



**METROPOLITAN GOVERNMENT  
OF NASHVILLE AND DAVIDSON COUNTY**

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

**Minutes  
Of the  
Metropolitan Planning Department**

*September 14, 2006*

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*4:00 PM*

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

**PLANNING COMMISSION:**

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

**Staff Present:**

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

**Commission Members Absent:**

Jim McLean  
Judy Cummings

**I. CALL TO ORDER**

The meeting was called to order at 4:00 p.m.

**II. ADOPTION OF AGENDA**

Ms. Hammond announced there was a correction for the agenda. Item #25, 2006IO-002U-10, Belmont University I.O. (Black Box) the caption should read "...to permit a 150 seat drama theater addition...." not a 250 seat theater addition.

Ms. Nielson moved and Mr. Clifton seconded the motion to adopt the agenda as corrected. **(6-0)**

**III. APPROVAL OF AUGUST 24, 2006 MINUTES**

Mr. Ponder moved and Ms. Nielson seconded the motion, which passed unanimously to approve the August 24, 2006 minutes as presented. **(6-0)**

**IV. RECOGNITION OF COUNCILMEMBERS**

Councilmember Hunt addressed the Commission regarding Items #2, 2006Z-124G-02 and #3, 2006P-013G-02. He stated he was in favor of these items being deferred indefinitely.

**V. PUBLIC HEARING: ITEMS REQUESTED TO BE DEFERRED OR WITHDRAWN**

1.	2006Z-008U-08	Request to change from OR20 and R6 to MUG zoning on properties located at Hume Street (unnumbered) and 8th Avenue North (unnumbered)	-- deferred until September 28, 2006, at the request of the applicant
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- |     |               |   |  |
|-----|---------------|---|--|
| 2.  | 2006Z-124G-02 | 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 indefinitely at the request of the applicant              |
| 3.  | 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 indefinitely at the request of the applicant              |
| 4.  | 2006Z-130G-06 | Request to change from AR2a to RM15 zoning on property located at 8921 Collins Road, approximately 275 feet west of Collingswood Drive (2.5 acres)  | – Deferred to October 12, 2006, at the request of the applicant      |
| 5.  | 2006S-143G-06 | Fox Hollow Farms, Phase 3 - Request for concept plan approval to create 10 lots in the Fox Hollow Farms subdivision located on a private drive, Fox Vale Lane   | – deferred indefinitely at the request of the applicant              |
| 10. | 2006Z-154G-12 | Request to change from AR2a and CL to RM20 zoning property located at 6365 Nolensville Pike, at the northwest corner of Nolensville Pike and Holt Road  | – deferred until October 26, 2006, at the request of the applicant   |
| 22. | 2005P-017G-06 | Shoppes on the Harpeth, Lot 1 - Request for final approval for Lot 1 of a Planned Unit Development district located between Highway 100 and Old Harding Pike, to permit the development of a 4,100 square foot bank   | – deferred until September 28, 2006, at the request of the applicant |
| 23. | 2005P-017G-06 | Shoppes on the Harpeth, Lot 2 - Request for final approval for Lot 2 of a Planned Unit Development district located between Highway 100 and Old Harding Pike, to permit the development of a 3,600 square foot restaurant   | – deferred until September 28, 2006, at the request of the applicant |
| 24. | 2005P-017G-06 | Shoppes on the Harpeth, Lots 4 And 5 -Request for final approval for lots 4 and 5 of the Planned Unit Development district located between Highway 100 and Old Harding Pike, to permit the development of a 12,000 square foot two-story office and retail building, and 32,000 square foot retail building | – deferred until September 28, 2006, at the request of the applicant |

Ms. Nielson moved and Mr. Ponder seconded the motion, which passed unanimously, to approve the Deferred and Withdrawn items. **(6-0)**

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

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

- |     |               |  |                        |
|-----|---------------|--|------------------------|
| 7.  | 2006Z-151U-06 | Request to change from R15 to CS zoning property located at 7340 Charlotte Pike                                    | - Approve w/conditions |
| 11. | 2006Z-155U-08 | Request to change from CS to MUL zoning on property located at 1723 8th Avenue North                               | - Approve              |
| 13. | 2006Z-163U-10 | Request to change from R10 to RS10 zoning various properties located north of Sharondale Drive on Sharondale Court | - Approve              |

### **CONCEPT PLANS**

- |     |               |   |           |
|-----|---------------|---|-----------|
| 14. | 2006S-290G-06 | South Harpeth Estates - Request for concept plan approval to create 8 lots on property located at Highway 96 (unnumbered) and 9618 Highway 96 | - Approve |
|-----|---------------|---|-----------|

### **FINAL PLATS**

- |     |               |   |                        |
|-----|---------------|---|------------------------|
| 15. | 2006S-278U-05 | Maplewood Home Tract Lot 37 Resubdivision - Request for final plat approval to create 2 lots on property located at 3801 Baxter Avenue    | - Approve w/conditions |
| 16. | 2006S-291U-10 | Abbott Martin Estates Resubdivision of Lot 2 - Request for final plat approval to create 2 lots on property located at 2311 Warfield Lane | - Approve              |

**PLANNED UNIT DEVELOPMENTS AND SPECIFIC PLANS**

- 17. 193-65-G-13 Kia Automobile Sales - Request to revise the preliminary plan and for final approval of a commercial Planned Unit Development, to permit the placement of a Ferris Wheel - Approve w/conditions
- 18. 28-79-G-13 Cambridge Forest, Phase XI - Request for final approval of a residential Planned Unit Development located east of Bromley Way, for the development of 31 single-family lots - Approve w/conditions
- 19. 10-84-U-10 W.O. Smith Community Music School - Request to revise a portion of the preliminary and for final approval for a commercial Planned Unit Development overlay district, located at 1125 8th Avenue South, to allow for a 3,630 square foot addition to the existing 20,139 square foot building for a music school - Approve w/conditions
- 20. 102-86-P-06 Riverside, Phase 7 - Request to revise the approved preliminary plan and for final approval for a residential Planned Unit Development, located on the south side of Northridge Drive, and west of Old Harding Pike, to reconfigure 8 previously approved single family lots into 5 single-family lots - Approve w/conditions
- 21. 2004P-035G-12 Burkitt Place - Request to revise a portion of the preliminary plan and final approval for a residential Planned Unit Development overlay district, to change the area approved for open space for a pool and community center - Approve w/conditions
- 25. 2006IO-002U-10 Belmont University I.O., (Black Box) - Request for final approval for a portion of the Institutional Overlay district located at 1523 and 1527 Compton Avenue, to permit a 250 seat drama theater addition - Approve w/conditions

Ms. Jones arrived at 4:09

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

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

**ZONING MAP AMENDMENTS**

- 1. **2006Z-008U-08**  
Map 081-12, Parcel 328, 329  
Subarea 8 (2002)  
Council District 19 - Ludy 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**

**The Metropolitan Planning Commission DEFERRED Zone Change 2006Z-008U-08 to September 28, 2006, at the request of the applicant. (6-0)**

- 2. **2006Z-124G-02**  
Map 050, Parcels 091, 146, Part Of 129  
Subarea 2 (1995)  
Council District 3 – Walter Hunt

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

**STAFF RECOMMENDATION: Approve with conditions**

**The Metropolitan Planning Commission DEFERRED Zone Change 2006Z-124G-02 indefinitely at the request of the applicant. (6-0)**

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3. **2006P-013G-02**  
Cone Property PUD  
Map 050, Parcels 091, 146, Part Of 129  
Subarea 2 (1995)  
Council District 3 – Walter Hunt

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

**STAFF RECOMMENDATION: Approve with conditions**

**The Metropolitan Planning Commission DEFERRED Planned Unit Development 2006P-013G-02 indefinitely at the request of the applicant. (6-0)**

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4. **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 2006S-130G-06 to October 12, 2006, at the request of the applicant. (6-0)**

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**CONCEPT PLANS**

5. **2006S-143G-06**  
Fox Hollow Farms, Phase 3  
Map 177, Parcels 032, 033, 035, 036, 039  
Map 178, Parcel 069  
Subarea 6 (2003)  
Council District 35 - Charlie Tygard

A request for concept plan approval to create 10 lots in the Fox Hollow Farms subdivision located on a private drive, Fox Vale Lane, off of Highway 96 (50.49 acres), zoned AR2a, requested by Charlie B. Mitchell Jr, Michael J. Burr, James and Leslie Cromwell, and John and Donna Woods Jr., owners, Fulghum, MacIndoe & Associates, engineer/surveyor.

**STAFF RECOMMENDATION: Defer to allow time for the application to receive approvals from the Metro Stormwater and Health Departments**

**The Metropolitan Planning Commission DEFERRED Concept Plan 2006S-143G-06 indefinitely at the request of the applicant. (6-0)**

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

6. **2006Z-150U-14**  
Map 084-16, Parcels 024, 025  
Subarea 14 (2004)  
Council District 15 - J. B. Loring

A request to change from OR20 to CL zoning properties located at 148 and 152 McGavock Pike, opposite of Park Drive (2.14 acres), requested by CEI Engineering Inc., applicant, for William M. & Leigh A. Staley & Theodore F. Bertuca, owners.

**STAFF RECOMMENDATION: Disapprove**

**APPLICANT REQUEST**-A request to change from office and residential (OR20) to commercial limited (CL) zoning property located at 148 and 152 McGavock Pike, opposite Park Drive.

**Existing Zoning**

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

**Proposed Zoning**

CL district - Commercial Limited is intended for retail, consumer services, financial, restaurant, and office uses.

**DONELSON-HERMITAGE COMMUNITY PLAN POLICY**

Community Center - CC is intended for dense, predominantly commercial areas at the edge of a neighborhood, which either sits at the intersection of two major thoroughfares or extends along a major thoroughfare. This area tends to mirror the commercial edge of another neighborhood forming and serving as a “town center” of activity for a group of neighborhoods. Appropriate uses within CC areas include single- and multi-family residential, offices, commercial retail and services, and public benefit uses. An accompanying Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

Mixed Housing - MH is intended for single family and multi-family housing that varies on the size of the lot and the placement of the building on the lot. Housing units may be attached or detached, but are not encouraged to be randomly placed. Generally, the character should be compatible to the existing character of the majority of the street.

**Consistent With Policy?** - No. The proposed CL district is not consistent with the Mixed Housing in Community Center Policy, which calls for residential uses only. While the existing OR20 district is not completely consistent either, it does not allow commercial uses.

**RECENT REZONINGS** -Yes. The Planning Commission recommended disapproval of rezoning parcels 105 and 106 on the northeast corner of McGavock Pike and Park Drive.

**PUBLIC WORKS RECOMMENDATION** - Traffic Study may be required at the time of development.

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

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	2.14	0.169	15,754	322	43	97

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

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	2.14	0.172	16,033	326	44	97

**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	1	0

**Maximum Uses in Existing Zoning District: OR20**

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Walk in Bank (912)	2.14	0.08*	7,457	1,839	93	342

\*adjusted as per use

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

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Convenience market(851)	2.14	0.06*	5,593	4,128	375	294

\*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
--	2.14			2,289	282	-48

**HISTORIC PROPERTIES** - The property at 148 McGavock Pike (parcel 24) falls within the Fairway-McGavock Historic Area and is designated as Worthy of Conservation. Planning has notified the Historical Commission of this application and will provide any comments that are received.

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

Mr. Jeff Hines, Little Johns Engineering Associates, spoke in favor of the proposal.

Mr. Clifton questioned the level of discussion and/or attention this area received during the subarea plan update.

Mr. Leeman explained that the area has a Detailed Neighborhood Design Plan (DNDDP) in addition to the subarea plan update thus allowing additional input from community members.

Mr. Clifton questioned whether there was any opposition expressed during the detailed neighborhood design plan in relation to the requested zoning.

Mr. Leeman stated he was unaware of any opposition.

Mr. Ponder questioned whether SP zoning was considered for this area. He then mentioned surrounding parcels with similar zoning that would justify the requested CL zoning.

Ms. Jones also spoke of the possible justification for the requested rezoning. However, she did mention a concern with the residential zoning that is located behind the property.

Mr. Loring spoke in favor of the zone change request. He explained the proposed development and its compatibility to the area and mentioned he did not receive any opposition. He requested its approval.

There were additional comments from Commission members regarding the motion and whether the proposed zoning would be compatible for the area. There was also mention of existing trees located on the property and whether they would remain as a result of the request.

Mr. Loring indicated he would address the mentioned trees at the Council level.

Mr. Ponder moved and Mr. Loring seconded the motion, which passed unanimously to approve Zone Change 2006Z-150U-14. (7-0)

**Resolution No. RS2006-301**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006Z-150U-14 is **APPROVED**. (7-0)

**While the proposed CL district is not consistent with the Donelson – Hermitage Community Plan’s Community Center and Mixed Housing policy, it is consistent with the surrounding commercial uses along McGavock Pike and Lebanon Pike and it is not likely to stay residential given the proximity to commercial.”**

- 7. **2006Z-151U-06**  
 Map 114-00, Parcel 139  
 Subarea 6 (2003)  
 Council District 35 - Charlie Tygard

A request to change from R15 to CS zoning property located at 7340 Charlotte Pike, approximately 800 feet northeast of Old Hickory Boulevard (1.46 acres), requested by David and Pamela Kimery,  
**STAFF RECOMMENDATION: Approve with conditions**

**APPLICANT REQUEST** - Rezone 1.46 acres from residential single-family and duplex (R15) to Commercial Service (CS) district property located at 7340 Charlotte Pike.

**Existing Zoning**

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

**Proposed Zoning**

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.

**BELLEVUE COMMUNITY PLAN POLICY**

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 CS district is consistent with the CMC policy on this site and the adjacent properties. The proposed district is also consistent with the existing CS zoning to the immediate south, at the intersection of Charlotte Pike and Old Hickory Boulevard.

**RECENT REZONINGS** - Yes. The Planning Commission recommended approval of rezoning the adjacent properties to CS in 2002 and 2005.

**PUBLIC WORKS RECOMMENDATION** - A TIS may be required at development.

**Typical Uses in Existing Zoning District: R15**

Land Use (ITE Code)	Acres	Density	Total Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached(210)	1.46	2.47	4	54	13	6

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

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (820)	1.46	0.66	41,974	3,863	93	353

**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
--				3,809	80	347

**Maximum Uses in Existing Zoning District: R15**

Land Use (ITE Code)	Acres	Density	Total Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached(210)	1.46	2.47	4	54	13	6

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

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (820)	1.46	0.6	38,158	3,631	88	332

**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
--				3,577	75	326

**CONDITIONS** - Cross access easements may be required at the development stage to reduce the number of curb cuts onto Charlotte Pike.

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

**Resolution No. RS2006-302**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006Z-151U-06 is **APPROVED WITH CONDITIONS.** (7-0)

**Conditions of Approval:**

1. Cross access easements may be required at the development stage to reduce the number of curb cuts onto Charlotte Pike.

**The proposed CS district is consistent with the Bellevue Community Plan’s Commercial Mixed Concentration policy, which is intended to include medium high to high density residential, all types of retail trade, highway oriented commercial services, offices and research activities.”**

8. **2006SP-152U-11**  
Nolensville Road Automart  
Map 119-09, Parcels 042, 062, 063  
Subarea 11 (1999)  
Council District 16

A request to change from CS to SP zoning properties located at 2721 and 2725 Nolensville Pike, and 2722 Grandview Avenue, at the northwest corner of Nolensville Pike and McClain Avenue, (0.82 acres), to permit the expansion of an existing auto-oriented business, requested by Ronald J. Haslip, applicant, for Ronald J. and Alfred J. Haslip, owners.

**STAFF RECOMMENDATION: Approve with conditions**

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

Mr. George Brown requested that this proposal be deferred. He submitted information to the Commission for the record.

Mr. Michael Hullett, 114 Tallwood Drive, spoke in opposition to the proposal and requested its deferral.

Mr. Mack Flatt, 2720 Grandview, spoke in opposition to the proposal.

Mr. James Frith, 3104 Meade Avenue, spoke in opposition and requested deferral.

Ms. Jeanette Haslip spoke in favor of the proposal.



Mr. Alfred Haslip, owner, spoke in favor of the proposal.

Mr. Ronnie Haslip spoke in favor of the proposal.

Ms. Margaret Donovan requested that the proposal be deferred.

Mr. Loring spoke of the requested SP zoning and its advantages for the proposal.

Mr. Ponder acknowledged the concerns of the community members and suggested a one meeting deferral to allow additional time for the applicant to meet with community members, as well as an At-Large Councilmember.

Mr. Clifton requested further clarification on the possibility of deferring this proposal. He also requested additional information on the “grandfather” clause and whether it would apply to this proposal.

Mr. Bernhardt explained these concepts to the Commission.

Mr. Lawson commented that the proposal meets the necessary requirements for this area and that the other issues associated with the proposal should be addressed at the Council level.

Mr. Tyler requested additional clarification on land uses located behind the parcel in question.

Mr. Ponder moved and Mr. Loring seconded the motion, which passed unanimously, to defer Zone Change 2006SP-152U-11 to September 28, 2006 to allow additional time for the applicant to meet with community members, as well as the Councilmember-At-Large. It was also suggested that a member of the Planning staff attend the meeting as well, to further explain SP zoning. The public hearing on this matter was closed. (7-0)

**Resolution No. RS2006-303**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006SP-152U-11 is **DEFERRED to the September 28, 2006, Planning Commission meeting. (7-0)**”

9. **2006Z-153U-08**  
Map 092-11, Parcels 036, 046, 047  
Subarea 8 (2002)  
Council District 21 - Edward Whitmore

A request to change from R6 to RM60 zoning on property located at Jo Johnston Avenue (unnumbered) and 513 and 515 Spruce Street, approximately 250 feet south of 21st Avenue North (0.39 acres), requested by Raymond Bowman, applicant, for Spruce Street Baptist Church, owner.

**STAFF RECOMMENDATION: Disapprove**

**APPLICANT REQUEST** - A request to change from R6 to RM60 zoning on .39 acres located at Jo Johnston Avenue (unnumbered) and 513 and 515 Spruce Street, approximately 250 feet south of 21st Avenue North.

**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**

RM60 district - RM60 is intended for single-family, duplex, and multi-family dwellings at a density of 60 dwelling units per acre

**NORTH NASHVILLE COMMUNITY PLAN POLICY**

***Structure Policy***

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.

**Watkins Park Detailed Neighborhood Development Policy**

Mixed Housing -MH is intended for single family and multi-family housing that varies on the size of the lot and the placement of the building on the lot. Housing units may be attached or detached, but are not encouraged to be randomly placed. Generally, the character should be compatible to the existing character of the majority of the street.

**Consistent with Policy?** - No. The residential density envisioned for this area is for no more than 20 dwelling units per acre, and this request exceeds the envisioned maximum by 40 dwelling units per acre. Additionally, the policy category requires that the zone change be accompanied by a design plan in the form of a Specific Plan District, Planned Unit Development or Urban Design Overlay to ensure that the goals of the plan are being met. Given the site’s location opposite Head Magnet Middle School, and in close proximity to a mix of uses ranging from single family to light industrial it is important for a project to demonstrate compliance with the design goals for the area and that it will be a coherent part of the neighborhood fabric.

**RECENT REZONINGS** - This applicant also rezoned the neighboring property to the north at RM60 in 2001. The Planning Commission disapproved that request, as contrary to the General Plan since the RM60 district was inconsistent with the policy at the time, which was Residential Medium (RM) policy (4 to 9 residential units per acre).

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

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

Land Use (ITE Code)	Acres	Density	Total Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached(210)	0.39	7.72	2	20	2	4

**Typical Uses in Proposed Zoning District: RM60**

Land Use (ITE Code)	Acres	Density	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Residential Condo/townhome (230)	0.39	60	23	185	16	19

**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
--			+21	165	14	15

**METRO SCHOOL BOARD REPORT**

**Projected student generation\***    6 Elementary    3 Middle    3 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 August 2006.

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

Bro. Raymond Bowman, Spruce Street Baptist Church spoke in favor of the proposal.

Mr. Lawson requested additional clarification regarding staff’s recommendation in relation to the applicant’s request.

Mr. Bernhardt explained the staff recommendation to the Commission as well as the issues associated with the request.

Mr. Ponder requested clarification on the number of units being requested in the proposal.

Mr. Clifton spoke regarding the policy tools necessary to address the requested housing needs for this proposal.

Mr. Clifton moved and Mr. Loring seconded the motion, which passed unanimously to approve Zone Change 2006Z-153U-08. (7-0)

**Resolution No. RS2006-304**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006Z-153U-08 is **APPROVED**. (7-0)

**While the proposed RM60 district is not consistent with the North Nashville Community Plan’s Neighborhood Urban structure plan policy, and its Mixed Housing detailed policy, which are intended for a mixture of residential, office, and retail uses, the proposed use is consistent with the surrounding zoning and existing uses in the area.”**

10. **2006Z-154G-12**  
Map 181-00, Parcel 090  
Subarea 12 (2004)  
Council District 31 - Parker Toler

A request to change from AR2a and CL to RM20 zoning property located at 6365 Nolensville Pike, at the northwest corner of Nolensville Pike and Holt Road (9.5 acres), requested by General Construction Company, applicant, for Buford and Jane Deford, owners.

**STAFF RECOMMENDATION: Disapprove**

**The Metropolitan Planning Commission DEFERRED Zone Change 2006Z-154G-12 indefinitely the request of the applicant. (6-0)**

11. **2006Z-155U-08**  
Map 081-08, Parcel 359  
Subarea 8 (2002)  
Council District 19 - Ludy N. Wallace

A request to change from CS to MUL zoning on property located at 1723 8th Avenue North, approximately 225 feet south of Buchanan Street (0.19 acres), requested by Dale & Associates, applicant, for DC Partners LLC, owner.

**STAFF RECOMMENDATION: Approve**

**APPLICANT REQUEST** - A request to change from CS to MUL zoning on 0.19 acres located at 1723 8th Avenue North, approximately 225 feet south of Buchanan Street.

**Existing Zoning**

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

**Proposed Zoning**

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

**NORTH NASHVILLE COMMUNITY PLAN POLICY**

***Structure Policy***

Corridor Center (CC) - CC is intended for dense, predominantly commercial areas at the edge of a neighborhood, which either sits at the intersection of two major thoroughfares or extends along a major thoroughfare. This area tends to mirror the commercial edge of another neighborhood forming and serving as a “town center” of activity for a group of neighborhoods. Appropriate uses within CC areas include single- and multi-family residential, offices, commercial retail and services, and public benefit uses. An accompanying Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

***Buena Vista Detailed Neighborhood Development Policy***

Mixed Use- 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 residential or office above.

**Consistent with Policy?** -Yes. The proposed MUL district is consistent with the Subarea 8 Plan and the Buena Vista Detailed Neighborhood Design Plan’s Mixed Use in Corridor Center policy. It is also consistent with the surrounding zoning pattern with MUL across from this property on 8<sup>th</sup> Avenue North.

Normally, a design plan in the form of a Specific Plan District or Planned Unit Development would be required to rezone a property located in this Detailed Neighborhood Design Plan area, but staff is recommending an exception in this case. This site is relatively small and is adjacent to lots already zoned MUL to the south, and adjacent to a body shop on CS zoned property on the north. This site does back up to R6 single and two-family residential, but is across 8th Avenue from another block of MUL. This is a small addition to the MUL zoning pattern already in place on both sides of 8th Avenue in this block.

**RECENT REZONINGS** - The six parcels to the south were rezoned to MUL in 2005. Of the six parcels included in that rezoned, five are currently owned by DC Partners, the applicant in the current request.

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

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

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (814)	0.19	0.42	3,476	187	30	10

**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)	0.19	0.094	778	NA	60	75

**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
--				NA	30	65

**METRO SCHOOL BOARDREPORT**

**Projected student generation\*** 1 Elementary 0 Middle 0 High

**Schools Over/Under Capacity** - Students would attend Brookmeade Elementary School, Hill Middle School, or Hillwood High School. Hill Middle Schools has been identified as being over capacity by the Metro School Board. There is capacity available at another middle school within the Hillwood Cluster. This information is based upon data from the school board last updated August 2006.

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

Approved, (7-0) *Consent agenda*

**Resolution No. RS2006-305**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006Z-155U-08 is **APPROVED. (7-0)**

**The proposed MUL district is consistent with the North Nashville Community Plan’s Corridor Center structure plan policy, and its Mixed Use detailed policy, which are intended for a mixture of residential, office, and retail uses.”**

12. **2006Z-156U-14**  
 Map 084-16, Parcel 023  
 Subarea 14 (2004)  
 Council District 15 - J. B. Loring

A request to change from OL to CL zoning property located at 144 McGavock Pike, at the west end of Park Drive (1.07 acres), requested by Arthur Jones Jr, applicant for Arthur Jones Jr. et ux, owners.

**STAFF RECOMMENDATION: Disapprove**

**APPLICANT REQUEST-** A request to change from Office Limited (OL) to commercial limited (CL) zoning property located at 144 McGavock Pike, opposite Park Drive.

**Existing Zoning**

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

**Proposed Zoning**

CL district - Commercial Limited is intended for retail, consumer services, financial, restaurant, and office uses.

**DONELSON-HERMITAGE COMMUNITY PLAN POLICY**

Community Center - CC is intended for dense, predominantly commercial areas at the edge of a neighborhood, which either sits at the intersection of two major thoroughfares or extends along a major thoroughfare. This area tends to mirror the commercial edge of another neighborhood forming and serving as a “town center” of activity for a group of neighborhoods. Appropriate uses within CC areas include single- and multi-family residential, offices, commercial retail and services, and public benefit uses. An accompanying Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

Mixed Housing - MH is intended for single family and multi-family housing that varies on the size of the lot and the placement of the building on the lot. Housing units may be attached or detached, but are not encouraged to be randomly placed. Generally, the character should be compatible to the existing character of the majority of the street.

**Consistent With Policy?** - No. The proposed CL district is not consistent with the Mixed Housing in Community Center Policy, which calls for residential uses only. The existing OL district also is not completely consistent with the existing policy, but OL allows only office uses, not commercial uses.

**RECENT REZONINGS** - Yes. The Planning Commission recommended disapproval of rezoning parcels 105 and 106 on the northeast corner of McGavock Pike and Park Drive.

**PUBLIC WORKS RECOMMENDATION** - Traffic Study may be required at the time of development.

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

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	1.07	0.169	7,876	189	25	88

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

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	1.07	0.172	8,016	192	25	88

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				3	0	0

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

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Walk in Bank (912)	1.07	0.08*	3,729	937	47	171

\*adjusted as per use

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

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Convenience market(851)	1.07	0.06*	2,796	2,064	188	147

\*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
--				1,127	141	-24

**HISTORIC PROPERTIES** - This property at 144 McGavock Pike (parcel 23) falls within the Fairway-McGavock Historic Area and is designated as Worth of Conservation. Planning has notified the Historical Commission of this application and will provide any comments that are received.

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

Ms. Nielson expressed an issue with the precedent being set for this area.

Mr. Clifton moved and Mr. Loring seconded the motion, which passed unanimously to approve Zone Change 2006Z-156U-14. **(7-0)**

Mr. Bernhardt stated that the Planning staff would re-examine the subarea plan for this particular area due to the number of commercial rezonings that have been requested.

**Resolution No. RS2006-306**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006Z-156U-14 is **APPROVED. (7-0)**

**While the proposed CL district is not consistent with the Donelson – Hermitage Community Plan’s Community Center and Mixed Housing policy, it is consistent with the surrounding commercial uses along McGavock Pike and Lebanon Pike and it is not likely to stay residential given the proximity to commercial.**

- 13. **2006Z-163U-10**  
Map 117-03, Various Parcels  
Subarea 10 (2005)  
District 25 - Jim Shulman

A request to change from R10 to RS10 zoning various properties located north of Sharondale Drive on Sharondale Court (5.51 acres), requested by Councilmember Jim Shulman for various property owners.

**STAFF RECOMMENDATION: Approve**

**APPLICANT REQUEST** - Request to change 5.51 acres from residential single family and duplex (R10) to residential single-family (RS10) zoning various properties located north of Sharondale Drive on Sharondale Court.

**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**

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

**GREEN HILLS/MIDTOWN COMMUNITY PLAN POLICY**

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

**Consistent with Policy?** -Yes. The residential density as permitted within the proposed RS10 zoning district (3.7 homes/acre) is consistent with the range called for by the Residential Low Medium policy (3-4 homes/acre). The current R10 zoning is actually slightly higher. There are 24 properties in this request. The fee for this request would be \$1210. If each property was to file zoning applications individually, the total fee would be \$28,800

**RECENT REZONINGS** - Yes. The Planning Commission has recently approved R to RS rezonings along 22<sup>nd</sup> and 23<sup>rd</sup> Avenue S.

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

**METRO SCHOOL BOARD REPORT**

**Projected student generation** -As this request to change to single family district represents a down zoning, the number of expected students would be equal to or less than what the current zoning allows.

Approved, (7-0) *Consent agenda*

**Resolution No. RS2006-307**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006Z-163U-10 is **APPROVED. (7-0)**

**The requested RS10 district is consistent with the Green Hills/Midtown Community Plan’s Residential Low Medium policy, which is intended for residential developments with a density between two to four dwelling units per acre.”**

**IX. CONCEPT PLANS**

- 14. **2006S-290G-06**  
South Harpeth Estates  
Map 178-00, Parcels 042, 043  
Subarea 6 (2003)  
Council District 35 - Charlie Tygard

A request for concept plan approval to create 8 lots on property located at Highway 96 (unnumbered) and 9618 Highway 96, approximately 1,600 feet north of Little East Fork Road (18.3 acres), zoned AR2a, requested by Charles and Louise Frost, owners, PBJ Engineering, surveyor.

**STAFF RECOMMENDATION: Approve**

**APPLICANT REQUEST - Concept Plan**

Concept plan approval to create 8 lots on 18.3 acres of property located at Highway 96 (unnumbered) and 9618 Highway 96, approximately 1,600 feet north of Little East Fork Road.

**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.

The AR2a zoning would permit a maximum of nine lots, while only eight are proposed with this plat.

**BELLEVUE COMMUNITY PLAN**

Natural Conservation - 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.

The proposed concept plan is for 1 unit per 2 acres.

**SUBDIVISION DETAILS** - The proposed plan includes eight single-family lots on 18.03 acres. A new road is proposed from Highway 96, which extends east. This road provides two stub-streets to adjacent properties to the north and south. This property falls within Natural Conservation policy because most of this area has very steep slopes. However, the front portion of this property is relatively flat and suitable for development at AR2a densities, as proposed. This is not a cluster lot subdivision and since all lots are over one acre in size, the hillside development standards of the Zoning Code do not apply.

**PUBLIC WORKS RECOMMENDATION** - No exception taken

**STORMWATER** - Approved

**FIRE MARSHAL** - Approved

**HEALTH DEPARTMENT** - Since there is no sewer available in this area, all lots will be served by septic. The Metro Health Department has approved the proposed septic area.

Approved, (7-0) *Consent agenda*

**Resolution No. RS2006-308**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006S-290G-06 is **APPROVED. (7-0)**”

**X. FINAL PLATS**

- 15. **2006S-278U-05**  
Maplewood Home Tract Lot 37 Resubdivision  
Map 061-14, Parcel 135  
Subarea 5 (1994)  
Council District 8 - Jason Hart

A request for final plat approval to create 2 lots on property located at 3801 Baxter Avenue, at the northwest corner of Gillock Street and Baxter Avenue (0.5 acres), zoned RS7.5, requested by Eric Lesueur, owner, Mark Devendorf, surveyor.

**STAFF RECOMMENDATION: Approve with conditions**

**APPLICANT REQUEST -Final Plat**

A request for final plat approval to create 2 lots on 0.5 acres, located at 3801 Baxter Avenue, at the northwest corner of Gillock Street and Baxter Avenue.

**ZONING**

RS7.5 district -RS7.5 requires a minimum 7,500 square foot lot and is intended for single-family dwellings at a density of 4.94 dwelling units per acre.

**PLAN DETAILS** -This subdivision proposes subdividing lot #37 into two lots. The lot is located on the corner of Gillock Street and Baxter Street

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.):
	19,275	87.0 *



\*No lots with homes fronting on Gillock Street to compare with for this study.

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

- Lot 1: 10,427.13 Sq. Ft., (0.24 Acres), with 103.3 ft. of frontage (on Gillock Street)
- Lot 2: 10,462.91 Sq. Ft., (0.24 Acres), with 76.62 ft. of frontage on Baxter Avenue (as existing) and 123.51 ft. of frontage on Gillock Street)

The lot proposed to be subdivided is located on a corner lot. Section 3-5.3 specifies that for a corner lot, it should be compared to the other corner lots of an intersection. In this case, however, the lots at the other corners of the intersection are much larger than the typical lots in the general area.

Lot Comparability Exception - A lot comparability exception can be granted if the lot does not meet the minimum requirements of the lot comparability analysis (is smaller in lot frontage and/or size) if the new lots would be consistent with the General Plan. The Planning Commission has discretion whether or not to grant a lot comparability exception.

The proposed lots could meet **two** of the qualifying criteria of the exception to lot comparability:

- The lots are located within a one-quarter mile on an area designated as a commercial, mixed, used or office land use policy category. Specifically, this property is located within 285 feet of an area designated “Community Center”, which is intended for dense commercial development.
- The proposed lots are consistent with the adopted land use policy that applies to the property. The lots are located in the Neighborhood General land use policy. The Neighborhood General land use policy permits a range of residential types as long as they are context sensitive.

Recommendation - Staff recommends the granting of an exception to lot comparability since the proposed subdivision meets two of the criteria established in the subdivision regulations. The new subdivision will remove an existing structure on the lot that is not in character with the rest of the community. The new lot with frontage on Baxter Avenue will comply with the established setback of the existing structures.

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

**STORMWATER RECOMMENDATION** -Approved.

**CONDITIONS**

1. Lot 2 shall front on Baxter Avenue at the average setback of the other structures on the street.
2. The existing structure shall be demolished prior to the recording of the final plat or a demolition bond shall be posted.

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

**Resolution No. RS2006-309**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006S-278U-05 is **APPROVED WITH CONDITIONS.** (7-0)

**Conditions of Approval:**

1. Lot 2 shall front on Baxter Avenue at the average setback of the other structures on the street.
2. The existing structure shall be demolished prior to the recording of the final plat or a demolition bond shall be posted.”

16. **2006S-291U-10**  
Abbott Martin Estates Resubdivision of Lot 2  
Map 117-13, Parcel 120  
Subarea 10 (2005)  
Council District 34 - Lynn Williams

A request for final plat approval to create 2 lots on property located at 2311 Warfield Lane, at the south end of Caylor Drive (0.92 acres), zoned R20, requested by Robert L. Taylor, owner, Jason Smith, surveyor.

**STAFF RECOMMENDATION: Approve**

**APPLICANT REQUEST - Final Plat**

Request to create two lots on property located at 2311 Warfield Lane (.92 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 subdivision proposes the creation of two lots from one lot within the Abbott Martin Estates Subdivision, on the south side of Warfield Lane. Both lots are proposed for single-family only. There is a residence on the existing lot, which is to be demolished.

Sidewalk requirement - This property falls within the Urban Services District, and because one new development right will be created with this subdivision, a sidewalk is required to be constructed along the frontage of either lot 1 or lot 2, both which front on Warfield Lane. Because there is no existing sidewalk along this lane, the applicant has qualified for the financial contribution to the sidewalk fund, and has included this note on the face of the plat.

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.

Lot comparability analysis was performed and yielded the following information:

Lot Comparability Analysis		
Street:	Requirements:	
	Minimum lot size (sq.ft):	Minimum lot frontage (linear ft.):
<b>Warfield Lane</b>	15,790.5	115.9

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

- Lot 1: 21,335 Sq. Ft., (0.49 Acres), with 82.5 linear feet of frontage on Warfield Lane
- Lot 2: 20,000 Sq. Ft., (0.46 Acres), and 57.5 linear ft. of frontage on Warfield Lane.

Both lots are larger than the minimum lot size requirement, but both have shorter frontages than the minimum requirement.

Exception to lot comparability - A lot comparability exception can be granted if the lot fails the lot comparability analysis (is smaller in lot frontage and/or size) if the new lots would be consistent with the General Plan. The Planning Commission has discretion whether or not to grant a lot comparability exception.

While both lots fail the lot comparability for frontage along Warfield Lane, the proposed lots do meet three of the qualifying criteria for an exception to lot comparability. Specifically, the proposed two lots are consistent with the area’s Residential Low Medium policy, which stipulates a density of between 2 and 4 dwelling units per acre. The proposed density (limited to two single-family homes) is approximately 2 units per acre. The lots fall within a half mile (2,640 feet) of a Regional Activity Center, and secondly, the proposed subdivision falls within a quarter mile (or 1,320 feet) of an area that is designated with an Office land use policy.

**Staff Recommendation** - Staff recommends approval of this subdivision, based on three of the qualifying criteria for the lot comparability exception.

**PUBLIC WORKS RECOMMENDATION** - No Exceptions Taken

**STORMWATER RECOMMENDATION** - Approved

Approved, (7-0 ) *Consent agenda*

**Resolution No. RS2006-310**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006S-291U-10 is **APPROVED. (7-0)**”

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**XI. PLANNED UNIT DEVELOPMENTS (revisions)/AND FINAL INSTITUTIONAL OVERLAYS**

**17. 193-65-G-13**

Kia Automobile Sales  
Map 163, Parcel 206  
Subarea 13 (2003)  
Council District 32 - Sam Coleman

A request to revise the preliminary plan and for final approval of a commercial Planned Unit Development, zoned SCR (3.35 acres), located at 5406 Target Drive, south of Bell Road, to permit the placement of a Ferris Wheel, requested by Hickory Hollow Kia, owner.

**STAFF RECOMMENDATION: Approve with conditions**

**APPLICANT REQUEST - Revision to Preliminary And Final PUD**

A request to revise the preliminary and for final approval for a commercial Planned Unit Development located 5406 Target Drive, classified SCR, (3.35 acres), to permit the placement of a Ferris Wheel.

**PLAN DETAILS**

Site Plan - The request calls for the placement of a Ferris Wheel on the existing KIA dealership lot. As proposed, the Ferris Wheel will be located within the parking lot south of Target Drive.

Since this PUD has SCR base zoning, which permits outdoor recreation uses, staff recommends this be treated as a revision to the preliminary PUD. Staff does not have any significant concerns with the proposed Ferris Wheel since it will be located in the front parking area of the existing car dealership. All parking requirements are being met with this plan. Staff recommends that the Ferris Wheel not be used for additional advertisements or signage. No signs should be allowed on the Ferris wheel.

**Staff Recommendation** - Staff recommends that this request be approved with conditions, including a condition that the Ferris Wheel may not be used as a sign or for any sign placement.

**PUBLIC WORKS RECOMMENDATION** - No Exceptions Taken

**STORMWATER RECOMMENDATION** - No Exceptions Taken

**CONDITIONS**

1. The Ferris Wheel may not be used as a sign or for any sign placement.
2. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
3. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
4. 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.
5. 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.
6. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission for filing and recordation with the Davidson County Register of Deeds.

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

**Resolution No. RS2006-311**

“BE IT RESOLVED by The Metropolitan Planning Commission that 193-65-G-13 is **APPROVED WITH CONDITIONS. (7-0)**

**Conditions of Approval:**

1. The Ferris Wheel may not be used as a sign or for any sign placement.
2. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
3. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
4. 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.
5. 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.
6. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission for filing and recordation with the Davidson County Register of Deeds.”

**18. 28-79-G-13**

Cambridge Forest, Phase XI  
Map 149, Part of Parcel 377  
Subarea 13 (2003)  
Council District 28 - Jason Alexander

A request for final approval of a residential Planned Unit Development located east of Bromley Way, zoned R15 (7 acres), for the development of 31 single-family lots, requested by Batson and Associates, applicant, for Danco Development Incorporation, owner.

**STAFF RECOMMENDATION: Approve with conditions**

**APPLICANT REQUEST - Final PUD**

A request for final approval for a portion of a residential Planned Unit Development located east of Bromley Way, classified R15, (7 acres), to permit the development of 31 single-family cluster lots.

**PLAN DETAILS**

Site Plan - The plan calls for 31 new cluster lots on approximately 7 acres with an overall density of approximately 4 units per acre. Lots range in size from 4,500 sq. ft. to 11,720 sq. ft. While the current cluster lot option only allows for lots to be reduced two zoning districts (from R15 to R8), this PUD was approved under previous Zoning Code that allowed lots to be reduced smaller than two base districts.

Access/Connectivity - Lots will be accessed from the extension of Bromley Way.

Preliminary Plan - As proposed, the plan is consistent with the approved preliminary plan.

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

**PUBLIC WORKS RECOMMENDATION - Approve**

1. All Public Works’ design standards shall be met prior to any final approvals and permit issuance. Any approval is subject to Public Works’ approval of the construction plans.

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

1. Sign and date the EPSC note on sheet C-1

2. Fill in the NOI/ NOC note on sheet C-1.
3. Include a copy of the NPDES notice of coverage.
4. Inlet Area 3 is shown as 1.26 acres on the Hydraflow report and as 2.83 acres on the drainage area map.
5. Inlet #2 is listed as a junction on the area map, but the Hydraflow report shows the inlet taking in water and it is listed on the plan set as an inlet, not a manhole.
6. Does a spread limit of 8' apply to this project?
7. The bypass line for inlet 3 should be inlet 6 instead of 2.
8. The bypass line for inlet 6 should be inlet 7 instead of 8.
9. The invert up of pipe 5-8 does not match the plan set. 613 vs. 612.30.
10. Phase X plans show inlets in Bromley Way in a different spot than is shown on the Phase XI plans. Provide as-built for existing system on Bromley Way.
11. Pipe sizes and lengths for the two pipes downstream of Phase XI do not match between the Phase XI plans, the Hydraflow report, and the Phase X plans.
12. The water quality and detention calculations from Phase X appear to have included Phase XI area, but the area was included in the calculations as "undeveloped". Either the detention for Phase X must be modified to accommodate the new "developed" area, or on-site detention/water quality must be provided for Phase XI.

#### **CONDITIONS**

1. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services, including all Stormwater conditions listed above.
2. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Section of the Metropolitan Department of Public Works for all improvements within public rights of way.
3. 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.
4. 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.
5. 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.
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 for filing and recordation with the Davidson County Register of Deeds.

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

#### **Resolution No. RS2006-312**

**"BE IT RESOLVED** by The Metropolitan Planning Commission that 28-79-G-13 is **APPROVED WITH CONDITIONS. (7-0)**

**Conditions of Approval:**

1. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services, including all Stormwater conditions listed above.
2. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Section of the Metropolitan Department of Public Works for all improvements within public rights of way.
3. 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.
4. 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.
5. 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.
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 for filing and recordation with the Davidson County Register of Deeds.”

- 19. 10-84-U-10**  
 W.O. Smith Community Music School  
 Map 105-060, Parcel 347  
 Subarea 10 (2005)  
 Council District 19 - Ludy N. Wallace+

A request to revise a portion of the preliminary and for final approval for a commercial Planned Unit Development overlay district, zoned CS (1.37 acres), located at 1125 8th Avenue South, to allow for a 3,630 square foot addition to the existing 20,139 square foot building approved for warehouse and retail uses, and to be used as a music school, requested by Barge Cauthen and Associates, Inc., applicant for W.O. Smith Community Music School.

**STAFF RECOMMENDATION: Approve with conditions**

**APPLICANT REQUEST-Revise Preliminary & Final**

A request to revise a 1.37 acre portion of the preliminary plan and for final approval for a Commercial Planned Unit Development district, located at 1125 8th Avenue South, to allow for a 3,630 square foot addition to the existing 20,139 square foot building to permit a 23,769 square foot music school, replacing a retail/warehouse use.

**PLAN DETAILS**

**History-**This PUD was originally approved in 1984, for approximately 58,300 square feet. The plan was subsequently revised to allow for 58,904 square feet of commercial uses and a Fire Hall. The original square footage of the PUD included an allowable square footage of 16,400 square feet for the Fire Hall at the southwest corner of Olympic Street and 8<sup>th</sup> Avenue South. Records indicate that the Fire Hall is actually built to only 7,592 square feet.

Since the Fire Hall is actually 8,808 square feet less than originally allowed by the PUD, the sum of the first revision and this addition of 3,630 does not increase the square footage beyond 10% of what was originally approved by the Metro Council. Staff recommends that this request be approved by the Commission as a revision and not an amendment that would be required to be referred to the Metro Council for approval.

**Proposed Plan -** The proposed plan maintains the same access points to 8<sup>th</sup> Avenue South and to Edghill Avenue. The plan also maintains the existing access through Rose Park directly behind this PUD. Currently, there is a driveway access through Rose Park. The driveway formerly was Central Street, a public right-of-way, but was abandoned by Metro in 1983. The driveway connects 8<sup>th</sup> Avenue, South, to Hillside Avenue. Planning has notified the Metro Parks

Department of the proposed revision to the PUD. Staff recommends that approval of the revision include a condition that Metro Parks must approve an access easement through the Parks property to allow egress from the PUD property.

**WATER SERVICES-Approved**

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

**FIRE MARSHAL - Approved**

**METRO STORMWATER RECOMMENDATION - Approved**

**CONDITIONS**

1. Prior to the issuance of the Use and Occupancy permit, an access easement must be recorded through the adjacent Metro Park property to the west, or the plan must be revised so that egress from this PUD does not go through the park.
2. This approval does not include any signs. Business, accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration.
3. The requirements of the Metropolitan Fire Marshal’s Office for emergency vehicle access and fire flow water supply during construction must be met before the issuance of any building permits.
4. 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.
5. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission for filing and recordation with the Davidson County Register of Deeds.
6. Prior to the issuance of any building permits, the Metro Parks Department shall provide written approval of this proposal.

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

**Resolution No. RS2006-313**

“BE IT RESOLVED by The Metropolitan Planning Commission that 10-84-U-10 is **APPROVED WITH CONDITIONS. (7-0)**

**Conditions of Approval:**

1. Prior to the issuance of the Use and Occupancy permit, an access easement must be recorded through the adjacent Metro Park property to the west, or the plan must be revised so that egress from this PUD does not go through the park.
2. This approval does not include any signs. Business, accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration.
3. The requirements of the Metropolitan Fire Marshal’s Office for emergency vehicle access and fire flow water supply during construction must be met before the issuance of any building permits.
4. 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.
5. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4)

copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission for filing and recordation with the Davidson County Register of Deeds.

6. Prior to the issuance of any building permits, the Metro Parks Department shall provide written approval of this proposal.”

**20. 102-86-P-06**

Riverside, Phase 7  
Map 142-13-B, Parcel 001.00CO  
Subarea 6 (2003)  
Council District 35 - Charlie Tygard

A request to revise the approved preliminary plan and for final approval for a residential Planned Unit Development, located on the south side of Northridge Drive, and west of Old Harding Pike, classified RS20 (1.82 acres) to reconfigure 8 previously approved single family lots into 5 single-family lots, requested by Walter Davidson and Associates, applicant for Rochford Construction Company, owner.

**STAFF RECOMMENDATION: Approve with conditions**

**APPLICANT REQUEST Revision to Preliminary & Final**

A request to revise the approved preliminary plan and for final approval for a residential Planned Unit Development to reconfigure 8 previously approved single family lots into 5 single-family lots on 1.82 acres, located on the south side of Northridge Drive, and west of Old Harding Pike.

**PLAN DETAILS** - The proposed plan revises 8 previously approved single-family lots into 5 single-family lots. The revision involves changing from a small cul-de-sac with the 8 lots on it to 5 lots that front directly on Northridge Drive. This request reduces the total number of approved units in the PUD from 254 to 251.

In April of this year, an amendment to the PUD was proposed that included this property and the Frank H. Carter Tract (located directly to the south). The amendment proposed 8 additional lots to the PUD. That request was indefinitely deferred due to neighborhood concerns that the Carter Tract had always been in the PUD as one lot and that there were drainage issues associated with the development and lack of staff support.

Recommendation This proposal is consistent with the existing development pattern of the PUD and it is more desirable to have the lots fronting on Northridge Drive than on a small cul-de-sac that will require the sides of houses to front Northridge Drive.

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

**STORMWATER RECOMMENDATION** - No grading plans required.

**FIRE MARSHAL RECOMMENDATION** -Fire hydrants should flow a minimum of 500 GPM’s at 30-35 psi residual flow at the most remote hydrant. Depending upon side setbacks, construction type and the square footage of the building, water demands may be greater.

**CONDITION**

1. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
2. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights 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. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
6. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.
7. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission for filing and recordation with the Davidson County Register of Deeds.

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

**Resolution No. RS2006-314**

“BE IT RESOLVED by The Metropolitan Planning Commission that 102-86-P-06 is **APPROVED WITH CONDITIONS (7-0)**.

**Conditions of Approval:**

1. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
2. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights 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. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
6. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.
7. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission for filing and recordation with the Davidson County Register of Deeds.”

21. **2004P-035G-12**  
 Burkitt Place  
 Map 186, Parcels 015, 031  
 Map 033, Parcel 082  
 Subarea 12 (2004)  
 Council District 31 - Parker Toler

A request to revise a portion of the preliminary plan and final approval for a residential Planned Unit Development overlay district, zoned R8, located south of Burkitt Road (3.91 acres), to change the area approved for open space for a

pool and community center, requested by Land Design, Inc., applicant for Burkitt Place Development, LLC, owner.  
**STAFF RECOMMENDATION: Approve with conditions**

**APPLICANT REQUEST - Revision to Preliminary & Final**

A request to revise a portion of the preliminary plan and final approval for a residential Planned Unit Development overlay district, zoned R8, located south of Burkitt Road (3.91 acres), to change the area approved for open space to allow a pool and community center, and approve signage and landscaping for various locations in the PUD.

**PLAN DETAILS**

Site Plan Details -The Burkitt Place PUD was approved in 2004 to permit 98 townhouse units, 52 duplex lots (104 units) and 243 single-family lots. Since that time, the PUD has been revised to convert the duplex lots to single family lots. There are an additional 65 single-family homes located in Williamson County. The development is accessed from Burkitt Road and Nolensville Road (in Williamson County). Three future street connections are planned to the south and the east.

This application proposes to use a centralized area of the PUD currently designated as open space as an amenity center with 3 swimming pools and a bath house. This was not proposed on the preliminary PUD, but staff finds appropriate the use of common open space for active recreation opportunities for the residents of the PUD.

The proposed signage design is a monument sign on a cobblestone base that is integrated in to a cobblestone wall. Signs are proposed at both the Nolensville Road and Burkitt Road entries. Both entry designs include generous landscaping.

**PUBLIC WORKS RECOMMENDATION - No Exceptions Taken**

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 - Grading plans not needed.**

**FIRE MARSHAL RECOMMENDATION**

1. No part of any building shall be more than 500 feet from a fire hydrant via an approved hard surface road.  
*Metro Ordinance 095-1541 Sec: 1568.020 B*
2. Fire hydrants shall flow a minimum of 500 GPM's at 30-35 psi residual flow at the most remote hydrant.
3. Roadways with one-way traffic only shall be at least 14 feet wide with no parking (Pool & Community Center Area.)

**CONDITIONS**

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

deviation from these plans will require re-approval by the Planning Commission.

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

**Resolution No. RS2006-315**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2004P-035G-12 is **APPROVED WITH CONDITIONS. (7-0)**

**Conditions of Approval:**

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

22. **2005P-017G-06**  
Shoppes on the Harpeth, Lot 1  
Map 155, Parcels 114, 116, 27, 27.01 and 27.02  
Subarea 6 (2003)  
Council District 35 - Charlie Tygard

A request for final approval for Lot 1 of a Planned Unit Development district located between Highway 100 and Old Harding Pike, zoned CL, (1.09 acres), to permit the development of a 4,100 square foot bank, requested by Dale and Associates for Tampa Bay Briarwood Associates, owner.

**STAFF RECOMMENDATION: Defer until Stormwater has completed its technical review, and Stormwater Committee has made a recommendation on applicant’s request to disturb area within storm buffer.**

**The Metropolitan Planning Commission DEFERRED Planned Unit Development 2005P-017G-06 to September 28, 2006, at the request of the applicant. (6-0)**

23. **2005P-017G-06**  
Shoppes on the Harpeth, Lot 2  
Map 155, Parcels 114, 116, 27, 27.01 And 27.02  
Subarea 6 (2003)  
Council District 35 - Charlie Tygard

A request for final approval for Lot 2 of a Planned Unit Development district located between Highway 100 and Old Harding Pike, zoned CL, (1.28 acres), to permit the development of a 3,600 square foot restaurant, requested by Dale and Associates for Tampa Bay Briarwood Associates, owner.

**STAFF RECOMMENDATION: Defer until Stormwater has completed its technical review, and Stormwater Committee has made a recommendation on applicant's request to disturb area within storm buffer.**

**The Metropolitan Planning Commission DEFERRED Planned Unit Development 2005P-017G-06 to September 28, 2006, at the request of the applicant. (6-0)**

24. **2005P-017G-06**  
Shoppes on the Harpeth, Lots 4 And 5  
Map155, Parcels 114, 116, 27, 27.01 And 27.02  
Subarea 6 (2003)  
Council District 35 - Charlie Tygard

A request for final approval for lots 4 and 5 of the Planned Unit Development district located between Highway 100 and Old Harding Pike, zoned CL, (6.38 acres), to permit the development of a 12,000 square foot two-story office and retail building, and 32,000 square foot retail building, requested by Dale and Associates for Tampa Bay Briarwood Associates, owner.

**STAFF RECOMMENDATION: Defer until Stormwater has completed its technical review, and Stormwater Committee has made a recommendation on applicant's request to disturb area within storm buffer.**

**The Metropolitan Planning Commission DEFERRED Planned Unit Development 2005P-017G-06 to September 28, 2006, at the request of the applicant. (6-0)**

25. **2006IO-002U-10**  
Belmont University I.O., (Black Box)  
Map104-16, Parcels 321, 322  
Subarea 10 (2005)  
Council District 18 - Ginger Hausser

A request for final approval for a portion of the Institutional Overlay district located at 1523 and 1527 Compton Avenue, along the south side of Compton Avenue, east of Belmont Boulevard, classified R8, to permit a 250 seat drama theater addition, requested by Ingram Civil Engineering Group, LLC, and Belmont University owner.

**STAFF RECOMMENDATION: Approve with conditions**

#### **APPLICANT REQUEST - Final Site Plan Approval**

Request for final approval for a portion of the Institutional Overlay district located at 1523 and 1527 Compton Avenue, along the south side of Compton Avenue, east of Belmont Boulevard, to permit a 250 seat drama theater.

#### **PLAN DETAILS**

**Proposed Plan** - This plan for a drama theater falls within the Belmont Boulevard Arts and Entertainment Zone, which is intended to have activities and design that are complimentary to the existing neighborhood and nearby commercial uses. This area is intended to have "a sense of a village center with a Main Street character." (p.20). The range of activities intended for this area include mixed use of assembly, instructional, entertainment, residential and related commercial. The proposed plan includes a 250 seat black box drama theater behind the larger theater that was granted final development plan approval by the Planning Commission in May 2006. The larger theater is oriented toward Belmont Boulevard, while the black box theater is oriented toward Compton Avenue. The black box theater is attached to the larger theater. Staff recommends approval since the proposed plan is consistent with the intent of this Activity Zone standards within the Institutional Overlay.

**Access** - Access to this site will be from a new access point on Delmar Avenue to the existing alley. Access can also be gained from Compton Avenue to parking areas to the rear of the site. A portion of the alley, which is accessed from Compton Avenue was abandoned by the Metro Council in June, 2006, to accommodate the expansion of the existing building to the rear.

**Condition from Council Bill** - The council bill included specific conditions that have been addressed, where applicable, with this proposal. The conditions are as follows:

1. A Belmont University Neighborhood Advisory Group will be formally established to work with the neighborhood, Belmont University, and Metropolitan Planning staff on issues associated with implementing the institutional overlay and its' associated Master Development Plan. The Advisory Group will include nine members serving staggered two-year terms. Four recommendations for persons to serve on the Advisory Group

will be presented by Belmont University and four recommendations presented by the Metro Councilmember in whose district Belmont University is located. The final member of the Advisory group will be the president of Belmont Hillsboro Neighbors, or his/her designee. Within six months of the passage of BL 2005-555, the Councilmember and Belmont University will recommend appointees to the Metropolitan Planning Commission for confirmation. Members must live or operate/own a business or commercial property in the vicinity of the campus, which may include, but is not limited to 15th Avenue South, Acklen Avenue, 14th Avenue South, 12th Avenue, Caldwell Avenue, Ashwood Avenue, Belmont Boulevard, and 18th Avenue South.

2. The Belmont University Neighborhood Advisory Group and Belmont representatives will meet on a quarterly basis to discuss matters of common concern. In addition, the planning department staff will convene a meeting of the Advisory Group to gather input on any project that requires final site plan application for property lying within the Belmont I-O district and on any project that constitutes a "major modification" of the I-O district as that term is defined in Section 17.40.140(e.2) of the Metro Code. The Belmont University Neighborhood Advisory Group will review the proposed development in light of the objectives of the campus Master Development Plan and this amendment to the Master Development Plan. In advance of final design/outset of construction, Belmont will provide the Advisory Group with information about the development and any impact it may have on the neighborhood such as timing, construction traffic, construction hours, construction worker parking, lighting, landscaping, and plans to communicate with the community, etc. Belmont will, in good faith, work with the Advisory Group to come to consensus on how to address any aspects of the projects that are of concern to a majority of the members of the Advisory Group. As such, the Planning Commission staff member reviewing the request for a building permit will meet or in some case electronically communicate with the Advisory Group and the university to ensure that the Master Development Plan, this amendment, and neighborhood construction issues have been adequately addressed.
3. To facilitate the smooth integration of university construction activities with the neighborhood, Belmont will require its general contractors and all acting on its behalf to conform to all applicable Metro ordinances regarding noise levels, work hours, and external lighting. In addition, when establishing routes for construction vehicles entering and exiting building sites on Belmont's campus, Belmont will place a priority on keeping construction traffic off residential streets wherever possible. Further, Belmont commits to maintain the homes it owns in residential areas to neighborhood standards. Specifically, Belmont will not board up any windows on residential properties it acquires (unless the structure is to be razed within one month's period of time). In addition, Belmont will not store construction debris outside the perimeter of a construction fence on residential property and will attempt to keep such debris out of the sight of the surrounding residential community.
4. Belmont is actively acquiring residential properties within its Master Development Plan. When Belmont rents residential property to tenants in the residential buffer area on 15th Avenue South, it will exercise preferences in favor of Belmont's faculty, staff, and graduate students and will not rent to undergraduate students unless there is an existing lease in place.
5. In an effort to recognize the unique role the university and the surrounding neighborhoods to the university have with one another, Belmont will establish a Community Outreach Scholarship program. The university will award biennially a scholarship fund equal to one half of the full time undergraduate tuition to an eligible student. Eligibility requirements include the following:
  - " Permanent address located within geographic boundaries:
  - " Natchez Trace to I-65
  - " I-440 to I-40
  - " Academic credentials (GPA and Test Scores) at or above university average
  - " Demonstrated financial need
  - " Preference given to public high school graduates
  - " Commitment to community service demonstrated through activities on leadership resume
6. Belmont will continue to communicate on a neighborhood wide basis bi-annually or more frequently as needed. Communication will take the form of open meeting and/or newsletter. Such communication should include changes occurring on the campus, construction, major events, and other items of interest for the neighborhood.
7. For residents on 15th Avenue South in order to guarantee a fair price to those residents, Belmont University

- will pay for two appraisals prior to the purchase of their property. The University will select one appraiser and the property owner will select one. At the point at which Belmont has purchased the West side of the first block of 15th Avenue South and Wedgewood, Belmont will make every reasonable attempt to purchase the homes in that block on the East Side of 15th Avenue South, prior to undertaking construction of the academic building designated in the Master Development Plan for the corner of 15th Avenue South and Wedgewood Avenue.
8. The architectural guidelines for development along 15th Avenue and Ashwood shall extend the entire length of 15th Avenue, with the exception of any new building situated on the corner of 15th Avenue and Wedgewood. A building on the corner of 15th Avenue and Wedgewood may be exempt from the vertical articulation requirements of the architectural guidelines established in the overlay if Belmont makes every reasonable attempt to purchase the homes in the first block on the East side of 15th Avenue South. The Planning Commission staff in consultation with the Neighborhood Advisory Group and Belmont University will make the determination of whether the "reasonable attempt" standard has been met.
  9. There shall be no parking allowed in front of buildings, excluding existing parking and on-street parking, in the Arts and Entertainment Zone.
  10. Lighting shall be internally directed and shall minimize light trespass and pollution onto adjacent residential properties.
  11. Portable buildings shall be allowed for construction-related uses, with Planning Department review of the location. Portable buildings shall be allowed for other uses only with approval by the Planning Commission.
  12. The University shall not count on-street parking in meeting parking requirements for new development.
  13. When there is a change in the use of a building, a study shall be conducted to determine if there is a need for additional parking related to the new use. Such study shall consider available parking.
  14. Access to the proposed parking structure near Bruin Hills shall be limited to 12th Avenue and 15th Avenue.
  15. East Belmont Circle and Belmont Boulevard shall not be closed to motorized traffic until a Traffic Impact Study is conducted for both streets, and East Belmont Circle must also be referred to the Planning Commission for review before closing.
  16. Provide a minimum of the 5 foot wide B-5 landscape buffer to non-university owned properties adjacent to the new Health Sciences building and the proposed parking structure at the Bruin Hills dormitory.
  17. When development site 3 is redeveloped, the maximum building height shall not exceed that of the existing apartment building.
  18. As new development occurs, buildings at the corners of Belmont and Ashwood as well as 15th Avenue and Ashwood shall be configured so as to create a "pocket park" with a minimum area of 1,500 square feet for university and public use.
  19. Loading and refuse areas shall not face public streets along the perimeter of the overlay district.
  20. Approval of the IO overlay does not require the instillation of a traffic signal at 15th Ave., South, and Wedgewood Avenue by Belmont University. If Belmont University proposes or otherwise agrees to provide for the installation of a traffic signal at that location, the Planning Commission must review the approved development plan and provide a recommendation to Council as to the impact on the neighborhood and whether the IO should be continued.
  21. In order to lessen traffic and parking issues associated with university growth, and to maintain the viability of the surrounding neighborhood, Belmont University will fund a traffic calming/parking/streetscape/aesthetics study to make improvement to the streets surrounding the university including: 15th Avenue South, Acklen Avenue, Caldwell Avenue, Ashwood Avenue, Belmont Boulevard, 18th Avenue South, 19th Avenue South, and on Villa Place from Wedgewood Avenue to Horton Avenue (with recognition that Villa is already participating in Metro's Traffic Calming program). This study will be initiated within two months of the date of

passage of BL 2005-555 and submitted to the Belmont University Neighborhood Advisory Group and Metro Public Works for approval of the recommendation. Such recommendations will be finalized within five months of the passage of this legislation. Once approved by the Advisory Group, Public Works, and if needed, the Metro Traffic and Parking Commission, Belmont will implement the recommendations within two months of the mandatory approvals by Metro. At a minimum the plan will include improvements of \$25,000 already obligated by Belmont University as a condition of the Board of Zoning Appeals' approval of the Health Science Center.

22. In recognition of the traffic and congestion concerns Belmont University will collaborate with MTA to determine the feasibility of offering incentives to employees and students to utilize mass transit.
23. To further protect the viability of the neighborhoods surrounding the university, Belmont will create a plan for a main entrance to the campus at Wedgewood and East Belmont Circle, with the understanding that the plan should seek to minimize any increased impact to Villa Place. This may include additional turn lanes, lights, or other recommendations for changes at the intersection as required by Public Works and/or Metro Traffic and Parking Commission. At a minimum, East Belmont Circle will continue to be open to vehicular and pedestrian traffic, unless otherwise approved by Metro Planning Commission, improvements will include the addition of a left turn lane from East Belmont Circle to Wedgewood, and monument signs directing students, faculty, and visitors to the entrance and parking garage. This plan will be presented to the Belmont University Neighborhood Advisory Group and to Metro Public Works. Improvements to this intersection will be completed within one year of approval from Public Works and/or the Metro Traffic and Parking Commission.
24. Upon adoption of Ordinance No. BL2005-555, as amended, by the Metropolitan Council, Belmont University will make these changes and the changes required by the Metropolitan Planning Commission to the Master Development Plan. The revised Master Development Plan will be posted on the university's website, with a printed copy provided to the Metropolitan Planning Commission, Metro Public Works, the district Councilmember, Metro Codes, Belmont Hillsboro Neighbors, Sunnyside Neighbors, members of the Advisory Group, and to residents on streets surrounding the university at their request.

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

**FIRE MARSHAL**-Approved

**METRO STORMWATER RECOMMENDATION** - Approved with the following conditions:

1. Please remove 'Not for Construction' on all sheets of the grading plan. Review and approval of preliminary "not-for-construction" plans is not allowed.
2. Please show the NOI Note on the grading plan and sign and date to indicate an NPDES General Permit is not required for sites disturbing less than 1 acre.
3. Please show the following EPSC Note on the grading plan:

I, \_\_\_\_\_, Certified Erosion Control Specialist have reviewed the plan for sufficient onsite temporary erosion and sediment control provisions.

\_\_\_\_\_  
Signature

4. A note should be placed on the Erosion and Sediment Control Plan that the contractor is required to provide an area for concrete Washdown and Equipment Fueling in accordance with CP-10 and CP-13, respectively. The contractor shall coordinate the exact location with the NPDES Department during the pre-construction meeting.
5. The BMP detail for the construction entrance should reference the appropriate section of the Stormwater Management Manual, Volume 4 and should show that filter fabric is required to be placed beneath the stone (ref. TCP-13).
6. Please show the following as-built note on the grading plan:

As-builts are required for underground detention and water quality structures prior to issuance of the U&O Permit.

Certification must include, at a minimum, the following information:

- Manufacturer and model number of unit.
  - Sales receipt
  - Attached shop drawings of installed unit.
  - Date of field inspection by Engineer (before backfilling structure).
  - Engineer stamp and date.
7. It is not clear how the pre and post developed hydrographs were generated. Please show the input values (area, curve number, time of concentration, etc.).
  8. Provide more information on the outlet structure detail (sheet C402) on how the outlet pipes exit the detention chamber and feed into the water quality unit (show pipes, pipe sizes, invert elevations, etc.).
  9. The plans do not show the proposal to tie a 12" RCP from the Vortech unit into an existing junction box as it describes in the drainage report. The plans also do not reflect removing a portion of an existing drainage system to build this project (Pipe P-8 being removed?).
  10. Clearly show on the plan access to each chamber of the underground detention and water quality facilities for future inspection and maintenance.
  11. The Stormwater Detention Agreement needs to be submitted and recorded prior to final plan approval. The agreement must be signed and notarized by the owner and submitted to MWS with original signatures. Please also submit a check, not cash, to cover the recording cost. The cost is \$5 per page plus a \$2 recording fee *per document*. The check must be made out to Register of Deeds.
  12. Drainage easements will be required to be recorded, either by plat or by separate instrument, for the underground detention and water quality facilities and any pipes or channels conveying offsite runoff. If this property will not be platted through the Metropolitan Planning Commission, then you must submit a completed Dedication of Easement Form. The grading plan cannot be approved until the easement is reviewed and approved by Ron Sweeny's office. Please also submit a check, not cash, to cover the recording cost. The cost is \$5 per page plus a \$2 recording fee *per document*. The check must be made out to Register of Deeds.

#### **CONDITIONS**

1. This approval does not include any signs. Business accessory or development signs in Institutional Overlay districts must be approved by the Metropolitan Planning Commission/Planning Department.
2. Prior to the issuance of any building permits, a final plat shall be recorded.
3. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and fire flow water supply during construction must be met before the issuance of any building permits.
4. 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.
5. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.

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

#### **Resolution No. RS2006-316**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2006IO-002U-10 is **APPROVED WITH CONDITIONS**. (7-0)

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

1. This approval does not include any signs. Business accessory or development signs in Institutional Overlay districts must be approved by the Metropolitan Planning Commission/Planning Department.



2. Prior to the issuance of any building permits, a final plat shall be recorded.
3. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and fire flow water supply during construction must be met before the issuance of any building permits.
4. 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.
5. 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."

**XII. OTHER BUSINESS**


26. Executive Director Reports
27. Legislative Update

**XIII. ADJOURNMENT**

The meeting adjourned at 5:10 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.