval of Zone Change 2006Z-009U-08 as well as disapproval of Planned Unit Development 2006P-001U-08.

Mr. Ed Owens, Gresham, Smith & Partners, spoke in favor of the proposal.

Mr. Tyler requested clarification on the staff recommendation.

Mr. Bernhardt explained that the DNDP requires a design plan which has not been submitted. He explained that the planning department is continuing to work MDHA in order to obtain these design plans.

Ms. Nielson requested whether the proposal could be deferred as opposed to disapproving.

Mr. Loring stated he was in favor of approving this proposal.

Mr. Small moved and Ms. Nielson seconded the motion, which passed unanimously to disapprove Zone Change 2006Z-009U-08, as well as Planned Unit Development 2006P-001U-08 with the condition that if MDHA agrees to follow the design requirements of the Detailed Neighborhood Design Plan, in the review of this project, then the recommendation would be for approval. (7-0)

### **Resolution No. RS2006-012**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006Z-009U-08 is **DISAPPROVED, but APPROVED WITH THE CONDITION** that MDHA follows the Detailed Neighborhood Design Plan’s guidelines during the design review process. (7-0)

**While the proposed MUG district would allow for the kind of uses called for in the North Nashville Community Plan and the Salem Town Detailed Neighborhood Development Plan, no PUD plan or site plan has been provided. If current community plans are used in MDHA’s review of this request, the MPC may approve this request.”**

**Resolution No. RS2006-013**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006P-001U-08 is **DISAPPROVED, but APPROVED WITH THE CONDITION** that MDHA follows the Detailed Neighborhood Design Plan’s guidelines during the design review process. (7-0)

**Because the associated zone change was not accompanied with a PUD or Urban Design overlay, then this request was disapproved. If current community plans are used in MDHA’s review of this request, the MPC may approve this request.”**

The Commission recessed at 5:30 p.m.

The Commission resumed at 5:55 p.m.

**13. 2006Z-010G-06**

Map 143-00, Parcels 011, 030  
Subarea 6 (2003)  
District 35 - Charlie Tygard

A request to change from R15 to SP zoning properties located at 6949 Highway 70 South and Highway 70 South (unnumbered), approximately 2,245 feet east of Old Hickory Boulevard (19.8 acres), to permit 16 cottages and 19 townhouses for a total of 35 dwelling units, requested by Gresham Smith & Partners, applicant, for Charles R. Brock, Trustee.

**Staff Recommendation – Approve with conditions**

**APPLICANT REQUEST** -Rezone 19.8 acres from residential single-family and duplex (R15) to Specific Plan (SP) zoning properties located at 6949 Highway 70 South and Highway 70 South (unnumbered), approximately 2,245 feet east of Old Hickory Boulevard, to permit 16 cottages and 19 townhouses for a total of 35 dwelling units.

**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**

SP district (preliminary)-Specific Plan is a zoning district category that provides for additional flexibility of design, including the relationship of buildings to streets, to provide the ability to implement the specific details of the General Plan.

- The SP District is a new base zoning district, not an overlay. It will be labeled on zoning maps as “SP.”
- The SP District is not subject to the traditional zoning districts’ development standards. Instead, urban design elements are determined **for the specific development** and are written into the zone change ordinance, which becomes law.
- Use of SP **does not** relieve the applicant of responsibility for the regulations/guidelines in historic or redevelopment districts. The more stringent regulations or guidelines control.
- Use of SP **does not** relieve the applicant of responsibility for subdivision regulation and/or stormwater regulations.

**BELLEVUE 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.

**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.

**Special Policy Area 7 of the Bellevue Community Plan** - Special Policy 7 applies to certain properties along Tolbert Road, Old Hickory Boulevard, and Highway 70S. The Special Policy *allows* small offices to be built on these properties

under certain conditions. The purposes of this Special Policy are twofold:

- To help diversify Bellevue's economy and support its retail sector.
- To provide a compatible *alternative to additional multifamily development* with appropriate design guidance to preserve and enhance the scenic environment that is one of Bellevue's chief assets.

Under Special Policy Area 7, the **conditions** under which small offices may be built on these properties are:

- A Planned Unit Development is required
- The base zoning district that may be used is Office Neighborhood
- Steep slopes and unstable soils are not to be developed unless the property in question has no areas of level topography, which is true of very few of these parcels
- Lighting should be directed away from residences
- Signage should be scaled to be compatible with the residential environment that predominates along these corridors. It should be monument signage with ground lighting only
- Access to fronting roads shall be strictly limited. New development shall provide cross access easements for interconnectivity among parcels except where cross connections cannot be physically accomplished.
- Because of the scenic nature of the Tolbert Road, Highway 70S and Old Hickory Boulevard corridors and the importance of compatibility with residential development in the area, landscaping should exceed the standard requirements of the zoning code in parking areas abutting the streets and areas abutting residential development
- For the same reasons as stated in the bullet point above, tree preservation should also significantly exceed the standard requirements of the zoning code, especially along roadways and areas abutting residential development
- It is recommended that buildings be constructed of brick and stone
- It is recommended that dumpsters be completely screened with brick or stone walls, with wood only to be used for gates and that wherever possible, dumpsters shall not be visible from the street
- To the extent feasible, parking areas shall be located to the sides and rears of buildings.

**Policy Conflict** - The proposed SP district is consistent with the RM and RLM policies on this site. The district will completely preserve the rear portion of the site, which is the portion in RLM policy. The total density of this development, if portion of the property that is to remain undeveloped is counted (13.64 acres), is 1.77 units/acre. If the density is calculated using only the front 5.33-acre portion that is proposed to be disturbed, then the proposed density would be 6.5 homes per acre, which is also consistent with the RM policy.

While the Special Policy Area allows offices as an alternative to multifamily development, it does not preclude the sort of multifamily development (townhomes and attached cottages) that is being proposed with this SP. As discussed above, the multifamily residential development and number of units proposed both match the RM policy for the site.

**Preliminary Plan Details** - While the site is currently undeveloped, there is a multifamily development to the adjacent parcel to the east, and an assisted living development to the west. The proposed SP includes 35 total units, consisting of 16 cottages and 19 townhomes. As the portion of the site that is developable (i.e. between 0-10 percent slope) is small, there is only a small area of active open space provided to the east of the main driveway that accesses the units. Landscaping is also provided along the new proposed parking lot and at the fronts of the units.

**Vehicular Access** - The site is accessed via one private driveway that crosses a stream and a small piece of floodplain that runs parallel to the stream. The applicant has proposed a bridge across the stream, which must be approved by the Stormwater Division of Metro Water Services.

**Building Elevations** -The plan includes photographs of the units to be developed. These serve as the elevations (architectural renderings) for the new buildings to be constructed within the SP development. Staff has reviewed the photographs and recommends approval of them proposed elevations.

**Landscaping Plan** - The applicant has proposed new landscaping on the Specific Plan for the 5.33 acres to be disturbed with this development, and proposed to leave undisturbed the entire 13.64-acre RLM area to the rear (south) of this area, as this portion of the site is very steep (almost all over 25 percent slope). A concept plan for the new proposed landscaping to be installed is shown on this preliminary SP, and it includes canopy and screening trees on the western side and throughout the development (including between unit driveways); a final, more detailed landscaping plan is a requirement at the final SP stage (including Tree Preservation details).

**Parking and pedestrian access** -The applicant has not agreed to provide a sidewalk along the frontage of this property of Highway 70 South as part of this SP. According to section 17.20.120 of the Zoning Ordinance, new multifamily

developments are required to have sidewalks from the external boundaries to the interior, and throughout the development. There are some internal sidewalks proposed within this SP, but Planning staff recommends that the applicant construct pedestrian trails from both sides of this development to connect to adjacent properties on the east and west (to the property lines at a minimum). The pedestrian trails are a logical improvement to this SP as the adjacent developments are multifamily residential uses, consistent with this SP.

Even though the adjacent sites do not have an existing sidewalk network along the frontage of Highway 70 and this site is outside the Urban Services District, Planning staff recommends that the plans be revised to include a standard Metro sidewalk along the frontage of the this property with Highway 70 South. Highway 70 South is a collector/arterial road and the site is near to commercial areas, so a sidewalk will allow easier pedestrian access to bus routes.

*Design issues* - The applicant was advised to provide cross access driveways to both multifamily developments that abut it (to the east and west). The applicant refused, citing topographical and stream buffer/floodplain as problematic issues that inhibit such connections. The pedestrian trails as discussed above are important due to the difficulty of vehicular connections between the developments.

The applicant was also advised to invert the design of the development so that parking and driveways would be to the rears of the units, along a service lane, with the units fronting on open space. The applicant declined to make these changes, citing site-based constraints and the already-specified building type with a front-loaded design. In addition, such design changes are not necessarily mandated by the RM/RLM land use policies. Finally, the proposed development is consistent with other multi-family developments in the area.

**RECENT REZONINGS** - None.

**PUBLIC WORKS RECOMMENDATION** - All Public Works' design standards shall be met prior to any final approvals and permit issuance. Any approval is subject to Public Works' approval of the construction plans. Final design and improvements may vary based on field conditions.

1. Private street drive aisles to be 24 feet wide and have PWST 200 curb and gutter.
2. Pavement detail to meet ST 251 standard.
3. Provide proof of adequate sight distance at project entrance.
4. Align project driveway with Westport Landing condos driveway.
5. Construct right turn deceleration lane on Highway 100 with 50 feet of storage and transition per AASHTO standards.

#### **STORMWATER RECOMMENDATION**

The following information should be shown on the plans:

- 78-840 note
- Buffer note
- Preliminary note

Accurate floodway needs to be established *prior* to final approval. The number of townhomes may be **reduced**.

**Fire Marshal Recommendation** -Fire hydrants should flow at least 1,250 GPM's at 40 psi.

#### **METRO SCHOOL BOARD RePORT**

**Projected student generation**     2 **Elementary**     1 **Middle**     1 **High**

**Schools Over/Under Capacity** - Students would attend Westmeade Elementary School, Bellevue Middle School, or Hillwood High School. Hillwood High School and Westmeade Elementary School have been identified as being overcrowded by the Metro School Board. There is capacity within the adjacent clusters of Whites Creek, Hillsboro, and Pearl-Cohn. With regard to Westmeade Elementary School, the fiscal liability for the projected increase in students is \$24,000.

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

#### **CONDITIONS**

1. Prior to final SP approval, the applicant must revise the plans to include a standard Metro sidewalk along the frontage of this property with Highway 70 South, and show internal pedestrian trails from both sides of this development to connect to adjacent property lines on the east and west.
2. Prior to final SP approval, all units must be labeled to distinguish the cottage from the townhome units on the

plans.

3. All off-site traffic conditions, as recommended by Public Works, must be bonded or completed prior to the recordation of the final plat.
4. All Stormwater conditions as indicated above must be adequately addressed prior to, or with the final SP approval.
5. Prior to final SP approval, the applicant must specify on the SP plans an eastern setback.
6. Prior to final SP approval, the number of bedroom units in each unit type must be labeled on the plans.
7. As a part of the final SP plan approval, a separate, detailed landscaping plan must be provided.
8. Prior to any additional development applications for this property, the applicant shall provide the Planning Department with a final corrected copy of the SP plan for filing and recording with the Davidson County Register of Deeds.
9. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission approval, the property shall be subject to the standards, regulations and requirements of the RM4 zoning district, which must be shown on the plan.

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

**Resolution No. RS2006-014**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006Z-010G-06 is **APPROVED WITH CONDITIONS. (7-0)**

**Conditions of Approval:**

1. Prior to final SP approval, the applicant must revise the plans to include a standard Metro sidewalk along the frontage of this property with Highway 70 South, and show internal pedestrian trails from both sides of this development to connect to adjacent property lines on the east and west.
2. Prior to final SP approval, all units must be labeled to distinguish the cottage from the townhome units on the plans.
3. All off-site traffic conditions, as recommended by Public Works, must be bonded or completed prior to the recordation of the final plat.
4. All Stormwater conditions as indicated above must be adequately addressed prior to, or with the final SP approval.
5. Prior to final SP approval, the applicant must specify on the SP plans an eastern setback.
6. Prior to final SP approval, the number of bedroom units in each unit type must be labeled on the plans.
7. As a part of the final SP plan approval, a separate, detailed landscaping plan must be provided.
8. Prior to any additional development applications for this property, the applicant shall provide the Planning Department with a final corrected copy of the SP plan for filing and recording with the Davidson County Register of Deeds.
9. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission approval, the property shall be subject to the standards, regulations and requirements of the RM4 zoning district, which must be shown on the plan.

**The requested SP district and site plan are consistent with the Bellevue Community Plan’s Residential Medium, Residential Low Medium and special policy that are for residential developments.”**

14. **2006Z-011G-04**  
Map 043-10, Parcel 058  
Map 043-011, Parcels 104, 105, 106, 107

A request to rezone from RS7.5 to RM20 zoning properties located at North DuPont Avenue (unnumbered), and 109, 111, 113, and 115 McArthur Drive, at the northwest corner of State Route 45 and McArthur Drive (3.68 acres), requested by Robert K. Trent, Managing Member of Bixler Farms LLC, applicant/owner.

**Staff Recommendation - Disapprove**

**APPLICANT REQUEST** - Request to change 3.68 acres from residential single family (RS7.5) to residential multi-family zoning (RM20) on properties located at North DuPont Avenue (unnumbered), and 109, 111, 113, and 115 McArthur Drive, at the northwest corner of State Route 45 and McArthur Drive.

**Existing Zoning**

RS7.5 district - RS7.5 requires a minimum 7,500 square foot lot and is intended for single-family dwellings at a density of 4.94 dwelling units per acre. With RS7.5 zoning, a maximum of 21 single-family lots are allowed on this property.

**Proposed Zoning**

RM20 district - RM20 is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre. With RM20 zoning, a maximum of 73 multifamily units would be allowed on this property.

**MADISON COMMUNITY PLAN POLICY**

Residential Medium High (RMH) - 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.

RMH Area 7E of the Subarea 4 Plan - RMH policy is applied to this area in recognition of the medium-high density residential uses which are expected to remain throughout this planning period. The Dupont Apartments, the Madison Towers, and the Heatherwood Apartments are all located along North Dupont Avenue. The area is bounded to the west by the rear lot lines of properties oriented towards Delaware Avenue; to the north by the rear lot lines of properties oriented towards Becklea Drive; to the east by May Drive and MacArthur Drive; to the south by State Route 45.

**Policy Conflict** - Though the proposed RM20 zoning district is consistent with the Residential Medium High policy, which applies to the properties in the block between North Dupont Avenue on the north and McArthur Drive on the east, the density of the proposed RM20 zoning (20 units/acre) is the *maximum* density supported RMH policy (9-20 units/acre). Even though the adjacent assisted living development to the west is zoned RM20, it is not currently developed to this high of a density, and there are several adjacent/nearby properties on both sides of McArthur Drive that are currently developed as single family homes. In addition, this rezoning request would not include one property on the corner of McArthur Drive and State Route 45, currently developed as a single family home. Staff finds the RM20 density to be inappropriate, given these issues, and **recommends the RM9 zoning** as an alternative multifamily district that would help serve as a transition away from the lower-density residential properties along the east side of McArthur Drive.

**RECENT REZONINGS** - None.

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

**Typical Uses in Existing Zoning District: RS7.5**

Land Use (ITE Code)	Acres	Density per Acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	3.68	4.94	18	213	22	23

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

Land Use (ITE Code)	Acres	Density Per Acre	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single Family Detached (210)	3.68	20	74	789	62	82

**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
--			+56	576	40	59

**METRO SCHOOL BOARD REPORT**

**Projected student generation    8 Elementary   6 Middle   5 High**

**Schools Over/Under Capacity** -Students would attend Amqui Elementary School, Brick Church Middle School, or Hunters Lane High School. All three schools have been identified as not having capacity by the Metro School Board. The adjacent clusters of Whites Creek, Stratford, and Maplewood do have capacity.

Because there is no capacity within the cluster for Amqui Elementary School, the fiscal liability for this is \$96,000 (8 X \$12,000 per student). Because there is no capacity within the cluster for Brick Church Middle School, the fiscal liability for this is \$78,000 (6 X \$13,000 per student). This information is based upon data from the school board last updated August 2, 2005.

Mr. Pereira presented and stated that staff is recommending disapproval of RM20; however staff is recommending approval of RM9 zoning with the condition that no access shall be permitted to State Route 45.

Mr. Joseph Sutherland, 917 Conference, presented information to the Commission for review. He spoke in opposition to the proposal.

Ms. Kathryn Miles, 820 North DuPont Avenue, spoke in opposition to the proposal.

Mr. Robert Trent spoke in favor of the proposal.

Mr. Ponder requested clarification on the current land uses for the area. He stated he was in favor of approving the RM9 zoning.

Mr. McLean stated that Stormwater management would abate the mentioned stormwater issues and moved for approval.

Mr. McLean moved and Ms. Nielson seconded the motion which passed unanimously to disapprove RM20 and to approve RM9 for Zone Change 2006Z-011G-04 with the condition that no access shall be permitted to State Route 45. **(7-0)**

**Resolution No. RS2006-015**

**“BE IT RESOLVED** by The Metropolitan Planning Commission that 2006Z-011G-04 is **DISAPPROVED RM20, but APPROVED RM9, WITH THE CONDITION** that at development no access shall be allowed to State Route 45. **(7-0)**

**While the requested RM20 is consistent with Madison Community Plan’s Residential Medium High (RMH) policy, it allows the possible highest density called for under RMH; therefore, the lower density RM9 is more appropriate.”**

- 15.    2006Z-013U-02**  
       Map 060-03, Parcel 143  
       Subarea 2 (1995)  
       District 3 - Carolyn Baldwin Tucker

A request to change from RS7.5 to SP zoning, property located at 3301 Creekwood Drive, on the north side of I-65 South (17.93 acres), to permit a vocational community center and 10 new multi-family units, and the 200 multi-family units currently existing, requested by Knollcrest Partners G.P., owner.

**Staff Recommendation – Approve with conditions**

**APPLICANT REQUEST** - Rezone 17.93 acres from residential single-family (RS7.5) to Specific Plan (SP) district property located at 3301 Creekwood Drive.

**Existing Zoning**

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

**Proposed Zoning**

**SP district (preliminary)** - Specific Plan is a zoning district category that provides for additional flexibility of design, including the relationship of buildings to streets, to provide the ability to implement the specific details of the General Plan.

- The SP District is a new base zoning district, not an overlay. It will be labeled on zoning maps as “SP.”
- The SP District is not subject to the traditional zoning districts’ development standards. Instead, urban design elements are determined for the specific development and are written into the zone change ordinance, which becomes law.
- Use of SP does not relieve the applicant of responsibility for the regulations/guidelines in historic or redevelopment districts. The more stringent regulations or guidelines control.
- Use of SP does not relieve the applicant of responsibility for subdivision regulation and/or stormwater regulations.

**PARKWOOD/UNION HILL COMMUNITY PLAN POLICY**

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

**Policy Conflict** - The proposed SP district is inconsistent with the RLM policy on this site. Notwithstanding this inconsistency, the existing apartment use is a legally non-conforming use since the property is zoned RS7.5. The applicant attempted to rezone this property to RM15 district at the September 22, 2005, Planning Commission meeting, but the Commission disapproved the request, on the basis of the potential for a large increase (sixty-eight) of units that would be allowed on the property under RM15 zoning. Planning staff recommended to the applicant the submittal of a PUD or Specific Plan which would restrict the development to limit future additional units and ensure a design that is sensitive to both its residents and the surrounding neighbors - including landscaping, pedestrian facilities, and open space.

**Preliminary Plan Details** - The proposed SP will include this entire apartment complex, where there are currently 200 apartment units already developed onsite. The SP also includes the addition of ten more apartment units, and a 2,500 square foot vocational/educational center. As the site is very small, there is only a small area of active open space provided between the new parking and Creekwood Drive. Landscaping is also provided along the new proposed parking lot, along Creekwood Drive, and around the proposed detention area.

**Building Elevations** - The plan includes photographs of the existing apartment buildings. These serve as the elevations (architectural renderings) for the new building to be constructed within the SP development. Staff has reviewed the photographs and finds them satisfactory.

**Landscaping Plan** - Despite the minor nature of the expansion proposed by this SP, the applicant has proposed all new landscaping on the Specific Plan. All new landscaping proposed to be installed is shown and vegetation types are included.

**Parking and pedestrian access** - The applicant has agreed to provide a sidewalk along the frontage of this property of Creekwood Drive as part of this SP. Planning staff also explored the possibility of the applicant constructing a pedestrian trail from the northern part of this development to the property boundary with Parkwood Park, which abuts this site to the north. Metro Parks has disagreed with this potential pedestrian trail, and therefore, Planning Department is no longer pursuing this as a possibility.

**RECENT REZONINGS** -None.

**PUBLIC WORKS RECOMMENDATION** - No plan received; an access study may be required at development.

**Typical Uses in Existing Zoning District: RS7.5**

Land Use (ITE Code)	Acres	Density Per Acre	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Apartment (220)	17.93	--	200	1353	102	128



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

Land Use (ITE Code)	Acres	Density Per Acre	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Apartment (220)	17.93	==	210	1413	107	134

**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	40	5	6

**STORMWATER RECOMMENDATION - Returned For Corrections**

- The plans must have printed on them the following two notes:
  - 78-840 Note: "Any excavation, fill, or disturbance of the existing ground elevation must be done in accordance with stormwater management ordinance no. 78-840 and approved the Metropolitan Department of Water Services."
  - Preliminary Note: "This drawing is for illustration purposes to indicate the basic premise of the development. The final lot count and details of the plan shall be governed by the appropriate regulations at the time of the final plan."

**FIRE MARSHAL RECOMMENDATION - Not Approved**

- Fire hydrants should flow at least 1,250 GPM's at 40 psi.
- 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: 1568.020 B.
- The new building may need a fire sprinkler system. Fire Department connections shall be on the front of the building within 100-150 feet of an approved fire hydrant.

**CONDITIONS**

- All off-site traffic conditions, as recommended by Public Works from the results of any access study must be bonded or completed prior to the recordation of any final plat.
- All Stormwater conditions as indicated above must be adequately addressed prior to, or with the final SP approval.
- Prior to final SP approval, the applicant must satisfactorily address all Fire Marshal's Office comments, as listed above.
- Prior to final SP approval, the applicant must specify on the SP plans a maximum front setback, and the front property line also must be labeled.
- Prior to any additional development applications for this property, the applicant shall provide the Planning Department with a final corrected copy of the SP plan for filing and recording with the Davidson County Register of Deeds.
- For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission approval, the property shall be subject to the standards, regulations and requirements of the RM15 zoning district, which must be shown on the plan.

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

**Resolution No. RS2006-016**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2006Z-013U-02 is **APPROVED WITH CONDITIONS.** (7-0)

**Conditions of Approval:**

1. All off-site traffic conditions, as recommended by Public Works from the results of any access study must be bonded or completed prior to the recordation of any final plat.
2. All Stormwater conditions as indicated above must be adequately addressed prior to, or with the final SP approval.
3. Prior to final SP approval, the applicant must satisfactorily address all Fire Marshal's Office comments, as listed above.
4. Prior to final SP approval, the applicant must specify on the SP plans a maximum front setback, and the front property line also must be labeled.
5. Prior to any additional development applications for this property, the applicant shall provide the Planning Department with a final corrected copy of the SP plan for filing and recording with the Davidson County Register of Deeds.
6. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission approval, the property shall be subject to the standards, regulations and requirements of the RM15 zoning district, which must be shown on the plan.

**The proposed SP district and site plan limit the total number of units on this existing development and help to keep it from further being out of compliance with the Parkwood/Union Hill Community Plan's Residential Low Medium policy."**

## **XII. PRELIMINARY SUBDIVISION PLATS**

- 16. 2004S-253G-02**  
 Dawn Brook Sub (Formerly Hidden Valley Sub.)  
 Map 033-00, Parcel part of 045  
 Subarea 2 (1995)  
 District 3 - Carolyn Baldwin Tucker

A request for preliminary plat approval of 42 lots abutting the south margin of Campbell Road and the north margin of Lowes Lane (26.58 acres), zoned R20, requested by Tommy Cunningham, developer, Burns & Associates, surveyor.

**Staff Recommendation - Approve with conditions**

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

Request to create 42 single-family lots on 26.58 acres on the south side of Campbell Road and the north side of Lowes Lane.

### **ZONING**

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

**PREVIOUS SUBMITTAL** - s application was deferred from the September 22, 2005, meeting due to opposition from the neighbors over the use of the cluster lot option and because there was not a connection to Lowes Lane. The plan has been redesigned not using the cluster lot option and all lots within the subdivision are 20,000 square feet or greater. The previous design, however, preserved steeper slopes in open space, while this plan does not.

### **SUBDIVISION DETAILS**

*Access/Street Connectivity* - Access is proposed from Campbell Road. Stub streets are provided to the east and south to allow for connectivity as adjacent properties develop. The applicant has stated that a connection to Lowes Lane is not possible due to topography, however, five lots are proposed in the area. Staff contends that if this area is too steep to build a road than it is too steep to build houses. Staff recommends that this area be set aside as open space.

Sidewalks - Sidewalks are not required because the lots are all 20,000 square feet or greater.

**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.

Prior to Phase 3 (lots 21 thru 46), a westbound left turn lane with a minimum of 75 feet of storage and transition per AASHTO standards shall be constructed on Campbell Road at project access, or a Traffic Impact Study shall be conducted to identify roadway improvements to be constructed in order to mitigate project's impact.

**STORMWATER RECOMMENDATION** - Approved Except as Noted. During the grading and drainage plan review phase, the development may be required to add detention and water quality for lots 18-21 and 41-44 if they can not be covered by the current water quality concept. This could possibly affect lot layout in that area of the preliminary plat.

**CONDITIONS**

1. All traffic conditions listed above must be completed or bonded prior to the appropriate phase of final plat approval.
2. Revise plat to include sidewalks.
3. Lots 18-20 and 42-43 shall be set aside as Open Space.
4. A revised plat shall be submitted by January 26, 2006.

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

Mr. Mike Burns, Burns & Associates, presented information to the Commission and spoke in favor of the proposal.

Mr. Loring spoke in favor of the proposal. He mentioned the Council persons were in favor of approving and stated he is in favor of approving as submitted by the applicant.

Mr. Small requested further clarification on the issue of critical lots and how it was associated with this proposal.

Ms. Fuller explained these issues to the Commission.

Mr. McLean suggested that the topographical map indicates that some of the lots included with the plan could be constructed as critical lots. He motioned to approve with conditions, but to eliminate Condition #3 – “Lots 18-20 and 42-43 shall be set aside as Open Space”.

Mr. Ponder requested further clarification regarding the lot sizes and the number of structures requested in the proposal.

Mr. McLean moved and Mr. Loring seconded the motion, which passed unanimously to approve with conditions on Preliminary Plat 2004S-253G-02, but to remove Condition #3 whereby certain lots (Lots 18-20 and 42-43) would be set aside as Open Space. **(7-0)**

**Resolution No. RS2006-017**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2004S-253G-02 is **APPROVED WITH CONDITIONS, including the elimination of condition #3. (7-0)**

**Conditions of Approval:**

1. All traffic conditions listed above must be completed or bonded prior to the appropriate phase of final plat approval.
2. Revise plat to include sidewalks.
3. ~~Lots 18-20 and 42-43 shall be set aside as Open Space.~~
4. A revised plat shall be submitted by January 26, 2006.”

- 
17. **2005S-304G-03**  
The Meadows of Fontanel  
Map 049-00, Parcels 200.01, 319, and part of 140  
Subarea 3 (2003)  
District 3 - Carolyn Baldwin Tucker

A request for preliminary plat approval to create 14 lots on the east side of Whites Creek Pike, approximately 1,100 feet north of Lloyd Road, zoned R15 and RS20, requested by Fontanel Properties, LLC, owner, Advantage Land Surveying, surveyor.

**Staff Recommendation - Approve with conditions**

Mr. Lawson announced that Council Lady Baldwin Tucker requested this item be deferred and he added that the developer has agreed to a two meeting deferral. Mr. Lawson asked if there was anyone in the audience who wished to speak on this proposal.

No one responded.

Mr. McLean moved and Mr. Ponder seconded the motion, which passed unanimously to close the public hearing on 2005S-304G-03, place it back on the deferral agenda and defer to February 9, 2006. (7-0)

**Resolution No. RS2006-018**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005S-304G-03 is **DEFERRED TO THE FEBRUARY 9, 2006 COMMISSION MEETING. (7-0)**”

**18. 2006S-008G-13**

Shoppes of Edge O Lake, Section 2  
Map 149-00, Part of Parcels 078, 079, 081, 082, all of Parcels 080,083, 141  
District 29 - Vivian Wilhoite

A request for preliminary plat approval to create 15 lots located on the northeast corner of Edge-O-Lake Drive and Murfreesboro Pike (10.65 acres), zoned CS and MUL, requested by Marshall Development, owner/developer, Cherry Land Surveying, surveyor.

**Staff Recommendation - Approve with conditions**

**APPLICANT REQUEST - Preliminary Plat**

Subdivide 10.65 acres into a 15 commercial lots, along the east side of Murfreesboro Pike, south of Edge O Lake Drive.

**ZONING**

**CS District - Commercial Service** is intended for retail, consumer service, financial, restaurant, office, auto-repair, auto sales, self-storage, light manufacturing and small warehouse uses.

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

**Mixed Use - MU** policy is intended to encourage an integrated, diverse blend of compatible land uses ensuring unique opportunities for living, working, and shopping. Predominant uses include residential, commercial, recreational, cultural, and community facilities. Commercial uses appropriate to MU areas include offices and community, neighborhood, and convenience scale activities. Residential densities are comparable to medium, medium-high, or high density.

**SUBDIVISION DETAILS** -The proposed plan for 14 commercial lots (and one lot for the relocated cemetery) is consistent with the concept plan that was presented to the Planning Department in 2004, when the adjacent properties to the north were given preliminary plat approval for 16 lots by the Planning Commission. The plan also provides for future connections to residential to the east. A separate plat for the adjacent residential area was submitted, but was requested for deferral by the applicant, so it is not on this agenda.

**Stub-Streets** -This plat ties into the existing stub street at Lakevilla Drive, and provides for a future stub street that will tie into Willowbranch Drive. The portion of Lakevilla Drive within this plat will include commercial development, as indicated by the developer.

**PUBLIC WORKS RECOMMENDATION**

1. Any approval is subject to Public Works approval of the construction plans. Final design and improvements may vary based on field conditions.
2. At the intersection of Lakevilla Drive and Murfreesboro Road, construct the two exit lanes and one entering lane on Lakevilla Drive with 11 feet minimum lane widths and 100 feet of storage. Transition per AASHTO standards. Sidewalk to be located within right of way.
3. Show cross access between lots 7, 8, and 9.
4. Show cross access between lots 5 and 6.

Comply with previous conditions identified in 2003 TIS  
 In accordance with the TIS recommendations:

1. Developer shall construct 1 access on Murfreesboro Pike between Dover Glen and Edge O Lake Drive with two exit lanes each with 160 feet of storage and 1 entering lane. This access shall align with Martway Drive.
2. Developer shall construct an access road at the intersection of Dover Glenn Drive and Murfreesboro Pike intersection. Access road shall align with Dover Glen Drive and include 2 exit lanes each with 100 feet of storage and 1 entering lane. Developer shall modify the existing signal and install pedestrian signals with ADA facilities. Developer shall submit signal plans to Metro Traffic Engineer for approval.
3. Cross access between properties along Murfreesboro Pike from Edge O Lake Drive to southern property boundary shall be required.
4. At development, developer shall provide street connectivity to existing streets Lakevilla Drive and Willowbranch.

**STORMWATER RECOMMENDATION** -Show water quality concept. If the pond on the adjacent subdivision is proposed for water quality treatment for this plat, state that. Indicate those map and parcel numbers of the parcels included in this plat. Additional parcel numbers are listed that are not in this plat.

**FIRE MARSHAL RECOMMENDATION**

Metro Ordinance O95-1541 Sec: 15.68.020B requires that no building be more than 500 feet from an approved fire hydrant via an approved hard surface road.

Fire hydrants should flow 1,000 GPM's @40 psi.

**CONDITIONS**

1. Prior to the issuance of any building permits, a final plat shall be recorded, including the posting of any necessary bonds to secure the satisfactory construction, installation, and dedication of all required public improvements.
2. All conditions, as recommended by Public Works, above, must be completed, satisfied, or bonded prior to final plat recordation.
3. All conditions, recommended by Metro Stormwater shall be completed prior to final plat approval.
4. Prior to final plat approval, the State must approve the relocated cemetery.
5. Parcel Number 141 on Map 149-03 (owned by Adams Brothers Development Company) must be excluded from this plat, or specifically listed on the plat as being part of this plat. If it is included, the owners of parcel 141 must submit a letter indicating the agree to be made part of this plat.

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

**Resolution No. RS2006-019**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006S-008G-13 is **APPROVED WITH CONDITIONS. (7-0)**

**Conditions of Approval:**

1. Prior to the issuance of any building permits, a final plat shall be recorded, including the posting of any necessary bonds to secure the satisfactory construction, installation, and dedication of all required public improvements.

2. All conditions, as recommended by Public Works, above, must be completed, satisfied, or bonded prior to final plat recordation.
3. All conditions, recommended by Metro Stormwater shall be completed prior to final plat approval.
4. Prior to final plat approval, the State must approve the relocated cemetery.
5. Parcel Number 141 on Map 149-03 (owned by Adams Brothers Development Company) must be excluded from this plat, or specifically listed on the plat as being part of this plat. If it is included, the owners of parcel 141 must submit a letter indicating the agree to be made part of this plat.”

**19. 2006S-017U-12**

Spencer Hill

Map 162-020, Parcels 037, 038, 049, 160, 162, 163

Map162-060, Parcel 004

Subarea 12 (2004)

District 30 - Michael Kerstetter

A request for preliminary plat approval to create 65 lots located on the north side of Tusculum Road and the south side of Bart Drive (17.94 acres), zoned R10, requested by Mary Luker Holland, owner, MEC Inc., surveyor.

**Staff Recommendation - Disapprove**

**APPLICANT REQUEST - Preliminary Plat**

Request for preliminary plat approval to create 65 lots on 17.94 acres, located on the north side of Tusculum Road and the south side of Bart Drive.

**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.

**PLAN DETAILS**

Cluster Lot Option -The proposed plan utilizes the cluster lot option available in the Metro Zoning Code in order to preserve open space area. The plan proposes to utilize the bulk standards (setbacks, lot coverage, etc.) of the R10 district, with lots ranging from 6,000 to 13,482 square feet in size. There are 10 proposed duplex lots (or 20 dwelling units), ranging from 6,058 to 9,302 square feet in size, resulting in a total of 75 dwelling units (65 total residential lots).

Section 17.12.090 of the Metro Zoning Ordinance discusses the cluster lot option, which this plat employs. Subsection A requires that any lot to be clustered down in size from the base zoning minimum lot size (in this case, smaller than the 10,000 square feet minimum lot size required by R10 zoning) must be for a single family residence. By implication, any proposed duplex lot on this plat that is proposed to be below 10,000 square feet in size must be either increased to at least 10,000 square feet in size, or modified on the plat to be for single family purposes.

Open Space and Drainage Area - The applicant is proposing 23 percent of the subdivision, or 4.07 acres, to be used as open space, which exceeds the minimum requirement of 15 percent. Staff has also evaluated this open space on the basis of the clarified criteria for cluster lot subdivision requirements as recently addressed by staff and the Commission. This proposal complies with these criteria, indicating that 18 percent of the open space is “value” open space, i.e. usable for the “use and enjoyment” of the residents.

Access and lot layout - This subdivision proposes new public road connections between existing public roads. The right-of-way from the existing Luker Lane, which connects on the south to Tusculum Road, will be extended northwest through this subdivision and connect to platted unconstructed right-of-way, terminating with a connection to Bart Drive on the north. There are two new loop roads proposed off of Luker Lane, Littlehill Loop and Cemetery Circle, with lots fronting them on both sides. Lots also front on Luker Lane, five lots front on Bart Drive, and two lots front on Olivia Drive. The cemetery has been left in common open space.

Planning staff has recommended that **if** lots #52 and #58 are to be for duplex purposes, that **one duplex unit** each of lot #58 and lot #52 front on the common open space located on the north side of the Cemetery Circle loop road. The plans have been revised with a note indicating this accordingly.

Landscape bufferyards - The applicant has shown various landscape bufferyards on these plans to comply with the requirements of the cluster lot provisions (Section 17.12.090 of the Metro Zoning Ordinance):

- A “C” landscape bufferyard is located along the western edge of this subdivision, as the lots next to it on the west are larger, and the proposed lots #12-24 are two zone districts smaller in size than R10 (i.e. some lots on the western side are 6,000 square feet).
- Lots #45-50 also have a “C” landscape bufferyard to their rears on the eastern side of this subdivision, for the same reason as above.
- A “D” landscape bufferyard is located on the south side of the subdivision, parallel to Tusculum Road, to the rears of lots #3-11.
- All the remaining proposed lots that directly abut an existing lot not a part of this subdivision are at least 10,000 square feet in size, complying with the base zoning.

Sidewalk requirement - Because this proposed subdivision is in the Urban Services District and is within a base zone district that allows lots smaller than 20,000 square feet, sidewalks are required on both sides of new streets. Sidewalks have been shown on both sides of Luker Lane, Cemetery Circle, and Littlehill Loop. At building permit stage, the applicant must construct a sidewalk to Metro standards.

Worthy of Conservation (WOC) - Parcel 162 has been designated on Metro maps as having “Worthy of Conservation” status, due to the presence of what is known as the Bennett-Blackman house on the property (5034 Luker Lane). On this preliminary plat, the house is proposed to be demolished, in order to allow for the extension of Luker Lane north to Bart Drive. According to the Davidson County Property Assessor’s office, the single family house has a brick exterior with an asphalt roof cover, and a total of six bedrooms (see image below). The Metro Historical Commission has survey information that indicates a construction date for the house of around 1860, and is therefore investigating the house further. The Historical Commission will present its findings in time for the January 12, 2006, meeting for the Planning Commission to consider.



Fig. 1. Bennett-Blackman House (image courtesy of the Davidson County Property Assessor Office).

#### **PUBLIC WORKS RECOMMENDATION**

1. Any approval is subject to Public Works approval of the construction plans. Final design and improvements may vary based on field conditions.
2. Construct 100 ft left turn lane on Tusculum (U-2) at Luker if ROW is available.

#### **STORMWATER RECOMMENDATION**

Stormwater needs the following items addressed **prior** to approval:

1. Show and label a buffer for the stream, which exceeds 40 acres in drainage. The required buffer is either 30 from centerline or 25 from top of bank, whichever is greater. The buffer cannot encroach into either the water quality ponds or the lots. Consequently, the buffer will ostensibly affect the location of water quality pond #1, in addition to lots 12-16.
2. Add the standard buffer note.

#### **CONDITIONS**

1. Any proposed duplex lot on this plat that is proposed to be below 10,000 square feet in size must be either increased to at least 10,000 square feet in size, or modified on the plat to be for single family purposes only.
2. The applicant must comply with Stormwater conditions above.
3. Prior to **final** plat approval, the applicant must obtain approval of an appeal from the Stormwater Management Committee for the proposed water quality in a buffered stream.
4. Prior to **final** plat approval, the plat must be revised to add the parcel numbers:  
Map 162-2-A, and parcels #1-70: all the numbers of the lots will have the same number as the parcel number. These parcel numbers must be added to the plat, in parentheses. In addition, the open space areas must have the following parcel numbers added to the plat:
  - Open Space A = Parcel 66
  - Cemetery = Parcel 67
  - Open Space B = Parcel 68
  - Open Space C = Parcel 69
  - Open Space/C Bufferyard to the rears of lots 45-50 = Parcel 70.
5. Prior to **final** plat approval, the plat must be revised to show least one pedestrian trail/sidewalk to access open space area A from Cemetery Circle on the south, and Luker Lane on the north.
6. Prior to **final** plat approval, the applicant must obtain approval of Public Works conditions above.

Mr. Pereira presented and stated that staff is recommending approval with conditions, including Stormwater recommendations. Prior to the demolition of the Bennett Blackman house, the applicant shall demonstrate that Metro Historical Commission guidelines for implementing TCA 7-51-1201 are followed, shall cooperate with the Metro Historical Commission on documentation and materials salvage in conjunction with the demolition request, and on the final plat, a label must be added to the location of the house that indicates that the Metro Historical Commission has provided the Metro Codes Administration with documentation indicating that TCA 7-51-1201 has been satisfied and that the house may be demolished.

Mr. Robert Hawkins, 4943 Olivia Drive, spoke in opposition to the proposal.

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

Mr. Malcolm Moore, 140 Bart Drive, spoke in opposition to the proposal.

Mr. Chuck Nicholson, 121 Bart Drive, spoke regarding the proposal.

Ms. Lydia Hubble, 219 Bart Drive, spoke in opposition to the proposal.

Mr. Small spoke in favor of the proposal and moved for its approval.

Mr. Ponder requested further clarification on the requested zoning included in this proposal and its relation to RS rezoning.

Mr. Bernhardt explained this to the Commissioners.

Ms. Nielson spoke in favor of the use of the cluster lot option within this proposal.

Mr. Small moved and Mr. McLean seconded the motion, which passed unanimously to approve preliminary plat 2006S-017U-12 as recommended by the planning staff. **(7-0)**

**Resolution No. RS2006-020**

**“BE IT RESOLVED** by The Metropolitan Planning Commission that 2006S-017U-12 is **APPROVED WITH CONDITIONS (7-0), including additional Stormwater and Metro Historical Commission conditions. Prior to the demolition of the Bennett Blackman house, the applicant shall demonstrate that Metro Historical Commission guidelines for implementing TCA 7-51-1201 are followed, shall cooperate with the Metro Historical Commission on documentation and materials salvage in conjunction with the demolition request, and on the final plat, a label must be added to the location of the house that indicates that the Metro Historical Commission has provided the Metro**



**Codes Administration with documentation indicating that TCA 7-051-1201 has been satisfied and that the house may be demolished.**

**Conditions of Approval:**

**PUBLIC WORKS RECOMMENDATION**

1. Any approval is subject to Public Works approval of the construction plans. Final design and improvements may vary based on field conditions.
2. Construct 100 ft left turn lane on Tusculum (U-2) at Luker if ROW is available.

**STORMWATER RECOMMENDATION**

1. Show and label a buffer for the stream, which exceeds 40 acres in drainage. The required buffer is either 30 from centerline or 25 from top of bank, whichever is greater. The buffer cannot encroach into either the water quality ponds or the lots. Consequently, the buffer will ostensibly affect the location of water quality pond #1, in addition to lots 12-16.
2. Add the standard buffer note.

**CONDITIONS**

1. Any proposed duplex lot on this plat that is proposed to be below 10,000 square feet in size must be either increased to at least 10,000 square feet in size, or modified on the plat to be for single family purposes only.
2. The applicant must comply with Stormwater conditions above.
3. Prior to final plat approval, the applicant must obtain approval of an appeal from the Stormwater Management Committee for the proposed water quality in a buffered stream.
4. Prior to final plat approval, the plat must be revised to add the parcel numbers:  
Map 162-2-A, and parcels #1-70: all the numbers of the lots will have the same number as the parcel number. These parcel numbers must be added to the plat, in parentheses. In addition, the open space areas must have the following parcel numbers added to the plat:
  - Open Space A = Parcel 66
  - Cemetery = Parcel 67
  - Open Space B = Parcel 68
  - Open Space C = Parcel 69
  - Open Space/C Bufferyard to the rears of lots 45-50 = Parcel 70.
5. Prior to final plat approval, the plat must be revised to show least one pedestrian trail/sidewalk to access open space area A from Cemetery Circle on the south, and Luker Lane on the north.
6. Prior to final plat approval, the applicant must obtain approval of Public Works conditions above.”

---

**XIII. FINAL PLATS**

- 20. 2006S-020G-04**  
Seventh Day Adventist & Tennessee Christian  
Medical Centre, Revision One  
Map 052-03, Parcels 137, 153  
Subarea 4 (1998)  
District 9 - Jim Forkum

A request to final plat approval to create 3 lots located at 500 Hospital Drive and 315 Larkin Springs Road, along eastern margin of Larkin Springs Road (63.03 acres), zoned OG, requested by Adventist Health & Hospital System, owner, Cherry Land Surveying, surveyor.

**Staff Recommendation - Approve with conditions**

**APPLICANT REQUEST - Final Plat**

Request for Final Plat approval to create three lots out of one lot, located at 500 Hospital Drive and 315 Larkin Springs Road, along the eastern margin of Larkin Springs Road (63.03 acres).

**ZONING**

**OG district - Office General** is intended for moderately high intensity office uses.

**SUBDIVISION DETAILS**

**Plan Details** - This final plat proposes the subdivision of one lot into three lots, by carving two small lots out of lot 1. Lot 1 (58.92 acres), lot 4 (0.317 acres), lot 5 (3.074 acres). Lot 1 has frontage on Larkin Springs Road, Neeleys Bend Road, Academy Road, and Manzano Road. Lot 4 will have frontage on Larkin Springs Road, and Lot 5 will have frontage on Hospital Drive, which is a private drive (i.e. a private access easement).

**Variance from lot frontage** - As Lot 5 does not have direct public road frontage, but rather accesses a private driveway (Hospital Drive), a variance must be approved from Section 2-4.2A of the Subdivision Regulations. This portion of Hospital Drive that connects Larkin Springs Road on the west and Academy Road on the east is private, but is built to public roadway standards. In addition, this lot is part of a campus, and existing lots (lot 3 and lot 2) already access private driveways as their main access points. Staff recommends approval of this variance from the direct public road lot frontage requirements.

**Sidewalk requirement** - This property is in the Urban Services District. As this is a final plat within an office zone district, a sidewalk note must be added to indicate that sidewalk requirements will be determined at the building permit stage.

**PUBLIC WORKS RECOMMENDATION**

- 1. Verify subdivision number on plat.

**STORMWATER RECOMMENDATION**

- 1. Add the buffer note.
- 2. Sign and date seal.
- 3. Provide easements for ditches and detention pond from Parcel 174.
- 4. Show detention pond limits for pond that detains Parcel 174 that is located on a portion of lot 1.
- 5. Add the Access note: "Metro Water Services shall be provided sufficient and unencumbered ingress and egress at all times in order to maintain, repair, replace, and inspect any Storm water facilities within the property."

**CONDITIONS**

- 1. Prior to final plat recordation, the plat must be revised to add a note stating that sidewalk requirements are to be determined at building permit stage.
- 2. Prior to final plat recordation, any necessary bonds must be established.
- 3. Prior to final plat recordation, all Stormwater issues as described above must be resolved.
- 4. Prior to final plat recordation, approval from Metro Water Services regarding sewer relocation/abandonment must be received.

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

**Resolution No. RS2006-021**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006S-020G-04 is **APPROVED WITH CONDITIONS. (7-0)**

**Conditions of Approval:**

- 1. Verify subdivision number on plat.

**STORMWATER RECOMMENDATION**

- 1. Add the buffer note.

2. Sign and date seal.
3. Provide easements for ditches and detention pond from Parcel 174.
4. Show detention pond limits for pond that detains Parcel 174 that is located on a portion of lot 1.
5. Add the Access note: "Metro Water Services shall be provided sufficient and unencumbered ingress and egress at all times in order to maintain, repair, replace, and inspect any Storm water facilities within the property."

**CONDITIONS**

1. Prior to final plat recordation, the plat must be revised to add a note stating that sidewalk requirements are to be determined at building permit stage.
2. Prior to final plat recordation, any necessary bonds must be established.
3. Prior to final plat recordation, all Stormwater issues as described above must be resolved.
4. Prior to final plat recordation, approval from Metro Water Services regarding sewer relocation/abandonment must be received."

- 21. 2006S-046U-03**  
 Drake's Run, First Revision, Sec 1  
 Map 058-11-0-A, Parcels 001, 002, 003, 004, 005, 006,  
 Map 058-11-0-A, Parcels 007, 008, 021, 022, 023, 024, 025, 026, 040, 041  
 Subarea 3 (2003)  
 District 1 - Brenda Gilmore

A request for final plat approval to remove sidewalks on the west side of Shady Dale Road and the north side of Hallmark Road (8.7 acres), zoned RS15, requested by Barge Waggoner Sumner and Cannon, applicant for various property owners.

**Staff Recommendation – Disapprove**

**The Metropolitan Planning Commission DEFERRED Final Plat 2006S-046U-03 to January 26, 2006 at the request of the applicant. (7-0)**

- 22. 2006S-047U-03**  
 Drake's Run, First Revision, Section 2  
 Map 058-11-A, Parcels 009, 010, 011, 012, 013, 014, 017, 018, 019, 020, 021, 027  
 Map 058-11-A, Parcels 028, 029, 030, 031, 035, 036,037, 038, 039  
 Subarea 3 (2003)  
 District 1 - Brenda Gilmore

A request for final plat approval to remove sidewalks on the south side of Shady Dale Drive, north side of Hallmark Road, and west side of Golden Hall Road (8.88 acres), zoned RS15, requested by Barge, Waggoner, Sumner, and Cannon, applicant for various property owners.

**Staff Recommendation - Disapprove**

**The Metropolitan Planning Commission DEFERRED Final Plat 2006S-047U-03 to January 26, 2006 at the request of the applicant. (7-0)**

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

- 23. 8-65-G-03**  
 Family Dollar  
 Map 59, Parcel 154  
 Subarea 3 (2003)  
 District 2 - Jamie D. Isabel

A request to revise the preliminary plan and for final approval for a portion of a Planned Unit Development located at Whites Creek Pike at Moorman's Arm Road, zoned SCN, (9.79 acres), to permit the development of a 9,180 square foot retail use, requested by Dale and Associates, for Mark and Patricia Williams et al, owners.

**Staff Recommendation - Approve with conditions**

**The Metropolitan Planning Commission DEFERRED Planned Unit Development 8-65-G-03 indefinitely at the request of the applicant. (7-0)**

24. **177-74-U-14**  
Century City West (Fraternal Order of Police Building)  
Map 107-03, Parcel 020  
Subarea 14 (2004)  
District 15 - J. B. Loring

A request to revise the preliminary and for final approval for a portion of the Planned Unit Development located 701 Marriott Drive, at the northeast corner of Marriott Drive and Ermac Drive, (0.96 acres), to permit the development of a 9,000 square foot office building, requested by Gresham Smith and Partners, for the Fraternal Order of Police, owners.

**Staff Recommendation - Approve with conditions**

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

A request to revise the preliminary plan and for final approval for a portion of a Commercial Planned Unit Development for property located at 701 Marriott Drive, at the northeast corner of Marriott Drive and Ermac Drive, to permit a 9,000 square foot office building with only 7,600 square feet requested for final PUD approval at this time.

**PLAN DETAILS**

**History** - The preliminary plan for Century City West was approved in 1999, for a total of 628,000 square feet of office uses in four buildings on this portion of the plan. The overall PUD is approved for 1.9 million square feet of Commercial and Office uses. To date, one of the buildings has been constructed. This plan included development on both sides of what is now Ermac Drive. The plan also called for the closure of a portion of Ermac Drive with the conversion of this portion into a private driveway. The approved plan did not allow access to Ermac Drive until the public road was closed and until the parcels fronting on Ermac Drive were consolidated.

**Site Plan** - The request is for the development of a 9,000 square foot building allowing an office use. As proposed the building will be constructed in two phases. The first phase is for 7,600 square feet, while Phase 2 would allow the expansion of the building up to a total of 9,000 square feet.

**Access** - The building will be accessed from Marriott Drive only. Since the parcels have not been consolidated along Ermac Drive and these parcels are still used for residential uses, staff is requiring that the current development access Marriott Drive only. Staff recommends a condition that there be no future access to Ermac Drive until there is final PUD and final plat approval to consolidate the parcels in conformance with Ordinance O99-1759.

**Parking and Square Footage** - This plan replaces 76 parking spaces approved on the preliminary PUD plan. While there is now 673,000 square feet of office uses on this portion of the plan requiring 2,243 parking spaces, the plan provides 2,346 total parking spaces.

**PUBLIC WORKS RECOMMENDATION** - No Exceptions Taken

**STORMWATER RECOMMENDATION** - Approved

**CONDITIONS**

1. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
3. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
4. A final plat shall be recorded removing the reserve status currently in existence on a portion of this site.

5. There shall be no future access to Ermac Drive until there is final PUD and final plat approval to consolidate the parcels in conformance with Ordinance O99-1759.

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

**Resolution No. RS2006-022**

“BE IT RESOLVED by The Metropolitan Planning Commission that 177-74-U-14 is **APPROVED WITH CONDITIONS. (7-0)**

**Conditions of Approval:**

1. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
3. The requirements of the Metropolitan Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
4. A final plat shall be recorded removing the reserve status currently in existence on a portion of this site.
5. There shall be no future access to Ermac Drive until there is final PUD and final plat approval to consolidate the parcels in conformance with Ordinance O99-1759.”

- 
25. **61-84-G-06**  
Bellevue Valley Plaza  
Map 142, Parcel 268  
Subarea 6 (2003)  
District 35 - Charlie Tygard

A request to revise the approved preliminary site plan and for final approval of a Planned Unit Development for property located south of Harding (unnumbered), east of Old Hickory Boulevard, classified SCC (6.88 acres), to permit the development of an additional 4,000 square feet to an existing 63,005 square foot building, requested by Barge, Waggoner, Sumner and Cannon, applicant for Bellevue Properties L.P., owner.

**Staff Recommendation - Approve with conditions**

**The Metropolitan Planning Commission DEFERRED Planned Unit Development 61-84-G-06 to January 26, 2006 at the request of the applicant. (7-0)**

- 
26. **68-86-U-13**  
Hickory Woods West - Phase One  
Map 175, Parcel 079  
Subarea 13 (2003)  
District 32 - Sam Coleman

A request to revise a portion of the approved preliminary plan and for final approval of a Commercial Planned Unit Development located on the east side Murfreesboro Pike, and the north side of Laverge-Couchville Road, zoned AR2a district, (1.48 acres), to allow a convenience store on a portion of the PUD that was approved for general retail, requested by Wamble and Associates, applicant, for Harold and Hermena Holigan, owners.

**Staff Recommendation - Disapprove**

**The Metropolitan Planning Commission DEFERRED Planned Unit Development 68-86-U-13 to January 26, 2006 at the request of the applicant. (7-0)**

- 
27. **27-87-P-03**  
Creekside Trails, Phase 6  
Map 058-00, Parcel 207

A request for final approval for phase 6 of the Planned Unit Development located along the north side of Cato Road and the west side of Briley Parkway, zoned RS15, (8.33 acres), to develop 30 single-family lots, requested by The Laine Company, applicant, for Tennessee Contractors owner.

**Staff Recommendation – Approve with conditions**

**APPLICANT REQUEST - Final PUD**

Request for a Final PUD approval for Phase 6 to develop 30 single-family lots on 8.33 acres, located along the north side of Cato Road and the west side of Briley Parkway.

**PLAN DETAILS** - The plan is consistent with the revised preliminary PUD plan approved on February 17, 2000.

The approval of the revised preliminary PUD plan in 2000 included substantial traffic conditions by this phase. The requirements for Phase 6 were to submit right-of-way plans, construction plans, and cost estimates for the development of an eastbound left-turn lane onto Cato Road from Ashland City Highway with a length of 125 feet and a 225 foot taper consistent with the Tennessee Department of Transportation (TDOT) Standard Specifications for Road and Bridge Construction to the MPC and DPW for review and approval, and when approved, the bonding of such construction shall be in conformance with the Metropolitan Government's standard procedures. This condition is being complied with and will be constructed or bonded prior to the recording of the final plat for this phase.

**PUBLIC WORKS RECOMMENDATION**

The following are review comments for the submitted Creekside Trails, Phase 6 final PUD (27-87-P-03), received December 27, 2005. Public Works' comments are as follows:

1. Any approval is subject to Public Works approval of the construction plans. Final design and improvements may vary based on field conditions.
2. Submit construction plans for left turn lane with 125 feet of storage and transition per AASHTO standards on Ashland City Highway at Cato Road for approval prior to recording of final plat. Improvements to be constructed prior to recording or bonded with final plat.
3. Cul-de-sac on Road "C" to meet ST 331 standard.
4. Road "A" to meet ST 252, 50' right-of-way standard.
5. Submit proof of adequate sight distance at the project entrance.

**STORMWATER RECOMMENDATION** - Conditional approval. The grading plans have received technical review and comments have been returned to the applicant. Stormwater staff has deemed that the comments are minor enough to allow the application to receive final PUD approval.

**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. 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.
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. 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, (7-0) **Consent Agenda**

**Resolution No. RS2006-023**

“BE IT RESOLVED by The Metropolitan Planning Commission that 27-87-P-03 is **APPROVED WITH CONDITIONS.**  
(7-0)

**Conditions of Approval:**

1. Any approval is subject to Public Works approval of the construction plans. Final design and improvements may vary based on field conditions.
2. Submit construction plans for left turn lane with 125 feet of storage and transition per AASHTO standards on Ashland City Highway at Cato Road for approval prior to recording of final plat. Improvements to be constructed prior to recording or bonded with final plat.
3. Cul-de-sac on Road "C" to meet ST 331 standard.
4. Road "A" to meet ST 252, 50' right-of-way standard.
5. Submit proof of adequate sight distance at the project entrance.

**STORMWATER RECOMMENDATION** - Conditional approval. The grading plans have received technical review and comments have been returned to the applicant. Stormwater staff has deemed that the comments are minor enough to allow the application to receive final PUD approval.

**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. 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.
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. 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.”

- 
- 28. 2003P-002G-02**  
Cobblestone Creek, Phase 2  
Map 041-00, Parcel 002  
Subarea 2 (1995)  
District 3 - Carolyn Baldwin Tucker

A request for final approval for a phase of a Planned Unit Development located at 7585 Old Hickory Boulevard, classified R8 (9.38 acres), approved for 161 lots, to allow for the development of 44 single family lots, requested by Bruce Rainey and Associates, applicant for Autumn Creek Partners, owners.

**Staff Recommendation - Defer**

**APPLICANT REQUEST - Revise Preliminary & Final PUD**

Request to revise the preliminary and for final approval for Phase 2 of a Planned Unit Development district on 9.38 acres located at 7585 Old Hickory Boulevard, west of Brick Church Pike, classified R8, to permit 44 single-family lots.

**PLAN DETAILS** - Phase 2 of the final PUD plan is consistent with the preliminary PUD plan concept, as adopted by Council (including the conditions of the council bill). This phase proposes 44 single-family lots of the 161 approved by Council, on 9.37 acres. Phase 2 continues the extension of Ryan Allen Circle to the northeast corner of the PUD, as well as completes the extension of Daniel Ray Drive. This phase also connects Ryan Allen Circle to the Timbertrail Subdivision on the north, by way of Autumn Ridge Drive. Average lot size within the subdivision is 6,469 square feet.

Landscape bufferyards - This request for final PUD approval also requires a revision to the preliminary PUD because the Code-required landscape bufferyards were not properly shown on the approved preliminary PUD plans.

**These requirements are:**

- A class "B" landscape buffer is required along the northern boundary of the PUD, as R8 zoning is adjacent to the R10 zoning of the Timbertrail Subdivision. The applicant has shown a 20' bufferyard of existing trees to comply with this requirement, in common open space. Prior to final platting of this phase, the Metro Urban Forester must determine if these trees are sufficient to comply with the bufferyard requirement, and if not, additional vegetation will need to be planted by the applicant.
- A class "B" landscape buffer is required on the eastern boundary of the proposed PUD that abuts R20 zoning. The applicant has requested a variance from this requirement, and Planning staff recommends that the Commission recommend to the Board of Zoning Appeals a variance from this requirement, given that the adjacent R20 area has floodplain that will likely not be developed.
- A class "A" landscape buffer is required on the western PUD boundary, as R8 is adjacent to OR20 zoning. Planning staff recommend that the Commission recommend to the Board of Zoning Appeals that a variance from this landscape buffer requirement be granted. This landscape bufferyard is required on the future and final phase, phase 3.

Council bill amendment (BL2003-1394) -The preliminary PUD was passed by the Metro Council on second reading on May 6, 2003. The council bill was amended on third reading to include the following:

1. By deleting the phrase "171 single-family lots", wherein it appears in the caption of the ordinance and in Section 1, and substituting in lieu thereof the phrase "161 single-family lots".
2. By amending the Planned Unit Development document by increasing the brick component from a minimum of 30% brick to a minimum of 50% brick.

The phase 2 final PUD plans show the total units allowed in the PUD as 161, complying with #1 above. However, the final PUD plans must be revised to explicitly **list** in the conditions of approval that the **front of each house must be a minimum of 50% brick, as per the intentions of the Councilperson at the time, Ms. Bettye Balthrop (as specified in a letter to the Commission)**. This brick requirement will be a prerequisite of building permit issuance for new homes in phase 2 and in subsequent phases of this subdivision.

**STORMWATER RECOMMENDATION** - Stormwater final approval requires the following items to be addressed:

1. Stormwater quality treatment is required with corresponding easements.
2. Detention Agreement will be required for the water quality structures/units.
3. There appears to be a draw greater than 40 acres draining across your site. Please verify. If so, clearly show the easements that apply and you must receive a variance from the Stormwater Appeal Board to disturb the easement.
4. Submit two copies of the NOC.
5. Place the EPSC note on the Erosion Control plan sheet as follows: I, \_\_\_\_\_, Certified Erosion Control Specialist have reviewed the plan for sufficient onsite temporary erosion and sediment control provisions.  
\_\_\_\_\_(Signature)
6. Submit construction schedule. Include phasing information, especially concerning how erosion control measures (sediment basins) are to be maintained as the project progresses.



7. Place a detail of the construction entrance.
8. BMP details to reference appropriate sections of the Stormwater Management Manual Volume 4.
9. Provide location, detail, and calculations for sediment basin.
10. Hydraulic grade line along storm sewer system.
11. Spread calculations along roadway.
12. Provide pond data for the existing pond to verify it is properly sized for the additional flow from this phase.
13. Verify existing pond is located within an easement.
14. Verify ditches are located completely within easements.

#### **PUBLIC WORKS RECOMMENDATION**

1. Show pedestrian easement along public sidewalk, parallel and adjacent to right of way, or add a note to the plans indicating this.
2. Minimum easement shall be three feet parallel and adjacent to right of way plus the width of sidewalk outside right of way.

#### **CONDITIONS**

1. Prior to final PUD approval, the final PUD plans must be revised to explicitly **list** in the conditions of approval that the cladding for the front of each house shall be a minimum of 50% brick. This brick requirement is a prerequisite of building permit issuance for new homes in phase 2 and in subsequent phases of this subdivision.
2. Prior to final plat approval, the applicant must comply with the Metro Stormwater Department's technical review comments.
3. Prior to final plat approval, the applicant must comply with all Traffic/Public Works comments as listed above.
4. Prior to final plat approval, the Metro Urban Forester must determine if these trees are sufficient to comply with the bufferyard requirement, and if not, additional vegetation may be need to be planted by the applicant.
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. 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.
8. 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.
9. 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.
10. 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.

There was a brief discussion regarding this proposal and the recommendations made by staff.

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

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

Mr. Joseph Beard, 4613 Sutter Ct., presented photos to the Commission for review. He did not leave the photos for the record. He spoke in opposition to the proposal.

Mr. Albert Powell requested this item be deferred.

Mr. Lawson reminded Commissioners of their charge in this matter.

Mr. Ponder spoke of staff's recommendation and moved for its approval.

Mr. Ponder moved and Mr. McLean seconded the motion, which passed unanimously to approve with conditions Planned Unit Development 2003P-002G-02. (7-0)

**Resolution No. RS2006-024**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2003P-002G-02 is **APPROVED WITH CONDITIONS.** (7-0)

**Conditions of Approval:**

**STORMWATER RECOMMENDATION** - Stormwater final approval requires the following items to be addressed:

1. Stormwater quality treatment is required with corresponding easements.
2. Detention Agreement will be required for the water quality structures/units.
3. There appears to be a draw greater than 40 acres draining across your site. Please verify. If so, clearly show the easements that apply and you must receive a variance from the Stormwater Appeal Board to disturb the easement.
4. Submit two copies of the NOC.
5. Place the EPSC note on the Erosion Control plan sheet as follows: I, \_\_\_\_\_, Certified Erosion Control Specialist have reviewed the plan for sufficient onsite temporary erosion and sediment control provisions.  
\_\_\_\_\_(Signature)
6. Submit construction schedule. Include phasing information, especially concerning how erosion control measures (sediment basins) are to be maintained as the project progresses.
7. Place a detail of the construction entrance.
8. BMP details to reference appropriate sections of the Stormwater Management Manual Volume 4.
9. Provide location, detail, and calculations for sediment basin.
10. Hydraulic grade line along storm sewer system.
11. Spread calculations along roadway.
12. Provide pond data for the existing pond to verify it is properly sized for the additional flow from this phase.
13. Verify existing pond is located within an easement.
14. Verify ditches are located completely within easements.

## **PUBLIC WORKS RECOMMENDATION**

1. Show pedestrian easement along public sidewalk, parallel and adjacent to right of way, or add a note to the plans indicating this.
2. Minimum easement shall be three feet parallel and adjacent to right of way plus the width of sidewalk outside right of way.

## **CONDITIONS**

1. Prior to final PUD approval, the final PUD plans must be revised to explicitly **list** in the conditions of approval that the cladding for the front of each house shall be a minimum of 50% brick. This brick requirement is a prerequisite of building permit issuance for new homes in phase 2 and in subsequent phases of this subdivision.
2. Prior to final plat approval, the applicant must comply with the Metro Stormwater Department's technical review comments.
3. Prior to final plat approval, the applicant must comply with all Traffic/Public Works comments as listed above.
4. Prior to final plat approval, the Metro Urban Forester must determine if these trees are sufficient to comply with the bufferyard requirement, and if not, additional vegetation may be need to be planted by the applicant.
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. 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.
8. 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.
9. 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.
10. 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."

- 
- 29. 2003P-010U-07**  
Jardin De Belle PUD (Belle Park)  
Map 130-13-A, Parcels 1-13, 15-35  
Subarea 7 (2000)  
District 34 - Lynn Williams

A request for revision to preliminary and final Planned Unit Development to revise tree preservation plan and approve mitigation plan for removed trees, zoned R8, located along the north side of Forrest Park Drive and along the west side of Page Road. Requested by Littlejohn Engineering Associates, applicant, for Jardin De Belle Development, LLC., owner.

**Staff Recommendation - Approve with conditions**

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

Request for revision to preliminary and final Planned Unit Development to revise the tree preservation plan and approve a mitigation plan for removed trees, zoned R8, located along the north side of Forrest Park Drive and along the west side of Page Road.

## **PLAN DETAILS**

The approved PUD includes 34 single-family lots consisting of a mix of Charleston-style Houses. Every lot is proposed to have either rear access or side access leading to a rear-located garage / carriage house. The plan includes a single one-way street for ingress and egress off Forrest Park Drive. A condition of the approval of the PUD was that many of the existing trees on the site were to remain.

**Mitigation** - During construction, the applicant removed approximately 122 caliper-inches of trees that were required to be preserved under the Council-approved preliminary PUD plan. The applicants states the trees were removed at the request of Nashville Gas to install a gas line. The applicant should have consulted with Planning staff and the Urban Forester regarding the Council-approved condition before removing the trees, but did not. The purpose of this application is to remediate the removed trees and approve a maintenance plan to govern the site. The applicant proposes to replace trees on a per inch basis and there are two trees totaling 26 inches (an 18" Persimmon and an 8" Dogwood) that were marked for demolition that will now be preserved. Mitigation plantings as shown on the plan (totaling 97 inches) are as follows:

- 4 – 6" Oaks\*
- 9 – 4" Oaks\*
- 1 – 4" Maple
- 6 – 3" Oaks\*
- 1 – 3" Londonplane
- 4 – 6" Magnolia

\*the preferred species is Overcup Oak, if not available then Northern Red Oak may be used. Substitutions may be approved by the Urban Forester.

**Maintenance Plan** -The key steps within the process are as follows:

- Tarragon shall re-establish the tree save fencing on the designated trees to be preserved prior to the issuance of any building permit. The fencing shall be installed per Metro standards in the location designated as "construction phase tree protection fencing" on the final PUD plan. It shall be agreeable to leave an opening in the tree protection fencing to allow for continued maintenance of these areas.
- The Architectural Review Committee (ARC) as established by the covenants and restrictions shall serve in the role of interfacing with the homebuilders to communicate the requirements of the tree preservation maintenance program. When architectural plans are submitted to the ARC for lots containing preservation trees, the ARC shall have a certified arborist review the building plans and develop specific tree maintenance recommendations to be performed by the homebuilder. The arborist's recommendations will then be incorporated as a part of the ARC's plan approval for that particular lot. The homebuilder/lot owner would then contract with a certified arborist to have these measures implemented. The homeowner shall perform these measures in accordance with the approved tree preservation recommendations or the ARC shall implement their authority to have the measures performed in accordance with the provisions of the covenants and restrictions.
- Trees planted as a compensatory measure for displaced or damaged preservation trees shall be maintained by the developer's property manager until such time that a homeowner purchases a lot containing such tree(s). The responsibility shall transfer to the homeowner at the juncture when a building plan application is filed with the ARC or when a period of two years expires from the time of planting for the replacement tree(s). A bond shall be established by the Metro Urban Forester's office to cover the replacement of preservation or compensatory trees.
- The bond shall be maintained for a period of two years by the developer. Individual homebuilders shall post a bond with the ARC for a period of two years when a lot contains a preservation or replacement tree to establish a means for replacing the tree should events occur that cause the death of, or damage to, the tree(s).
- If any Preservation or Replacement trees die, the tree shall be replaced with a tree of similar size up to a maximum of 6" caliper size within a period of 90 days. This time frame shall apply with the exception of times of the year when trees are not being dug due to drought or mid-winter conditions.

## **CONDITIONS**

1. The Maintenance Plan outlined above shall apply to all future construction activity.

2. The approval of this mitigation and maintenance plan shall not void any previous conditions of approval not related to landscaping.
3. The 97 caliper inches of replacement trees shall be planted within 3 months of this approval.

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

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

Mr. Hugh Nelson, owner of Lot 17, spoke in favor of his submitted building footprint.

Mr. McLean moved, and Ms. Nielson seconded the motion, which passed unanimously, to approve with conditions Planned Unit Development 2003P-010U-07 including the landscape remediation and maintenance plan, as well as the appeal of the staff disapproval of the revised building footprint for lot 17. **(7-0)**

**Resolution No. RS2006-025**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2003P-010U-07 is **APPROVED WITH CONDITIONS (7-0), including the landscape remediation and maintenance plan, as well as the appeal of the staff disapproval of the revised building footprint for lot 17.**

**Conditions of Approval:**

1. The Maintenance Plan outlined above shall apply to all future construction activity.
2. The approval of this mitigation and maintenance plan shall not void any previous conditions of approval not related to landscaping.
3. The 97 caliper inches of replacement trees shall be planted within 3 months of this approval.”

**30. 2003P-015U-05**

Sam Levy Homes (McNeilly Center for Children)  
 Map 82-11, Parcel 041  
 Subarea 5 (1994)  
 District 5 - Pam Murray

A request to cancel a portion of a Planned Unit Development located at 400 Meridian Street, along the east side of Dickerson Pike, zoned RM20, (4.16 acres), requested by McNeilly Center for Children, applicant/owner.

**Staff Recommendation - Approve**

**APPLICANT REQUEST - Cancel PUD**

Request to cancel a portion of a residential Planned Unit Development district located at 400 Meridian Street.

**Zoning**

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

**SUBAREA 5 COMMUNITY PLAN**

**Residential Low Medium (RMH) - 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.

**PLAN DETAILS -** The area was part of an older “Res – E” residential PUD that were adopted in the early 1970’s to recognize existing public housing developments, and the existing Res. E zoning that was put in place prior to comprehensive zoning to recognize public housing developments. There was never a master plan adopted with these public housing PUDs.

The property has been occupied for many years by the McNeilly Center for Children, which has served the area since 1914. The current use is a legal non-conforming use and is allowed with special exceptions under the current zoning code. According to the Metro Zoning Administrator, the applicant’s requested parking expansion would be allowed as an

accessory use. Any future additions to the building or the number of children served would likely be required to go before the BZA for approval.

**Recommendation** - Because the existing use is legal and allowed with a special exception in the RM20 district under the current zoning code, staff recommends that the request be approved.

**PUBLIC WORKS RECOMMENDATION - No Exceptions Taken**

Approved, (7-0) *Consent Agenda*

**Resolution No. RS2006-026**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2003P-015U-05 is **APPROVED. (7-0)**

**The request to cancel a portion of a Residential – E PUD, and existing use are not inconsistent with the Subarea 5 Community Plan’s Residential Low Medium Policy.”**

31. **2005UD-004-09**  
Park Place Court  
Map 81-16, Parcels 626, 627, 628, 629, 630  
Subarea 9 (1997)  
District 19 - Ludye N. Wallace

A request for final approval for an Urban Design Overlay district located at the corner of Jackson Street and Warren Street, zoned RM20, (0.41 acres), to develop 8 units, requested by Dale and Associates, applicant, for Mitchell Pollard and Gregory Pollard, owners.

**Staff Recommendation - Approve with conditions**

**APPLICANT REQUEST - Final UDO**

A request for final approval of an Urban Design Overlay district located at the corner of Jackson Street and Warren Street, zoned RM20, (.41 acres), to develop 8 single-family units.

**PLAN DETAILS**

**Site Design** - The site is located on the northeast corner of Jackson Street and Warren Street in the downtown subarea. Four units front on Warren Street, 2 front on Jackson street, and 2 front on the Hope Gardens Metro Park located on the UDO’s north side.

**Landscape buffers** - The Code-required B landscape buffers on the eastern and northern limits of this property (due an RM20 district abutting a RS3.75 district) have been omitted and replaced by plantings to be implemented in the park and as internal landscaping within the UDO.

**Parking** Eleven parking spaces have been provided at the rear (eastern) side of the UDO boundary, angled acutely towards the north along an existing alley. In addition, six feet of right-of-way has been dedicated to the existing alley, as per the Public Works’ condition.

**UDO standards and conditions** - The applicants worked with the Planning Department to follow specific design guidelines for this project, and where not complying with regular requirements of the Code, they have received the consent of Planning staff. All UDO standards that are noncompliant with the Metro Code are noted on the plans. Of these, the following conditions of approval were modified at the May 12, 2005, Planning Commission meeting, to be applied to these final UDO plans:

4. Landscape buffers:

- In lieu of the required B buffer yard on the east side of property, plant material shall be distributed throughout the site and/or park, and a landscaping plan that addresses this must be jointly approved by the Metro Planning and Parks Departments.
  - ~~In lieu of the required B buffer yard to the north of the property, plant material shall be distributed throughout the adjacent park and a landscaping plan that addresses this must be jointly approved by the Metro Planning and Parks Departments.~~
6. ~~A 5' sidewalk shall be located on the park side of the northern property line (this must be coordinated with the Metro Parks Department). Maintenance of this sidewalk shall be the responsibility of the applicant. A note shall~~

~~be added to the plans indicating this, and it must reference the restrictive covenant number, to be recorded by final UDO stage.~~

The applicant has submitted landscaping plans that show all of the required landscaping on the site, and none in the adjacent park. Planning staff has circulated these plans to Metro Parks Department for comment. Planning staff recommends approval of the applicant's landscaping proposal as currently submitted.

#### **PUBLIC WORKS RECOMMENDATION**

1. Any approval is subject to Public Works approval of the construction plans. Final design and improvements may vary based on field conditions.
2. Solid waste collection and disposal must be approved by the Public Works Solid Waste Division.

#### **STORMWATER RECOMMENDATION**

1. Approved on 12/20/05.

#### **CONDITIONS**

1. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. A maximum of one sign identifying the development may be permitted not to exceed 4 feet in height and 20 square feet in area. Sign shall be set back in line with the proposed building setbacks.
3. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
4. This preliminary plan approval for the residential portion of the master plans is based upon the stated acreage. The actual number of dwelling units to be constructed may be reduced upon approval of a final site development plan if a boundary survey confirms there is less site acreage.
5. UDO plans must comply with the design conditions of Planning Department staff, as noted on the plans.
6. UDO plans must comply with Public Works' requirements of approval, as noted above.
7. UDO plans must adequately address the final Stormwater technical review comments, upon receipt.

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

#### **Resolution No. RS2006-027**

**"BE IT RESOLVED** by The Metropolitan Planning Commission that 2005UD-004-09 is **APPROVED WITH CONDITIONS. (7-0)**

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

1. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. A maximum of one sign identifying the development may be permitted not to exceed 4 feet in height and 20 square feet in area. Sign shall be set back in line with the proposed building setbacks.
3. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
4. This preliminary plan approval for the residential portion of the master plans is based upon the stated acreage. The actual number of dwelling units to be constructed may be reduced upon approval of a final site development plan if a boundary survey confirms there is less site acreage.
5. UDO plans must comply with the design conditions of Planning Department staff, as noted on the plans.
6. UDO plans must comply with Public Works' requirements of approval, as noted above.

7. UDO plans must adequately address the final Stormwater technical review comments, upon receipt.”

## **XV. MANDATORY REFERRALS**

- 32. 2005M-106U-05**  
Map 61-11, Various Parcels  
Map 61-15, Various Parcels  
Subarea 8 (2002)  
District 8 (Hart)

A request to rename McIver Street, which runs from Burrus Street to Gallatin Pike, to “Hunters Meadow Lane,” requested by Metro Public Works.

**Staff Recommendation - Approve**

### **APPLICANT REQUEST - Request to rename McIver Street to “Hunters Meadow Lane.”**

**What is being requested?** -The Metro Public Works Department has proposed to change the name of McIver Street to Hunters Meadow Lane.

**Why is this being requested?** -This street renaming is being proposed because it has caused confusion for emergency services to have two separate streets with the name of “McIver Street” in the county. In some instances Emergency Services have been directed to the wrong address in response to a call for assistance.

**What are the procedures for a street name change?** -Street names can only be changed by the Metro Council through the adoption of an ordinance. The Planning Department is required to notify all property owners on the street of the proposed name change, and to give residents the opportunity to provide written comments in support of or in opposition to the proposed name change.

An ordinance has already been passed by the Council to change this street name. Planning Staff failed to send property owners the notice required by law before the change. The Council staff has determined that the Council will be required to pass the ordinance a second time in order to comply with all of the requirements for changing street names in the Metro Code. The second ordinance to change the street name has been filed with the Metropolitan Clerk and will be introduced in the Council on January 17, 2006.

**What public response has been received?** -One resident has delivered written opposition to the name change. The resident is concerned about the prior lack of notice and also objects to the proposed name for the street, which was proposed by the District Councilmember.

**Staff Recommendation** -Because the current name of McIver Street has been found by emergency services providers to cause confusion, staff recommends approval of changing the name of this street.

As shown on the attached map, McIver Street is across Gallatin Pike from Sunnymeade Drive. Planning Staff generally recommends a consistent pattern of street names. For that reason, staff recommends that McIver Street be renamed not to Hunters Meadow Lane, but to Sunnymeade Drive. Renaming Metro streets is the prerogative of the Metro Council, however, and staff recommends approval of renaming the street to Hunters Meadow Lane rather than not renaming it at all.

Mr. Kleinfelter presented and stated that staff recommends approval with a recommendation to rename the street to Sunnymeade Drive rather than to Hunters Meadow Lane.

Ms. Lynn Casey spoke regarding the mandatory referral.

Ms. Nielson moved and Mr. Small seconded the motion, which passed unanimously to adopt staff recommendation to recommend to Metro Council that the first best option for the renamed street to be “Sunnymeade Drive” and the second best option to be “Hunters Meadow Lane”. (7-0)

**Resolution No. RS2006-028**



**“BE IT RESOLVED by The Metropolitan Planning Commission that 2005M-106U-05 is APPROVED, with recommendation to the Metro Council that first best option for the renamed street to be “Sunnymeade Drive” and the second best option to be “Hunters Meadow Lane”. (7-0)”**

## **XVI. OTHER BUSINESS**

### **33. Adoption of the Harding Town Center UDO Advisory Committee**

As part of the Harding Town Center urban design overlay bill, district Councilmember John Summers requested that the community have a formal role in the process of administering the UDO guidelines. There are three purposes for this request. The first is to monitor the success of the UDO guidelines in carrying out the purpose and intent of the UDO district. Where they find the guidelines to be ineffective or insufficient, they would make recommendations for amendment of the guidelines. The second is to monitor the Planning Department’s administration of the guidelines and provide feedback where the guidelines are vague or the applicability is not clear. The third is to encourage applicants for construction projects to upgrade their proposals in order to carry out the purpose and intent of the UDO guidelines at a higher level than the regulatory minimum standards.

Accordingly, staff has worked with Councilmember Summers and his nominees to prepare for your approval a document that establishes a Harding Town Center UDO Design Review Advisory Committee. The document (below) sets forth the purposes, membership requirements, and procedures of the committee.

#### **Harding Town Center UDO Design Review Advisory Committee**

Recognizing that interpretation of the intent of design guidelines of various Urban Design Overlay districts (UDO) from time to time requires the exercise of judgment in the approval of final construction plans and recognizing that feedback from affected community representatives may provide valuable insight in the exercise of that judgment, the Planning Commission hereby establishes an advisory committee for the Harding Town Center Urban Design Overlay district.

- a. The design review committee shall consist of seven (7) members, who shall be:
  - i. Three (3) Harding Town Center UDO retail, office, and/or commercial property/business representatives
  - ii. A St. Thomas Hospital representative
  - iii. Kenner Avenue Neighborhood Association President or designee
  - iv. Historic Woodlawn West Neighborhood Association President or designee
  - v. A president or their designee from a neighboring condominium development including, but not limited to, Windsor Tower, Royal Oaks, Wellington Arms, or Lions Head Condominium Associations.

At least four (4) of the committee members shall represent property or businesses owners or their associated designee within the Harding Town Center UDO.

- b. The design review committee shall be approved by resolution of the Planning Commission. The Metropolitan Council member(s) who represents the Harding Town Center UDO shall be provided the opportunity to recommend representatives for service on the design review committee and to recommend institutional, business, and specific neighborhood organization or association representatives in the event those organizations do not furnish nominations or a limited number of designees from multiple organizations is required. Upon its approval by the Planning Commission, the committee may elect officers and establish any rules determined necessary by a majority of its members. The Planning Department shall provide staff as necessary to assist the committee in performing its functions.
- c. The committee shall convene by whatever means it deems appropriate within ten (10) working days of being notified by the Planning Department that an application is pending or has been received or the Planning Department shall consider that the committee has no comments or recommendations for consideration. A recommendation of the design review committee shall reflect a majority vote of the members of the committee. In the event that a recommendation of the committee differs from the Planning Department’s determination of compliance with the UDO guidelines, the matter shall be referred to the Planning Commission for a final determination.

#### **List of Nominees**

Jimmy Granbery 252-8100/jwgranbery@hghill.com

Harding Town Center UDO retail, office, and/or commercial property representative

Tony Giarratana 254-0555/tony@giarratana.com  
Harding Town Center UDO retail, office, and/or commercial property representative

Bart Johnston 468-2036/johnstonb@cumberlandadvisors.com  
Harding Town Center UDO retail, office, and/or commercial property representative

Michael Dossett 284-6184/MDOSSETT@stthomas.org  
St. Thomas Hospital representative

Will Johnston wjohnston@autobodyamerica.com  
Kenner Avenue Neighborhood Association President or designee

Irwin Venick 321-5659/IVenick@aol.com  
Historic Woodlawn West Neighborhood Association President or designee

Mae Dean Eberling 248-5231/mdeberling@newschannel5.com  
Neighboring Condominium Association President or designee

Approved (7-0), *Consent Agenda*

**Resolution No. RS2006-029**

“BE IT RESOLVED by The Metropolitan Planning Commission that the Adoption of the Harding Town Center UDO Advisory Committee is **APPROVED. (7-0)**”

34. New Employee Contract for Mary Beth Stephens

Approved (7-0), *Consent Agenda*

35. Adoption of Commission Policy for Interpretation of “Cluster Lot” Provisions of the Metro Code (Deferred from October 27, 2005, Planning Commission meeting)

Approved (7-0), *Consent Agenda*

36. Grant Agreement between the State of Tennessee, Department of Transportation and Metropolitan Planning Commission of the Metropolitan Government of Nashville-Davidson County on behalf of the Nashville Area Metropolitan Planning Organization for Planning and Coordination Activities in the Unified Planning Work Program for FY 2006”

Approved (7-0), *Consent Agenda*

37. Grant Agreement contract between the Metropolitan Government of Nashville and Davidson County and Walk Bike Nashville for \$46,569 to implement a Safe Routes to School Program and coordinate event promotions for the Music City Moves! program

Approved (7-0), *Consent Agenda*

**ADDENDUM**

38. **20056S-033U-03**  
Villas on Trinity  
Map 071-06, Parcels 029, 072  
Subarea 3  
District 2 – Jamie Isabel

A request for final plat approval to create 4 lots located at the western end of Artic Avenue and the south side of Trinity Lane, approximately 680 feet west of Brick Church Pike (21.99 acres), zoned MUL, requested by American Affordable Homes LLC, owner, S & A Surveying, surveyor.

**Staff Recommendation: Approved with conditions (7-0)**

**APPLICANT REQUEST - Final Plat**

Request for final plat approval to create 4 lots located at the western end of Artic Avenue and south of Trinity Lane.

## **Zoning**

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

**SUBDIVISION DETAILS** - As proposed this request will create four lots out of two parcels that total approximately 21.99 acres. The proposed lots will be as follows:

1. 20,693 sq. ft. (.475 acres);
2. 45,025 sq. ft. (1.034 acres);
3. 810,598 sq. ft. (18.6 acres);
4. 81,399 sq. ft. (1.87 acres).

As proposed Lots 2 and 4 do not have frontage along any public street but are accessed by a joint access easement.

An unimproved road (Scruggs Lane) is adjacent to a portion of the western property line for the largest lot (Lot 3). This section of unimproved road should be constructed or bonded prior to recordation of the final plat to provide access to the proposed new large lot.

**Variance 2-4.2(A)** - Section 2-4.2(A) of the Subdivision Regulations requires all lots to have frontage along a public or private street. Because this is an oddly shaped property with a limited number of potential access points, staff recommends approval of a variance to allow Lots 2 and 4 to be platted without street frontage with the condition that Scruggs Lane must be bonded or constructed prior to final plat recordation.

**Recommendation** - Staff recommends that the request be approved with the condition that Scruggs Lane must be constructed to Public Work standards or bonded prior to recordation of the final plat.

## **STORMWATER RECOMMENDATION**

1. Cite minimum FFE for future construction for lots within 100 year flood plain.
2. Locate and identify all drainage easements on the site. Show a 10 ft. drainage easement for the 15" CMPs that crosses the property.
3. Identify drainage easement for the buffered drain that cuts through the west portion of the property. Size the easement according to table 6-1 in the Stormwater Regulations.
4. Show and label the drain buffer. There is a drain crossing the platted property that is a blue lined stream and also carries over 40 acres of drainage. Both types of drains have a buffer which must be shown on the plat.

## **TRAFFIC PUBLIC WORKS' RECOMMENDATION**

1. It was determined at rezoning that a TIS would be required at development to determine access and off site mitigations. TIS has not been received.
2. Provide cross access between Lots 1, 2, and 3 and 4. Allow cross access to adjacent parcels along Brick Church Pike and West Trinity; access to Trinity lane and Brick Church Pike will be determined at permit.
3. Dimension ROW at property corners on Brick Church Pike and West Trinity Lane.

## **CONDITIONS**

1. Prior to recording this final plat, final approval must be received from Metro Stormwater.
2. Prior to recording this final plat, the plat must have final approval from Public Works.
3. Scruggs Lane must be constructed to Public Work standards or bonded prior to recording the final plat.

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

### **Resolution No. RS2006-030**

**"BE IT RESOLVED** by The Metropolitan Planning Commission that 2006S-033U-03 is **APPROVED WITH CONDITIONS. (7-0)**

**Conditions of Approval:**

1. Prior to recording this final plat, final approval must be received from Metro Stormwater.
2. Prior to recording this final plat, the plat must have final approval from Public Works.
3. Scruggs Lane must be constructed to Public Work standards or bonded prior to recording the final plat.”

39. Announcement of rehearing for PUD #95-71-U-08, MetroCenter, Lot 1 (Crest Hummer Dealership), to permit the item to be considered as a revision and approval of final PUD rather as an amendment as approved by the Commission on November 10, 2005.

Ms. Nielson moved, and Mr. Small seconded the motion, which passed unanimously, to approve the announcement of the rehearing for PUD 95-71-U-08, MetroCenter. **(7-0)**

39. Executive Director Reports
40. Legislative Update

**XVI. ADJOURNMENT**

The meeting adjourned at 7:05 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 inquires 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

