



**METROPOLITAN GOVERNMENT  
OF NASHVILLE AND DAVIDSON COUNTY**

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

**Minutes  
Of the  
Metropolitan Planning Commission**

*August 10, 2006*

\*\*\*\*\*

*4:00 PM*

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

**PLANNING COMMISSION:**

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

**Staff Present:**

Richard Bernhardt, Executive Director  
Ann Hammond, Asst. Executive Director  
Brooks Fox, Legal Counsel  
David Kleinfelter, Planning Mgr. II  
Bob Leeman, Planner III  
Kathryn Withers, Planner III  
Trish Brooks, Admin. Svcs. Officer 3  
Jason Swaggart, Planner I  
Dennis Corrieri, Planning Tech I  
Cynthia Wood, Planner III

**I. CALL TO ORDER**

The meeting was called to order at 4:08 p.m.

**II. ADOPTION OF AGENDA**

Ms. Hammond explained the Planning Commission's appeals process to the audience. She stated that if someone is not satisfied with a decision made by the Commission, and wants to appeal the decision, that person should petition for a Writ of Cert with the Davidson County Chancery or Circuit Court. She also explained that the appeal must be filed within 60 days of the entry date of the Planning Commission's decision, and that legal counsel should be sought to insure that the appeal is filed in a timely manner and that it meets all procedural requirements.

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

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

**III. APPROVAL OF JULY 13, 2006 MINUTES**

Mr. Ponder moved and Mr. McLean seconded the motion, which passed unanimously to approve the July 13, 2006 minutes as presented. (7-0)

**IV. RECOGNITION OF COUNCILMEMBERS**

Councilmember Isabel requested that Item #26, 2006S-231U-03, Nocturne Village be either deferred or disapproved due to connectivity issues associated with the proposal.

The engineer and the owner of the project agreed to a one meeting deferral on this proposal.

Chairman Lawson announced that the Public Hearing for Item #26, 2006S-231U-03 would be kept open and that the proposal would not be re-advertised in the community. He stated that the proposal would be heard at the August 24, 2006 meeting.

Councilmember Foster spoke in favor of Item #31, 69-82-U-12, Cotton Lane Townhomes. He stated that he may hold a community meeting regarding the proposal prior to its Council Public Hearing.

Councilmember Gilmore stated she would reserve her right to address the Commission until after Item #22, 2006SP-134G-01 was presented for discussion.

Councilmember Shulman spoke in favor of Item #1, 2006SP-007U-10 and Item #15, 2006Z-126U-10 which were on the Consent Agenda for approval.

Mr. Tyler arrived at 4:12 p.m.

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

- |   |  |
|---|--|
| <b>VII. A REQUEST TO AMEND THE PLAN FOR SUBAREA 8: THE NORTH NASHVILLE COMMUNITY: 2002 UPDATE, METROCENTER - NORTH RHODES PARK DETAILED NEIGHBORHOOD DESIGN PLAN, TO GO FROM MIXED USE IN COMMUNITY CENTER TO COMMERCIAL IN COMMUNITY CENTER POLICY FOR APPROXIMATELY 10.37 ACRES FOR PROPERTY LOCATED BETWEEN METROCENTER BOULEVARD, DOMINICAN DRIVE, AND I-65</b> | – deferred to August 24, 2006, at the request of the applicant                                 |
| 6. 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 September 14, 2006, at the request of the applicant                              |
| 7. 2006P-013G-02 Cone Property PUD- Request for preliminary approval for a Planned Unit Development district located at 3474 and 3500 Brick Church Pike, and Brick Church Pike (unnumbered), to permit 143 townhomes and 276 single-family lots   | – deferred to September 14, 2006, at the request of the applicant                              |
| 19. 2006Z-130G-06 Request to change from AR2a to RM15 zoning on property located at 8921 Collins Road   | -- deferred to September 14, 2006, at the request of the applicant                             |
| 24. 2006Z-137U-09 Request to change from RS3.75 to RM20 property located at 1107, 1109 and 1111 Meharry Boulevard and 1020 Morrison Street, on the southeast corner of Meharry Boulevard and Morrison Street  | – deferred indefinitely at the request of the applicant  |
| 26. 2006S-231U-03 Request for a concept plan approval to create 35 lots on properties located at 869 West Trinity Lane, West Trinity Lane (unnumbered), Walker Lane (unnumbered), Overall Street (unnumbered), north of the intersection of West Trinity Lane and Roy Street (13.20 acres), zoned RS7.5 and RS20  | – deferred to August 24, 2006, as requested by Councilmember Isabel and agreed to by the owner |
| 28. 2006S-251A-07 Request for final plat approval to adjust the recorded side setback from 35 feet to 10 feet to accommodate an addition to an existing house at 249 Cargile Lane, approximately 630 feet north of Allens Place (0.38 acres)  | – deferred indefinitely at the request of the applicant  |
| 29. 2006S-262U-10 Holshouser Property - Request for final plat approval to create 2 lots on property located at 3907 Estes Road   | – deferred to August 24, 2006, at the request of the applicant                                 |

Ms. Nielson moved and Mr. McLean seconded the motion, which passed unanimously to approve the Deferred and Withdrawn items; and to keep the Public Hearing open on Items #VII, #13 and #26. **(8-0)**

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

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

1. 2006SP-007U-10 Glen Echo - A request for final development plan approval for properties located at 1737, 1741 and 1745 Glen Echo Road, to permit 12 single-family lots Approve w/conditions; Metro Stormwater has approved with conditions
2. 2006Z-101U-13 Request to change from AR2a to SCR zoning on property located at 5319 Mt. View Road - Approve
3. 79-81-G-13 Belle 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 - Approve with conditions
4. 2006Z-102U-11 Request to change from IWD to MUL zoning on property located at 1243 Lewis Street and Lewis Street (unnumbered) - Approve
5. 2006SP-105U-07 H & M Motors- Request to change from CS to SP zoning to permit "Automobile Sales Used", "Automobile Services", and approval of the final development plan and all other uses allowed in the CS district, on property located at 1517 4th Avenue South - Approve with conditions
8. 2005P-030G-14 Ravenwood- 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 - Approve with conditions

### **PUBLIC HEARING: ZONING MAP AMENDMENTS**

9. 2004SP-090G-12 Kingsport Estates- Request to change from AR2a to SP zoning on property located at 5748 Pettus Road, to permit 72 single-family lots. - Approve with conditions, including Public Works conditions.
11. 2006SP-067G-06 Jones Property- Request to change from AR2a to SP zoning to establish design guidelines for development complying with all other provisions of the RM4 zoning district, property located at 7874 McCrory Lane. - Approve with conditions
14. 2006SP-119U-08 4th Avenue - Request to change from IR to SP zoning on property located at 1211, 1215, 1217, 1219 and 1229 4th Avenue North, 4th Avenue North (unnumbered), and 407 Monroe Street, to permit the development of 38 units and 2,775 square feet of commercial space - Approve with conditions
15. 2006Z-126U-10 Request to change from RS20 to R20 zoning on property located at 4304 Gray Oaks Drive, at the southeast corner of Gray Oaks Drive and Audubon Road - Approve
16. 2006Z-128U-13 Request to change from SCR to MUL zoning on property located at 5222 Hickory Hollow Parkway - Approve
17. 1-74-U-13 Hickory Hollow Mall (Abundant Life Ministries) - Request to amend the Commercial Planned Unit Development district located at 5222 Hickory Hollow Parkway, to permit a religious institution use in the existing building, replacing a retail use - Approve with conditions

- |     |               |   |  |
|-----|---------------|---|--|
| 20. | 2006Z-131U-11 | Request to change from IWD and ORI to ORI (1.4 acres) and MUG (3.0 acres) zoning on a portion of property located at 75 Lester Avenue | - Approve  |
| 21. | 2006Z-132U-08 | Request to change from IR to MUN zoning on property located at 1409, 1411, and 1413 4th Avenue North and 4th Avenue North unnumbered) | - Approve, with the condition that the applicant obtain approval from MDHA's Design Review Board prior to building permit application. |

**CONCEPT PLANS**

- |     |               |   |                           |
|-----|---------------|---|---------------------------|
| 25. | 2006S-181G-14 | Pleasant Pointe - Request to revise the previously approved preliminary plat to create 26 lots on property located at 1420 Pleasant Hill Road and Bell Road (unnumbered), approximately 365 feet south of Pulley Road | - Approve with conditions |
|-----|---------------|---|---------------------------|

**PLANNED UNIT DEVELOPMENTS (revisions)**

- |     |               |  |                           |
|-----|---------------|--|---------------------------|
| 31. | 69-82-U-12    | Cotton Lane Townhomes - Request to amend the preliminary plan for a Residential Planned Unit Development district located at Cotton Lane (unnumbered)  | - Approve with conditions |
| 33. | 84-87-P-13    | Crossing At Hickory Hollow (American Health Properties, Inc)- Request to revise the preliminary plan and for final approval for a portion of the Commercial Planned Unit Development district located along the west side of Crossings Boulevard to permit allow for an 122,400 square foot distributive business and wholesale use, replacing the existing retail use | - Approve                 |
| 34. | 2005P-018G-12 | Preston Estates- Request for final approval for a portion of a Planned Unit Development district located at the south east corner of Pettus and Preston Road, to develop 2 single-family lots  | -Approve with conditions  |
| 35. | 2005P-025U-13 | Jeric Commercial - Request for final approval for a commercial Planned Unit Development located on the west side of Bell Road, west of Murfreesboro Pike, to permit the development of a 5,301 Sq. Ft. car wash  | -Approve with conditions  |

Ms. Cummings arrived at 4:25 p.m.

Ms. Nielson moved and Mr. McLean seconded the motion, which passed unanimously to approve the Consent Agenda as presented. **(9-0)**

**VII. A REQUEST TO AMEND THE PLAN FOR SUBAREA 8: THE NORTH NASHVILLE COMMUNITY: 2002 UPDATE, METROCENTER - NORTH RHODES PARK DETAILED NEIGHBORHOOD DESIGN PLAN, TO GO FROM MIXED USE IN COMMUNITY CENTER TO COMMERCIAL IN COMMUNITY CENTER POLICY FOR APPROXIMATELY 10.37 ACRES FOR PROPERTY LOCATED BETWEEN METROCENTER BOULEVARD, DOMINICAN DRIVE, AND I-65**

Ms. Hammond announced that the Request to Amend the Plan for Subarea 8: The North Nashville Community: 2002 Update will be deferred until August 24, 2006. The Public Hearing for this item will be kept open and it will not be re-advertised.

**The Subarea 8 Amendment Plan was DEFERRED to the August 24, 2006, Metropolitan Planning Commission meeting at the request of the applicant; the public hearing remains open and no new notices will be mailed.**

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

1. **2006SP-007U-10**  
Glen Echo  
Map 117-15, Parcels 061, 062, 063  
Subarea 10 (2005)  
Council District 25 - Jim Shulman

A request for final development plan approval for properties 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.**

**APPLICANT REQUEST** - A request for final site plan approval for the Specific Plan district (SP) located on property at 1737, 1741, and 1745 Glen Echo Road, to permit 12 single-family lots on 3.07 acres.

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

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

**Building Elevations** - The plan also includes architectural renderings (elevations) for the different building types within the development. Staff has reviewed the elevations and recommends that the Commission approve them as consistent with the preliminary plan approved by the Metro Council.

**FIRE MARSHAL RECOMMENDATION** - Approved

**STORMWATER RECOMMENDATION** - Plans have not passed technical review.

**PUBLIC WORKS RECOMMENDATION** -Revise and resubmit.

- 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. Street lighting is required in the USD.
- Plan proposes grass strip with tree plantings. Must meet the requirements of the Urban Forester. Adjust right of way accordingly.
- Dimension right of way along Glen Echo. Dimension from centerline. Sidewalk to be located within right of way.
- At temporary turnaround, extend right of way to property line.

**CONDITIONS (if approved)**

1. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter. A hammerhead design is acceptable if it has a 50 foot

centerline and is 100 feet from one end to the other. It should also have a minimum width of 14 feet if one way traffic and 20 feet if two way traffic.

2. All traffic conditions for public roadway improvements, must be bonded or completed prior to the recordation of any final plat, excluding the required street trees.
3. All comments from Metro Stormwater shall be addressed at the final plat stage.
4. All public roadways and private access easements shall be constructed to the property lines to allow for future connection of streets to adjacent parcels.
5. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission approval, the property shall be subject to the standards, regulations and requirements of the RS10 zoning district, which must be shown on the plan.
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. The revised plans must be received within 60 days of Planning Commission approval.

Approved with conditions; Metro Stormwater has approved with conditions (9-0) *Consent Agenda*

**Resolution No. RS2006-253**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006SP-007U-10 is **APPROVED WITH CONDITIONS, (9-0), Metro Stormwater has also approved with conditions.**

2. **2006Z-101U-13**  
Map 163-00, Parcel 302  
Subarea 13 (2003)  
Council 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 (0.67 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**

**APPLICANT REQUEST** - A request to change 0.67 acres from agricultural and residential (AR2a) to shopping center regional (SCR) zoning on a portion of property located at 5319 Mt. View Road, at the southeastern corner of Bell Road and Mt. View 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**

SCR district - Shopping Center Regional is intended for high intensity retail, office, and consumer service uses for a regional market area.

**ANTIOCH/PRIEST LAKE COMMUNITY PLAN**

**Regional Activity Center (RAC)**-RAC policy is intended for concentrated mixed-use areas anchored by a regional mall. Other uses common in RAC policy are all types of retail activities, offices, public uses, and higher density residential areas. An accompanying Urban Design or Planned Unit Development overlay district or site plan should

accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

**Consistent with Policy?** -Yes. The proposed SCR zoning district is consistent with the intent of the RAC policy. There is also a Planned Unit Development (PUD) associated with this zone change. This zoning district would also allow for the requested use within this portion of the PUD to be consistent with the zoning.

**RECENT REZONINGS** - None.

**PUBLIC WORKS RECOMMENDATION** - See PUD 79-81-G-13 for comments.

**Typical Uses in Existing Zoning District: AR2a/Commercial PUD**

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Parking Lot()	0.67	N/A	0*			

\*The area proposed for the Amendment is approved for a parking lot use.

**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
Gas Station without Convenience Market( )	0.67	N/A	266 s.f. with 5 pumps	843	65	70

**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
--				843	65	70

Approved, (9-0) *Consent Agenda*

**Resolution No. RS2006-254**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006Z-101U-13 is **APPROVED. (9-0)**

**The proposed SCR district and associated PUD plan are consistent with the Antioch/Priest Lake Community Plan’s Regional Activity Center policy, which is intended for concentrated mixed-use areas anchored by a regional mall.”**

- 3. **79-81-G-13**  
Bell Forge Commercial  
Map 163-00, Parcel 302-00  
Subarea 13 (2003)  
Council 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 (0.67 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**

**APPLICANT REQUEST -Amend Preliminary PUD**

A request to amend a 0.67 acre portion of the preliminary plan 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, currently zoned AR2a and proposed for SCR, located at the northwest intersection of Bell Road and Mt. View Road.

**PLAN DETAILS** -The plan proposes a fuel center with five pumps and a 266 square foot kiosk within the existing parking lot of the retail shopping center.

There is no additional access proposed from Mt. View Road, Bell Road, or Bell Forge Lane. Access will be from existing drives.

The original PUD was required to have 489 spaces, and provided 665 parking spaces. Approximately 65 spaces will be lost with this development, leaving approximately 600 spaces, maintaining its legally required number of parking spaces.

**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.

**STORMWATER RECOMMENDATION** - Approved.

### **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 Sections of the Metropolitan Department of Public Works for all improvements within public rights-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.
6. A revised plan showing all required revisions (if any) and listing all conditions of approval shall be submitted within 60 days after the PUD has received the final approval of the Metro Council.

Approved with conditions, (9-0) *Consent Agenda*

### **Resolution No. RS2006-255**

"BE IT RESOLVED by The Metropolitan Planning Commission that 79-81-G-13 is **APPROVED WITH CONDITIONS. (9-0)**

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

1. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
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 Sections of the Metropolitan Department of Public Works for all improvements within public rights-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.
6. A revised plan showing all required revisions (if any) and listing all conditions of approval shall be submitted within 60 days after the PUD has received the final approval of the Metro Council.

**The proposed amendment to the existing PUD and associated zone change are consistent with the Antioch/Priest Lake Community Plan's Regional Activity Center policy, which is intended for concentrated mixed-use areas anchored by a regional mall."**

4. **2006Z-102U-11**  
 Map 105-04, Parcel 172  
 Map 105-04, Parcel 377  
 Subarea 11 (1999)  
 Council District 17- Ronnie E. Greer

A request to change from IWD to MUL zoning on properties 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**

**APPLICANT REQUEST** - A request to change 0.27 acres from industrial warehousing and distribution (IWD) to mixed use limited (MUL) zoning property located at 1243 Lewis Street and Lewis Street (unnumbered), approximately 275 feet south of N. Hill Street.

**Existing Zoning**

IWD district -Industrial Warehousing/Distribution is intended for a wide range of warehousing, wholesaling, and bulk distribution uses.

**Proposed Zoning**

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

**SUBAREA 11 COMMUNITY PLAN**

Commercial Mixed Concentration (CMC) -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.

**Consistent with Policy?** -Yes. The proposed MUL zoning district is consistent with the area's CMC policy. The MUL district would allow for various uses that are not as intense as the IWD district and moves the zoning closer to the intent of the policy.

**RECENT REZONINGS** -None.

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

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

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	0.27	0.337	3,963	365	9	6

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

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Gas Station with Convenience Market (945)	0.27	0.055	647	NA	388	482

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	0.27		-3,316	NA	379	476

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

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing(150)	0.27	0.80	9,409	385	16	11

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

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Gas Station With Convenience Market (945)	0.27	0.055*	647	NA	388	482

\*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
--	0.27		-8,762	NA	362	471

**METRO SCHOOL BOARD REPORT**

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

**Schools Over/Under Capacity** - Students would attend Park Avenue Elementary School, Bass Middle School, or Pearl Cohn High School. None of the schools has been identified as being over capacity by the Metro School Board. This information is based upon data from the school board last updated July 2006.

\*This assumes that all of the MUL zoning would be used for residential purposes with 1,000 sq. ft. multi-family units.

Approved, (9-0) *Consent Agenda*

**Resolution No. RS2006-256**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006Z-102U-11 is **APPROVED. (9-0)**

**The proposed MUL district is consistent with the Subarea 11 Community Plan’s Commercial Mixed Concentration policy, which is intended to include medium high to high density residential, all types of retail trade, commercial services, offices and other appropriate uses.”**

- 5. **2006SP-105U-07**  
H & M Motors  
Map 105-07, Parcel 407  
Subarea 7 (2000)  
Council District 17 - Ronnie E. Greer

A request to change from CS to SP zoning to permit "Automobile Sales Used", "Automobile Services", and approval of the final development plan 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**

**APPLICANT REQUEST** -A request to change approximately 0.44 acres from Preliminary and Final SP Commercial Services (CS) to Specific Plan (SP) zoning to permit "Automobile Sales Used", "Automobile Services" and approve a final site plan, property located at 1517 4th Avenue South, at the corner of 4th Avenue South and Mallory Street.

**Existing Zoning**

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

**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.

**SUBAREA 11 COMMUNITY PLAN**

Commercial Arterial -CAE policy is intended to recognize existing areas of Existing (CAE) "strip commercial" which is characterized by commercial uses that are situated in a linear pattern along arterial streets between major intersections. The intent of this policy is to stabilize the current condition, prevent additional expansion along the arterial, and ultimately redevelop into more pedestrian-friendly areas.

**Consistent with Policy?** -Yes. The request is consistent with the area's Commercial Arterial Existing policy.

**PLAN DETAILS**

**Background** -In April 2006, Metro Council passed legislation that defines different types of "auto uses" and designates which auto uses will be allowed in certain zoning districts. With this legislation, used car lots are designated to the SP (Specific Plan), and industrial (IWD, IR and IG) zoning districts. While the new legislation allows for used car lots to be located in all industrial zoning districts by right, other areas require a SP, which is its own zoning district (for more details on the SP see above).

**Site Plan** -This site is currently developed. Staff's review of the SP is to ensure that the request is consistent with the area's land use policy, and that it will not have any negative impact on the surrounding area and if needed require certain improvements.

The plan identifies the site as it currently exists. Accordingly it identifies the paved lot, a 1,781 square foot block building, a metal shipping container and wood shed, perimeter fence, and various other features which can be seen on the plan.

**Recommended Site Improvements** Staff recommends that the request be approved with the conditions listed below. If the conditions are not met then staff recommends disapproval.

1. There shall be a physical separation of the automobile display area and parking area from the sidewalk in

the form of a knee wall of a minimum 24" height. Wall shall be placed along 4<sup>th</sup> Avenue South and Mallory Street, and must meet one of the following two conditions:

- The wall shall be constructed of concrete, stone, finished masonry or other similar material, or
  - The wall shall be solid or consist of pillars with wrought iron or similar material between the pillars.
2. No chain link fence shall be within 25 feet of any public right of way. No razor wire, barbed wire or similar materials shall be allowed on the property. The existing chain link fence shall be removed.
  3. Sidewalks must be constructed or repaired along 4<sup>th</sup> Avenue South and Mallory Street so that they are up to Metro Code in terms of construction.
  4. All light and glare shall be directed on-site to ensure surrounding properties are not adversely affected by increases in direct or indirect ambient light.
  5. All signs shall be monument signage or on-building. Pole-mounted signs shall not be permitted.
  6. Landscaping shall be provided on site, and must be approved by planning staff prior to approval of the final development plan.
  7. All performance and development standards not specifically listed in the SP shall be the same as if the property were zoned CN.

#### **RECENT REZONINGS -None**

#### **PUBLIC WORKS RECOMMENDATION**

1. Identify and label the existing right of way, street widths, edge of pavement, sidewalks.
2. Dimension driveway ramps. Provide a parking table.
3. 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**

1. There shall be a physical separation of the automobile display area and parking area from the sidewalk in the form of a knee wall with a minimum 24" height. Wall shall be placed along 4<sup>th</sup> Avenue South and Mallory Street and must meet one of the following two conditions:
  - The wall shall be constructed of concrete, stone, finished masonry or other similar material, or
  - The wall shall be solid or consist of pillars with wrought iron or similar material between the pillars.
2. Sidewalks must be constructed or repaired along 4<sup>th</sup> Avenue South and Mallory Street so that they are up to code in terms of construction.
3. No chain link fence shall be within 25 feet of any public right of way. No razor wire, barbed wire or similar materials shall be allowed on the property. The existing chain-link fence shall be removed.
4. All light and glare shall be directed on-site to ensure surrounding properties are not adversely affected by increases in direct or indirect ambient light
5. All signs shall be monument signage or on-building. Pole-mounted signs shall not be permitted.
6. Landscaping shall be provided on site, and must be approved by planning staff prior to approval of the final development plan.

7. All performance and development standards not specifically listed in the SP shall be the same as if the property were zoned CN.
8. 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.
9. 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.
10. 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.
11. 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.
12. 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. The revised plans must be received within 60 days of Metro Council's final approval.

Approved with conditions, (9-0) *Consent Agenda*

**Resolution No. RS2006-257**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006SP-105U-11 is **APPROVED WITH CONDITIONS. (9-0)**

**Conditions of Approval:**

1. There shall be a physical separation of the automobile display area and parking area from the sidewalk in the form of a knee wall with a minimum 24” height. Wall shall be placed along 4<sup>th</sup> Avenue South and Mallory Street and must meet one of the following two conditions:
  - The wall shall be constructed of concrete, stone, finished masonry or other similar material, or
  - The wall shall be solid or consist of pillars with wrought iron or similar material between the pillars.
2. Sidewalks must be constructed or repaired along 4<sup>th</sup> Avenue South and Mallory Street so that they are up to code in terms of construction.
3. No chain link fence shall be within 25 feet of any public right of way. No razor wire, barbed wire or similar materials shall be allowed on the property. The existing chain-link fence shall be removed.
4. All light and glare shall be directed on-site to ensure surrounding properties are not adversely affected by increases in direct or indirect ambient light
5. All signs shall be monument signage or on-building. Pole-mounted signs shall not be permitted.
6. Landscaping shall be provided on site, and must be approved by planning staff prior to approval of the final development plan.
7. All performance and development standards not specifically listed in the SP shall be the same as if the property were zoned CN.
8. 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.

9. 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.
10. 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.
11. 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.
12. 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. The revised plans must be received within 60 days of Metro Council's final approval.

**The proposed SP district is consistent with the Subarea 11 Community Plan's Commercial Arterial Existing policy, which is intended to recognize existing areas of "strip commercial".**

6. **2006Z-124G-02**  
Map 050, Parcels 091, 146, Part Of 129  
Subarea 2 (1995)  
Council 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.

**Staff Recommendation: Approve with conditions**

**The Metropolitan Planning Commission DEFERRED Zone Change 2006Z-124G-02 to September 14, 2006, at the request of the applicant. (9-0)**

7. **2006P-013G-02**  
Cone Property PUD  
Map 050, Parcels 091, 146, Part Of 129  
Subarea 2 (1995)  
Council 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 preliminary Planned Unit Development to September 14, 2006, at the request of the applicant. (9-0)**

#### **PLANNED UNIT DEVELOPMENTS**

8. **2005P-030G-14**  
Ravenwood Community, Phase 1  
Map 085-00, Parcel 213  
Subarea 14 (2004)  
Council 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: Approve with conditions**

**APPLICANT REQUEST-Final PUD**

A request for Final PUD approval to permit 55 single-family lots located on the north side of Stones River Road (unnumbered), approximately 590 feet northwest of Lebanon Pike.

**PLAN DETAILS**

Site Design -The plan proposes 55 single-family lots with minimum lot sizes from 5,000 square feet.

Access is proposed from the adjacent property to the east with pedestrian access (greenway easement) from Stones River Road. There was a condition with the preliminary approval that stated Metro Parks is to provide approval prior to final PUD approval. Metro Parks is in negotiation with the adjacent property (parcel 018) for future greenway and park activities. If right of way is acquired to connect with Lebanon Pike by the developer through the Parks property, a PUD amendment or revision may be required since a new point of access will be provided. A subarea plan amendment may also be required to change the status of the proposed road from a collector street to a local street.

Prior to final plat approval, documentation is to be provided from Metro Parks and the applicant regarding any right-of-way proposed to the property from the adjacent property. Also, the stone wall along the boundary of the property is to remain since it may have historical significance.

A revised plan is to be submitted that labels the “Dedicated Conservation Greenway Public Access Easement Area.” The greenway is to also be relocated from the connection to the south to the west to parcel 018. There is also a greenway that is to be shown and labeled along the southern boundary of the property that should be bonded and/or constructed prior to final plat approval.

Six critical lots are proposed which will require a grading plan to be submitted with the final plat to show how those six lots will meet the critical lot standards.

There was a condition with the preliminary approval that a right-of-way dedication be provided for future connectivity based on the community plan. This right-of-way dedication has not been labeled, but must be shown on the plan.

**PUBLIC WORKS RECOMMENDATION** -Any approval is subject to Public Works' approval of the construction plans. 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 except as noted.

1. Provide a better level spreader (one that is more permanent). A stone check dam would require maintenance several times a year.
2. On the grading sheets, show the contours (grading) for all the ditches. Be sure that these ditches (and any pipes) are located within ROW, Open Space /Drainage Easements, or within a PUDE.
3. For storm structure C7, Tc (on sheet C2.03) is indicated to be at 539, but ground elevation (contours) is indicated to be at 532?
4. For the stormwater treatment, pipe network “A” treatment was calculated to be 9.65 cfs. The treatment capacity of unit “1266” is 7.2 cfs.
5. For the stormwater treatment, how is water quality being handled for pipe networks “B” and “C”? Calculations, easements, maintenance agreements would be required if the lake and / or swale is to be used.

6. 40 acre drain appears to intersect near the vicinity of the sewer pump station / lot 113. Delineation did not appear to cover all the drainage basin. If no buffer is to be left in place, then provide determination.
7. For all the offsite work, provide the instrument number (deed book / page) showing that the sites property owner is the same as the adjacent property owners.
8. Size all outlet protection. Specify the length and D50 size on the plans.

#### **CONDITIONS**

1. Prior to final plat approval, revised final PUD plans are to be submitted and the plat is to show the following:
  - Dedicated Conservation Greenway Public Access Easement Area
  - 60' Right-of-way dedication required by the Community Plan.
  - Site data table proposing the size of each lot.
  - Label proposed greenway trails and stone wall is to be labeled as to remain.
2. Prior to final plat approval, proposed greenway trails are to be constructed or bonded.
3. Prior to final plat approval, documentation is to be provided by the applicant and/or Metro Parks with the status of the right-of-way acquisition.
4. 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.
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. 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.
7. 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. The revised plans must be received within 60 days of Metro Council's final approval.

Approved with conditions, (9-0) *Consent Agenda*

#### **Resolution No. RS2006-258**

**"BE IT RESOLVED** by The Metropolitan Planning Commission that 2005P-030G-14 is **APPROVED WITH CONDITIONS. (9-0)**

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

1. Prior to final plat approval, revised final PUD plans are to be submitted and the plat is to show the following:
  - Dedicated Conservation Greenway Public Access Easement Area
  - 60' Right-of-way dedication required by the Community Plan.
  - Site data table proposing the size of each lot.
  - Label proposed greenway trails and stone wall is to be labeled as to remain.

2. Prior to final plat approval, proposed greenway trails are to be constructed or bonded.
3. Prior to final plat approval, documentation is to be provided by the applicant and/or Metro Parks with the status of the right-of-way acquisition.
4. 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.
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. 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.
7. 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. The revised plans must be received within 60 days of Metro Council's final approval.

---

## **IX. PUBLIC HEARING:** **ZONING MAP AMENDMENTS**

9. **2004SP-090G-12**  
Kingsport Estates  
Map 174-00, Parcel 006  
Subarea 12 (2004)  
Council District 32 - Sam Coleman

A request to change from AR2a to SP zoning on property located at 5748 Pettus Road, on the west side of Preston Road, (41.44 acres) to permit 72 single-family lots, requested by E. Roberts Alley & Associates, Inc., applicant for Martha S. Wisener, owner.

**Staff Recommendation: Defer until Public Works approves the associated access study. Note: Public Works provided conditions for approval prior to the Commission meeting.**

### **APPLICANT REQUEST - Preliminary Plan**

A request to change 41.44 acres from agricultural and residential (AR2a) to Specific Plan (SP) zoning property located at 5748 Pettus Road, on the west side of Preston Road, to permit 72 single-family lots.

### **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) - 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.

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

**Consistent with Policy?** -Yes. The proposed SP district is consistent with the area’s RLM and NCO policy.

Plan Details -The plan proposes 72 single-family homes with access proposed off of Preston Road and Pettus Road. Much of the floodplain and floodway areas are remaining undisturbed.

A cluster lot subdivision is proposed which requires additional open space to be provided for the use and enjoyment of the future homeowners. There is a condition stated on the plan that a playground area will be provided for children within the subdivision, however, it is not labeled on the plan where that open space will be provided. Another condition stated on the plan is that the applicant is to work with Metro Parks to extend the greenway along Mill Creek. This will also be counted as useable open space. Approval from Metro Parks will be required prior to final site plan approval.

There are double frontage lots proposed along Pettus and Preston Road. A 50’ landscape buffer is proposed to buffer adjacent residential development along these roads. The buffer along Pettus Road must be labeled prior to final SP approval. The buffer is to keep the existing trees along Preston and Pettus Road.

Eleven lots have some existing floodplain within the lot. These lots are not labeled as critical lots and would require a comprehensive grading plan to meet critical lot standards. These lots are to be labeled and the grading plans are to be approved by Metro Planning prior to final site plan approval.

A collector street is required by the Community Plan and is provided for future connectivity.

There is a condition stated on the plan regarding a cave in the vicinity of this property. Staff recommends that a geotechnical study be provided prior to final site plan approval.

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 during the final SP stage.

This property is located within RLM and NCO policy. The RLM policy requires 13 linear feet per acre of infrastructure improvements, while the NCO policy does not require improvements since it is not intended for intense development. The acreage within RLM policy being developed is 26 acres, which would require 338 linear feet of roadway improvements to be provided. There is approximately 15 acres located within NCO policy and does not require any infrastructure improvements.

**RECENT REZONINGS** - None.

**STORMWATER RECOMMENDATION** - Approved except as Noted.

- Site will be required to use “worst-case-scenario” for floodplain/floodway.
- Compensated fill/cut will be required.
- A variance will be required for stream crossing.

**PUBLIC WORKS RECOMMENDATION** -An access study is required.

- 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. Installation of conduit for street lighting is required in the GSD.
- Show and dimension right of way along Pettus Road. Label and dedicate right of way 30 feet from centerline to property boundary. Label and show 12' reserve strip for future right of way (42 feet from centerline to property boundary), consistent with the approved major street plan (U4 - 84' ROW).
- Sight distance appears inadequate at the Preston Road access intersection. Document adequate sight distance at project entrances.
- Minimum elevation of public streets shall be a minimum one (1) foot above the 100-yr flood elevation.
- Proposed subdivision appears to be located in Planning's IDA policy area.

**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)	41.44	0.5	20	192	15	21

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

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	41.44	1.73	72	769	60	80

**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
--				577	45	59

**METRO SCHOOL BOARD REPORT**

Projected student generation    10 Elementary    7 Middle    7 High

**Schools Over/Under Capacity** -Students would attend Maxwell Elementary School, Antioch Middle School, or Antioch High School. All of these schools have been identified as being over capacity by the Metro School Board. There is capacity at another middle school within the cluster and capacity at an adjacent high school cluster

(Glencliff). There is no capacity within the cluster for elementary students. This information is based upon data from the school board last updated February 2006.

**Fiscal Liability** -The Metro School Board reports that due to the overcrowded condition of the school(s) impacted by this proposed rezoning and the lack of capacity of other elementary schools within the cluster, approval of the rezoning and the development permitted by the rezoning will generate a capital need liability of approximately \$120,000 for additional school capacity in this cluster. This estimate is based on maintaining current school zone boundaries.

**CONDITIONS (if approved)**

1. Prior to final SP approval, revised preliminary plans are to be submitted that shows the following:
  - Label landscape buffer yard for double frontage lots along Pettus Road. Existing trees are to remain.
  - Label all critical lots proposed.
  - The plan is to show the amount of undisturbed floodplain, amount of open space, and amount of acreage within the RLM policy or amount that is being developed.
  - The name of the SP is to be changed due to same name as another proposal in this area.
  - The plan is show the amount of area within the RLM policy so that roadway improvements can be determined.
2. Prior to final site plan approval by the Planning Commission, the Metro Parks Department, or applicable agency, shall provide, in writing, the approval of the proposed greenway along Mill Creek.
3. A total of 338 linear feet of roadway improvements is to be provided for the infrastructure deficiency policy.
4. Prior to final site plan approval, Metro Stormwater and Public Works are to review and submit approval.
5. A revised plan showing all required revisions and listing all conditions of approval shall be submitted within 60 days after the PUD has received the final approval of the Metro Council.
6. 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, which must be shown on the plan.
7. All Fire Marshal requirements must be met prior to Final Site Plan approval. 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. A cave study/geotechnical study is to be completed by a Registered Engineer prior to Final Site Plan approval. The report should specifically address the low area near the main road and roundabout and provide recommendations for structural fills, grading, bearing capacities, etc. This report must be submitted prior to or in conjunction with the submittal of the final SP site plan. Should the geotechnical report indicate that the sinkholes are larger than identified on the preliminary SP district plan, the number of units and layout of the roads may be reduced and relocated.

Approved with conditions, including Public Works conditions (9-0), *Consent Agenda*

**Resolution No. RS2006-259**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2004SP-090G-12 is **APPROVED WITH CONDITIONS (9-0), including additional Public Works recommendations.**

**Conditions of Approval:**

1. Prior to final SP approval, revised preliminary plans are to be submitted that shows the following:
  - Label landscape buffer yard for double frontage lots along Pettus Road. Existing trees are to remain.
  - Label all critical lots proposed.
  - The plan is to show the amount of undisturbed floodplain, amount of open space, and amount of acreage within the RLM policy or amount that is being developed.
  - The name of the SP is to be changed due to same name as another proposal in this area.
  - The plan is show the amount of area within the RLM policy so that roadway improvements can be determined.
2. Prior to final site plan approval by the Planning Commission, the Metro Parks Department, or applicable agency, shall provide, in writing, the approval of the proposed greenway along Mill Creek.
3. A total of 338 linear feet of roadway improvements is to be provided for the infrastructure deficiency policy.
4. Prior to final site plan approval, Metro Stormwater and Public Works are to review and submit approval.
5. A revised plan showing all required revisions and listing all conditions of approval shall be submitted within 60 days after the PUD has received the final approval of the Metro Council.
6. 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, which must be shown on the plan.
7. All Fire Marshal requirements must be met prior to Final Site Plan approval. 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. A cave study/geotechnical study is to be completed by a Registered Engineer prior to Final Site Plan approval. The report should specifically address the low area near the main road and roundabout and provide recommendations for structural fills, grading, bearing capacities, etc. This report must be submitted prior to or in conjunction with the submittal of the final SP site plan. Should the geotechnical report indicate that the sinkholes are larger than identified on the preliminary SP district plan, the number of units and layout of the roads may be reduced and relocated.

**Public Works' comments are as follows:**

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. Installation of conduit for street lighting is required in the GSD.
3. Document adequate sight distance at project access locations, prior to submittal of construction plans.
4. Minimum elevation of public streets shall be a minimum one (1) foot above the 100-yr flood elevation.
5. Construct one-half of Pettus Road and Preston Road along the property frontage to the standards as established by the Department of Public Works.

6. The access onto Pettus Road shall be constructed to meet Metro Public Works' standard collector cross-section (including separate left and right turn lanes at Pettus Road).
7. Comply with the Metro Planning Department's IDA policy

**The proposed SP district is consistent with the Southeast Community Plan's Residential Low Medium and Natural Conservation policies. Residential Low Medium is for residential developments within a density of 2 and 4 units per acre, and Natural Conservation policy is for undeveloped areas with the presence of steep terrain, unstable soils, and floodplain/floodway, and only suitable for low intensity developments."**

**10. 2006Z-008U-08**

Map 081-12, Parcel 328, 329  
Subarea 8 (2002)  
Council District 19 - Ludye N. Wallace

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

**Staff Recommendation: Disapprove**

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

Mr. Aaron White, applicant/owner, spoke in favor of the proposal.

Mr. Norm Dozier, 1400 8<sup>th</sup> Avenue North, #133, spoke in opposition to the proposal.

Mr. Tyler stated he was in favor of staff recommendation. He suggested more specific information on the proposal be provided to the Commission.

Ms. Cummings agreed that design plans should be submitted prior to consideration.

Mr. Clifton requested clarification on the preliminary approval of MDHA mentioned by the applicant.

Mr. Bernhardt explained that the applicant had only received initial plan approval, not the necessary approval that is required by MDHA and the Planning Staff.

Mr. Bernhardt also explained that the land use policy for this area requires both a specific plan, as well as approval from MDHA. He further stated the Planning Department has entered into an agreement with MDHA stating that if approval is granted by MDHA that the Planning Department would accept their approval.

Ms. Nielson questioned whether the proposal could be conditionally approved with the added condition that the applicant receive approval from MDHA.

Mr. Bernhardt explained that the Commission could conditionally approve or disapprove based on a recommendation provided by MDHA.

Ms. Jones suggested that the proposal be deferred to allow additional time for the applicant to submit their plan to MDHA for approval.

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

Mr. Ponder moved and Ms. Nielson seconded the motion, which passed unanimously to defer Zone Change 2006Z-008U-08 to September 14, 2006, to allow additional time for the applicant to go through the process with MDHA and come back to the Commission with a plan. **(9-0)**

**Resolution No. RS2006-260**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006Z-008U-08 is **DEFERRED to the September 14, 2006, Planning Commission meeting. (9-0)**”

**11. 2006SP-067G-06**

Jones Property  
Map 126-00, Parcel 085  
Subarea 6 (2003)  
Council District 35 - Charlie Tygard

A request to change from AR2a to SP zoning to establish design guidelines for development complying with all other provisions of the RM4 zoning district, property located at 7874 McCrory Lane, approximately 1,850 feet south of Highway 70 (36.2 acres), requested by John G. Jones, owner.

**Staff Recommendation: Approve with conditions**

**APPLICANT REQUEST - Preliminary SP**

A request to change from agricultural and residential (AR2a) to specific plan (SP) zoning for 36.2 acres located approximately 1,850 feet south of Highway 70 at 7874 McCrory Lane, to establish design guidelines for development complying with all other provisions of the RM4 zoning district.

**History** - This application was originally approved by the Planning Commission on May 11, 2006, for RM4, residential multi-family zoning. The application was deferred at Metro Council on second reading to allow for the conversion of the application from RM4 to Specific Plan to require design standards.

**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.

**Plan Details** -The maximum density on this site is four dwelling units per acre. The details of this development will be determined at the development plan submittal. Any detail that has not been addressed by the current submittal shall be required to be consistent with the RM4 district standards.

The type of dwelling unit will be determined at the final development stage, but the units will have a minimum square footage of 1400 square feet and a minimum of two bedrooms. The materials will be brick, stone or fiber cement siding.

A greenway and conservation access easement dedication is shown that includes the floodway, floodway buffer and 25-feet beyond the floodway buffer.

A landscape buffer is proposed to be located along the property frontage on McCrory Lane.

**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.

**Consistent with Policy?** - Yes. The proposed SP district with a density of four dwelling units per acre is consistent with the Bellevue Community Plan’s RLM policy. This is a unique site because it is separated from the other single-family developments in the area by the Harpeth River on the south side of the site and an old quarry on the north side of the site. Because the site is on the Harpeth River, development will be required to limit disturbance to the flood plain and will be clustered. A greenway easement will be required with development of the site. Due to the site’s location and site specific constraints, the density allowed with the proposed SP district is appropriate.

**RECENT REZONINGS** -Various properties on the south side of the Harpeth River along McCrory lane were rezoned to RS10 recently.

**PUBLIC WORKS RECOMMENDATION** -There is insufficient infrastructure design data provided with this Specific Plan to make an engineering review. Deferral would be in order to allow the designer time to provide development plans, including the required infrastructure design.

**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)	36.20	0.5	18	215	23	23

**Maximum Uses in Proposed Zoning District: SP (with a limit of 4 dwelling units per acre)**

Land Use (ITE Code)	Acres	Density	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Residential Condo/Townhome (230)	36.20	4	145	881	70	82

**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
--			+127	666	47	59

**METRO SCHOOL BOARD REPORT**

**Projected student generation**    9 Elementary    7 Middle    7 High

**Schools Over/Under Capacity** -Students would attend Gower Elementary School, Hill Middle School, or Hillwood High School. None of these schools has been identified as being over capacity by the Metro School Board, but there is capacity within the cluster. This information is based upon data from the school board last updated July 2006.

**CONDITIONS**

1. The maximum density on this site is 4 dwelling units per acre.
2. The type of dwelling unit will be determined at the final development stage. The illustrative street layout is subject to change dependant on the final unit layout.
3. The materials will be brick, stone or fiber cement siding.
4. All mailboxes shall be of uniform design and materials.
5. Prior to building permit, a final plat will be recorded that includes a dedication for a greenway and conservation access easement that includes the floodway, floodway buffer and 25-feet beyond the floodway buffer.
6. Any detail that has not been addressed by the current submittal shall be required to be consistent with the RM4 district standards.
7. A revised plan showing all required revisions and listing all conditions of approval shall be submitted within 60 days after the PUD has received the final approval of the Metro Council.

Approved with conditions, (9-0) *Consent Agenda*

**Resolution No. RS2006-261**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006SDP-067G-06 is **APPROVED WITH CONDITIONS. (9-0)**

**Conditions of Approval:**

1. The maximum density on this site is 4 dwelling units per acre.
2. The type of dwelling unit will be determined at the final development stage. The illustrative street layout is subject to change dependant on the final unit layout.
3. The materials will be brick, stone or fiber cement siding.
4. All mailboxes shall be of uniform design and materials.
5. Prior to building permit, a final plat will be recorded that includes a dedication for a greenway and conservation access easement that includes the floodway, floodway buffer and 25-feet beyond the floodway buffer.
6. Any detail that has not been addressed by the current submittal shall be required to be consistent with the RM4 district standards.
7. A revised plan showing all required revisions and listing all conditions of approval shall be submitted within 60 days after the PUD has received the final approval of the Metro Council.

**The proposed SP district is 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.”**

- 
12. **2006SP-075U-08**  
Taylor Place  
Map 081-12, Parcel 441  
Subarea 8 (2002)  
Council District 19 - Ludye N. Wallace

A request to change from R6 to SP zoning to permit 5 single-family homes on property located at 1329 7th Avenue North, southwest corner of 7th Avenue North and Taylor Street (.18 acres), requested by Ed Swinger, owner.

**Staff Recommendation: Disapprove. Site plan is insufficient.**

#### **APPLICANT REQUEST - Preliminary SP**

Rezone 0.18 acres from residential single-family and two-family (R6) to Specific Plan (SP) zoning properties located at 1329 7th Avenue North, southwest corner of 7th Avenue North and Taylor Street to permit 5 single-family homes.

#### **Existing Zoning**

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

#### **Proposed Zoning**

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

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

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

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

#### ***Germantown Detailed Neighborhood Design Plan***

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

**Consistent with Policy?** - Although the Germantown DNDP calls for a mixture of residential and office uses, the site plan proposes all residential uses. The plan also calls for consolidation of surrounding lots with a service alley to the rear. The current property owner does not have ownership of adjacent properties. The proposed uses in the plan are consistent with the plan, however, there is not enough information provided to review the design aspects.

A site plan is required with any development proposal in a DNDP area. A plan has been submitted, but is not sufficient for an SP application. The plan does not show elevations, landscaping, or provide information for sufficient Stormwater review. The plan has also not been approved by MDHA or the Metro Historic Commission.

**Plan Details** -The plan proposes five single-family homes with access from an existing alley. The frontage of the development is proposed along Taylor Street.

**Vehicular Access/Parking** - The plan proposes access from an existing alley with five parking spaces. On-street parking would also be provided for additional parking. Staff recommends that the parking area be revised to provide

four parking spaces within parking area and one parking space at the eastern most corner lot to provide for additional landscaping and area for trash disposal.

**Building Elevations** -There has not been a plan submitted showing building elevations based upon the new plan layout. If this plan is approved by Metro Council, this will have to be shown with the final development plan. A revision may be required if the building elevations are not in keeping with the intent of the SP district and land use policy.

**Landscaping Plan** -There has not been a plan submitted showing landscaping. If this plan is approved by Metro Council, this will have to be shown with the final development plan. A revision may be required if the landscaping plan is not in keeping with the intent of the SP district and land use policy.

**Pedestrian access** -There are existing sidewalks along the frontage of the property, however, they are not shown on the plan.

**MDHA/MHC Approval** -The Metro Development and Housing Authority and Metro Historical Commission have not recommended approval of this proposed plan. It has been before the Design Review Committee, but the Committee asked that the plan be revised to deal with parking, setbacks, and density issues.

**RECENT REZONINGS** -None.

**PUBLIC WORKS RECOMMENDATION** -Exception Taken.

No dimensioned site plan received. (Only received sheets A-1 - A-4)

Provide standard site boundary and topo data. What is the topography as it relates to existing streets? What is the existing right of way, street widths, edge of pavement, sidewalks in relation to right of way?

**STORMWATER RECOMMENDATION** - Returned for Correction.

- FEMA Note / Information
- North Arrow & Bearing Information
- Vicinity Map
- Proposed Site Layout (Scale no less than 1" = 100', Contours no greater than 5')
- 78-840 Note:
- (Any excavation, fill, or disturbance of the existing ground elevation must be done in accordance with storm water management ordinance No. 78/840 and approved by The Metropolitan Department of Water Services.)
- A 40 Acre Drain buffer exists on or near the proposed property. Provide delineation showing that a buffer does not exist or remove all building, parking, grading, etc. out of buffer area.
- Buffer Note (if there is a drain buffer):
- (The buffer along waterways will be an area where the surface is left in a natural state, and is not disturbed by construction activity. This is in accordance with the Stormwater Management Manual Volume 1 - Regulations.)
- 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.)
- Access Note:
- (Metro Water Services shall be provided sufficient and unencumbered access in order to maintain and repair utilities in this site.)
- C/D Note:
- (Size driveway culverts per the design criteria set forth by the Metro Stormwater Management Manual (Minimum driveway culvert in Metro ROW is 15" CMP).)
- Existing Topo
- Water Quality Concept
- Room for Detention (if necessary)

**METRO SCHOOL BOARD REPORT**

**Projected student generation     0\_Elementary     0\_Middle     0\_High**

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

**CONDITIONS (If approved)**

1. Metro Public Works and Stormwater are to approve SP prior to final development plan approval.
2. Within 30 days of approval from Metro Planning Commission and Metro Council, revised plans are to be submitted that provides building elevations, revised parking with 4 spaces off the alley and one on the corner lot to the east, and landscaping.
3. As a part of the final SP plan approval, a separate, detailed landscaping plan and building elevations must be provided.
4. MDHA and MHC must recommend approval prior to final site plan approval.
5. A revised plan showing all required revisions and listing all conditions of approval shall be submitted within 60 days after the PUD has received the final approval of the Metro Council.
6. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the MUN zoning district, which must be shown on the plan.

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

Mr. Tim Kaufman, 1313 7<sup>th</sup> Avenue North, spoke in opposition to the proposal.

A resident of 1231 5<sup>th</sup> Avenue North, spoke in opposition to the proposal.

Mr. Tyler requested clarification on SP zoning in relation to this proposal.

Mr. Bernhardt explained the uses of SP zoning to the Commission.

Ms. Nielson moved and Mr. McLean seconded the motion, which passed unanimously, to adopt staff recommendation and disapprove zone change 2006SP-075U-08. **(9-0)**

**Resolution No. RS2006-262**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006SP-075U-08 is **DISAPPROVED. (9-0)**

**The proposed SP district is not consistent with the North Nashville Community Plan’s Neighborhood Urban structure plan, and the areas Mixed Live/Work detail plan. Both policies are intended for a mixture of residential and small commercial type uses. The proposed SP also does not provide adequate information.”**

**13. 2006SP-108U-08**

Metrocenter Auto Facility

Map 081-04, Parcels 084, 085, 086, 087, 088, 089, 090, 091, 092, 093, 098, 099, 100, 101, 102, 103, 104, 105, 106, 107

Map 081-04, Parcels 111, 113, 114, 122, 123, 124, 125

Subarea 8 (2002)

Council District 2 - Jamie D. Isabel, Sr.

A request to change from MUL and R6 to SP zoning various properties bounded by Metrocenter Boulevard, Dominican Drive, and Clay Street (4.96 acres), to permit a new automobile sales and service complex with two buildings totaling 32,225 square feet, requested by Barge Cauthen & Assoc. Inc., applicant, for Metrocenter Properties Inc., CB & J Properties LLC, South Central Bell Telephone Co., Felix Wade et ux, and Strickland Enterprises, owners.

**Staff Recommendation: If the associated North Nashville Community Plan is amended, then staff recommends approval with conditions.**

Ms. Hammond announced that Zone Change 2006SP-108U-08 will be deferred until August 24, 2006. The Public Hearing for this item will be kept open and it will not be re-advertised.

**The Metropolitan Planning Commission DEFERRED this item to the August 24, 2006,, Planning Commission Meeting, at the request of the applicant; no new notices will be mailed.**

- 14. 2006SP-119U-08**  
4th Avenue  
Map 082-09, Parcels 312, 314, 315, 316, 317, 318, 319, 320  
Subarea 8 (2002)  
Council District 19 - Ludye N. Wallace

A request to change from IR to SP zoning on properties located at 1211, 1215, 1217, 1219 and 1229 4th Avenue N., 4th Avenue N. (unnumbered), and 407 Monroe Street, located at the southwest corner of 4th Avenue N. & Monroe Street (1.64 acres), to permit the development of 38 units and 2,775 square feet of commercial space, requested by Joel A. Smith, owner, LandDesign Inc., surveyor.

**Staff Recommendation: Approve with conditions**

#### **APPLICANT REQUEST - Preliminary SP**

A request to change approximately 1.64 acres from industrial restrictive (IR) to specific plan (SP) zoning on property located at the southwest corner of 4th Avenue North & Monroe Street to permit the development of 38 units and 2,775 square feet of commercial space.

#### **Existing Zoning**

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

#### **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.

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

Neighborhood Urban (NU) - 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.

**German Town Detailed Neighborhood Development Plan**

Mixed Use (MU) - 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.

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

**Consistent with Policy?** - Yes, the requested SP district is consistent with the area policy.

**PLAN DETAILS**

Site Plan - The plan consists of 38 units with a density of approximately 23 units per acre, and 2,775 square feet of commercial space. Units will be in the form of one bedroom flats, and two and three bedroom townhomes. The majority of the units will front 4<sup>th</sup> Avenue and Monroe Street, while several will be along the rear alley. Units along 4<sup>th</sup> Avenue will consist of 5 separate residential structures containing 4 units each that are to resemble single-family units. Units will be separated by a small court yard. Access to the bottom floor units will be provided through the court yard, while access to upstairs units will be provided from the front of each unit. A sixth unit along 4<sup>th</sup> Avenue will be smaller and consist of two individual townhomes. The units along Monroe Street will consist of 5 three story attached town homes. The corner of 4<sup>th</sup> and Monroe will be held by a three story mixed use building. Eight units will be located along the alley and will be located within four individual structures that will mimic the carriage home that can be found throughout the area.

Structures utilize building materials that are consistent with historic building materials found in the area. These include brick, painted brick, faux, stone and cementitious siding.

Uses - Uses on the site will be limited to residential, mixed-use (commercial/residential), and commercial. Commercial uses will be limited to business services, non-drive through restaurants, small offices, banks, and small food and specialty shops.

Parking - A total of 93 spaces will be provided on site. On site parking will be provided in unit garages, tandem parking, as well as two small parking areas. Eighteen on street parking spaces will also be provided along 4<sup>th</sup> Avenue. The breakdown for parking is as follows:

Garage	50
Tandem	30
Lot	13
On Street	18
<b>Total</b>	<b>111</b>

**PUBLIC WORKS RECOMMENDATION**

1. Any approvals are subject to Public Works' approval of the construction plans. Final design and improvements may vary based on field conditions.
2. Provide adequate sight distance at driveways off alley.
3. Provide adequate turning movement at driveways.

**STORMWATER RECOMMENDATION** - Approve with the following conditions:

1. Add FEMA note.

2. Add C/D Note: "Size driveway culverts per the design criteria set forth by the Metro Stormwater Management Manual (Minimum driveway culvert in Metro ROW is 15" CMP)."
3. Provide a more detail note for water quality.
4. Provide a more detail note for water quantity.

**METRO SCHOOL BOARD REPORT**

**Projected student generation\*    4 Elementary    3 Middle    3 High**

**Schools Over/Under Capacity** - Students would attend Eakin Valley Elementary School, West End Middle School, and Hillsboro High School. All three schools have been identified as having capacity. This information is based upon data from the school board last updated July 2006.

**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 in the public right of way.
3. Subsequent to enactment of this Specific Plan 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 district must be submitted to the Planning Commission staff for review.
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 property shall be subject to the standards, regulations, and requirements of the MUL zoning district.
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.
6. A revised plan showing all required revisions and listing all conditions of approval shall be submitted within 60 days after the PUD has received the final approval of the Metro Council.

Approved with conditions, (9-0) **Consent Agenda**

**Resolution No. RS2006-263**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006SP-119U-08 is **APPROVED WITH CONDITIONS. (9-0)**

**Conditions of Approval:**

1. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
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 in the public right of way.
3. Subsequent to enactment of this Specific Plan 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 district must be submitted to the Planning Commission staff for review.

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 property shall be subject to the standards, regulations, and requirements of the MUL zoning district.
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.
6. A revised plan showing all required revisions and listing all conditions of approval shall be submitted within 60 days after the PUD has received the final approval of the Metro Council.

**The proposed SP district is consistent with the North Nashville Community Plan's Neighborhood Urban structure plan, and the areas Mixed Live/Work and Mixed Use detail plans. All policies are intended for a mixture of residential and small commercial/office type uses."**

- 15. 2006Z-126U-10**  
Map 132-05, Parcel 103  
Subarea 10 (2005)  
Council District 25 - Jim Shulman

A request to change from RS20 to R20 zoning on property located at 4304 Gray Oaks Drive, at the southeast corner of Gray Oaks Drive and Audubon Road (.5 acres), requested by Councilmember Jim Shulman, applicant for Margaret Anne Schaefer, owner.

**Staff Recommendation: Approve**

**APPLICANT REQUEST** - A request to change 0.50 acres from residential single family (RS20) to residential single-family and duplex (R20) zoning property located at 4304 Gray Oaks Drive, at the southeast corner of Gray Oaks Drive and Audubon Road.

**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.

**Proposed 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.

**GREEN HILLS/MIDTOWN COMMUNITY PLAN**

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.

**Consistent with Policy?** - Yes. The proposed R20 zoning district is consistent with the area policy. It is also consistent with the zoning and development pattern in the area. This property was included in a recent mass rezoning from R to RS. The Councilmember has indicated that this parcel was not intended to be included in the rezoning to RS, so he has agreed to pursue this application to return the zoning for the property to R20.

**RECENT REZONINGS** - This area was rezoned in from R20 to RS20 in May 2005 by Metro Council (BL2004-486) and was approved by the Commission in October 2004 (2004Z-141U-10). This property was not to be included in the original Council bill.

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

**Typical Uses in Existing Zoning District: RS20**

Land Use (ITE Code)	Acres	Density	Total Number of lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached(210)	0.5	1.85	1	10	1	2

**Typical Uses in Proposed Zoning District: R20**

Land Use (ITE Code)	Acres	Density	Total Number of lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family detached (210)	0.5	1.85	1	10	1	2

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

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

**METRO SCHOOL BOARD REPORT**

Projected student generation    0 Elementary    0 Middle    0 High

**Schools Over/Under Capacity** - Students would attend Glendale Elementary School, Moore Middle School, or Hillsboro High School. Moore has been identified as being over capacity by the Metro School Board. There is another middle school within the cluster that has capacity. This information is based upon data from the school board last updated July 2006.

Approved, (9-0) *Consent Agenda*

**Resolution No. RS2006-264**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006Z-126U-10 is **APPROVED. (9-0)**

**The requested R20 district is consistent with the Green Hills Midtown Community Plan’s Residential Low policy, which is for residential developments within a density range of 1 and 2 dwelling units per acre.”**

16.    **2006Z-128U-13**  
Map 163-00, Parcel 227  
Subarea 13 (2003)  
Council District 32 - Sam Coleman

A request to change from SCR to MUL zoning on property located at 5222 Hickory Hollow Parkway, located at the northeast corner of Hickory Hollow Parkway and Hickory Hollow Place (2.04 acres), and located within a Planned Unit Development District, requested by Abundant Life Christian Center, owner. (See also PUD Proposal No. 1-74-P).

**Staff Recommendation: Approve**

**APPLICANT REQUEST** - A request to change approximately 2.04 acres from shopping center regional (SCR) to mixed use limited (MUL) zoning on property located at 5222 Hickory Hollow Parkway.

**Existing Zoning**

SCR district -Shopping Center Regional is intended for high intensity retail, office, and consumer service uses for a regional market area.

**Proposed Zoning**

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

**ANTIOCH/PRIEST LAKE COMMUNITY PLAN**

**Regional Activity Center (RAC)** -RAC policy is intended for concentrated mixed-use areas anchored by a regional mall. Other uses common in RAC policy are all types of retail activities, offices, public uses, and higher density residential areas. An accompanying Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms to the intent of the policy.

**Consistent with Policy?** -Yes. The requested MUL district and the associated PUD plan are consistent with the areas Regional Activity Center policy.

**PUBLIC WORKS RECOMMENDATION - No Exceptions Taken**

**Typical Uses in Existing Zoning District: SCR/PUD**

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Retail (814)	2.04	n/a	36,000	1,578	36	108

**Typical Uses in Proposed Zoning District: MUL/PUD**

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Religious Institution(560)	2.04	n/a	36,000 (140 seats)	328	26	24

**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
--				-1,250	-10	-84

Approved, (9-0) *Consent Agenda*

**Resolution No. RS2006-265**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006Z-128U-13 is **APPROVED. (9-0)**

**The proposed MUL district and associated PUD amendment are consistent with the Antioch/Priest Lake Community Plan’s Regional Activity Center policy, which is intended for concentrated mixed-use areas anchored by a regional mall.”**

- 17. **1-74-U-13**  
 Hickory Hollow Mall (Abundant Life Ministries)  
 Map 163, Parcel 227  
 Subarea 13 (2003)  
 Council District 32 - Sam Coleman

A request to amend the Commercial Planned Unit Development district located at 5222 Hickory Hollow Parkway, zoned SCR and proposed for MUL, 92.04 acres, to permit a religious institution use in the existing building, replacing a retail use, requested by Abundant Life Christian Center, applicant/owner.

**Staff Recommendation: Approve with conditions**

**APPLICANT REQUEST -Amend PUD**

A request to amend the commercial Planned Unit Development district located at 5222 Hickory Hollow Parkway, zoned SCR and proposed for MUL (2.04 acres), to permit a religious institution use in the existing building, replacing a retail use.

**PLAN DETAILS** -The request is to allow for a new use in an existing building. The existing structure is within a commercial Planned Unit Development, and was formerly a furniture store. The plan identifies the existing building and other on site improvements such as parking and landscaping. The applicant plans to convert the existing building into a church, and does not propose any major exterior alterations. Because the requested use is not consistent with the originally approved Planned Unit Development, nor allowed in the existing SCR district, the plan and proposed new MUL district must be approved by Council.

**Parking** - For sanctuaries parking requirements are determined by the number of seats. Specifically sanctuaries are required 1 parking space for every 4 seats in the sanctuary. The building permit for this property identifies 140 seats, so a total of 39 parking spaces is required and is shown on the site plan. Also, additional parking is provided off site at Hickory Hollow Mall. Applicants have submitted a parking agreement with Hickory Mall authorizing the parking use.

**Sidewalks** - Sidewalks do not currently exist along the property’s right-of-ways, but will be required. Public sidewalks, built to Metro Public Works standards, will be adjacent to Hickory Hollow Parkway, and a pathway/sidewalk, as required by the Metro Zoning Code, will be required along the mall ring road.

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

**STORMWATER RECOMMENDATION** -No Exceptions Taken

**CONDITIONS**

1. Sidewalks must be shown on the site and plan and approved by planning staff.
2. Prior to the issuance of any permits, confirmation of preliminary and final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Sections of the Metropolitan Department of Public Works for improvements in the public right of way.
3. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
4. The requirements of the Metropolitan Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
5. A revised plan showing all required revisions and listing all conditions of approval shall be submitted within 60 days after the PUD has received the approval of the Planning.

Approved with conditions, (9-0) *Consent Agenda*

**Resolution No. RS2006-266**

“BE IT RESOLVED by The Metropolitan Planning Commission that 1-74-U-13 is **APPROVED WITH CONDITIONS. (9-0)**

**Conditions of Approval:**

1. Sidewalks must be shown on the site and plan and approved by planning staff.
2. Prior to the issuance of any permits, confirmation of preliminary and final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Sections of the Metropolitan Department of Public Works for improvements in the public right of way.
3. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
4. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
5. A revised plan showing all required revisions and listing all conditions of approval shall be submitted within 60 days after the PUD has received the approval of the Planning.

**The proposed PUD amendment and associated zone change are consistent with the Antioch/Priest Lake Community Plan's Regional Activity Center policy, which is intended for concentrated mixed-use areas anchored by a regional mall."**

- 18. 2006SP-129U-09**  
Stoilovich Residence  
Map 082-09, Parcel 029  
Subarea 9 (1997)  
Council District 19 - Ludye N. Wallace

A request to change from R6 to SP zoning and approval of a final development plan for property located at 1314 7th Avenue North, approximately 300 feet south of Taylor Street (.14 acres), to permit an existing single-family home and an accessory dwelling unit above an existing attached garage, requested by Mario and Genevieve Stoilovich, owner/applicant.

**Staff Recommendation: Approve with conditions**

**APPLICANT REQUEST -Preliminary and Final SP**

A request to change from Residential Single-Family and Duplex (R6) to Specific Plan (SP) zoning and approve a final development plan for 0.14 acres, to permit an existing single-family home and an accessory dwelling unit above an existing detached garage, property located at 1314 7th Avenue North, approximately 300 feet south of Taylor Street.

**Existing Zoning**

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

**Proposed Zoning**

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.

**Plan Details** - This plan proposes adding an accessory dwelling unit above the existing detached garage behind an existing single family home.

**NORTH NASHVILLE COMMUNITY PLAN POLICY**

**Structure Plan Land Use Policy**

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

**Germantown Detailed Neighborhood Design Plan Land Use Policy**

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

**Consistent with Policy?** -Yes. This development plan implements the Mixed Live/Work land use policy.

**METRO SCHOOL BOARD REPORT**

**Projected student generation**     0 **Elementary**   0 **Middle**     0 **High**

**Schools Over/Under Capacity** -Students would attend Brookmeade Elementary School, Hill Middle School, or Hillwood High School. None of these schools has been identified as being over capacity by the Metro School Board. This information is based upon data from the school board last updated July 2006.

**RECENT REZONINGS** - None.

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

**Typical Uses in Existing Zoning District: R6**

Land Use (ITE Code)	Acres	Density	Total Number of lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	0.14	6.18	1	10	1	2

**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 attached (210)	0.14	n/a	2	16	2	3

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--			+1	6	1	1

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

Mr. Tim Kaufman, 1313 7<sup>th</sup> Avenue North, spoke on the proposal.

Ms. Nielson stated she agreed with staff recommendation.

Mr. McLean moved and Mr. Loring seconded the motion, which passed unanimously to approve with conditions Zone Change 2006SP-129U-09. (9-0)

**Resolution No. RS2006-267**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006SP-129U-09 is **APPROVED. (9-0)**

**The proposed SP district is consistent with the North Nashville Community Plan’s Neighborhood Urban structure plan, and the areas Mixed Live/Work detail plan. Both policies are intended for a mixture of residential and small commercial type uses.”**

**19. 2006Z-130G-06**

Map 155-00, Parcel 267  
Subarea 6 (2003)  
Council District 35 - Charlie Tygard

A request to change from AR2a to RM15 zoning on property located at 8921 Collins Road, approximately 275 feet west of Collinswood Drive (2.5 acres), requested by A.W. Chaffin, applicant, for A.W. Chaffin, Edna L. Chaffin, R.S. Chaffin, Melissa L. Chaffin, Don Einwag, and Sherrill D. Einwag, owners.

**Staff Recommendation: Disapprove**

**The Metropolitan Planning Commission DEFERRED Zone Change 2006Z-130G-06 to August 24, 2006, at the request of the applicant. (9-0)**

**20. 2006Z-131U-11**

Map 105-04, Part of Parcel 330  
Subarea 11 (1999)  
Council District 17 - Ronnie E. Greer

A request to change from IWD and ORI to ORI (1.4 acres) and MUG (3.0 acres) zoning on a portion of property located at 75 Lester Avenue, approximately 550 west of Elm Hill Pike, requested by RM Plan Group Inc., for Trevecca Nazarene University & College Hill, owner.

**Staff Recommendation: Approve**

**APPLICANT REQUEST** - A request to change 4.4 total acres from industrial warehousing and distribution (IWD), commercial services (CS), and office and residential intensive (ORI) to mixed use general (MUG) (3.0 acres) and ORI (1.4 acres) zoning property located at 75 Lester Avenue, approximately 550 feet west of Elm Hill Pike.

**Existing Zoning**

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

**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.

**IWD district** -Industrial Warehousing/Distribution is intended for a wide range of warehousing, wholesaling, and bulk distribution uses.

**Proposed Zoning**

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

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

**SUBAREA 11 COMMUNITY PLAN**

Commercial Mixed Concentration (CMC) -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.

**Consistent with Policy?** -Yes. The proposed MUG and ORI districts are consistent with the intent of the CMC policy calling for a mixture of uses, including commercial, residential, and office uses. This property, fronting on Murfreesboro Pike, and in front of Trevecca Nazarene University sits along a major arterial road with good access to downtown. This rezoning is also consistent with the Area 9C policy within the Subarea 11 Plan.

This section says: *“CMC policy is applied to the Trevecca Campus in recognition of the existing OR20 zoning and a preference for these types of activities at this location should Trevecca sell part of its site or move during the planning period . . . The adaptive reuse of existing buildings might be more feasible under CMC policy than if the area were recommended for industrial or lower density residential development.”*

In 1994, Trevecca completed their campus master plan, which included several improvements to the campus. *“More improvements are planned, as well as some expansion of the campus along Murfreesboro Pike and the current western boundary. The planned improvements include the development of a greenway along Browns Creek. In addition to improving the interior of the campus, Trevecca intends to make improvements along Murfreesboro Pike. These improvements should have a positive spin-off effect for adjacent areas.”* (Page 66, Subarea 11 Plan, Updated in 1999).

**RECENT REZONINGS** - None.

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

**Typical Uses in Existing Zoning District: IWD/ORI**

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	4.4	0.337	64,590	588	61	47

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

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office(710)	4.4	0.23	44,082	710	98	129

**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
--	4.4		-20,508	122	37	82

**Maximum Uses in Existing Zoning District: IWD/ORI**

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	4.4	0.8	153,331	915	113	92

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

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office()	3.0	3.0	392,040	3,820	560	518

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

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Walk In Bank (912)	1.4	0.12*	15,681	3,866	194	718

\*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
--				6,771	641	1,144

**METRO SCHOOL BOARD REPORT**

Projected student generation\* 52Elementary 23Middle 21 High

**Schools Over/Under Capacity** - Students would attend Whitsett Elementary School, Cameron Middle School and Glencliff High School. Whitsett Elementary School has been identified as being over capacity by the Metro School Board. There is capacity in another elementary school within the Glencliff cluster according to the Metro School Board. This information is based upon data from the school board last updated July 2006.

\*This assumes that all of the MUG and ORI zoning would be used for residential purposes with 1,350 sq. ft. multi-family units.

Approved, (9-0) *Consent Agenda*

**Resolution No. RS2006-268**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006Z-131U-11 is **APPROVED. (9-0)**

**The proposed ORI and MUG districts are consistent with the Subarea 11 Community Plan’s Commercial Mixed Concentration policy, which is intended to include medium high to high density residential, all types of retail trade, commercial services, offices and other appropriate uses.”**

**21. 2006Z-132U-08**

Map 082-09, Parcel 096, 097, 098, 099  
Subarea 8 (2002)  
Council District 19 - Ludye N. Wallace

A request to change from IR to MUN zoning on properties located at 1409, 1411, and 1413 4th Avenue North and 4th Avenue North (unnumbered), located at the southwest corner of 4th Avenue North and Van Buren Street (.79 acres), requested by Core Development LLC, owner.

**Staff Recommendation: Approve, with the condition that the applicant obtain approval from MDHA’s Design Review Board prior to building permit application.**

**APPLICANT REQUEST** - A request to change from industrial restrictive (IR) to mixed use neighborhood (MUN) zoning on 0.79 acres of property located at 1409, 1411 and 1413 4<sup>th</sup> Avenue North and 4<sup>th</sup> Avenue North (unnumbered).

**Existing Zoning**

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

**Proposed Zoning**

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

**NORTH NASHVILLE COMMUNITY PLAN POLICY**

**Structure Plan Land Use Policy**

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

**Germantown Detailed Neighborhood Design Plan Land Use Policy**

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

**Consistent with policy?** - Yes. The MUN district is consistent with the Mixed Live/Work in Neighborhood Urban policy. The MUN district allows retail, office, restaurant, and a range of residential development that supports the policy.

**METROPOLITAN DEVELOPMENT AND HOUSING AGENCY**-This project is located in the Philips-Jackson Street Redevelopment District and will undergo an intensive design review process before it is eligible for a building permit. MDHA has indicated that they are in support of this request for MUN zoning.

**METRO SCHOOL BOARD REPORT**

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

**Schools Over/Under Capacity** - Students would attend Brookmeade Elementary School, Hill Middle School, or Hillwood High School. None of these schools has been identified as being over capacity by the Metro School Board. This information is based upon data from the school board last updated July 2006.

**RECENT REZONINGS** Morgan Park Place (2006SP-022U-08) is located opposite this property on Van Buren Street and was approved by the Planning Commission on March 23, 2006. The development plan includes 11,934 square feet of general retail, general office, restaurant, and/or multifamily uses, 28 multifamily units, 28 townhouses, and 4 single family units on 2.3 acres.

**PUBLIC WORKS RECOMMENDATION** - No exceptions taken

**Typical Uses in Existing 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)	0.79	0.39	13,421	94	13	14

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

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Specialty Retail Center(814)	0.79	0.169	5,815	287	12	36

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	0.79		-7,606	193	-1	22

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

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Light Industrial(110)	0.79	0.6	20,647	144	19	21

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

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	0.79	0.6	20,647	396	54	102

**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
--	0.79			252	35	81

**CONDITIONS** - The applicant must obtain approval from MDHA’s Design Review Board prior to building permit application.

Approved, with the condition that the applicant obtain approval from MDHA’s Design Review Board prior to building permit application, () *Consent Agenda*

**Resolution No. RS2006-269**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006Z-132U-08 is **APPROVED WITH THE CONDITION that the applicant obtain approval from MDHA’s Design Review Board prior to building permit application. (9-0)**

**The proposed MUN district is consistent with the North Nashville Community Plan’s Neighborhood Urban structure plan, and the areas Mixed Live/Work detail plan. Both policies are intended for a mixture of residential and small commercial type uses.”**

22. **2006SP-134G-01**  
 Family Foundation Fund  
 Map 021-00, Parcel 059  
 Subarea 1 (2003)  
 Council District 1 - Brenda Gilmore

A request to change from AR2a and RS40 to SP zoning to permit a two-family dwelling unit to be used as a boarding house on property located at 6483 Clarksville Pike, approximately 850 feet west of Old Clarksville Pike (7.0 acres), requested by SSOE Inc, applicant for Family Foundation Fund, owner.

**Staff Recommendation: Approve**

Mr. Swaggart presented and stated that staff is recommending approval with conditions. He mentioned that the staff report should be corrected to state that the building footprint is 3,977; and the actual square footage of the dwelling is 6,236 square feet.

Mr. Jerry Strange, 6576 Clarksville Pike, spoke in opposition to the proposal

Mr. Kenneth Jakes, 5920 Clarksville Hwy. spoke in opposition to the proposal.

Ms. Lori Toth, 6489 Clarksville Hwy., spoke in opposition to the proposal.

Mr. Patrick O'Rourke, 7563 Bidwell Road, spoke in favor of this proposal.

Mr. Onnie Kirk, Family Foundation, 3715 Stevens Lane, spoke in favor of this proposal

Mr. Jeff Morris, 108 Buchanan Cir., spoke in favor of the proposal.

Mr. Joe Hutts, 504 Midway Circle, spoke in favor of the proposal.

Mr. Vance Foreman, 5235 Rawlings Road, spoke in opposition to the proposal.

Mr. J.R. Whittenburg, 7140 Douglas Road, spoke in opposition to the proposal.

Mr. Joe Soard 6498 Clarksville Pike, spoke in opposition to the proposal.

Mr. Leonard Jakes, 6600 Clarksville Pike, spoke in opposition to the proposal.

Mr. Philip Hostettler, 3863 Cantarutti Road, spoke in opposition to the proposal.

Mr. Wayne Winters, 3612 Old Clarksville Pike, spoke in opposition to the proposal.

Ms. Margienell Kirk, 3715 Stevens Lane, spoke in favor of the proposal.

Mr. Mike Budai, 111 Spring Creek Tr., spoke in favor of the proposal.

Mr. Russell Weatherford, 205 Bobby Drive, spoke in favor of the proposal.

Mr. Jason Lowe, 1025 Riverspring Drive, spoke in favor of the proposal.

Mr. Ed Yarborough, 5230 Granny White Pike, spoke in favor of the proposal.

Mr. James Pitt requested that the proposal be deferred.

Ms. Phila Rawlings Hach, 5404 Rawlings Road, spoke in opposition to the proposal.

Mr. Nelson Davenport, 5397 Rawlings Road, spoke in opposition to the proposal.

Mr. James Hamlet, 5300 Rawlings Road, spoke in opposition to the proposal.

Mr. James Bledsoe, 1010 Jacobs Valley Road, spoke in opposition to the proposal.

Ms. Lorinda McLaughlin, 2979 Union Hill Road, spoke in opposition and requested deferral.

Mr. Gary Gifford, 6610 Clarksville Hwy., spoke in opposition to the proposal. He submitted a plan to the commission for the record.

Ms. Leslie Preston spoke in opposition to the proposal.

Mr. Mark Wiley, 1041 Jacobs Valley Road, spoke in opposition to the proposal.

Mr. Henry King, 4350 Bernard Road, spoke in opposition to the proposal.

Ms. Lois Strange, 6576 Clarksville Pike, spoke in opposition to the proposal.

Mr. Jeff Richfield, 6445 Old Clarksville Hwy., spoke in favor of the proposal. He submitted to staff, other names in favor of the proposal for the record.

Councilmember Gilmore explained that she attended a meeting in which positive information regarding this proposal was provided to the community. She further explained that an ad was placed in a local paper that spoke of negative impacts of the development. She spoke of the negative impacts expressed by members of the community and countered these ideas with facts provided to her by the developers. She stated she received a petition with approximately 80 signatures of opposition prior to the meeting. Councilmember Gilmore stated she would support the project, but only if the deed included restrictions. The restrictions would contain the maximum number of boys allowed in the program (as determined by the community); a restriction clearly outlining that provisional ministries not be named as the owner of the property and that the owner be named Family Foundation; and the final restriction would address the proposed cemetery located on the property.

Mr. Lawson explained to Councilmember Gilmore that the Commission does not have the authority to address deed restrictions, but that her concerns could be included as part of the SP zoning.

Councilmember Gilmore stated she wanted this to occur and if it did not, when the proposal reached the Council level, she would be asking their staff attorney to draw up the legal documents making it part of the record prior to the proposal going to its Public Hearing.

Mr. Loring spoke in favor of the proposal as well as the organization that was requesting it. He stated he hoped that the Councilmember would have requested a short deferment to allow additional time to hold community meetings to clear up some of the misconceptions.

Ms. Jones questioned how the proposal became an item on the agenda with the existing zoning and the proposed rezoning for this area.

Mr. Swaggart explained that it was the uses of the facility that brought the proposal to the Planning Commission. He stated that the Zoning Ordinance did not have the classification to support its uses.

Mr. Ponder spoke in favor of proposal. He also stated that it was imperative for additional community meetings to address the issues mentioned by the constituents.

Ms. Nielson stated she would be in favor of a deferral in order to address issues associated with the proposal.

Mr. Clifton acknowledged that the decision before the Commission was a land use decision. He agreed with a one meeting deferral and asked that staff work on the specifics on the inclusions of the SP zoning. He also mentioned that if a group home were requested, the land uses were in place and would be permitted.

Ms. Cummings also acknowledged the reasons this proposal was before the Commission. She suggested that the Family Fund Foundation disseminate additional information to the neighbors. She spoke in favor of approving the request.

Mr. Tyler questioned the future uses of the property if it were sold. He then questioned the total number of acres included in the request and whether it was part of a larger tract.

Ms. Jones suggested that the Commission reconsider deferring the proposal and to charge the staff to meet with the developer and the Councilmember to continue addressing the issues associated with the project.

Mr. Lawson moved and Ms. Nielson seconded the motion, which passed unanimously to defer Zone Change 2006Z-136U-14 until August 24, 2006 to allow additional time for staff to work on the specifics of the inclusions for the SP zoning as well as work with Councilmember Gilmore, to insure that her provisions are part of the SP zoning and are part of the appropriate protection that she has articulated, so that in the event they are not, she can anticipate her required actions at the Council level. (9-0)

**Resolution No. RS2006-270**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006SP-134G-01 is **DEFERRED TO THE AUGUST 24, 2006 PLANNING COMMISSION MEETING (9-0); no new notices will be mailed. Staff is to work with the Councilmember to address her concerns within the SP application.**”

The Commission recessed at 6:12 p.m.

The Commission resumed at 6:30 p.m.

- 23. 2006Z-136U-14**  
Map 096-09, Portion of Parcel 074  
Subarea 14 (2004)  
Council District 15 - J. B. Loring

A request to change from R10 to OR20 zoning on a portion of property located at 410 Donelson Pike, at the northwest corner of Donelson Pike and Lakeland Drive (1.5 acres), requested by Frank Batson Homes, applicant, for Van Grizzard, owner.

**Staff Recommendation: Disapprove**

**APPLICANT REQUEST** - A request to change from residential single-family and duplex (R10) to office and residential (OR20) zoning on a 1.5 acre portion of property located at 410 Donelson Pike.

**Existing Zoning**

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

**Proposed Zoning**

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

**DONELSON- HERMITAGE COMMUNITY PLAN**

Corridor General (CG)-CG is intended for areas at the edge of a neighborhood that extend along a segment of a major street and are predominantly residential in character. CG areas are intended to contain a variety of residential development along with larger scale civic and public benefit activities. Examples might include single family detached, single-family attached or two-family houses; but multi-family development might work best on such busy corridors. 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.

**Consistent with Policy?** -No. The OR20 district does not implement the predominantly residential character of the Corridor General Policy. Development to the north and south is still largely residential in character with single-family and churches. Recently, commercial has been creeping into this section of the corridor. However, staff still recommends that a multi-family district would best implement the Corridor General Policy.

**METRO SCHOOL BOARD REPORT**

Projected student generation **3** Elementary **2** Middle **2** High

**Schools Over/Under Capacity**-Students would attend McGavock Elementary School, Two Rivers Middle School, or McGavock High School. McGavock High School has been identified as being over capacity by the Metro School Board. There is capacity at a high school in an adjacent cluster. This information is based upon data from the school board last updated July 2006.

**RECENT REZONINGS** -A request for Commercial Limited (CL) and Residential Multifamily (RM9) on properties to the south (parcels 96, 97 and 20) was disapproved by the Planning Commission on February 23, 2006. It was later approved by the Metro Council.

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

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

Land Use (ITE Code)	Acres	density	Total lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single family detached(210)	1.5	3.7	6	58	5	7

**Typical Uses in Proposed Zoning District: OR20**

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office(710)	1.5	0.169	11,042	245	33	92

**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
--	1.5			187	28	85

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

Land Use (ITE Code)	Acres	density	Total lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached(210)	1.5	3.7	6	58	5	7

**Maximum Uses in Proposed 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)	1.5	0.09	5,880	1,450	73	269

\*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
--	1.5			1,392	68	262

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

Mr. Ron Grizzard, 840 Hunters Hill Trace, spoke in favor of the proposal.

Ms. Karen Long, 2723 Lakeland Drive, spoke in opposition of the proposal.

Ms. Cummings suggested that an alternative rezoning be explored that would be less intense.

Mr. McLean questioned alternative zoning for this parcel.

Mr. Bernhardt explained that the policy for this area is Corridor General. He explained that the other options available that would accommodate office use are not consistent with this policy.

Mr. Ponder moved and Mr. Loring seconded the motion to approve Zone Change 2006Z-136U-14 as requested by the applicant.

Ms. Jones expressed concerns with disapproving the proposal due to the fact that the request could be appropriate for the area.

Mr. Lawson spoke of policy and maintaining the integrity of an already established plan for the area. He further stated that if the Commission unanimously agrees to approve, then staff should be instructed to revisit the policies for this area.

Ms. Jones acknowledged Chairman Lawson's concerns but stated that there are times some parcels may warrant change.

Mr. Bernhardt further explained the existing zoning for this area and the intent of the community when the plan was established.

Mr. Loring stated he was in favor of approving the request. He briefly explained the history of the area in relation to residential and commercial uses. He stated that the area is mainly commercial and that the residents are requesting to keep it commercial.

Mr. Clifton mentioned the oddity of approving a zone change that is contrary to the plan. He further explained that additional requests should result in additional review of the plan for the area.

Mr. Ponder moved and Mr. Loring seconded the motion, which passed unanimously to approve Zone Change 2006Z-136U-14 as requested by the applicant, with the condition, that staff propose a plan amendment for this area to be considered by the Commission. **(9-0)**

**Resolution No. RS2006-271**

**“BE IT RESOLVED by The Metropolitan Planning Commission that 2006Z-136U-14 is APPROVED (9-0), with a request that staff consider an amendment to the Community Plan for this area.**

**The requested OR20 district is not consistent with the Donelson/Hermitage Community Plan's existing Corridor General policy, which is for residential developments, but is consistent with the development pattern in the area. The Commission has requested that staff look at amending the area's policy to reflect the existing needs and changes in the area.”**

- 
- 24. 2006Z-137U-09**  
Map 081-16, Parcels 539, 540, 541, 542  
Subarea 9 (1997)  
Council District 19 - Ludye N. Wallace

A request to change from RS3.75 to RM20 property located at 1107, 1109 and 1111 Meharry Boulevard and 1020 Morrison Street, on the southeast corner of Meharry Boulevard and Morrison Street (0.6 acres), requested by Brian Sanders, applicant for Jessie C. Smith, Jesse and Shirley Betty, Julius Pritchett, and Nashville Housing Properties LLC, owners.

**Staff Recommendation: Disapprove**

**X. CONCEPT PLANS**

- 25. 2006S-181G-14**  
Pleasant Pointe  
Map 121-00, Parcels 078, 257  
Subarea 14 (2004)  
Council District 13 - Carl Burch

A request to revise the previously approved preliminary plat to create 26 lots on property located at 1420 Pleasant Hill Road and Bell Road (unnumbered), approximately 365 feet south of Pulley Road (12.64 acres), zoned R15, requested by Carillon Village Partnership, owner, Civil Site Design Group, surveyor.

**Staff Recommendation: Approve, with conditions**

**APPLICANT REQUEST - Concept Plan**

A request for Concept Plan approval to create 26 lots on property located at 1420 Pleasant Hill Road and Bell Road (unnumbered).

**Zoning**

**R15 district - R15** requires a minimum 15,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 3.09 dwelling units per acre including 25% duplex lots.

**SUBDIVISION DETAILS**

**History** - This subdivision originally received conditional preliminary approval at the December 8, 2005, Planning Commission meeting. A condition of approval for the preliminary plat was that the final plat was required to be presented to the Planning Commission, and that Public Works provide any additional and necessary conditions regarding improvements to Pleasant Hill Road. The applicants have significantly modified the plan and are now requesting approval of a new Concept Plan.

**Site Plan** - The plan calls for 26 cluster lots with a total density of approximately 2 units per acre. The cluster lot option allows lots to be clustered, and reduced in size by one or two base zoning districts in order to preserve environmentally sensitive areas. This request will cluster lots down to the RS7.5 district, however, the smallest lot is 8,020 square feet and the largest is 13,625 square feet.

**Access** - The development will be accessed off of Bell Road, and lots will be accessed off new public streets. One stub street is provided, and will allow for a connection to the south if and when the southern adjacent property develops.

**Open Space**- As proposed, approximately 5.23 acres (40%) will be placed in open space, which is well over the 15% open space requirement for cluster lots.

**Slopes** - As proposed, lots will contain some slopes greater than 20%. Because the purpose of the cluster lot option is to preserve environmentally sensitive areas such as hill sides, staff recommends that lots with building envelopes containing slopes of 20% or greater be put into open space. This would require lot 1 and 22 to be removed from the plan and placed into open space. Also, due to slopes staff has some concerns with access for lot 26. Prior to final plat approval applicants must demonstrate that lot 26 can adequately be accessed. If access to lot 26 can not be adequately accessed, then it may be removed from the final development plan.

**STORMWATER RECOMMENDATION** - Comments have not been received. Staff will provide an update at the meeting.

**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. Road B cul-de-sac: Show sidewalk within right of way.
3. Road B temporary turnaround: Turnaround to accommodate SU-30 turning movements. Show minimum 23' pavement width, 30' radius, 60' from centerline to end of pavement "T" (120' total).

#### **CONDITIONS**

1. The concept plan must be revised prior to the Planning Commission meeting eliminating lots and placing in open space lots with building envelopes containing slopes of 20% or greater.
2. Prior to final plat approval applicants must demonstrate that adequate access can be provided for lot 26. If this can not be accomplished, then it shall be removed from the final plat and placed in open space.
3. 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.
4. Road B cul-de-sac: Show sidewalk within right of way.
5. Road B temporary turnaround: Turnaround to accommodate SU-30 turning movements. Show minimum 23' pavement width, 30' radius, 60' from centerline to end of pavement "T" (120' total).
6. Pursuant to 2-3.4.e of the Metro Subdivision Regulations, if this application receives conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to any application for a final plat, and in no event more than 30 days after the effective date of the Commission's conditional approval vote.

Approved with conditions, (9-0) *Consent Agenda*

#### **Resolution No. RS2006-272**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006S-181G-14 is **APPROVED WITH CONDITIONS. (9-0)**

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

1. The concept plan must be revised prior to the Planning Commission meeting eliminating lots and placing in open space lots with building envelopes containing slopes of 20% or greater.
2. Prior to final plat approval applicants must demonstrate that adequate access can be provided for lot 26. If this can not be accomplished, then it shall be removed from the final plat and placed in open space.
3. 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.
4. Road B cul-de-sac: Show sidewalk within right of way.
5. Road B temporary turnaround: Turnaround to accommodate SU-30 turning movements. Show minimum 23' pavement width, 30' radius, 60' from centerline to end of pavement "T" (120' total).
6. Pursuant to 2-3.4.e of the Metro Subdivision Regulations, if this application receives conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to any application for a final plat, and in no event more than 30 days after the effective date of the Commission's conditional approval vote.”

- 
26.     **2006S-231U-03**  
Nocturne Village  
Map 070-03, Parcels 006, 007  
Map 070-07, Parcels 062, 063  
Subarea 3 (2003)  
Council District 2 - Jamie D. Isabel, Sr.

A request for concept plan approval to create 35 lots on properties located at 869 West Trinity Lane, West Trinity Lane (unnumbered), Walker Lane (unnumbered), Overall Street (unnumbered), north of the intersection of West Trinity Lane and Roy Street (13.20 acres), zoned RS7.5 and RS20, requested by Florine Holt, owner, and McKinney Engineering, engineer and surveyor.

**Staff Recommendation: Approve, with conditions**

**The Metropolitan Planning Commission DEFERRED Concept Plan 2006S-231U-03 to August 24, 2006, as requested by the Councilmember and agreed to by the owner. (8-0) The Public Hearing for this item will be kept open and it will not be re-advertised.**

---

27.     **2006S-244U-05**  
Maplewood Heights Final Plat Of  
Resubdivision, Lots 147&148  
Map 061-10, Parcels 56, 57  
Subarea 5 (1994)  
Council District 8 - Jason Hart

A request for concept and final plat approval to create 3 lots on properties located at 4017 and 4019 Edwards Avenue, approximately 475 feet south of Virginia (1.42 acres), zoned RS15, requested by Rickey and Linda McBride, owners, Tommy E. Walker RLS, surveyor.

**Staff Recommendation: Approve with conditions, disapproval of sidewalk variance request.**

**APPLICANT REQUEST -Concept & Final Plat**

Request to subdivide 1.42 acres into 3 single-family lots located at 4017 and 4019 Edwards Avenue, approximately 475 feet south of Virginia Avenue.

**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** - As proposed the request will create 3 new lots along the east side of Edwards Avenue with the following area(s), and street frontage(s):

- Lot 1: 20,000 Sq. Ft., (0.46 Acres), and 66.67 Ft. of frontage;
- Lot 2: 21,968 Sq. Ft., (0.50 Acres), and 73.23 Ft. of frontage;
- Lot 3: 18,032 Sq. Ft., (0.41 Acres), and 60.11 Ft. of frontage.

Lot Comparability -Section 2-4.7 of the Subdivision Regulations states that new lots in areas that are predominantly developed are to be generally in keeping with the lot frontage and lot size of the existing surrounding lots. A lot comparability waiver can be granted if the lot fails the lot comparability analysis (is smaller in lot frontage and/or size) if the new lots would be consistent with the General Plan. The Planning Commission does not have to grant the waiver if they do not feel it is appropriate.

The lot comparability analysis yielded the following information:

	Minimum Lot Frontage	Minimum Lot Size
Brooks Avenue	61.29 feet	14,456 sq. ft.

All 3 lots pass for area and lots 1 and 2 pass for minimum frontage, while lot 3 fails.

*Staff Recommendation* -Staff recommends approval of a lot comparability waiver. The area land use policy is Residential Low Medium policy. The Land Use Policy Application (LUPA) recommends a density of two to four dwelling units per acre for this RLM policy. The request is consistent with the RLM policy.

Staff recommends that an exception be granted, because the proposed lots are not significantly out of character with other lots in the area, and that the proposal meets the RLM policy.

Sidewalk Variance - A variance request has been submitted for the sidewalk required along the frontage of lot 1 due to a drainage ditch along the proposed lots. The property is located within the Urban Services District, which requires sidewalk construction or that a financial contribution be made in lieu of construction of the sidewalks.

*Staff Recommendation* -Staff recommends disapproval of the sidewalk variance and request that the applicant add a note to the plat that states that “Sidewalks are to be constructed or a financial contribution is to be made with the issuance of building permits.” The sidewalk can be constructed according to Public Works with the options below.

**STORMWATER RECOMMENDATION** - Approved.

**PUBLIC WORKS RECOMMENDATION** -A sidewalk constructability report was conducted and was determined that a sidewalk could be built, but due to an existing retaining wall along lot 1 other options may be explored.

With the addition of fill material within ditch location / sidewalk construction, additional drainage structures may be required.

Option 1: If existing block retaining wall is structurally stable to accommodate construction activities: from edge of pavement construct curb and gutter, two (2) feet grass furnishing area, and five (5) feet sidewalk located along existing block retaining wall. Upgrade storm drainage infrastructure, as required.

Option 2: Remove existing retaining wall located within right of way. From edge of pavement construct curb and gutter, four (4) feet grass furnishing area, and five (5) feet sidewalk. From back of sidewalk, provide 3:1 maximum slope to existing grade. Upgrade storm drainage infrastructure, as required.

#### **CONDITIONS**

1. Final plat is to be recorded within 180 days from this meeting date.
2. Prior to recordation (if variance is not granted), a note must be added to the plat that states, “Sidewalks are to be constructed or a financial contribution is to be made with the issuance of building permits.”
3. Prior to recordation, add parcel numbers.

Mr. Kleinfelter presented and stated that staff is recommending approval with conditions on the lot comparability waiver and disapproval of the sidewalk variance.

Mr. Ricky Bride, 57 Rolling Meadows Drive, spoke in favor of the sidewalk variance request.

Ms. Nielson moved and Ms. Cummings seconded the motion, which passed unanimously to approve staff recommendation. **(9-0)**

**Resolution No. RS2006-273**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006S-244U-05 is **APPROVED WITH CONDITIONS, but disapprove the sidewalk variance. (9-0)**

**Conditions of Approval:**

1. Final plat is to be recorded within 180 days from this meeting date.
2. Prior to recordation (if variance is not granted), a note must be added to the plat that states, “Sidewalks are to be constructed or a financial contribution is to be made with the issuance of building permits.”
3. Prior to recordation, add parcel numbers.”

---

**XI. FINAL PLATS**

- 28. 2006S-251A-07**  
Jocelyn Manor Lot 22, Second Revision  
Map 116-13-D, Parcels 022  
Subarea 7 (2000)  
Council District 23 - Adam Dread

A request for final plat approval to adjust the recorded side setback from 35 feet to 10 feet to accommodate an addition to an existing house at 249 Cargile Lane, approximately 630 feet north of Allens Place (0.38 acres ), zoned RS20, requested by Jack and Kay Goodrum, owners.

**Staff Recommendation: Disapprove**

**The Metropolitan Planning Commission DEFERRED Final Plat 2006S-251A-07 indefinitely at the request of the applicant. (8-0)**

---

- 29. 2006S-262U-10**  
Holshouser Property  
Map 116-16, Parcel 065  
Subarea 10 (2005)  
Council District 34 - Lynn Williams

A request for final plat approval to create 2 lots on property located at 3907 Estes Road, approximately 390 feet south of Abbott Martin Road(1.69 acres), zoned RS20, requested by John and Sandra Holshouser, owners, Weatherford & Associates, surveyor.

**Staff Recommendation: Disapprove**

**The Metropolitan Planning Commission DEFERRED Final Plat 2006S-262U-10 to August 24, 2006, at the request of the applicant. (8-0)**

---

- 30. 2006S-264U-10**  
3810 Woodlawn Drive Subdivision  
Map 117-01, Parcel 001  
Subarea 10 (2005)  
Council District 24 - John Summers

A request for final plat approval to create 2 lots on property located at 500 Wilson Boulevard, approximately 300 feet north of Woodlawn Drive (1.03 acres), zoned R20, requested by Michael E. and Teresa A. Buckles, owners, Campbell McRae & Associates, surveyor.

**Staff Recommendation: Approve with conditions, including that the lots be restricted to single-family only.**

**Staff Recommendation** - *Approve, with conditions, including that the lots be restricted to single-family only.*

**APPLICANT REQUEST -Final Plat**

A request for final plat approval to create 2 lots on property located at 500 Wilson Boulevard, approximately 300 feet north of Woodlawn Drive (1.03 acres).

**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.

**PLAN DETAILS** -This plat subdivides one lot into two. Lot 1 has an existing single-family dwelling.

Lot comparability -Section 3-5 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.

Lot comparability analysis was performed and yielded the following information:

<b>Lot Comparability Analysis</b>		
<b>Street:</b>	<b>Requirements:</b>	
	Minimum lot size (sq.ft):	Minimum lot frontage (linear ft.):
<b>Wilson Blvd</b>	17,860	86.7

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

- Lot 1: 24,712.8 Sq. Ft., (0.57 Acres), with 100.02 ft. of frontage
- Lot 2: 20,392.68 Sq. Ft., (0.47 Acres), with 86.7 ft. of frontage

Both lots are above the minimum required lot area and frontage.

Residential Low (RL) - The lots fall within an area designated as Residential Community Plan Policy Low, which carries a density of 1 to 2 dwelling units per acre. If the applicant agrees to restrict the lots to single-family only, they will fall within the maximum density of 2 dwelling units per acre.

**PUBLIC WORKS RECOMMENDATION** -No Exceptions Taken

**STORMWATER RECOMMENDATION** -Approved

**CONDITIONS**

1. Prior to final plat recordation, the plat must specify each lot is for single-family.
2. Prior to final plat recordation, the plat shall be revised to note that both lots shall have front yard setbacks of 80 feet to maintain consistency along the street.

Ms. Withers presented and stated that staff is recommending approval with conditions including that both lots be restricted to single-family only.

Mr. Mike Buckles, 500 Wilson Blvd., spoke in favor of the proposal but in opposition to restricting the lots to single-family only.

Mr. Clifton clarified that if the Commission approves the subdivision and duplexes are built, it would not be in compliance with the subarea plan.

Mr. McLean requested further clarification on the request of the applicant.

Ms. Withers briefly explained the history involved with this parcel and the request made in 2003 for three lots.

Ms. Jones summarized that the parcel is zoned R20 which would allow a duplex, but the land use policy does not support it.

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

Ms. Jones suggested reconfiguring the formula to accommodate the request.

Mr. Lawson clarified that the land use policy for the area would not support this request.

Mr. Clifton moved and Mr. McLean seconded the motion to approve with conditions Final Plat 2006S-264U-10 with the added condition that lot 1 is limited to single-family only. **(6-3) No Votes – Loring, Lawson, Nielson**

**Resolution No. RS2006-274**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006S-264U-10 is **APPROVED WITH CONDITIONS, including that the Lot 1 be restricted to single-family only. (6-3).**”

**Conditions of Approval:**

1. Prior to final plat recordation, the plat must specify that Lot 1 is restricted to single-family use only.
2. Prior to final plat recordation, the plat shall be revised to note that both lots shall have front yard setbacks of 80 feet to maintain consistency along the street.”

---

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

**31. 69-82-U-12**

Cotton Lane Townhomes  
Map 147-11, Parcel 137  
Subarea 12 (2004)  
Council District 27 - Randy Foster

A request to amend the preliminary plan for a Residential Planned Unit Development district located at Cotton Lane (unnumbered), along the north side of Northcrest Drive, at the southern terminus of Cotton Lane, zoned RM9, (2.39 acres), to permit 21 townhomes, requested by Batson and Associates for David Lipscomb University, trustee.

**Staff Recommendation: Approve with conditions**

**APPLICANT REQUEST - Amend PUD**

A request to amend the preliminary plan for a Residential Planned Unit Development district located at Cotton Lane (unnumbered), zoned RM9, (2.39 acres), to permit 21 townhomes.

**PLAN DETAILS**

History - A Planned Unit Development was originally approved on this site in 1982; however, the approved preliminary plan can not be found. Without an approved preliminary plan, staff has no way to verify if the proposed plan is consistent with the originally approved plan, so staff has required the applicant to file for an amendment. While the actual approved PUD plan can not be found, records show that the preliminary was approved for 28 units.

Site Plan - The plan calls for 21, two-story town homes with a density of 9 units per acre. The 21 units will be distributed among five individual buildings.

Access/Parking - The development will be accessed from Cotton Lane by a private drive. Units will be front-loaded and accessed from the private drive. A total of 42 parking spaces is shown on the plan, and meets Metro parking requirements.

**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.

**STORMWATER RECOMMENDATION** - Approved

**CONDITIONS**

1. A public water main extension and public sewer line extension will be required to serve the proposed site. Easements will also be necessary.
2. The Final PUD plan must label the main drive as a “private driveway”.
3. The Final PUD plan must include a sidewalk/walkway along the main private drive, as per the Metro Zoning Code requirements.
4. 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.
5. 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.
6. 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.
7. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
8. 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.
9. 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.
10. 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. The revised plans must be received within 60 days of the Planning Commission’s approval.

Approved with conditions, (9-0) *Consent Agenda*

**Resolution No. RS2006-275**

“BE IT RESOLVED by The Metropolitan Planning Commission that 69-82-U-12 is **APPROVED WITH CONDITIONS. (9-0)**

**Conditions of Approval:**

1. A public water main extension and public sewer line extension will be required to serve the proposed site.

Easements will also be necessary.

2. The Final PUD plan must label the main drive as a “private driveway”.
3. The Final PUD plan must include a sidewalk/walkway along the main private drive, as per the Metro Zoning Code requirements.
4. 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.
5. 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.
6. 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.
7. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
8. 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.
9. 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.
10. 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. The revised plans must be received within 60 days of the Planning Commission’s approval.

**The proposed PUD plan is consistent with existing development pattern in the area, as well as with the Antioch/Priest Lake Community Plan’s area policies.”**

- 32. 24-85-P-13**  
Forest View North  
Map 149, Parcel 189  
Subarea 13 (2003)  
Council District 29 - Vivian Wilhoite

A request to cancel a portion of a Residential Planned Unit Development district located at 2788 Murfreesboro Pike, along the north side of Murfreesboro Pike, zoned R10, (19.37 acres), to cancel a portion of the plan approved for 240 multi-family units, requested by Councilmember Vivian Wilhoite, and owned by John E. Cain, III.

**Staff Recommendation: Disapprove**

### **APPLICANT REQUEST -Cancel a portion of the PUD**

A request to cancel a 19.37 acre portion of the Residential Planned Unit Development district located south of Anderson Road, north of Murfreesboro Pike, approved for 240 apartment 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.

The plan was revised at the July 13, 2006, Planning Commission meeting to change the layout of the buildings and to reduce the number of multi-family units from 264 to 240 apartment units. This revision also included a change to the internal connectivity of the driveways. While the current plan still allows for connectivity to Forest View Drive and Forest Trace Drive, it is in a more circuitous manner, which will reduce cut-through traffic.

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. With this cancellation request, the R10 base zoning will become effective. The R10 zoning would allow 72 lots on this property with 25% of those lots eligible for duplexes. With 18 lots eligible for duplexes, 90 total units would be allowed under the R10 zoning on this property.

### **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.

**Consistent with policy?** - No. If the PUD is cancelled, the R10 base zoning would not be consistent with the RMH policy. The R10 zoning would allow 72 lots, or 90 total dwelling units, with 25% duplexes for an overall density of 4.56 dwelling units per acre. The currently approved PUD plan is approved at 12.39 units per acre. The RMH policy calls for 9 to 20 dwelling units per acre, which is appropriate as a transition from the commercial zoning along Murfreesboro Pike.

### **PLAN DETAILS**

Site Plan - n July 13, 2006, the Planning Commission revised the layout and reduced 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 revised plan maintained the same two access points. 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. Although the number of units was reduced, the unit size was increased from an average of 960 square feet per unit to 1,052 square feet per unit.

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

**STORMWATER RECOMMENDATION** - Approved

Mr. Leeman presented and stated that staff recommends disapproval.

Ms. Betty Sue McDaniel spoke in favor of the cancellation.

Ms. Julie Brymer, 1224 Twin Circle Drive, spoke in favor of the cancellation.

Ms. Robin Tate-Johnson, 2658 Forest View Drive, spoke in favor of the cancellation.

Ms. Nicole Maynard, 1516 Overcreek Drive, spoke in favor of the cancellation.

Mr. Marty Mast, 2600 Forest View Drive, spoke in favor of the cancellation.

Ms. Jeanne Martin, 2924 Kinwood Drive, spoke in favor of the cancellation.

Mr. Matthew Laughlin, 2642 Forest View Drive, spoke in favor of the cancellation.

Councilmember Wilhoite spoke in favor of the cancellation. She mentioned issues such as outdated PUDs, development rights on the property as well as the rights of her community. She mentioned overcrowded schools, additional traffic and the number of multi-family dwellings already located in this area. She stated that the community was not in favor of the proposal and requested that the Commission approve the cancellation.

Mr. Tom White, 36 Old Club Court, spoke in opposition to the request to cancel.

Mr. Marlin Keel, 2110 Blair Blvd. spoke in opposition to the request to cancel.

Mr. Tyler acknowledged the points made by both Councilmember Wilhoite and the members of this neighborhood. He agreed that environmental factors, such as traffic, and development patterns do change over time and could become more of an issue than the land use. He mentioned that the right to develop in Davidson County may need a timeline due to the impact it can have on neighborhoods and surrounding property owners.

Ms. Cummings expressed issues with the traffic and congestion in the area.

Mr. Clifton spoke of the need for an ordinance that would place ending dates on planned unit developments. He acknowledged the concerns mentioned by the residents. He mentioned that this part of town has been over-zoned and has not yet been built out which is creating problems for the community.

Mr. McLean spoke of the declining number of units included in the PUD. He mentioned that the development rights would dictate over the action of the Commission.

Ms. Nielson spoke of older PUDs and the need to address the issue.

Mr. Ponder acknowledged the concerns of the residents. He stated there were no reasons presented that would assist the Commission in approving the cancellation.

Mr. Ponder moved and Ms. Jones seconded the motion to disapprove the cancellation of Planned Unit Development 24-85-P-13.

Ms. Jones mentioned that the property owners have been working on this project over the years and it would be wrong to remove their development rights. She agreed that PUDs should be looked at for their long term and those passed today should be quantified.

Mr. Bernhardt stated there is an ordinance currently moving through Council whereby the time limits are being studied. He further explained that the SP zoning does have a four year time limit that would report to Council on whether it is still valid or active.

Mr. Loring stated he agreed with Mr. Ponder. He mentioned that the Council should have moved on the ordinance that would address this issue. He agreed that the development right could not be removed.

Mr. Clifton made additional comments on this proposal.

Mr. Ponder moved and Ms. Jones seconded the motion to disapprove the cancellation of Planned Unit Development 24-85-P-13. **(8-1) No Vote – Tyler**

Mr. Bernhardt clarified the types of ordinances currently moving through Council that would address the number of units included in planned unit developments, as well as planned unit development expirations.

**Resolution No. RS2006-276**

“BE IT RESOLVED by The Metropolitan Planning Commission that 24-85-P-13 is **DISAPPROVED. (8-1)**

**If the PUD were canceled the existing R10 base zone would not be consistent with the Antioch/Priest Lake Community Plan’s Residential Medium High policy, which is for residential developments with densities between 9 and 20 units per acre.”**

**33. 84-87-P-13**

Crossing At Hickory Hollow (American Health Properties, Inc)  
Map 163, Parcel 346  
Subarea 13 (2003)  
Council District 32 - Sam Coleman

A request to revise the preliminary plan and for final approval for a portion of the Commercial Planned Unit Development district located along the west side of Crossings Boulevard, east of I-24, zoned R10, (11.68 acres), to permit allow for an 122,400 square foot distributive business and wholesale use, replacing the existing retail use, requested by American Health Properties, for 5720 Properties, LLC, owner.

**Staff Recommendation: Approve**

**APPLICANT REQUEST -Revise Preliminary and Final**

A request to revise a portion of the preliminary plan and for final approval for a portion of the Commercial Planned Unit Development district located along the west side of Crossings Boulevard, east of Interstate 24, to allow for an existing building with 122,400 square feet to be used for office, retail and distributive business/wholesale uses, replacing the existing retail use.

**EXISTING ZONING**

R10/Commercial PUD -This Commercial PUD was approved by the Planning Commission and Council in 1987. The PUD was approved for “commercial” uses. Since “commercial” was not and is not defined in the Zoning Code, staff has reviewed this plan against the list of allowable commercial uses in the previous Zoning Code.

The Zoning Administrator has classified the proposed use as “distributive business/wholesale.

**PROPOSED ACTIVITY** -The applicant has indicated that the activities within the distributive business/wholesale use will “...permit the distribution of durable medical equipment, pharmaceutical products and diabetes support equipment.” This equipment will be delivered in bulk and repackaged on-site based on orders from each individual customer. After assembly of the customer’s order, the equipment and products will be distributed directly to the consumer’s home address by mail.

**ANTIOCH PRIEST LAKE COMMUNITY PLAN POLICY**

Regional Activity Center - RAC policy is intended for concentrated mixed-use areas anchored by a regional mall. Other uses common in RAC policy are all types of retail activities, offices, public uses, and higher density residential areas. An accompanying Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms to the intent of the policy.

**Consistent with policy?** -The Regional Activity Center Policy allows for a wide variety of commercial uses, including office, retail, and other consumer services.

**PLAN DETAILS**

Site Plan- The existing 122,400 square foot building will be used for the distributive business/wholesale use. There will be interior building renovations to accommodate the new use, but only minor exterior changes. The only exterior alterations will be tinting of the windows and the addition of an awning over the door.

The applicant has indicated that this facility will employ approximately 150 employees in 2006 and up to 600 by 2009.

Parking- The existing parking area includes 610 total parking spaces. Distributive business/wholesale requires only one parking space per 1,000 square feet, while general office requires one parking spaces per 300 square feet.

Access-Access remains the same. There are three driveways onto Crossings Boulevard from this parcel.

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

**STORMWATER RECOMMENDATION**-Approved

Approved, (9-0) *Consent Agenda*

**Resolution No. RS2006-277**

“BE IT RESOLVED by The Metropolitan Planning Commission that 84-87-P-13 is **APPROVED. (9-0)**”

- 
- 34. 2005P-018G-12**  
Preston Estates PUD  
Map 174-00, Part of Parcel 13  
Subarea 12 (2004)  
Council District 32 - Sam Coleman

A request for final approval for a portion of a Planned Unit Development district located at the southeast corner of Pettus and Preston Road, (1.05 acres), zoned RS15, to develop 2 single-family lots, requested by Ingram Civil Engineering, engineer, Charlie Paul and Sons Development, owner.

**Staff Recommendation: Approve with conditions**

**APPLICANT REQUEST -Final PUD**

A request for final approval for a portion of a residential Planned Unit Development district located at the southeast corner of Pettus and Preston Road (1.05 acres), zoned RS15 to permit the development of two single-family lots.

**PLAN DETAILS**

The plan calls for two single-family lots to be located on the east side of Pettus Road. Lot one will be approximately 22,354 square feet, and lot two will be approximately 23,658 square feet. Both lots will be accessed from Pettus Road.

Preliminary Plan -This is Phase One of a 39 single-family residential Planned Unit Development. The preliminary PUD and associated zone change were approved by the Planning Commission in December of 2005. As proposed, the lots are consistent with the approved preliminary plan.

Infrastructure Deficiency Area (IDA) -This request is located within the IDA, and requires that the applicant make certain improvements within the IDA. Based on the IDA policy, approximately 342 liner feet of road improvements is required by the applicant. The location for these improvements will be made by Public Works.

**Staff Recommendation** -Since the request is consistent with the approved preliminary PUD, staff recommends that the request be approved with conditions.

**PUBLIC WORKS RECOMMENDATION**-No Exceptions Taken

**STORMWATER RECOMMENDATION**- No Exceptions Taken

**CONDITIONS**

1. This request is located within the IDA, and requires that the applicant make certain improvements within the IDA. Based on the IDA policy, approximately 342 liner feet of road improvements is required by the applicant. The location for these improvements will be made by Public Works.

2. A sidewalk connection from the rear of the development to Cotton Lane shall be added to the final development plan.
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.
4. 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 Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
5. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
6. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
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.
9. 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.

Approved with conditions, (9-0) **Consent Agenda**

**Resolution No. RS2006-278**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005P-018G-12 is **APPROVED WITH CONDITIONS. (9-0)**

**Conditions of Approval:**

1. This request is located within the IDA, and requires that the applicant make certain improvements within the IDA. Based on the IDA policy, approximately 342 linear feet of road improvements is required by the applicant. The location for these improvements will be made by Public Works.
2. A sidewalk connection from the rear of the development to Cotton Lane shall be added to the final development plan.
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.
4. 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 Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
5. This approval does not include any signs. Business accessory or development signs in commercial or

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

6. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
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.
9. 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."

**35. 2005P-025U-13**

Jeric Commercial PUD  
Map 149, Part of Parcel 200  
Subarea 13 (2003)  
Council 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, LLCI, owner.

**Staff Recommendation: Approve with conditions**

**APPLICANT REQUEST -Final PUD**

A request for final PUD approval to permit the development of a 5,301 square foot car wash, located on the west side of Bell Road, west of Murfreesboro Pike.

**ZONING**

CS district -Commercial Service is intended for a variety of commercial uses, including retail trade, consumer services, financial institutions, general and fast food restaurants, auto-repair, auto sales, self-storage, and light manufacturing and small warehouse uses.

**PLAN DETAILS**

Site Design - The plan proposes access from Bell Road. The preliminary PUD approval required variances from the Board of Zoning Appeals for setbacks, landscape buffer yards, and bay openings to residentially zoned property. These variances have been approved. The preliminary was re-referred to the Planning Commission in October 2005 to include design standards and conditions from the Councilmember, including sign and building materials.

This PUD is part of a parcel and not a buildable lot. A subdivision plat must be recorded making the parcel a buildable lot prior to the issuance of any building permits.

This plan is consistent with preliminary PUD plan and meets the Zoning Ordinance regulations, as varied by the BZA.

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

**STORMWATER RECOMMENDATION** - Approved.

**CONDITIONS**

1. Prior to the issuance of any permits, a plat is to be recorded making the parcel into a buildable lot.
2. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
3. 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 improvements within the public rights of way.
4. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.
5. 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 Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
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. 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. 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. The revised plans must be received within 60 days of Planning Commission's approval.

Approved with conditions, (9-0) **Consent Agenda**

**Resolution No. RS2006-279**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2005P-025U-13 is **APPROVED WITH CONDITIONS. (9-0)**

**Conditions of Approval:**

1. Prior to the issuance of any permits, a plat is to be recorded making the parcel into a buildable lot.
2. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such

cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.

3. 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 improvements within the public rights of way.
4. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.
5. 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 Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
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. 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. 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. The revised plans must be received within 60 days of Planning Commission’s approval.”

---

### **XIII. OTHER BUSINESS**

#### **36. Executive Director Reports**

Mr. Bernhardt explained that due to the Election that will be held on November 7, Metro Council moved their Public Hearing date to Thursday, November 9, 2006 which is the same date that the Planning Commission was scheduled to meet. He suggested that the November 9, 2006 meeting be rescheduled to Tuesday, November 14, 2006.

Mr. Loring moved and Mr. Ponder seconded the motion, which passed unanimously, to move the Thursday, November 9, 2006 meeting date to Tuesday, November 14, 2006. **(9-0)**

#### **37. Legislative Update**

#### **38. Agreed Order Settling McMurray Drive Homeowners Association vs. Metro Government lawsuit**

### **XIV. ADJOURNMENT**

The meeting adjourned at 7:55 p.m.

---

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, 2<sup>nd</sup> 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.**