



**Plan Amendment**

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

**2006CP-01-12 Amendment to “Southeast Community Plan: 2004 Update”**

Zone change 2004Z-090G-12  
None  
32 – Sam Coleman  
2 – George Blue  
Staff

This proposal replaces the proposal to amend the Major and Collector Street Plans in the Pettus/Preston Rd Area that was deferred on November 10, 2005, and is to be withdrawn at the January 12, 2006 meeting.

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

Eadler  
*Approve.*

**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



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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.



**Plan Amendment**

Associated Cases  
Council Bill  
Council District  
School District  
Requested by  
Deferral  
Staff Reviewer

**To amend the “Major Street Plan” and the “Collector Street Plan”**

Zone change 2004Z-090G-12  
None  
32 – Sam Coleman.  
2 – George Blue  
Staff  
*Deferred from the November 10, 2005 Meeting*  
Eadler

**Staff Recommendation**

*Withdraw [this proposal is being replaced by 2006CP-01-12 Amendment to “Southeast Community Plan: 2004 Update”]*

**APPLICANT REQUEST**

**(1) To amend the adopted “Collector Street Plan” by deleting a segment of planned (unbuilt) collector street between Pettus Rd and Old Franklin Rd and (2) To amend the adopted “Major Street Plan by adding a segment of major street between Pettus Rd and Old Franklin Rd.** The currently adopted street plans do not reflect the major and collector street plans recommended in the “Southeast Community Plan: 2004 Update.” The property owners within 500 ft. of these proposed amendments were notified by mail of the January 12<sup>th</sup> public hearing.

**EXISTING MAJOR AND COLLECTOR STREET PLANS**

The currently adopted Major and Collector Street Plans in the vicinity of Pettus Rd, Preston Rd., and Old Franklin Rd. are shown in Figure 1.

**PROPOSED MAJOR AND COLLECTOR STREET PLAN AMENDMENTS**

**Proposed Collector Street Plan Amendment:** In this request, the “Collector Street Plan” was be amended by deleting from it the segment of planned (unbuilt) collector street that extends from Pettus Rd northeastward to Old Franklin Rd in the vicinity of its intersection with Preston Rd., shown as the dotted line identified as Item 1 on Figure 2

**Proposed Major Street Plan Amendment:** The “Major Street Plan” was then proposed to be amended by adding to it as a “U2” (Urban 2-lane arterial) a street extending from Pettus Rd. eastward to Old Franklin Pk., shown as the dashed line identified as Item 2 on Figure 2.



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### 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. As can be seen by comparing Figures 1 and 2, there is an inconsistency between the currently adopted major and collector street plans and the plans for those streets as recommended in the community plan.

To resolve the inconsistencies between Figures 1 and 2 as proposed by this request would have disrupted numerous properties and significantly slowed the opportunities to establish this network link. Therefore, an alternative request has been prepared and staff recommends withdrawal of this proposal.



**Plan Amendment**

**Amend the ‘Structure Plan’ land use policy in the *Green Hills-Midtown Community Plan: 2005 Update***

**Associated Cases**

Zone change 2005Z-168U-10; PUD 2005P-032U-10

**Council Bill**

None

**Council District**

24 – John Summers.

**School District**

8 – Kathleen Harkey

**Requested by**

Paul Lockwood for Wilson S. Manning et ux, owners

**Deferral**

*Deferred from November 10, 2005 Meeting*

**Staff Reviewer**

Eadler

**Staff Recommendation**

*Approve the subject request together with “Special Policy #15” as presented in this report*

**APPLICANT REQUEST**

**Change the ‘Structure Plan’ land use policy from “Residential Medium Density (RM)” to “Residential High Density (RH)” for a ±1.37 acre area located along the northeast margin of Woodmont Bv about 600 ft. southeast of Harding Pk.** The applicant is proposing to build 34 condominium units on five existing parcels totaling 1.66 acres. One of the parcels is already in RH policy. The applicant is seeking the change to RH policy for the other four parcels because the current RM policy does not support the type and intensity of residential development being proposed. This request was reviewed as a “major plan amendment,” which requires notification describing the request to be sent to property owners within 500 ft of the subject site, and that a community meeting be held ahead of the public hearing. In this case, since the notification for the associated zone change included properties within 600 ft of the proposed zone change, the notification for the community meeting and the public hearing on this plan amendment was the same as that for the proposed zone change. The community meeting was held on Thursday October 20, 2005. Re-notification of the January 12<sup>th</sup> public hearing was mailed to surrounding property owners and given in newspaper ads.

**EXISTING LAND USE POLICY**

**“Residential Medium Density (RM)”** RM policy allows residential development in the range of 4-9 housing units/ac. and appropriate civic and public benefit activities. A broad general goal of the community plan for this and all other residential policy



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### PROPOSED LAND USE POLICY

categories is preservation and protection of established residential areas.

“**Residential High Density (RH)**” RH policy allows residential development above 20 housing units per acre. RH also allows appropriate civic and public benefit activities.

### ANALYSIS

This request raises two key planning issues: (1) the appropriateness of the location for high density housing and (2) establishing both an appropriate and an effective transition.

**Locational Suitability.** Locations deemed appropriate for RH policy are those that make up centers with a fairly intense mixture of activities that serve communities or larger areas. Proximity to existing or planned transit service and access to a 4-lane arterial are additional locational criteria. The subject site and the abutting parcel to the northeast, which is already in RH policy, are next to a high-rise office building in “Mixed-Use (MU)” policy that is part of the area referred to as “Harding Town Center.” The site is within a walkable 550-900 ft. of existing transit service on Harding Pk. Woodmont Bv. is a 2-lane arterial. The site meets basic locational criteria for RH policy, except for 4-lane arterial access. The access criteria for RMH policy (9-20 units/ac.) is a collector or any arterial. If the density for this site is held close to the 20 unit/ac. break point between RMH and RH policy (which could be accomplished through a special policy), the site would reasonably meet the locational criteria. The RH policy is being requested mainly because RMH policy does not support base zoning that would allow significant building height next to the existing high-rise (for example, 10 story building height for a portion of the proposed development).

**Transition.** While it is possible to achieve a stable boundary and harmonious land use relationship at the interface of fairly intense mixed use development and medium density residential uses, such a relationship is more tenuous and difficult to sustain when there is little horizontal separation and there is a sharp contrast in the bulk and intensity of development at that interface. A gradual transition in intensity would be preferable.



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The subject request raises two particular concerns. First, it is at the edge of a predominantly developed area where the broad goal of the plan is conservation. Changing, rather than conserving, the edge of this neighborhood was one of the concerns expressed at the community meeting and at prior meetings at which the associated zone changes and development were discussed. Second, like MU, RH policy has the potential to be very intense and by itself is not an assurance that a desirable transition in intensity would occur. Staff concluded that the requested change to RH policy would be appropriate only if it is accompanied by a special policy that satisfactorily addresses the above concerns. With the special policy, such a change to RH policy would effectuate an acceptable transition and establish a clear intent to maintain the existing RM policy along Woodmont Bv. to the southeast of the subject site. Accordingly, staff suggests the “special policy,” as described below, to accompany the requested policy change to RH.

**Suggested Special Policy.** The suggested text of the special policy is as follows:

1. The intent within this area is to provide transition in the intensity of development for this side of Woodmont Bv. between the adjoining intense mixed-use development to the northwest and the established medium density residential area to the southeast. As part of that transition, the height of buildings should be varied, with the tallest ones, up to ten stories, in the northwestern section of the site, and the shortest ones, up to three stories, in the southeastern section of the site.
2. The southeastern edge of this area is intended to be the limit of residential development above medium densities (9 housing units/ac) along this side of Woodmont Bv. To reinforce this boundary, generous landscaping should be provided along this edge of the site. Generous landscaping or other design features should be provided along this edge of the site to provide an attractive buffer and reinforce this boundary.
3. Development at the low end of densities supported by “RH” policy, not exceeding 21 housing units/ac., is intended in this area.



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4. Development should be implemented through zoning that provides assurance that the development will occur as intended, such as the SP district, or PUD or UDO overlay zoning in combination with other appropriate base zone districts.

As shown in the graphic, the special policy would apply to the area for which RH policy is being requested, plus the parcel that is already in RH policy. This would be “Special Policy # 15” in the *Green Hills – Midtown Community Plan: 2005 Update*.





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

**Zone Change 2005Z-176U-14**  
None  
None  
15 - Loring  
4 - Nevill  
Chas. Hawkins Company, Inc., applicant, for Cecil and Shanon Saffles, owners  
Deferred from the December 8, 2005 meeting.

**Deferral**

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

Harris  
*Approve*

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**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.

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**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



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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.

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### RECENT REZONINGS

None.

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### 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



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### 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



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

**Subdivision 2005S-348U-10**  
**White Oak Subdivision**  
25 - Shulman  
8 - Harkey  
Thomas P. and Sally R. Kanaday, Jr., owners, Jesse Walker, surveyor.

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

Pereira  
*Approve 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; if not restricted to single-family homes only, staff recommends disapproval of the subdivision.*

**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.



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### Lot comparability

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.

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



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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



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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



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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), the 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.

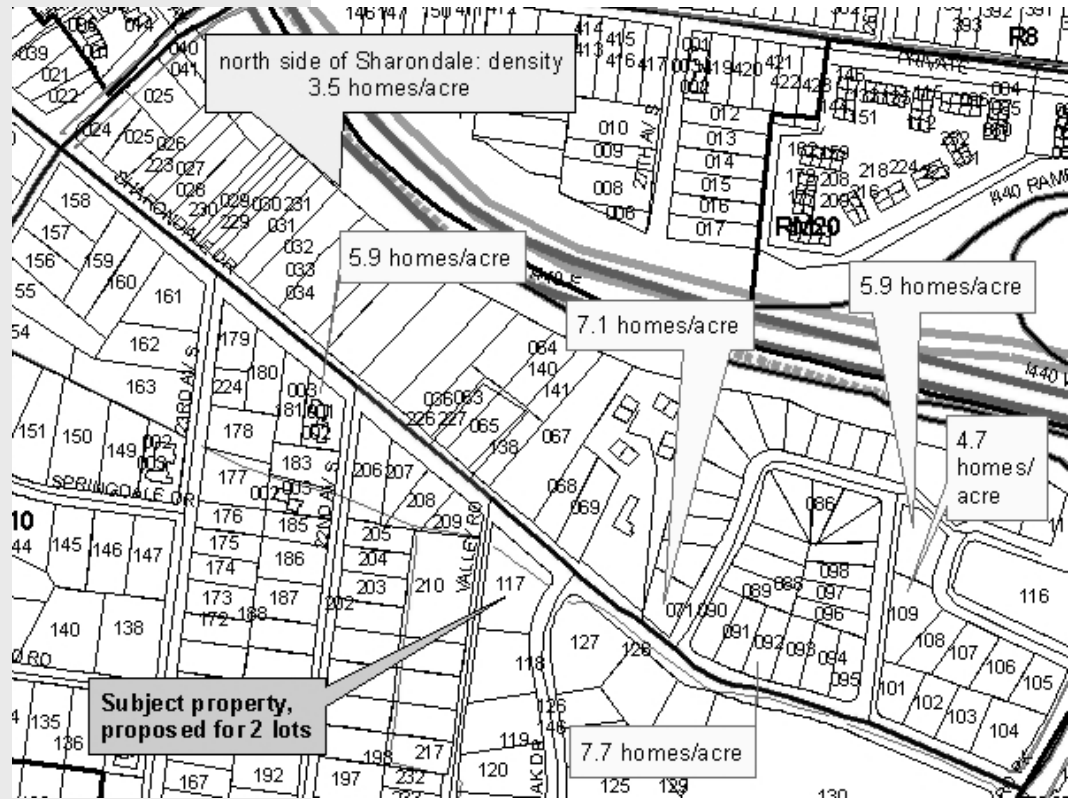


Fig. 1. Some existing lot-based residential densities on the north side of Sharondale Drive

### 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





## Metro Planning Commission Meeting of 1/12/06

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.



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

**Planned Unit Development 2005P-009U-11**  
**Auto Masters PUD**  
None  
16 – McClendon  
7 - Kindall  
Dale and Associates, applicant, for JMM, LLC, owner.

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

Pereira  
*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



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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.



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- 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.

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**STORMWATER RECOMMENDATION**

Plans approved 1/5/06.

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**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.

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**CONDITIONS**

All of the conditions included in the amendment to the preliminary PUD adopted by the Metro Council must



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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,



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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.



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

**Zone Change 2005Z-178U-11**  
None  
16 – McClendon  
07 - Kindall  
Magdalena Samuchin, owner

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

Swaggart  
*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 11**  
**COMMUNITY 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.



## Metro Planning Commission Meeting of 1/12/06

### Policy Conflict

### Plan Details

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.

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

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:
  - a. Front: 20 feet
  - b. Rear: 15 feet
  - c. East: None
  - d. 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,





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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



## Metro Planning Commission Meeting of 1/12/06

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:
  - a. Front: 20 feet
  - b. Rear: 15 feet
  - c. East: None
  - d. 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.



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

**Zone Change 2005Z-179U-03**  
None  
02 – Isabel, Sr.  
01 - Thompson  
Lukens Engineering Consultants, applicant for various property owners

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

Swaggart  
*Approve with conditions*

**APPLICANT REQUEST**

**Rezone approximately 27.5 acres from residential single-family and duplex (R8) to preliminary Specific Plan (SP) district, to permit development of a 205 unit townhome complex.**

**Existing Zoning**  
R8 district

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

**Proposed Zoning**  
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.



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### **BORDAUX/WHITES CREEK COMMUNITY PLAN**

Neighborhood General (NG)

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

Natural Conservation (NCO)

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

#### **Policy Conflict**

As proposed the site plan is consistent with the Neighborhood General and Natural Conservation policies.

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### **PRELIMINARY PLAN DETAILS**

The plan consists of 205 stacked and unstacked townhomes separated into three separate pods fronting various community green areas. Two tennis courts are also shown on the plan. While most units will front along community greens, units along Trinity Lane will front Trinity Lane and units along the Cumberland River will front the river.

Uses

The plan calls for townhomes, live/work units and single and two family lots; however, the plan does not specify where, if any, individual live/work units are proposed, nor does it identify any single or two family lots. The plan also calls for a clubhouse with exercise and recreational facilities, sales office and rental units. The site plan does not identify the location of all of the proposed uses, which must be identified on the final SP plan.

Access

As proposed the development is accessed by a single access drive from Trinity Lane.

Future Connections

Four connections are proposed, as well as a 24-foot cross access easement that could provide a fifth connection. Two connections are public while three would be for private street connections.



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### Pedestrian Connectivity

Sidewalks are shown along both sides of the new public street, and throughout the development. Sidewalks are required along W. Trinity Lane but are not shown. Sidewalks must provide for efficient pedestrian movement throughout the proposed development. Prior to final SP the sidewalk layout must be approved by planning staff.

### Greenway

The subarea plan calls for a greenway along the Cumberland River and a greenway easement is shown on the plan. Applicants should work with Greenways regarding this proposal prior to final SP.

### Building Elevations

No building elevations have been provided, and will be required at final SP.

### Landscaping Plan

No landscaping plan has been submitted. A landscaping plan must be submitted and approved at the final SP stage. The plan must include all existing trees to be preserved, new landscaping and buffer yards. Proposed fence materials must also be included.

### Phasing

As proposed the development will be constructed in four separate phases.

### Recommendation

Planning staff recommends that the request be approved with conditions.

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### **FIRE MARSHAL**

Fire Marshal has indicated there are no issues with this plan. The turnaround provided on a private access drive must be approved by the Fire Department prior to final SP.

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### **RECENT REZONINGS**

None.

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### **STORMWATER RECOMMENDATION**

1. Add 78-840 note.
  2. Undisturbed buffer line is off 10 feet and should be corrected.
  3. Add buffer note.
  4. Add preliminary note.
-



## Metro Planning Commission Meeting of 1/12/06

### 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. Off-site mitigation may be required.
2. Provide plans for solid waste collection and disposal. Must be approved by the Public Works Solid Waste Division.
3. Fire Department must approve private access as turnaround.
4. Show sidewalk along W. Trinity Lane.
5. Required parking spaces for all uses shall be designed to permit entry and exit without moving any other vehicle.
6. Parking appears inadequate. Final SP must meet parking standards.
7. Show and dimension right of way along West Trinity Lane. Label and show reserve strip for future right of way 42 feet from centerline to property boundary, consistent with the approved major street plan (U4 - 84' ROW).
8. Show continuous entry/exit radius from junction of inner entry/exit curve and circulatory roadway, if applicable.
9. All roadway geometry shall support navigation by SU30 design vehicles.
10. Remove fence across public ROW.
11. Construct public roadway to eastern property line.
12. As per note #9, please show additional planned parcels.
13. Developer shall construct 1 access drive with 1 entering lane and 2 exiting lanes with a minimum of 100 ft storage and a minimum distance of 100 feet to 1st interior intersection.
14. Developer shall provide adequate sight distance at intersection. At development, documentation of sight distance shall be submitted.
15. Site plan for this property development shall include cross access easement to adjacent parcels along West Trinity. If the joint access drive is private, a joint access easement along the drive shall be provided to West Trinity intersection for future widening. If this access road is public, additional ROW shall be dedicated for an additional entering



## Metro Planning Commission Meeting of 1/12/06

- lane if it is determined to be necessary when the adjacent parcels are developed
16. Developer shall dedicate additional ROW along West Trinity frontage to allow for a future right turn lane on West Trinity at development of adjacent parcels.
  17. The site plan shall identify specific roadway design standards consistent with Metro PW specifications.
  18. If the proposed roundabout is included in site plan, the design shall include a single travel lane in accordance with AASHTO standards. Construction plans for development shall identify all required pavement markings and signing in accordance with MUTCD standards.

### Typical Uses in Existing Zoning District: R6

Land Use (ITE Code)	Acres	Density per Acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	0.25	6.18	2	20	2	3

### 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
Residential Condo/townhome (230)	0.25	n/a	6	36	3	4

### 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
--			+4	16	1	1

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### METRO SCHOOL BOARD REPORT

**Projected student generation\***

**33 Elementary   25 Middle   19 High**

**Schools Over/Under Capacity**

Students would attend Bordaux Elementary School, Ewing Park Middle School, or Whites Creek High School. There is capacity within these schools. This information is based upon data from the school board last updated August 2, 2005.



## Metro Planning Commission Meeting of 1/12/06

### CONDITIONS

1. Building elevations must be approved by planning staff prior to final SP.
2. Landscaping plans must be approved by planning staff prior to final SP.
3. Sidewalk layout must be approved by planning staff prior to final SP.
4. Final SP site plan must specify uses for all structures.
5. A recommendation from Greenways regarding future connections with this development must be received prior to final SP.
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 RM9 zoning district, which must be shown on the plan.
7. Add SP number: 2005Z-179U-03.
8. All Public Works' conditions listed above must be addressed, and approved by Public Works prior to final SP.
9. All off-site traffic conditions, as recommended by Public Works, must be bonded or completed prior to the recordation of any final plat.
10. All Stormwater conditions and comments as indicated above must be adequately addressed prior to, or with the final SP approval.





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

**Zone Change 2006Z-001U-10**  
None  
None  
25 - Shulman  
8 - Harkey  
Councilmember Jim Shulman, applicant for various property owners

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

Pereira  
*Approve*

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**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.

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**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,



## Metro Planning Commission Meeting of 1/12/06

### Policy Conflict

single-family detached units, town-homes, and walk-up apartments.

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.

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### 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.

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### PUBLIC WORKS RECOMMENDATION

No Exceptions Taken.

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### METRO SCHOOL BOARD REPORT

The number of students generated by this rezoning is negligible since this is an existing, platted area.



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

**Zone Change 2006Z-002U-10**  
None  
None  
25 - Shulman  
8 - Harkey  
Councilmember Jim Shulman, applicant for various property owners.

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

Pereira  
*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.



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### 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.

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### PUBLIC WORKS RECOMMENDATION

No Exceptions Taken.

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### METRO SCHOOL BOARD REPORT

The number of students generated by this rezoning is negligible since this is an existing, platted area.



**Zone Change**  
**Associated Case**  
**Council Bill**  
**Council District**  
**Requested by**

**2006Z-005T**  
None.  
BL2005-910  
Countywide  
Councilmember Ludy Wallace

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

Regen  
*Approve*

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**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.**

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**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



## Metro Planning Commission Meeting of 1/12/06

### **Staff Recommendation**

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.

Approve. This amendment serves to codify existing administrative practice.



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

**Zone Change 2006Z-007U-10**  
None  
None  
25 - Shulman  
8 - Harkey  
Bob Haley, applicant for Cindy Lockhart, Delores Dennard, Jon Sheridan, Michelle Sheridan and C. Dennard, owners.

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

Leeman  
*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.



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- 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





## Metro Planning Commission Meeting of 1/12/06

### Plan Details

special policy, including creating a street wall consistent with the street and buildings that compliment each other.

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.

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### **FIRE MARSHAL RECOMMENDATION**

Staff will update the Commission at the meeting if there are any issues with the plan.

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### **RECENT REZONINGS**

None.

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### **STORMWATER RECOMMENDATION**

1. FEMA note / information.



## Metro Planning Commission Meeting of 1/12/06

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.]

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### **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.



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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	Density Per Acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	3.07	--	+1	10	0	1

### METRO SCHOOL BOARD REPORT

**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



## Metro Planning Commission Meeting of 1/12/06

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. It should also have a minimum width of 14 feet if one way traffic and 20 feet if two way traffic.

2. All traffic conditions, as recommended by Public Works must be bonded or completed prior to the recordation of any final plat.
3. All comments from Metro Stormwater shall be addressed at the final SP Plan stage.
4. All roadways shall be constructed to the property lines to allow for future connection of streets to adjacent parcels.
5. 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.



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

**Zone Change 2006Z-008U-08**  
None  
None  
19 – Wallace  
05 – Hunt  
2120 Partners LLC, applicant/owner.

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

Swaggart  
*Disapprove*

**APPLICANT REQUEST**

**Request to change approximately 1.52 acres from office and residential (OR20) and single-family and duplex (R6) to mixed use general (MUG) properties located at Hume Street (unnumbered) and 8<sup>th</sup> Avenue North (unnumbered).**

**Existing Zoning**  
OR20 District

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

R6 District

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

**Proposed Zoning**  
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



## Metro Planning Commission Meeting of 1/12/06

### **Salem Town Detailed Neighborhood Development Plan**

Mixed Use (MU)

appropriate design and that the type of development conforms with the intent of the policy.

MU is intended for buildings that are mixed horizontally and vertically. The latter is preferable in creating a more pedestrian-oriented streetscape. This category allows residential as well as commercial uses. Vertically mixed-use buildings are encouraged to have shopping activities at street level and/or residential above.

The plan for this area further recommends that development be mid – rise (4-6 stories), and that corner lot building be built to the sidewalk to provide a “Main Street” character. When possible, on-street parking should be provided.

### **Policy Conflict**

While the proposed MUG zoning 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. Because many uses allowed in the MUG district are not consistent with the area’s policy, a plan is needed. A plan ensures that the ultimate uses and layout are consistent with the adopted plans. 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 area’s policy, staff recommends that without a PUD or site plan the request be disapproved. MUG also permits very intense development, where a PUD or SP district would help to insure compatibility with the area.

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### **PUBLIC WORKS RECOMMENDATION**

A TIS is required at development.



## Metro Planning Commission Meeting of 1/12/06

### Typical Uses in Existing Zoning District: OR20/R6

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	1.52	6.18	9*	86	7	10

\*Assumes all 1.52 acres is R6

### 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)	1.52	0.184	12,183	263	35	93

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	1.52			177	28	83

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

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	1.52	6.18	9	86	7	10

\*Assumes all 1.52 acres is R6

### 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)	1.52	3.0	198,634	2253	324	302

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	1.52			2167	317	292



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

**Zone Change 2006Z-009U-08**  
Planned Unit Development 2006P-001U-08  
None  
19 – Wallace  
05 – Hunt  
2120 Partners LLC, applicant/owner.

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

Swaggart  
*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





## Metro Planning Commission Meeting of 1/12/06

### Policy Conflict

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.

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.

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### PUBLIC WORKS RECOMMENDATION

A TIS will be required at development.



## Metro Planning Commission Meeting of 1/12/06

### 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



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

**Planned Unit Development 2006P-001U-08**  
**Cheatham Place**  
Zoning Request 2006Z-009U-08  
None  
19 – Wallace  
01 – Thompson  
2120 Partners LLC, applicant/owner

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

Swaggart  
*Disapprove*

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**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.

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**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



## Metro Planning Commission Meeting of 1/12/06

compatible to the existing character of the majority of the street.

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### 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.

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### PUBLIC WORKS RECOMMENDATION

No Exceptions Taken



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

**Zone Change 2006Z-010G-06**  
None  
None  
35 - Tygard  
9 - Warden  
Gresham Smith & Partners, applicant, for Charles R. Brock, trustee.

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

Pereira  
*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.



## Metro Planning Commission Meeting of 1/12/06

### 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



## Metro Planning Commission Meeting of 1/12/06

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.

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## Metro Planning Commission Meeting of 1/12/06

### 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





## Metro Planning Commission Meeting of 1/12/06

### Design issues

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.

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.

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### RECENT REZONINGS

None.

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### 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.



## Metro Planning Commission Meeting of 1/12/06

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.

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### 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**.

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### FIRE MARSHAL RECOMMENDATION

Fire hydrants should flow at least 1,250 GPM's at 40 psi.

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### 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.

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### 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



## Metro Planning Commission Meeting of 1/12/06

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.



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

**Zone Change 2006Z-011G-04**  
None  
None  
9 - Forkum  
3 - Garrett  
Robert K. Trent of Bixler Farms LLC, applicant/owner

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

Pereira  
*Disapprove RM20; alternatively, staff recommends approval of RM9 zoning on this property. No access shall be permitted to State Route 45.*

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**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.

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**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



## Metro Planning Commission Meeting of 1/12/06

### Policy Conflict

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.

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



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--			+56	576	40	59
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### 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.



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

**Zone Change 2006Z-013U-02**  
None  
None  
3 – Baldwin-Tucker  
1 - Thompson  
Robert Trent, Knollcrest G.P., applicant/owner.

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

Pereira  
*Approve with conditions*

**APPLICANT REQUEST**

**Existing Zoning**  
RS7.5 district

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

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



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### Policy Conflict

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

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





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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



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appropriate regulations at the time of the final plan."

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### FIRE MARSHAL RECOMMENDATION

#### **Not Approved**

1. Fire hydrants should flow at least 1,250 GPM's at 40 psi.
2. 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.
3. 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.

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### CONDITIONS

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.



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

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

**Deferral**

This item was deferred from the September 22, 2005 Planning Commission meeting.

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

Fuller  
*Approve with conditions*

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**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**

This 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.

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**SUBDIVISION DETAILS**

Access/Street Connectivity

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



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### **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.

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### **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.

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### **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.



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

**Subdivision 2005S-304G-03**  
**The Meadows of Fontanel**  
3 - Tucker  
3 - Garrett  
Fontanel Properties, LLC, owner, Advantage Land, surveyor.

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

Fuller  
*Approve with conditions*

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

**Request for preliminary plat approval for 14 lots abutting the east margin of Whites Creek Pike, approximately 1100 feet north of Lloyd Road (37.81 acres).**

**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.

RS20 District

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

**SUBDIVISION DETAILS**  
Existing Structures

There are two homes existing on the site that will remain - one each on proposed lots 8 and 14. An estate home exists at the rear of the remaining tract that will later be developed as Phase II and will use the existing drive between lots 3 and 4 for access.

Floodplain

Approximately 36 acres of the subdivision are encumbered with floodplain. Approximately 12.3 acres of the floodplain (33%) have been marked as disturbed; the remaining 67% will be undisturbed. The borrow area to fill the proposed lots is located on the east side of the creek.

Greenway

A conservation easement has been shown on all of the land encumbered by floodway and the first 75 feet beyond the floodway on both sides of Whites Creek. A greenway easement has been shown in the last 25 feet along the outside edges of the conservation easement.



## Metro Planning Commission Meeting of 1/12/06

The Metro Parks Staff and the applicant have agreed on an alternate design: the developer will build a 10-foot wide asphalt trail, meeting Metro Greenway standards, on both sides of Whites Creek. The public will be allowed access to the creek and the trail, the trail, and a 20 foot greenway buffer on the opposite side of the trail from the creek which will extend the length of the creek and the trail. The developer will also construct a 10-foot pedestrian easement in compliance with Section 2.6-1 G of the Subdivision Regulations from Whites Creek Pike to the greenway. On September 26, 2003 Greenways Staff and Planning Staff met with the applicant and preliminarily agreed to the trail location. All further details will be worked out prior to final plat approval.

The applicant has requested a variance from the last 25-feet of the conservation easement on the west side of the creek for the following reasons:

- The floodway is uniquely wide along Whites Creek Pike and provides more than enough room to protect the natural environment and habitat of Whites Creek.
- Under the alternative location of the greenway path agreed to by the applicant, planning and greenways staffs, the 25-feet will not be used for the location of the path.
- The applicant is constructing the greenway path on both sides of the creek at their own expense.
- By eliminating the 25-foot easement the lots along Whites Creek Pike can be enlarged to continue the rural character of Whites Creek Pike.

Staff recommends approval of the request to reduce the conservation easement by 25-feet on the west side of the Whites Creek because of the uniquely wide floodway and the alternate location of the greenway path.

### Sidewalks

Sidewalks are not required on this subdivision because it is located along an existing road in the General Services District and is not a Sidewalk Priority Index Area with a score of 20 or greater.



## Metro Planning Commission Meeting of 1/12/06

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**PUBLIC WORKS  
RECOMMENDATION**

No Exception Taken

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**STORMWATER  
RECOMMENDATION**

Approve

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**WATER SERVICES  
RECOMMENDATION**

A Pressure Regulating Device will be required where static pressures exceed 100 psi and individual water and sewer lines will be required for each lot. The water main should be located within the proposed 50' ingress/egress and public utility easement.

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**CONDITIONS**

1. All areas designated as an undisturbed conservation areas must be fenced off prior to the issuance of grading permits.
2. The developer will build a 10-foot wide asphalt trail, meeting Metro Greenway standards, on both sides of Whites Creek. The public will be allowed access to the creek and the trail, the trail, and a 20 foot greenway buffer on the opposite side of the trail from the creek which will extend the length of the creek and the trail. The developer will also construct a 10-foot pedestrian easement in compliance with Section 2.6-1 G of the Subdivision Regulations from Whites Creek Pike to the greenway. On September 26, 2003 Greenways Staff and Planning Staff met with the applicant and preliminarily agreed to the trail location. All further details will be worked out prior to final plat approval.



**Project No.**

**Subdivision 2006S-008G-13**

**Project Name**

**Shoppes of Edge O Lake, Section 2**

**Associated Cases**

None

**Council District**

29 - Wilhoite

**School Board District**

6 - Awipi

**Requested By**

Marshall Development, owner/developer, and Cherry Land Surveying.

**Staff Reviewer**

Leeman

**Staff Recommendation**

*Approve with conditions*

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**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.**

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**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.

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**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.

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### 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.

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### 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:

5. 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.
6. 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



## Metro Planning Commission Meeting of 1/12/06

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.

7. Cross access between properties along Murfreesboro Pike from Edge O Lake Drive to southern property boundary shall be required.
8. At development, developer shall provide street connectivity to existing streets Lakevilla Drive and Willowbranch.

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### **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.

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### **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.

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### **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.



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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.



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

**Subdivision 2006S-017U-12**  
**Spencer Hill, Preliminary Subdivision**  
30 - Kerstetter  
2 - Blue  
Mary Luker Holland, owner, MEC Inc., applicant/  
surveyor

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

Pereira  
*Disapprove, as the Stormwater Division comments must be addressed prior to approval.*

**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,



## Metro Planning Commission Meeting of 1/12/06

### Access and lot layout

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.

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.



## Metro Planning Commission Meeting of 1/12/06

### Sidewalk requirement

- 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.

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).



## Metro Planning Commission Meeting of 1/12/06

### 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.
1. Construct 100 ft left turn lane on Tusculum (U-2) at Luker if ROW is available.

### STORMWATER RECOMMENDATION

#### Returned for Corrections

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:



## Metro Planning Commission Meeting of 1/12/06

- 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.





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

**Subdivision 2005S-020G-04**  
**Seventh Day Adventist & Tennessee**  
**Christian Medical Center, Revision One**

**Associated Cases**  
**Council District**  
**School Board District**  
**Requested By**

None  
9 – Forkum  
3 - Garrett  
Cherry Land Surveying, applicant/surveyor, for  
Adventist Health & Hospital System, owner.

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

Pereira  
*Approve with conditions, including a variance from lot  
frontage on lot 5.*

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**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).**

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**ZONING**

OG district

Office General is intended for moderately high intensity  
office uses.

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**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.



## Metro Planning Commission Meeting of 1/12/06

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.

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### **PUBLIC WORKS RECOMMENDATION**

1. Verify subdivision number on plat.

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### **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."

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### **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.



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

**Subdivision 2006S-046U & 2006S-047U-13**  
**Drake's Run Section 1 and 2**  
None  
1 – Gilmore  
1 – Thompson III  
Barge Waggoner, Sumner and Cannon, applicant for various property owners

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

Swaggart  
*Disapprove*

**APPLICANT REQUEST**

**Final Plat**

**Request for final plat approval for a variance to remove sidewalks from the approved final plats.**

**Zoning**

RS15 district

RS15 requires a minimum 15,000 square foot lot and is intended for single-family dwellings at a density of 2.47 dwelling units per acre.

**SUBDIVISION DETAILS**

Staff Analysis

The applicant requests to amend the approved final plat by removing the sidewalks from the plat. This development is fully developed and occupied, but sidewalks were never constructed as indicated on the plat.

The preliminary plat and final plat were approved with sidewalks along one side of the road as required by the Subdivision Regulations in effect at the time. The applicant argues that the subdivision is developed and occupied, and requiring the sidewalks to be put in could cause major inconveniences for the homeowners. Staff recommends, however, that the sidewalks be required as previously approved by the Commission on both the preliminary and final plats.

Any inconvenience to the current homeowners is the result of the decision by the developer of this subdivision and/or the builders of the individual homes not to construct the required sidewalks at the time the subdivision was being developed. Approval of a request to remove the required sidewalks at this time could set a bad precedent of allowing developers to avoid the sidewalk requirements of the subdivision regulations simply by delaying the installation of the sidewalks until after the homes in the subdivision have been sold and occupied.



## Metro Planning Commission Meeting of 1/12/06

Variance

Because sidewalks were required when this subdivision was platted, removing the sidewalks from the plat would require the Commission to grant a variance to the Subdivision Regulations. The Commission may grant a variance if topographical restraints or other restraints would create extraordinary hardships. Applicants have not demonstrated any existing topographical condition that would create a hardship.

Staff Recommendation

Because no hardship has been demonstrated, and an undesirable precedent would be created, staff recommends that the Commission disapprove the request to remove the required sidewalks from the plats.

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**PUBLIC WORKS  
RECOMMENDATION**

No Exceptions Taken



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

**Planned Unit Development 8-65-G-03**  
**Family Dollar (Final PUD)**  
None  
2 – Isabel  
1 – Thompson  
Dale and Associates, Inc, for Mark and Patricia Williams, et al, owners.

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

Leeman  
*Approve with conditions provided Stormwater conditions are addressed prior to the meeting.*

**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 Moorman’s Arm Road (unnumbered), at the corner of Whites Creek Pike and Moorman’s Arm Road, to permit a 9,180 square foot retail use (final approval), and to revise the existing, undeveloped shopping center approved for a 73,920 square foot shopping center, and a 2,000 square foot bank to allow for a 54,182 square foot shopping center.**

**PLAN DETAILS**

History

The preliminary plan was approved in 1965, as a planned zoning district, and was amended into a Planned Unit Development in 1967.

Site Plan

While the original plan was approved for over 75,000 square feet of commercial uses, the current plan redesigns the layout of the PUD to allow for a total of 54,182 square feet.

Access

The original PUD included two points of ingress and egress from Moorman’s Arm Road and Whites Creek Pike. The current plan includes only one ingress/egress from Moorman’s Arm Road and two on Whites Creek Pike.

Staff Recommendation

Although this plan redesigns the layout of the buildings, it is consistent in concept with the originally approved plan, which was for a suburban shopping center that is automobile-oriented. Staff recommends approval of the revision to preliminary and approval of the final for the 9,180 square foot retail use provided Metro Stormwater Comments are addressed prior to the meeting.



## Metro Planning Commission Meeting of 1/12/06

### **PUBLIC WORKS RECOMMENDATION**

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

Show and dimension right of way along Whites Creek Pike. Label and show 12' reserve strip for future right of way (42 feet from centerline to property boundary), consistent with the approved major street plan (U4 - 84' ROW).

Show and dimension right of way along Moormans Arms Road. Label and dedicate 5' of right of way (30 feet from centerline), consistent with the approved major street / collector plan.

PUD conditions are as follow or a TIS may be submitted to determine conditions:

1. Developer shall construct a 3 lane cross section with transition per AASHTO standards on Whites Creek Pike along property frontage to Moormans Arm Road, and a northbound left turn lane with 100 feet of storage and transition per AASHTO standards on Whites Creek Pike at Moormans Arm Road upon 50% of PUD development.
2. Developer shall construct 1/2 of a collector cross section along Moormans Arm Road property frontage with a 100 feet eastbound left turn lane at driveway access, and a 3 lane cross section on Moormans Arm Road with 150 feet of storage at Whites Creek Pike upon 50% of PUD development. Construction of Moormans Arm access drive shall be required at 50% PUD development.
3. Developer shall modify existing traffic signal at Moormans Arm Road and Whites Creek Pike upon construction of the widening of either Moormans Arm Road or Whites Creek Pike. Developer shall submit signal plan to Metro traffic engineer for approval. Plan shall include pedestrian signals and ADA facilities, if sidewalks are constructed at intersection.
4. A 25 feet cross access shall be allowed between lot 2 and parcels 139 and 179. Access location shall be determined at redevelopment of parcel 139 or 179.



## Metro Planning Commission Meeting of 1/12/06

5. Upon development of lot 1, Family Dollar project, one 35 feet wide joint use driveway shall be constructed. The driveway located 25 feet to the south of the Family Dollar project is denied. Cross access between lot 1 and lot 2 shall be provided and aligned with the Family Dollar western driveway aisle.

Developer shall construct a northbound left turn lane with a minimum of 100 feet of storage and transition per AASHTO standards on Whites Creek Pike at joint use driveway.

6. Parking and driveway aisle widths shall comply with code requirements.

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### STORMWATER RECOMMENDATION

1. Indicate the benchmark datum on the plans (NGVD29 or NAVD88).
2. Drainage on south side appears to drain across concrete pad and off the property. Is there a curb cut? Detail drainage for this area.
3. Silt fences need to be placed parallel to contours. Fences that are placed on slope will promote gully formation.
4. Place temporary erosion control measures in front of drainage control structure during construction.
5. Place a general note that final stabilization of site will be achieved before removal of erosion control features.
6. Plan indicates a 25 foot stream buffer on several places and a 30 foot buffer in others. Please revise.
7. Show curb and curb cut detail.
8. Show detail of outlet protection – size, length, width of rip rap placement.
9. Top of pond elevation is mis-labeled with same elevation as weir.
10. In the drainage model, the outlet weir is routed through the outlet pipe. Please revise model.
11. If possible, move curb cut east to prevent short circuiting of pond.
12. In the Live Pool calculations, a “v” of 0.50 was used. This corresponds to a treatment % of 72% with a C factor of .79. Pond must treat 85%.
13. What drawdown time was used for orifice sizing.
14. Raise orifice size to 1” and add anticlogging device.



## Metro Planning Commission Meeting of 1/12/06

15. Show next 2 downstream structures.
16. Treatment pond only treats ½ of the building and leaves off the South end of the paved surface. Add additional treatment area to compensate or route the entire roof to the pond and adjust calculations.

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### 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. All Traffic comments and conditions, as listed above, shall be completed, bonded, or satisfied, prior to the issuance of any building permit.
5. All Stormwater Management conditions, as listed above, shall be satisfied prior to the Planning Commission meeting.





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

**Planned Unit Development 177-74-U-14**  
**Century City West (Fraternal Order of Police)**

**Associated Cases**  
**Council District**  
**School District**  
**Requested By**

None  
15 – Loring  
4 – Nevill  
Gresham Smith and Partners, for the Fraternal Order of Police, owner.

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

Leeman  
*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



## Metro Planning Commission Meeting of 1/12/06

### Parking and Square Footage

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.

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.

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### **PUBLIC WORKS RECOMMENDATION**

No Exceptions Taken

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### **STORMWATER RECOMMENDATION**

Approved

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### **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.



## Metro Planning Commission Meeting of 1/12/06

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.



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

**Planned Unit Development 61-84-G-06**  
**Bellevue Valley Plaza Commercial PUD**  
None  
35 – Tygard  
9 – Warden  
Barge, Waggoner, Sumner and Cannon, applicant for Bellevue Properties, owner

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

Swaggart  
*Approve with conditions*

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

**A request to revise the approved preliminary site plan and for final approval of a Planned Unit Development for property located south of Highway 70 S, and east of Old Hickory Boulevard, to permit the development of a 4,000 square foot building permitting restaurant and retail uses to be located within the existing parking lot.**

**PLAN DETAILS**

Site Plan

The request is for the development of a 4,000 square foot building allowing restaurant and retail uses. As proposed the building will be constructed within an existing parking lot.

Access

The development will be accessed through the existing development.

Parking

Typically parking should be provided on site unless there is a shared parking agreement. As proposed 314 parking spaces is required on site; however, there is a shared parking agreement between adjacent developments within the PUD. A total of 605 parking spaces are required within the overall development and 615 spaces are being provided.

**PUBLIC WORKS RECOMMENDATION**

No Exceptions Taken

**STORMWATER RECOMMENDATION**

Sufficient for Technical Review 12/6/05. No Tech Comments as of 12/28.



## Metro Planning Commission Meeting of 1/12/06

### 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



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

**Planned Unit Development 68-86-U-13**  
**Hickory Woods West, phase 1, final PUD**  
32 – Coleman  
6 – Awipi  
Wamble and Associates, applicant, for Harold and Hermena Holigan, owners

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

Pereira  
*Disapprove because Stormwater technical review comments have not yet been provided or adequately addressed by the applicant, and a TIS has not been completed or addressed by the applicant.*

**APPLICANT REQUEST**  
**Revision to preliminary & Final PUD**

**Request to revise a portion of the approved preliminary plan and for final approval phase one of a commercial Planned Unit Development district located on the east side of Murfreesboro Pike, and the north side of Laverge-Couchville Road, zoned CS district (1.48 acres), to allow a convenience store on a portion of the PUD that was approved for general retail**

**PLAN DETAILS**  
History

This preliminary PUD plan was approved by the Planning Commission in August of 1986, for 40,100 square feet of general retail uses, 29,000 square feet of office uses, and 3,250 square feet of drive-in food service uses.

This revision to the approved preliminary plan proposes a 4,100 square foot convenience store use on the corner of Murfreesboro Road and Lavergne-Couchville Road, to replace a 3,100 square foot general retail building. The revision also introduces a new phasing plan, and this is the first phase, with a second phase for the remainder of the PUD. The use proposed with this revision is consistent with original preliminary plan as approved by the Metro Council, but it also shifts the ingress/egress driveway cuts along Lavergne-Couchville Pike.

Sidewalks

According to section 17.20.120 of the Metro Zoning Ordinance, sidewalks along public streets are required for multifamily and nonresidential developments. In general, a new sidewalk is required to be constructed on



## Metro Planning Commission Meeting of 1/12/06

streets fronting the property wherever installation would be adjacent to and extend an existing sidewalk. Facts regarding this property are:

- It falls within the Urban Services District
- There are no sidewalks along the east side of Murfreesboro Road and north side of Lavergne-Couchville Road at this location
- It is a revision to an old commercial PUD, which proposes an increase in the square footage of an approved commercial use of 1,000 square feet above what was approved originally by the Metro Council. This qualifies for the sidewalk exemption under the Zoning Code's provisions for the redevelopment of property (the expansion is less than the twenty-five percent increase in square footage at and above which would require a sidewalk).

Given these facts, it is not required for the applicant to construct a sidewalk along the east side of Murfreesboro Road and north side of Lavergne-Couchville Road at this location, but Planning staff highly recommends the inclusion of this sidewalk in the plans. The applicant sidewalk has shown the sidewalks on the plans.

Access

The revision also proposes minor changes in the vehicular access points along Lavergne-Couchville Pike. The applicant has worked with Public Works on lining up the southernmost access point with the approved Hickory Woods East PUD development on the south side of Lavergne-Couchville Pike. The northernmost access point will be either permanently or temporarily a private drive, with the option of converting this drive into a public roadway during a future phase of this Planned Unit Development. Given that this drive is internal to the PUD, the normal street setbacks of the Zoning Ordinance do not necessarily apply, as per Section 17.36.060G of the ordinance.

### STORMWATER RECOMMENDATION

Sufficient for **technical review** on December 14, 2005.

#### **Returned for Corrections:**

1. Time of Concentration for existing condition is not reasonable. Use longer time.



## Metro Planning Commission Meeting of 1/12/06

2. Provide calculations and cross-section for ditches.
3. Use inlet control to check the capacity of the structures or check the hydraulic line for pipe system.
4. Pond easement and agreement document including recording fee.
5. Notice of Coverage from TDEC.
6. Check next two downstream structures.

### **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.

- Provide TIS or original conditions prepared for this PUD.

Preliminary comments follow:

1. Construct a 3 lane cross section with center turn lane along Lavergne Couchville property frontage. Improve Murfreesboro intersection alignment. Work with opposing property owner to realign driveway and Lavergne-Couchville Pike.
2. Remove driveway on Lavergne-Couchville and Construct a three lane PUD driveway for access.
3. Construct a right turn deceleration lane on Murfreesboro Road at Murfreesboro Road driveways;
4. Identify right-of-way for commercial collector (plans for opposing PUD driveway on Lavergne Couchville).
5. One additional driveway shall be allowed along Murfreesboro Road aligned with opposing plant drive approximately at the center of PUD. Identify opposing driveway locations.
6. Submit signal plans and reconstruct signal upon approval.

### **FIRE MARSHAL RECOMMENDATION**

Approve

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

1. Prior to final plat approval, all Stormwater technical review comments must be adequately addressed by the applicant.
2. Prior to final plat approval, the applicant must work with the Public Works and Planning Departments to





## Metro Planning Commission Meeting of 1/12/06

satisfy the Public Works comments as indicated above.

3. Prior to final plat approval, the final PUD plans must be revised to label lot 1 as parcel 210 and lot 2 as parcel 211 (of map 175).
4. Prior to final plat approval or the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Section of the Metropolitan Department of Public Works.
5. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
6. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees.
7. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission for filing and recordation with the Davidson County Register of Deeds.
8. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been



## Metro Planning Commission Meeting of 1/12/06

submitted to the Metropolitan Planning Commission for filing and recordation with the Davidson County Register of Deeds.

9. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.



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

**Planned Unit Development 27-87-P-03**  
**Creekside Trails, Phase 6**  
None  
None  
1 – Gilmore  
1 – Thompson  
The Laine Company, applicant for Tennessee Contractors, owner.

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

Fuller  
*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:



## Metro Planning Commission Meeting of 1/12/06

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

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.

Cul-de-sac on Road "C" to meet ST 331 standard.

Road "A" to meet ST 252, 50' right-of-way standard.

Submit proof of adequate sight distance at the project entrance.

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### **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.

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### **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,



## Metro Planning Commission Meeting of 1/12/06

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.



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

**Planned Unit Development 2003P-002G-02**  
**Cobblestone Creek PUD, Phase 2**  
None  
3 - Tucker  
3 - Garrett  
Bruce Rainey, applicant for M.R. Stokes, owner

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

Pereira  
*Defer until Stormwater comments are adequately addressed.*

**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.



## Metro Planning Commission Meeting of 1/12/06

Council bill amendment  
(BL2003-1394)

- 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.

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.

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### STORMWATER RECOMMENDATION

Stormwater final approval requires the following items to be addressed:

1. Stormwater quality treatment is required with corresponding easements.



## Metro Planning Commission Meeting of 1/12/06

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.

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### 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.

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### 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





## Metro Planning Commission Meeting of 1/12/06

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



## Metro Planning Commission Meeting of 1/12/06

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.



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

**Planned Unit Development 2003P-010U-07**  
**Jardin de Belle Subdivision**  
None  
None  
34 – Williams  
8 - Harkey  
Littlejohn Engineering Associates, Inc., applicant, for  
Jardin De Belle Development, LLC, owner.

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

Fuller  
*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**

Mitigation

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.

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 Forrester 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:



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### Maintenance Plan

- 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.

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



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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.

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### 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.



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

**Planned Unit Development 2003P-015U-05**  
**Sam Levy Homes (McNeilly Center for Children)**

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

None  
None  
5 – Murray  
5 – Hunt  
McNeilly Center for Children, applicant/owner

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

Swaggart  
*Approve*

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**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.

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**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



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Recommendation

children served would likely be required to go before the BZA for approval.

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.

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**PUBLIC WORKS  
RECOMMENDATION**

No Exceptions Taken



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

**Urban Design Overlay 2005UD-004U-09**  
**Park Place Court final UDO**  
19 - Wallace  
7 - Kindall  
Dale and Associates, applicant, for Mitchell Pollard and Gregory Pollard, owners.

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

Pereira  
*Approve with conditions, including the condition that final Stormwater technical review comments be adequately addressed on a revised set of plans prior to final plat approval.*

**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





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May 12, 2005, Planning Commission meeting, to be applied to these final UDO plans:

**4. Landscape buffers:**

a. 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.

~~b. 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.

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### 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.

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### STORMWATER RECOMMENDATION

1. Approved on 12/20/05.

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### CONDITIONS

1. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be



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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.



<b>Project No.</b>	<b>2005M-106U-05</b>
<b>Associated Case</b>	None
<b>Council Bill</b>	BL2005-931 and BL2005-847
<b>Council District</b>	8 - Hart
<b>School Board District</b>	5 - Hunt
<b>Requested by</b>	Metro Public Works
<b>Staff Reviewer</b>	Kleinfelter
<b>Staff Recommendation</b>	<i>Approve, with a recommendation to rename the street to Sunnymead Drive rather than to Hunters Meadow Lane.</i>

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**APPLICANT REQUEST**

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**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.



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### **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.



### Staff Report

Project: Harding Town Center UDO Design Review Advisory Committee  
Staff Reviewer: Jones/Covington

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.



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### List of Nominees

Name	Phone/Email
<u>Jimmy Granbery</u> Harding Town Center UDO retail, office, and/or commercial property representative	<u>252-8100/jwgranbery@hghill.com</u>
<u>Tony Giarratana</u> Harding Town Center UDO retail, office, and/or commercial property representative	<u>254-0555/tony@giarratana.com</u>
<u>Bart Johnston</u> Harding Town Center UDO retail, office, and/or commercial property representative	<u>468-2036/johnstonb@cumberlandadvisors.com</u>
<u>Michael Dossett</u> St. Thomas Hospital representative	<u>284-6184/MDOSSETT@stthomas.org</u>
<u>Will Johnston</u> Kenner Avenue Neighborhood Association President or designee	<u>wjohnston@autobodyamerica.com</u>
<u>Irwin Venick</u> Historic Woodlawn West Neighborhood Association President or designee	<u>321-5659/IVenick@aol.com</u>
<u>Mae Dean Eberling</u> Neighboring Condominium Association President or designee	<u>248-5231/mdeberling@newschannel5.com</u>