



**METROPOLITAN GOVERNMENT
OF NASHVILLE AND DAVIDSON COUNTY**

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

**Minutes
Of the
Metropolitan Planning Commission**

May 25, 2006

4:00 PM

Howard School Auditorium, 700 Second Ave., South

PLANNING COMMISSION:

James Lawson, Chairman
Stewart Clifton
Judy Cummings
Tonya Jones
Ann Nielson
Victor Tyler
James McLean
Councilmember J.B. Loring
Phil Ponder

Staff Present:

Richard Bernhardt, Executive Director
Ann Hammond, Asst. Executive Director
Brooks Fox, Legal Counsel
David Kleinfelter, Planning Mgr. II
Bob Leeman, Planner III
Kathryn Withers, Planner III
Trish Brooks, Admin. Svcs. Officer 3
Luis Pereira, Planner I
Jason Swaggart, Planner I
Adriane Harris, Planner II
Jennifer Carlat, Communications Officer
Dennis Corrieri, Planning Tech I

I. CALL TO ORDER

The meeting was called to order at 4:02 p.m. Mr. Lawson announced and welcomed Phil Ponder on his recent appointment to the Commission.

II. ADOPTION OF AGENDA

Ms. Hammond announced there were no changes or corrections to the agenda.

Mr. Lawson acknowledged that there was an addition to the agenda. He explained that it was a request for an extension on the River Landing subdivision (formerly known as Windstar Estates) that should be placed on the agenda under "Other Business".

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

Councilmember J. B. Loring arrived at 4:04 p.m.

III. APPROVAL OF MAY 11, 2006 MINUTES

Ms. Nielson moved and Mr. Ponder seconded the motion, which passed unanimously to approve the May 11, 2006 minutes as presented. **(9-0)**

IV. RECOGNITION OF COUNCILMEMBERS

Councilmember Foster spoke regarding Item #7, 2006Z-080T Text Amendment. He questioned whether timing would be an issue if he deferred this amendment. He stated he would like it to be heard at the July Public Hearing.

Mr. Kleinfelter explained that if the bill were heard at the June 8 Planning Commission meeting, there would be adequate time for this bill to be heard at the Council Public Hearing to be held in July.

Councilmember Foster stated that he would like to defer this bill until June 8, 2006 so that he can further address additional issues associated with the amendment.

Councilmember Toler stated he would reserve his comments until his item was presented to the Commission.

Councilmember Shulman spoke regarding Item #6, 2006Z-052U-10. He explained that the individual requesting this downzone has requested to build two single-family homes instead of a duplex on this parcel. He acknowledged that staff has recommended disapproval, however, the residents of this neighborhood are in favor of single-family homes. He then spoke of Items #9 and 10, 2006Z-090U-10 and 138-82-U-10. He acknowledged staff's disapproval and stated that he and the owner of the property would continue to work with staff to address additional issues associated with this proposal.

Councilmember Gotto stated he would reserve his comments until his item was presented to the Commission.

Councilmember Gilmore spoke regarding Item #1, 2006Z-053U-03. She explained that she spoke with Mr. Roy Dale, the developer, regarding this proposal and that he has agreed to defer this item indefinitely. She stated that she has scheduled a community meeting for Tuesday, May 30, 2006 in order to further review this proposal with constituents.

Mr. Bernhardt introduced Ms. Hilary Kahnle as the Planning Department's new Design Studio Manager.

Councilmember Isabel spoke in opposition to Item #8, 2006Z-082U-03. He stated that he was not in favor of approving this IWD zone change request and requested that it be deferred. He stated he would like to see this parcel remain residential.

Mr. Lawson asked if the owner of the property was in the audience and if they were in favor of deferring.

Mr. Cobie Dale Sadle stated he was not in favor of deferring this proposal.

Mr. Lawson then stated that the request to defer would be considered after this item was presented to the Commission.

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

- | | | | |
|----|---------------|---|--|
| 1. | 2006Z-053U-03 | A request to change from RS40 to RS10 zoning property at Clarksville Poke (unnumbered) at the terminus of Sunnywood Drive and Vista Valley court (2.68 acres) | - deferred indefinitely at the request of the applicant |
| 7. | 2006Z-080T | A request to amend Section 17.40.120 of the Metro Zoning code relative to requiring Metro Council approval if the total number of dwelling units in a Planned Unit Development were proposed to be increased beyond the last Council approved plan or the last approved plan by the Planning Commission | - deferred to June 8, 2006 at the request of the applicant |

Ms. Nielson moved and Mr. Ponder seconded the motion, which passed unanimously to approve the Deferred and Withdrawn items. (9-0)

VI. PUBLIC HEARING: CONSENT AGENDA

PUBLIC HEARING: PREVIOUSLY DEFERRED ITEMS AND ITEMS ON PUBLIC HEARING

- | | | | |
|----|----------------|---|-------------------------|
| 4. | 8-65-G-03 | Family Dollar - Request to revise the preliminary plan and for final approval for a portion of a Planned Unit Development located at Whites Creek Pike at Moorman's Arm Road, to permit the development of a 9,180 square foot retail use | - Approve w/ conditions |
| 5. | 2005UD-003G-12 | Carothers Crossing Phase 2 - Request for final approval of an Urban Design Overlay, located at 7107, 7211 7244 Carothers Road and Carothers Road (unnumbered), and Battle Road (unnumbered), to permit the development of 58 detached single family lots, 58 attached single-family lots, 32 multi-family units and 17,000 square feet of commercial space. | - Approve w/ conditions |

**PUBLIC HEARING: ZONING MAP AMENDMENTS
PLANNED UNIT DEVELOPMENTS (revisions)**

12. 133-76-U-12 Brentwood East, Commercial Park - Request to revise the preliminary plan and for final approval for a phase of the Commercial Planned Unit Development District located at 5813 Nolensville Pike, to permit the redevelopment of an existing car wash into a 4,950 sq. ft. medical office - Approve w/ conditions
13. 53-84-U-12 Hickory Heights, (Rose Monte) - Request to revise a portion of the preliminary plan for the Residential Planned Unit Development district, located along the west side of Zermatt Avenue to permit 211 townhomes and 90 condominiums, replacing 63 single-family lots on this portion of the plan - Approve w/ conditions
14. 99-85-P-14 Briley Corners - Request to revise a portion of the preliminary plan and for final approval for a Commercial Planned Unit Development district located along the south side of Lebanon Pike, west of Briley Parkway, to permit a 24,003 square foot office building - Approve w/ conditions
16. 28-79-G-13 Cambridge Forest, Phase VII - Request for final approval of a Planned Unit Development located west of Bridge Crest Drive, for the development of 29 single-family cluster lots - Approve w/ conditions

OTHER BUSINESS

17. **Subdivision Fees** - Approve
 A request to amend the subdivision plat application fees by increasing them for full-cost recovery as recommended by the 2004 Maximus Study of Metro Planning Department fees charged to the public and development community for applications, research and mapping services, requested by the Metro Planning Department.(Proposal Number 2006Z-091T)
18. **GIS Fees** - Approve
 A request to amend the research and mapping service fees by increasing them for full-cost recovery as recommended by the 2004 Maximus Study of Metro Planning Department fees charged to the public and development community for applications, research, and mapping services, requested by the Metro Planning Department.(Proposal Number 2006Z-092T)
19. **Zone Application Fees** - Approve
 A request to amend the zone change and overlay district application fees by increasing them for full-cost recovery as recommended by the 2004 Maximus Study of Metro Planning Department fees charged to the public and development community for applications, research and mapping services, requested by the Metro Planning Department.(Proposal Number 2006Z-094T)
20. Amendment No. 1 to Contract No. L-1443 Between the Metropolitan Government of Nashville and Davidson County by and through the Metropolitan Planning Commission on Behalf of the Nashville Area Metropolitan Planning Organization (MPO) and Carter and Burgess, Inc. for 2005-2007 Enhanced Transportation System Data Collection and Monitoring - Approve
21. Amend employee contract for Brenda Bernards - Approve

Mr. Bernhardt announced that the added agenda item pertaining to Windstar Estates – the request to waive the subdivision regulations, in order to grant an additional 90 days to file for a final plat – should be numbered “23” on the agenda and added to the Consent Agenda for approval, as well.

Mr. Bernhardt also announced that staff would recommend approval of Item #3, 2006S-148G-14, Hermitage Creek and that it could be placed on the Consent Agenda. He explained that this item could be approved with the removal of Condition #5 “Prior to final plat approval, lots 1 and 2 are to be removed”.

Ms. Nielson moved and Mr. Loring seconded the motion, which passed unanimously to approve the Consent agenda as amended with the condition to remove Condition #5 from Item #3, 2006S-148G-14 so that it could be approved with conditions. **(8-0-1)**.

Mr. McLean recused himself from voting on the consent agenda.

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

ZONING MAP AMENDMENTS

- 1. 2006Z-053U-03**
Map 059-00, Parcel 024
Subarea 3 (2003)
District 1 - Brenda Gilmore

A request to change from RS40 to RS10 zoning property at Clarksville Pike (unnumbered), at the terminus of Sunnywood Drive and Vista Valley Court (2.68 acres), requested by Dale & Associates, applicant, for DY Properties II LLC, owner.

STAFF RECOMMENDATION – Approve with conditions

The Metropolitan Planning Commission DEFERRED Zone Change 2006Z-053U-03 indefinitely at the request of the applicant. (9-0)

PRELIMINARY SUBDIVISION PLATS

- 2. 2006S-121U-13**
Park at Priest Lake, The
Map 150, Parcel 017, 246
Subarea 13 (2003)
District 29 - Vivian Wilhoite

A request for preliminary plat approval to create 83 cluster lots on the west side of Anderson Road and the end of Louise Russell Drive, approximately 275 feet south of Woodymore Drive (30.04 acres), zoned R10 and RS10, requested by Han and Hye Kook, Phillip Stinson, owners, Dale & Associates, engineer/surveyor.

STAFF RECOMMENDATION – Approve with conditions

APPLICANT REQUEST - Preliminary Plat

A request to subdivide 30.04 acres into 83 cluster single-family lots located on the west side of Anderson Road and the end of Louise Russell Drive.

ZONING

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

SUBDIVISION DETAILS

There are 83 cluster lots proposed for single-family only ranging in size from 5,400 square feet to 10,000 square feet. All lots are proposed off of existing stub streets including Woodymore Drive, Louise Russell Drive, Ayers Drive, and Loralie Lane. A new street is proposed from Louise Russell Drive that stubs to the adjacent parcel to the east (parcel 018) for future connectivity.

There are two phases of development proposed with 41.5% open space in Phase One and 36.3% in Phase Two, which is above the 15% requirement for each phase. Phase one proposes 21 lots and phase two proposes 62 lots. Landscape buffer yards are proposed along the boundary of the property due to lot sizes under the base zoning district.

There are twenty-nine critical lots proposed due to floodplain. The existing floodplain encompasses most of lots 30-46 and lots 63-71, and 82-83, however, the applicant proposes to add fill to the 100 year floodplain to the north, which will only encompass the rear of these lots. If the floodplain is not relocated prior to final plat approval, then these lots will not be permitted for development due to the significant amount of floodplain disturbance. The plan proposes to leave 70.2% of existing floodplain undisturbed, which is well over the 50% requirement.

Lot 47 is denoted as a critical lot, however, there is no existing floodplain or proposed floodplain on this lot.

Sidewalks are proposed on each side of the proposed streets.

STORMWATER RECOMMENDATION - Approved.

PUBLIC WORKS RECOMMENDATION – No Exception Taken.

1. Any approval is subject to Public Works approval of the construction plans. Final design and improvements may vary based on field conditions.
2. The elevation of public streets shall be one (1) foot minimum above the 100-yr flood elevation.
3. Show and dimension right of way along Anderson Road at property corners. Label and dedicate right of way 30 feet from centerline to property boundary, consistent with the approved major street / collector plan.

CONDITIONS

1. Any construction within existing or proposed public right of way shall be subject to approval of construction plans by the Department of Public Works. Final design and improvements may vary based on field conditions.
2. The elevation of public streets shall be one (1) foot minimum above the 100-yr flood elevation.
3. Show and dimension right of way along Anderson Road at property corners. Label and dedicate right of way 30 feet from centerline to property boundary, consistent with the approved major street / collector plan.
4. Pursuant to 2-3.4.e of the Metro Subdivision Regulations, if this application receives conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to any application for a final plat, and in no event more than 30 days after the effective date of the Commission's conditional approval vote.

Ms. Harris presented and stated that staff is recommending approval with conditions. She also announced that the Councilmember for this District was on her way to present additional conditions for this proposal.

Ms. Donna Stirlock, 3228 Anderson Road, spoke in opposition to the proposal.

Mr. James Kirby, 3004 West Town Village Court, spoke in opposition to the proposal.

Mr. Roy Dale spoke in favor of the proposal.

Ms. Harris explained that Councilmember Wilhoite was not yet present and asked if the Commission would like her to read the Councilmember's added conditions.

The Commission agreed to hear the conditions.

Ms. Harris stated that the Councilmember wanted an added condition concerning blasting; a condition pertaining to street connection (Louise Russell and High Rigger); a condition regarding a portion of land that is located off Anderson Road be dedicated to Metro Parks; and finally, a condition that the floodplain located off High Rigger be filled in by the developer to assist with stormwater management.

Mr. Tyler requested additional information regarding the buffer located between the floodway and floodplain. He also questioned where the additional fill of the proposal would be located in the development.

Ms. Cummings acknowledged the concerns mentioned by the constituents regarding flooding. She offered that the development could actually improve the existing flooding which would be beneficial for the area.

Mr. McLean acknowledged the conditions requested by Councilmember Wilhoite.

Mr. Loring spoke in favor of the plan and moved for its approval. He too acknowledged that the development would help with the existing flooding issues in the area.

Mr. Loring moved and Mr. McLean seconded the motion, which passed unanimously to approve with conditions, Preliminary Subdivision Plat 2006S-121U-13. **(9-0)**.

Resolution No. RS2006-176

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006S-121U-13 is **APPROVED WITH CONDITIONS. (9-0)**

Conditions of Approval:

1. Any construction within existing or proposed public right of way shall be subject to approval of construction plans by the Department of Public Works. Final design and improvements may vary based on field conditions.
2. The elevation of public streets shall be one (1) foot minimum above the 100-yr flood elevation.
3. Show and dimension right of way along Anderson Road at property corners. Label and dedicate right of way 30 feet from centerline to property boundary, consistent with the approved major street / collector plan.
4. Pursuant to 2-3.4.e of the Metro Subdivision Regulations, if this application receives conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to any application for a final plat, and in no event more than 30 days after the effective date of the Commission's conditional approval vote.”

3. **2006S-148G-14**
Hermitage Creek
Map 086-00, Parcel 249
Subarea 14 (2004)
District 12 - Jim Gotto

A request for preliminary plat approval to create 11 cluster lots at Tulip Grove Road (unnumbered), approximately 2,520 feet north of Rockwood Drive (5.63 acres), zoned RS15, requested by Hermitage Creek Homes II LLC, owner, Civil Site Design Group, surveyor.

STAFF RECOMMENDATION – Disapprove

APPLICANT REQUEST - Preliminary Plat

A request to subdivide 5.63 acres into 11 single-family lots within a cluster lot subdivision located at Tulip Grove Road (unnumbered), approximately 2,520 feet north of Rockwood Drive.

ZONING

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

SUBDIVISION DETAILS - There are 11 cluster lots proposed for single-family only ranging in size from 7,500 square feet to 10,000 square feet. Access is proposed from Tulip Grove Road with a stub street proposed to the east.

Critical lots/Floodplain - There are seven lots proposed as critical lots due to floodplain. Two of the seven are predominantly in the existing floodplain area. These two lots should be removed and/or a plan must be provided that shows the undisturbed floodplain area.

Blue Line Stream and Spring - The proposed plat preserves an existing blue-line stream located along the eastern edge of the property. A twenty-five foot wide buffer is shown from the blue-line stream. The plat also preserves an existing spring located between lots 3 and 4. The blue-line stream and spring are both located within common open space.

Spite Strip - There is a small piece of land between the proposed street and adjacent property that is not a part of the proposed ROW. The proposed street must be relocated to include this small “spite strip” to allow future development to connect to this road.

Open Space/Cluster Lot Option - There is 18% open space proposed within this subdivision. Most of the open space provided, is consumed by a blue line stream and floodplain. The Planning Commission cluster lot option policy includes a list of criteria for subdivisions using this option. This subdivision does not meet the following:

1. Meet not only the specific regulations of the Planning Commission and any other laws, or regulations, but also comply with the goals, objectives, and policies of the General Plan, including the adopted community plans, the Land Use Policy Application, and other parts of the Plan.

The Donelson Hermitage Community Plan lists as a goal to “preserve open tracts of land” by maintaining “areas of undeveloped land to protect the environment, retain community character, and provide additional recreation opportunities, notably all floodplains, rural property and potential parkland.”

2. Adequately protect lands identified by the applicant or determined by the Commission to be unsuitable for development.

Two lots would directly affect the natural floodplain and are not suitable for development. Staff recommends that the Commission include a condition that requires these two lots to be removed from the plan. The Zoning Ordinance allows for 50% disturbance of floodplain, however, the cluster lot option requires the applicant to provide greater preservation of environmentally sensitive lands. Staff recommends that a plan be submitted showing the amount of undisturbed floodplain proposed, if approved.

3. Create adequate open space in light of the project’s relationship to the surrounding community. The Commission has stated that common open space should be for the “use and enjoyment” of future homeowners. Most of the open space is behind the lots with an opening between lots 3 and 4, which is floodplain. Staff recommends that a trail or pedestrian path be provided that connects from the sidewalk to the open space along the floodway and/or floodplain.

Sidewalks - Sidewalks are proposed on each side of the proposed streets.

Landscape Buffer Yards - A landscape buffer yard is proposed along the northern boundary (30’-20’) and along the eastern boundary (30’).

History - A preliminary plat was approved with conditions for this subdivision on November 14, 2002. The preliminary plat approval expired November 14, 2005, therefore, the current subdivision regulations and Commission policies apply.

STORMWATER RECOMMENDATION - Approve except as noted.

1. Show a water quality concept for lots 1-5.
2. The pipe atop lots 5-6 cannot discharge water without prior water quality treatment. Furthermore, label the device as a water quality unit.
3. The captured off-site water appears to be combined with on-site water and subsequently discharged in the open space between lots 3 and 4. Said combined water must be treated prior to discharge. Conversely, off-site water does not require water quality treatment provided that the off-site water does not combine with on-site water.

PUBLIC WORKS RECOMMENDATION - Exception Taken.

1. Any approval is subject to Public Works approval of the construction plans. Final design and improvements may vary based on field conditions.
2. Minimum elevation of public streets shall be a minimum one (1) foot above the 100-yr flood elevation.
3. Build street to property line, or create permanent turnaround per Metro ST-331.

CONDITIONS

1. All Public Works and Stormwater comments and conditions for public infrastructure and/or right of way shall be addressed prior to final plat approval.
2. With final plat application, a plan is to be submitted that shows the amount and areas of undisturbed floodplain.
3. Prior to final plat approval, the proposed spite strip on the southern boundary of the property is to be removed and must be included within the proposed right-of-way.
4. Prior to final plat approval, a pedestrian path or trail must be provided between lots 3 and 4 that connects from the

sidewalk to the open space along the floodway and/or floodplain.

5. Prior to final plat approval, lots 1 and 2 are to be removed.
6. Pursuant to 2-3.4.e of the Metro Subdivision Regulations, if this application receives conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to any application for a final plat, and in no event more than 30 days after the effective date of the Commission's conditional approval vote.

Approved with conditions, **(8-0-1) Consent Agenda, Mr. McLean recused himself from voting on the consent agenda.**

Resolution No. RS2006-177

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006S-148G-14 is **APPROVED WITH CONDITIONS, including the removal of staff report conditions #5. (8-0-1)**

Conditions of Approval:

1. All Public Works and Stormwater comments and conditions for public infrastructure and/or right of way shall be addressed prior to final plat approval.
2. With final plat application, a plan is to be submitted that shows the amount and areas of undisturbed floodplain.
3. Prior to final plat approval, the proposed spite strip on the southern boundary of the property is to be removed and must be included within the proposed right-of-way.
4. Prior to final plat approval, a pedestrian path or trail must be provided between lots 3 and 4 that connects from the sidewalk to the open space along the floodway and/or floodplain.
5. Prior to final plat approval, lots 1 and 2 are to be removed.
6. Pursuant to 2-3.4.e of the Metro Subdivision Regulations, if this application receives conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to any application for a final plat, and in no event more than 30 days after the effective date of the Commission's conditional approval vote.”

PLANNED UNIT DEVELOPMENTS

4. **8-65-G-03**
Family Dollar
Map 59, Parcel 154
Subarea 3 (2003)
District 2 - Jamie D. Isabel, Sr.

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

STAFF RECOMMENDATION – Approve with conditions

APPLICANT REQUEST -Revise Preliminary and Final PUD

A request to revise the preliminary plan and for final approval for a portion of a Commercial Planned Unit Development for property located at Moorman's Arm Road (unnumbered), at the corner of Whites Creek Pike and Moorman's Arm Road, to permit a 9,180 square foot retail use (final approval), and to revise the existing, undeveloped shopping center, approved for a 73,920 square foot shopping center and a 2,000 square foot bank, to allow for a 54,182 square foot shopping center.

PLAN DETAILS

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

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

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

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

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. Developer shall construct a 3 lane cross section with transition per AASHTO standards on Whites Creek Pike along property frontage to Moormans Arm Road, and a northbound left turn lane with 100 feet of storage and transition per AASHTO standards on Whites Creek Pike at Moormans Arm Road upon 50% of PUD development.
2. Developer shall construct 1/2 of a collector cross section along Moormans Arm Road property frontage with a 100 feet eastbound left turn lane at driveway access, and a 3 lane cross section on Moormans Arm Road with 150 feet of storage at Whites Creek Pike upon 50% of PUD development. Construction of Moormans Arm access drive shall be required at 50% PUD development.
3. Developer shall modify existing traffic signal at Moormans Arm Road and Whites Creek Pike upon construction of the widening of either Moormans Arm Road or Whites Creek Pike. Developer shall submit signal plan to Metro traffic engineer for approval. Plan shall include pedestrian signals and ADA facilities, if sidewalks are constructed at intersection.
4. A 25 feet cross access shall be allowed between lot 2 and parcels 139 and 179. Access location shall be determined at redevelopment of parcel 139 or 179.
5. Upon development of lot 1, Family Dollar project, one 35 feet wide joint use driveway shall be constructed. The driveway located 25 feet to the south of the Family Dollar project is denied. Cross access between lot 1 and lot 2 shall be provided and aligned with the Family Dollar western driveway aisle.
6. Developer shall construct a northbound left turn lane with a minimum of 100 feet of storage and transition per AASHTO standards on Whites Creek Pike at joint use driveway.
7. Parking and driveway aisle widths shall comply with code requirements.

STORMWATER RECOMMENDATION

1. Place rip rap pad on downstream side of curb cut (similar to others). If there is not enough room, move cut to west side of pad.
2. Move tree protection fencing outside of buffer.
3. 10. Please re-submit revised calculations. Only results of modeling submitted. Input and output for models will need review.
4. If configuration of pond is to remain, baffling will need to be installed to prevent short circuiting. Volume 4 (PTP-03) states that ponds must be 3:1 (length:width).
5. Provide stage/storage calculations for revised pond configuration.
6. Information on next 2 downstream structures will need to be provided.

7. Provide design information on pipe sizes, material, inverts, calculations for roof drainage system to pond. Rip rap pad size and headwall size/details are also needed.

CONDITIONS

1. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. Any development within public right of way is subject to Public Works approval of the construction plans. Final design and improvements may vary based on field conditions.
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.
5. Developer shall construct a 3 lane cross section with transition per AASHTO standards on Whites Creek Pike along property frontage to Moormans Arm Road, and a northbound left turn lane with 100 feet of storage and transition per AASHTO standards on Whites Creek Pike at Moormans Arm Road upon 50% of PUD development.
6. Developer shall construct 1/2 of a collector cross section along Moormans Arm Road property frontage with a 100 feet eastbound left turn lane at driveway access, and a 3 lane cross section on Moormans Arm Road with 150 feet of storage at Whites Creek Pike upon 50% of PUD development. Construction of Moormans Arm access drive shall be required at 50% PUD development.
7. Developer shall modify existing traffic signal at Moormans Arm Road and Whites Creek Pike upon construction of the widening of either Moormans Arm Road or Whites Creek Pike. Developer shall submit signal plan to Metro traffic engineer for approval. Plan shall include pedestrian signals and ADA facilities, if sidewalks are constructed at intersection.
8. A 25 feet cross access shall be allowed between lot 2 and parcels 139 and 179. Access location shall be determined at redevelopment of parcel 139 or 179.
9. Developer shall construct a northbound left turn lane with a minimum of 100 feet of storage and transition per AASHTO standards on Whites Creek Pike at joint use driveway.
10. Upon development of Lot 1, one 35 feet wide joint use driveway shall be constructed. The driveway located 25 feet to the south of Lot 1 shall be eliminated. Cross access between Lot 1 and Lot 2 shall be provided and aligned with Lot 1 western driveway aisle.
11. Parking and driveway aisle widths shall comply with Code requirements.
12. All Stormwater Management conditions, as listed above, shall be satisfied prior to the Planning Commission meeting.
13. 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/revise plans have been submitted to and approved by staff of the Metropolitan Planning Commission.

Approved with conditions, **(8-0-1) Consent Agenda, Mr. McLean recused himself from voting on the consent agenda.**

Resolution No. RS2006-178

"BE IT RESOLVED by The Metropolitan Planning Commission that 8-65-G-03 is **APPROVED WITH CONDITIONS.**
(8-0-1)

Conditions of Approval:

1. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. Any development within public right of way is subject to Public Works approval of the construction plans. Final design and improvements may vary based on field conditions.
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.
5. Developer shall construct a 3 lane cross section with transition per AASHTO standards on Whites Creek Pike along property frontage to Moormans Arm Road, and a northbound left turn lane with 100 feet of storage and transition per AASHTO standards on Whites Creek Pike at Moormans Arm Road upon 50% of PUD development.
6. Developer shall construct 1/2 of a collector cross section along Moormans Arm Road property frontage with a 100 feet eastbound left turn lane at driveway access, and a 3 lane cross section on Moormans Arm Road with 150 feet of storage at Whites Creek Pike upon 50% of PUD development. Construction of Moormans Arm access drive shall be required at 50% PUD development.
7. Developer shall modify existing traffic signal at Moormans Arm Road and Whites Creek Pike upon construction of the widening of either Moormans Arm Road or Whites Creek Pike. Developer shall submit signal plan to Metro traffic engineer for approval. Plan shall include pedestrian signals and ADA facilities, if sidewalks are constructed at intersection.
8. A 25 feet cross access shall be allowed between lot 2 and parcels 139 and 179. Access location shall be determined at redevelopment of parcel 139 or 179.
9. Developer shall construct a northbound left turn lane with a minimum of 100 feet of storage and transition per AASHTO standards on Whites Creek Pike at joint use driveway.
10. Upon development of Lot 1, one 35 feet wide joint use driveway shall be constructed. The driveway located 25 feet to the south of Lot 1 shall be eliminated. Cross access between Lot 1 and Lot 2 shall be provided and aligned with Lot 1 western driveway aisle.
11. Parking and driveway aisle widths shall comply with Code requirements.
12. All Stormwater Management conditions, as listed above, shall be satisfied prior to the Planning Commission meeting.
13. 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."

-
5. **2005UD-003G-12**
Carothers Crossing Phase 2
Map 188, Parcels 004, 011, Part Of 005, 008,034
Map 190, Parcels 001
Subarea 12 (2004)

A request for final approval of an Urban Design Overlay, located at 7107, 7211 7244 Carothers Road and Carothers Road (unnumbered), and Battle Road (unnumbered), classified RM9 and MUL (34.86 acres), to permit the development of 58 detached single family lots, 58 attached single-family lots, 32 multi-family units and 17,000 square feet of commercial space, requested by Wood Ridge Investment LLC, applicant for Wood Ridge Development, LLC, owner.

STAFF RECOMMENDATION – Approve with conditions

APPLICANT REQUEST - Final UDO

Request for approval of a phase of the Urban Design Overlay to permit the development of 58 detached single-family lots, 58 attached single-family lots, 32 multi-family units and 17,000 square feet of commercial space, located at 7107, 7211, 7244 Carothers Road and Carothers Road (unnumbered), and Battle Road (unnumbered).

Plan Details - Phase 2 proposes units within the Neighborhood General, Neighborhood Center, and Town Center neighborhood zones. The Neighborhood General zone allows for rowhouses, cottages/bungalows, two-unit townhomes, and mansions/villas. The Neighborhood Center zone allows for live/work units, rowhouses, and cottages/bungalows. The Town Center zone allows for mixed use development, live/work units, and rowhouses. The following is a breakdown of lot types within Phase 2:

- 39 cottage lots
- 35 rowhouse lots
- 17 cloister lots
- 4 live/work lots
- 3 mixed used lots with flats above
- 6 villa lots
- 19 bungalow lots
- 1 two-unit townhome lots

Staff recommends approval of this phase since it meets the UDO standards and is consistent with the preliminary UDO document.

PUBLIC WORK RECOMMENDATION

Engineering Division - 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. All street cross-sections, geometry, and roadway improvements shall be approved by the Department of Public Works, and shall support the projected traffic volumes and on street parking. Final design and improvements may vary based on field conditions.

Indicate on-street bike lanes in accordance with the adopted Sidewalks and Bikeways Strategic Plan along the major connector streets within the development.

Mandatory Referral application will be required to relocate, abandon, and rename portion of Carothers Rd.

Review and update the phasing plan for off-site improvements. This plan shall be approved by the Metro traffic engineer.

Traffic Division - Focused TIS supplements may be required in conjunction with the development of individual project phases to identify specific intersection requirements to achieve the planning, mobility and accessibility concepts of the approved UDO. A comprehensive update to the original TIS for this development may be required at five (5) year intervals, or as determined by the Traffic Engineer.

Developer shall construct a three-lane roadway with bike lanes on Battle Road between Carothers Road and Burkitt Road. Improvements shall include appropriate tapers south of Carothers Rd. per AASHTO/MUTCD standards. Existing horizontal and vertical curvature shall be improved to accommodate a 30 mph design speed, and adequate sight distance shall be provided at the intersection of existing Carothers Road and Battle Road per AASHTO standards. This improvement shall be bonded with Phase two (2), and constructed prior to the issuance of the 100th building permit, or one (1) year after recording of the Phase two (2) final plat, whichever comes first.

With Phase 3 of the development, developer shall improve existing Carothers Road at Battle Road to provide a separate left

turn and right turn lane with approximately 75 feet of storage and transitions per AASHTO standards.

Prior to any connection to Battle Rd south of existing Carothers Rd, the developer shall construct a three-lane roadway with bike lanes on Battle Road between the southern access roadway and Carothers Rd. Improvements shall include appropriate tapers south of southern access per AASHTO/MUTCD standards. Existing horizontal and vertical curvature shall be improved to accommodate a 30 mph design speed and adequate sight distance shall be provided at the intersection of Battle Road and the southern access per AASHTO standards.

The east-west town center road shall be constructed and Carothers Rd improved, from the county line to Battle road prior to any development south of the town center road.

Developer's plans shall identify trail locations that intersect near street intersections.

A signal warrant analysis at Burkitt Rd and Battle Rd is to be conducted at 25, 50, 75, and 100 percent build out, or as determined by the Traffic Engineer. Additional turn lane storage may be required on Burkitt Rd at such time as signal warrants are met.

With Phase 3 of the development, developer shall construct an eastbound left turn lane on Grace Point Lane at Road 'C' (northern school connector rd) with 75 ft of storage and transitions per AASHTO standards.

Developer shall construct eastbound and westbound left turn lanes on the east-west town center road at Road 'B' (south connector rd west of Oak Trail Dr) with 75 ft of storage and transitions per AASHTO standards.

Developer shall construct an eastbound left turn lane on the east-west town center road at Oak Trail Drive with 75 ft of storage and transitions per AASHTO standards.

STORMWATER RECOMMENDATION - Approve.

STAFF RECOMMENDATION - Staff recommends approval with conditions. The conditions are as follows:

General Conditions:

1. All Public Works' design standards for development within the designated right of way shall be met prior to any final approvals and permit issuance for public streets. Any approval of development within the designated right of way is subject to Public Works' approval of the construction plans. All street cross-sections, geometry, and roadway improvements for development within the designated right of way shall be approved by the Department of Public Works. Final design and improvements may vary based on field conditions.
2. Focused TIS supplements may be required in conjunction with the development of individual project phases to identify specific intersection requirements to achieve the planning, mobility and accessibility concepts of the approved UDO. A comprehensive update to the original TIS for this development may be required at five (5) year intervals, or as determined by the Traffic Engineer.
3. Developer's plans shall identify trail locations that intersect near street intersections.
4. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Section of the Metropolitan Department of Public Works.
5. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
6. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission for filing and recordation with the Davidson County Register of Deeds.

Phase 2 Specific Conditions:

1. Streets within the Carothers Crossing development shall not be required to have bike lanes unless they are designed and posted with speeds higher than 40-45 mph. Any of the roads within the development designated on the Major Street Plan as a major collector or arterial shall have bike lanes or alternative bike facilities, as

determined by the UDO document. Residential streets with low speeds and low ADT's do not need a dedicated bike facility.

2. If the developer is making any major improvements to Burkitt Road, it should be required to include bikeway improvements. Battle Road according to the Strategic Sidewalk and Bikeway Plan is not one of the roads recommended for a bike lane.
3. All greenways are to be designed to allow pedestrian and bicycle movement.

Phase 3 & Off-site Conditions:

1. Require 60' ROW at east-west town center road and Road B. All other proposed streets, including streets in Phase 2, to provide ROW as shown in the UDO document.
2. Battle Road improvements between Carothers Road and Burkitt Road are to be constructed at the issuance of the 175th building permit.
3. East-west town center road to be constructed and Carothers Road improved from the county line to Battle Road prior to development south of the Town Center Village.
4. Mandatory Referral application will be required to relocate, abandon, and rename portion of Carothers Road. Review and update the phasing plan for off-site improvements. This plan shall be reviewed by the Metro traffic engineer.

Approved with conditions, **(8-0-1) Consent Agenda, Mr. McLean recused himself from voting on the consent agenda. Resolution No. RS2006-179**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005UD-003G-12 is **APPROVED WITH CONDITIONS. (8-0-1)**

Conditions of Approval:

General Conditions:

1. All Public Works' design standards for development within the designated right of way shall be met prior to any final approvals and permit issuance for public streets. Any approval of development within the designated right of way is subject to Public Works' approval of the construction plans. All street cross-sections, geometry, and roadway improvements for development within the designated right of way shall be approved by the Department of Public Works. Final design and improvements may vary based on field conditions.
2. Focused TIS supplements may be required in conjunction with the development of individual project phases to identify specific intersection requirements to achieve the planning, mobility and accessibility concepts of the approved UDO. A comprehensive update to the original TIS for this development may be required at five (5) year intervals, or as determined by the Traffic Engineer.
3. Developer's plans shall identify trail locations that intersect near street intersections.
4. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Section of the Metropolitan Department of Public Works.
5. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
6. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission for filing and recordation with the Davidson County Register of Deeds.

Phase 2 Specific Conditions:

1. Streets within the Carothers Crossing development shall not be required to have bike lanes unless they are designed and posted with speeds higher than 40-45 mph. Any of the roads within the development designated on the Major Street Plan as a major collector or arterial shall have bike lanes or alternative bike facilities, as determined by the UDO document. Residential streets with low speeds and low ADT's do not need a dedicated

bike facility.

2. If the developer is making any major improvements to Burkitt Road, it should be required to include bikeway improvements. Battle Road according to the Strategic Sidewalk and Bikeway Plan is not one of the roads recommended for a bike lane.
3. All greenways are to be designed to allow pedestrian and bicycle movement.

Phase 3 & Off-site Conditions:

1. Require 60' ROW at east-west town center road and Road B. All other proposed streets, including streets in Phase 2, to provide ROW as shown in the UDO document.
2. Battle Road improvements between Carothers Road and Burkitt Road are to be constructed at the issuance of the 175th building permit.
3. East-west town center road to be constructed and Carothers Road improved from the county line to Battle Road prior to development south of the Town Center Village.
4. Mandatory Referral application will be required to relocate, abandon, and rename portion of Carothers Road. Review and update the phasing plan for off-site improvements. This plan shall be reviewed by the Metro traffic engineer.”

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

6. **2006Z-052U-10**
Map117-11, Part of Parcel 39
Map 117-11, Parcel 107
Subarea 10 (2005)
District 25 - Jim Shulman

A request to change from R40 to RS20 zoning on a portion of the property at 1811 Woodmont Boulevard (0.46 acres), and from R40 to RS40 on property at Woodmont Boulevard (unnumbered) and a portion of property at 1811 Woodmont Boulevard (1.17 acres), near the southwest corner of Woodmont Boulevard and Stokesmont Road, requested by Anne C. Ford, owner.

STAFF RECOMMENDATION – Disapprove

APPLICANT REQUEST - Request to change property from residential single family and duplex zoning (R40) to residential single family zoning (RS20 - 0.46 acres, and RS40 - 1.17 acres), property located at 1811 Woodmont Boulevard and Woodmont Boulevard (unnumbered), near the southwest corner of Woodmont Boulevard and Stokesmont Road.

Existing Zoning

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

Proposed Zoning

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

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

GREEN HILLS/MIDTOWN COMMUNITY PLAN POLICY

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

Special Policy Area #14 -Maintaining the current 40,000 sq. ft. lot size requirement and established character of development in this RL policy area is recommended, except for the properties along the east margin of Benham Avenue where proposals for rezoning to RS20 and development in accordance with that zoning may be considered on their merits.

Policy Conflict - Yes. Although the proposed RS40 is consistent with underlying RL policy, there is a Special Policy in this area that specifically calls for the preservation of 40,000 square foot lot sizes, which makes the request for RS20 inappropriate. The intent of the policy is to halt the further intensification of residential land use. The same policy states that rezoning proposals to RS20 *can be* appropriate along the eastern side of Benham Avenue.

RECENT REZONINGS - None.

PUBLIC WORKS RECOMMENDATION - No Exceptions Taken.

Typical Uses in Existing Zoning District: R40

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	0.92	0.93	1	10	1	2

Typical Uses in Proposed Zoning District: RS20

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	0.92	1.85	2	20	2	3

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

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

METRO SCHOOL BOARD REPORT

This zoning request generates no new students.

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

Mr. Ken Shreve spoke in favor of the proposal.

Mr. Ponder requested additional information on existing zoning of the surrounding properties. He stated that he was in favor of the staff recommendation due to the special policy that was set for the area.

Ms. Jones stated she too was in favor of the requested two single-family homes, however acknowledged the issue of altering the special policy for this parcel.

Mr. Loring stated he was in favor of single-family homes as well. He further commented that the single-family homes would be more in character of the neighborhood.

Ms. Nielson spoke against approving the single-family homes due to setting an unwanted precedent of altering the special policy for the area.

Mr. McLean acknowledged the overall consensus of single-family homes. However, he stated that the Commission could approve this request and can alter special policies if warranted. He stated he was not sure how he would vote on the issue.

Mr. Clifton stated he was in support of staff recommendation.

Ms. Cummings stated that the Commission should support the special policy for the area.

Mr. Tyler requested additional information regarding the request of the applicant.

Mr. Lawson reminded the Commission that they went through a great deal of work to create the special policy for this area.

He was not in favor of sending a mixed message to those who would be affected by its alteration.

Mr. Clifton moved and Mr. Tyler seconded the motion, to disapprove Zone Change 2006Z-052U-10. **(8-1) No Vote – Loring**

Resolution No. RS2006-180

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006Z-052U-10 is **DISAPPROVED. (8-1)**

While the proposed RS40 district is consistent with the Green Hills/Midtown Community Plan’s Residential Low policy, the proposed RS20 is not consistent with a special policy, Special Policy Area #14 for this area. The special policy that lots be at least 40,000 square feet, where RS20 allows for lots to be as small as 20,000 square feet.”

7. 2006Z-080T

Council Number: BL2006-1051

A request to amend Section 17.40.120 of the Metro Zoning Code relative to requiring Metro Council approval if the total number of dwelling units in a Planned Unit Development were proposed to be increased beyond the last Council approved plan or the last approved plan by the Planning Commission, requested by Councilmember Randy Foster.

STAFF RECOMMENDATION – Approve

The Metropolitan Planning Commission DEFERRED Text Amendment 2006Z-080T to June 8, 2006, at the request of the applicant. (9-0)

8. 2006Z-082U-03

Map 071-14, Part of Parcel 068

Subarea 3 (2003)

District 2 - Jamie D. Isabel, Sr.

A request to change from RS5 to IWD zoning a portion of property located at 1207 Baptist World Center Drive, approximately 180 feet west of Willis Street (.40 acres), requested by Cobie Dale Sadle, for Shirley Sadler et al, owners.

STAFF RECOMMENDATION – Approve with conditions

Councilmember Isabel spoke in opposition to this request. He stated that he was not in favor of placing an IWD in a residential area of this neighborhood.

Mr. Cobie Dale Sadle stated he was not in favor of deferring this proposal.

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

Mr. Matthew Schrader spoke in opposition to the proposal.

Mr. Gregory Bullard, 108 Fern Avenue, spoke in opposition to the proposal.

A resident spoke in opposition to the proposal.

Councilmember Isabel spoke in opposition to the zone change. He stated that if it were approved it would stall the growth and development for this area. He stated he would like to see this area grow with residential homes.

Mr. Cobie Sadle, owner, spoke in favor of the proposal.

Mr. Tyler requested additional information regarding the buffer included in the proposal.

Ms. Cummings requested additional information on the surrounding parcels and their existing zoning. She then requested clarification on whether this parcel would support residential.

Mr. Clifton suggested this item be deferred for further exploration and future discussions.

Mr. Ponder also requested additional information regarding the buffer that would be included in the proposal.

Mr. Jones suggested that there be additional studies on the parcel due to its potential for the requested rezoning as well as the request of the Councilmember.

Mr. Loring acknowledged the Councilmember's request to defer this proposal to allow additional time for the Councilmember to work the developer on this request.

Mr. Loring moved and Mr. Clifton seconded the motion, which passed unanimously, to defer Zone Change 2006Z-082U-03 indefinitely, to allow additional time for staff to reconsider the land use issues relating to the subarea policy for this area, as well as asking staff to include the Councilmember in these discussions. **(9-0)**

Resolution No. RS2006-181

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006Z-082U-03 is DEFERRED INDEFINITELY (9-0); Planning staff is directed to reconsider the Industrial policy in the vicinity of this request.”

9. 2006Z-090U-10

Map 117-15, Parcel 153
Subarea 10 (2005)
District 25 - Jim Shulman

A request to change from OR20 to MUL zoning, property located at 2002 Richard Jones Road, approximately 575 feet east of Hillsboro Pike (3.93 acres) and located within a Planned Unit Development district, requested by David P. Crabtree of Waters Edge Limited Partnership, applicant and owner. (See also PUD Proposal No. 138-82-U).

STAFF RECOMMENDATION – Disapprove

APPLICANT REQUEST - Request to change 3.93 acres from office/residential zoning (OR20) to mixed use limited zoning (MUL) district property located at 2002 Richard Jones Road, approximately 575 feet east of Hillsboro Pike, (located within a Planned Unit Development district).

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

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

GREEN HILLS/MIDTOWN COMMUNITY PLAN POLICY

Regional Activity Center (RAC) - RAC policy is intended for concentrated mixed-use areas anchored by a regional mall. Other uses common in RAC policy are all types of retail activities, offices, public uses, and higher density residential areas. 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 to the intent of the policy.

Policy Conflict - The proposed MUL rezoning, combined with a request to cancel the Green Hills Office Park PUD, would not effectively implement the goals of the Regional Activity Center policy on this site. The straight rezoning, *without* a PUD, allows a range of commercial uses that would not be appropriate for an area that serves as a transition between shopping center commercial zoning along Hillsboro Road and residential areas to the east. The existing office park PUD and OR20 zoning allow for a more appropriate transition. Staff may be able to recommend approval of the requested MUL zoning if the existing PUD is amended to provide appropriate site design and a transition to the neighboring residential area.

RECENT REZONINGS - None.

PUBLIC WORKS RECOMMENDATION - No Exceptions Taken.

METRO SCHOOL BOARD REPORT

Projected student generation* 15 Elementary 11 Middle 13 High

Schools Over/Under Capacity -Students would attend Percy Priest Elementary School, Moore Middle School, or Hillsboro 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.

*School generation numbers are based on an assumption of a maximum 171 residential units at 1,000 square feet each.

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

- 10. 138-82-U-10**
Green Hills Office Park
Map 117-150, Parcel 153
Subarea 10 (2005)
District 25 - Jim Shulman

A request to cancel a commercial Planned Unit Development located at 2002 Richard Jones, classified OR20 and proposed for MUI (3.93 acres), requested by Water's Edge Limited Partnership, applicant and property owner.

STAFF RECOMMENDATION – Disapprove

APPLICANT REQUEST -Cancel PUD

A request to cancel a Commercial Planned Unit Development, located at 2002 Richard Jones Road.

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

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

GREEN HILLS/MIDTOWNCOMMUNITY PLAN POLICY

Regional Activity Center (RAC) - RAC policy is intended for concentrated mixed-use areas anchored by a regional mall. Other uses common in RAC policy are all types of retail activities, offices, public uses, and higher density residential areas. 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.

PLAN DETAILS

Original Plan/History -The original preliminary PUD overlay district plan was approved for a total of 101,097 square feet of general commercial (office use) in 1982, and consisted of four separate buildings. The final PUD overlay district plan was approved for a total of 106,041 square feet of general commercial (office use) in 1983. While the overall square footage of the final was slightly higher than what was approved on the preliminary, the layout and number of buildings was consistent with the preliminary plan. In 1987, the PUD was revised to include a child care center.

Staff Concerns - Without a PUD overlay, a straight MUL zoning district would allow for uses and site layout that may not be appropriate at this location. While the site is located near Hillsboro, a major commercial corridor, uses such as fast food that are appropriate along Hillsboro may not be appropriate for this location. Furthermore, the RAC policy requires that a site plan accompany any rezoning to ensure that the intent of the policy is achieved.

Staff Recommendation -Because the requested zoning allows for uses that may not be appropriate at this location, and the RAC policy requires a site plan, staff recommends that the request to cancel the PUD be disapproved, but that the PUD be amended. A PUD amendment and MUL zoning may be appropriate if the amendment provides appropriate site design and a transition to the neighboring residential areas.

PUBLIC WORKS RECOMMENDATION - No Exceptions Taken

STORMWATER RECOMMENDATION- No Exceptions Taken

Mr. Lawson stepped out of the meeting.

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

Mr. McLean moved, and Ms. Cummings, which passed unanimously to disapprove Zone Change 2006Z-090U-10 as well as disapprove cancellation of Planned Unit Development 138-82-U-10. **(7-1) No Vote – Loring**

Resolution No. RS2006-182

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006Z-090U-10 is **DISAPPROVED. (8-1)**

The proposed MUL is in the Green Hills/Midtown Community Planning area. The policy in this area is Regional Activity Center, which is for concentrated mixed-use areas anchored by a regional mall, and requires a PUD, or Urban Design Plan to ensure that the intent of the policy is achieved. Since no plan was submitted, then the request is not consistent with the policy.”

Resolution No. RS2006-183

“BE IT RESOLVED by The Metropolitan Planning Commission that 132-82-U-10 is **DISAPPROVED. (8-1)”**

The request to cancel the PUD is in the Green Hills/Midtown Community Planning area. The policy in this area is Regional Activity Center, which is for concentrated mixed-use areas anchored by a regional mall, and requires a PUD, or Urban Design Plan to ensure that the intent of the policy is achieved. Since the request is to cancel the existing PUD, then the request is not consistent with the policy.”

Mr. Lawson stepped out of the meeting.

IX. FINAL PLATS

- 11. 2006s-180U-14**
Cloverwood Subdivision
Map 096-12, Parcel 032
Subarea 14 (2004)
District 14 - Harold White

A request for final plat approval to create 4 lots at the terminus of Cloverwood Drive (16.81 acres), zoned RS10, requested by Luckey Development, owner, Cherry Land Surveying, surveyor.

STAFF RECOMMENDATION – Approve with conditions

APPLICANT REQUEST - Final Plat

Request to subdivide 16.81 acres into four single-family lots located at the end of Cloverwood Drive.

ZONING

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

SUBDIVISION DETAILS - There are four lots proposed with access from the existing stub streets, Cloverwood Drive and Hickory Bend Drive. The building areas are proposed closer to the existing lots and are not proposed close to the floodway along McCrory Creek Road.

Floodplain/Floodway - This property is mostly covered by floodplain and floodway, is not suitable for intense development. McCrory Creek runs through the south side of the property along McCrory Creek Road. Because this is within floodplain, all four lots are critical lots.

Lot Size Variance - The Subdivision Regulations state that “the proposed lot area shall not exceed three times the

minimum lot size required by the Zoning Regulations for the zone district within which the proposed subdivision is located.” Each lot proposed is more than three times the minimum 10,000 square feet required by zoning. Lot 1 is 64,042 sq. ft. Lot 2 is 318,411 sq. ft. Lot 3 is proposed at 230,392 sq. ft. and lot 4 is proposed at 142,918 square feet.

Staff recommends approval of the variance since most of the floodplain is preserved. There will be 53.9% of undisturbed floodplain to remain.

Sidewalk Variance Request - Sidewalks are required along McCrory Creek Road and access points from existing streets. A variance request has been submitted and the stated hardship is the 98% of floodplain on the property.

Staff recommends approval of the sidewalk variance due to the physical constraints of the property. Since McCrory Creek Road is predominantly in a floodway area, it would require further manipulation of the floodplain and floodway.

Dedicated Conservation and Greenway Easement - A dedicated conservation and greenway easement is proposed along McCrory Creek. The plan currently shows a 25’ easement labeled “25’ Dedicated Conservation and Public Access Easement,” and it should be labeled as “25’ Dedicated Conservation Greenway Public Access Easement Area.”

STORMWATER RECOMMENDATION- Approved except as noted.

1. Surveyor sign, stamp, and date plans.

PUBLIC WORKS RECOMMENDATION - Exception Taken.

1. Any approval is subject to Public Works approval of the construction plans. Final design and improvements may vary based on field conditions.
2. Submit roadway construction plans for the extension of Cloverwood Drive and Hickory Bend.
3. All roads to be one foot minimum above the 100 year floodplain.
4. For dead end streets greater than 150', construct circular turnaround per standard drawing ST-331. Show turnaround at terminus of Cloverwood Drive.

CONDITIONS

1. Prior to recordation, all Public Works and Stormwater comments and conditions must be met for public infrastructure and/or public right of way.
2. Final plat is to be recorded within 180 days from this meeting date, unless deferred.
3. Prior to recordation, the Dedicated Conservation easement is to be labeled as such, “25’ Dedicated Conservation Greenway Public Access Easement Area.”

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

A resident of 611 Waxhall Drive spoke in opposition to the proposal.

Mr. Cal Gentry spoke in favor of the proposal.

An engineer spoke in favor of the proposal.

Mr. Ponder spoke in favor of the proposal.

Mr. McLean moved and Mr. Ponder seconded the motion, which passed unanimously to approve with conditions, Final Plat 2006S-180U-14, including the approval of the variance for maximum lot size and sidewalks. (8-0)

Resolution No. RS2006-184

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006S-180U-14 is **APPROVED WITH CONDITIONS, with the approval of the variance for maximum lot size and sidewalks. (8-0-1)**

Conditions of Approval:

1. Prior to recordation, all Public Works and Stormwater comments and conditions must be met for public infrastructure and/or public right of way.
2. Final plat is to be recorded within 180 days from this meeting date, unless deferred.
3. Prior to recordation, the Dedicated Conservation easement is to be labeled as such, "25' Dedicated Conservation Greenway Public Access Easement Area."

X. PLANNED UNIT DEVELOPMENTS (revisions)

12. **133-76-U-12**
 Brentwood East, Commercial Park
 Map 161, Parcel 186
 Subarea 12 (2004)
 District 31 - Parker Toler

A request to revise the preliminary plan and for final approval for a phase of the Commercial Planned Unit Development District located at 5813 Nolensville Pike, classified within the SCR district, (0.55 acres), to permit the redevelopment of an existing car wash into a 4,950 sq. ft. medical office, requested by Dale and Associates, applicant for Rajni Patel, owner.

STAFF RECOMMENDATION – Approve with conditions

APPLICANT REQUEST -Revise Preliminary and Final PUD

A request to revise the preliminary plan and for final approval for a portion of the Commercial Planned Unit Development district located at 5813 Nolensville Pike, classified SCR (0.55 acres), to permit the redevelopment of an existing car wash into a 4,950 square foot medical office.

PLAN DETAILS

Site plan -As proposed, the plan calls for a 4,950 square foot medical office building.

Access -The site will be accessed by the existing drive from Brentwood East Drive, which provides connections to Old Hickory Boulevard and Nolensville Pike. The access drive from the site to Brentwood East Drive crosses the adjacent property within a 30 foot wide ingress egress easement. There is no direct access onto Nolensville Pike.

Parking -As proposed, a total of 25 parking spaces is required for medical office use (4,950/200 = 24.7~ 25). The plan identifies 26 parking spaces.

Preliminary Plan - The site is within a larger PUD that was approved for various commercial, retail and convenience uses. This specific site was approved for a self-service car wash with eight wash bays. While the proposed office use is a significant change from the originally approved use, it is compatible with other approved uses in the PUD, and is allowed in the base zoning district (SCR).

The existing foot print for the car wash is approximately 2,860 square feet, and the while the request increases the area on this lot by more than ten percent, the request does not increase the overall area within the PUD by more than ten percent of what was originally approved. When a proposal increases the area by more than what was approved by Council, then the request is considered major and requires Council approval. Since the request does not increase the last Council – approved plan by more than ten percent, it is a minor revision and only requires Commission approval.

Staff Recommendation -Because the proposed medical office use is compatible with other uses in the PUD, and allowed within the property’s SCR zoning district, staff recommends that the request be approved with conditions.

PUBLIC WORKS RECOMMENDATION -No Exceptions Taken

STORMWATER RECOMMENDATION

1. Provide a copy of the detention maintenance agreement for the water quality unit.
2. What was used to determine HW/Rise on Figure 37 for DS Structure analysis.

3. Place a silt fence along south side of site.
4. Provide details for catch basins.
5. Provide inlet protection for catch basins and provide detail.
6. Provide detail for french drain.
7. Place inlet protection in form of check dam in front of headwall conveying stormwater along south side of site.
8. Add note on plans indicating that erosion control measures will be left in place and maintained until final stabilization is reached.
9. Provide FEMA floodplain information including community map number, panel number and date of the most current published flood map. Also state if site is within floodplain.
10. Indicate on map what offsite DA1 and offsite DA2 represent. Statement of size of DA1 doesn't match calculation for DA1.
11. Easement must include WQ device, ingress/egress to unit from public ROW, and pipes conveying offsite water through site.
12. Provide structure table on plans detailing pipes, sizes, lengths, inverts, and flow rates.
13. WQ calculations state unit treats 1.19 acres. Unit appears to treat much less.
14. Show stream centerline, top of bank, and 25' buffer along stream. It appears that the rip-rap pad may be within buffer.

CONDITIONS

1. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Section of the Metropolitan Department of Public Works.
2. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
3. 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.
4. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission.
5. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
6. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.

Approved with conditions, **(8-0-1) Consent Agenda, Mr. McLean recused himself from voting on the consent agenda.**

Resolution No. RS2006-185

"BE IT RESOLVED by The Metropolitan Planning Commission that 133-76-U-12 is **APPROVED WITH CONDITIONS. (8-0-1)**

Conditions of Approval:

1. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Section of the Metropolitan Department of Public Works.
2. This approval does not include any signs. Business accessory or development signs in commercial or industrial

planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.

3. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. 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.
4. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) copies of the corrected/revise plans have been submitted to and approved by staff of the Metropolitan Planning Commission.
5. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
6. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission."

13. 53-84-U-12

Hickory Heights, (Rose Monte)
Map 161, Parcel 93
Subarea 12 (2004)
District 31 - Parker Toler

A request to revise a portion of the preliminary plan for the Residential Planned Unit Development district, located along the west side of Zermatt Avenue, classified RM15, (27.27 acres), to permit 211 townhomes and 90 condominiums, replacing 63 single-family lots on this portion of the plan, requested by Wamble and Associates for Jim McLean of J2K Builders, LLC, owner.

STAFF RECOMMENDATION – Approve with conditions

APPLICANT REQUEST- Revision to Preliminary PUD

Request to revise a portion of the preliminary plan for the Residential Planned Unit Development district, located along the west side of Zermatt Avenue, classified RM15, (27.27 acres), to permit 211 townhomes and 90 condominiums, replacing 63 single-family lots on this portion of the plan.

PLAN DETAILS

History - The original Hickory Heights Villas preliminary PUD was approved by the Metro Council in 1985 for 1,464 total residential units. The PUD was later revised several times, including parcel 093, which was approved for single-family lots and apartment units. The final PUD for phase 1 (of parcel 093), located at the end of Swiss Avenue, was recently approved and constructed, for 36 condominium units.

The current revision to the preliminary PUD increases the density of development on this portion of the PUD (parcel 093), but it falls short of the original density of 1,464 residential units, and therefore can be considered a revision to the preliminary PUD. In addition, the proposed multi-family development on this phase of the PUD will attempt to employ a degree of sensitivity regarding difficult grades on this site, replacing previous revisions that included a large number of critical (single-family) lots.

Site Layout, Access, & Parking - The submitted PUD plan proposes 211 townhome units, which front on several private drives that connect to Zermatt Avenue. An additional 90 condominium units are located on the western side of this phase, all of which front on the main drive. Surface parking is located to the rear of all of the units, and sidewalks line all of the drives on both sides. All townhomes and condo units have two bedrooms, and 638 surface parking spaces are provided. There are three open space "park" areas provided throughout the development.

Topography - There is a large portion of the site that has slopes between 10 and 20 percent, and a substantial area that has grades between 20-25 percent and some over 25 percent. The revised preliminary on this parcel was approved both for single family lots and apartment units, so a significant amount of grading would have resulted, if built-out in accordance with the previously-approved revision. The proposed new layout attempts to avoid such grading on a mass scale.

Design and slopes - The development will include a townhouse product that is constructed into the hillside, as each set of units will gradually "step up/down" the hills, with rear parking areas that will not require retaining walls.

An alternate design for the condominiums was submitted that shows the buildings appearing as one-story in height from the street, and four stories to the rear. The buildings will be constructed into the hill, to make up the large grade difference along the western edge of the site. The only retaining wall will be located to the rear of the parking area for the condos. Given that this rear retaining wall will range from 3' up to 20' in height in certain areas, pedestrian access to the adjacent Woodlands subdivision, if provided, shall be limited to areas in which the grade difference is minimal.

No rip-rap rock shall be used to stabilize any slope.

STORMWATER RECOMMENDATION - Approved 5/05/06.

PUBLIC WORKS RECOMMENDATION

1. Traffic Impact Study for Hickory Heights shall be updated to address the development of this property.
2. 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.
3. Identify location of retaining walls, including top and base of wall elevations. Submit geotechnical report with specific design parameters for retaining wall, prior to submittal of construction plans.
4. Typical condominium section detail indicates 10' - 20' retaining walls adjacent to roadways, and 3' - 30' adjacent to rear parking.
5. Provide plans for solid waste collection and disposal. Must be approved by the Public Works Solid Waste Division.
6. Within residential developments all utilities are to be underground. The utility providing the service is to approve the design and construction. The developer is to coordinate the location of all underground utilities. Street lighting is required on *public* streets in the Urban Service District. Plan now proposed private streets.
7. Show and dimension right of way along Zermatt Avenue. Dimension existing pavement width.

FIRE MARSHAL RECOMMENDATION - Not Approved

1. Fire hydrants should flow at least 1,250 GPM's at 40 psi residual.
2. There were no fire hydrants shown on the plan.
3. No part of any building shall be more than 500 feet from a fire hydrant via an approved hard surface road. Metro Ordinance 095-1541 Sec: 1568.020 B
4. All roadways with one way traffic shall be at least 14 feet in width (driveway entrances and exits).

CONDITIONS

1. This approval includes the alternate condominium section as the design for the condominium buildings.
2. Prior to final PUD approval, all conditions of the revised Traffic Impact Study shall be met for off-site improvements and for public streets.
3. No rip-rap rock shall be used to stabilize any slope.
4. If pedestrian access is provided to the adjacent Woodlands subdivision to the west, it shall be limited to areas in

which the grade difference is minimal.

5. Prior to final PUD approval, all Fire Marshal's Office conditions listed above shall be met.
6. 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.
7. 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.
8. Approvals within public right of way are subject to Public Works' review and approval of construction plans.

Approved with conditions, **(8-0-1) Consent Agenda, Mr. McLean recused himself from voting on the consent agenda.**

Resolution No. RS2006-186

"BE IT RESOLVED by The Metropolitan Planning Commission that 53-84-U-12 is **APPROVED WITH CONDITIONS.**
(8-0-1)

Conditions of Approval:

1. This approval includes the alternate condominium section as the design for the condominium buildings.
2. Prior to final PUD approval, all conditions of the revised Traffic Impact Study shall be met for off-site improvements and for public streets.
3. No rip-rap rock shall be used to stabilize any slope.
4. If pedestrian access is provided to the adjacent Woodlands subdivision to the west, it shall be limited to areas in which the grade difference is minimal.
5. Prior to final PUD approval, all Fire Marshal's Office conditions listed above shall be met.
6. 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.
7. 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.
8. Approvals within public right of way are subject to Public Works' review and approval of construction plans."

14. 99-85-P-14

Briley Corners
Map 095-03, Parcel 128
Subarea 14 (2004)
District 15 - J. B. Loring

A request to revise a portion of the preliminary plan and for final approval for a Commercial Planned Unit Development district located along the south side of Lebanon Pike, west of Briley Parkway, classified OL, (11.64 acres), to permit a 24,003 square foot office building, requested by Littlejohn Engineering, for Boyle Craigmeade L.P., owner.

STAFF RECOMMENDATION – Approve with conditions

APPLICANT REQUEST -Revise Preliminary & Final Plan

A request to revise a portion of the preliminary plan and for final approval for a Commercial Planned Unit Development district located along the south side of Lebanon Pike, west of Briley Parkway, classified OL, (11.64 acres), to permit a

24,003 square foot office building.

PLAN DETAILS

Plan Details - The last approved preliminary plan for the entire Briley Corners PUD allowed 360,000 square feet of office. Currently, Phase I is constructed with a 67,516 square foot building that houses a business school. This proposal includes a final PUD approval for lot 3, which is a one-story, 24,003 square foot office building located in the rear of the PUD. Access will be through the existing driveway to Craigmeade Drive. An existing vegetative buffer and 6' high wooden fence will remain along the western property line adjacent to residential development.

With this revision to the preliminary approval, there is a 3 story office building proposed for lot 2 which is 75,000 square feet in size. This brings the overall square footage in the PUD down to 166,520 square feet.

STORMWATER RECOMMENDATION - Construction plans are approved.

WATER SERVICES RECOMMENDATION -Conditional Approval. Comments have been returned to applicant and must be complied with in order to receive final plat approval.

PUBLIC WORKS RECOMMENDATION - No exceptions taken.

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. 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.

Approved with conditions, **(8-0-1) Consent Agenda, Mr. McLean recused himself from voting on the consent agenda.**

Resolution No. RS2006-187

“BE IT RESOLVED by The Metropolitan Planning Commission that 99-85-P-14 is **APPROVED WITH CONDITIONS.**
(8-0-1)

Condition 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. 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.”

Mr. Lawson stepped back into the meeting.

15. **89P-018G-12**
Gillespie Meadows
Map 172-00, Parcel 194
Subarea 12 (2004)
District 31 - Parker Toler

A request to revise a portion of the preliminary plan and for final approval for a portion of a Commercial Planned Unit Development district located along the west side of Nolensville Pike, south of Bradford Hills Drive, classified SCN, (1.19 acres), to permit a 3,400 square foot convenience market, and fueling station with six pumps, requested by Civil Resource Consultants, Inc, for Fox Oil and Gas, owner.

STAFF RECOMMENDATION – Approve with conditions

APPLICANT REQUEST -Revise Preliminary and Final PUD

A request to revise a portion of a commercial Planned Unit Development located on the southwest corner of Nolensville Pike and Bradford Hills Drive, to permit a 3,400 square foot convenience market and gas station with six fuel pumps.

PLAN DETAILS - The request proposes a 3,400 square foot convenience market and automobile fueling center with six fuel pumps. The layout is typical of most convenience/fuel centers with the building being located towards the rear of the lot and parking and fuel pumps being located in front closer to Nolensville Pike and Bradford Hills Road.

Access -As proposed, access will be provided form Nolensville Pike and Bradford Hills Road.

Buffer Yards - The site is adjacent to residentially zoned property to the south and west. Landscape buffer yards are required along both the south and west property lines, and are shown on the plan. A “C-3” landscape buffer yard is shown along the southern property line, and a “C-1” landscape buffer yard is shown along the western property line.

Preliminary Plan -As proposed, the overall concept of this plan is consistent with the approved preliminary plan. The approved preliminary plan identified a larger building with gas pumps on the north and south side of the building. This plan calls for a smaller building with the pumps located in front of the building.

Applicants have given numerous reasons for the change in this plan from the approved preliminary plan. The lot is small (1.19 ac) and there are numerous constraints, including landscape buffer yards and easements, on site detention, setbacks and parking requirements.

PUBLIC WORKS RECOMMENDATION -Label and show reserve strip for future right of way, 54 feet from centerline to property boundary along Nolensville Pike, consistent with the approved major street plan (U6 - 108' ROW).

STORMWATER RECOMMENDATION

1. Provide a copy of the NPDES NOC letter and a note on the plan set stating that the NOI has been submitted.
2. Provide a copy of the stormwater detention maintenance agreement.
3. Provide a copy and show on the plans the easement for the pond, water quality structure, and access easement for maintenance. Easement for pond and WQ structure shown on plan, but easement will need to be recorded or be platted. Be sure to include ingress/egress easement.
4. Include 3 copies of the final plan set.
5. Provide a Drainage Area Map showing the area draining to each structure as well as an overall pre- and post-drainage map corresponding to calculations with areas, Tc's, C/CN. Tab on last page of calculations indicates drainage map, but none were provided.
6. Provide information on the next two downstream drainage structures including pipe size, invert information, actual flow and pipe capacity.

CONDITIONS

1. Any sign must be monument type, no taller than 4.5 feet in height.
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. 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.

4. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission.
5. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
6. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission for filing and recordation with the Davidson County Register of Deeds.

Mr. Kleinfelter announced that the Councilmember has worked with both the developer and the constituents affected by this proposal and they have agreed to place this item back on the consent agenda to be approved with conditions.

Ms. Nielson moved, and Mr. Ponder seconded the motion, which passed unanimously, to place this item back on the Consent Agenda and to approve with conditions Planned Unit Development 89P-018G-12. **(9-0)**

Resolution No. RS2006-188

“BE IT RESOLVED by The Metropolitan Planning Commission that 89P-018G-12 is **APPROVED WITH CONDITIONS. (8-0-1)**

Conditions of Approval:

1. Any sign must be monument type, no taller than 4.5 feet in height.
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. 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.
4. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission.
5. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
6. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission for filing and recordation with the Davidson County Register of Deeds.

16. 28-79-G-13

Cambridge Forest, Phase VII
Map 149-00, Part of Parcel 371
Subarea 13 (2003)
District 28 – Jason Alexander

A request for final approval of a Planned Unit Development located west of Bridge Crest Drive, zoned R15 (6.61 acres), for the development of 29 single-family cluster lots, requested by Batson and Associates, applicant, for Danco Development

Incorporation, owner.

STAFF RECOMMENDATION – Approve with conditions

APPLICANT REQUEST - Final PUD

A request for final approval for a phase of a Residential Planned Unit Development, (6.61 acres), for the development of 29 single-family cluster lots.

PLAN DETAILS

Final PUD - The proposal for Phase 7 consists of 29 single-family cluster lots. The plan is consistent with the approved preliminary.

Cluster Lot Option - PUD standards allow single and two-family lots to be clustered to a greater extent than allowed by the cluster lot provisions of section 17.12.080 in return for extraordinary protection of environmentally sensitive areas in a natural state.

Access - Access to this section will be provided by the extension of Bridge Crest Drive.

PUBLIC WORKS RECOMMENDATION - No Exceptions Taken.

STORMWATER RECOMMENDATION - Approve with the following conditions:

1. Provide a copy of the NOC.
2. Grade a defined ditch along the rear lot line of lots 158, 159, and 160. Clearly show how this will tie into the ditch behind lots 155 and 156 (Phase 6).
3. Add a depth on the detail to the swale behind the retaining wall.
4. The hydraulic grade line is coming out of the ground at structures 11 through 19, 22, 23A, 25, 26 and 27. Revise plan.

WATER SERVICES RECOMMENDATION - Conditional Approval. Comments have been returned to applicant and must be complied with in order to receive final plat approval.

CONDITIONS

1. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Section of the Metropolitan Department of Public Works.
2. 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. 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.
4. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) copies of the corrected/revise plans have been submitted to and approved by staff of the Metropolitan Planning Commission.
5. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.

Approved with conditions, **(8-0-1) Consent Agenda, Mr. McLean recused himself from voting on the consent agenda.**

Resolution No. RS2006-189

“BE IT RESOLVED by The Metropolitan Planning Commission that 28-79-G-13 is **APPROVED WITH CONDITIONS. (8-0-1)**

Conditions of Approval:

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

XI. OTHER BUSINESS

17. Subdivision Fees

A request to amend the subdivision plat application fees by increasing them for full-cost recovery as recommended by the 2004 Maximus Study of Metro Planning Department fees charged to the public and development community for applications, research and mapping services, requested by the Metro Planning Department.(Proposal Number 2006Z-091T)
STAFF RECOMMENDATION – Approve

Approved, (8-0-1) *Consent Agenda*, Mr. McLean recused himself from voting on the consent agenda.

Resolution No. RS2006-190

“BE IT RESOLVED by The Metropolitan Planning Commission that Subdivision Application Fees amendment was **APPROVED. (8-0-1)**”

18. GIS Fees

A request to amend the research and mapping service fees by increasing them for full-cost recovery as recommended by the 2004 Maximus Study of Metro Planning Department fees charged to the public and development community for applications, research, and mapping services, requested by the Metro Planning Department.(Proposal Number 2006Z-092T)
STAFF RECOMMENDATION – Approve

Approved, (8-0-1) *Consent Agenda*, Mr. McLean recused himself from voting on the consent agenda.

Resolution No. RS2006-191

“BE IT RESOLVED by The Metropolitan Planning Commission that the GIS Service Fee amendment was **APPROVED. (8-0-1)**”

19. Zone Application Fees

A request to amend the zone change and overlay district application fees by increasing them for full-cost recovery as recommended by the 2004 Maximus Study of Metro Planning Department fees charged to the public and development community for applications, research and mapping services, requested by the Metro Planning Department.(Proposal Number 2006Z-094T)

STAFF RECOMMENDATION – Approve

Approved, (8-0-1) *Consent Agenda*, Mr. McLean recused himself from voting on the consent agenda.

Resolution No. RS2006-192

“BE IT RESOLVED by The Metropolitan Planning Commission that the Zone Application Fees amendment was **APPROVED. (8-0-1)**”

20. Amendment No. 1 to Contract No. L-1443 Between the Metropolitan Government of Nashville and Davidson County by and through the Metropolitan Planning Commission on Behalf of the Nashville Area Metropolitan Planning Organization (MPO) and Carter and Burgess, Inc. for 2005-2007 Enhanced Transportation System Data Collection and Monitoring

Approved, (8-0-1) *Consent Agenda*, Mr. McLean recused himself from voting on the consent agenda.

21. Amend employee contract for Brenda Bernards.

Approved, (8-0-1) *Consent Agenda*, Mr. McLean recused himself from voting on the consent agenda.

22. Election of Officers

Mr. McLean moved and Mr. Loring seconded the motion, which passed unanimously, to re-elect Mr. James Lawson as Chairman for the Planning Commission. (9-0)

Mr. McLean moved and Mr. Loring seconded the motion, which passed unanimously, to nominate and elect Mr. Phil Ponder as Vice Chairman for the Planning Commission. (9-0)

Mr. Lawson moved and Mr. Ponder seconded the motion, which passed unanimously to re-elect Ms. Ann Nielson as representative of the Planning Commission to the Metro Historical Commission. (9-0)

Ms. Nielson moved and Mr. McLean seconded the motion, which passed unanimously to re-elect Mr. James Lawson as Park Board representative. (9-0)

Mr. Bernhardt announced that it was necessary for the Commission to readopt their rules and procedures.

Mr. Loring moved and Mr. Ponder seconded the motion, which passed unanimously, to re-adopt the Rules and Regulations of the Planning Commission. (9-0)

23. Mr. Lawson announced that the request to extend the Windstar Estates subdivision plat should be removed from the Consent Agenda. He stated that this item was not advertised and can not be moved on until such time.

Mr. Clifton moved and Ms. Nielson seconded the motion, which passed unanimously, to rescind their motion to approve the extension of Windstar Estates Preliminary Plat, which was on the Consent Agenda. (9-0)

24. Executive Director Reports

25. Legislative Update

XIV. ADJOURNMENT

The meeting adjourned at 5:15 p.m.

Chairman

Secretary

Equal Employment Opportunity Employer



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