



**METROPOLITAN GOVERNMENT
OF NASHVILLE AND DAVIDSON COUNTY**

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

**Minutes
Of the
Metropolitan Planning Commission
March 23, 2006

4:00 PM
Howard School Auditorium, 700 Second Ave., South**

PLANNING COMMISSION:

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

Staff Present:

Richard Bernhardt, Executive Director
Ann Hammond, Assistant Director
Brooks Fox, Legal Counsel
Bob Leeman, Planner III
Kathryn Fuller, Planner III
Trish Brooks, Admin. Svcs. Officer 3
Luis Pereira, Planner I
Jason Swaggart, Planner I
Adriane Harris, Planner II
Jennifer Carlat, Communications Officer

Commission members absent:

Judy Cummings
Jim McLean
Stewart Clifton

I. CALL TO ORDER

The meeting was called to order at 4:07 p.m.

II. ADOPTION OF AGENDA

Mr. Loring moved and Mr. Ponder seconded the motion, which passed unanimously to adopt the agenda as presented. (6-0)

Ms. Nielson arrived at 4:09

III. RECOGNITION OF COUNCILMEMBERS

Councilmembers who were present at the meeting did not address the Commission.

IV. PUBLIC HEARING: ITEMS REQUESTED TO BE DEFERRED OR WITHDRAWN

2. 2006S-096U-05 Solon Court – Request for preliminary plat approval to create 12 lots located on the south side of Solon Drive – deferred to April 11, 2006 at the request of the applicant
3. 89P-003G-06 Still Spring Ridge, Phase II – Request to revise the approved preliminary plan for a residential Planned Unit Development to allow for a 12,000 sq. ft. Center for Jewish Awareness to replace a previously approved 10,000 sq. ft. private recreation facility – deferred to April 11, 2006 at the request of the applicant

- 4. 2006SP-016U-08 The Courts of Germantown – Request to change from IR to SP zoning property located at 1211, 1215, 1217, 1219, and 1229 4th Avenue North, 4th Avenue North (unnumbered) and 407 Monroe Street, to permit the development of 35 townhomes 1,661 sq. ft. of retail and restaurant space, and a 920 sq. ft. club house – deferred to April 11, 2006 at the request of the applicant
- 16. 151-82-G-06 Harpeth Springs Office Park – A request to revise a portion of the preliminary and for final approval for a Commercial Planned Unit Development district located at 7978 Coley Davis Road, at Somerset Drive, classified CL (1.90 acres), to permit a 3,000 sq. ft. daycare center and a 4,500 sq. ft. of dance studio, replacing 7,500 sq. ft. of office uses – deferred to April 11, 2006 at the request of the applicant
- 17. 2005P-003G-12 Delvin Downs – A request for final approval for a Planned Unit Development district located at 1015 Barnes Road and Barnes Road (unnumbered), west of Stanford Village Drive, classified AR2a and proposed for RS10, (50.26 acres), to permit 143 single-family lots – deferred to April 11, 2006

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

V. PUBLIC HEARING: CONSENT AGENDA

PUBLIC HEARING: ZONING MAP AMENDMENTS

- 1. 2006S-068U-03 Fairview Subdivision, Portion of Tract 8, Request for final plat approval to create four lots located on the south side of West Hamilton Road - Approve w/conditions
- 7. 2006SP-044U-12 A request to change from OR20 to SP zoning property located at 350 Wallace Road, approximately 965 feet east of Nolensville Pike, to permit a 3,000 square foot medical supply sales use - Approve w/ conditions
- 9. 2006SP-052U-05 Request to change from RS7.5 and OL to SP district property located at 4601 and 4603 Gallatin Pike and Broadmoor Drive (unnumbered), to permit 960 square feet of retail uses, a 531 square foot coffee shop use, and 1,109 square feet of retail storage uses at 4603 Gallatin Pike, the continuation of an existing single family residence at 4601 Gallatin Pike, and associated parking - Approve w/ conditions, including that prior to any final site plan approval, all parking spaces proposed within 20' of public right-of-way shall be eliminated.

PRELIMINARY SUBDIVISION PLATS

- 10. 2006S-093U-10 Tyne Nell - A request for preliminary plat approval to create 4 lots located on the west side of Tyne Boulevard and the north side of Georgetown Court (5.0 acres), zoned R40, requested by James E. Nell, owner, Jesse Walker, surveyor. - Approve w/conditions, including sidewalk variance and irregular shape lot variance.
- 11. 2006S-108G-04 Cumberland Bend - A request for preliminary plat approval to create 53 cluster lots at 1108 and 1110 Snow Avenue and Snow Avenue (unnumbered) - Approve w/conditions

PLANNED UNIT DEVELOPMENTS (revisions)

- 13. 95-71-U-08 MetroCenter, Lot 1 (Crest- Hummer Dealership)(Re-Hearing)- - Approve w/conditions
A request to revise a portion of the preliminary and for final approval of the commercial Planned Unit Development district located at 2121 MetroCenter Boulevard, to permit the addition of 11,703 square feet to the existing 71,320 square foot auto dealership building.

14. 177-74-U-14 Century City - Request to revise a portion of the preliminary and for final approval of a Commercial Planned Unit Development district located at 26 Century Boulevard, to permit the development of 234 surface parking spaces - Approve w/conditions
15. 15-82-G-13 Jackson Business Park (A to Z Office Supply) - Request to revise a portion of the preliminary and for final approval for a portion of a Commercial Planned Unit Development district located at Owen Drive, west of Old Hickory Boulevard, classified AR2a, (4.39 acres), to permit the addition of 3,136 square feet to the existing 33,614 retail/warehouse building, requested by Crouch Engineering for A to Z Office Resource, Inc, owner. - Approve w/ conditions

OTHER BUSINESS

18. Extension to the Contract between Metro (on behalf of the MPO) and Parsons Brinckerhoff Quade and Douglas, Inc. for Southeast Corridor Alternative Analysis" - Approve
19. An amendment to the employee contract for Richard Bernhardt. - Approve

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

VI. PUBLIC HEARING: PREVIOUSLY DEFERRED ITEMS AND ITEMS ON PUBLIC HEARING

PRELIMINARY SUBDIVISION PLATS

1. **2006S-068U-03**
 Fairview Subdivision, Portion of Tract 8
 Map 069-08, Parcel Part of 001
 Subarea 3 (2003)
 District 1 - Brenda Gilmore

A request for final plat approval to create four lots located on the south side of West Hamilton Road, approximately 200 feet west of Clarksville Pike (1.85 acres), zoned RS15, requested by Vincent T. Scalf, owner, Hart Freeland & Roberts, surveyor.

Staff Recommendation -Approve with conditions

APPLICANT REQUEST -Final Plat

Request to subdivide 1.85 acres into four lots located on the south side of West Hamilton Road.

ZONING

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

PLAN DETAILS - The applicant has revised the plan since the last meeting from five lots to four lots in order to meet the lot comparability standards.

This subdivision proposes the creation of four lots from a portion of a parcel. As proposed, the four new lots have the following areas and street frontages:

- Lot 1: 19,666 Sq. Ft., (0.45 Acres), and 100.83 ft. of frontage
- Lot 2: 19,666 Sq. Ft., (0.45 Acres), and 100.83 ft. of frontage
- Lot 3: 19,667 Sq. Ft., (0.45 Acres), and 100.84 ft. of frontage
- Lot 4: 19,677 Sq. Ft., (0.45 Acres), and 100.84 ft. of frontage

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

A lot comparability test was conducted and all four lots pass for lot area and frontage.

In addition, all four lots are critical lots due to floodplain.

STORMWATER RECOMMENDATION -Approve.

PUBLIC WORKS RECOMMENDATION - If sidewalks are required, submit construction plans for Public Works review and approval. Final design and improvements may vary based on field conditions.

CONDITIONS - Prior to recordation, performance bonds are to be posted for any public infrastructure improvements.

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

Resolution No. RS2006-104

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006S-068U-03 is **APPROVED WITH CONDITIONS. (7-0)**

Conditions of Approval:

1. Prior to recordation, performance bonds are to be posted for any public infrastructure improvements.”

- 2. **2006S-096U-05**
Solon Court
Map 083-04, Parcel 285
Map 084-01, Parcel 022
Subarea 5 (1994)
District 7 - Erik Cole

A request for preliminary plat approval to create 12 lots located on the south side of Solon Drive, approximately 370 feet west of Rosebank Avenue (4.23 acres), zoned R10, requested by Curtis Stewart, owner, Dale & Associates, surveyor.

The Metropolitan Planning Commission DEFERRED Preliminary Subdivision Plat 2006S-096U-05 to April 11, 2006, at the request of the applicant. (7-0)

PLANNED UNIT DEVELOPMENTS

- 3. **89P-003G-06**
Still Spring Ridge, Phase II
Map 128, Parcel 156
Subarea 6 (2003)
District 22 - Eric Crafton

A request to revise the approved preliminary plan for a residential Planned Unit Development, located on the north east side of Hicks Road (unnumbered), classified RS20 (81.90 acres), to allow for a 12,000 sq. ft. Center for Jewish Awareness to replace a previously approved 10,000 square feet. private recreation facility, requested by Barge, Waggoner, Sumner and Cannon, applicant for Greater Middle Tennessee Development, owner.

The Metropolitan Planning Commission DEFERRED Planned Unit Development to April 11, 2006, at the request of the applicant. (7-0)

VII. PUBLIC HEARING: ZONING MAP AMENDMENTS

ZONING MAP

- 4. **2006SP-016U-08**
The Courts of Germantown
Map 082-09, Parcel 312, 314, 315, 316, 317, 318, 319, 320
Subarea 8 (2002)
District 19 - Ludye N. Wallace

A request to change from IR to SP zoning property located at 1211, 1215, 1217, 1219, and 1229 4th Avenue North, 4th Avenue North (unnumbered) and 407 Monroe Street, (1.67 acres), to permit the development of 35 townhomes 1,661

square feet of retail and restaurant space, and a 920 square foot club house requested by Dale and Associates, for William Hunter, etux, C & D Safety Company, LLC, owners.

The Metropolitan Planning Commission DEFERRED Zone Change 2006SP-016U-08 to April 11, 2006, at the request of the applicant. (7-0)

5. 2006SP-022U-08

Map 082-09-J, Parcel 001, 002, 003, 008, 010, 400, 402, 404, 406, 408
Subarea 8 (2002)
District 19 - Ludye N. Wallace

A request to change from MUN to SP district property located at VanBuren Street (unnumbered) and 4th Avenue North (unnumbered), between 3rd and 5th Avenues North (2.3 acres), to permit the development of 11,934 square feet of general retail, general office, restaurant, and/or multifamily uses, 28 multifamily units, 28 townhouses, and 4 single family units, requested by Harry Lawrence of Lawrence Brothers, owner.

Staff Recommendation - Approve with conditions

APPLICANT REQUEST- Rezone 2.3 acres from mixed use neighborhood (MUN) to Specific Plan (SP) zoning properties located at Van Buren Street (unnumbered) and 4th Avenue North (unnumbered), between 3rd and 5th Avenues North, to permit the development of 11,934 square feet of general retail, general office, restaurant, and/or multifamily uses, 28 multifamily units, 28 townhouses, and 4 single family units.

Existing Zoning

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

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.

NORTH NASHVILLE COMMUNITY PLAN POLICY

Open Space (OS) - OS policy is intended to encompass public, private not-for-profit, and membership-based open space and recreational activities. The OS designation indicates that recreational activity has been secured for an open space use.

Alternate Structure Plan Land Use Policy

Neighborhood Urban (NU) - NU policy is intended for fairly intense, expansive areas that are intended to contain a significant amount of residential development, but are planned to be mixed use in character. Predominant uses in these areas include a variety of housing, public benefit uses, commercial activities and mixed-use development. 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.

Germantown Detailed Neighborhood Design Plan

Parks, Reserves and Other Open Space in Potential Open Space - PR is reserved for open space intended for active and passive recreation, as well as buildings that will support such open space.

Alternate Detailed Plan Land Use Policy

Mixed Live/Work - MLW is intended for primarily residential uses, while providing opportunities for small commercial establishments, mostly home-run professional or retail services.

Policy Conflict - While the proposed SP district is not consistent with the Parks, Reserves and Other Open Space in Potential Open Space policy of the Germantown DNDP/North Nashville Community Plan, the SP is consistent with its alternate land use policies, Mixed Live/Work in Neighborhood Urban, if the property is to be privately developed. The proposed uses include retail, office, restaurant, and a range of residential development. While the SP does not propose traditional live/work units, the amount of proposed residential development exceeds by a factor of nearly seven the amount of proposed nonresidential development (by square footage), which is at the core of the Mixed Live/Work policy intent. **Building Heights** The Germantown DNDP states that buildings within a Neighborhood Urban Structure Plan policy area should range from 1 to 2 ½ stories in height. The proposed building heights in the SP plan include 2 stories (cottages), 3 stories (townhome units and buildings at the corners of Van Buren Street and 4th Avenue North), 4 stories (mixed use building at the corner of 5th Avenue North and Van Buren) and 5 stories (mixed use building at the corner of 3rd Avenue North and Van Buren). Staff recommends approval of the SP despite the minor departure from the DNDP for the following reasons:

1. There is a large grade difference between this site, which is situated on a relatively flat area at the bottom of a mild slope that descends from just south of this property (south of Van Buren Street). This mitigates the effect of the 3+ story buildings that are proposed. In addition, the top story is stepped back from the street, maintaining a sheer street wall of 3 stories.
2. The 5-story building at the corner of 3rd Avenue North and Van Buren contains one story that is semi-hidden, below grade, on the fronting street. This has the effect of making the 5-story building appear as a 4-story building at its façade along Van Buren Street.
3. The policy across the street from the proposed 5-story building at the corner of 3rd Avenue North and Van Buren, to the northeast of this intersection, is a MxU in Neighborhood Urban policy area that has been designated as suitable for mid-rise buildings, between 4-6 stories in height. Staff recommends that the Commission consider this SP's close proximity to the higher height standard as further justification for the 5-story building as a transition.

Preliminary Plan Details - While the site is currently approved for development as permitted within the existing MUN zone district, the applicants propose the SP to allow an increase in the heights of the mixed-use buildings located at the corners of Van Buren and 3rd, 4th and 5th Avenues North. The proposed SP includes 11,934 square feet of general retail, general office, restaurant, and/or multifamily uses, as well as 28 multifamily units in four mixed use buildings, 28 townhouses, and 4 single family units. As the site is a fairly intense mixed use development, no open space is provided within its boundaries; in spite of this, Morgan Park abuts this property on the north side of the property, and four detached units and 8 townhomes within this development are proposed to front on the park. A landscaping concept plan is also provided, which shows street trees on both the north and southern boundaries of the SP, as well as numerous groupings of shrubs within the development.

Vehicular Access - The site is accessed via two private driveways along Van Buren Street, one between 3rd and 4th Avenues, and one between 4th and 5th Avenues. Staff finds these access points appropriate.

Building Elevations - The plan includes rendered elevations (architectural renderings) for the new buildings to be constructed within the SP development (the buildings are as discussed in the "Building Heights" section above). Staff has reviewed the elevations and recommends approval of them.

Landscaping Plan - As mentioned above, a concept plan for the proposed landscaping to be installed is included with this preliminary SP, and it includes street trees and various shrubs throughout the development; a final, more detailed landscaping plan is a requirement at the final SP stage (including Tree Preservation details).

Pedestrian access -The applicant has agreed to provide a sidewalk along the frontage of this property of Van Buren Street, as well as along both east and west sides of 4th Avenue North, the east side of 3rd Avenue North, and the west side of 5th Avenue north as a part of this SP. There are some internal sidewalks proposed within this SP. This property is located to the immediate south of Morgan Park, and includes several townhomes oriented towards the park. Staff recommends that prior to approval of the final SP, the applicant should work with the Planning and Metro Parks Departments to coordinate the construction of a sidewalk or alternative pedestrian path along the entire northern side of the SP, abutting the park boundary. If Metro Parks does not construct a sidewalk in this location prior to approval of the final SP plan, staff recommends that the applicant construct such a pedestrian facility. A Metro standard (or modified design) sidewalk is a reasonable element to include within this SP, given the urban context, and the proposed mixture of retail, office, and residential uses, as well as the abutting recreational use.

Parking A total of 121 parking spaces have been proposed with this development, which can be stratified as follows:

- On the west side of the development between 4th and 5th Avenues North, 39 onsite parking spaces are included, which consist of 23 surface spaces and 16 garage spaces (for townhomes).

- 16 on-street spaces along the north side of Van Buren Street
- 4 on-street spaces on the west side of 3rd Avenue North
- 8 on-street spaces along both sides of 4th Avenue North
- On the east side of the development between 4th and 3rd Avenues North, 50 onsite parking spaces are included, which consist of 12 surface spaces and 24 garage spaces (for townhomes)
- 4 on-street spaces on the east side of 5th Avenue North
- 10 surface spaces, to be leased in a nearby lot on the east side of 3rd Avenue North.

The applicant states that all on street parking spaces proposed to fulfill the parking needs for this development have been previously approved by the Traffic and Parking Commission and Public Works. As a condition of this SP approval, the applicant must provide the written proof of MPW approval of the on street parking spaces, including the minimum number of 32 approved, on-street spaces. Staff notes that the use of on street parking is consistent with the Germantown DNDP, which states that “traffic-calming measures are recommended at 4th Avenue North & Hume, at 4th Avenue North & Van Buren St., and between these intersections to reduce traffic hazards and increase pedestrian-friendliness of street through Morgan Park.” On-street parking is a traffic-calming measure.

Of the 22 multifamily units (10 being townhomes) on the west side of this development, 12 units will be served primarily by the surface parking spaces to the rear of the mixed use buildings. The four single family units will also be served by the surface parking spaces. Of the 34 multifamily units (18 being townhomes) on the east side of this development, 16 units will be served primarily by the surface parking spaces to the rear of the mixed use buildings. On both sides of the development, onstreet parking will normally provide backup to the lots to the rear, which are also intended to serve the retail/office uses in the mixed use buildings. Given the potential for parking conflicts at peak hours, however, Planning staff has recommended to the applicant to create parking restrictions within the surface lots, via signage/metering, to ensure that SP residents have access to nearby parking. Prior to, or in conjunction with the final SP approval, this plan must be approved by the Planning Department.

Prior to final SP plan approval, a written parking agreement must be signed by the owner of the adjacent lot, be recorded with the Register of Deeds Office, and be referenced on the final SP plans.

RECENT REZONINGS - None.

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. Omit small mid-block push outs in on-street parking.
3. Align handicap ramps with sidewalk.

STORMWATER RECOMMENDATION - Preliminary SP approved. Revised Construction Drawings must be approved prior to final SP approval.

METRO SCHOOL BOARD REPORT

Projected student generation 5 **Elementary** 3 **Middle** 3 **High**

Schools Over/Under Capacity - Students would attend Brookmeade Elementary School, Hill Middle School, or Hillwood High School. All schools have been identified as having capacity by the Metro School Board. This information is based upon data from the school board last updated February 2006.

CONDITIONS

1. Prior to final SP approval, the applicant must coordinate with the Metro Parks and Planning Departments on the design and construction of a sidewalk facility along the northern edge of this property, next to Morgan Park. If Metro Parks fails to commit to construct this sidewalk/pedestrian facility prior to final SP approval, the applicant must revise the SP plans to include a standard Metro sidewalk in this location.
2. The applicant must provide written proof that the on-street spaces as proposed to fulfill this SP development’s parking needs have been approved by the Traffic and Parking Commission and/or the Department of Public Works; this written documentation shall explicitly reference the minimum number of 32 approved, on-street parking spaces, with any conditions of approval.
3. Prior to, or in conjunction with, the final SP approval, the parking restrictions must be approved by the Planning

Department, to ensure the availability of surface parking for residents of the SP during peak hours.

4. Prior to final SP, a written parking agreement must be signed by the owner of the adjacent lot on the east side of 3rd Avenue, be recorded with the Register of Deeds Office, and be referenced explicitly on the final SP plans (instrument number).
5. All off-site traffic conditions, as recommended by Public Works, must be bonded or completed prior to the recordation of the final plat.
6. All Stormwater conditions as indicated above must be adequately addressed prior to, or with the final SP approval.
7. Prior to final SP approval, the number of bedroom units in each unit type must be labeled on the plans.
8. As a part of the final SP plan approval, a separate, detailed landscaping plan must be provided.
9. 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.
10. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the MUN zoning district, which must be shown on the plan.

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

Ms. Kate Garvey, 1406 4th Avenue North, expressed issues regarding the proposal.

Mr. Skip Lawrence, 1402 4th Avenue North, spoke in favor of the proposal.

Mr. Ponder questioned the current construction underway on the parcel and its relation to the project. He then requested additional information regarding the traffic and parking recommendations included in the proposal.

Mr. Tyler requested additional information regarding the traffic issues mentioned by the resident. He expressed issues with the proposed available parking included in the proposal as well as its density. He stated the plan was a good plan, however, he was not in favor of approving the additional stories being requested.

Ms. Nielson stated that the grade change on the parcel would justify the request.

Mr. Small clarified past actions the Commission had taken on this parcel and then acknowledged the applicant's current request. He then requested an explanation on the number of additional units being requested and whether they were strictly residential or if it entailed additional retail units.

Mr. Bernhardt explained that additional units being requested were only residential.

Mr. Small then asked staff if the original plan on this parcel would allow the same number of units being requested under the proposed SP zoning.

Mr. Bernhardt stated that he did not think the developer maximized the number of units in the original plan.

Mr. Pereira explained the MUN zoning for this parcel in relation to the SP zoning being requested.

Mr. Loring spoke in favor of the project and stated it would enhance the area. He moved for its approval.

Mr. Loring moved and Ms. Nielson seconded the motion to approve with conditions Zone Change 2006SP-022U-08. **(6-1) No Vote – Tyler**

Resolution No. RS2006-105

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006SP-022U-08 is APPROVED WITH CONDITIONS (6-1), including that prior to final development plan approval, the plan be reviewed and approved by MDHA and any MDHA conditions of approval be complied with on the final development plan.

Conditions of Approval:

PUBLIC WORKS RECOMMENDATION

1. Any approval is subject to Public Works' approval of the construction plans. Final design and improvements may vary based on field conditions.
2. Omit small mid-block push outs in on-street parking.
3. Align handicap ramps with sidewalk.

STORMWATER RECOMMENDATION - Preliminary SP approved. Revised Construction Drawings must be approved prior to final SP approval.

CONDITIONS

1. Prior to final SP approval, the applicant must coordinate with the Metro Parks and Planning Departments on the design and construction of a sidewalk facility along the northern edge of this property, next to Morgan Park. If Metro Parks fails to commit to construct this sidewalk/pedestrian facility prior to final SP approval, the applicant must revise the SP plans to include a standard Metro sidewalk in this location.
2. The applicant must provide written proof that the on-street spaces as proposed to fulfill this SP development's parking needs have been approved by the Traffic and Parking Commission and/or the Department of Public Works; this written documentation shall explicitly reference the minimum number of 32 approved, on-street parking spaces, with any conditions of approval.
3. Prior to, or in conjunction with, the final SP approval, the parking restrictions must be approved by the Planning Department, to ensure the availability of surface parking for residents of the SP during peak hours.
4. Prior to final SP, a written parking agreement must be signed by the owner of the adjacent lot on the east side of 3rd Avenue, be recorded with the Register of Deeds Office, and be referenced explicitly on the final SP plans (instrument number).
5. All off-site traffic conditions, as recommended by Public Works, must be bonded or completed prior to the recordation of the final plat.
6. All Stormwater conditions as indicated above must be adequately addressed prior to, or with the final SP approval.
7. Prior to final SP approval, the number of bedroom units in each unit type must be labeled on the plans.
8. As a part of the final SP plan approval, a separate, detailed landscaping plan must be provided.
9. 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.
10. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the MUN zoning district, which must be shown on the plan.

The proposed SP site plan is consistent with the North Nashville Community Plans alternate structure Neighborhood Urban (NU) land use policy. NU policy is intended for intensive, expansive areas that are intended to contain a significant amount of residential development, but are planned to be mixed use in character. The request is also consistent with the Germantown Detailed Neighborhood Design Plan's alternate Mixed Live/Work policy that is for a mixture of residential units and nonresidential space."

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6. **2006Z-043U-10**
Map 093-13, Parcel 391, 392
Subarea 10 (2005)
District 19 - Ludye N. Wallace

Music Square East (.78 acres), requested by Schatten Three Properties LLC, owner.

Staff Recommendation-Disapprove

APPLICANT REQUEST - A request to change 0.78 acres from single-family and duplex zoning (R6) to office and residential intensive zoning (ORI), property located at 1512 and 1514 South Street approximately 200 feet east of Music Square East.

Existing Zoning

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

Proposed Zoning

ORI District -Office/Residential Intensive is intended for high intensity office and/or multi-family residential uses with limited retail opportunities.

GREEN HILLS/MIDTOWN 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.

Edgehill Detailed Neighborhood Design Plan (DNBP)

Single-Family Detached (SFD) -SFD is intended for single family housing that varies based on the size of the lot. Detached houses are single units on a single lot.

Policy Conflict -Yes. The proposed ORI district is not consistent with the policy in the area. While the requested district may recognize the existing use on the property, extending office zoning further east is inappropriate and would set an undesirable precedent for further office encroachment to the east, along South Street.

PUBLIC WORKS RECOMMENDATION -Access study may be required.

Typical Uses in Existing Zoning District: R6

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	0.78	6.18	4	29	3	4

Typical Uses in Proposed Zoning District: ORI

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	0.78	0.497	11,907	260	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
--	0.78			231	32	89

Maximum Uses in Existing Zoning District: R6

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single Family Detached (210)	0.78	6.18	4	29	3	4

Maximum Uses in Proposed Zoning District: ORI

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	0.78	3	71,874	260	35	93

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
--				231	32	89

METRO SCHOOL BOARD REPORT

Projected student generation 0 Elementary 0 Middle 0 High

Schools Over/Under Capacity -Students would attend Eakin Elementary School, West End Middle School, and Hillsboro High School. All schools within the cluster have capacity for more students. Based on "MNPS Facilities With No Capacity", updated December 13, 2005.

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

Mr. Bill Harbison, 424 Church Street, spoke in favor of the proposal.

Mr. Bud Tate, 1514 South Street, spoke in favor of the proposal.

Rev. Bill Barnes, 1023 Battlefield Drive, spoke in opposition to the proposal.

Mr. Herman Jeffries, 15th Avenue South, spoke in opposition to the proposal.

Mr. Dan Gochbert, 916 Villa Place, spoke in opposition to the proposal.

Mr. Ron Miller, 905 Villa Place spoke in opposition to the proposal.

Mr. Hollands, 911 14th Avenue South, spoke in opposition to the proposal. He presented a petition of opposition to the Commission.

Ms. Nielson spoke in favor of staff recommendation.

Mr. Ponder questioned the nonconformity of this parcel and whether the business could continue its operations.

Mr. Bernhardt explained that the parcel has been grandfathered in and has been in nonconformance since 1977.

Mr. Loring spoke in favor of the applicant's request. He mentioned other successful areas of the City where commercial districts have encroached residential districts.

Mr. Ponder moved and Mr. Small seconded the motion to disapprove Zone Change 2006Z-043U-10. **(6-1) No Vote – Loring**

Resolution No. RS2006-106

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006Z-043U-10 is **DISAPPROVED. (6-1)**

The proposed ORI district is not consistent with the Green Hills/Midtown Community Plan's Neighborhood General Policy that is for residential development.”

- 2006SP-044U-12**
Map 147-00, Parcel 014
Subarea 12 (2004)
District 26 - Greg Adkins

A request to change from OR20 to SP zoning property located at 350 Wallace Road, approximately 965 feet east of Nolensville Pike (1.45 acres), to permit a 3,000 square foot medical supply sales use, requested by Amir Roshanfar and Faryab Lohrasbi of At Home Medical Supplies LLC, owner.

Staff Recommendation - *Approve with conditions*

APPLICANT REQUEST - Rezone 1.45 acres from office/residential (OR20) to Specific Plan (SP) zoning property located at 350 Wallace Road, approximately 965 feet east of Nolensville Pike, to permit a 3,000 square foot medical supplies sales use, and all other uses as permitted within OR20 zoning.

Existing Zoning

OR20 district Office/Residential is intended for office and/or multi-family residential units at up to 20 dwelling units per acre.

Proposed Zoning

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.

SOUTHEAST COMMUNITY PLAN POLICY

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

Policy Conflict - No. The SP district proposes a ‘medical appliance sales’ use, which is permitted only as an *accessory* use currently within the existing OR20 zoning on this site. The SP proposes to allow medical appliance sales as the use within the existing house on this property, to allow for the sale of hospital beds, wheelchairs, and walkers, and other related items. The proposed use is consistent with the OC policy on this site. The existing building is proposed to remain unchanged. Staff recommends that the SP also include all other uses as permitted within the OR20 zoning district.

Preliminary Plan Details -The property currently has a 3,000 square foot single family house on it, which will remain unchanged and become the structure that houses the medical appliance sales use. A small parking area and additional landscaping will be added with the change in use. A large area of existing vegetation will be preserved to the rear of the existing structure, on the north and northeast side. For any standards not explicitly listed on the Specific Plan, the OR20 district has been deemed the site’s catch-all district.

Vehicular Access The site’s one existing private driveway will be brought up to Metro commercial driveway standards, and will be lined up with the existing driveway across Wallace Road. Fifteen new parking spaces will be added along the front of the building.

Building Elevations - No building elevations were provided with this application, but as the existing 16 foot building will remain unchanged within the SP development, staff recommends that no further information be required for this SP request.

Landscaping Plan - As advised by staff, the plans provide a B-2 landscape bufferyard along the site’s frontage with Wallace Road, to shield views of the new proposed parking lot from the street. New and existing landscaping will be used to fulfill this standard that is normally governed by Section 17.24.200 of the Metro Zoning Ordinance. The applicant has stated that existing overhead power lines will make the planting of some of the canopy trees of the bufferyard difficult. Staff recommends that any such canopy trees must be planted on the immediate south side of the parking lot to provide further screening. The landscaping plan also shows a large degree of tree preservation to the rear of the building.

Pedestrian access - There is an existing sidewalk along the frontage of this property with Wallace Road. It will be altered at the vehicular access point, and repaired elsewhere to the Metro standard.

Cross Access - The applicant complied with staff's recommendation for a cross access easement to the western property line, which is currently zoned OR20 and has an office building. As the applicant was advised to provide landscaping along the frontage of the property to help obstruct views of the site's parking area from the street, staff did not ask for the actual construction of this 30' access easement.

Signage - Planning staff asked the applicant to restrict the signage on this property to a single, monument sign. The applicant refused to make this a restriction. Staff recommends that a condition be included in the Commission's approval of this preliminary SP request that the final SP plan must include a restriction that will allow one monument sign only, the location of which must be shown on the plans (with a detailed illustration of the sign, to be approved by the Planning Department).

RECENT REZONINGS -None.

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

1. Document adequate sight distance at project entrance.
2. Label and dedicate 5' of right-of-way (30 ft. from centerline) along Wallace Road, consistent with the approved Major Street/Collector Plan.

STORMWATER RECOMMENDATION - The SP has been reviewed for map/parcel 14700001400 (parking lot addition). Based on information provided by the engineer, no Stormwater permit will be required for this project.

METRO SCHOOL BOARD REPORT

Projected student generation - As the Specific Plan proposes a medical appliance sales use, as well as permits OR20 uses generally, the application of the SP to the property will have a negligible impact on the number of students generated.

CONDITIONS

1. Prior to final SP approval, the applicant must revise the landscaping plans to show canopy trees to be planted on the immediate south side of the parking lot to provide further screening from Wallace Road.
2. Prior to final SP approval, the plan shall be restricted to one monument sign, the location of which to be shown on the plans, with a detailed illustration of the sign, to be approved by the Planning Department.
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. 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.
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 OR20 zoning district, which must be shown on the plan.

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

Resolution No. RS2006-107

"BE IT RESOLVED by The Metropolitan Planning Commission that 2006SP-044U-12 is **APPROVED WITH CONDITIONS. (7-0)**

Conditions of Approval:

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. Document adequate sight distance at project entrance.
2. Label and dedicate 5' of right-of-way (30 ft. from centerline) along Wallace Road, consistent with the approved

Major Street/Collector Plan.

CONDITIONS

1. Prior to final SP approval, the applicant must revise the landscaping plans to show canopy trees to be planted on the immediate south side of the parking lot to provide further screening from Wallace Road.
2. Prior to final SP approval, the plan shall be restricted to one monument sign, the location of which to be shown on the plans, with a detailed illustration of the sign, to be approved by the Planning Department.
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. 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.
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 OR20 zoning district, which must be shown on the plan.

The proposed SP site plan is consistent with the Southeast Community Plan’s Office Concentration policy that is for office uses.”

-
8. **2006Z-045U-10**
Map 172-00, Parcel 039
Subarea 12 (2004)
District 31 - Parker Toler

A request to change from AR2a to RS7.5 zoning property located at Mt. Pisgah Road (unnumbered), approximately 1,510 feet east of Christiansted Lane (.56 acres), requested by Dean Baxter, applicant, for Robert D. Vasquez, owner.

Mr. Pereira announced that the applicant has requested that this item be deferred to April 27, 2006.

Mr. Small moved and Mr. Ponder seconded the motion, which passed unanimously, to close the public hearing on Zone Change 2006Z-045U-10, and place it on the Deferred and Withdrawn Items list which will result in its hearing to be held on April 27, 2006. **(7-0)**

Resolution No. RS2006-108

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006Z-045U-10 is DEFERRED to the APRIL 27, 2006, PLANNING COMMISSION MEETING. (7-0)”

-
9. **2006SP-052U-05**
Map 061-07, Parcel049, 050, 051, 052
Subarea 5 (1994)
District 8 - Jason Hart

A request to change from RS7.5 and OL to SP district property located at 4601 and 4603 Gallatin Pike and Broadmoor Drive (unnumbered), northwest corner of Gallatin Pike and Broadmoor Drive (.84 acres), to permit 960 square feet of retail uses, a 531 square foot coffee shop use, and 1,109 square feet of retail storage uses at 4603 Gallatin Pike, the continuation of an existing single family residence at 4601 Gallatin Pike, and associated parking, requested by Jacque and James Shultz, Linda Smith, and R. V. Smith, owners.

Staff Recommendation - Approve with conditions

APPLICANT REQUEST - Rezone 0.84 acres from residential single family (RS7.5) and office limited (OL) to Specific Plan (SP) zoning property located at 4601 and 4603 Gallatin Pike, and Broadmoor Drive (unnumbered), to permit 960 square feet of retail uses, a 531 square foot coffee shop use, and 1,109 square feet of retail storage uses at 4603 Gallatin Pike, the continuation of an existing single family residence at 4601 Gallatin Pike, and associated parking.

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.

OL district - Office Limited is intended for moderate intensity office uses.

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.

EAST NASHVILLE COMMUNITY PLAN POLICY:2006 Update

Community Center (CC) - CC is intended for dense, predominantly commercial areas at the edge of a neighborhood, which either sits at the intersection of two major thoroughfares or extends along a major thoroughfare. This area tends to mirror the commercial edge of another neighborhood forming and serving as a “town center” of activity for a group of neighborhoods. Appropriate uses within CC areas include single- and multi-family residential, offices, commercial retail and services, and public benefit uses. 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.

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

The SP proposal includes four parcels: three of which (4601, and 4603 Gallatin Pike) fall within the CC policy area in the *East Nashville Plan: 2006 Update*, while the parcel along Broadmoor falls within the NG policy area. Three of the four parcels in the proposal are zoned RS7.5 currently, while 4603 Gallatin Pike is zoned Office Limited.

Policy Conflict - The SP district proposes a retail *storage* use within the house currently located at 4603 Gallatin Pike. A retail use is only currently permitted in the Office Limited zoning on this parcel as an Accessory use. The general retail uses proposed to the rear of the property are consistent with the Community Center policy.

The SP also proposes the construction of wooden fence along the western rear property line of the property located at Broadmoor Drive (unnumbered), which is currently vacant and serves as a landscaped backyard for the house located at 4601 Gallatin Pike. The SP restricts the use of this landscaped parcel as a buffer to the adjacent residential area to the west. [The plan initially submitted to the Planning Department proposed that this parcel serve as a gathering place for occasional special events, not to be used for any retail sales or parking uses. The applicant amended the SP application to remove this use, given problems associated with demonstrating adequate parking for such a use].

Because this landscaped parcel (052) provides a buffer to the adjacent residential area, this part of the SP is largely consistent with the intent of the parcel’s Neighborhood General policy.

Preliminary Plan Details - As discussed above, the 4603 Gallatin Pike property currently has a 2,600 square foot single family house on it, which will remain unchanged and become the main structure for the retail storage and coffee/refreshments sales uses. In Phase 1 of the SP, a 704 square foot carport area to the rear of this house would be enclosed to allow for a “yard gift shop” (retail) use. New paved parking spaces are to be added in front of the house. In Phase 2, a 256 square foot barn/shed would open (also to the rear of the house), to allow for the sale of crafts, antiques, and other related regional art, and a 531 square foot coffee/refreshment shop will open on the side of the house at 4603 Gallatin Pike.

Phase 3 of the SP would consist of a wooden privacy fence to be added to the western rear of this parcel to screen this property from the adjacent residential area. An area of existing vegetation will be preserved to the rears of the existing structures, on the western perimeter of the SP.

For any standards not explicitly listed on the Specific Plan, the MUN district has been deemed the the site's catchall district.

Building Elevations - No building elevations were provided with this application, but as the existing buildings will remain unchanged within the SP development (other than the enclosure of the carport), staff deemed this adequate and did not require any more information.

Vehicular Access - The property at 4603 Gallatin Pike has one existing private driveway that will remain for the retail use, and the property at 4601 Gallatin Pike has an existing unpaved circular access driveway off of Broadmoor Drive. The SP proposes to eliminate one of these access points from Broadmoor Drive to allow for the addition of several surface parking spaces. The driveway area is proposed to remain unpaved.

Parking - A total of 16 surface spaces are proposed onsite within the SP. Four striped surface parking spaces have been proposed to be added to the rear of the property at 4601 Gallatin Pike (where six are existing). In addition, three surface spaces are proposed to be added to the front of the house at 4603 Gallatin Pike, and three parallel parking spots are proposed off of the existing driveway at the same property. The applicant has agreed to a prohibition of any parking for this SP on-street along Broadmoor Drive.

The Zoning Administrator has identified that at least four of the proposed spaces in the lot at 4601 Gallatin Pike are not approvable by the Codes Department because they fall within 20' of the right-of-way of Broadmoor Drive. There is a 20' minimum distance requirement that appears to render not feasible spaces #1, 2, 5, and 6. In addition, at least two of the three parallel parking spaces that are planned for the driveway of the property at 4603 Gallatin Pike appear not to be feasible, due to the narrow driveway width and the difficulty in gaining access to these spaces once one car is parked in space #3. One space on the front of 4603 Gallatin Pike is also not feasible, as it is proposed within 20' of Gallatin Pike's right-of-way. These problems reduce the number of onsite parking spaces to nine. Nine parking spaces *are* sufficient to serve the retail uses proposed on the property at 4603 Gallatin Pike (1 parking space per every 200 square feet of retail in the Metro Zoning Ordinance; 1,491 square feet of retail/refreshments would require eight spaces).

Landscaping Plan - The plans propose to preserve the existing landscaped areas along the site's western rear property boundary, to shield views of the retail/refreshment sales uses within the SP. The landscaping plan proposes the preservation of a 12 foot-wide existing line of trees at the rear of the property, as well as existing landscaping along Broadmoor Drive and throughout the entire property.

Pedestrian access -There is an existing sidewalk along the frontage of this property with Gallatin Pike. It will be altered at the vehicular access point, and repaired elsewhere to the Metro standard. There is no sidewalk along the frontage of Broadmoor Drive with this property, but the construction of a sidewalk within the right-of-way would hinder the goal of preserving existing landscaped area along this property's frontage with Broadmoor Drive. As such, no sidewalk has been shown on the plans.

RECENT REZONINGS - None.

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. Provide standard site boundary and topographical data.
3. Label and show reserve strip for future right of way (42 feet from centerline to property boundary) along Gallatin Pike, consistent with the approved major street plan (U4 - 84' ROW).
4. Label and dedicate right of way 30' from centerline to property boundary along Broadmoor Drive, consistent with the approved major street / collector plan.
5. Show edge of pavement for Gallatin and Broadmoor Drive. Relocate proposed driveway on Broadmoor out of left turn storage lane.
6. Show 20' queuing space between large parking lot and edge of right of way.
7. Parking for retail, commercial, and residential uses shall be per Metro Codes.

STORMWATER RECOMMENDATION - Preliminary SP approved with conditions.

1. All preliminary comments and construction drawings, if applicable, are to be approved prior to Final SP approval.

Plans need the following items:

1. Project Name
2. FEMA Note / Information
3. North Arrow & Bearing Information
4. Vicinity Map
5. Proposed Site Layout (Scale no less than 1" = 100', Contours no greater than 5')
6. Add 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."
7. Undisturbed Buffers: Add Buffer Note (if there is a drain buffer): "The buffer along waterways will be an area where the surface is left in a natural state, and is not disturbed by construction activity. This is in accordance with the Stormwater Management Manual Volume 1 - Regulations."
8. Add Preliminary Note: "This drawing is for illustration purposes to indicate the basic premise of the development. The final lot count and details of the plan shall be governed by the appropriate regulations at the time of final application."
9. Add Access Note: "Metro Water Services shall be provided sufficient and unencumbered access in order to maintain and repair utilities in this site."
10. Add C/D Note: "Size driveway culverts per the design criteria set forth by the Metro Stormwater Management Manual (Minimum driveway culvert in Metro ROW is 15" CMP)."
11. Show Existing Topography
12. Show Water Quality Concept - Room for Detention (if necessary).

METRO SCHOOL BOARD REPORT

Projected student generation -As the Specific Plan proposes retail uses, where residential and some limited office activities are currently allowed, the application of the SP to the property will have a negligible impact on the number of students generated.

CONDITIONS

1. All off-site traffic conditions, as recommended by Public Works, must be bonded or completed prior to the recordation of the final plat.
2. All other Public Works recommendations must be complied with prior to approval of the final SP plan.
3. All preliminary comments and construction drawings, if applicable, are to be approved by the Stormwater Division of Metro Water Services prior to final SP approval.
4. No Special Event uses are permitted in this SP.
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 MUN zoning district. This has been shown on the plan.

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

Resolution No. RS2006-109

"BE IT RESOLVED by The Metropolitan Planning Commission that 2006SP-052U-05 is **APPROVED WITH CONDITIONS (7-0), including that prior to final site plan approval, all parking spaces proposed within 20' of public right-of-way shall be eliminated, as required by the Zoning Administrator.**

CONDITIONS OF APPROVAL:

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. Provide standard site boundary and topographical data.
3. Label and show reserve strip for future right of way (42 feet from centerline to property boundary) along Gallatin Pike, consistent with the approved major street plan (U4 - 84' ROW).
4. Label and dedicate right of way 30' from centerline to property boundary along Broadmoor Drive, consistent with the approved major street / collector plan.
5. Show edge of pavement for Gallatin and Broadmoor Drive. Relocate proposed driveway on Broadmoor out of left turn storage lane.
6. Show 20' queuing space between large parking lot and edge of right of way.
7. Parking for retail, commercial, and residential uses shall be per Metro Codes.

STORMWATER RECOMMENDATION - Preliminary SP approved with conditions.

1. All preliminary comments and construction drawings, if applicable, are to be approved prior to Final SP approval.

Plans need the following items:

1. Project Name
2. FEMA Note / Information
3. North Arrow & Bearing Information
4. Vicinity Map
5. Proposed Site Layout (Scale no less than 1" = 100', Contours no greater than 5')
6. Add 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."
7. Undisturbed Buffers: Add Buffer Note (if there is a drain buffer): "The buffer along waterways will be an area where the surface is left in a natural state, and is not disturbed by construction activity. This is in accordance with the Stormwater Management Manual Volume 1 - Regulations."
8. Add Preliminary Note: "This drawing is for illustration purposes to indicate the basic premise of the development. The final lot count and details of the plan shall be governed by the appropriate regulations at the time of final application."
9. Add Access Note: "Metro Water Services shall be provided sufficient and unencumbered access in order to maintain and repair utilities in this site."
10. Add C/D Note: "Size driveway culverts per the design criteria set forth by the Metro Stormwater Management Manual (Minimum driveway culvert in Metro ROW is 15" CMP)."
11. Show Existing Topography
12. Show Water Quality Concept - Room for Detention (if necessary).

CONDITIONS

1. All off-site traffic conditions, as recommended by Public Works, must be bonded or completed prior to the recordation of the final plat.
2. All other Public Works recommendations must be complied with prior to approval of the final SP plan.
3. All preliminary comments and construction drawings, if applicable, are to be approved by the Stormwater Division of Metro Water Services prior to final SP approval.
4. No Special Event uses are permitted in this SP.

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 MUN zoning district. This has been shown on the plan.

The proposed SP site plan is consistent with the East Nashville Community Plan's Community Center and Neighborhood General policies. Community Center is intended for dense, predominately commercial areas at the edge of neighborhoods. Appropriate uses include single and multi family residential, offices, commercial retail and services, and public benefit uses. Neighborhood General is for residential uses."

VIII. PRELIMINARY SUBDIVISION PLATS

10. **2006S-093U-10**
Tyne Nell
Map 145-02, Parcel 020
Subarea 10 (2005)
District 34 - Lynn Williams

A request for preliminary plat approval to create 4 lots located on the west side of Tyne Boulevard and the north side of Georgetown Court (5.0 acres), zoned R40, requested by James E. Nell, owner, Jesse Walker, surveyor.

Staff Recommendation - *Approve, including a sidewalk variance and irregular shape lot variance*

APPLICANT REQUEST -Preliminary Plat

Request to subdivide 5.0 acres into four single-family lots located on the west side of Tyne Boulevard, and the north side of Georgetown Court.

ZONING

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

SUBDIVISION DETAILS -There are 3 single-family lots proposed off of Tyne Boulevard, and 1 lot off of Georgetown Court. Each lot is one acre or greater. A shared access easement is proposed off of Georgetown Court for the three lots off of Tyne Boulevard. No access is provided to Tyne Boulevard.

Sidewalk Variance (Section 2-6.1) - A sidewalk variance has been requested for each lot due to topography. A sidewalk variance was granted by the Commission for the adjacent subdivision (McKanna Subdivision) on Georgetown Court at the February 23, 2006, meeting due to topography.

Staff recommends approval of the sidewalk variance since it would further disturb the steep topography. If a sidewalk were built, it could also require a retaining wall.

Metro Public Works conducted a sidewalk constructability report and the sidewalk would require a retaining wall and storm/drainage facilities would have to be moved. There is currently a roadside ditch where the sidewalk is proposed.

Lot width to depth ratio (Section 2-4.2E) -Lot width to depth variance was also requested since the lot width is less than 25% of the average lot depth. The lot width is proposed at 29 feet and the average depth is 504 feet.

Staff recommends approval since the existing parcel, which is five acres, already exceeds this standard. Since the existing lot already has development rights and would not require subdivision approval for a development right to be created, staff recommends approval of the variance. Access could be achieved through the existing frontage on Georgetown Court or Tyne Boulevard and would allow for a building permit to be issued, if requested.

STORMWATER RECOMMENDATION - No exception taken.

PUBLIC WORKS RECOMMENDATION - No Exception Taken.

Resolution No. RS2006-110

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006S-093U-10 is **APPROVED WITH CONDITIONS (7-0), including sidewalk variance and irregular shape lot variance.**

CONDITIONS OF APPROVAL:

1. Sidewalk Variance (Section 2-6.1) - A sidewalk variance has been requested for each lot due to topography. A sidewalk variance was granted by the Commission for the adjacent subdivision (McKanna Subdivision) on Georgetown Court at the February 23, 2006, meeting due to topography.
2. Staff recommends approval of the sidewalk variance since it would further disturb the steep topography. If a sidewalk were built, it could also require a retaining wall.
3. Metro Public Works conducted a sidewalk constructability report and the sidewalk would require a retaining wall and storm/drainage facilities would have to be moved. There is currently a roadside ditch where the sidewalk is proposed.
4. Lot width to depth ratio (Section 2-4.2E) -Lot width to depth variance was also requested since the lot width is less than 25% of the average lot depth. The lot width is proposed at 29 feet and the average depth is 504 feet.
5. Staff recommends approval since the existing parcel, which is five acres, already exceeds this standard. Since the existing lot already has development rights and would not require subdivision approval for a development right to be created, staff recommends approval of the variance. Access could be achieved through the existing frontage on Georgetown Court or Tyne Boulevard and would allow for a building permit to be issued, if requested.”

- 11. 2006S-108G-04**
Cumberland Bend
Map 034-14, Parcel 082, 083, 084
043-02 005
Subarea 4 (1998)
District 9 - Jim Forkum

A request for preliminary plat approval to create 53 cluster lots at 1108 and 1110 Snow Avenue and Snow Avenue (unnumbered), approximately 685 feet east of Pierce Avenue (16.7 acres), zoned RS7.5, requested by Tyree General Contractors LLC, owner, Bruce Rainey & Associates, surveyor.

Staff Recommendation - Approve with conditions

APPLICANT REQUEST - Preliminary Plat

Request for preliminary plat approval to create 53 lots in a cluster lot subdivision on 16.7 acres, located on the north side of Snow Avenue, to the east of Pierce Avenue.

ZONING

RS7.5 district - RS7.5 requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre.

PLAN DETAILS

Cluster Lot Option -The proposed plan utilizes the cluster lot option available in the Metro Zoning Code in order to dedicate open space area to an existing TVA easement that crosses the property. The plan proposes to utilize the bulk standards (setbacks, lot coverage, etc.) of the RS7.5 district, with lots ranging from 5,757 to 15,295 square feet in size.

Open Space and Drainage Area - The applicant is proposing 19.88 percent of the subdivision, or approximately 3.29 acres, to be used as open space, of which 2.56 acres is devoted to the “use and enjoyment value” for residents, complying with the minimum 15 percent required by the cluster lot option. The applicant has provided several open space areas, some of which are crossed overhead by a TVA easement. As several lots were also shown initially as being crossed by a substantial portion of the TVA easement, staff asked the applicant to re-work proposed lot lines to avoid the easement as much as possible. Prior to final plat approval, the plat must be revised to show all lots as largely avoiding the TVA easement. This should include at least lots that are shown/numbered currently as lots #5, 21, and 23. Any lots whose airspace is dominated by the TVA easement must be eliminated and converted to open space.

Access and Turn-around Requirements - This subdivision proposes lots to be accessed off of new public roads, and it connects to two existing approved public roads—Maylene Drive on the southeastern side, and Snow Avenue on the southern side. There is also one stub street proposed in the subdivision (Stable Court), which stubs on the southwestern side. A temporary turnaround design has been shown at the end of Stable Court. Prior to final plat approval, the plat must be revised to show this temporary turnaround as complying with the Metro Public Works requirements (ST-331). It should also be noted that this same road—which curves ninety degrees to the south to terminate with Stable Court—shall ideally be extended in the future towards the west as a public road, starting at its curve, with the residential development of parcel 081.

There is also one permanent cul-de-sac on the northern side of this plat (Stoney River Lane). While the use of cul-de-sacs is discouraged by the Subdivision Regulations, the applicant has pointed to the existing railroad on the north side of this plat as a justification for not extending the road to stub at the property line. By the final plat stage, this permanent cul-de-sac must comply with the Metro ST-331 dimensions, including a landscaped median.

Sensitive lands - The Commission recently adopted a policy relative to requirements for cluster lot subdivisions. The policy is based on the Commission's concern about the cluster lot option's ability to include lots that are consistent with the area as well as to provide usable open space for residents, and to protect sensitive lands (including floodplain and steep slopes). The current proposed plat complies with the Commission's recently adopted policy relative to requirements for cluster lot subdivisions, as there is no floodplain on the property, and there are no contiguous areas with slopes greater than 20 percent (all slopes fall under 10 percent).

Landscape bufferyards - The subdivision abuts IR zoning on the north and northeastern sides, and therefore a class "C" landscape bufferyard is required and has been provided on the plans. As the subdivision abuts RS7.5 zoning on the south and western sides, and this cluster lot option proposes lots along these perimeters that fulfill the minimum lot size of RS7.5 zoning, no other landscape bufferyards are required.

Sidewalk Requirement - New subdivisions require sidewalks on both sides of the proposed public streets. Sidewalks have been shown on both sides of all new public streets, except for the western side of Stable Court. As this street is built to the property line, and this subdivision does not include lots on the western side of the street, Planning staff recommends that the sidewalks for the western side of Stable Court be constructed (or bonded) with any future subdivision of adjacent parcels 081 (to the west) and 001 (to the south).

PUBLIC WORKS RECOMMENDATION

1. Document adequate sight distance at project access. Indicate the amount of sight distance at the project entrance, and if adequate site distance per AASHTO for the posted speed limit on Snow Avenue is provided, prior to the preparation of construction plans.
2. Any approval is subject to Public Works review and approval of the construction plans. Final design and improvements may vary based on field conditions.
3. Sidewalk to be constructed on both sides of proposed roadways.

STORMWATER RECOMMENDATION -Approved Except as Noted

1. Add the subdivision number, i.e., 2006S-108G-04, to the plat.
2. Cite a bearings reference.
3. Reword the Detention Area label to include the phrase, "Water Quality."

CONDITIONS

1. The applicant must comply with Stormwater comments above.
2. The applicant must comply with Fire Marshal's Office turn-around requirements, as indicated above.
3. Prior to final plat approval, the plat must be revised to show all lots as largely avoiding the TVA easement. Any lots whose airspace is dominated by the TVA easement must be eliminated and converted to open space.
4. Prior to final plat approval, the permanent cul-de-sac that terminates Stoney River Lane must comply with the Metro ST-331 dimensions, including a landscaped median.

5. Prior to final plat approval, the temporary turnaround entitled Stable Court must meet Metro Public Works requirements for temporary cul-de-sacs (with Metro ST-331 dimensions).
6. The applicant must obtain approval of Public Works conditions above.

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

Resolution No. RS2006-111

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006S-108G-04 is **APPROVED WITH CONDITIONS. (7-0)**

CONDITIONS OF APPROVAL:

PUBLIC WORKS RECOMMENDATION

1. Document adequate sight distance at project access. Indicate the amount of sight distance at the project entrance, and if adequate site distance per AASHTO for the posted speed limit on Snow Avenue is provided, prior to the preparation of construction plans.
2. Any approval is subject to Public Works review and approval of the construction plans. Final design and improvements may vary based on field conditions.
3. Sidewalk to be constructed on both sides of proposed roadways.

STORMWATER RECOMMENDATION - Approved Except as Noted

1. Add the subdivision number, i.e., 2006S-108G-04, to the plat.
2. Cite a bearings reference.
3. Reword the Detention Area label to include the phrase, "Water Quality."

CONDITIONS

1. The applicant must comply with Stormwater comments above.
2. The applicant must comply with Fire Marshal’s Office turn-around requirements, as indicated above.
3. Prior to final plat approval, the plat must be revised to show all lots as largely avoiding the TVA easement. Any lots whose airspace is dominated by the TVA easement must be eliminated and converted to open space.
4. Prior to final plat approval, the permanent cul-de-sac that terminates Stoney River Lane must comply with the Metro ST-331 dimensions, including a landscaped median.
5. Prior to final plat approval, the temporary turnaround entitled Stable Court must meet Metro Public Works requirements for temporary cul-de-sacs (with Metro ST-331 dimensions).
6. The applicant must obtain approval of Public Works conditions above.”

IX. FINAL PLATS

12. **2006S-104U-10**
Overton Hills, Resubdivision of lot 9 and part of lot 8
Map 131-02-0-N, Parcel 001, 002, 003
Subarea 10 (2005)
District 25 - Jim Shulman

A request for final plat approval to create 2 lots located at 4211 Farrar Avenue (.44 acres), approximately 480 feet south of Overhill Drive, zoned RS7.5, requested by Castleman Partners, owner, Campbell, McRae & Associates Surveying, surveyor.

Staff Recommendation - Approve with conditions, including an exception to lot comparability

APPLICANT REQUEST - Final Plat

Request to create two lots from one parcel on 0.44 acres, located at the northwest side of Farrar Avenue (classified within the RS7.5 district).

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.

PLAN DETAILS - This subdivision proposes the creation of two lots from one parcel, with both lots having frontage on Farrar Avenue. The existing parcel to be subdivided was recently rezoned by the Metro Council to RS7.5, and is surrounded by R15 zoning. There are proposed building foundations for two single family homes, one on each proposed lot.

Sidewalk requirement - This property falls within the Urban Services District, and lot 2 will create a new development right, so a sidewalk is required to be constructed along the frontage of lot 2 on Farrar Avenue. Because there is no existing sidewalk on streets in the immediate vicinity, an alternative to the required sidewalk would be a contribution to the sidewalk fund, accepted in lieu of actually constructing the required sidewalk. The applicant has agreed to construct the sidewalk. Prior to final plat recordation, the plat must be revised to show this sidewalk.

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

One lot comparability analysis was performed, given that the proposed lots front on only one street – Farrar Avenue. The lot comparability analysis yielded the following information:

Lot Comparability Analysis	Requirements:	
	Minimum lot size (sq.ft):	Minimum lot frontage (linear ft.):
street:		
Farrar Avenue	16,586.0	99.7

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

- Lot 1: 9,647.2 Sq. Ft., (0.22 Acres), and 59.98 ft. of frontage on Farrar Avenue.
- Lot 2: 9,532.7 Sq. Ft., (0.22 Acres), and 59.98 ft. of frontage on Farrar Avenue.

Both **Lots 1** and **2** fail for minimum lot area and minimum lot frontage.

Exception to lot comparability - 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.

Both lots fails the minimum lot size by approximately 6,900 square feet, and fail lot frontage by approximately 40 feet. However, the proposed lots meet one of the qualifying criteria of the exception to lot comparability, based on the subdivision’s proximity to an area designated as a Regional Activity Center (RAC) in the Green Hills/Midtown Community Plan. The subdivision **is** located within a half-mile radius of a Regional Activity Center (or equivalently, within 2,640 feet of a RAC.

This plat also meets the intent of the Metro Council in their recent approval of the rezoning of the property to a residential single family district. The plat shows the building footprints of two single family residences. Prior to any final plat recordation, the plat must be revised to remove the building footprints on the plat, and the purpose note must be revised to indicate that both lots are for use **ONLY** for single-family residential development.

Staff Recommendation - Staff recommends approval of this subdivision with conditions, based on its consistency with the lot comparability exception, as well as the recently- expressed intent of the Council to restrict this property to single family uses.

PUBLIC WORKS RECOMMENDATION

- 1. No Exceptions Taken.
- 2. Dedicate additional right-of-way if sidewalk is required.

STORMWATER RECOMMENDATION - Approved Except as Noted:

- 1. Add the subdivision number to the plat, 2006S-104U-10.

CONDITIONS

- 1. Prior to final plat recordation, the plat must be revised to show the required sidewalk to be constructed along the frontage of lot 2 on Farrar Avenue, 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 any final plat recordation, the plat must be revised to remove the building footprints on the plat, and the purpose note must be revised to indicate that both lots are for use only for single-family residential development.
- 3. Prior to final plat recordation, the plat must be revised to show a class “B” landscape bufferyard along the perimeter of the plat, as the property is zoned RS7.5 and abuts R15 zoning.
- 4. Prior to any final plat recordation, the master deed on the property must be rescinded to remove the horizontal property regime.

Mr. Pereira presented and stated that staff is recommending approval with conditions including an exception to lot comparability, as well as the deletion of condition #3 listed in the staff report.

Ms. MaryAnn Johnson, 4206 Farrar Avenue, spoke in opposition to the proposal.

Mr. Adam Epstein, 3704 Hobbs Road, spoke in favor of the proposal.

Mr. Loring spoke in favor of the proposal. He moved to approve the plan.

This motion was tabled to allow additional discussion.

Ms. Jones spoke briefly of the history of the parcel.

Mr. Small spoke of the intention of the request and its affect on the area.

Mr. Tyler stated he was not in favor of the request.

Mr. Ponder stated he was in favor of the request.

The commission members requested clarification on the applicant’s request.

Mr. Bernhardt briefly explained the history of this request in an effort to clarify the Commission’s decision making process on this proposal.

A discussion ensued among Commissioners regarding the applicant’s request for this parcel.

Mr. Loring moved and Ms. Jones seconded the motion to approve with conditions, Final Plat 2006S-104U-10, including an exception to lot comparability, as well as the deletion of condition #3 listed in the staff report. **(5-2) No Votes – Tyler, Ponder**

Resolution No. RS2006-112

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006S-140U-10 is **APPROVED WITH CONDITIONS (5-2), including the approval of an exception to lot comparability, and the elimination of condition #3 of the staff report.**

CONDITIONS OF APPROVAL:

PUBLIC WORKS RECOMMENDATION

- 1. No Exceptions Taken.

2. Dedicate additional right-of-way if sidewalk is required.

STORMWATER RECOMMENDATION - Approved Except as Noted:

1. Add the subdivision number to the plat, 2006S-104U-10.

CONDITIONS

1. Prior to final plat recordation, the plat must be revised to show the required sidewalk to be constructed along the frontage of lot 2 on Farrar Avenue, 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 any final plat recordation, the plat must be revised to remove the building footprints on the plat, and the purpose note must be revised to indicate that both lots are for use only for single-family residential development.
- ~~3. Prior to final plat recordation, the plat must be revised to show a class "B" landscape bufferyard along the perimeter of the plat, as the property is zoned RS7.5 and abuts R15 zoning.~~
4. Prior to any final plat recordation, the master deed on the property must be rescinded to remove the horizontal property regime."

X. PLANNED UNIT DEVELOPMENTS (revisions)

13. 95-71-U-08

MetroCenter, Lot 1 (Crest- Hummer Dealership)(Re-Hearing)

Map 70-16, Parcel017

Map 081-04, Parcel 228

Subarea 8 (2002)

District 2 - Jamie D. Isabel, Sr.

A request to revise a portion of the preliminary and for final approval of the commercial Planned Unit Development district located at 2121 MetroCenter Boulevard, classified CS, (9.0 acres), to permit the addition of 11,703 square feet to the existing 71,320 square foot auto dealership building, requested by Civil Site Design Group, for Car Son Mas, TN, LLC, owner.

Staff Recommendation - Approve with conditions

APPLICANT REQUEST - Revise preliminary and final PUD

A request to revise a portion of the preliminary plan and final approval of the Commercial Planned Unit Development located at 2121 Metro Center Boulevard, (9.0 acres), to permit an 11,703 square foot addition to an existing 71,320 square foot auto dealership.

Original Request -This request was originally heard at the November 10, 2005, MPC meeting as an amendment to the Planned Unit Development, and was approved with conditions. New information was obtained indicating that the request is a revision and applicants are now requesting to revise the preliminary plan and final PUD approval.

PLAN DETAILS

Site Plan - The request is for an 11,703 square foot addition to an existing 71,320 square foot automobile dealership and show room. The addition will be located on the east side of the main building.

History - This is a PUD that was approved for institutional, highway-oriented, and office uses in 1971, and subsequently revised several times. There was a revision to the preliminary in 1988, which allowed an auto dealership use on the site that now holds the Crest car facilities in question. Based on further staff research, the new addition will not increase the square footage approved with the preliminary plan by more than 10 percent. Therefore, a PUD amendment is not required as was previously believed.

PUBLIC WORKS RECOMMENDATION - No Exceptions Taken

STORMWATER RECOMMENDATION

1. Submit the Stormwater Detention Agreement signed and notarized by the owner plus a check made out to the Register of Deeds. The recording fee is \$5 per sheet plus a \$2 processing fee. MWS will have the agreement recorded and will

send you the recorded document and receipt once it's received.

2. Drainage easements will be required to be recorded, either by plat or by separate instrument, for the stormwater water quality structure and any pipes or channels conveying offsite runoff. If this property will not be platted through the Metropolitan Planning Commission, then you must submit a completed Dedication of Easement Form. The grading plan cannot be approved until the easement is reviewed and approved by Ron Sweeny's office.
3. Please show the vertical datum used in establishing the site benchmark.
4. It's not clear on the grading plan that the proposed structure will cover an existing parking lot. The existing parking and it's drainage pattern should be shown.
5. Provide inlet protection for existing inlets and catch basins.
6. The pipe size, material, slope, etc. is not shown for the proposed drainage system for this project.
7. Please show the following as-built note on the grading plan:

As-builts are required for underground detention and water quality structures prior to issuance of the U&O Permit. Certification must include, at a minimum, the following information:

- Manufacturer and model number of unit.
- Sales receipt
- Attached shop drawings of installed unit.
- Date of field inspection by Engineer (before backfilling structure).
- Engineer stamp and date.

CONDITIONS

1. All Stormwater concerns must be addressed and approved by Stormwater staff prior to the issuance of any permits.
2. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Section of the Metropolitan Department of Public Works.
3. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
4. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
5. 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.
6. 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.
7. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.

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

Resolution No. RS2006-113

“BE IT RESOLVED by The Metropolitan Planning Commission that 95-71-U-08 is **APPROVED WITH CONDITIONS.**
(7-0)

CONDITIONS OF APPROVAL:

STORMWATER RECOMMENDATION

1. Submit the Stormwater Detention Agreement signed and notarized by the owner plus a check made out to the Register of Deeds. The recording fee is \$5 per sheet plus a \$2 processing fee. MWS will have the agreement recorded and will send you the recorded document and receipt once it's received.
2. Drainage easements will be required to be recorded, either by plat or by separate instrument, for the stormwater water quality structure and any pipes or channels conveying offsite runoff. If this property will not be platted through the Metropolitan Planning Commission, then you must submit a completed Dedication of Easement Form. The grading plan cannot be approved until the easement is reviewed and approved by Ron Sweeny's office.
3. Please show the vertical datum used in establishing the site benchmark.
4. It's not clear on the grading plan that the proposed structure will cover an existing parking lot. The existing parking and it's drainage pattern should be shown.
5. Provide inlet protection for existing inlets and catch basins.
6. The pipe size, material, slope, etc. is not shown for the proposed drainage system for this project.
7. Please show the following as-built note on the grading plan:

As-builts are required for underground detention and water quality structures prior to issuance of the U&O Permit. Certification must include, at a minimum, the following information:

- Manufacturer and model number of unit.
- Sales receipt
- Attached shop drawings of installed unit.
- Date of field inspection by Engineer (before backfilling structure).
- Engineer stamp and date.

CONDITIONS

1. All Stormwater concerns must be addressed and approved by Stormwater staff prior to the issuance of any permits.
2. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Section of the Metropolitan Department of Public Works.
3. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
4. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
5. 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.
6. 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.

7. 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.”

14. **177-74-U-14**
Century City
Map 95, Parcel Part of 15 and 31
Subarea 14 (2004)
District 15 - J. B. Loring

A request to revise a portion of the preliminary and for final approval of a Commercial Planned Unit Development district located at 26 Century Boulevard, along the west side of Ermac Drive, zoned R8 and ORI, (3.49 acres), to permit the development of 234 surface parking spaces, requested by Civil Site Design Group, for G & I OCP, L.P., owner.

Staff Recommendation - *Approve with conditions. If additional Stormwater comments are received prior to the meeting, staff will provide an update at the meeting.*

APPLICANT REQUEST - Revision to Preliminary

A request to revise the preliminary plan and for & Final PUD final approval for a Commercial Planned Unit Development located on the east side of Ermac Drive, south of Old Elm Hill Pike, classified ORI and R8, to permit 234 additional parking spaces on 3.49 acres for an existing office building.

PLAN DETAILS

PUD History - The preliminary plan for Century City West was approved in 1999, for a total of 628,000 square feet of office uses in 4 buildings on this portion of the plan. The overall PUD is approved for 1.9 million square feet of Commercial and Office uses, including a small addition in January 2006, for the Fraternal Order of Police building. To date, only one of the office 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. There was to be no access to Ermac Drive until the road was closed and until the parcels fronting on Ermac Drive were consolidated.

Site Plan Details - The proposed parking area will be used for the existing 156,774 square foot office building on parcel 31. The PUD currently includes approximately one parking space for every 250 square feet, while the Code only requires one parking space for every 300 square feet of office uses. Although 620 parking spaces were included on the approved final PUD plan (where only 522 were required), the applicant has indicated that since the main tenant of the building no longer occupies the space, the building is being leased to multiple tenants who require parking closer to one space for every 200 square feet.

PUBLIC WORKS RECOMMENDATION - No Exception Taken

STORMWATER RECOMMENDATION

1. Provide what vertical datum the benchmark is referenced (NAVD88 or NGVD29).
2. The proposed stormwater structure numbers labeled on the plans don't match what is shown in the calculations.
3. How will the increased flow caused by the construction of the access road to the west be addressed?
4. Provide a detail for the construction entrance/exit.
5. Provide a detail for inlet protection for all proposed inlets.
6. Provide a detail for the rock check dams.
7. Provide a detail for the drainage ditch leaving structure A1 and leading to detention pond.
8. For the next two downstream structures provide a drainage map including all of the area flowing to these structures along with actual flows, pipe size, pipe material, and inverts.
9. Provide a detention maintenance agreement for the water quality devise and detention pond.

10. Provide a copy of the NOC letter.
11. The pre vs. post development areas don't match; 2.36 acres vs. 2.42 acres. Please explain and attach a drainage area map for each condition.

CONDITIONS

1. All Stormwater comments listed above must be addressed by the applicant to the satisfaction of the Stormwater Division in order for approval of the Final PUD will become effective.
2. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Section of the Metropolitan Department of Public Works.
3. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four copies of the corrected/revised plans have been 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.
5. Sidewalks shall be constructed along the frontage along Ermac Drive.
6. There shall be no direct access to Ermac Drive from this parking area.

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

Resolution No. RS2006-114

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

CONDITIONS OF APPROVAL:

STORMWATER RECOMMENDATION

1. Provide what vertical datum the benchmark is referenced (NAVD88 or NGVD29).
2. The proposed stormwater structure numbers labeled on the plans don't match what is shown in the calculations.
3. How will the increased flow caused by the construction of the access road to the west be addressed?
4. Provide a detail for the construction entrance/exit.
5. Provide a detail for inlet protection for all proposed inlets.
6. Provide a detail for the rock check dams.
7. Provide a detail for the drainage ditch leaving structure A1 and leading to detention pond.
8. For the next two downstream structures provide a drainage map including all of the area flowing to these structures along with actual flows, pipe size, pipe material, and inverts.
9. Provide a detention maintenance agreement for the water quality devise and detention pond.
10. Provide a copy of the NOC letter.
11. The pre vs. post development areas don't match; 2.36 acres vs. 2.42 acres. Please explain and attach a drainage area map for each condition.

CONDITIONS

1. All Stormwater comments listed above must be addressed by the applicant to the satisfaction of the Stormwater Division in order for approval of the Final PUD will become effective.
2. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Section of the Metropolitan Department of Public Works.
3. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four copies of the corrected/revised plans have been 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.
5. Sidewalks shall be constructed along the frontage along Ermac Drive.”

- 15. 15-82-G-13**
 Jackson Business Park (A to Z Office Supply)
 Map 175, Parcel 160
 Subarea 13 (2003)
 District 32 - Sam Coleman

A request to revise a portion of the preliminary and for final approval for a portion of a Commercial Planned Unit Development district located at Owen Drive, west of Old Hickory Boulevard, classified AR2a, (4.39 acres), to permit the addition of 3,136 square feet to the existing 33,614 retail/warehouse building, requested by Crouch Engineering for A to Z Office Resource, Inc, owner.

Staff Recommendation - *Approve with conditions*

APPLICANT REQUEST - Final PUD

A request to revise a portion of the preliminary and for final approval for a portion of a Commercial Planned Unit Development district located at Owen Drive, west of Old Hickory Boulevard, (4.39 acres), to permit the addition of 3,136 square feet to the existing 33,614 square foot office building.

PLAN DETAILS

PUD History - The Jackson Business Park PUD was approved for 788,000 square feet of commercial and office distribution uses. To date, a total of 382,970 square feet of commercial and office distribution has been built out.
 Site Plan Details This proposal adds 3,136 square feet to the eastern side of an existing 33,614 square foot office/wholesale sales building. Additional parking spaces are being added on the front of the building. New landscaping is proposed along the perimeter of the new and the existing parking areas.

PUBLIC WORKS RECOMMENDATION -No exceptions taken.

STORMWATER RECOMMENDATION - No Permit Required. Site meets the grading exemption requirements.

CONDITIONS

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

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

Resolution No. RS2006-115

“BE IT RESOLVED by The Metropolitan Planning Commission that 15-82-G-13 is **APPROVED WITH CONDITIONS.** (7-0)

CONDITIONS OF APPROVAL:

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

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- 16. 151-82-G-06**
Harpeth Springs Office Condos
Map 141, Parcel 87
Subarea 6 (2003)
District 22 - Eric Crafton

A request to revise a portion of the preliminary and for final approval for a Commercial Planned Unit Development district located at 7978 Coley Davis Road, at Somerset Drive, classified CL, (1.90 acres), to permit a 3,000 square foot daycare center and a 4,500 square feet of dance studio, replacing 7,500 square feet of office uses, requested by Psalms 65, Unit I, LLC, owner/applicant.

The Metropolitan Planning Commission DEFERRED Planned Unit Development 151-82-G-06 to April 11, 2006, at the request of the applicant. (7-0)

- 17. 2005P-003G-12**
Delvin Downs
Map 173-000, Parcel 107,184,189
Subarea 12 (2004)
District 31 - Parker Toler

A request for final approval for a Planned Unit Development district located at 1015 Barnes Road and Barnes Road (unnumbered), west of Standford Village Drive, classified AR2a and proposed for RS10, (50.26 acres), to permit 143 single-family lots, requested by Lose and Associates, for Delvin Downs Ventures, LLC, owners.

The Metropolitan Planning Commission DEFERRED Planned Unit Development 2005P-003G-12 to April 11, 2006, at the request of the applicant. (7-0)

XI. OTHER BUSINESS

- 18.** Extension to the Contract between Metro (on behalf of the MPO) and Parsons Brinckerhoff Quade and Douglas, Inc. for Southeast Corridor Alternative Analysis"

Approved (7-0), *Consent Agenda*

- 19.** An amendment to the employee contract for Richard Bernhardt.

Approved (7-0), *Consent Agenda*

- 20.** Executive Director Reports

21. Legislative Update

XII. ADJOURNMENT

The meeting adjourned at 5:15 p.m.

Chairman

Secretary

Equal Employment Opportunity Employer



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