



**METROPOLITAN GOVERNMENT
OF NASHVILLE AND DAVIDSON COUNTY**

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

**Minutes
Of the
Metropolitan Planning Commission**

July 13, 2006

4:00 PM

Howard School Auditorium, 700 Second Ave., South

PLANNING COMMISSION:

James Lawson, Chairman
Phil Ponder, Vice Chairman
Tonya Jones
Ann Nielson
Victor Tyler
James McLean
Councilmember J. B. Loring

Staff Present:

Richard Bernhardt, Executive Director
Ann Hammond, Asst. Executive Director
Ted Morrissey, Legal Counsel
David Kleinfelter, Planning Mgr. II
Bob Leeman, Planner III
Kathryn Withers, Planner III
Trish Brooks, Admin. Svcs. Officer 3
Jason Swaggart, Planner I
Adriane Harris, Planner II
Jennifer Carlat, Communications Officer
Cynthia Wood, Planner III

Commission Members Absent:

Judy Cummings
Stewart Clifton

I. CALL TO ORDER

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

II. ADOPTION OF AGENDA

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

III. APPROVAL OF JUNE 22, 2006 MINUTES

Mr. McLean moved and Mr. Loring seconded the motion, which passed unanimously to approve the June 22, 2006, minutes as presented. (6-0)

IV. CHAIRMAN'S COMMENTS

Chairman Lawson publicly recognized and thanked all the members of the Planning Department for their high-quality work ethics and for their numerous hours devoted while maintaining the city of Nashville's growth and developmental needs.

V. RECOGNITION OF COUNCILMEMBERS

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

Councilmember Gotto spoke in favor of Item #11, 2006Z-106G-14 which was on the Consent Agenda for approval with conditions. He stated he would hold a community meeting on this proposal before it was heard at the Council Public Hearing. He also spoke in favor of Items #28 and 29, 2006S-163G-14 and 2006S-236G-14 which were on the Consent Agenda for approval with conditions.

Councilmember Burch requested that Item #IX, Request to Amend the Antioch-Priest Lake Community Plan: 2003 Update, be removed from the Consent Agenda.

Councilmember Greer spoke regarding Items #8 and 10, 2006Z-102U-11 and 2006SP-105U-07. He requested that both items be deferred until the developers were able to meet and discuss each of the proposals with the respective communities.

Councilmember Wilhoite spoke regarding Item #32, 24-85-P-13, Weatherly Ridge Apartments. She requested that this item be deferred to allow additional time to discuss this proposal with the constituents who would be affected by the development.

Councilmember Toler spoke of several items that were on the agenda. He spoke in favor of Items #16 and 17, 2006Z-111U-12 and 2006UD-001U-12, which were on the Consent Agenda for approval with conditions. He spoke in favor of Item #18, 2006SP-112G-12 which was also on the Consent Agenda for approval with conditions. He noted there were some minor concerns regarding this proposal that would require continued discussions prior its Public Hearing at Council. He stated that Items #19, 20 and 23 2006Z-113G-12, 111-83-G-12 and 2006SP-117G-12 were deferred indefinitely. He spoke in favor of Item #24, 2006SP-122G-12, Clover Glen. He noted this proposal could also have community concerns and that he would continue discussions prior to its Public Hearing at Council. He spoke in favor of Items #31, 33 and 35, 53-84-U-12, Rose Monte, 93P-010G-12, Lennox Creekside and 2004P-013G-12, Mill Creek Town Center which were on the Consent Agenda for approval with conditions.

Mr. Tyler arrived at 4:28 p.m.

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

- | | | | |
|-----|----------------|--|---|
| 2. | 2006SP-007U-10 | Glen Echo - Request for final development plan approval for property located at 1737, 1741 and 1745 Glen Echo Road to permit 12 single-family lots | – deferred to July 27, 2006 at the request of the applicant |
| 4. | 2005P-030G-14 | Ravenwood Community, Phase 1 - Request for final approval for a phase of a residential Planned Unit Development located on the north side of Stones River Road (unnumbered), to permit the development of 55 single-family lots | – deferred to July 27, 2006 at the request of the applicant |
| 6. | 2006Z-101U-13 | Request to change from AR2a to SCR zoning on property located at 5319 Mt. View Road, at the southeastern corner of Bell Road and Mt. View Road | – deferred to July 27, 2006 at the request of the applicant |
| 7. | 79-81-G-13 | Bell Forge Commercial - Request to amend the preliminary plan for a Commercial Planned Unit Development district, located at the northwest intersection of Bell Road and Mt. View Road, to permit the development of a fuel center with five pumps and a 266 square foot kiosk to be constructed within the existing parking lot | – deferred to July 27, 2006 at the request of the applicant |
| 8. | 2006Z-102U-11 | Request to change from IWD to MUL zoning on property located at 1243 Lewis Street and Lewis Street (unnumbered), approximately 275 feet south of N. Hill Street (.27 acres) | – deferred to August 10, 2006 at the request of the applicant |
| 19. | 2006Z-113G-12 | Request to change from AR2a to RM15 and MUL zoning on property located at 6640 Nolensville Pike | – deferred indefinitely at the request of the applicant |
| 20. | 111-83-G-12 | Beverly Hill Motel -Request to cancel a Commercial Planned Unit Development district located at 6640 Nolensville Pike, approved for a 16 unit motel and a 3,000 square foot restaurant | – deferred indefinitely at the request of the applicant |

- 23. 2006SP-117G-12 Spencer Crossing SP - A request to change from AR2a to SP zoning to permit 110 dwelling units (17 single-family homes and SP (93 attached units) on properties located at 6380 and 6390 Pettus Road and Pettus Road (unnumbered) – deferred indefinitely at the request of the applicant
- 25. 2006Z-124G-02 A request to change from RS20 to RS7.5 (78.12 acres) and RM9 (22.53 acres) zoning on properties located at 3474 and 3500 Brick Church Pike and Brick Church Pike (unnumbered) – deferred to July 27, 2006 at the request of the applicant
- 26. 2006P-013G-02 Cone Property PUD – a request for preliminary approval for a Planned Unit Development district located at 3474 and 3500 Brick Church Pike, and Brick Church Pike (unnumbered), located along between Interstate 24 and Brick Church Pike, (100.65 acres), zoned RS20 and proposed for RS7.5 and RM9 zoning to permit 143 townhomes and 376 single-family lots – deferred to July 27, 2006
- 27. 2006Z-127T On ordinance amending Title 17 of the Metropolitan Code, Zoning Regulations, by amending Section 17.32.050 to prohibit certain temporary signs on Metropolitan Government property – deferred to July 27, 2006 at the request of the applicant
- 37. 2005P-025U-13 Jeric Commercial PUD – A request for final approval for a commercial Planned Unit Development located on the west side of Bell Road, to permit the development of a 5,301 sq. ft. car wash – deferred indefinitely at the request of the applicant

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

VII. PUBLIC HEARING: CONSENT AGENDA

- VIII Request to amend the Bellevue Community Plan: 2003 Update - Approve

**PREVIOUSLY DEFERRED ITEMS AND ITEMS ON PUBLIC HEARING
ZONING MAP AMENDMENTS**

- 1. 2005SP-163U-08 Request for final development plan approval to construct six 1,200 sq. ft. townhouse units on six individual lots, located at 1600 6th Avenue North, at the northeast corner of 6th Avenue North & Hume Street -Approve w/conditions
- 11. 2006Z-106G-14 A request to change from AR2a to RS15 zoning on property located at Earhart Road (unnumbered), approximately 2,000 feet north of John Hagar Road (6.88 acres) -Approve
- 16. 2006Z-111U-12 Request to change from CS to MUL zoning property bounded by Old Hickory Boulevard, Franklin Pike, Wilson Pike, and Frierson Street - Approve w/associated Brentwood Town Center UDO
- 17. 2006UD-001U-12 Metro Brentwood Town Center UDO – Request to apply an Urban Design Overlay zoning district to properties located at 799 Old Hickory Boulevard, 100 and 101 Franklin Pike, 8000 and 8011 Brooks Chapel Road, 116 Wilson Pike Circle, 130 Frierson Street and Frierson Street (unnumbered), south of Old Hickory Boulevard, and east of Interstate 65 to establish uniform design standards to support a pedestrian oriented town center - Approve w/conditions

- 18. 2006SP-112G-12 Carter Property- Request to change from AR2a to SP zoning on property located at 6419 Pettus Road, at the end of Autumn Crossing Way, to permit 61 single-family lots and 45 multi-family units Approve w/conditions including revision to condition #4 new
- 21. 2006SP-114U-10 West End Summit -Request to change from CF to SP zoning on property located at 112 and 108 17th Avenue North, 1600, 1612, 1616 and 1618 West End Avenue, and 121 and 125 16th Avenue North, to establish a maximum building height of 400 feet and built-to lines for a mixed-used building complying with all other provisions of the MUI zoning district - Approve w/conditions

CONCEPT PLANS

- 28. 2006S-163G-14 Towering Oaks - Request for a concept plan to create 74 lots on property located at 5568 South New Hope Road and 1465 Stewarts Ferry Pike - Approve w/conditions
- 29. 2006S-236G-14 Lakeside Meadows - Request for a concept plan to create 108 lots on property located at 4646 and 4652 Hessey Road and 3547 Earhart Road - Approve w/conditions

PLANNED UNIT DEVELOPMENTS AND SPECIFIC PLANS

- 31. 53-84-U-12 Rose Monte, Phase 2 - Request for final plan approval of Phase II of the Residential Planned Unit Development district located along the west side of Zermatt Avenue, to develop 72 townhomes - Approve w/conditions
- 33. 93P-010G-12 Lenox Creekside, (Formerly Sugar Valley) - Request to revise a portion of the preliminary and for final approval for a portion of a Residential Planned Unit Development district located east of Nolensville Road (unnumbered), to permit the development of 140 multi-family units - Approve w/conditions
- 35. 2004P-013G-12 Mill Creek Towne Centre (Formerly Legg Development Co.), Starbucks Coffee - Request to revise the approved preliminary plan, and for final approval for a Commercial Planned Unit Development district located at 6680 Nolensville Pike to permit the development of a 1,873 square foot coffee shop - Approve w/conditions
- 36. 2006P-007G-12 Cane Ridge Estates – Request for preliminary approval for a Planned Unit Development located at Pettus Road (unnumbered) at the end of Bison Court, to permit the development of 30 single-family lots Approve with conditions, including amending condition 3, which states: Provide open space to meet the intent of the cluster lot policy, which may include either converting lot 25 or lots 5 and 6 to open space
- 38. 2003UD-003U-13 Ridgeview UDO, Phase 1 - Request for final approval for a portion of a mixed-use Urban Design Overlay district located on the east side of Bell Road (unnumbered) to allow for the development of 150 single-family lots. - Approve w/conditions

OTHER BUSINESS

- 39. Development Application Processing Policy - Approve
- 40. Amended employee contracts for Ann Hammond and Jeff Lawrence - Approve
- 41. Correction to May 11, 2006 Minutes - Approve

Ms. Nielson moved and Mr. Ponder seconded the motion, which passed unanimously to adopt the Consent Agenda as presented. **(6-0-1) Mr. McLean recused himself from voting.**

Mr. Loring announced that Councilmember Coleman had requested that his items be removed from the Consent Agenda.

Mr. Lawson acknowledged and noted this request.

VIII. REQUEST TO AMEND THE BELLEVUE COMMUNITY PLAN: 2003 UPDATE

Staff Recommendation - *Approve with Special Policy*

APPLICANT REQUEST - A request to amend the Bellevue Community Plan: 2003 Update to go from Residential Low-Medium Density to Residential Medium Density policy with a Special Policy overlay for approximately 118.82 acres for property located along Sonya Drive.

Land Use Policies

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

Residential Medium (RM) - Residential Medium Density is intended to accommodate residential development within a density range of about four to nine dwelling units per acre. A variety of housing types can be found in RM areas.

ANALYSIS - This amendment is being requested in order to bring the land use policy into conformance with zoning decisions that have been made over the last few years while offering protective language for the steep slopes in the area.

This area lies between a line of hills to the west and I-40 to the east. It contains existing medium density residential development and zoning that mostly has been introduced to the area since 2003 when the Bellevue Community Plan was last updated. Because the area is convenient to an interstate interchange, a four-lane arterial street, and a large commercial concentration, there are sound reasons for supporting medium density residential development here. It does, however, contain steeply sloped land, and policy provisions that seek to protect the hillsides and treat them as an amenity are warranted. The following Special Policy is recommended for the area:

Special Policy 8

This Special Policy applies to the Residential Medium Density area along Sonya Drive. In order to protect and preserve the heavily treed, steep hillsides that frame this area and are environmentally sensitive as well among the area's chief assets, development within this area shall:

1. Avoid alteration of slopes in excess of 20% to the maximum extent possible;
2. Protect existing mature trees to the maximum extent possible, particularly on hillsides, and treat them as integral to site design;
3. Take place under Specific Plan, Urban Design Overlay, or Planned Unit Development zoning

Approved, (6-0-1) *Consent Agenda*

Resolution No. RS2006-225

“BE IT RESOLVED by The Metropolitan Planning Commission that the REQUEST TO AMEND THE BELLEVUE COMMUNITY PLAN: 2003 UPDATE is **APPROVED. (7-0)**”

IX. REQUEST TO AMEND THE ANTIOCH-PRIEST LAKE COMMUNITY PLAN: 2003 UPDATE

Ms. Wood presented and stated that staff is recommending approval.

Councilmember Burch explained that some of his constituents may have concerns with the Community Plan Update and requested additional explanation from staff on the intentions of the proposed update.

Ms. Wood and Mr. Bernhardt gave additional explanation for the update to the Councilmember.

Councilmember Burch requested that the plan update be deferred to allow for additional community input.

Ms. Nielson moved and Mr. Loring seconded the motion, which passed unanimously to defer the request to amend the Antioch-Priest lake Community Plan: 2003 Update until August 10, 2006. (7-0)

Resolution No. RS2006-226

“BE IT RESOLVED by The Metropolitan Planning Commission that the REQUEST TO AMEND THE ANTIOCH-PRIEST LAKE COMMUNITY PLAN: 2003 UPDATE is **DEFERRED TO THE AUGUST 10, 2006, PLANNING COMMISSION MEETING. (7-0)**

X. PUBLIC HEARING: PREVIOUSLY DEFERRED ITEMS AND ITEMS ON PUBLIC HEARING
ZONING MAP AMENDMENTS

1. **2005SP-163U-08**
6th and Hume
Map 082-09, Parcel 003
Subarea 8 (2002)
District 19 - Ludy N. Wallace

A request for final development plan approval to construct six 1,200 square foot townhouse units on six individual lots, located at 1600 6th Avenue North, at the northeast corner of 6th Avenue North and Hume Street (.24 acres), requested by Dale & Associates , applicant, for UP, LLC, owner.

Staff Recommendation: Approve with conditions

Staff Recommendation -*Approve with conditions*

APPLICANT REQUEST

Final Site Plan - A request for approval of the final site development plan to construct six 1,200 square foot townhouse units on six individual lots, (0.24 acres), located at 1600 6th Avenue North.

PLAN DETAILS

Site Plan -The proposed plan is for six town homes on 0.24 acres. Units are arranged in three separate sets of attached single-family town homes. Each unit has a one-vehicle garage that is accessed from the rear of each unit by a private driveway. The drive is accessed from alley #207.

Bulk Standards

Setbacks

Front	5 feet
Side	3 feet
Rear	5 feet

Height Standards

35 feet at front setback
1.5 to 1 vertical plane

FAR	70%
ISR	85%

Preliminary Site Plan -The final plan is consistent with the approved specific plan preliminary plan. One minor deviation from the approved preliminary is that instead of utilizing a horizontal property regime that is typical of this type of

development, each unit will be located on an individual lot. This change does not have an impact on the design or layout of the plan.

Staff Recommendation -The plan is consistent with the approved preliminary plan and staff recommends that the final development plan be approved.

FIRE MARSHAL RECOMMENDATION -Approve

STORMWATER RECOMMENDATION -Approve as noted:

1. The stormwater detention /quality easement on plat shall extend to the public right-of-way.
2. Provide details on how the runoff from the building roofs will get to the detention/water quality system.
3. Show EPSC measures on sheet C3.0, specifically at the inlet on top of the WQV. Provide detail of inlet protection.
4. The drainage map shows 0.13 acres going to the WQV and detention structure, but the calculations show 0.15 acres. Please revise the calculations.
5. Include the 100 year storm event in the routing of the detention structure.
6. Based upon the slopes of the site, it does not appear that the inlet at the WQV will capture all of the area shown going to it. The slope of the asphalt at the grate is approximately 5.4% and the grading appears to show the flow line being directed away from the curb. Provide calculations to show the capture efficiency of the grate or consider a different structure, perhaps a trench drain, to capture the flow.
7. The Crystal Streams water device is only treating, per the drainage map, 0.13 acres. This is approximately only 60% of the site. How will water quality be achieved for the remainder of the site?
8. Modify the “as-built” requirements for the Crystal stream water Quality Vault to include the sales receipt.
9. The headwall is directing flow directly on to the sidewalk along Hume Street. Per Mr. Danny Smith, this outfall will need approval from MPW prior to MWS granting approval. Perhaps a flow spreader can be used or the flow can be directed under the sidewalk.
10. Provide location of nearest storm structure in which discharge from headwall and site will enter CSO.

PUBLIC WORKS RECOMMENDATION -Approve except as noted:

1. All Public Works' design standards shall be met prior to permit issuance. Any approval is subject to Public Works' approval of the construction plans. Final design and improvements may vary based on field conditions.

CONDITIONS (if approved)

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, including confirmation that all of their comments listed above have been addressed.
2. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Section of the Metropolitan Department of Public Works for all improvements within public rights of way.
3. This approval does not include any signs. All signs must be approved by the Planning Commission within the SP district.
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. 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.
7. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission for filing and recordation with the Davidson County Register of Deeds.

Approved with conditions, (6-0-1) *Consent Agenda*

Resolution No. RS2006-227

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005SP-163U-08 is **APPROVED WITH CONDITIONS. (6-0)**

Conditions of Approval:

1. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services, including confirmation that all of their comments listed above have been addressed.
2. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Section of the Metropolitan Department of Public Works for all improvements within public rights of way.
3. This approval does not include any signs. All signs must be approved by the Planning Commission within the SP district.
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. 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.
7. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission for filing and recordation with the Davidson County Register of Deeds.”

2. **2006SP-007U-10**
 Glen Echo
 Map 117-15, Parcels 061, 062, 063
 Subarea 10 (2005)
 District 25 - Jim Shulman

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

Staff Recommendation: Defer until technical review has been completed by Metro Stormwater

The Metropolitan Planning Commission DEFERRED Zone Change 2006SP-007U-10 to July 27, 2006 at the request of the applicant. (7-0)

3. **2006SP-081U-13**
Map 165-00, Parcels 073, 104, 105, 106, 130
Map 176-00, 008, 041, part of 026
Subarea 13 (2003)
District 32 - Sam Coleman

A request to change from AR2a to SP zoning property located at 4334, 4374 and 4414 Maxwell Road and Maxwell Road (unnumbered) (77.3 acres), approximately 430 feet east of Flagstone Drive, to permit 328 single-family attached units and detached units, requested by Jerry Butler Builders LLC, for George & Michelle Averitt, W.E. Davenport & American Maintenance Systems, Robert N. Davenport and Delores P. Davenport, Robert N. Davenport et ux, Peggy Cropper, and Lawrence D. Davenport et ux, owners.

Staff Recommendation: Approve with conditions

APPLICANT REQUEST - A request to rezone approximately 74.26 acres from agriculture and single-family residential (AR2a) to Specific Plan (SP) to permit 328 single-family attached and detached units north of Maxwell road.

Existing Zoning

AR2a district - Agricultural/residential requires a minimum lot size of 2 acres and intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per 2 acres.

Proposed Zoning

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

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

ANTIOCH-PRIEST LAKE COMMUNITY PLAN POLICIES

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

Neighborhood Center (NC) - NC is intended for small, intense areas that may contain multiple functions and are intended to act as local centers of activity. Ideally, a neighborhood center is a "walk-to" area within a five minute walk of the surrounding neighborhood it serves. The key types of uses intended within NC areas are those that meet daily convenience needs and/or provide a place to gather and socialize. Appropriate uses include single- and multi-family residential, public benefit activities and small scale office and commercial uses. An accompanying Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

Policy Conflict? - No, the proposed plan is consistent with the areas policies.

PLAN DETAILS

History - This application was originally submitted for the May 25, 2006, Planning Commission meeting as a rezoning from AR2a to RS10. Staff met with applicant to discuss the area’s policy requirements. The applicant agreed to do a Specific Plan. Because of time constraints the applicant amended their request to RM9, with the understanding that staff would recommend disapproval, and that it would be up to Council to refer the case back to the Commission prior to second reading. This would give the applicant time to finish their plan, while keeping the application on track for the August 29th, Council public hearing. The request for RM9 was deferred by the applicant at the June 8th Planning Commission meeting, and applicant has now amended their application for Specific Plan zoning.

Site Plan - The concept plan proposes a total of 328 single-family units on 64.95 acres with a density of approximately 5 units per acre. While the total site is 74.26 acres, 9.31 acres is being dedicated for a school site. Unit breakdown is as follows:

- 150, Single-Family Attached (rear loaded)
- 114, Single-Family Detached (front loaded)
- 64, Single-Family Detached (rear loaded)

Access - As proposed the development will be accessed from one location off of Maxwell Road, as well as Trail Water Drive, and Chutney Drive. Lots will be accessed from new public streets and public alleys. Because the property to the north and east is Army Corp property, no stub streets are proposed to the north and east.

Open Space- The proposed plan shows 14.36 acres (22% of residential site). Open space is distributed throughout the development, and the majority is situated in locations that will be easily accessible by residents.

Staff Recommendation - Since the request is consistent with the areas policies staff recommends that the request be approved with conditions.

RECENT REZONINGS - None in the immediate area.

PUBLIC WORKS RECOMMENDATION

- Public Works' design standards, including cross-sections, geometry, and off-site improvements, shall be met prior to approval of roadway or site construction plans. Final design and improvements may vary based on field conditions.
- Within residential developments all utilities are to be underground. The utility providing the service is to approve the design and construction. The developer is to coordinate the location of all underground utilities. Street lighting is required in the USD.
- Prior to final SP approval, Developer shall schedule a pre-study scope determination meeting with the Department of Public Works, and submit a traffic impact study for review. Developer shall comply with all conditions as identified by the traffic impact study and as determined by the Metro Traffic Engineer.

Typical Uses in Existing Zoning District: AR2a

Land Use (ITE Code)	Acres	Density per Acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached(210)	76.3 acres	0.5	38	427	37	45

Typical Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	Density Per Acre	Total Number of lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family	76.3	3.7	328	3,139		

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
--			+290	+2,712		

*Traffic counts for this case were prepared by Planning Commission staff, not Public Works based on 9.57 trips per lot/unit.

METRO SCHOOL BOARD REPORT

Projected student generation 58 Elementary 51 Middle 44 High

Schools Over/Under Capacity - Students would attend Mt. View Elementary School, Antioch Middle School, and Antioch High School. All three schools have been identified as over capacity, but there is capacity within the adjacent Glenclyff cluster. Also, a new elementary and middle schools are under construction on a property located along Pettus Road, and there is a land acquisition underway for a new high school near I-24 and Old Hickory Boulevard. This information is based upon data from the school board last updated February 2006.

School site dedication - Due to the potential impact of this development on the public school system, the applicant is required by Planning Commission policy to offer for dedication a school site in compliance with the standards of Section 17.16.040 for elementary schools with capacity of 500 students.

The land dedication requirement is proportional to the development's student generation potential. Such site shall be in accordance with the site condition and location criteria of the Metropolitan Board of Education and shall be within the Antioch High School cluster. The Board of Education may decline such dedication if it finds that a site is not needed or desired. No final plat for development of any residential uses on the site shall be approved until a school site has been dedicated to the Metro Board of Education or the Board has acted to relieve the applicant of this requirement. However, failure of the Board of Education to act prior to final plat consideration and approval by the Metropolitan Planning Commission in accordance with its schedule and requirements shall constitute a waiver of this requirement by the Board of Education.

CONDITIONS

1. Prior to third reading at Council a revised site plan shall be submitted that addresses all staff concerns.
2. As per Public Works, prior to final SP approval, the developer shall schedule a pre-study scope determination meeting with the Department of Public Works, and submit a traffic impact study for review. Developer shall comply with all conditions as identified by the traffic impact study and as determined by the Metro Traffic Engineer for improvements within the public right of way.
3. Minimum lot area for front-loaded houses shall be 6,000 square feet.
4. Sight triangle provisions shall be applicable to this development.
5. Front loaded garages must be recessed a minimum of 20 feet from the front façade of the house.
6. The plan shall designate 15% of open space as usable. Open space shall be considered usable when fronted by buildings and made assessable to pedestrians by walkways or paths.
7. Street trees are required along all public streets.
8. All parking, utilities, meter boxes, heating and cooling units and other mechanical systems shall be screened to a minimum height of 3 feet, or located from public view.
9. Landscape plan for each phase must be approved by planning staff prior to approval of any final development plan.
10. Sinkhole boundaries shall not be within any lots and shall be designated within open space.
11. A phasing plan shall be submitted prior to submittal of any final development plan.
12. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission approval, the standard Zoning Code requirements of the R6 district shall apply for the detached units and RM4 for the attached units.
13. 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.

14. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
15. Subsequent to enactment of this planned unit development overlay district by the Metropolitan Council, and prior to any consideration by the Metropolitan Planning Commission for final site development plan approval, a paper print of the final boundary plat for all property within the overlay district must be submitted, complete with owners signatures, to the Planning Commission staff for review.
16. 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.
17. 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.
18. This preliminary plan approval for the residential portion of the master plans is based upon the stated acreage. The actual number of dwelling units to be constructed may be reduced upon approval of a final site development plan if a boundary survey confirms there is less site acreage.
19. Prior to any additional development applications for this property, the applicant shall provide the Planning Department with a final corrected copy of the SP plan for filing and recording with the Davidson County Register of Deeds.
20. Due to the potential impact of this development on the public school system, the applicant is required by Planning Commission policy to offer for dedication a school site in compliance with the standards of Section 17.16.040 for elementary schools with capacity of 500 students. The land dedication requirement is proportional to the development's student generation potential. Such site shall be in accordance with the site condition and location criteria of the Metropolitan Board of Education and shall be within the Antioch High School cluster. The Board of Education may decline such dedication if it finds that a site is not needed or desired. No final plat for development of any residential uses on the site shall be approved until a school site has been dedicated to the Metro Board of Education or the Board has acted to relieve the applicant of this requirement. However, failure of the Board of Education to act prior to final plat consideration and approval by the Metropolitan Planning Commission in accordance with its schedule and requirements shall constitute a waiver of this requirement by the Board of Education.

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

Ms. Randa Stone, 4704 Chutney Drive, spoke in opposition to the proposal.

Ms. Martha Whitworth, 4709 Chutney Drive, spoke in opposition to the proposal.

Mr. Mitchell Jones, 5024 Trailwater Drive, spoke in opposition to the proposal.

Mr. Roy Dale, Dale and Associates, spoke in favor of the proposal.

Mr. William Whitworth, 4709 Chutney Drive, spoke in opposition to the proposal.

Ms. Sidney Aimes, 4100 Maxwell Road, spoke in opposition to the proposal.

Ms. Donna Shocker, 4908 Peppertree Drive, spoke in opposition to the proposal.

Mr. Tyler requested additional information regarding the sinkholes mentioned in the proposal and how they will be addressed throughout the development stage process.

Mr. Tyler questioned the proposed SP zone change request in relation to R10 zoning.

Mr. Swaggart stated that SP zoning allows design flexibility in housing types included in the plan.

Mr. Tyler expressed issues with the additional traffic and the continued development for this area.

Mr. McLean questioned the school site mentioned in the proposal.

Mr. Bernhardt stated that due to the number of students the proposed development would generate, it is Planning Department policy that the applicant must provide a school site that would be acceptable to and in accordance with School Board conditions.

Ms. Nielson acknowledged the concerns in the Antioch area, however, she stated that the plan does not give reason for disapproval.

Mr. Ponder also acknowledged the comments made by the constituents regarding overcrowded schools. He mentioned that plans are already in the make for additional school space for this district.

Ms. Jones mentioned that this proposal was only a zone change and that there would be additional time for the community to meet and work with the developer on this proposal.

Ms. Jones moved and Mr. Ponder seconded the motion to approve with conditions Zone Change 2006SP-081U-13. **(6-1)**
No Vote – Loring

Resolution No. RS2006-228

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006SP-081U-13 is **APPROVED WITH CONDITIONS. (6-1)**

Conditions of Approval:

1. Prior to third reading at Council a revised site plan shall be submitted that addresses all staff concerns.
2. As per Public Works, prior to final SP approval, the developer shall schedule a pre-study scope determination meeting with the Department of Public Works, and submit a traffic impact study for review. Developer shall comply with all conditions as identified by the traffic impact study and as determined by the Metro Traffic Engineer for improvements within the public right of way.
3. Minimum lot area for front-loaded houses shall be 6,000 square feet.
4. Sight triangle provisions shall be applicable to this development.
5. Front loaded garages must be recessed a minimum of 20 feet from the front façade of the house.
6. The plan shall designate 15% of open space as usable. Open space shall be considered usable when fronted by buildings and made assessable to pedestrians by walkways or paths.
7. Street trees are required along all public streets.
8. All parking, utilities, meter boxes, heating and cooling units and other mechanical systems shall be screened to a minimum height of 3 feet, or located from public view.
9. Landscape plan for each phase must be approved by planning staff prior to approval of any final development plan.
10. Sinkhole boundaries shall not be within any lots and shall be designated within open space.
11. A phasing plan shall be submitted prior to submittal of any final development plan.

12. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission approval, the standard Zoning Code requirements of the R6 district shall apply for the detached units and RM4 for the attached units.
13. 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.
14. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
15. Subsequent to enactment of this planned unit development overlay district by the Metropolitan Council, and prior to any consideration by the Metropolitan Planning Commission for final site development plan approval, a paper print of the final boundary plat for all property within the overlay district must be submitted, complete with owners signatures, to the Planning Commission staff for review.
16. 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.
17. 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.
18. This preliminary plan approval for the residential portion of the master plans is based upon the stated acreage. The actual number of dwelling units to be constructed may be reduced upon approval of a final site development plan if a boundary survey confirms there is less site acreage.
19. Prior to any additional development applications for this property, the applicant shall provide the Planning Department with a final corrected copy of the SP plan for filing and recording with the Davidson County Register of Deeds.
20. Due to the potential impact of this development on the public school system, the applicant is required by Planning Commission policy to offer for dedication a school site in compliance with the standards of Section 17.16.040 for elementary schools with capacity of 500 students. The land dedication requirement is proportional to the development's student generation potential. Such site shall be in accordance with the site condition and location criteria of the Metropolitan Board of Education and shall be within the Antioch High School cluster. The Board of Education may decline such dedication if it finds that a site is not needed or desired. No final plat for development of any residential uses on the site shall be approved until a school site has been dedicated to the Metro Board of Education or the Board has acted to relieve the applicant of this requirement. However, failure of the Board of Education to act prior to final plat consideration and approval by the Metropolitan Planning Commission in accordance with its schedule and requirements shall constitute a waiver of this requirement by the Board of Education.

The proposed SP district is consistent with the Antioch/Priest Lake Community Plan's Neighborhood General policy, which is intended for a variety of residential development types that are carefully arranged, not randomly located, and the Neighborhood Center policy that is intended for small, intense areas that may contain multiple functions and are intended to act as local centers of activity."

PLANNED UNIT DEVELOPMENTS

- 4. **2005P-030G-14**
 Ravenwood Community, Phase 1
 Map 085-00, Parcel 213
 Subarea 14 (2004)
 District 14 - Harold White

A request for final approval for a phase of a residential Planned Unit Development located on the north side of Stones River Road (unnumbered), approximately 590 feet northwest of Lebanon Pike, classified RS10 (20.5 acres), to permit the development of 55 single-family lots, requested by Civil Site Design Group, applicant, for FWB Investments, owners.

Staff Recommendation: Defer until technical review has been completed by Metro Stormwater

The Metropolitan Planning Commission DEFERRED Planned Unit Development to July 27, 2006, at the request of the applicant. (7-0)

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

- 5. **2006Z-069G-12**
 Map 174-00, Parcel 091, 194
 Subarea 12 (2004)
 District 32 - Sam Coleman

A request to change from AR2a to RS15 zoning on property located at 5738 Cane Ridge Road and Cane Ridge Road (unnumbered), approximately 325 feet south of Blairfield Drive (19.27 acres), requested by Dale & Associates, applicant, for James R. Kieffer, Robert L. Kieffer, and Houston E. Hill, owners.

Staff Recommendation: Approve with conditions

Staff Recommendation - Approve with conditions

APPLICANT REQUEST - A request to change 19.27 acres from agricultural and residential (AR2a) to single-family residential (RS15) zoning property located at 5738 Cane Ridge Road and Cane Ridge Road (unnumbered), approximately 325 feet south of Blairfield Drive.

Existing Zoning

AR2a district - Agricultural/residential requires a minimum lot size of 2 acres and intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per 2 acres.

Proposed 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.

SOUTHEAST COMMUNITY PLAN

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

A site plan has been submitted.

Policy Conflict? - No. The proposed RS15 district is consistent with the area’s NG policy. The plan proposes 25 single-family lots with access from Cane Springs Road in the Waterford Estates subdivision. The proposed street is a permanent cul-de-sac with double frontage lots. Staff recommends that with the concept plan application, the application provide a landscape buffer greater than the required buffer for these lots along Cane Ridge Road. A 200’ TVA easement runs through the property and the proposed Southeast Parkway, which prohibits a street connection for development. Staff recommends that the right-of-way reservation be shown for the proposed Southeast Parkway with the concept plan application. Although it does not allow for a variety of housing types as the policy suggests, the requested zoning is consistent with the surrounding zoning and is consistent with the development pattern of the adjacent subdivision.

Infrastructure Deficiency Area - This property is located within an infrastructure deficiency area for transportation and schools established by the Planning Commission in the Southeast Community Plan. Staff recommends approval with the condition that the infrastructure deficiency area language be applied during the preliminary and/or final platting stage.

This property is within Neighborhood General policy and requires 29 feet of roadway improvements per acre. This property has 19.27 acres, which requires 558.83 feet of roadway improvements.

In addition to road infrastructure deficiencies, the Southeast Community Plan notes that “inadequate school facilities in the area are also a problem in the Southeast Community.” Additional analysis of the projected student generation from this rezoning and school capacity in this area is provided below. The school board has programmed for new schools in this area.

RECENT REZONINGS 2003Z-143G-12 was approved March 22, 2004, by the Metro Council to change 5.28 acres from AR2a district to RS10 district properties on the south side of Barnes Road, just east of this property.

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

Maximum Uses in Existing Zoning District: AR2a

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached(210)	19.27	0.5	10	96	8	11

Maximum Uses in Proposed Zoning District: RS15

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	19.27	2.47	48	530	44	56

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--			+38	434	36	45

METRO SCHOOL BOARD REPORT

Projected student generation 6 Elementary 5 Middle 4 High

Schools Over/Under Capacity - Students would attend Maxwell Elementary School, Antioch Middle School, or Antioch High School. Antioch High School has been identified as being over capacity by the Metro School Board, but Glencliff is an adjacent cluster with capacity. New elementary and middle schools are under construction on a property located along Pettus Road, and there is a land acquisition underway for a new high school near I-24 and Old Hickory Boulevard. This information is based upon data from the school board last updated February 2006.

CONDITIONS

1. With the submittal of any subdivision application, the infrastructure deficiency language will be applied, which requires 558.83 feet of roadway improvements in the area.
2. With the concept plan, a landscape buffer greater than the required buffer should be shown for the lots along Cane Ridge Road.
3. The right of way reservation should be shown for the Southeast Parkway with the concept plan.

Ms. Hammond announced that this item was pulled from the Consent Agenda by Councilmember Coleman in order for the applicant, Mr. Roy Dale to make an announcement.

Mr. Roy Dale, Dale and Associates, announced that there would be a community meeting on this subdivision, possibly at the Cane Ridge Community Center, prior to the proposal proceeding to the Council Public Hearing.

Ms. Hammond explained that the recommendation from the staff on the original consent agenda item was approval with conditions.

Ms. Nielson moved, and Mr. Ponder seconded the motion, to approve with conditions Zone Change 2006Z-069G-12. **(6-1)**
No Vote – Loring

Resolution No. RS2006-229

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006Z-069G-12 is **APPROVED WITH CONDITIONS. (6-1)**

Conditions of Approval:

1. With the submittal of any subdivision application, the infrastructure deficiency language will be applied, which requires 558.83 feet of roadway improvements in the area.
2. With the concept plan, a landscape buffer greater than the required buffer should be shown for the lots along Cane Ridge Road.
3. The right of way reservation should be shown for the Southeast Parkway with the concept plan.

The proposed RS15 district is consistent the Southeast Community Plan’s Neighborhood General policy, which is intended for a variety of residential development types that are carefully arranged, not randomly located.”

-
6. **2006Z-101U-13**
Map 163-00, Parcel 302
Subarea 13 (2003)
District 33 - David Briley

A request to change from AR2a to SCR zoning on property located at 5319 Mt. View Road, at the southeastern corner of Bell Road and Mt. View Road (12.88 acres), and located within a Planned Unit Development District, requested by CEI Engineering Associates, applicant, for Hickory Hollow Associates LLC, owner. (See also Proposal No. 79-81-G-13).

Staff Recommendation: Approve

The Metropolitan Planning Commission DEFERRED Zone Change 2006Z-101U-13 to July 27, 2006, at the request of the applicant. (7-0)

-
7. **79-81-G-13**
Bell Forge Commercial
Map 163-00, Parcel 302-00
Subarea 13 (2003)
District 33 - David Briley

A request to amend the preliminary plan for a Commercial Planned Unit Development district, located at the northwest intersection of Bell Road and Mt. View Road, zoned AR2a and proposed for SCR (12.88 acres), to permit the development of a fuel center with five pumps and a 266 square foot kiosk to be constructed within the existing parking lot, requested by CEI Engineering, applicant for Hickory Hollow Associates, LLC, owner.

Staff Recommendation: Approve with conditions

The Metropolitan Planning Commission DEFERRED Planned Unit Development 79-81-G-13 to July 27, 2006, at the request of the applicant. (7-0)

8. **2006Z-102U-11**
Map 105-04, Parcel 172
Map 105-04, Parcel 377
Subarea 11 (1999)
District 17- Ronnie E. Greer

A request to change from IWD to MUL zoning on property located at 1243 Lewis Street and Lewis Street (unnumbered), approximately 275 feet south of N. Hill Street (.27 acres), requested by Nashville Restoration Project Inc., applicant, for Pluto Properties LLC & Saunders Company of North Florida, owners.

Staff Recommendation: Approve

The Metropolitan Planning Commission DEFERRED Zone Change 2006Z-102U-11 to August 10, 2006, at the request of the applicant. (7-0)

9. **2006Z-104U-08**
Map 092-11, Parcel 025, 027.01
Map 092-07, Part of Parcel 341
Subarea 8 (2002)
District 21 - Edward Whitmore

A request to change from OR20 to IR zoning on properties located at 2106 Clifton Avenue and 21st Avenue North (unnumbered), near the intersection of Clifton Avenue and 21st Avenue North (1.28 acres), requested by Ed Stevens, applicant, for Kimbro Equities, owner.

Staff Recommendation: Disapprove

APPLICANT REQUEST - A request to change 1.28 acres from office and residential (OR20) to industrial restrictive (IR) zoning properties located at 2106 Clifton Avenue and 21st Avenue North (unnumbered), near the intersection of Clifton Avenue and 21st Avenue North.

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

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

NORTH NASHVILLE COMMUNITY PLAN

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

NU is intended for fairly intense, expansive areas that are intended to contain a significant amount of residential development, but are planned to be mixed use in character. Predominant uses in these areas include a variety of housing, public benefit uses, commercial activities and mixed-use development. An accompanying Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

Policy Conflict? - Yes. The proposed IR zoning district is not consistent with the area's policy. Industrial uses do not meet the intent of the policy and an industrial zoning would not be consistent with the existing zoning pattern along this street. Although there is an existing industrial structure on the site, the surrounding area is moving towards office uses, predominantly medical offices.

RECENT REZONINGS Parcels 26 and 27 adjacent to this property was approved by the Commission for OR40 zoning in April 2006. This zoning request is before the Council for public hearing on July 6, 2006.

PUBLIC WORKS RECOMMENDATION - No Exception Taken.

Typical Uses in Existing Zoning District: OR20

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	1.28	0.271	15,110	312	42	96

Typical Uses in Proposed Zoning District: IR

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Light Industrial(110)	1.28	0.351	19,571	137	19	20

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
--	1.28		+4,460	-175	-23	-76

Maximum Uses in Existing Zoning District: OR20

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Walk in Bank (912)	1.28	0.08*	4,460	1,100	56	205

*Adjusted as per use

Maximum Uses in Proposed Zoning District: IR

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Light Industrial (110)	1.28	0.6	33,454	234	31	33

*Adjusted as per use

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				-866	-25	-172

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

Mr. Ed Stevens, 1740 Ed Temple Blvd., spoke in favor of the proposal.

Mr. Loring stated he was in favor of approving the request. He mentioned that the proposed request is consistent with the neighborhood.

Ms. Jones acknowledged the possible intentions of change for this area. She suggested other alternatives that could be utilized for this area.

Mr. Ponder also acknowledged the other alternatives and spoke in support of staff's recommendation.

Mr. McLean stated that this area should remain under the current policy and that he was in support of staff's recommendation.

Mr. Tyler stated he was in favor of staff's recommendation.

Mr. McLean moved and Ms. Jones seconded the motion to disapprove Zone Change 2006Z-104U-08. **(6-1) No Vote - Loring**

Resolution No. RS2006-230

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006Z-104U-08 is **DISAPPROVED. (6-1)**

The proposed IR district is not consistent with the North Nashville Community Plan's Mixed Use in Neighborhood Urban policy. Mixed Use is intended for buildings that are mixed horizontally and vertically. The latter is preferable in creating a more pedestrian-oriented streetscape. This category allows residential as well as commercial uses. Vertically mixed-use buildings are encouraged to have shopping activities at street level and/or residential above. Neighborhood Urban is intended for fairly intense, expansive areas that are intended to contain a significant amount of residential development, but are planned to be mixed use in character. Predominant uses in these areas include a variety of housing, public benefit uses, commercial activities and mixed-use development.”

- 10. 2006SP-105U-07**
H & M Motors
Map 105-07, Parcel 407
Subarea 7 (2000)
District 17 - Ronnie E. Greer

A request to change from CS to SP zoning to permit "Automobile Sales Used", "Automobile Services", and all other uses allowed in the CS district, on property located at 1517 4th Avenue South, at the corner of 4th Avenue South and Mallory Street (.44 acres), requested by Tony Sarmadi, applicant, for Charles Cantrell, owner.

Staff Recommendation: Approve with conditions

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

Mr. Ray Galbreth spoke in favor of the proposal.

Mr. Charles Cantrell, owner, spoke in favor of the proposal.

Councilmember Greer requested additional clarification on the base zoning that would be used for this proposal.

Mr. Bernhardt explained this concept to Councilmember Greer.

Councilmember Greer requested that this proposal be deferred to allow the opportunity for the community to meet and review the request with the developer.

Mr. McLean requested additional information on landscaping and how it would be addressed in this proposal.

Mr. Bernhardt explained that staff was unable to review the landscaping with the developer prior to the meeting and that it would be addressed prior to final approval.

Mr. McLean moved and Mr. Loring seconded the motion, which passed unanimously to defer Zone Change 2006SP-105U-13 until August 10, 2006. **(7-0)**

Resolution No. RS2006-231

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006SP-105U-07 is **DEFERRED TO THE AUGUST 10, 2006, PLANNING COMMISSION MEETING. (7-0)**”

The Commission recessed at 5:30 p.m.

The Commission resumed at 5:50 p.m.

- 11. 2006Z-106G-14**
 Map 098-00, Parcel 159
 Subarea 14 (2004)
 District 12 - Jim Gotto

A request to change from AR2a to RS15 zoning on property located at Earhart Road (unnumbered), approximately 2,000 feet north of John Hager Road (6.88 acres), requested by Dan Liles, applicant, for Chad I. Pearman Trustee, owner.

Staff Recommendation: Approve

APPLICANT REQUEST - A request to change 6.88 acres from agricultural and residential (AR2a) to residential single-family (RS15) zoning property located at Earhart Road (unnumbered), approximately 2,000 feet north of John Hager Road.

Existing Zoning

AR2a district - Agricultural/residential requires a minimum lot size of 2 acres and intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per 2 acres.

Proposed 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.

DONELSON/HERMITAGE/OLD HICKORY COMMUNITY PLAN

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

Policy Conflict? -No. The proposed RS15 zoning district is consistent with the area’s RLM policy. It is also consistent with the area’s zoning pattern with RS15 zoning to the north, east, and west of the property. There is a Planned Unit Development approved to the south that is zoned R15.

Due to the physical constraints of Earhart Road, access will be reviewed in greater detail with the submittal of a subdivision plat. A stub street was proposed to this property from the adjacent Planned Unit Development (PUD) to the south.

RECENT REZONINGS - The Commission approved the re-referred Council bill for the zone change and PUD (Bridewater—parcel 034) to the south of this proposed rezoning. Metro Council approved the zone change and PUD in December 2004.

PUBLIC WORKS RECOMMENDATION - No Exception Taken.

Typical Uses in Existing Zoning District: AR2a

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	6.88	0.5	3	29	3	4

Typical Uses in Proposed Zoning District: RS15

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	6.88	2.47	17	163	13	18

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
--			+14	134	10	14

METRO SCHOOL BOARD REPORT

Projected student generation 2 Elementary 1 Middle 1 High

Schools Over/Under Capacity - Students would attend Ruby Major Elementary School, Donelson Middle School, or McGavock High School. Donelson and McGavock been identified as being over capacity by the Metro School Board. There is another middle school with capacity within the cluster. There is also capacity at an adjacent high school (Stratford and Glencliff). This information is based upon data from the school board last updated February 2006.

Approved, (6-0-1) *Consent Agenda*

Resolution No. RS2006-232

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006Z-106G-14 is **APPROVED. (6-0)**

The proposed RS15 district is consistent with the Donelson/Hermitage/Old Hickory Community Plan’s Residential Low Medium policy that is intended to accommodate residential development within a density range of two to four dwelling units per acre.”

12. **2006Z-107G-04**
Map 042-04, Parcel 018
Map 033-16, Parcel 143
Subarea 4 (1998)
District 10 - Rip Ryman

A request to change from RS20 and R10 to RM6 zoning on property located at 1019 Highland Circle and 1122 Apple Valley Circle, approximately 750 feet west of Hamblen Drive (5.62 acres), requested J and M Home Building, owner.

Staff Recommendation: Disapprove

APPLICANT REQUEST- A request to change from RS20 and R10 to RM6 zoning on 5.62 acres, property located at 1019 Highland Circle and 1122 Apple Valley Circle, approximately 750 feet west of Hamblen Drive.

Existing 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.

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

Proposed Zoning

RM6 district - RM6 is intended for single-family, duplex, and multi-family dwellings at a density of 9 dwelling units per acre.

SUBAREA 4 Existing 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 predominate development type is single-family homes.

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

Language from the Subarea 4 Plan - *There is an area where lots fronting on Campbell Road and Highland Circle are considerably larger than those to the west. These lots are so large that future resubdivision is likely over time, and they are intended to be part of RM area 6B. Care should be taken when making zoning and subdivision decisions in this area to create and maintain a stable boundary between the two different patterns.*

Policy Conflict? -Yes. Although the density of the RM6 zoning district falls within the density prescribed in the Residential Medium Policy, the text of the plan specifically calls for application of new zoning that is sensitive to the

transition between the low density, large lot single-family pattern to the west and the largely undeveloped residential medium land use policy to the east. The associated Planned Unit Development application introduces an inconsistent development form into the area that does nothing to establish a sensitive transition for large lot development pattern to the west.

METRO SCHOOL BOARD REPORT

Projected student generation 4 Elementary 3 Middle 2 High

Schools Over/Under Capacity -Students would attend Old Center Elementary School, Brick Church Middle School, or Hunters Lane High School. Brick Church Middle School and Hunters Lane High School have been identified as being over capacity by the Metro School Board. There is capacity at a middle school within the cluster. There is high school capacity in the adjacent Whites Creek and Maplewood clusters. This information is based upon data from the school board last updated February 2006.

PUBLIC WORKS RECOMMENDATION - See PUD 2006P-009G-04 for comments.

Typical Uses in Existing Zoning District: RS20 and R10

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family and two family (210)	5.62	1.85	10	96	8	11

Typical Uses in Proposed Zoning District: RM6

Land Use (ITE Code)	Acres	Density	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Res. Condo/Townhome (230)	5.62	6	34	257	22	25

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
--			+24	161	14	14

[NOTE: Items #12 and #13 were discussed by The Metropolitan Planning Commission together. See item #13 for actions and resolutions.]

- 13. **2006P-009G-04**
 Highland Condos
 Map 042-040, Parcel 018-00
 Map 033-160, Parcel 143-00
 Subarea 4 (1998)
 District 10 - Rip Ryman

A request for preliminary approval of a Residential Planned Unit Development district located at 1019 Highland Circle and 1122 Apple Valley Road, zoned RS20 and proposed for RM6, (5.62 acres) to permit the development of 31 multi-family units, requested by Dale and Associates, applicant for J and M Home Building, owner.

Staff Recommendation: Disapprove

APPLICANT REQUEST -Preliminary PUD -A request for preliminary approval of a Residential Planned Unit Development district located at 1019 Highland Circle and 1122 Apple Valley Road, (5.62 acres) to permit the development of 31 multi-family units.

PLAN DETAILS -This application proposes 31 multi-family units that are attached in blocks or 3 to 4 units. They are laid out in a linear fashion on a private driveway connecting Highland Circle and Apple Valley Road. This design creates a wall of garages facing the driveway on both sides with cars parked in front of the units and often blocking the sidewalks. A more appropriate design would place the driveways behind the units and reduce the number of curb cuts on the main private drive and create a sense of place through a well designed central green space.

This development does not provide any stub streets. A stub street is needed on the eastern side of the property as it is likely that the approval of this project will set a precedent for the development of higher intensity development in the area.

Staff recommendation -Staff recommends disapproval of this plan because it does not meet intent of the community plan to provide an appropriate transition between the large single family lots to the west nor does it integrate with the existing neighborhood character and pattern of development. An appropriate transition in this area would be a thoughtfully arranged single-family detached cottage style development.

PUBLIC WORKS RECOMMENDATION -Revise and Resubmit

1. Public Works' design standards, including cross-sections, geometry, and off-site improvements, shall be met prior to approval of roadway or site construction plans.
2. Final design improvements may vary based on field conditions.
3. Streets to be per ST-251
4. Private street connection to two public streets is not recommended. It is suggested that project access at Highland Circle be eliminated due to inadequate site distance, and an adequate turnaround be provided, or make street public and submit plans for mitigation of sight distance at Highland Circle prior to preparation of construction plans. Also show centrally located stub-street to the east.

STORMWATER RECOMMENDATION -Approved Except As Noted. Add Preliminary Note: "This drawing is for illustration purposes to indicate the basic premise of the development. The final lot count and details of the plan shall be governed by the appropriate regulations at the time of final application."

FIRE MARSHAL

1. Fire Hydrants should flow at least 1250 GPM's at 40 psi.
2. No part of any building shall be more than 500 feet from a fire hydrant via and approved hard surface road. *Metro Ordinance 095-1541 Sec: 1568.020 B.*
3. One-way traffic shall be 14 feet wide minimum.

CONDITIONS (if approved)

1. The proposed street must be built to public standards and dedicated as public right-of-way.
2. 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.
3. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Section of the Metropolitan Department of Public Works for improvements within the public right of way.
4. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
5. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and fire flow water supply during construction must be met prior to approval of any final plat or the issuance of any building permits.
6. This preliminary plan approval of the proposed master plan is based upon the stated acreage. The actual number of dwelling units to be constructed may be reduced upon approval of a final site development plan if a boundary survey determines there is less site acreage.

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

Councilmember Ryman explained that he has held one community meeting regarding this proposal and that he would be holding another meeting prior to the Council Public Hearing. He also mentioned that he has sent out questionnaires to constituents that would be affected by the development and that he has not yet received all of this information. He stated that he was at the meeting to hear what the constituents had to say about the proposal and he wanted to hear the deliberations of the Commission.

Mr. Hal Gibbs, 1113 Apple Valley, spoke in favor of the proposal.

Mr. Don Mayberry, 1023 Highland Circle, spoke in opposition to the proposal.

Mr. George Driver, 1114 Apple Valley, spoke in favor of the proposal.

Ms. Donna Smith, Primm Drive, spoke in opposition to the proposal.

Mr. Lee Wall, 854 Wren Road, spoke in favor of the proposal.

Ms. Nielson stated she agreed with staff's recommendation.

Mr. McLean agreed with staff's recommendation, in specific, with the design standards.

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

Mr. Ponder moved and Ms. Jones seconded the motion, which passed unanimously, to disapprove Zone Change 2006Z-107G-04 and Planned Unit Development 2006P-009G-04. **(7-0)**

Resolution No. RS2006-233

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006Z-107G-04 is **DISAPPROVED. (7-0)**

The requested RM6 district is not consistent with the Subarea 4 Community Plan’s Residential Low and Residential Medium policies that are for residential developments within a density range of 2-9 dwelling units per acre because it is not consistent with policy text that specifically calls for any zone change to be sensitive to the transition between the low density, large lot single-family pattern to the west and the largely undeveloped residential medium land use policy to the east. The associated Planned Unit Development is not consistent with this requirement.”

Resolution No. RS2006-234

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006P-009G-04 is **DISAPPROVED. (7-0)**”

- 14. 2006Z-110G-06**
Map 114-00, Parcel 099
Subarea 6 (2003)
District 22 - Eric Crafton

A request to change from R20 to RM6 zoning on property located at Sawyer Brown Road (unnumbered), located immediately south of I-40 (7.88 acres), requested by Brian Burns, applicant, for Fred Williams et ux, owners.

Staff Recommendation: Approve

APPLICANT REQUEST -A request to rezone approximately 7.88 acres from single-family residential and duplex (R20) to single-family multi-family residential, and duplex (RM6) on property located on the west side of Sawyer Brown Road, and east of I-40.

Existing Zoning

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

Proposed Zoning

RM6 district - RM6 is intended for single-family, duplex, and multi-family dwellings at a density of 6 dwelling units per acre.

BELLEVUE COMMUNITY PLAN POLICY

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

Policy Conflict - No. While the requested zoning district exceeds the recommended density range for the area’s Residential Low Medium policy, the proposed density with the associated PUD is only 3.8 units per acre. Staff recommends that the request be approved because the associated PUD proposes a density that is consistent with the Residential Low Medium policy.

RECENT REZONINGS - None

PUBLIC WORKS RECOMMENDATION - No exceptions taken

Typical Uses in Existing Zoning District: R20

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family and two family (210)	7.88	1.85	15	144	12	16

Typical Uses in Proposed Zoning District: RM6

Land Use (ITE Code)	Acres	Density	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Res. Condo/Townhome (230)	7.88	6	47	338	29	33

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--			+32	194	17	17

METRO SCHOOL BOARD REPORT

Projected student generation 2Elementary 1Middle 1High

Schools Over/Under Capacity - Students would attend Gower Elementary School, Hill Middle School, and Hillwood High School. All three schools are listed as having capacity. This information is based upon data from the school board last updated February 2006.

[NOTE: Items #14 and #15 were discussed by The Metropolitan Planning Commission together. See item #15 for actions and resolutions.]

15. **2006P-011G-06**
Cedar Place Townhomes
Map 114-00, Parcel 099-00
Subarea 6 (2003)
District 22 - Eric Crafton

A request for preliminary approval of a Residential Planned Unit Development district, located on the west side of Sawyer Brown Road (unnumbered), zoned R20 and proposed for RM6 (7.88 acres), to allow for the development of 30 townhomes, requested by Dale and Associates, applicant for Fred Williams, owner.

Staff Recommendation: Approve with conditions

APPLICANT REQUEST -Preliminary PUD

A request for preliminary approval of a residential Planned Unit Development to be located on the west side of Sawyer Brown Road, and east of I-40, (7.8 acres) for the development of 30 townhomes.

PLAN DETAILS - The plan proposes 30 townhomes on approximately 7.8 acres with an overall density of 3.8 units per acre. The units will be accessed from Sawyer Brown Road by private drives. The units along Sawyer Brown Road (units 13-27) will front on Sawyer Brown while the internal units (units 1-12, and 28-30) will front internal private drives.

Environmental - The property is bisected by a small unnamed stream, and as proposed the stream must be crossed to allow for access to the rear of the property. Prior to approval of the final development plan, a variance for the proposed stream crossing must be obtained from the Stormwater Appeals Committee.

Staff Recommendation - Staff recommends that this request be approved with conditions.

PUBLIC WORKS RECOMMENDATION -Approve as noted:

1. All Public Works' design standards shall be met prior to any final approvals and permit issuance. Any approval is subject to Public Works' approval of the construction plans.
2. Adequate sight distance shall be provided at the project entrance for the posted speed limit per AASHTO standards.
3. Public sidewalk to be located within public right of way.

STORMWATER RECOMMENDATION

1. Add correct preliminary note: "This drawing is for illustration purposes to indicate the basic premise of the development. The final lot count and details of the plan shall be governed by the appropriate regulations at the time of final application."
2. Add buffer note: "The buffer along waterways will be an area where the surface is left in a natural state, and is not disturbed by construction activity. This is in accordance with the Stormwater Management Manual Volume 1 – Regulations."
3. Correct the North Arrow location.
4. If required, more space may be needed for the allocation of a detention pond.

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
2. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Section of the Metropolitan Department of Public Works for improvements within the public right of way.
3. Subsequent to enactment of this planned unit development overlay district by the Metropolitan Council, and prior to any consideration by the Metropolitan Planning Commission for final site development plan approval, a paper print of the final boundary plat for all property within the overlay district must be submitted, complete with owners signatures, to the Planning Commission staff for review.

4. 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.
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.
6. This preliminary plan approval for the residential portion of the master plans is based upon the stated acreage. The actual number of dwelling units to be constructed may be reduced upon approval of a final site development plan if a boundary survey confirms there is less site acreage.

Mr. Swaggart presented and stated that staff is recommending approval of zone change 2006Z-110G-06 as well as approval with conditions on the planned unit development 2006P-011G-06.

Ms. Elina Kushmanyman, 604 Williamsport Court, spoke in opposition to the proposal. She presented photos for the record.

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

Mr. Vlad Kushmanyman, 604 Williamsport Court, spoke in opposition to the proposal.

Mr. Ponder stated the plan meets all of the criteria and he is in favor of staff's recommendation.

Ms. Jones stated there were no grounds for disapproving the proposal.

Ms. Nielson moved and Mr. McLean seconded the motion, which passed unanimously, to approve Zone Change 2006Z-110G-06 as well as approve with conditions Planned Unit Development 2006P-011G-06. (7-0)

Resolution No. RS2006-235

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006Z-110G-06 is **APPROVED. (7-0)**

While the proposed RM6 district is not consistent with the Bellevue Community Plan's Residential Low Medium policy that is intended to accommodate residential development within a density range of two to four dwelling units per acre, the associated PUD plan is consistent with the areas policy.”

Resolution No. RS2006-236

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006P-011G-06 is **APPROVED. (7-0)**

16. **2006Z-111U-12**
 Map171-00, Parcels 002, 004, 005, 015, 098, 107, 111, 130
 Subarea 10 (2005)
 Districts 31 - Parker Toler and 34 Lynn Williams

A request to change from CS to MUL zoning on properties bounded by Old Hickory Boulevard, Franklin Pike, Wilson Pike, and Frierson Street (7.38 acres), requested by the Metro Planning Department, applicant, for Franklin & Old Hickory LLC et al, Investors Towne Center Partners L.P., Madge Iris Formosa Trust, Brentwood Broadwalk LLC, Brentwood Office Building LLC, United States Postal Service, B. F. Maxey Jr. et ux, B. F. and Linda L. Maxey, owners. (See also UDO Proposal No. 2006-001U-10).

Staff Recommendation: Approve with associated Brentwood Town Center UDO

Staff Recommendation - *Approve with associated Brentwood Town Center UDO.*

APPLICANT REQUEST- A request to change from commercial services (CS) to mixed use limited (MUL) zoning on 7.38 acres, property located at 799 Old Hickory Boulevard, 100 and 101 Franklin Pike, 8000 and 8011 Brooks Chapel Road, 116 Wilson Pike Circle, 130 Frierson Street and Frierson Street (unnumbered), bounded by Old Hickory Boulevard, Franklin Pike, Wilson Pike, and Frierson Street.

Existing Zoning

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

Proposed Zoning

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

**SOUTHEAST COMMUNITY PLAN POLICY and GREEN HILLS/MIDTOWN COMMUNITY PLAN POLICY
*Design Plan***

Commercial Mixed Concentration -CMC policy is intended to include Medium High to High density residential, all types of retail trade (except regional shopping malls), highway-oriented commercial services, offices, and research activities and other appropriate uses with these locational characteristics.

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

Policy Conflict? - No. The UDO is in compliance with the Office Concentration and Commercial Mixed Concentration policies of both Community Plan's.

RECENT REZONINGS - None.

PUBLIC WORKS RECOMMENDATION - Traffic studies may be required as properties develop.

METRO SCHOOL BOARD REPORT

Projected student generation* 7 Elementary 5 Middle 5 High

Schools Over/Under Capacity -Students would attend Percy Priest or Granberry Elementary School, Moore Middle School, or Hillsboro or Overton High School. Moore Middle School has been identified as being overcapacity but there is capacity at another middle school within the cluster. This information is based upon data from the school board last updated February 2006.

*Generated numbers based on the 1200 square foot units.

Approved with associated Brentwood Town Center UDO, (6-0-1) *Consent Agenda*

Resolution No. RS2006-237

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006Z-111U-12 is **APPROVED WITH CONDITIONS.** (7-0)

The proposed MUL district and associated UDO is consistent with the Southeast Community Plan's, and the Green Hills/ Midtown Community Plan's Commercial Mixed Concentration and policy that is intended to include Medium High to High density residential, all types of retail trade (except regional shopping malls), highway-oriented commercial services, offices, and research activities and other appropriate uses with these locational characteristics, and the Office Concentration policy that is intended for existing and future large concentrations of office development.”

17. **2006UD-001U-12**
Metro Brentwood Town Center UDO
Map 171, Parcel 002, 004, 005, 015, 098, 107, 111, 130
Subarea 12 (2004)
District 31 - Parker Toler and 34 Lynn Williams

A request to apply an Urban Design Overlay zoning district to properties located at 799 Old Hickory Boulevard, 100 and 101 Franklin Pike, 8000 and 8011 Brooks Chapel Road, 116 Wilson Pike Circle, 130 Frierson Street and Frierson Street (unnumbered), south of Old Hickory Boulevard, and east of Interstate 65 (7.38 acres), to establish uniform design standards to support a pedestrian oriented town center, requested by the Metropolitan Planning Department, applicant for Brentwood Office Building, LLC, U.S. Postal Service, Maxey, B.F., et ux., Investors Towne Center Partners, L.P., Madge Iris Formosa Trust, and Brentwood Boardwalk, LLC, owners.

Staff Recommendation: Approve with conditions

APPLICANT REQUEST - Preliminary UDO

A request to apply an Urban Design Overlay zoning district to properties located at 799 Old Hickory Boulevard, 100 and 101 Franklin Pike, 8000 and 8011 Brooks Chapel Road, 116 Wilson Pike Circle, 130 Frierson Street and Frierson Street (unnumbered), south of Old Hickory Boulevard, and east of Interstate 65 (7.38 acres), to establish uniform design standards to support a pedestrian oriented town center.

PRELIMINARY PLAN DETAILS

Background - The Metro Planning Department has been working with Hawkins Partners, the consultant team for the City of Brentwood, to create a UDO for the Brentwood Town Center. This is in response to the newly adopted C-4 zoning district within the City of Brentwood. The C-4 zoning district encourages the creation of a pedestrian friendly town center. The UDO allows for the eight parcels within Metro Nashville to develop in accordance to the standards established in the C-4 zoning district.

Overall Site Design - The plan has been designed to provide a seamless transition from the eight properties within Metro Nashville to the properties in the newly adopted C4-Zoning District within the City of Brentwood. The plan looks at all the properties as if they were under a single ownership, and suggests ways they may be consolidated in order to achieve the overall vision of the community.

Goals and Objectives - The goals and objectives for this overlay were developed by the consultant team, Hawkins Partners, and served as a guide in the development of the concept plan.

Concept Plan-The concept plan utilizes the existing street network to implement the following design principles established during the planning process:

1. Provide a building type that allows for a mixture of uses.
2. Buildings must address the street
3. Provide street trees and amenities to promote a safe and comfortable walking environment.
4. Locate parking to the rear or side of buildings and encourage parallel parking.
5. Provide appropriate massing and entrances to buildings located on corners.

Bulk Regulations - The following bulk regulations will be applied to all new development and any additions or modifications in excess of 25% of the gross floor area of existing development:

Building Heights

Minimum: 2 stories

Maximum: 4 stories, or 56', excluding mechanical and elevator penthouse enclosures.

Floor Area Ratio

Maximum without incentives: .60

Maximum with incentives: .75

Setbacks

Front: Build to line 3'-12' behind public sidewalk, except for Franklin Road which is 8'-12' behind public sidewalk.

Side: 0' min.

Rear: 10' min.

Encroachments

* **Awning:** 3' into front build to line.

* **Balcony:** 3' into front build to line.

* (Encroachments into public right of way are subject to Metro Public Works Mandatory Referral process.)

Parking

Requirements: Per Section 17.20.030, Reduced by 30% for development that provides a mix of retail, office, and residential uses with a minimum of 20% of each comprising the overall development square footage.

Location: Structured; Underground; Behind or the side of buildings.

Landscape/ Streetscape Standards - The UDO creates standards for the type and placement of street trees and tree grates. It also establishes standards for the location and type of street furniture within the UDO boundary. The standards meet the minimum requirements established by the ADA.

Signage - Signage standards determine the size, type and placement of business advertising within the UDO. Freestanding monument signs or pole signs shall not be permitted.

Architectural Standards - Architectural Standards will apply to all new development within the Brentwood Town Center UDO. The standards specify permitted materials and details for exterior walls, roofing, window and door openings, awnings, and balconies.

PUBLIC WORKS RECOMMENDATION - Traffic studies may be required as properties develop.

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.

STORMWATER RECOMMENDATION -Construction drawings must be approved prior to any construction activities.

CONDITIONS

1. The first floor wall of all buildings facing a public right-of-way shall have a minimum glazing of 60%. The second floor wall of all buildings facing a public right of way shall have a minimum glazing of 40%.
2. 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.
3. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Section of the Metropolitan Department of Public Works for improvements in the public right of way.
4. Subsequent to enactment of this urban design overlay district by the Metropolitan Council, and prior to any consideration by the Metropolitan Planning Commission for final site development plan approval, a paper print of the final boundary plat for all property within the overlay district must be submitted, complete with owners signatures, to the Planning Commission staff for review.
5. This approval does not include any signs. The Planning Commission shall review and approval all signage.
6. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees.
7. This preliminary plan approval for the residential portion of the master plans is based upon the stated acreage. The actual number of dwelling units to be constructed may be reduced upon approval of a final site development plan if a boundary survey confirms there is less site acreage.
8. These preliminary UDO plans must comply with the urban design conditions and comments of Planning Department staff, as noted above. All such standards must be explicitly noted on the preliminary UDO plans.
9. These preliminary UDO plans must comply with Public Works' requirements of approval, as noted above.

10. These preliminary UDO plans must comply with Stormwater Division of Metro Water Services conditions of approval, as noted above.
11. The applicant must submit a landscaping plan prior to the submittal of the final UDO plans. All urban street trees must be consistent with Metro urban forester standards, and landscaping plan must meet the minimum requirements as shown on the preliminary UDO plans, as well as those standards as specified above.
12. Prior to any additional development applications for this property, the applicant shall submit to the Planning Department a corrected version of the UDO for filing.

Approved with conditions, (6-0-1) *Consent Agenda*

Resolution No. RS2006-238

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006UD-001U-12 is **APPROVED WITH CONDITIONS. Revise condition #1 to read, “The first floor of all buildings facing a public right-of-way shall have a minimum glazing of 40%. The second floor wall of all buildings facing a public right-of-way shall have a minimum glazing of 25%. (7-0)**

Conditions of Approval:

1. ~~The first floor wall of all buildings facing a public right of way shall have a minimum glazing of 60%. The second floor wall of all buildings facing a public right of way shall have a minimum glazing of 40%.~~
The first floor of all buildings facing a public right-of-way shall have a minimum glazing of 40%. The second floor wall of all buildings facing a public right-of-way shall have a minimum glazing of 25%.
2. 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.
3. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Section of the Metropolitan Department of Public Works for improvements in the public right of way.
4. Subsequent to enactment of this urban design overlay district by the Metropolitan Council, and prior to any consideration by the Metropolitan Planning Commission for final site development plan approval, a paper print of the final boundary plat for all property within the overlay district must be submitted, complete with owners signatures, to the Planning Commission staff for review.
5. This approval does not include any signs. The Planning Commission shall review and approval all signage.
6. The requirements of the Metropolitan Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees.
7. This preliminary plan approval for the residential portion of the master plans is based upon the stated acreage. The actual number of dwelling units to be constructed may be reduced upon approval of a final site development plan if a boundary survey confirms there is less site acreage.
8. These preliminary UDO plans must comply with the urban design conditions and comments of Planning Department staff, as noted above. All such standards must be explicitly noted on the preliminary UDO plans.
9. These preliminary UDO plans must comply with Public Works’ requirements of approval, as noted above.
10. These preliminary UDO plans must comply with Stormwater Division of Metro Water Services conditions of approval, as noted above.
11. The applicant must submit a landscaping plan prior to the submittal of the final UDO plans. All urban street trees must be consistent with Metro urban forester standards, and landscaping plan must meet the minimum requirements as shown on the preliminary UDO plans, as well as those standards as specified above.

12. Prior to any additional development applications for this property, the applicant shall submit to the Planning Department a corrected version of the UDO for filing.

The proposed Urban Design Overlay district is consistent with the Southeast Community Plan’s, and the Green Hills/ Midtown Community Plan’s Commercial Mixed Concentration policy that is intended to include Medium High to High density residential, all types of retail trade (except regional shopping malls), highway-oriented commercial services, offices, and research activities and other appropriate uses with these locational characteristics, and the Office Concentration policy that is intended for existing and future large concentrations of office development.”

18. **2006SP-112G-12**
Carter Property
Map180-00, Parcel Part of 052
Subarea 12 (2004)
District 31 - Parker Toler

A request to change from AR2a to SP zoning on property located at 6419 Pettus Road, at the end of Autumn Crossing Way (28.99 acres), to permit 61 single-family lots and 45 multi-family units, requested by Centex Homes, applicant, for William Robert Carter and James Phillip Carter, owners.

Staff Recommendation: Defer until the Fire Marshal’s comments are addressed

APPLICANT REQUEST - A request to change 28.99 acres from agricultural and residential (AR2a) to Specific Plan (SP) zoning to permit 61 single-family homes and 45 multi-family units, property located at 6419 Pettus Road, at the end of Autumn Crossing Way.

Existing Zoning

AR2a district - Agricultural/residential requires a minimum lot size of 2 acres and intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per 2 acres.

Proposed Zoning

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

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

SOUTHEAST COMMUNITY PLAN

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

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

Policy Conflict - No. The proposed SP district is consistent with the area’s RLM and RM policies. The proposed development is also consistent with the surrounding development pattern.

Plan Details - The plan proposes 61 single-family lots from an existing stub street in the adjacent Autumn Oaks subdivision (Autumn Crossing Way). Forty-five multi-family units are proposed off of an existing driveway approved in the Hills of Concord Place development. There are four phases proposed with this development.

Although an SP, the plan is consistent with the cluster lot provisions of the Zoning Code for the single-family portion. These lots are consistent with the RS15 zoning district and are clustered down two base zoning districts. The lots range in size from 7,700 square feet to 16,300 square feet. There is 26.4% open space provided, which exceeds the typical open space requirement of 15%. Useable open space is also provided within the subdivision. The multi-family units section of the plan is proposed at approximately 9 dwelling units per acre.

There are 3 critical lots proposed, however, it appears that these lots have 20% or greater slope areas within the lots. Although the SP district allows for greater flexibility with the variation of lot sizes, staff recommends that these lots be reconfigured or removed to avoid the 20% or greater slope areas out of the lots.

Landscape buffer yards are proposed around the perimeter of the site and between the single-family and multi-family units. The existing trees will be used for the landscape buffer yard requirement.

Design Standards - Staff recommends that several design standards be included as conditions to help this new development blend with the existing development in the area:

1. Minimum raised foundation of 1.5 ft.
2. Building walls shall be finished in brick, stone, fiber cement siding, shingles, stucco or vinyl siding. Vinyl siding may not be used on the front façade of any building.

Infrastructure Deficiency Area - This property is located within an infrastructure deficiency area for transportation established by the Planning Commission in the Southeast Community Plan. Therefore, staff recommends approval with the condition that the infrastructure deficiency area requirements be applied at this stage. Metro Public Works is to make the determination of the location of the improvements prior to final SP approval.

This property is located within the RLM policy and would require 13 linear feet per acre of roadway improvements. There is also RM policy, which would require 27 linear feet per acre of roadway improvements. There is approximately 24.30 acres within RLM policy and approximately 4.69 acres in RM policy. A total of 443 linear feet of roadway improvements is required.

RECENT REZONINGS The Mill Creek Towne Center (formerly Legg Development) PUD/zone change (parcels to the south) to RM9 and SCC were approved by Metro Council in July 2004. The Commission approved the PUD/zone change in May 2004.

FIRE MARSHAL RECOMMENDATION - Not approved.

1. Fire Hydrants should flow at least 1,250 GPM's @ 40 psi residual at the most remote fire hydrant.
2. Need water flow information from project Engineer.

STORMWATER RECOMMENDATION- Approved except as Noted.

1. Southern detention / water quality system must reside within platted area or within same property owner.
2. 40 acre drain buffer must be shown (north east corner of site).

PUBLIC WORKS RECOMMENDATION - Exception Taken.

1. Public Works' design standards, including cross-sections, geometry, and off-site improvements, shall be met prior to approval of roadway or site construction plans. Final design and improvements may vary based on field conditions.
2. Within residential developments all utilities are to be underground. The utility providing the service is to approve the design and construction. The developer is to coordinate the location of all underground utilities. Conduit for street lighting is required in the GSD.
3. Private streets to be constructed to Public Works standards. If sidewalks are required, construct 4' grass strip between sidewalk and curb.
4. All roadways to accommodate SU-30 design vehicle turning movements.

Typical Uses in Existing Zoning District: AR2a

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family and two family (210)	28.99	1.85	54	590	48	62

Typical Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	Density	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Res. Condo/ Townhome (230)	4.69	9	45	326	28	32

Typical Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	Density	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family and two family (210)	24.3	2.47	61	660	53	69

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
--			+48	396	33	39

CONDITIONS (If approved)

1. A revised plan is to be submitted that includes the reconfiguration of lots 59-61, or removal of those lots, to stay out of the 20% slope area.
2. With final SP approval, Stormwater Management conditions must be met.
3. A total of 443 linear feet of roadway improvements is required for the infrastructure deficiency policy, as the location is determined by Metro Public Works prior to final SP approval.
4. All buildings shall have a finished floor elevation at a minimum of 1.5 ft. from the top of curb measured at the mid point of the lot. (Revised at MPC meeting to this).
5. Building walls shall be finished in brick, stone, fiber cement siding, shingles, stucco, or vinyl siding. Vinyl siding may not be used on the first floor front façade of any building. (Revised at MPC meeting to this).
6. Public Works’ design standards, including cross-sections, geometry, and off-site improvements, shall be met prior to approval of roadway or site construction plans. Final design and improvements may vary based on field conditions.
7. 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. Conduit for street lighting is required in the GSD.
8. Prior to any additional development applications for this property, the applicant shall provide the Planning Department with a final corrected copy of the SP plan for filing and recording with the Davidson County Register of Deeds.
9. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the RS10 zoning district for the single family portion and RM9 district for the multi-family portion, which must be shown on the plan.

10. 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.
11. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
12. 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.
13. 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.
14. This preliminary plan approval for the residential portion of the master plans is based upon the stated acreage. The actual number of dwelling units to be constructed may be reduced upon approval of a final site development plan if a boundary survey confirms there is less site acreage.

Resolution No. RS2006-239

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006SP-112G-12 is **APPROVED WITH CONDITIONS, including revisions to conditions #4 and #5 regarding building materials and finished floor elevations. (7-0)**

Conditions of Approval:

1. A revised plan is to be submitted that includes the reconfiguration of lots 59-61, or removal of those lots, to stay out of the 20% slope area.
2. With final SP approval, Stormwater Management conditions must be met.
3. A total of 443 linear feet of roadway improvements is required for the infrastructure deficiency policy, as the location is determined by Metro Public Works prior to final SP approval.
4. All buildings shall have a finished floor elevation at a minimum of 1.5 ft. from the top of curb measured at the mid point of the lot.
5. Building walls shall be finished in brick, stone, fiber cement siding, shingles, stucco, or vinyl siding. Vinyl siding may not be used on the first floor front façade of any building.
6. Prior to any additional development applications for this property, the applicant shall provide the Planning Department with a final corrected copy of the SP plan for filing and recording with the Davidson County Register of Deeds.
7. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the RS10 zoning district for the single family portion and RM9 district for the multi-family portion, which must be shown on the plan.
8. 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.
9. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.

10. 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.
11. 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.
12. This preliminary plan approval for the residential portion of the master plans is based upon the stated acreage. The actual number of dwelling units to be constructed may be reduced upon approval of a final site development plan if a boundary survey confirms there is less site acreage.

The requested SP district is consistent with the Southeast Community Plan's Residential Low Medium and Residential Medium policies that are for residential developments within a density range of two to four and four to nine dwelling units per acre.

19. **2006Z-113G-12**
 Map181-00, Parcel 046
 Subarea 12 (2004)
 District 31 - Parker Toler

A request to change from AR2a to RM15 and MUL zoning on property located at 6640 Nolensville Pike, approximately 1,000 feet northwest of Concord Hills Drive (12.8 acres), requested by John Werne, applicant, for Shabbir and Zarina Bahora, owners. (See also Proposal No. 111-83-G)

Staff Recommendation: Disapprove

The Metropolitan Planning Commission DEFERRED Zone Change 2006Z-113G-12 indefinitely at the request of the applicant. (7-0)

20. **111-83-G-12**
 Beverly Hill Motel
 Map 181, Parcel Part of 46
 Subarea 12 (2004)
 District 31 - Parker Toler

A request to cancel a Commercial Planned Unit Development district located at 6640 Nolensville Pike, approximately 700 feet south of Autumn Oaks Drive, classified AR2a and proposed for MUL, (3.36 acres), approved for a 16 unit motel and a 3,000 square foot restaurant, requested by John Werne, applicant, for Shabbir and Zarina Bahora, owners.

Staff Recommendation: Disapprove

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

21. **2006SP-114U-10**
 West End Summit
 Map 092-12, Parcels 447, 450, 451, 452, 455, 457,458, 459, 460, 461, 462
 Subarea 10 (2005)
 District 19 - Ludye N. Wallace

A request to change from CF to SP zoning on property located at 112 and 108 17th Avenue North, 1600, 1612, 1616 and 1618 West End Avenue, and 121 and 125 16th Avenue North, located between 16th Avenue North, West End Avenue, 17th Avenue North, and Hayes Street (3.93 acres), to establish a maximum building height of 400 feet and built-to lines for a mixed-used building complying with all other provisions of the MUI zoning district, requested by Littlejohn Engineering Associates, applicant, for Alex Palmer and Alex S. Palmer & Company, owners.

Staff Recommendation: Approve with conditions

APPLICANT REQUEST- A request to change from Core Frame (CF) to Specific Plan (SP) zoning on 3.93 acres, to establish a maximum building height of 400 feet and build-to lines for a mixed-used building complying with all other provisions of the MUI zoning district, property located at 112 and 108 17th Avenue North, 1600, 1612, 1616 and 1618 West End Avenue, and 121 and 125 16th Avenue North, located between 16th Avenue North, West End Avenue, 17th Avenue North, and Hayes Street.

Existing Zoning

CF district - Core Frame is intended for a wide range of parking and commercial service support uses for the central business district.

Proposed Zoning

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

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

SOUTHEAST COMMUNITY PLAN POLICY

Neighborhood Urban - NU is intended for fairly intense, expansive areas that are intended to contain a significant amount of residential development, but are planned to be mixed use in character. Predominant uses in these areas include a variety of housing, public benefit uses, commercial activities and mixed-use development. An accompanying Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

Policy Conflict?- No. The proposed SP plan, which is detailed below, proposes a mix of uses that are consistent with the Neighborhood Urban Policy.

Plan Details - This plan proposes to establish a maximum building height of 400 feet and build-to lines for a mixed-used building complying with all other provisions of the MUI zoning district.

The maximum height permitted in the CF district and MUI district is 65 feet at the building setback line, with a 1.5 to 1 slope of height control plane (meaning that the height can be increased 1.5 feet vertically for every 1 foot it is stepped back from the setback line. A building height of 400 feet can be achieved if the building were to be located in the center of the site. Based on suggestions from Planning Staff to make the building a better fit for its urban location and build closer to the street, it was agreed that it was appropriate for the height maximum to be extended beyond the center of the site.

This plan also establishes build to lines:

- 16th Avenue North: 8.4 ft maximum, 2 ft minimum offset from property line
- Hayes Street: 2.0 ft. offset from property line
- 17th Avenue North: 0.5 ft. offset from property line
- West End Avenue: 10.65 offset from the property line for the Hotel-Condo Tower and 10.4 ft. offset from the property line for the Office Tower.

The CF and MUI zoning districts are identical in bulk standards governing floor area ratio, impervious surface ratio and height. The uses permitted in the two districts are very similar, with MUI excluding some of the more intensive commercial service uses.

PUBLIC WORKS RECOMMENDATION - Public Works' design standards, including cross-sections, geometry and off-site improvements, shall be met prior to approval of roadway or site construction plans. Final design and improvements may vary based on field conditions.

Typical Uses in Existing Zoning District: CF

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	3.93	6.039	1,033,821	8,060	1,216	1,237

Typical Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Mixed Use (Office, hotel, retail, residential)	3.93	n/a	855,000	NA	NA	NA

Maximum Uses in Existing Zoning District: CF

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	3.93	5.0	855,954	6,969	1,046	1,038

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
--				-1,730	-170	-199

STORMWATER RECOMMENDATION - All stormwater requirements will be addressed at the development plan approval.

METRO SCHOOL BOARD REPORT

Projected student generation 1 Elementary 1 Middle 1 High

Schools Over/Under Capacity - Students would attend Eakin Elementary, West End Middle School and Hillsboro High School. None of these schools have been identified as being over capacity. This information is based upon data from the school board last updated February 2006.

CONDITIONS

1. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission approval, the standard Zoning Code requirements of the MUI district shall apply.
2. 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.
3. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements in public rights of way.
4. All signage must be approved by the Planning Commission prior to final SP site plan approval.
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.

Approved with conditions, (6-0-1) *Consent Agenda*

Resolution No. RS2006-240

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006SP-114U-10 is **APPROVED WITH CONDITIONS. (6-0)**

Conditions of Approval:

1. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission approval, the standard Zoning Code requirements of the MUI district shall apply.
2. 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.
3. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements in public rights of way.
4. All signage must be approved by the Planning Commission prior to final SP site plan approval.
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.

The proposed SP district is consistent with the Green Hills Midtown Community Plan’s Neighborhood Urban policy that is intended for fairly intense, expansive areas that are intended to contain a significant amount of residential development, but are planned to be mixed use in character.”

22. **2006Z-116U-12**
Map 160-08, Parcel 046, 048
Map 160-08, Parcel A 010.00 Co
Map 160-00, Parcel 123
Subarea 12 (2004)
District 26 - Greg Adkins

A request to change from R40 to RS20 zoning on properties located at 501 Broadwell Drive, Trousdale Drive (unnumbered) and Hill Road (unnumbered), south of the intersection of Broadwell Drive and Trousdale Drive (4.42 acres), requested by Michael Yates, applicant, for Michael and Sharon Yates, and Dixon L. Northcutt et ux, owners.

Staff Recommendation: Approve

APPLICANT REQUEST- A request to rezone 4.42 acres from single-family residential and duplex (R40) to single-family residential (RS20) on property located at 501 Broadwell Drive, Trousdale Drive (unnumbered), and Hill Road (unnumbered).

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.

SOUTHEAST 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 predominate development type is single-family homes.

Policy Conflict? - No. The proposed RS20 district is consistent with the community plan Residential Low policy calling for up to two dwelling units per acre.

Staff Recommendation - Approval

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)	4.42	0.93	4	39	3	5

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)	4.42	1.85	8	77	6	9

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--			+4	38	3	4

METRO SCHOOL BOARD REPORT

Projected student generation 1Elementary 1Middle 1High

Schools Over/Under Capacity - Students would attend Granbery Elementary School, Oliver Middle School, and Overton High School. All three schools are listed as having capacity. This information is based upon data from the school board last updated February 2006.

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

Mr. Ed Carter, 5917 Hitching Post Lane, expressed stormwater issues with the proposal.

Mr. Mike Yates, 501 Broadwell Drive, spoke in favor of the proposal.

Mr. Dick Northcutt, 668 Hill Road, spoke in favor of the proposal.

Mr. McLean explained that density would not be changing and the stormwater issues would be addressed at the final plat stage.

Mr. McLean moved and Ms. Nielson seconded the motion, which passed unanimously, to approve Zone Change 2006Z-116U-12. **(7-0)**

Resolution No. RS2006-241

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006Z-116U-12 is **APPROVED. (7-0)**

The proposed RS20 district is consistent with the Southeast Community Plan’s Residential Low policy that is intended to accommodate residential development within a density range of one to two dwelling units per acre.”

23. **2006SP-117G-12**
Spencer Crossing SP
Map 181-00, Parcels 079, 080, 081
Subarea 12 (2004)
District 31 - Parker Toler

A request to change from AR2a to SP zoning to permit 110 dwelling units (17 single-family homes and SP (93 attached units) on properties located at 6380 and 6390 Pettus Road and Pettus Road (unnumbered), approximately 1,600 feet northeast of Nolensville Pike (11.2 acres), requested by Michael D. Morris, applicant, for Michael D. Morris, Mary Anne Morris, Robert J. Morris, and Carrie A. Morris, owners.

Staff Recommendation: Approve with conditions

The Metropolitan Planning Commission DEFERRED Zone Change 2006SP-117G-12 indefinitely at the request of the applicant. (7-0)

24. **2006SP-122G-12**
Clover Glen
Map 182-00, Parcels 065, 066, 096
Subarea 12 (2004)
District 31 - Parker Toler

A request to change from AR2a to SP zoning to permit 292 residential units on properties located at 13545, 13555, and 13563 Old Hickory Boulevard, approximately 1,400 feet west of Cane Ridge Road (83.51 acres), requested by Lose & Associates, applicant, and David Smith and Sally Smith, owners.

Staff Recommendation: Approve with conditions

APPLICANT REQUEST - A request to change approximately 83.51 acres from agricultural and residential zoning (AR2a) to Specific Plan (SP) zoning to permit 292 residential units. The property is located at 13545, 13555, and 13563 Old Hickory Boulevard, approximately 1,400 feet west of Cane Ridge Road.

Existing Zoning

AR2a district - Agricultural/residential requires a minimum lot size of 2 acres and intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per 2 acres

Proposed Zoning

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

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

SOUTHEAST COMMUNITY PLAN

Structure Plan Category

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

Policy Conflict? - No. The proposed SP plan, which is detailed below, proposes a mixture of housing types that are

arranged in a way that is consistent with the intent of the Neighborhood General Policy.

PLAN DETAILS

Lots/Density - The site plan calls for a mixture of housing types with a total of 292 units on approximately 85 acres, and an overall density of approximately 3.4 units per acre. Housing types specified on the plan are 122 Village Home Lots, 93 Villa Home Lots, 33 Manor Home Lots, and 44 townhomes.

Access - The proposed development will be accessed off of Old Hickory Boulevard. Lots and townhomes will be accessed from new streets and alleys. All the townhomes and Village Home lots will be accessed from the rear by alleys, and the Villa and Manor Home lots will be accessed from the front by new public streets.

Connectivity - The proposed plan provides adequate automobile and pedestrian connectivity within the development by utilizing a modified grid network of streets that include sidewalks, some bike lanes, and pedestrian paths through some of the interior open spaces. A total of six stub streets are proposed, and will allow for adequate connectivity to adjacent properties. Three stubs are proposed to the west, two to the south, and one to the east.

Environmental/Open Space - For the most part the existing property is more than suitable for development as it does not contain numerous environmental constrains. The property does contain several sink holes, which have been located out of lots. While none of the proposed lots will contain sink holes, some streets will be over sink holes. Prior to the final development plan being approved, the State, as well as Public Works will have to approve any work to alter sink holes. If approvals can not be obtained, then the layout must be modified to remove all streets from within any sink hole boundaries.

There are three lots identified as critical due to slopes greater than twenty percent. While staff generally discouraging lots with slopes greater than twenty percent, the presence of slopes greater than twenty percent on these three lots is negligible.

A small unnamed stream crosses a portion of the property, which will be crossed by a road. Prior to the final development plan being approved, the proposed crossing must be approved by the Stormwater Management Committee. If approvals can not be obtained, then the layout must be modified.

Approximately 30 (35%) acres of open space is proposed, with approximately 11 acres of active open space, and 19 acres of inactive open space. The active open space is distributed throughout the proposed development as central greens, pocket parks, and neighborhood parks, which will provide local residents as well as area residents new outdoor recreational opportunities. Passive open space includes areas with steep slopes, and perimeter open space.

Landscape/Buffer Yards - As proposed street trees will be planted along all public streets at 50 foot intervals. Landscaping is also proposed along Old Hickory Boulevard. While no specific buffer yard is required with SP districts, the plan calls for a minimum of 50 feet of open space along perimeter lots.

Phasing - As proposed development will be developed in four separate phases.

Bulk Standards

Setbacks

	Front	Side/Between	Rear
Village Homes	15'	4'/8'	20'
Villa Homes	20'	4'/8'	25'
Manor Homes	20'	5'/10'	25'
Townhomes	10'	8'/8'	20'

Floor Area Ratios

	Max Home Size	Minimum Lot Size	FAR
Village Homes	2536 SF	5,000 SF	0.51
Villa Homes	2651 SF	6,000 SF	0.44
Manor Home	2,651 SF	9,000 SF	0.29
Townhomes A	1,750 SF	2,673 SF	0.65
Townhomes B	1,216 SF	1,793 SF	0.68

Housing Types - The plan specifies different products for each kind of lot. The plan also specifies that the fronts of all structures be clad in brick or other masonry product, and that vinyl can only be used on the rear and for accent. It further stipulates that any vinyl other than what is used for accents be visible from Old Hickory Boulevard, or any internal public street.

Infrastructure Deficiency Area - This request is located in the Infrastructure Deficiency Area (IDA), and requires that improvements be made to roadway within the IDA. The applicant will be required to improve approximately 2,465 linear feet of roadway within the IDA. Roadway to be improved will be determined by Public Works' staff.

Staff Recommendation - Since this request is consistent with the areas Neighborhood General policy staff recommends that the request be approved with conditions.

PUBLIC WORKS RECOMMENDATION - Approve as noted:

1. Public Works' design standards, including cross-sections, geometry, and off-site improvements, shall be met prior to approval of roadway or site construction plans. Final design and improvements may vary based on field conditions.
2. Within residential developments all utilities are to be underground. The utility providing the service is to approve the design and construction. The developer is to coordinate the location of all underground utilities. Conduit for street lighting is required in the GSD.
3. Construct 1/2 of collector roadway section (ST-253) along property frontage at Old Hickory Boulevard, consistent with the approved major street / collector plan.

Per the recommendations of the TIS:

1. Construct a southbound right turn lane on Old Hickory Blvd. at the intersection of Old Hickory Boulevard and Burkitt Road with 100 ft of storage and transitions per AASHTO/MUTCD standards.
2. Construct a westbound left turn lane on Old Hickory Blvd. at the project access with 75 ft of storage and transitions per AASHTO/MUTCD standards.
3. Construct the project access at Old Hickory Blvd. with one entering and two exiting lanes (LT and RT) each with 100 ft of storage and transitions per AASHTO/MUTCD standards.

Typical Uses in Existing Zoning District: AR2a

Land Use (ITE Code)	Acres	Density	Total Number of	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	83.51	0.5	42	469	39	50

Typical Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	Density	Total Number of	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	83.51	n/a	248	2,398	184	243

Typical Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	Density	Total Number of	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Residential Condo/Townhome (230)	83.51	n/a	44	320	27	31

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
--			+250	2,249	172	224

STORMWATER RECOMMENDATION - Approved Except As Noted

1. A variance will be required for the stream crossing.
2. A Class V injection well permit will be required for sinkhole alterations.

METRO SCHOOL BOARD REPORT

Projected student generation* 37 Elementary 26 Middle 25 High

Schools Over/Under Capacity - Students would attend Maxwell Elementary School, Antioch Middle School, and Antioch High School. All three schools have been identified as over capacity, but there is capacity in the adjacent Glencliff cluster. This information is based upon data from the school board last updated January 2006.

CONDITIONS

1. Prior to the final development plan being approved, the State Department of Environment and Conservation, as well as Water Services will have to approve any work to alter sinkholes. If approvals can not be obtained, then the layout must be modified to remove all streets from within sinkhole boundaries.
2. Lots may not contain slopes of 20% or greater. Any lot that is found to have slopes of 20% or greater must be put in open space. If at review of the final development plan planning staff determines that only a small portion of any lot contains slopes of 20% or greater this condition may be waved.
3. Prior to the final development plan being approved, the proposed crossing must be approved by the Stormwater Management Committee. If approvals can not be obtained, then the layout must be modified.
4. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission approval, the standard Zoning Code requirements of the RM6 district shall apply.
5. 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.
6. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Section of the Metropolitan Department of Public Works for all improvements in public right of way.
7. All signage must be approved by the Planning Commission prior to final Specific Plan approval.
8. 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.
9. Prior to the filing of any additional development applications for this property, the applicant shall provide the Planning Department with a final corrected copy of the SP plan for filing and recording with the Davidson County Register of Deeds.

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

Mr. Bill Griffith, 1364 Old Hickory Blvd., spoke in opposition of the proposal.

Mr. Jon Milstead, Lose & Associates, spoke in favor of the proposal.

Ms. Sally Smith, owner, spoke in favor of the proposal.

Mr. Loring acknowledged the work put into the plan and mentioned that the SP zoning would assist with the growth in this area.

Mr. Loring moved and Mr. Ponder seconded the motion, which passed unanimously, to approve with conditions Zone Change 2006SP-122G-13. **(7-0)**

Mr. McLean complimented the staff for their efforts on this proposal.

Resolution No. RS2006-242

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006Z-122G-12 is **APPROVED WITH CONDITIONS. (7-0)**

Conditions of Approval:

1. Prior to the final development plan being approved, the State Department of Environment and Conservation, as well as Water Services will have to approve any work to alter sinkholes. If approvals can not be obtained, then the layout must be modified to remove all streets from within sinkhole boundaries.
2. Lots may not contain slopes of 20% or greater. Any lot that is found to have slopes of 20% or greater must be put in open space. If at review of the final development plan planning staff determines that only a small portion of any lot contains slopes of 20% or greater this condition may be waved.
3. Prior to the final development plan being approved, the proposed crossing must be approved by the Stormwater Management Committee. If approvals can not be obtained, then the layout must be modified.
4. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission approval, the standard Zoning Code requirements of the RM6 district shall apply.
5. 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.
6. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Section of the Metropolitan Department of Public Works for all improvements in public right of way.
7. All signage must be approved by the Planning Commission prior to final Specific Plan approval.
8. 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.
9. Prior to the filing of any additional development applications for this property, the applicant shall provide the Planning Department with a final corrected copy of the SP plan for filing and recording with the Davidson County Register of Deeds.

The proposed SP district is consistent with the Southeast Community Plan’s Neighborhood General policy, which is intended for a variety of residential development types that are carefully arranged, not randomly located.”

25. 2006Z-124G-02

Maps 091, 146, Parcel Part Of 129
Subarea 2 (1995)
District 3 - Carolyn Baldwin Tucker

A request to change from RS20 to RS7.5 (78.12 acres) and RM9 (22.53 acres) zoning on properties located at 3474 and 3500 Brick Church Pike, and Brick Church Pike (unnumbered), located between Interstate 24 and Brick Church Pike, (100.65 acres), requested by Centex Homes, for Thomas F. Cone, owner. (See also Proposal No. 2006P-013G-02).

Staff Recommendation: Approve with conditions

The Metropolitan Planning Commission DEFERRED Zone Change 2006Z-124G-02 to July 27, 2006, at the request of the applicant. (7-0)

26. **2006P-013G-02**
Cone Property PUD
Map 050, Parcels 091, 146, Part Of 129
Subarea 2 (1995)
District 3 - Carolyn Baldwin Tucker

A request for preliminary approval for a Planned Unit Development district located at 3474 and 3500 Brick Church Pike, and Brick Church Pike (unnumbered), located along between Interstate 24 and Brick Church Pike, (100.65 acres), zoned RS20 and proposed for RS7.5 and RM9 zoning, to permit 143 townhomes and 276 single-family lots, requested by Centex Homes, for Thomas F. Cone, owner. (See also Zone Change Proposal No. 2006Z-124G-02).

Staff Recommendation: Approve with conditions

The Metropolitan Planning Commission DEFERRED Planned Unit Development 2006P-013G-02 to July 27, 2006, at the request of the applicant. (7-0)

27. **2006Z-127T**
BL2006-1116

An Ordinance amending Title 17 of the Metropolitan Code, Zoning Regulations, by amending Section 17.32.050 to prohibit certain temporary signs on Metropolitan Government property, all of which is more particularly described herein.

Staff Recommendation: Disapprove

The Metropolitan Planning Commission DEFERRED Text Amendment 2006Z-127T to August 10, 2006, at the request of the applicant. (7-0)

XII. CONCEPT PLANS

28. **2006S-163G-14**
Towering Oaks
Map 098-00, Parcel 170
Map 109-00, Parcel 141
Subarea 14 (2004)
District 12 - Jim Gotto

A request for a concept plan to create 74 lots on property located at 5568 South New Hope Road and 1465 Stewarts Ferry Pike, approximately 1,800 feet east of Old Hickory Boulevard (29.4 acres), zoned RS15, requested by Towering Oaks Development Group LLC, owner, Batson & Associates, engineer/surveyor.

Staff Recommendation: Approve with conditions

APPLICANT REQUEST -Concept Plan

Request to subdivide 30.06 acres into 74 single-family lots located at 5568 South New Hope Road and 1465 Stewarts Ferry Pike, approximately 1,800 feet east of Old Hickory Boulevard.

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 - This is a request to create 74 single-family lots ranging in size from 7,500 square feet to 17,000 square feet. The applicant proposes to use the cluster lot option, which allows lots to be clustered and smaller in size by one to two base zoning districts. This request is to cluster the lots down to the RS7.5 zoning.

Open Space - There is 22% open space provided, which is over the 15% open space requirement. Although there is open space provided, there is not any useable open space provided. The Commission has stated that common open space should be for the "use and enjoyment" of future homeowners. Staff recommends that a trail system be provided to allow for useable open space and could possibly provide access to the adjacent Corp of Engineers property or the Percy Priest Reservoir.

Landscape buffer yards are proposed along the perimeter of the subdivision since the lots are smaller than the base zoning district. No buffer yard is required along the northern boundary since it is adjacent to AR2a zoning.

Access - Access is proposed from Stewarts Ferry Pike with stub streets to the north, east, and west for future connectivity.

History - There was a preliminary plat approved by the Commission on this property for 80 lots in November 2003, however, this approval expired in November 2005.

STORMWATER RECOMMENDATION - Approved except as Noted.

1. Add the subdivision number, i.e., 2006S-163G-14, to the plat.

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. Permanent turnaround greater than 150', show per ST-331.
3. Temporary turnaround greater than 150', show 50' pavement radius.
4. Construct Towering Oaks Drive at Stewarts Ferry Road with the entering and exiting lanes (LT and RT) each with 75' of storage and transitions per AASHTO/MUTCD standards.

CONDITIONS

1. 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.
2. Prior to final plat approval, approval from Metro Public Works is to be received.
3. Prior to final plat approval, a trail system is to be on the subdivision development plan to provide useable open space.

Approved with conditions, (6-0-1) *Consent Agenda*

Resolution No. RS2006-243

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006S-163G-14 is **APPROVED WITH CONDITIONS. (6-0)**

Conditions of Approval:

1. 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.
2. Prior to final plat approval, approval from Metro Public Works is to be received.
3. Prior to final plat approval, a trail system is to be on the subdivision development plan to provide useable open space.”

-
29. **2006S-236G-14**
Lakeside Meadows
Map 110-00, Parcels 70, 72, 73
Subarea 14 (2004)
District - Jim Gotto

A request for a concept plan to create 108 lots on property located at 4646 and 4652 Hessey Road and 3547 Earhart Road, at the southeast corner of Hessey Road and Earhart Road (53.89 acres), zoned RS15, requested by B&P Developments, Inc, owner, Weatherford & Associates, surveyor.

Staff Recommendation: Approve with conditions

APPLICANT REQUEST -Concept Plan

A request for a concept plan to create 108 lots on 53.89 acres, property located at 4646 and 4652 Hessey Road and 3547 Earhart Road, at the southeast corner of Hessey Road and Earhart Road.

ZONING

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

PLAN DETAILS -The plan proposes 108 single-family lots ranging in size from 8,411 sq. ft. to 20,094 sq. ft. The application is proposing to use the cluster lot option which allows lots to be reduced in size to two base zoning districts. Since the zoning is RS15, 7,500 sq. ft. lots can be appropriate if the plan meets all requirements of the cluster lot option policy.

Access -Access is proposed from one point on Earhart Road and two points on Hessey Road. This subdivision proposes future connections to the south and the east for future development.

Open Space - There is 22.7% open space proposed, which is over the 15% requirement for cluster lot option policy. The Commission’s cluster lot policy requires common open space to have “use and enjoyment” value to the residents – recreational value, scenic value, or passive use value. Residual land with no “use or enjoyment” value will not be counted.

The proposed subdivision proposes a walking trail that loops through the 3 main open spaces. The access to the walking trail is at 8 different street locations throughout the subdivision.

Landscape buffer yards (Standard “C”—20 feet) are not required because lots along the perimeter of the property meet the full size of the RS15 zoning district.

PUBLIC WORKS RECOMMENDATION

1. Public Works' design standards, including cross-sections, geometry, and off-site improvements, shall be met prior to approval of roadway or site construction plans. Final design and improvements may vary based on field conditions.
2. Within residential developments all utilities are to be underground. The utility providing the service is to approve the design and construction. The developer is to coordinate the location of all underground utilities. Conduit for street lighting is required in the GSD.
3. Off-site improvements to be determined with construction plan review.

STORMWATER RECOMMENDATION

1. With reference to sheet 3 of 5, the two ponds currently possess the following label: "Proposed Stormwater." The ponds should be relabeled as, 'Stormwater Detention/Water Quality Pond.'
2. With reference to sheet 4 of 5, the sinkhole present below lot 64 should be labeled as, 'Open Space.'
3. With reference to sheet 4 of 5, the currently existing pond present in lots 13 & 14 must be accompanied by the following note: 'The configuration of lots 13 and 14 are subject to change if TDEC determines the pond to be Waters of the State.'
4. With reference to sheet 4 of 5, change the perimeter of the proposed stormwater detention/water quality area to reflect that of the first closed contour. See markup.
5. With reference to comment #4 above, said area should be accompanied by the following label: 'Stormwater Detention/Water Quality.'

6. With reference to sheet 4 of 5, show and label a stormwater relief culvert. See markup.
7. With reference to sheet 5 of 5, the, "Stormwater" label present to the left of lot 70 should be amended to, 'Stormwater Detention/Water Quality.'

CONDITIONS (If approved)

1. Prior to final plat recordation for each phase, the walking trails shall be constructed or bonded.
2. Public Works' design standards, including cross-sections, geometry, and off-site improvements, shall be met prior to approval of roadway or site construction plans. Final design and improvements may vary based on field conditions.
3. 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. Conduit for street lighting is required in the GSD.
4. Comply with all Stormwater Conditions listed above.

Approved with conditions, (6-0-1) *Consent Agenda*

Resolution No. RS2006-244

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006S-236G-14 is **APPROVED WITH CONDITIONS. (6-0)**

Conditions of Approval:

1. Prior to final plat recordation for each phase, the walking trails shall be constructed or bonded.
2. Public Works' design standards, including cross-sections, geometry, and off-site improvements, shall be met prior to approval of roadway or site construction plans. Final design and improvements may vary based on field conditions.
3. 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. Conduit for street lighting is required in the GSD.
4. Comply with all Stormwater Conditions listed above.”

XIII. FINAL PLATS

- 30. 2006S-222G-10**
 Foster Subdivision
 Map 159-00, Parcel 056
 Subarea 10 (2005)
 District 34 - Lynn Williams

A request for final plat approval to create 2 lots on property located at 1140 Oman Drive, northeast corner of Granny White Pike and Oman Drive (1.91 acres), zoned R40, requested by Linda H. Johnston and Larry R. Foster, Trustees, owners, LandDesign Surveying Inc., surveyor.

Staff Recommendation: Approve with conditions, including a lot comparability exception

APPLICANT REQUEST -Final Plat

Request to subdivide 1.91 acres into 2 single-family lots located at 1140 Oman Drive, northeast corner of Granny White Pike and Oman Drive.

ZONING

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

SUBDIVISION DETAILS -As proposed the request will create 2 new lots along the north side of Oman Drive with the following area(s), and street frontage(s):

- Lot 1: 42,040 Sq. Ft., and 180 Ft. of frontage;
- Lot 2: 41,358 Sq. Ft., and 270.87 Ft. of frontage;

Section 2-4.7 of the Subdivision Regulations states that new lots in areas that are predominantly developed are to be generally in keeping with the lot frontage and lot size of the existing surrounding lots. A lot comparability waiver can be granted if the lot fails the lot comparability analysis (is smaller in lot frontage and/or size) and if the new lots would be consistent with the General Plan. The only way that the lots meet the land use policy is if both lots are single-family only. Staff recommends that a note be added to the plat that states, "Both lots will be single-family only."

The lot comparability analysis yielded a minimum lot area of 47,943 sq. ft., and a minimum lot frontage of 179 linear feet. Both lots pass for lot frontage, but not for lot area.

Staff Recommendation -Staff recommends approval of a lot comparability exception. The area land use policy is Residential Low policy. The Land Use Policy Application (LUPA) recommends a density of one to two dwelling units per acre for this RL policy. The request is consistent with the RL policy. The proposed lots are not significantly out of character with other lots in the area, and that the proposal meets RL policy. Staff recommends that an exception be granted only if a note is added to the plat that states that both lots will be single-family only.

STORMWATER RECOMMENDATION - Approved except as Noted.

1. Add the subdivision number, i.e., 2006S-222G-10, to the plat.

PUBLIC WORKS RECOMMENDATION -Exception Taken.

1. Label and dedicate 5' right of way (30 feet from centerline) along Granny White Pike, consistent with the approved major street plan (U2-60' ROW).
2. Future driveway connections should be to Oman Drive.

CONDITIONS

1. Final plat is to be recorded within 180 days from this meeting date, unless deferred.
2. Prior to recordation, a note must be added to the plat that states, "Both lots will be single-family only."
3. Public Works is to approve plat prior to recordation.
4. The location of the sewer service line for the existing house needs to be shown, prior to recordation.
5. Prior to recordation, the existing sewer line located in Granny White Pike should be labeled better.
6. Prior to recordation, a note is to be added that states, "Water service lines are required to have a PRV due to water pressure over 100 psi."
7. Prior to recordation, add "R40 to note #4 and parcel numbers.
8. Prior to recordation, add if the existing house is "To Remain" or "To be demolished." If the existing shed is to be demolished, a demolition bond may be required since it is on the proposed lot line.
9. A note is to be added that states, "No access is allowed on Granny White Pike."

Ms. Harris presented and stated that staff is recommending approval with conditions including approval of a lot comparability exception.

Ms. Linda Johnston, 1133 Oman Drive, spoke in favor of the proposal.

Mr. McLean moved and Mr. Loring seconded the motion, which passed unanimously, to approve with conditions, Final Plat 2006S-222G-10, including the note that prior to recordation, a note must be added to the plat that states, "Both lots will be single-family only." (7-0)

Resolution No. RS2006-245

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006S-222G-10 is **APPROVED WITH CONDITIONS, including a lot comparability exception. (7-0)**

Conditions of Approval:

1. Final plat is to be recorded within 180 days from this meeting date, unless deferred.
2. Prior to recordation, a note must be added to the plat that states, “Both lots will be single-family only.”
3. Public Works is to approve plat prior to recordation.
4. The location of the sewer service line for the existing house needs to be shown, prior to recordation.
5. Prior to recordation, the existing sewer line located in Granny White Pike should be labeled better.
6. Prior to recordation, a note is to be added that states, “Water service lines are required to have a PRV due to water pressure over 100 psi.”
7. Prior to recordation, add “R40 to note #4 and parcel numbers.
8. Prior to recordation, add if the existing house is “To Remain” or “To be demolished.” If the existing shed is to be demolished, a demolition bond may be required since it is on the proposed lot line.
9. A note is to be added that states, “No access is allowed on Granny White Pike.”

XIV. PLANNED UNIT DEVELOPMENTS AND SPECIFIC PLANS

31. 53-84-U-12

Rose Monte, Phase 2
Map 161, Parcel 093
Subarea 12 (2004)
District 31 - Parker Toler

A request for final plan approval of Phase II of the Residential Planned Unit Development district located along the west side of Zermatt Avenue, zoned RM15, (8.96 acres), to develop 72 townhomes, requested by Wamble and Associates for J2K Builders, LLC, owner.

Staff Recommendation: Approve with conditions

APPLICANT REQUEST- Final PUD

Request for Final site plan approval for Phase 2 of the Residential Planned Unit Development district, located along the west side of Zermatt Avenue, classified RM15, (8.96 acres), to permit 72 townhomes.

PLAN DETAILS

Site Layout, Access, & Parking - The submitted PUD plan proposes 72 townhome units, out of a total of 211 townhomes and 90 condominiums that were approved on the revised preliminary plan on May 25, 2006. The 72 units in Phase 2, front on several private drives that connect to Zermatt Avenue. Surface parking is located to the rear of all of the units, and sidewalks line all of the drives on both sides. Staff requested additional sidewalks and pathways on the final plan to provide walkways from the parking areas to the units. All townhome units have two bedrooms and meet the parking requirements of the Zoning Code. One of the three overall “park” areas is included in this phase.

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.

Staff recommends a condition that no rip-rap rock shall be used to stabilize any slope.

STORMWATER RECOMMENDATION

1. Provide a copy of the NPDES NOC letter.
2. Sign and date the EPSC note on the plan set.
3. Correlate the benchmark listed on the plan set to a vertical datum (NAVD 88 or NGVD 29).
4. List the property map and parcel number(s) on the plan set.
5. Contour interval maximum is 2 foot. We understand that at the scale provided, the plot may become busy. You may want to provide grading only at 2' interval as addendum sheets.
6. The temporary inlet protection detail has referenced the incorrect TCP # from the Metro Stormwater Management Manual. Please correct.
7. The construction entrance detail needs to show a minimum width of 20'.
8. Include riprap detail and label the riprap on the plan sheet.
9. Pipes 21-22, 18-19, 16-17 and 13-14 don't meet the minimum velocity requirement of 2.5 fps. This velocity is required to prevent sediment accumulation
10. Add north arrows to the pre and post development drainage maps.
11. Explain how elevation/area and outlet structure configuration was derived. Survey? As-built?
12. Area used in the water quality calculations should include total flow entering the pond, not just area from their site. If the pond is designed only for site treatment, then the water from other pond must be diverted around pond.
13. Include easement and access easement documentation for the detention pond.
14. Include a copy of the stormwater detention agreement.
15. Detail grate on top of the water quality structure. Modeling shows 2' by 2'.
16. Q10 for the downstream structures must include additional drainage area not draining to detention pond. It appears the downstream structures have additional flow directed from sheet flow that doesn't go through the detention pond.

WATER SERVICES - W/S lines will to be built and deeded, before any sewer **RECOMMENDATION** connection permits issued.

PUBLIC WORKS RECOMMENDATION

- Public Works' design standards, including cross-sections, geometry, and off-site improvements, shall be met prior to approval of roadway or site construction plans. Final design and improvements may vary based on field conditions.
- Document adequate sight distance at project access locations.
- Comply with conditions of approval.

FIRE MARSHAL RECOMMENDATION

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. As per the previous conditions of approval for this plan the developer of Rose Monte, Phase 2 shall work with Public Works to complete necessary improvements as outlined in Resolution 2003-285 from the Planning Commission, as listed below. All improvements must be completed or bonded prior to the final phase of development.
 - Prior to the issuance of any Use and Occupancy permits, a separate eastbound right-turn lane shall be constructed on Old Hickory Boulevard at Zermatt Avenue. This turn lane shall include at least 100 feet of storage with a 300-325 foot transition.
 - Prior to the issuance of any Use and Occupancy permits, a dedicated westbound left turn lane shall be striped on Old Hickory Boulevard at Zermatt Avenue within the existing continuous two-way center turn land on Old Hickory Boulevard. This turn lane shall include at least 100 feet of storage with a 300-325 foot transition.
 - As per an agreement between the applicant and the Metro Traffic Engineer a bond shall be established with the plat that includes the 51st unit/lot for a possible traffic signal at the intersection of Nolensville Pike/Swiss Avenue. The bond shall remain in place for three years thereafter. If the applicant and Public Works agree that the signal is not warranted after that three year time period, the bond may be released and the developer will be relieved of any obligation to install the signal.
 - Prior to the issue of a Use and Occupancy permit for the 51st single-family lot/unit, a separate right-turn lane shall be constructed on Nolensville Pike at Swiss Avenue, including 75 feet of storage with a transition to AASHTO standards. Construction plans shall be submitted in conjunction with the final PUD plans for the first phase of development.
 - Prior to the issuance of any Use and Occupancy permits for the first phase, Zermatt Avenue shall be widened and striped to include one southbound entering land and two northbound exiting lanes. The northbound lanes shall include a minimum of 150 feet of storage with a transition to AASHTO standards. Construction plans shall be submitted in conjunction with the final PUD plans for the first phase of development.
 - Prior to the recording of a final plat for any phase, a bond shall be posted for a traffic signal at the intersection of Old Hickory Boulevard and Zermatt Avenue, as per an agreement between the Metro Traffic Engineer and the applicant. The traffic signal shall be installed prior to the issuance of any Use and Occupancy permits for any phase. No right turn lane will be required with the installation of the traffic signal.
 - Prior to the recording of a final plat for any phase, (a) Public Works' approval is subject to Public Works review and approval of construction plans for this subject, (b) if using minimum required ROW, then add a 3-foot public pedestrian access easement on the outside edge of sidewalks, (c) handicap ramps should be in the turning radius, (d) will need dead-end sign and street name signs.
2. No rip-rap rock shall be used to stabilize any slope.
3. 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.
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 for all off-site public road improvements.
5. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
6. Construction within public right of way are subject to Public Works' review and approval of construction plans.

Approved with conditions, (6-0-1) *Consent Agenda*

Resolution No. RS2006-246

“BE IT RESOLVED by The Metropolitan Planning Commission that 53-84-U-12 is **APPROVED WITH CONDITIONS.**
(6-0)

Conditions of Approval:

1. As per the previous conditions of approval for this plan the developer of Rose Monte, Phase 2 shall work with Public Works to complete necessary improvements as outlined in Resolution 2003-285 from the Planning Commission, as listed below. All improvements must be completed or bonded prior to the final phase of development.
 - Prior to the issuance of any Use and Occupancy permits, a separate eastbound right-turn lane shall be constructed on Old Hickory Boulevard at Zermatt Avenue. This turn lane shall include at least 100 feet of storage with a 300-325 foot transition.
 - Prior to the issuance of any Use and Occupancy permits, a dedicated westbound left turn lane shall be striped on Old Hickory Boulevard at Zermatt Avenue within the existing continuous two-way center turn land on Old Hickory Boulevard. This turn lane shall include at least 100 feet of storage with a 300-325 foot transition.
 - As per an agreement between the applicant and the Metro Traffic Engineer a bond shall be established with the plat that includes the 51st unit/lot for a possible traffic signal at the intersection of Nolensville Pike/Swiss Avenue. The bond shall remain in place for three years thereafter. If the applicant and Public Works agree that the signal is not warranted after that three year time period, the bond may be released and the developer will be relieved of any obligation to install the signal.
 - Prior to the issue of a Use and Occupancy permit for the 51st single-family lot/unit, a separate right-turn lane shall be constructed on Nolensville Pike at Swiss Avenue, including 75 feet of storage with a transition to AASHTO standards. Construction plans shall be submitted in conjunction with the final PUD plans for the first phase of development.
 - Prior to the issuance of any Use and Occupancy permits for the first phase, Zermatt Avenue shall be widened and striped to include one southbound entering land and two northbound exiting lanes. The northbound lanes shall include a minimum of 150 feet of storage with a transition to AASHTO standards. Construction plans shall be submitted in conjunction with the final PUD plans for the first phase of development.
 - Prior to the recording of a final plat for any phase, a bond shall be posted for a traffic signal at the intersection of Old Hickory Boulevard and Zermatt Avenue, as per an agreement between the Metro Traffic Engineer and the applicant. The traffic signal shall be installed prior to the issuance of any Use and Occupancy permits for any phase. No right turn lane will be required with the installation of the traffic signal.
 - Prior to the recording of a final plat for any phase, (a) Public Works’ approval is subject to Public Works review and approval of construction plans for this subject, (b) if using minimum required ROW, then add a 3-foot public pedestrian access easement on the outside edge of sidewalks, (c) handicap ramps should be in the turning radius, (d) will need dead-end sign and street name signs.
2. No rip-rap rock shall be used to stabilize any slope.
3. 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.
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 for all off-site public road improvements.
5. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in

specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.

6. Construction within public right of way are subject to Public Works' review and approval of construction plans.”

32. 24-85-P-13

Weatherly Ridge Apartments (Forest View North, Phase I)
Map 149, Parcel 189
Subarea 13 (2003)
District 29 - Vivian Wilhoite

A request to revise a portion of the preliminary plan of the Residential Planned Unit Development district located on the south side of Anderson Road, and north of Murfreesboro Pike (19.37 acres), zoned R10, to permit the development of 240 garden apartments, replacing 264 multi-family units (216 apartments and 48 townhomes) as approved in the preliminary plan, requested by Fisher & Arnold, Inc., for John E. Cain, III, owner.

Staff Recommendation: Approve with conditions

APPLICANT REQUEST -Revise Preliminary PUD

A request to revise a 19.37 acre portion of the preliminary plan of the Residential Planned Unit Development district located south of Anderson Road, north of Murfreesboro Pike, to permit 240 multi-family units, replacing 264 multi-family units.

EXISTING ZONING

R10/Residential PUD - The Forest View North Residential PUD was approved by the Planning Commission and the Metro Council in 1985. The original plan included a total of 450 multi-family units with one access point to Forest View Drive and a second access point to Kinwood Drive.

The PUD was amended by the Metro Council in 1996, to permit 71 single-family lots on the northeast side of the PUD, and 264 multi-family units on the south part of the PUD, for a total of 335 units and lots.

Although the base zoning is R10, since this was approved under the prior Zoning Code, the PUD Overlay is what determines the development rights on this property. The R10 base zoning is only relevant if the PUD is cancelled.

ANTIOCH PRIEST LAKE COMMUNITY PLAN POLICY

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

Policy Conflict? No. There is not a policy conflict with either the approved plan or the proposed revision. The revised plan proposes a density of 12.39 units per acre, while the currently approved plan calls for a density of 13.6 units per acre.

PLAN DETAILS

Site Plan - The request is to revise the layout and to reduce the number of multi-family units from 264 to 240 units in the last phase of a Residential Planned Unit Development approved by Council in 1985.

Access - The two access points will remain the same. The first access point is through the single-family portion of this PUD at Forest Trace Drive, which leads to Anderson Road. The second point of access is to Forest View Drive, which leads to Murfreesboro Pike.

This plan is consistent with the approved preliminary plan in that the access points and building types remain the same. The plan reduces the number of units from 264 units down to 240 units. Although the number of units is being reduced, the unit size has increased from an average of 960 square feet per unit to 1,052 square feet per unit.

Amenities/open space -The plan includes a pool and clubhouse as was originally approved in this phase of the plan. Although the plan changes the areas that were designated to be open space areas, the plan does maintain a 25 foot setback and buffer are along the perimeter of the PUD plan.

Although the plan changes the layout of the buildings, staff recommends approval with conditions as a revision, not requiring council approval.

PUBLIC WORKS RECOMMENDATION

1. Public Works' design standards, including cross-sections, geometry, and off-site improvements, shall be met prior to approval of roadway or site construction plans. Final design and improvements may vary based on field conditions.
2. Comply with all previous conditions.
3. An updated traffic impact study will be required at the time of development.

STORMWATER RECOMMENDATION -Approved

CONDITIONS

1. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Section of the Metropolitan Department of Public Works for all required Public Road improvements.
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.
7. An updated traffic impact study shall be required with the submittal of a Final PUD plan.

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

Mr. Tom White, 36 Old Club Court, spoke in favor of the proposal.

Ms. Franchetta Busch, 1112 Twin Circle Drive, spoke in opposition to the proposal.

Mr. George Metz, 2618 Forest View Drive, spoke in opposition to the proposal.

Ms. Jean Martin, 2924 Kinwood Drive, spoke in opposition to the proposal. She submitted photos for the record.

Ms. Julie Brymer, 1224 Twin Circle Drive, spoke in opposition to the proposal.

Mr. Joel Langlois, 1601 Overcreek Court, spoke in opposition to the proposal.

Ms. Felicia Lowe, 1528 Overcreek Drive, spoke in opposition to the proposal.

Mr. Dave Westerman, 2601 Forest View Drive, spoke in opposition to the proposal.

Ms. Karen Johnson, 2928 Moss Springs Drive, spoke in opposition to the proposal.

Mr. Marty Mass, 2600 Forest View Road, spoke in opposition to the proposal.

Ms. Dani Massie, 1512 Overcreek Drive, spoke in opposition to the proposal.

Councilmember Wilhoite spoke against approving this proposal and requested its deferral. She mentioned that the original planned unit development was approved in 1985 and currently this community can not accommodate the proposed request. She requested a deferral to allow additional time to hold a community meeting.

Mr. Marlin Keel spoke in favor of the proposal.

Ms. Robin Johnson, 2658 Forest View Drive, requested the project be deferred.

Mr. Buddy Raeper, 1601 Overcreek Court, spoke in opposition to the proposal.

Ms. Nielson acknowledged the concern of older plans and the owner's right to develop the property.

Mr. McLean acknowledged the concerns of the Councilmember as well as the neighbors affected by this proposal. He stated that the Commission does not have the means to disapprove the proposal.

Mr. Bernhardt explained there is an existing approved plan for this property. He stated that the proposed plan includes some revisions and that it was up to the Commission to decide whether the revisions made were better than the approved original plan.

Mr. McLean acknowledged that the revised plan includes a reduced number of units as well as an increase of size for each unit proposed.

Mr. Ponder acknowledged the issues mentioned by the constituents but stated that legally the Commission could not disapprove.

Ms. Jones spoke of the developer's attempt to amend the plan to better conform to the existing community.

Mr. Loring acknowledged the concerns of the neighbors but indicated that if the Commission would disapprove the amendment, the other plan would move forward regardless.

Mr. Tyler requested additional information on the proposed infrastructure for this proposal.

Mr. Bernhardt explained that if the plan were approved one of the requirements would include an updated traffic study, which would identify additional traffic needs for the proposal.

Mr. McLean moved and Mr. Ponder seconded the motion, which passed unanimously, to approve with conditions the revision of the preliminary plan for Planned Unit Development 24-85-P-13. **(7-0)**

Resolution No. RS2006-247

“BE IT RESOLVED by The Metropolitan Planning Commission that 24-85-P-13 is **APPROVED WITH CONDITIONS.**
(7-0)

Conditions of Approval:

1. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Section of the Metropolitan Department of Public Works for all required Public Road improvements.
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.
7. An updated traffic impact study shall be required with the submittal of a Final PUD plan.”

33. 93P-010G-12

Lenox Creekside, (Formerly Sugar Valley)
Map 181-00, Parcel Part of 244
Subarea 12 (2004)
District 31 - Parker Toler

A request to revise a portion of the preliminary and for final approval for a portion of a Residential Planned Unit Development district located east of Nolensville Road (unnumbered), classified R20, (13.2 acres) to permit the development of 140 multi-family units, requested by Anderson Delk and Associates, applicant for Lenox Creekside, LLC, owner.

Staff Recommendation: Approve with conditions

APPLICANT REQUEST -Revise preliminary & final PUD

Request to revise the preliminary and for final approval for a 13.2 acre portion of a Residential Planned Unit Development district located east of Nolensville Road to permit the development of 140 multi-family units, where 140 units were previously approved.

PLAN DETAILS

Site Plan - The request is to revise the circulation layout and unit type of the previously approved Planned Unit Development and for final site plan approval. The proposed plan includes 14 townhomes and 126 condominiums (stacked) in seven buildings. The Planning Commission granted final site plan approval for the private driveway running through this site in November 2005.

This plan is consistent with the circulation layout that was approved previously, and it is consistent with the number of units originally approved. The new building configuration creates a better streetscape than the original plan in that the units face directly onto the main driveway and have access in the rear. This creates more of a sense of place within this phase of

the development and creates a pedestrian friendly streetscape. The development also provides pedestrian connectivity to the area along Mill Creek where there will be a future greenway. Two buildings now overlook the greenway/conservation area along Mill Creek, as well.

Greenway/Conservation Easement - The plan includes the required Greenway/Conservation easement along the north side of Mill Creek that is called for in the Subdivision Regulations.

PUBLIC WORKS RECOMMENDATION

1. Approvals are contingent upon Public Works' review and approval of construction plans.
2. Prior to connection of this road segment to Nolensville Pk. comply with Nolensville Pk improvements as defined in BL2003-1325.
3. All Nolensville Pk improvements shall be approved by TDOT. Additionally, Allow cross access from this road easement to the adjacent properties along Nolensville PK. Nolensville Pk widening and lengthening of turn lane at Sugar Valley Drive shall provide transitions per AASHTO standards.

STORMWATER RECOMMENDATION

1. Include a copy of the NPDES NOC letter and fill out NOC note on plans with date and signature.
2. Show the location of the construction entrance on the plan set.
3. Label slopes 3:1 or steeper on the plan set and provide erosion control protection. Either shade or hatch area to receive advanced slope protection.
4. Provide construction schedule and phasing information if the project is expected to last longer than 12 months.
5. What does the statement "All open space is a drainage easement" shown on the drainage/erosion control plan set mean?
6. Provide inlet protection around the proposed inlets and include detail.
7. The text on the riprap detail is illegible.
8. The lengths of pipes 10 and 12 listed in the pipe info table are different than what's shown in the plan set.
9. The slopes and capacities of pipes 1, 2, 10 and 12 listed in the Hydraflow report are different than what's shown in the pipe info table.
10. Q10's don't match between the Hydraflow chart and the pipe table for pipes 3, 4, and 5.
11. Inlet 4 is listed as a single K grate on the plan set and shown as a double in the calculations.
12. Provide documentation showing the pond easement and access easement to the pond. (may be platted)
13. List the 100-yr floodplain elevation on the plan set.
14. Provide the FFE's for the buildings along the floodplain. FFE's must be 4' above the floodplain elevation.
15. Provide cross section cut and fill areas for the portion of the project located within the floodplain. Avoid counting area within detention as cut. It must be counted as fill from drawdown orifice to first stage orifice.
16. If greenway is required, a 75 foot buffer zone is required.

CONDITIONS - The previous preliminary and final PUD for this portion of the PUD included conditions from Public Works that were also included on the rezoning for the adjacent property to the east. These conditions were included in Council Bill BL2003-1325. This portion of the PUD is conditioned upon the following traffic improvements, to be completed or bonded prior to the recording of any final subdivision plat:

1. As per BL2003-1325, the southbound left turn lane on Nolensville Pike at Sugar Valley Drive is to be extended. This left turn lane should include 200 feet of storage. The left turn lane and transitions should be designed to AASHTO standards. Extension of this left turn lane will not be needed until after 60 dwelling units are completed in the southern addition to Sugar Valley.
2. As per BL2003-1325, prior to the issuance of any use and occupancy permits, the developer is required to widen Nolensville Pike to a three-lane cross-section that would include a continuous center left turn lane from Holt Road to the proposed apartment access. The left turn lane and transitions should be designed to AASHTO standards.
3. As per BL2003-1325, the westbound approach on the proposed project access to the apartments should include a lane for right turning movements and a separate lane for left turning movements.
4. All Nolensville Pike improvements shall be approved by TDOT. Additionally, allow cross access from this private drive easement to the adjacent properties along Nolensville Pike. Nolensville Pike widening and lengthening of turn lane at Sugar Valley Drive shall provide transitions per AASHTO standards.
5. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Section of the Metropolitan Department of Public Works for all required Public Road improvements.
6. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
7. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
8. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission.
9. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
10. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.

Approved with conditions, (6-0-1) *Consent Agenda*

Resolution No. RS2006-248

“BE IT RESOLVED by The Metropolitan Planning Commission that 93P-010G-12 is **APPROVED WITH CONDITIONS. (6-0)**

Conditions of Approval:

1. As per BL2003-1325, the southbound left turn lane on Nolensville Pike at Sugar Valley Drive is to be extended. This left turn lane should include 200 feet of storage. The left turn lane and transitions should be designed to AASHTO standards. Extension of this left turn lane will not be needed until after 60 dwelling units are completed in the southern addition to Sugar Valley.

2. As per BL2003-1325, prior to the issuance of any use and occupancy permits, the developer is required to widen Nolensville Pike to a three-lane cross-section that would include a continuous center left turn lane from Holt Road to the proposed apartment access. The left turn lane and transitions should be designed to AASHTO standards.
3. As per BL2003-1325, the westbound approach on the proposed project access to the apartments should include a lane for right turning movements and a separate lane for left turning movements.
4. All Nolensville Pike improvements shall be approved by TDOT. Additionally, allow cross access from this private drive easement to the adjacent properties along Nolensville Pike. Nolensville Pike widening and lengthening of turn lane at Sugar Valley Drive shall provide transitions per AASHTO standards.
5. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Section of the Metropolitan Department of Public Works for all required Public Road improvements.
6. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
7. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
8. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission.
9. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
10. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.

34. 99P-004U-10

Estes Glen
 Map 116-12, Parcel 102
 Subarea 10 (2005)
 District 34 - Lynn Williams

A request to amend the preliminary plan for the Planned Unit Development located at 3806 Estes Road, south of Elder Place, classified R10, (2.67 acres), to permit 8 single-family lots, requested by Barge Cauthen and Associates, for Broadway Properties, Inc., owner.

Staff Recommendation: Approve with conditions

APPLICANT REQUEST -Amend PUD

A request to amend the preliminary plan for a residential Planned Unit Development located at 3806 Estes Road, south of Elder Place, classified R10, (2.67 acres), to permit 8 single-family lots.

PLAN DETAILS

History -This residential PUD was originally adopted by the Metro Council in 1999 and included numerous conditions that were added to the Bill to address neighboring resident's concerns. The Amendment to the Bill included the following conditions:

1. A six (6) foot masonry wall between the Estes property and Burlington shall be erected.
2. The open space indicated on this plan shall remain open space behind lots number 5 through number 8.
3. An additional tree behind lot number 6 where there is an existing house, if needed after the tree survey is completed, to afford privacy.
4. No decks may be constructed above the main floor of the dwelling.
5. The total floor living area of the main structures upon any lot, exclusive of open porches, terraces, decks, garages, carports and breezeways, shall not be less than 2,900 square feet.
6. After completion of the tree survey, an attempt shall be made to preserve as much native landscape as possible.
7. The existing proposed setback of approximately 39.5 feet on the Wyndham Chase side shall be retained.
8. This PUD development name shall be changed from Estes Glen to another name at the time the final plat is submitted for recordation.
9. The Developer shall submit to the Metropolitan Nashville and Davidson County Department of Public Works and the Metropolitan Planning Commission a storm water management system for this project which shall be designed to provide a ten (10) percent decrease in the peak flow rates of storm water discharge from the site for the two (2) through the ten (10) year frequency storm events compared to the existing conditions. If such design is not approved, then the developer shall comply with the design requirements approved by the Department of Public Works and the Planning Commission.
10. All lots (including lots 3 through 5) adjacent to the Burlington property line on the eastern portion of this PUD shall have a minimum set-back of 25 feet from the eastern property line.

Applicants feel that the Council Bill requirements “are arbitrary and overly constraining, and unprecedented in the area”, and so have submitted a new plan to amend the originally approved PUD plan.

PUD Plan - This plan proposes 8 new cluster lots on approximately 2.52 acres with an overall density of 3.2 units per acre. The cluster lot option allows lots to be reduced two base zone districts from the base zone classification of R10 (minimum 10,000 sq. ft. lots) to R6 (minimum 6,000 sq. ft. lots). The proposed lots range in size from 7,147 square feet to 11,948 square feet.

Pursuant to Section 17.36.070(A) of the Metro Zoning Ordinance, PUD districts may cluster lots to a greater extent than what is allowed by the cluster lot provision, Section 17.12.080 in return for extraordinary protection of environmentally sensitive areas in a natural state. This request is more in keeping with the cluster lot option as lots are only being reduced by two zoning districts.

Cluster lot subdivisions require a minimum of 15% open space per phase. The applicant proposes a total of .48 acres (19%) of open space. The Commission recently adopted a policy clarifying that detention areas cannot be located in the minimum 15% open space required by the cluster lot option, and that a minimum of 15% must be for the use and enjoyment of the areas residents. As proposed the Commission’s requirements for open space are not being provided; however, the proposed open space is relatively consistent with the originally approved plan. Also this proposal is in an urban area, and is infill development, staff feels that the open space requirements should be less strict.

Access -Lots will be accessed by a new private drive off of Estes Road. As proposed the private drive will remain permanently dead-ended with no cross access to adjacent properties.

Setbacks - Setbacks within PUDs can be different than what is required for the zoning district if the Council approves those setbacks. Staff recommends approval of the proposed setbacks since there is open space between the back of each lot and the adjacent property. It does not appear that there will be any negative impact on surrounding properties. As proposed setbacks will be as follows:

Front	
All Lots	5 feet
Rear	
Lots 1-3	10 feet
Lots 4 and 5	15 feet
lots 6-8	5 feet
Side	
Very between lots	

Staff Concerns - Staff is concerned with the proposed front setback because NES typically requires a 20 foot wide easement along all streets for infrastructure. With a five foot setback, there may not be adequate room for the required easements if structures are to be built to the front setback line. Staff also feels that previous conditions are applicable to this new preliminary.

Staff Recommendation -Staff recommends that the request be approved with conditions, including many of the same conditions from the original Council Bill.

PUBLIC WORKS RECOMMENDATION -Approved as noted:

1. Public Works’ design standards, including cross-sections, geometry, and off site improvements shall be met prior to approval of roadway or site construction plans. Final design and improvements may vary based on field conditions.

STORMWATER RECOMMENDATION - Approved

CONDITIONS (If Approved)

1. A six (6) foot masonry wall between the Estes property and Burlington shall be erected.
2. No decks may be constructed above the main floor of the dwelling.
3. The total floor living area of the main structures upon any lot, exclusive of open porches, terraces, decks, garages, carports and breezeways, shall not be less than 2,900 square feet.
4. The existing proposed setback of approximately 39.5 feet on the Wyndham Chase side shall be retained.
5. This PUD development name shall be changed from Estes Glen to another name at the time the final plat is submitted for recordation.
6. All lots (including lots 3 through 5) adjacent to the Burlington property line on the eastern portion of this PUD shall have a minimum set-back of 25 feet from the eastern property line.
7. Prior to the final development plan being approved, applicants must acquire approval from NES regarding the proposed five foot front setback. If NES does not approve the proposed setback, then the plan must be revised, and or possibly amended.
8. 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.
9. Subsequent to enactment of this planned unit development overlay district by the Metropolitan Council, and prior to any consideration by the Metropolitan Planning Commission for final site development plan approval, a paper print of the final boundary plat for all property within the overlay district must be submitted, complete with owners signatures, to the Planning Commission staff for review.

10. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
11. 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.
12. This preliminary plan approval for the residential portion of the master plans is based upon the stated acreage. The actual number of dwelling units to be constructed may be reduced upon approval of a final site development plan if a boundary survey confirms there is less site acreage.

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

Mr. David Gregory, 3813 Estes Road, spoke in opposition to the proposal. He submitted a petition of opposition for the record.

Dr. Kay Rachard, 3729 Estes Road, spoke in opposition to the proposal.

Mr. John Gore, 208 Manchester Avenue, spoke in favor of the proposal.

Ms. Joyce Gregory, 3813 Estes Road, spoke in opposition to the proposal.

Ms. Kim Hawkins, 2205 Natchez Trace, spoke in favor of the proposal.

Mr. Mike Hartley, 416 Lynwood Blvd., spoke in favor of the proposal.

Ms. Marsha Chisolm, 3809 Estes Road, spoke in opposition to the proposal.

Mr. Bernhardt explained that the Commission is being asked to approve a change to an existing approved planned unit development.

Mr. Ponder spoke in favor of approving the proposal.

Mr. Ponder moved and Mr. McLean seconded the motion, which passed unanimously, to approve staff recommendation which is to approve with conditions Planned Unit Development. **(7-0)**

Resolution No. RS2006-249

“BE IT RESOLVED by The Metropolitan Planning Commission that 99P-004U-10 is **APPROVED WITH CONDITIONS. (6-0)**

Conditions of Approval:

1. A six (6) foot masonry wall between the Estes property and Burlington shall be erected.
2. No decks may be constructed above the main floor of the dwelling.
3. The total floor living area of the main structures upon any lot, exclusive of open porches, terraces, decks, garages, carports and breezeways, shall not be less than 2,900 square feet.
4. The existing proposed setback of approximately 39.5 feet on the Wyndham Chase side shall be retained.
5. This PUD development name shall be changed from Estes Glen to another name at the time the final plat is submitted for recordation.
6. All lots (including lots 3 through 5) adjacent to the Burlington property line on the eastern portion of this PUD shall have a minimum set-back of 25 feet from the eastern property line.

7. Prior to the final development plan being approved, applicants must acquire approval from NES regarding the proposed five foot front setback. If NES does not approve the proposed setback, then the plan must be revised, and or possibly amended.
8. 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.
9. Subsequent to enactment of this planned unit development overlay district by the Metropolitan Council, and prior to any consideration by the Metropolitan Planning Commission for final site development plan approval, a paper print of the final boundary plat for all property within the overlay district must be submitted, complete with owners signatures, to the Planning Commission staff for review.
10. 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.
11. 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.
12. This preliminary plan approval for the residential portion of the master plans is based upon the stated acreage. The actual number of dwelling units to be constructed may be reduced upon approval of a final site development plan if a boundary survey confirms there is less site acreage."

- 35. 2004P-013G-12**
 Mill Creek Towne Centre (Formerly Legg Development Co.), Starbucks Coffee
 Map 181, Parcel 253-00
 Subarea 12 (2004)
 District 31 - Parker Toler

A request to revise the approved preliminary plan, and for final approval for a Commercial Planned Unit Development district located at 6680 Nolensville Pike, zoned SCC (0.6 acres), to permit the development of a 1,873 square foot coffee shop, requested by Perry Engineering, LLC, applicant for Legg Investments - Nolensville, LLC, owner.

Staff Recommendation: Approve with conditions

APPLICANT REQUEST - Revision to Preliminary and Final PUD

A request to revise the approved preliminary plan, and for final approval for a Commercial Planned Unit Development district located at 6680 Nolensville Pike, zoned SCC (0.6 acres), to permit the development of a 1,873 square foot coffee shop.

PLAN DETAILS

History - The original Mill Creek Towne Centre preliminary PUD was approved by the Metro Council in July 2004, which included single family lots, townhomes, and a range of retail/restaurant uses. The final PUD was approved with conditions by the Planning Commission on March 24, 2005, for 45 single-family lots, 248 townhomes, and 236,851 square feet of retail, restaurant, and grocery store uses. A revision for lot 1 was approved on June 8, 2006 to change the use from retail to financial institution (office) use.

The preliminary PUD approved general retail or restaurant in this location, so the Starbucks is keeping with the original intent.

Site Layout, Access, & Parking - The submitted PUD plan shows the building on lot 6, with associated surface parking located around it. A drive-through aisle is located on the western side. The ingress/egress point is located off the internal access road in the PUD.

Sidewalks - The required sidewalk along the north side of Nolensville Road has been bonded with the previous final plat. Prior to the issuance of building permits for lot 2, the sidewalk along Nolensville Road must be constructed.

STORMWATER RECOMMENDATION - Approve with conditions. All remaining stormwater conditions must be met before a grading permit can be issued.

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.

FIRE MARSHAL RECOMMENDATION

1. Fire hydrants should flow at least 1,250 GPM's at 40 psi residual.
2. No part of any building shall be more than 500 feet from a fire hydrant via an approved hard surface road. Metro Ordinance 095-1541 Sec: 1568.020 B.

CONDITIONS

1. Prior to the issuance of building permits for lot 2, the sidewalk along the frontage of this property with Nolensville Road must be constructed.
2. Prior to final PUD approval, all Fire Marshal's Office conditions listed above shall be met.
3. 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.
4. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
5. Approvals within public right of way are subject to Public Works' review and approval of construction plans.
6. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
7. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.

Approved with conditions, (6-0-1) *Consent Agenda*

Resolution No. RS2006-250

"BE IT RESOLVED by The Metropolitan Planning Commission that 2004P-013G-12 is **APPROVED WITH CONDITIONS, including deleting condition #1. (6-0)**

Conditions of Approval:

1. ~~Prior to the issuance of building permits for lot 2, the sidewalk along the frontage of this property with Nolensville Road must be constructed.~~
2. Prior to final PUD approval, all Fire Marshal's Office conditions listed above shall be met.
3. 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.

4. 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.
5. Approvals within public right of way are subject to Public Works' review and approval of construction plans.
6. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
7. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission."

36. 2006P-007G-12
 Cane Ridge Estates
 Map 174, Parcel 075
 Subarea 12 (2004)
 District 32 - Sam Coleman

A request for preliminary approval for a Planned Unit Development located at Pettus Road (unnumbered), at the end of Bison Court, classified AR2a and proposed for RS10, (10.00 acres), to permit the development of 31 single-family lots, requested by Dale and Associates, for R.J. Rentals, owner.

Staff Recommendation: Approve with conditions

APPLICANT REQUEST - Preliminary PUD

A request for preliminary approval for a Planned Unit Development located at Pettus Road (unnumbered), at the terminus of Bison Court, classified agricultural and residential (AR2a) and proposed for residential single family (RS10), (10.00 acres), to permit the development of 31 single-family lots.

PLAN DETAILS

Zone Change Application - The Planning Commission approved and recommended approval of the request to change from AR2a to RS10 on November 10, 2005. The Council Bill was deferred on March 21, 2006 to allow this Planned Unit Development application to be approved at the same time as the zone change.

Plan Details -The development is accessed through the existing Cane Ridge Farms development's Bison Court and proposes future connections to the west and to the south. The plan proposes 30 single-family lots ranging in size from 6,250 sq. ft. to 14,785 sq. ft. The application is proposing to cluster the lots, which allows lots to be reduced in size.

Open Space -There is 15.8% open space proposed as calculated by the applicant, which would meets the minimum 15% requirement for cluster lot option policy if the Planning Commission finds the proposed open space to be acceptable.

The Commission's cluster lot policy requires common open space to have "use and enjoyment" value to the residents – recreational value, scenic value, or passive use value. Residual land with no "use or enjoyment" value is not counted to meet the minimum open space requirement.

The "active" open space contains 0.24 acres that in the opinion of the staff would be classified as residual land or left over land that could not be incorporated into a lot. Additionally, much of the 1.24 acre piece of active open space located off of Southfield Drive is crossed with a stream buffer.

Staff recommends that either lot 25, located in a visible point at the intersection of Bison Court and Birchfield Place, be converted to open space –or- lots 5 and 6 be combined with the 1.24 acre open space area located at the south side of the PUD.

Infrastructure Deficiency Area -This property is located within an infrastructure deficiency area for transportation established by the Planning Commission in the Southeast Community Plan. The applicant’s obligation for the transportation network is 130 feet of roadway. The applicant shall coordinate with Public Works to determine how to meet this requirement prior to final plat approval.

STORMWATER RECOMMENDATION -Preliminary approved

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

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. Conduit for street lighting is required in the General Services District.

CONDITIONS

1. Provide a sidewalk connection to the Metro School property to the north, as was shown on previous versions of the PUD plans. The exact location to be coordinated with the Metro Schools with the construction plans.
2. Within residential developments all utilities are to be underground. The utility providing the service is to approve the design and construction. The developer is to coordinate the location of all underground utilities. Conduit for street lighting is required in the General Services District.
3. Provide open space to meet the intent of the cluster lot policy, which may include either converting lot 25 or lots 5 and 6 to open space.
4. This application’s infrastructure obligation is 103 feet of roadway. The applicant shall coordinate with Public Works to determine how to meeting this requirement prior to final plat approval.
5. Subsequent to enactment of this planned unit development overlay district by the Metropolitan Council, and prior to any consideration by the Metropolitan Planning Commission for final site development plan approval, a paper print of the final boundary plat for all property within the overlay district must be submitted, complete with owners signatures, to the Planning Commission staff for review.
6. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
7. The requirements of the Metropolitan Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
8. This preliminary plan approval for the residential portion of the master plans is based upon the stated acreage. The actual number of dwelling units to be constructed may be reduced upon approval of a final site development plan if a boundary survey confirms there is less site acreage.

Approve with conditions, including amending condition 3, which states: Provide open space to meet the intent of the cluster lot policy, which may include either converting lot 25 or lots 5 and 6 to open space, **(6-0-1) Consent Agenda**

Resolution No. RS2006-251

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006P-007G-12 is **APPROVED WITH CONDITIONS. (6-0)**

Conditions of Approval:

1. Provide a sidewalk connection to the Metro School property to the north, as was shown on previous versions of the PUD plans. The exact location to be coordinated with the Metro Schools with the construction plans.

2. Within residential developments all utilities are to be underground. The utility providing the service is to approve the design and construction. The developer is to coordinate the location of all underground utilities. Conduit for street lighting is required in the General Services District.
3. Provide open space to meet the intent of the cluster lot policy, which may include either converting lot 25 or lots 5 and 6 to open space.
4. This application's infrastructure obligation is 103 feet of roadway. The applicant shall coordinate with Public Works to determine how to meeting this requirement prior to final plat approval.
5. Subsequent to enactment of this planned unit development overlay district by the Metropolitan Council, and prior to any consideration by the Metropolitan Planning Commission for final site development plan approval, a paper print of the final boundary plat for all property within the overlay district must be submitted, complete with owners signatures, to the Planning Commission staff for review.
6. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
7. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
8. This preliminary plan approval for the residential portion of the master plans is based upon the stated acreage. The actual number of dwelling units to be constructed may be reduced upon approval of a final site development plan if a boundary survey confirms there is less site acreage."

37. **2005P-025U-13**
 Jeric Commercial PUD
 Map 149, Parcel 200
 Subarea 13 (2003)
 District 33 - David Briley

A request for final approval for a commercial Planned Unit Development located on the west side of Bell Road, west of Murfreesboro Pike (1.06 acres), classified CS, to permit the development of a 5,301 Sq. Ft. car wash, requested by Tim Polston, applicants, for Dirty Car Wash, LLCL, owner.

Staff Recommendation: Approve with conditions

The Metropolitan Planning Commission DEFERRED Planned Unit Development 2005P-025U-13 indefinitely at the request of the applicant. (7-0)

38. **2003UD-003U-13**
 Ridgeview UDO, Phase 1
 Map 163, Parcel 122-00
 Subarea 13 (2003)
 District 33 - David Briley

A request for final approval for a portion of a mixed-use Urban Design Overlay district located on the east side of Bell Road (unnumbered), zoned RM9 and MUL (29.5 acres), to allow for the development of 150 single-family lots, requested by Dale and Associates, applicant for Ridgeview Heights, LLC, owner.

Staff Recommendation: Approve with conditions

APPLICANT REQUEST -Final UDO

A request for final site plan approval for a portion of a mixed-use Urban Design Overlay district located on the east side of Bell Road (unnumbered), zoned RM9 and MUL (29.5 acres), to allow for the development of 150 single-family lots.

URBAN DESIGN OVERLAY

Zoning Ordinance Section 17.36.270 -The purpose of the urban design overlay district is to allow for the application and implementation of special design standards with the intent of achieving a sense of place by fostering a scale and form of development that emphasizes sensitivity to the pedestrian environment, minimizes the intrusion of the automobile into the urban setting and provides for the sensitive placement of open spaces in relation to building masses, street furniture and landscaping features in a manner otherwise not insured by the application of the conventional bulk, landscaping and parking standards of the Zoning Ordinance.

The urban design overlay enables the creation of a mixed-use, mixed-income, walkable neighborhood through a mixture of building types and an interconnected compact form. The overlay is different than a typical planned unit development because it allows for the better integration of different uses, building types, and streets, which work together to form a cohesive environment. Furthermore, design standards for streets, buildings, open space, landscape, and streetscape components are specific to the site and intent of the overlay, therefore contributing to the desired end result.

PLAN DETAILS

History - The preliminary UDO was approved by the Planning Commission in 2003. The approved preliminary was for a mixture of building types with the total number of units not to exceed 936.

Site Plan - The plan proposes 98 single-family attached lots and 52 single-family detached lots with an overall density of approximately 5 units per acres. Some lots will be front loaded from public streets, while some will be rear loaded from public alleys. The plan identifies approximately 11 acres of open space. While some open space will be passive, some will be active, and will allow for new outdoor recreational opportunities within the area.

Preliminary Plan - As proposed this plan does include some deviation from the originally approved preliminary, but is consistent with the intent of the UDO. Deviations include street layout and ROW widths. Because the Stormwater Management Committee only allowed for two stream crossings, one road connection is lost, but the plan still provides adequate connectivity. Also where the road connection was lost, the applicants have provided a pedestrian connection. Proposed ROW widths are narrower than what is shown on the preliminary, but staff has worked with the applicant to ensure that the proposed widths will allow for cross sections that were intended on the preliminary.

Staff Concerns -Staff has no major concerns with the proposed plan, but a minor concern deals with alley orientations at the street intersections. Specifically as proposed, the rear of units and parking areas may be visible from the streets, and staff feels that the design and layout should limit visibility to these areas.

Staff Recommendation -Since the proposed plan is consistent with the intent of the preliminary UDO, planning staff recommends that the request be approved with conditions.

PUBLIC WORKS RECOMENDATION

1. Comply with conditions of approval.
2. Public Works' design standards, including cross-sections, geometry, and off site improvements shall be met prior to approval of roadway or site construction plans. Final design and improvements may vary based on field conditions.
3. Within residential developments all utilities are to be underground. The utility providing the service is to approve the design and construction.
4. Submit street lighting plan, as approved by respective utility. Submit stripping and signage plan.

STORMWATER RECOMMENDATION- Approve with the following conditions:

1. Show riprap at the outlet of all pipes on the drainage plan.
2. Show inlet protection around all proposed inlets on the drainage plan.

3. HW5 should enter at the opposite end of the pond from the outlet to prevent short-circuiting.
4. Include a matchline to indicate how sheet 3 of 3 matches up with the rest of the project area.
5. Extend silt fence at toe of slope on large cut slope in mass grading area.
6. Outlet P1 is listed with an i.e. of 620.0. Detail this outlet to the creek.
7. Include check dams in the ditch design.
8. Include calculations for the ditches.
9. Include a note stating that erosion control measures should be left in place until final site stabilization is complete.
10. The proposed contours don't appear to tie into the existing contours along the stream buffer at the bottom of drainage sheet 1 of 1.
11. The fill slope on the west side of the project area appears to have 3:1 slopes. Provide erosion control measures for this slope.
12. From the contours it appears that much of the runoff from the mass cut area misses the sediment ponds. Provide ditches/swales to divert entire area to sediment pond and ensure ponds are sufficiently sized to handle sediment from area.
13. Contours don't agree with the drainage boundary shown for structure D1. Perhaps a swale should be added here? How about at the back of lots 136-140? Also contours and boundaries don't agree for structures D50 and D57.
14. The areas for drainage basins D7, D8 and D15 are not readable on the drainage map.
15. Many of the drainage structures show a hydraulic jump. Revisit calculations.
16. 15" pipe must be limited to 50' sections or less.
17. Provide sediment pond for large graded area on western side of property.
18. Provide an existing conditions drainage map showing flow patterns, areas, Tc's and C/CN values.
19. In proposed conditions, flow has been redirected from sinkholes to creek. This must be accounted for in the pre- vs. post- conditions. More than just 19.25 acres must be considered. Post conditions will have a significantly higher drainage area than pre-conditions.
20. State what drawdown time used for the water quality calculations.
21. Extensive developed areas bypass water quality. Provide water quality treatment for these areas.
22. The drainage summary provided states that pond easements are not required. Is area to be platted.
23. There is a TDEC application for the on-site sinkholes included in the submittal. Provide a copy of the permit when it is issued.
24. Include a copy of the geologic report on the sinkholes. The report should be certified by a registered engineer and include the following:
 - Location and nature of underground aquifers.
 - Direction of flow for the subsurface drainage associated with the sinkhole.

- Estimated safe discharge from sinkhole to aquifers. Include information on method of sinkhole discharge estimation.
- Potential for siltation problems.
- Foundation problems that may be expected around the sinkhole.
- Details of stormwater management structures to be built in sinkhole.

CONDITIONS (If approved)

1. Prior to the issuance of grading permits, and prior to final plat approval, a revised final UDO plan shall be submitted including revised alley layouts at street intersections.
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.
3. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Section of the Metropolitan Department of Public Works for improvements within public rights of way.
4. This approval does not include any signs. All signage must be approved by the Planning Commission.
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 (4) copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission.
7. 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.
8. 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, (6-0-1) *Consent Agenda*

Resolution No. RS2006-252

“BE IT RESOLVED by The Metropolitan Planning Commission that 2003UD-003U-13 is **APPROVED WITH CONDITIONS. (6-0)**

Conditions of Approval:

1. Prior to the issuance of grading permits, and prior to final plat approval, a revised final UDO plan shall be submitted including revised alley layouts at street intersections.
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.
3. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Section of the Metropolitan Department of Public Works for improvements within public rights of way.

4. This approval does not include any signs. All signage must be approved by the Planning Commission.
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 (4) copies of the corrected/revise plans have been submitted to and approved by staff of the Metropolitan Planning Commission.
7. 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.
8. 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."

XV. OTHER BUSINESS

39. Development Application Processing Policy

Approved, (7-0) *Consent Agenda*

40. Amended employee contracts for Ann Hammond and Jeff Lawrence

Approved, (7-0) *Consent Agenda*

41. Correction to May 11, 2006 Minutes

Approved, (7-0) *Consent Agenda*

42. Executive Director Reports

43. Legislative Update

XVI. ADJOURNMENT

The meeting adjourned at 7:30 pm.

Chairman

Secretary



The Planning Department does not discriminate on the basis of age, race, sex, color, national origin, religion or disability in access to, or operation of its programs, services, activities or in its hiring or employment practices. **ADA inquiries should be forwarded to:** Josie L. Bass, Planning Department ADA Compliance Coordinator, 800 Second Avenue South, 2nd. Floor, Nashville, TN 37201, (615)862-7150. **Title VI inquiries should be forwarded to:** Michelle Lane, Metro Title VI Coordinator, 222 Third Avenue North, Suite 200, Nashville, TN 37201, (615)862-6170. **Contact Department of Human Resources for all employment related inquiries** at (615)862-6640.