



**METROPOLITAN GOVERNMENT
OF NASHVILLE AND DAVIDSON COUNTY**

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

**Minutes
Of the
Metropolitan Planning Commission**

October 12, 2006

4:00 PM

Howard School Auditorium, 700 Second Ave., South

PLANNING COMMISSION:

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

Staff Present:

Rick Bernhardt, 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
Jennifer Carlat, Communications Officer
Randy Morgan, Planner II
Cynthia Wood, Planner III

Commission Members Absent:

Tonya Jones

I. CALL TO ORDER

The meeting was called to order at 4:05 p.m.

II. ADOPTION OF AGENDA

Mr. Kleinfelter announced the agenda had one correction. He stated that Item #9, 2006SP-166U-13 should not include Map 175, Parcel 173 and Map 175, Parcel 197 in the caption.

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

III. APPROVAL OF SEPTEMBER 28, 2006 MINUTES

Mr. Ponder moved and Ms. Cummings seconded the motion, which passed unanimously to approve the September 28, 2006 minutes as presented. **(6-0)**

IV. RECOGNITION OF COUNCILMEMBERS

Councilmember Duvall spoke in opposition to Item #7, 2006SP-115U-13. He explained the issues associated with the proposal and requested its disapproval.

Ms. Nielson arrived at 4:10 p.m.

Councilmember Coleman thanked the Commission for their service to the community. He spoke in favor of Item #11, 72-86-P-13, Hickory Woods East. He stated that the proposal will enhance his district and requested its approval. He then stated he was also in support of disapproving Item #7, 2006SP-115U-13 which was located in Councilmember Duvall's district.

V. PUBLIC HEARING: ITEMS REQUESTED TO BE DEFERRED OR WITHDRAWN

- | | | | |
|-----|---------------|--|---|
| 2. | 2006Z-130G-06 | Request to change from AR2a to RM15 zoning property located at 8921 Collins Road, approximately 275 feet west of Collinswood Drive | – Deferred until October 26, 2006 at the request of the applicant |
| 15. | 2006S-310G-12 | Schott Subdivision - Request for final plat approval to create 2 lots on property located at 1026 Redmond Court, approximately 680 feet east of Redmond Lane (4.4 acres), zoned AR2a, requested by Linda Gayle Schott, owner, James Terry & Associates, surveyor | – deferred until October 26, 2006 at the request of the applicant |

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

VI. PUBLIC HEARING: CONSENT AGENDA

VII. PROPOSED AMENDMENT TO THE SUBAREA 4 PLAN: 1998 UPDATE -Approve

PREVIOUSLY DEFERRED ITEMS AND ITEMS ON PUBLIC HEARING

- | | | | |
|----|----------------|---|-------------------------|
| 1. | 2006SP-034G-06 | Traemoor Village -Request for final development approval for property located at 7416 Old Charlotte Pike, Sawyer Brown Road (unnumbered) and Charlotte Pike (unnumbered), to construct 121 multi-family units. | -Approve w/conditions |
| 3. | 2005P-017G-06 | Shoppes on the Harpeth, Lot 1- Request for final approval for Lot 1 located between Highway 100 and Old Harding Pike to permit the development of a 4,100 square foot bank. | - Approve w/ conditions |
| 4. | 2005P-017G-06 | Shoppes on the Harpeth, Lot 2- Request for final approval for Lot 2 located between Highway 100 and Old Harding Pike to permit the development of a 3,600 square foot restaurant. | - Approve w/ conditions |
| 5. | 2005P-017G-06 | Shoppes on the Harpeth, Lots 4 And 5- Request for final approval for lots 4 and 5 located between Highway 100 and Old Harding Pike to permit the development of a 12,600 square foot two-story office and retail building, and 26,400 square foot retail building | - Approve w/ conditions |

ZONING MAP AMENDMENTS

- | | | | |
|-----|---------------|--|-----------|
| 6. | 2005Z-026G-04 | Request to change from OR20 to MUN district property located at 1202 South Graycroft Avenue, located on the east side of Briarville Road and the west side of South Graycroft Avenue | - Approve |
| 12. | 2006Z-167U-11 | Request to change from IWD to CS zoning property located at 1518 4th Avenue South, north of the intersection of Nolensville Pike, Ensley Boulevard, and 4th Avenue South | - Approve |
| 13. | 2006Z-168U-08 | Request to change from CS to RS5 zoning property located at 1006 44th Avenue North, approximately 210 feet north of Albion Street | - Approve |

CONCEPT PLANS

- 14. 2006S-308G-04 Pierce Road Subdivision - Request for concept plat approval to create 26 lots on property located at 1000 Pierce Road, Pierce Road (unnumbered) and Park Avenue (unnumbered), approximately 115 feet south of Park Avenue - Approve w/ conditions

FINAL PLATS

- 15. 2006S-310G-12 Schott Subdivision- Request for final plat approval to create 2 lots on property located at 1026 Redmond Court, approximately 680 feet east of Redmond Lane - Approve w/ conditions
- 16. 2006S-311U-10 Sunnybrook Lane Subdivision- Request for final plat approval to shift the existing lot line 8 feet to the south between lots 2 and 3, located at 4414 and 4416 Sunnybrook Drive, approximately 145 feet south of Iroquois Avenue - Approve w/ conditions

PLANNED UNIT DEVELOPMENTS (revisions)

- 17. 2005P-008G-06 Harpeth Village (Advance Auto Parts)- request for final site approval for a portion of a Planned Unit Development district located at 8020 Highway 100 - Approve w/ conditions

OTHER BUSINESS

- 20. Approve a grant agreement between Metropolitan Planning Commission of Nashville/Davidson County for benefit of the Metropolitan Planning Organization, and the Tennessee Department of Environment and Conservation, in the amount of \$18,978 to provide assistance in matching funds to support the Clean Air Grant Program". - Approve
- 21. Employee contract renewals for Adriane Harris and Kathryn Withers. - Approve

Mr. Clifton arrived at 4:14 p.m.

Ms. Nielson moved and Mr. McLean seconded the motion, which passed unanimously to adopt the Consent Agenda as presented. (8-0)

VII. PROPOSED AMENDMENT TO THE SUBAREA 4 PLAN: 1998 UPDATE
CHANGE THE LAND USE POLICY FROM OFFICE CONCENTRATION TO
NEIGHBORHOOD CENTER FOR 1202, 1208, AND 1212 SOUTH GRAYCROFT
AVENUE AND 1221 BRIARVILLE ROAD

APPLICANT REQUEST - Change the land use policy from Office Concentration to Neighborhood Center for 1202, 1208, and 1212 South Graycroft Avenue and 1221 Briarville Road (3.64 acres).

Existing Land Use Policy Office Concentration - The Office Concentration Structure Plan category applies to existing and future large concentrations of office development. The predominant uses in Office Concentration areas are offices. It is expected that certain types of commercial uses that cater to office workers, such as restaurants, will also locate in these areas. Residential uses of at least Residential Medium High density (9-20 housing units/acre) are also an appropriate secondary use.

Proposed Land Use Policy Neighborhood Center (NC) - Neighborhood Center is the Structure Plan classification for small, intense areas that may contain multiple functions and are intended to act as local centers of activity. Ideally, a neighborhood center is a "walk-to" area within a five minute walk of the surrounding neighborhood it serves. The key types of uses intended within Neighborhood Center areas are those that meet daily convenience needs and/or provide a place to gather and socialize. Residential development in these areas generally consists of a mix of medium to high density single- and multi-family housing.

PUBLIC PARTICIPATION - Community meetings were held on May 31, 2005, and September 12, 2006, to discuss the amendment proposal. About 25 people in total attended these meetings and although concerns were expressed about traffic access at the first of these, these concerns were resolved by the second meeting and most were then supportive of the proposal. This was similar to the results of a January 2005 meeting held by Councilmember Craddock to discuss a potential rezoning to allow a coffee shop, which was attended by about 10 people, all of whom were supportive.

ANALYSIS - Staff recommends approval of the request for Neighborhood Center policy for the area including the applicant's parcel because there is a need in the area for the type of services a Neighborhood Center can provide and because this is an appropriate location for one to develop. This area contains a mixture of office and residential development with no nearby convenient retail services. The nearest retail services are along Gallatin Pike, about three quarters of a mile to the east. This Neighborhood Center node would provide such services at a good location near the corner of two busy streets that is fairly central to the amendment area. There are also sidewalks along both South Graycroft and Due West Avenues, which helps provide pedestrian access.

The graphic shows the proposed policy arrangement. The Neighborhood Center node is placed on the parcels that are sandwiched between Briarville Road and South Graycroft Avenues. The applicant's parcel, on which she wishes to open a coffee shop in the existing house, would be the northernmost parcel in the node. These properties are centrally located to the Office Concentration area and are easily accessible to it and the surrounding neighborhood. Staff recommends against placing Neighborhood Center policy on the opposite side of South Graycroft because of a desire to maintain the stable relationship of the existing residential and small office development on that side of South Graycroft to the low density residential behind it.

Approved (8-0), *Consent Agenda*

Resolution No. RS2006-331

“BE IT RESOLVED by The Metropolitan Planning Commission that the PROPOSED AMENDMENT TO THE SUBAREA 4 PLAN: 1998 UPDATE CHANGE THE LAND USE POLICY FROM OFFICE CONCENTRATION TO NEIGHBORHOOD CENTER FOR 1202, 1208, AND 1212 SOUTH GRAYCROFT AVENUE AND 1221 BRIARVILLE ROAD is **APPROVED. (8-0)**

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

ZONING MAP AMENDMENTS

- 1. 2006SP-034G-06**
Traemoor Village
Map 114-00, Parcels 127, 128, 269, 270
Subarea 6 (2003)
Council District 22 - Eric Crafton

A request for final development approval for property located at 7416 Old Charlotte Pike, Sawyer Brown Road (unnumbered) and Charlotte Pike (unnumbered) (22.98 acres), to construct 121 multi-family units, requested by Anderson, Delk, Epps & Associates, applicant, for Beazer Homes Corporation, owner.

STAFF RECOMMENDATION: Approve with conditions

APPLICANT REQUEST

Final Development Plan - A request for final development plan approval for property located at 7416 Charlotte Pike (22.98 acres), for the development of 121 multi-family units.

Zoning District

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

- The SP District is a base-zoning district, not an overlay. It will be labeled on zoning maps as “SP.”
- The SP District is not subject to the traditional zoning districts' development standards. Instead, urban design elements are determined **for the specific development** and are written into the zone change ordinance, which

becomes law.

- Use of SP **does not** relieve the applicant of responsibility for the regulations/guidelines in historic or redevelopment districts. The more stringent regulations or guidelines control.
- Use of SP **does not** relieve the applicant of responsibility for subdivision regulation and/or stormwater regulations.

PLAN DETAILS

Site Plan - The plan calls for 121 multi-family units on approximately 22.98 acres with an overall density of approximately 5.3 units per acre. The development will be bounded to the north by Old Charlotte Pike, Old Hickory Boulevard to the east, Charlotte Pike to the south, and Sawyer Brown Road to the west. Units front on internal private drives, with access being provided from Old Hickory Boulevard and Charlotte Pike.

Preliminary Plan- The Commission approved the preliminary SP plan for this project on March 9, 2006, and placed a condition on the preliminary that the applicant work staff “to improve the site design, and specifically to front some of the townhome units onto the streets.” During discussion of the case, the Commission specifically suggested that perhaps some units could be oriented towards Sawyer Brown Road to create a more “community feel” along that road.

Staff has revisited this site to determine whether it is possible to orient units towards Sawyer Brown Road. The site is generally below the grade for Sawyer Brown Road. For units to front on Sawyer Brown, significant fill would be required. Due to the grade differences, staff feels that it would be inappropriate to require units to be oriented towards Sawyer Brown Road.

Staff does recommend, however, that the plans be revised to improve the site plan by adding an additional 5 feet to the proposed buffer yard along Sawyer Brown Road. This would bring the total buffer width to 15 feet. The applicant has agreed to the additional 5 feet along Sawyer Brown Road and is shown on the current plan.

PUBLIC WORKS RECOMMENDATION-No Exceptions Taken

STORMWATER RECOMMENDATION -Approve with the following conditions:

1. Construction Drawings have been approved for the development except for any fill within the floodplain related to the construction of the stream crossing. No fill within the floodplain is allowed for the stream crossing until the CLOMR is approved through FEMA.
2. Provide easement documentation for the detention ponds and off-site drainage through site. If platted, easements will not be necessary at this point.

CONDITIONS

1. Prior to building permits being issued for units 12 – 37 the applicant must have all approvals for the single on site stream crossing from FEMA and Metro Stormwater.
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. The requirements of the Metropolitan Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
5. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four 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 (8-0), *Consent Agenda*

Resolution No. RS2006-332

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006SP-034G-06 is **APPROVED WITH CONDITIONS. (8-0)**

Conditions of Approval:

1. Prior to building permits being issued for units 12 – 37 the applicant must have all approvals for the single on site stream crossing from FEMA and Metro Stormwater.
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. The requirements of the Metropolitan Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
5. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four 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.

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2. **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 property located at 8921 Collins Road, approximately 275 feet west of Collinswood Drive (2.5 acres), requested by A.W. Chaffin, applicant, for A.W. Chaffin, Edna L. Chaffin, R.S. Chaffin, Melissa L. Chaffin, Don Einwag, and Sherrill D. Einwag, owners.

STAFF RECOMMENDATION: Disapprove

The Metropolitan Planning Commission DEFERRED Zone Change 2006Z-130G-06 to October 26, 2006, at the request of the applicant. (7-0)

PLANNED UNIT DEVELOPMENTS

3. **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: Approve with conditions

APPLICANT REQUEST

Final PUD - A request for final approval for Lot 1 of a commercial 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.

PLAN DETAILS

Site Plan - The plan calls for a 4,100 square foot bank with four drive-thru lanes.

Access - Access for this portion of the PUD will be provided from private drives within the development. As proposed, lots 2 and lot 5 must be constructed to allow for access into this site. Building permits should not be issued for this section of the Planned Unit Development until such time that drive construction for lots 2 and 5 has been adequately completed to provide sufficient ingress/egress.

Preliminary Plan - The preliminary plan was recently revised and approved by the Planning Commission at the August 24, 2006, meeting. The proposed site plan is consistent with the last approved preliminary plan.

PUBLIC WORKS RECOMMENDATION

1. Any approval is subject to Public Works approval of the construction plans. Final design and improvements may vary based on field conditions. Submit construction plans for offsite improvements.
2. Document adequate sight distance at project access. Indicate the amount of sight distance at each project access, and if adequate site distance per AASHTO for the posted speed limit.
3. Show and dimension right of way along Highway 100 and Old Harding Pike at property corners.
4. Roadway improvements shall be coordinated with roadway construction for the Temple Rd TDOT project and the Harpeth Village PUD development. Highway 100 roadway improvements to be approved by TDOT.
5. Developer shall submit a signal coordination study in order to optimize traffic flow on Old Harding Rd and Hwy 100.

STORMWATER RECOMMENDATION - Approve with the following conditions:

1. Four separate sets of plans are included. If all four are not anticipated to be completed at the same time, indicate phasing.
2. Include the MWS Appeal number on the design plans.
3. Place note on Erosion Control Plan requiring contractor to provide an area for concrete washdown and equipment fueling in accordance with Metro CP-10 and CP-13, respectively. Contractor to coordinate exact location with NPDES department during pre-construction meeting.
4. Per the Stormwater Appeal, road crossing shall be bottomless. Provide details of the proposed bottomless CMAPs.
5. Provide Detention Agreements with original signatures.
6. Are the Highway 100 plans being submitted to only show striping / resurfacing?
7. Provide easements for all pipes conveying stormwater runoff from offsite properties. Runoff is considered "public water" once it crosses into an adjacent property.
8. For the individual lots, a note was referenced stating "Developer for Lot _ not responsible for area". If this is true, then each plan should be submitted separately for separate grading permits. These plans were submitted together for approval of one grading permit. The developer for these lots will be responsible for the entire permitted area.
9. Sign the EPSC note on the plans.
10. Sign the NOI statement on the plans.

11. The cover sheet for the plans states that the datum for the site benchmark is NGVD 29 while the grading on the plans references the NAVD 88 datum. All of the elevations on the plans need to be on the same datum.
12. Add a comment to Erosion and Grading notes stating that all erosion control measures are to remain in place until final site stabilization has been achieved.
13. Provide easement documentation for the water quality device.
14. The water quality calculations use a value of 0.84 acres while the drainage structure map indicates an area of 0.87 acres is being treated for water quality. The flow rate used in the water quality calculations does not match that in the drainage structure table.
15. Show the 100 yr floodplain boundary on the plans

CONDITIONS

1. Building permits shall not be issued for this section of the Planned Unit Development until such time that drive construction for lots 2 and 5 have been adequately completed to provide sufficient ingress/egress.
2. All Stormwater conditions listed above must be met, and plans given final approval from Stormwater prior to the issuance of any building permits.
3. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
4. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
5. The requirements of the Metropolitan Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees.
6. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
7. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.
8. This final approval includes conditions which require correction/revision of the plans. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four 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 (8-0), *Consent Agenda*

Resolution No. RS2006-333

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005P-017G-06, Shoppes on the Harpeth, Lot 1, is **APPROVED WITH CONDITIONS. (8-0)**

Conditions of Approval:

1. Building permits shall not be issued for this section of the Planned Unit Development until such time that drive construction for lots 2 and 5 have been adequately completed to provide sufficient ingress/egress.
2. All Stormwater conditions listed above must be met, and plans given final approval from Stormwater prior to the issuance of any building permits.
3. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
4. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the

Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.

5. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees.
6. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
7. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.
8. This final approval includes conditions which require correction/revision of the plans. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four 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.

4. **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: Approve with conditions

APPLICANT REQUEST -Final PUD

A request for final approval for Lot 2 of a commercial 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.

PLAN DETAILS

Site Plan - The plan calls for a 3,600 square foot restaurant.

Access - Access for this portion of the PUD will be provided from private drives within the development. As proposed, lot 5 must be constructed to allow for access into this site. Building permits shall not be issued for this section of the Planned Unit Development until such time that drive construction for lot 5 has been adequately completed to provide sufficient ingress/egress.

Preliminary Plan-The preliminary plan was recently revised and approved by the Planning Commission at the August 24, 2006, meeting. As proposed, the site plan is consistent with the last approved preliminary plan.

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

PUBLIC WORKS RECOMMENDATION

1. Any approval is subject to Public Works approval of the construction plans. Final design and improvements may vary based on field conditions. Submit construction plans for offsite improvements.
2. Document adequate sight distance at project access. Indicate the amount of sight distance at each project access, and if adequate site distance per AASHTO for the posted speed limit.
3. Show and dimension right of way along Highway 100 and Old Harding Pike at property corners.
4. Roadway improvements shall be coordinated with roadway construction for the Temple Rd TDOT project and the Harpeth Village PUD development. Highway 100 roadway improvements to be approved by TDOT.

5. Developer shall submit a signal coordination study in order to optimize traffic flow on Old Harding Rd and Hwy 100.

STORMWATER RECOMMENDATION - Approve with the following conditions:

1. Four separate sets of plans are included. If all four are not anticipated to be completed at the same time, indicate phasing.
2. Include the MWS Appeal number on the design plans.
3. Place note on Erosion Control Plan requiring contractor to provide an area for concrete washdown and equipment fueling in accordance with Metro CP-10 and CP-13, respectively. Contractor to coordinate exact location with NPDES department during pre-construction meeting.
4. Are the Highway 100 plans being submitted to only show striping / resurfacing?
5. Per the Stormwater Appeal, road crossing shall be bottomless. Provide details of the proposed bottomless CMAPs.
6. Provide easements for all pipes conveying stormwater runoff from offsite properties. Runoff is considered "public water" once it crosses into an adjacent property.
7. For the individual lots, a note was referenced stating "Developer for Lot _ not responsible for area". If this is true, then each plan should be submitted separately for separate grading permits. These plans were submitted together for approval of one grading permit. The developer for these lots will be responsible for the entire permitted area.
8. Sign the EPSC note on the plans.
9. Sign the NOI statement on the plans.
10. The cover sheet for the plans states that the datum for the site benchmark is NGVD 29 while the grading on the plans references the NAVD 88 datum. All of the elevations on the plans need to be on the same datum.
11. Add a comment to Erosion and Grading notes stating that all erosion control measures are to remain in place until final site stabilization has been achieved.
12. Provide easement documentation for the water quality device. The location of the easement on Sheet C2.0 needs to include the water quality device.
13. The water quality calculations indicate that 1.01 acres of runoff are being treated while the drainage map shows only 0.84 acres. Please revise.
14. Show the 100 yr floodplain boundary on the plans.
15. The drainage structure/pipe table on Sheet C2.0 does not match the table in the Pipe Design calculations.
16. The pipe design calculations use 12" diameter pipes while the design plans and structure tables say 18" diameter pipes are being used. Please revise.
17. The flow rates used in the pipe capacity sizing calculations do not match the flow rates determined from the rational equation as shown with the drainage structure area map and table.

CONDITIONS

1. Building permits shall not be issued for this section of the Planned Unit Development until such time that drive construction for lot 5 has been adequately completed to provide sufficient ingress/egress.
2. All Stormwater conditions listed above must be met, and plans given final approval from Stormwater prior to the issuance of any building permits.
3. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
4. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
5. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water

supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees.

6. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
7. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.
8. This final approval includes conditions which require correction/revision of the plans. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four 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 (8-0), *Consent Agenda*

Resolution No. RS2006-334

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006P-017G-06, Shoppes on the Harpeth, Lot 2, is **APPROVED WITH CONDITIONS. (8-0)**

Conditions of Approval:

1. Building permits shall not be issued for this section of the Planned Unit Development until such time that drive construction for lot 5 has been adequately completed to provide sufficient ingress/egress.
2. All Stormwater conditions listed above must be met, and plans given final approval from Stormwater prior to the issuance of any building permits.
3. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
4. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
5. The requirements of the Metropolitan Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees.
6. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
7. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.
8. This final approval includes conditions which require correction/revision of the plans. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four 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.

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5. **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 12,600 square foot two-story office and retail building, and 26,400 square foot retail building, requested by Dale and Associates for Tampa Bay Briarwood Associates, owner.

STAFF RECOMMENDATION: Approve with conditions

APPLICANT REQUEST -Final PUD

A request for final approval for lots 4 and 5 of the commercial Planned Unit Development district located between Highway 100 and Old Harding Pike, zoned CL, (6.38 acres), to permit the development of a 12,600 square foot retail building, and a 26,400 square foot retail building.

PLAN DETAILS

Site Plan - The plan calls for a 12,600 square foot building on lot 4, and a 26,400 square foot building on lot five. Both buildings are for retail development.

Access - The main access point for this PUD is from Highway 100, which is to be constructed with lot five. Since access for the rest of the PUD is dependent upon the construction of the drive in lot five, then the drive should be constructed so that adequate access can be provided for the entire PUD.

Preliminary Plan -The preliminary plan was recently revised and approved by the Planning Commission at the August 24, 2006, meeting. As proposed, the site plan is consistent with the last approved preliminary plan.

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

PUBLIC WORKS RECOMMENDATION

1. Any approval is subject to Public Works approval of the construction plans. Final design and improvements may vary based on field conditions. Submit construction plans for offsite improvements.
2. Document adequate sight distance at project access. Indicate the amount of sight distance at each project access, and if adequate site distance per AASHTO for the posted speed limit.
3. Show and dimension right of way along Highway 100 and Old Harding Pike at property corners.
4. Roadway improvements shall be coordinated with roadway construction for the Temple Rd TDOT project and the Harpeth Village PUD development. Highway 100 roadway improvements to be approved by TDOT.
5. Developer shall submit a signal coordination study in order to optimize traffic flow on Old Harding Rd and Hwy 100.

STORMWATER RECOMMENDATION -Approve with the following conditions.

1. Four separate sets of plans are included. If all four are not anticipated to be completed at the same time, indicate phasing.
2. Include the MWS Appeal number on the design plans.
3. Place note on Erosion Control Plan requiring contractor to provide an area for concrete washdown and equipment fueling in accordance with Metro CP-10 and CP-13, respectively. Contractor to coordinate exact location with NPDES department during pre-construction meeting.
4. Per the Stormwater Appeal, road crossing shall be bottomless. Provide details of the proposed bottomless CMAPs.
5. Provide Detention Agreements with original signatures.
6. Are the Highway 100 plans being submitted to only show striping / resurfacing?
7. Provide easements for all pipes conveying stormwater runoff from offsite properties. Runoff is considered "public water" once it crosses into an adjacent property.
8. For the individual lots, a note was referenced stating "Developer for Lot _ not responsible for area". If this is true, then each plan should be submitted separately for separate grading permits. These plans were submitted together for approval of one grading permit. The developer for these lots will be responsible for the entire permitted area.
9. The cover sheet for the plans states that the datum for the site benchmark is NGVD 29 while the grading on the

plans references the NAVD 88 datum. All of the elevations on the plans need to be on the same datum.

10. Add a comment to Erosion and Grading notes stating that all erosion control measures are to remain in place until final site stabilization has been achieved.
11. Provide easement documentation and show easement location on the plans for the water quality devices and for all stormwater pipe systems conveying offsite runoff through this lot.
12. Provide water quality for runoff areas draining into structures D14, D15, and D16.
13. Show the 100 yr floodplain boundary on the plans.
14. The drainage structure/pipe table on Sheet C3.0 does not match the table provided on the drainage structure area map.
15. Provide information and calculations for the pipe receiving runoff at the southwest corner of the lot.
16. Label on the plans where Ditch A-A is located.
17. The runoff coefficient for Area D14 sees low for impervious conditions.
18. Several of the runoff coefficients, and flow rates used in the Hydraflow calculations do not match those values shown in the Drain Structure Summary table.

CONDITIONS

1. Driveway construction in lot 5 shall be adequately completed in order to provide access for other lots, prior to the issuance of building permits for lots 1, 2, and 4.
2. All Stormwater conditions listed above must be met, and plans given final approval from Stormwater prior to the issuance of any building permits.
3. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
4. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
5. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees.
6. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
7. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.
9. This final approval includes conditions which require correction/revision of the plans. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four 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 (8-0), *Consent Agenda*

Resolution No. RS2006-335

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005P-017G-06, Shoppes on the Harpeth, Lots 4 and 5, is **APPROVED WITH CONDITIONS. (8-0)**

Conditions of Approval:

1. Driveway construction in lot 5 shall be adequately completed in order to provide access for other lots, prior to the issuance of building permits for lots 1, 2, and 4.

2. All Stormwater conditions listed above must be met, and plans given final approval from Stormwater prior to the issuance of any building permits.
3. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
4. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
5. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees.
6. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
7. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.
8. This final approval includes conditions which require correction/revision of the plans. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four 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.

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

6. **2005Z-026G-04**
Map 051-06, Parcel 032
Subarea 4 (1998)
Council District 4 - Michael Craddock

A request to change from OR20 to MUN district property located at 1202 South Graycroft Avenue, located on the east side of Briarville Road and the west side of South Graycroft Avenue (0.88 acres), requested by Catherine A. and Marion J. Hoormann, applicant/owners.

STAFF RECOMMENDATION: Approve if the associated Subarea Plan Amendment is approved by the Planning Commission.

APPLICANT REQUEST -Rezone 0.88 acres from office/residential (OR20) to mixed-use neighborhood (MUN) district property located at 1202 South Graycroft Avenue, on the east side of Briarville Road.

Existing Zoning

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

Proposed Zoning

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

SUBAREA 4 PLAN POLICY

EXISTING POLICY

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

appropriate secondary use.

PROPOSED POLICY

Neighborhood Center (NC) -NC is intended for small, intense areas that may contain multiple functions and are intended to act as local centers of activity. Ideally, a neighborhood center is a "walk-to" area within a five-minute walk of the surrounding neighborhood it serves. The key types of uses intended within NC areas are those that meet daily convenience needs and/or provide a place to gather and socialize. Appropriate uses include single- and multi-family residential, public benefit activities and small-scale office and commercial uses.

Consistent with Policy? -Yes. The proposed MUN district is consistent with the proposed Neighborhood Center policy. A Subarea Plan amendment was requested by the applicant from Office Concentration to Neighborhood Center and staff supports this amendment.

BACKGROUND / HISTORY-The Commission recommended disapproval of MUL zoning for this property in February 2005 because MUL would not be consistent with the existing OC policy intended for predominantly office uses. The MUL district would allow for a more intense scale of buildings and more intense uses than MUN, which are not consistent with the surrounding development pattern of existing office and residential uses. A Council bill (BL2005-548) was introduced, passed second reading on March 1, 2005, and then deferred indefinitely.

The applicant is now seeking MUN zoning rather than MUL. The Councilmember will have the option to amend BL2005-548 from MUL to MUN, and the legislation can then be passed on third reading.

PUBLIC WORKS RECOMMENDATION -No Exception Taken

Typical Uses in Existing Zoning District: OR20

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office(710)	0.88	0.184	7,053	153	23	87

Typical Uses in Proposed Zoning District: MUN

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Specialty Retail Center (814)	0.88	0.14	5,366	268	n/a	35

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	0.88			95	n/a	52

Maximum Uses in Existing Zoning District: OR20

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Walk In Bank (911)	0.88	0.8	30,666	n/a	639	1289

Maximum Uses in Proposed Zoning District: MUN

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	0.88	0.6	22,999	429	58	105

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	0.88			256	35	18

METRO SCHOOL BOARD REPORT

Projected student generation 8_Elementary 5_Middle 3_High

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

*The numbers for MUN zoning are based upon students that would be generated if the MUN zoning were to develop only as residential instead of mixture of residential, office, and commercial uses. This also assumes each multi-family unit has 1, 200 sq. ft. of floor area.

Approved (8-0), *Consent Agenda*

Resolution No. RS2006-336

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005Z-026G-04 is **APPROVED. (8-0)**

The proposed MUN district is consistent with the Subarea 4 Community Plan’s Neighborhood Center policy, which is intended for small, intense areas that may contain multiple functions and are intended to act as local centers of activity.”

- 7. **2006SP-115U-13**
Moayed Car Sales
Map 149-00, Parcel 170
Subarea 13 (2003)
Council District 33 - Robert Duvall

A request to change from CS to SP zoning to permit "Automobile Sales, Used" on property located at 2739 Murfreesboro Pike, approximately 680 feet north of Morris Gentry Boulevard (.45 acres), requested by D. Joe Conrad, owner.

STAFF RECOMMENDATION: Approve with conditions

APPLICANT REQUEST -Preliminary Plan Only

A request to change from commercial services (CS) to specific plan (SP) zoning to permit "Automobile Sales, Used" and General Office uses on property located at 2739 Murfreesboro Pike, approximately 680 feet north of Morris Gentry Boulevard.

Existing Zoning

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

Proposed Zoning

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

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

ANTIOCH--PRIEST LAKE COMMUNITY PLAN

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 to the intent of the policy.

Consistent with Policy? - Yes. The request is consistent with the area’s Community Center policy. In addition to consistency with the General Plan, staff also considers:

- the number and concentration of similar uses in the area under consideration;
- the impact of the use relative to the surrounding properties and the intent of the land use policy category for that area, and
- if site improvements are needed to ensure that the development will enhance the area.

PLAN DETAILS

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

Site Plan - The site currently has an existing building with parking on it and an existing billboard. The applicant proposes to use the 1,536 square foot building for used car sales. The building also includes 500 square feet of the building to be used for General Office uses. Parking for the cars on display is proposed along the front and side and employee and visitor parking is to the rear of the building. Planning staff’s review of the SP is to ensure that the request is consistent with the area’s policy, and that it will not have any negative impact on the surrounding area and if needed require certain improvements.

The existing landscaping is to remain including the tree within the parking area. Shrubs are proposed in the front of the site with an existing rail fence on the north side of the property. The existing ramp from Murfreesboro Pike is remaining with access to the existing car wash to the south.

Number and concentration of similar uses in the area - There do not appear to be any other car sales facilities (new or used) within the immediate area (between Bell Road and Forest View Drive).

Allowable Uses - The allowable uses within this SP district are limited to “Automobile Sales, Used” and “General Office”. There is also an existing billboard on this site that will be allowed to remain under the SP district.

Recommended Site Improvements - Planning staff recommends the following site improvements:

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

7. All performance and development standards not specifically listed in the SP shall be the same as if the property were zoned CN.

Staff Recommendation -Staff recommends that the request be approved with conditions. If the conditions are not met then staff recommends disapproval.

RECENT REZONINGS - None

PUBLIC WORKS RECOMMENDATION -All Public Works' design standards shall be met prior to any final approvals and permit issuance. Any approval is subject to Public Works' approval of the construction plans.

- Show and dimension right of way along Murfreesboro Pike at property corners. Label and show reserve strip for future right of way, 54 feet from centerline to property boundary, consistent with the approved major street plan (U6 - 108' ROW).
- Provide cross access easement to adjacent parcels.

CONDITIONS

1. There shall be a physical separation of the automobile display area and parking area from the sidewalk in the form of a knee wall of a minimum 24" height. The knee wall shall be placed along Murfreesboro Pike, and must meet one of the following two conditions:
 - a. The wall shall be constructed of concrete, stone, finished masonry or other similar material, or
 - b. The wall shall be solid or consist of pillars with wrought iron or similar material between the pillars.
2. No chain link fence shall be within 25 feet of any public right of way. No razor wire, barbed wire, or similar materials shall be allowed on the property. The existing chain link fence shall be removed.
3. Sidewalks must be constructed or repaired (if necessary) along Murfreesboro Pike so that they are up to code in terms of construction.
4. All light and glare shall be directed on-site to ensure surrounding properties are not adversely affected by increases in direct or indirect ambient light.
5. All signs shall be monument signage or on building. Pole-mounted signs shall not be permitted.
6. Landscaping shall be provided on site, and must be approved by planning staff prior to the issuance of any building permits. Interior landscaping requirements of the Zoning Code (Chapter 17.24) shall be met, including a minimum 8 percent of interior landscaping. For the purpose of determining landscaping requirements, CS zoning should be used to determine the minimum required amount of landscaping as per Chapter 17.24.
7. 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.
8. 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.
9. 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.
10. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.
11. This final approval includes conditions which require correction/revision of the plans. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission for filing and recordation with the Davidson County Register of Deeds.

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

Mr. Bill Albright, 538 Bell Road, spoke in opposition to the zone change request.

Mr. Tommy Bradley, 3324 Country Ridge Drive, spoke in opposition to the zone change request.

Ms. Karen Johnson, 2928 Moss Spring Drive, spoke in opposition to the zone change request.

Ms. Debbie Herrington, 5219 Rice Road, spoke in opposition to the zone change request.

Mr. Roy Dale, Dale & Associates, spoke in favor of the zone change request.

Mr. Jim Attar spoke in favor of the zone change request.

Ms. Cummings requested additional clarification on the land uses adjacent to this parcel.

Mr. Clifton acknowledged that the requested zone change met the requirements of the subarea plan and should be approved with conditions.

Mr. Loring spoke in opposition to the zone change request. He stated the proposal would not be appropriate for the area and should be disapproved.

Mr. Lawson spoke of the Commission's role in maintaining the integrity of the land use policy, even when intended uses do not meet the requests of the neighborhood.

Mr. Ponder moved and Mr. Clifton seconded the motion, to approve with conditions Zone Change 2006SP-115U-13.

(7-1) No Vote - Loring

Resolution No. RS2006-337

"BE IT RESOLVED by The Metropolitan Planning Commission that 2006SP-115U-13 is **APPROVED WITH CONDITIONS. (7-1)**

Conditions of Approval:

1. There shall be a physical separation of the automobile display area and parking area from the sidewalk in the form of a knee wall of a minimum 24" height. The knee wall shall be placed along Murfreesboro Pike, and must meet one of the following two conditions:
 - a. The wall shall be constructed of concrete, stone, finished masonry or other similar material, or
 - b. The wall shall be solid or consist of pillars with wrought iron or similar material between the pillars.
2. No chain link fence shall be within 25 feet of any public right of way. No razor wire, barbed wire, or similar materials shall be allowed on the property. The existing chain link fence shall be removed.
3. Sidewalks must be constructed or repaired (if necessary) along Murfreesboro Pike so that they are up to code in terms of construction.
4. All light and glare shall be directed on-site to ensure surrounding properties are not adversely affected by increases in direct or indirect ambient light.
5. All signs shall be monument signage or on building. Pole-mounted signs shall not be permitted.
6. Landscaping shall be provided on site, and must be approved by planning staff prior to the issuance of any building permits. Interior landscaping requirements of the Zoning Code (Chapter 17.24) shall be met, including a minimum 8 percent of interior landscaping. For the purpose of determining landscaping requirements, CS zoning should be used to determine the minimum required amount of landscaping as per Chapter 17.24.
7. 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.
8. 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.
9. 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.
10. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.
11. 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.

The proposed SP district is consistent with the Antioch-Priest Lake Community Plan’s Community Center policy, which 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.”

8. 2006Z-164T
Sidewalk In Lieu Fee - Establishing Cost Per Foot

An ordinance to amend Section 17.20.120 of Title 17 of the Metropolitan Code, Zoning Regulations, by modifying the basis for calculating a financial contribution in lieu of sidewalk construction. Introduced by Councilmember Eric Crafton.

STAFF RECOMMENDATION: Disapprove

APPLICANT REQUEST -A request to amend the Zoning Code to modify the basis for calculating a financial contribution in lieu of sidewalk construction.

ANALYSIS

Existing Law - In 2004, Metro Departments and development professionals proposed a revision to the Zoning Code to clarify which new development would be required to construct sidewalks and which new development would be allowed to contribute an “in lieu” fee to the Sidewalk Fund instead of constructing sidewalks.

That amendment to Zoning Code, BL2004-491, stipulated that the in lieu fee charged to developers would be determined on an annual basis by the Department of Public Works and would be based on the actual cost of sidewalk projects constructed for or by Metro Government. The Zoning Code reads:

17.20.120.D. Contribution to the pedestrian network as an alternative to sidewalk installation.

1. When permitted in subsection C of this section, the developer may make a financial contribution to the metropolitan government in lieu of construction. *The value of the contribution shall be the average linear foot sidewalk project cost, determined on an annual basis by the department of public works' review of sidewalk projects contracted for or constructed by the metropolitan government.* [Emphasis added.]

Proposed Text Change -The proposed ordinance would delete the sentence italicized above and replace it with the following:

“The amount of the contribution shall be based on the following graduated scale: \$30.00 per foot for the first fifty linear feet of sidewalk that would otherwise be required to be constructed under this section; \$60.00 per foot for fifty-one through one hundred linear feet; and \$90.00 per foot for each additional linear foot in excess of one hundred feet.”

Analysis - When parties with development interests approached Metro Codes, Metro Planning and Metro Public works regarding revising Zoning Code section 17.20.120 “Provision of sidewalks,” the developers were seeking relief from sidewalk provision in certain instances. The compromise bill, agreed to by all parties, reduced the total number of locations where sidewalk construction was required and established that in some locations, applicants would be given the option of constructing sidewalks or contributing an in lieu fee to the Sidewalk Fund.

The Sidewalk Fund is used by Metro Government to construct sidewalks per the Metro Nashville Strategic Plan for Sidewalks and Bikeways. Since the fund is used by Metro Government to construct sidewalks, it was agreed that the calculation of the contribution to the fund would be based on the cost to Metro Government to contract to construct sidewalks or construct sidewalks itself. In FY06, the in lieu fee charged to applicants is \$92 per linear foot for a five-foot wide sidewalk.

The ordinance before the Metro Planning Commission would still obligate Metro to construct the sidewalks, but without tying the in lieu fees that construction fund to the actual costs Metro Government incurs. As a result, any uncollected increment of cost would have to be borne by the taxpayers in general.

Furthermore, the ordinance would establish a static fee that could only be changed to reflect increased or decreased costs of sidewalk provision through an ordinance amending Zoning Code. Under the current law this adjustment is

made on an annual basis in the Department of Public Works' assessment of the actual costs Metro Government incurs in contracting for or constructing sidewalks.

Metro Public Works and Metro Codes have indicated that those departments support the current process for establishing the per linear foot cost for the sidewalk in lieu fee.

Staff Recommendation - Disapprove. The current method for establishing the per linear foot cost for the sidewalk in lieu fee acknowledges the costs incurred by Metro Government to construct sidewalks, has flexibility to adjust the fee to meet current costs, and was agreed to by Metro Departments and development interests. It has proven to be a workable compromise for two years and need not be changed.

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

Mr. Mclean moved and Ms. Cummings seconded the motion, to disapprove Zone Code text amendment 2006Z-164T.
(7-1) No Vote – Loring

Resolution No. RS2006-338

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006Z-164T is **DISAPPROVED. (7-1)**”

9. 2006SP-166U-13

Hickory Woods Town Center SP

Map 175, Parcels 078, 079, 080, 081, 124, 170,190, 154, 166, 167, 173, 191, 197

Map 176, Parcels 033, 035, 051

Subarea 13 (2003)

Council District 32 - Sam Coleman

A request to change from AR2a, CL, R10, RS10, CS, and IR to SP zoning various properties located on Murfreesboro Pike between Hickory Woods Drive and Hurricane Creek Boulevard (55.84 acres), requested by the Metro Planning Department, applicant, for various property owners.

STAFF RECOMMENDATION: Approve with conditions

APPLICANT REQUEST - Rezone 55.84 acres from Agricultural and Residential (AR2a), Commercial Limited (CL), Residential Single-Family (RS10), and Commercial Services (CS) and Industrial Restrictive (IR) to Specific Plan (SP) district various properties located on Murfreesboro Pike between Hickory Woods Drive and Hurricane Creek Boulevard.

Existing Zonings

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.

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

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.

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

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.

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

Proposed Zonings

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

ANTIOCH/PRIEST LAKE COMMUNITY PLAN

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

Consistent with Policy? - Yes. The proposed Specific Plan is consistent with the Community Center Policy.

SP Plan - This Specific Plan district was designed specifically to implement the existing land use policy in the area.

This district is being placed on 16 individually owned properties in the Antioch area near the county line. The plan has been designed to allow large parcels to develop individually. The plan promotes incremental growth that results in coordinated and compatible design features, however, as if all of the properties were being developed by a single owner.

The Hickory Woods Specific Plan implements the existing Community Center land use policy by providing a mixed-use area along Murfreesboro Pike.

The mixed-use sub-district includes mixed-use, live/work, townhouse, townhouse courts, stacked flats (multi-family), and courtyard flat types of housing units. The plan further corresponds with the policy by providing a decreasing level of residential intensities as one moves away from the arterial corridor to provide a smooth, seamless transition into the adjacent Neighborhood General land use policy area to the northeast. As the policy suggests, development in the area to the northeast consists of cottages, townhouse, townhouse courts, stacked flats, and courtyard stacked flats. The third sub-district, which is located on the southwest portion of the plan, includes mixed use, live/work, townhouse, townhouse courts, stacked flats, and courtyard stacked flats.

The plan is designed to provide for units that are carefully arranged, not randomly located. For example, medium density housing, such as townhouses, is located between Murfreesboro Pike and the adjacent single-family neighborhood to the northeast. This provides a transition from the higher intensity uses near Murfreesboro to lower intensity housing within the neighborhood. Small open spaces (parks, greens, squares, plazas) are integrated into the overall open space system.

The design of this community will help realize the vision of the overall Antioch/Priest Lake Community Plan to achieve a socially and economically diverse community, provide adequate infrastructure for new development, and preserve natural features. This plan creates a community that is compact, walkable, and contains a variety of building types—all of which meet the intent of the Antioch Priest Lake Plan’s Community Center Policy to create a sense of place by fostering pedestrian-friendly development.

Four sub-districts with specific design characteristics have been created to implement the land use policy and to achieve the overall vision of the community. Specific design standards have been developed for each sub-district by building type. The Building Regulating Plan will make development within each sub-district predictable. The sub-districts cover the more dense areas of the community along Murfreesboro consisting of stacked flats and live/work units to the lower intensity townhomes and open space areas.

General architectural standards, including building materials, for all buildings within the Specific Plan are also provided within the document.

PUBLIC WORKS RECOMMENDATION - The submitted specific plan establishes goals and objectives for future development and redevelopment. Engineering issues, including traffic and parking impacts, will be evaluated with the submittal of final construction development documents. Roadway sections shall meet the requirements and standards as established by the Department of Public Works.

A traffic impact study shall be required for each individual project, unless the traffic engineer determines that the impact of a proposed development does not warrant a study. For projects which include multiple phases, the zoning administrator or the planning commission shall certify the scheduling of improvements through the site plan approval

process. If no phasing is identified in the traffic impact study as approved by the traffic engineer, all study recommendations shall be satisfied at the initial stage of development.

Applicants are encouraged to work with the Department of Public Works, and all other applicable agencies, early in the design and development process.

Maximum Uses in Existing Zoning District: 2 Commercial PUDs,

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Retail (820)	18.17	N/A	181,100	9,991	224	927

Maximum Uses in Existing Zoning District: IR, CS, and CL Area

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (820)	18.56	0.6	485,215	18,959	404	1,776

Maximum Uses in Existing Zoning District: IR, CS, and CL Area

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Light industrial (110)	18.56	0.6	485,215	3,523	484	531

Maximum Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	Density	Total Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Residential Condo/Townhome (230)	55.84	17	950 units	4,351	313	381

Maximum Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Retail(820)	55.84	N/A	100,000	6,792	157	627

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
--				-21,330	-642	-2,226

METRO SCHOOL BOARD REPORT

Projected student generation 98 Elementary 90 Middle 80 High

Schools Over/Under Capacity

Based on a maximum of 800 units (200 townhome units and 600 multi-family units)
268 students total = middle school site dedication

Students would attend Mt. View Elementary, Kennedy Middle School, or Antioch High School. All 3 schools are over capacity. There is capacity at another middle school within the cluster and at a high school in a neighboring cluster. There is no capacity at other elementary schools within the cluster. A total of \$1,176,000 would be needed to accommodate the 98 elementary students generated by this request.

School Capital Funding Requirement for Hickory Woods SP

This rezoning entitlement generates a total (elementary, middle, and high) potential student population of 268 students. Under a single property owner rezoning, where the requested rezoning entitlement generates a total (elementary, middle and high) potential student population of greater than 160 students but less than 400 students, the applicant would be required to offer for dedication a school site in compliance with the standards of Section 17.16.040 for middle schools with a capacity of 800 students (currently 18 acres). This rezoning includes numerous property owners, which limits the ability to provide a specific site. Therefore, prior to the issuance of a building permit for any residential structure, a contribution of \$300.00 per dwelling unit shall be made to the Metropolitan Board of Education as an alternative to the provision of a middle school site. These funds are to be used to offset the capital needs generated by this rezoning.

CONDITIONS

1. Delete the following properties from the SP District:
Map 175, parcels 173, and 197.
2. Page 19- “General Bulk Provisions” to read:
A minimum of 10% usable open space required for all residential development with the SP District.
3. Page 22- Table to read:

a.	Mixed-Use/ Commercial	<10,000 sq. ft.
b.	Mixed-Use/ Commercial	
	Live/ work	10,000- 50,000 sq. ft.
c.	1 sq. ft. of residential	50,000- 75,000 sq ft.
	Building type may be	
	Constructed for each	
	Sq. ft. of mixed-use/	
	Commercial and Live/	
	Work above the previous	
	50,000 sq. ft.	
d.	All permitted building	>75,000 sq. ft.
	types to the max.	
4. Page 24- “Additional standards” to read:
Minimum retail/ commercial development- 75,000 sq. ft.
5. Page 24- “Height” to read:
Height- Min. 2 stories and 3 stories max. *Note: Single story retail/ commercial permitted as long as building facades facing Main Street, as depicted in the Transportation Plan, are perceived by planning staff as a two story structure.*
6. Page 47- Addition of the following note:
Note: Should FEMA reclassify the floodplain along Hurricane Creek, development may occur in accordance with the provisions of sub district 3.
7. Page 34- “Setbacks” to read:
Rear: 15’ min. for principle building.

[Note: Items #9, #10, and #11 were discussed by The Metropolitan Planning Commission together. See Item #11 for actions and resolutions.]

10. **68-86-P-13**
Hickory Woods West
Map 175, Parcels 079, 167
Subarea 13 (2003)
Council District 32 - Sam Coleman

A request to cancel a Commercial Planned Unit Development district located at 4198 Murfreesboro Pike and Murfreesboro Pike (unnumbered), along the northeast corner of Murfreesboro Pike and LaVergne Couchville Pike,

classified RS10 zoning and proposed for SP zoning, (8.91 acres), approved for 72,500 square feet of office, retail, and restaurant uses, requested by the Metro Planning Department for Harold and Hermena Holigan, owners.

STAFF RECOMMENDATION: Approve with conditions

APPLICANT REQUEST - Cancel PUD

Request to cancel a 8.91 acre Commercial Planned Unit Development district located at 4198 Murfreesboro Pike and Murfreesboro Pike (unnumbered), along the northeast corner of Murfreesboro Pike and LaVergne Couchville Pike, approved for 72,500 square feet of office, retail, and restaurant uses.

PLAN DETAILS - The PUD plan is being cancelled in order to include this property in the Hickory Woods Specific Plan district. The proposed SP district is consistent with the Community Center Policy for the area.

ANTIOCH/PRIEST LAKE COMMUNITY PLAN

Community Center (CC) - CC is intended for dense, predominantly commercial areas at the edge of a neighborhood, which either sit at the intersection of two major thoroughfares or extend 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 to the intent of the policy.

PUBLIC WORKS RECOMMENDATION - No exceptions taken

[Note: Items #9, #10, and #11 were discussed by The Metropolitan Planning Commission together. See Item #11 for actions and resolutions.]

11. 72-86-P-13

Hickory Woods East
Map 175, Parcels 166, 154
Subarea 13 (2003)
Council District 32 - Sam Coleman

A request to cancel a Commercial Planned Unit Development district located at Murfreesboro Pike (unnumbered) and LaVergne Couchville Pike (unnumbered), along the east side of Murfreesboro Pike, classified R10 zoning and proposed for SP zoning, (11.24 acres), approved for a 108,600 square feet of retail, requested by the Metro Planning Department for F&D Development, Inc, et al., owner.

STAFF RECOMMENDATION: Approve

APPLICANT REQUEST - Cancel PUD

Request to cancel a 11.24 acre Commercial Planned Unit Development district located at LaVergne Couchville Pike (unnumbered) and Murfreesboro Pike (unnumbered), along the east side of Murfreesboro Pike, approved for 108,600 square feet of retail uses.

PLAN DETAILS - The PUD plan is being cancelled in order to include this property in the Hickory Woods Specific Plan district. The proposed SP district is consistent with the Community Center Policy for the area.

ANTIOCH/PRIEST LAKE COMMUNITY PLAN

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

PUBLIC WORKS RECOMMENDATION - No exceptions taken

Mr. Morgan presented and stated that staff is recommending approval with conditions on Zone Change 2006S-166U-13, approval to cancel Planned Unit Development 68-86-P-13, as well as approval to cancel Planned Unit Development 72-

86-P-13.

Mr. Loring stated he was in favor of the proposed development.

Mr. Ponder complimented the staff and moved for its approval.

Mr. Ponder moved and Ms. Nielson seconded the motion, which passed unanimously to approve with conditions Zone Change 2006S-166U-13, approve the request to cancel Planned Unit Development 68-86-P-13, as well as approving the request to cancel Planned Unit Development 72-86-P-13. **(8-0)**

Resolution No. RS2006-339

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006SP-166U-13 is **APPROVED WITH CONDITIONS**.

Conditions of Approval:

1. Delete the following properties from the SP District:
Map 175, parcels 173, and 197.
2. Page 19- “General Bulk Provisions” to read:
A minimum of 10% usable open space required for all residential development with the SP District.
3. Page 22- Table to read:
 - a. Mixed-Use/ Commercial <10,000 sq. ft.
 - b. Mixed-Use/ Commercial
Live/ work 10,000- 50,000 sq. ft.
 - c. 1 sq. ft. of residential 50,000- 75,000 sq ft.
Building type may be
Constructed for each
Sq. ft. of mixed-use/
Commercial and Live/
Work above the previous
50,000 sq. ft.
 - d. All permitted building >75,000 sq. ft.
types to the max.
4. Page 24- “Additional standards” to read:
Minimum retail/ commercial development- 75,000 sq. ft.
5. Page 24- “Height” to read:
Height- Min. 2 stories and 3 stories max. *Note: Single story retail/ commercial permitted as long as building facades facing Main Street, as depicted in the Transportation Plan, are perceived by planning staff as a two story structure.*
6. Page 47- Addition of the following note:
Note: Should FEMA reclassify the floodplain along Hurricane Creek, development may occur in accordance with the provisions of sub district 3.
7. Page 34- “Setbacks” to read:
Rear: 15’ min. for principle building.

The proposed SP district is consistent with the Antioch-Priest Lake Community Plan’s Community Center policy, which 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.”

Resolution No. RS2006-340

“BE IT RESOLVED by The Metropolitan Planning Commission that 68-86-P-13 is **APPROVED. (8-0)**

The PUD proposed to be canceled will be within a new SP district which is consistent with the Antioch-Priest Lake Community Plan’s Community Center policy. The Community Center policy 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.”

Resolution No. RS2006-341

“BE IT RESOLVED by The Metropolitan Planning Commission that 72-86-P-13 is **APPROVED. (8-0)**

The PUD proposed to be canceled will be within a new SP district which is consistent with the Antioch-Priest Lake Community Plan’s Community Center policy. The Community Center policy 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.”

- 12. **2006Z-167U-11**
 Map 105-08, Parcel 238
 Subarea 11 (1999)
 Council District 17 - Ronnie E. Greer

A request to change from IWD to CS zoning property located at 1518 4th Avenue South, north of the intersection of Nolensville Pike, Ensley Boulevard, and 4th Avenue South (1.67 acres), requested by Dale & Associates, applicant, for Paul, Susan, and Lucy Freeman, owners.

STAFF RECOMMENDATION: Approve

APPLICANT REQUEST - A request to change 1.67 acres from industrial warehousing and distribution (IWD) to commercial services (CS) zoning property located at 1518 4th Avenue South, north of the intersection of Nolensville Pike, Ensley Boulevard, and 4th Avenue South.

Existing Zoning

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

Proposed Zoning

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

SUBAREA 11 COMMUNITY PLAN POLICY

Industrial and Distribution (IND) - IND policy is intended for existing and future areas of industrial and distribution development. Most types of industrial and distribution uses are found in this policy category including: storage, business centers, wholesale centers, and manufacturing. Certain support uses such as sales, service, and office facilities will also be present in IND areas.

Consistent with Policy? - Yes. Although the policy statement above does not specifically mention retail, the Subarea 11 Plan’s text specifically promotes commercial uses in this industrial area. Given this site’s unique location, it will be important for the developer to design the site in a way that acknowledges the site as a gateway into downtown.

RECENT REZONINGS - None.

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

Typical Uses in Existing Zoning District: IWD

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	1.67	0.337	24,515	441	31	22

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
General Office (710)	1.67	0.263	19,132	374	50	101

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
--			-5383	-67	19	79

Maximum Uses in Existing Zoning District: IWD

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	1.67	0.80	58,196	565	57	43

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
Convenience Market(851)	1.67	0.08	5,819	4,295	390	305

*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
--			-52,377	3,730	333	262

Approved (8-0), *Consent Agenda*

Resolution No. RS2006-342

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006Z-167U-11 is **APPROVED. (8-0)**

The proposed CS district is consistent with the Subarea 11 Community Plan’s Industrial and Distribution policy, which is intended for existing and future areas of industrial and distribution development. Also there is text within the Subarea 11 Community Plan, which specifically promotes commercial uses in this industrial area.”

13. 2006Z-168U-08

Map 091-08, Parcel 047
 Subarea 8 (2002)
 Council District 21 - Edward Whitmore

A request to change from CS to RS5 zoning property located at 1006 44th Avenue North, approximately 210 feet north of Albion Street (0.16 acres), requested by Levi Faulkner, owner.

STAFF RECOMMENDATION: Approve

APPLICANT REQUEST - A request to change 0.16 acres from Commercial Services (CS) to Residential Single-Family (RS5) zoning on property located at 1006 44th Avenue North, approximately 210 feet north of Albion 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

RS5 district - RS5 requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 7.41 dwelling units per acre.

NORTH NASHVILLE COMMUNITY PLAN POLICY

Structure Policy

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

Tomorrow’s Hope Detailed Neighborhood Development Policy

Single Family Attached and Detached - SFAD is intended for a mixture of single-family housing that varies based on the size of the lot and the placement of the building on the lot. Detached houses are single units on a single lot (e.g. single-family house); while attached houses are single units that are attached to other single-family houses (e.g. townhomes).

Consistent with Policy? -Yes. The proposed RS5 zoning implements the Subarea 8 Plan and the Tomorrow’s Hope Detailed Neighborhood Design Plan’s Single Family Attached and Detached policy.

RECENT REZONINGS -Last year, at the request of the community, the Councilmember sponsored rezoning 37.35 acres of this neighborhood to RS5 (2005Z-087U-08).

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)	0.16	0.42	2,927	163	10	29

Maximum Uses in Proposed Zoning District: RS5

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached(210)	0.16	7.42	1	10	1	2

Maximum Uses in Existing Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Convenience Market(852)	0.16	0.08*	558	174	18	20

*Adjusted as per use

Maximum Uses in Proposed Zoning District: RS5

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	0.16	7.42	1	10	1	2

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
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--	0.16			-153	-9	-27
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METRO SCHOOL BOARD REPORT

Projected student generation* 0_Elementary 0_Middle 0_High

Schools Over/Under Capacity - Students would attend Cockrill Elementary School, Bass Middle School, or Pearl Cohn High School. Cockrill Elementary School 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.

Approved (8-0), *Consent Agenda*

Resolution No. RS2006-343

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006Z-168U-08 is **APPROVED. (8-0)**

The proposed RS5 district is consistent with the Subarea 8 Community Plan’s, Neighborhood General Policy and the Tomorrow’s Hope Detailed Neighborhood Design Plan’s Single Family Attached and Detached policy, which are both intended for residential uses. No plan is required because of the limited scope of the request, and that it removes the commercial designation, and matches the zoning district with area’s residential polices.”

X. CONCEPT PLANS

14. 2006S-308G-04

Pierce Road Subdivision
 Map 043-02, Parcels 032, 033
 Map 043-06, Parcel 001
 Subarea 4 (1998)
 Council District 9 Jim Forkum

A request for concept plat approval to create 26 lots on property located at 1000 Pierce Road, Pierce Road (unnumbered) and Park Avenue (unnumbered), approximately 115 feet south of Park Avenue (5.5 acres), zoned RS7.5, requested by Robert Z. Mayo et ux, Peggy S. Mayo and B.M. Patterson, owners, Batson & Associates, surveyor.

STAFF RECOMMENDATION: Approve with conditions

APPLICANT REQUEST -Concept Plat

Request for concept plat approval to create 26 cluster lots on property located at 1000 Pierce Road, Pierce Road (unnumbered), and Park Avenue (unnumbered).

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.

SUBDIVISION DETAILS

Site Plan - The plan calls for 26 cluster lots on approximately 5.5 acres with an overall density of approximately 4.7 units per acre.

Cluster Lot - The cluster lot option allows the applicant to reduce minimum lot sizes two base zone districts from the base zone classification of RS75 (minimum 7,500 square foot lots) to RS3.75 (minimum 3,750 square foot lots) with the protection of environmentally sensitive features, or when appropriate open space is provided. The request only reduces lots one base district (RS5), with lots range from 5,100 square feet to 10,324.

Open Space - Approximately 42,851 square feet of open space is being provided which is approximately 17% of the total acreage, and exceeds the required 15% open space required for cluster lot subdivisions. A walking trail and gazebo are also proposed within the open space.

Access/Connectivity -A majority of the lots will be accessed by new streets that will connect to Pierce Road, with the exception of four lots that will have direct access onto Pierce Road. To limit the number of drives onto Pierce Road, staff recommends that joint access be provided for lots 3 and 4, and lots 5 and 6. Two stub streets (including temporary turn around) are provided to the east for future connectivity if and when the adjacent property to the east develops.

Buffer Yards - Buffer yards are required along perimeter lots that are sized under the required 7,500 square feet for the base zone district. A 10-foot “B” landscape buffer is shown, and is consistent with Metro Zoning requirements.

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

CONDITIONS

1. Cross access shall be provided for lots 3 and 4, and lots 5 and 6.
2. Right-of-way for both temporary dead end streets shall be extended to eastern property line.
3. Pursuant to 2-3.4.e of the Metro Subdivision Regulations, the conditional approval of this application shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to any application for a final plat, and in no event more than 30 days after the effective date of the Commission's conditional approval vote.

Approved with conditions **(8-0)**, *Consent Agenda*

Resolution No. RS2006-344

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006S-308G-04 is **APPROVED WITH CONDITIONS. (8-0)**

Conditions of Approval:

1. Cross access shall be provided for lots 3 and 4, and lots 5 and 6.
2. Right-of-way for both temporary dead end streets shall be extended to eastern property line.
3. Pursuant to 2-3.4.e of the Metro Subdivision Regulations, the conditional approval of this application shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to any application for a final plat, and in no event more than 30 days after the effective date of the Commission's conditional approval vote.”

XI. FINAL PLATS

- 15. 2006S-310G-12**
Schott Subdivision
Map 180-00, Parcel 038
Subarea 12 (2004)
Council District 31 - Parker Toler

A request for final plat approval to create 2 lots on property located at 1026 Redmond Court, approximately 680 feet east of Redmond Lane (4.4 acres), zoned AR2a, requested by Linda Gayle Schott, owner, James Terry & Associates, surveyor.

STAFF RECOMMENDATION: Approve with conditions

The Metropolitan Planning Commission DEFERRED Final Plat 2006S-310G-12 to October 26, 2006, at the request of the applicant. (7-0)

- 16. 2006S-311U-10**
Sunnybrook Lane Subdivision
Map 130-07, Parcels 097, 148
Subarea 10 (2005)
Council District 34 - Lynn Williams

A request for final plat approval to shift the existing lot line 8 feet to the south between lots 2 and 3, located at 4414 and 4416 Sunnybrook Drive, approximately 145 feet south of Iroquois Avenue (1.87 acres), zoned R20 and RS20, requested

by Nashville Property Managers LLP and Frank and Gwen Gordon, owners, Dale & Associates, surveyor.

STAFF RECOMMENDATION: Approve with conditions

APPLICANT REQUEST - A request for final plat approval to shift the existing lot line eight feet to the south between lots 2 and 3, located at 4414 and 4416 Sunnybrook Drive.

ZONING

R20 district -RS20 requires a minimum 20,000 square foot lot and is intended for single-family dwellings at a density of 1.85 dwelling units per acre.

RS20 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 application proposes to shift the existing lot line eight feet to the south between lots 2 and 3.

Lot comparabilitySection 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:

Lot Comparability Analysis		
Street:	Requirements:	
Sunnybrook Drive	Minimum lot size (sq. ft.):	Minimum lot frontage (linear ft.):
	33,541	134.0

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

- Lot 2: 44,534.60 Square Feet., (1.02 Acres), with 143 feet of frontage
- Lot 3: 38,268.616 Square Feet, (0.879 Acres), with 128.06 feet of frontage

Lot 3 fails the comparability requirement for lot frontage.

Lot Comparability Exception - The Commission may grant a lot comparability exception for proposed lots that do not meet the minimum requirements of the lot comparability analysis (is smaller in lot frontage and/or size) if the new lots are consistent with the General Plan. The Planning Commission has discretion whether or not to grant a lot comparability exception.

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

- The proposed lots are consistent with the adopted land use policy that applies to the property. The lots are located in the Residential Low Density land use policy. RL policy is intended to conserve large areas of established, low-density (one to two dwelling units per acre) residential development. The development type is predominately single-family homes.

Recommendation Staff recommends the Commission grant an exception to lot comparability standards since the proposed lot line adjustment is consistent with the land use policy. In addition, granting this exception does not affect the overall character of Sunnybrook Lane.

PUBLIC WORKS RECOMMENDATION- No Exceptions Taken.

STORMWATER RECOMMENDATION - Approved

CONDITIONS- Prior to recording the final plat, the following revisions need to be made:

1. Add the subdivision number, i.e., 2006S-311U-10, to the plat.
2. Cite appeal numbers 2003-163, and 2004-048.
3. Change note 1 to read as follows, "The purpose of this plat is to move the lot line between lots 2 & 3."

Approved with conditions **(8-0)**, *Consent Agenda*

Resolution No. RS2006-345

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006S-311U-10 is **APPROVED. (8-0)**”

XII. PLANNED UNIT DEVELOPMENTS (revisions)

17. 2005P-008G-06

Harpeth Village (Advance Auto Parts)
Map 156-00, Parcel 029
Subarea 6 (2003)
Council District 35 - Charlie Tygard

A request for final site approval for a portion of a Planned Unit Development district located at 8020 Highway 100, (1.028 acres), classified CL, to permit the development of a 6,889 square foot Advance Auto Parts store, requested by Dale and Associates for Kimco Barclay Harpeth, LP, owner.

STAFF RECOMMENDATION: Approve with conditions

APPLICANT REQUEST -Final PUD

A request for final approval for a portion of a Commercial Planned Unit Development district located between Highway 100 and Old Harding Pike, zoned CL, (1.028 acres), to permit the development of a 6,889 square foot auto parts retail store.

PLAN DETAILS

Site Plan - The plan calls for a 6,889 square foot auto parts retail store. The store will be located on the east side of Temple Road extension, which was previously given final approved with phase one by the Planning Commission on October 27, 2005.

Access - Access will be provided from Temple Road.

Preliminary Plan - The proposed request is consistent with the approved preliminary plan.

PUBLIC WORKS RECOMMENDATION -No Exceptions Taken

STORMWATER RECOMMENDATION -Approve with the following conditions.

1. Provide easement documentation for the water quality unit and show easement location on the plans.
2. Provide a signed stormwater detention maintenance agreement for the water quality device.
3. Provide inlet protection for the proposed inlets along with a detail.
4. Q for CB 2 shows 2.70 cfs in the Hydraflow inlet calculations and page 2 of the drainage report list a value of 2.45 cfs.
5. Correct the inverts on the water quality detail to match what is included on the plan set.
6. Provide the vertical datum (NGVD 29 or NAVD 88). The listed datum of NAD 83 is a horizontal datum. Datum must match flood study for Trace Creek.
7. Provide routing for the 100 year event for both existing and proposed conditions.
8. Provide an existing conditions drainage map supporting the runoff calculations.
9. The post developed drainage map needs to include all areas where runoff is leaving the site. All runoff leaving the site should be treated for water quality if possible. Delineate the areas on the map that are bypassing the water quality unit.
10. Provide the approval letter from Metro referencing Appeal # 2005-092.
11. Provide a drainage area map along with supporting calculations for the actual flow and design capacity flow for the existing downstream 30" pipe.
12. The existing conditions grading shows a proposed floodplain boundary which is different than the effective floodplain shown on the FEMA map. Was this grading approved under a previous submittal? If so, provide the MWS grading plan number.

13. Place note on Erosion Control Plan requiring contractor to provide an area for concrete wash down and equipment fueling in accordance with Metro CP-10 and CP-13, respectively. Contractor to coordinate exact location with NPDES department during pre-construction meeting.

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.
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. 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 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 (8-0), *Consent Agenda*

Resolution No. RS2006-346

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005P-008G-06 is **APPROVED WITH CONDITIONS. (8-0)**

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. 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 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.”

XII. OTHER BUSINESS

18. Request to extend expired preliminary plat for Rivendell Subdivision

2003S-074G-12

Preston Road Subdivision (Now Rivendell Woods)
Map 174-00, Parcels 001, 002, 192
Subarea 12 (2004)
Council District - 31 Parker Toler

A request for preliminary plat approval for a 443 lot cluster subdivision abutting the west margin of Preston Road, approximately 1,346 feet southwest of Cane Ridge Road, (145 acres), classified within the RS10 and RM15 districts, requested by Charlie B. Paul, owner/developer, Dale and Associates, Inc.,

APPLICANT REQUEST - The applicants are requesting a variance from Section 3-3.5 of the Subdivision Regulations (below), which stipulates the effective period of preliminary plat approval. According to Section 3-3.5, the preliminary plat is effective for two years, but may be extended by the Planning Commission prior to its expiration, if the Commission finds that significant progress has been made in developing the subdivision.

The preliminary plat for this subdivision was approved on May 8, 2003, and expired on May 8, 2005. The applicants did not request that the preliminary plat be extended prior to its expiration. The applicants have submitted a letter indicating progress has been made in developing the subdivision, which is attached at the end of this report.

There is no provision in the Metro Subdivision Regulation that permits an applicant to extend or “revive” a preliminary plat after it has expired, so the applicant is requesting that the Commission waive the requirements of Section 3-3.5.

APPLICABLE SUBDIVISION REGULATION - 3-3.5 Effective Period of Preliminary Approval –

“The approval of a preliminary plat shall be effective for a period of two (2) years. Prior to the expiration of the preliminary approval, such plat approval may be extended for one (1) additional year upon request and if the Planning Commission deems such appropriate based upon progress made in developing the subdivision. For the purpose of this section, progress shall mean installation of sufficient streets, water mains, and sewer mains and associated facilities to serve a minimum of ten percent (10%) of the lots proposed within the subdivision.

Any subdivision having received preliminary approval, a section or phase of which has received final approval and has been recorded within the period of preliminary approval affectivity, will not be subject to preliminary expiration (see 3-6). Should preliminary approval expire for any reason, any submittal for Planning Commission reapproval shall be subject to current Zoning Regulations and Subdivision Regulations in force at that time.”

Ms. Fuller presented information regarding this request to the Commission.

Mr. Tom White, 315 Deadrick Street, spoke in favor of the request.

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

Mr. Mike Lilly, Ole South Properties spoke in favor of the request.

Mr. Bernhardt gave a brief explanation of the process that was in place regarding this requested PUD extension.

Mr. Clifton requested additional information on other PUD extension requests.

Mr. Bernhardt explained there were two approved requests along with one disapproved request.

Mr. Lawson commented on the request and stated he was in favor of approving the request.

Mr. Clifton spoke in favor of approving the request.

Mr. Bernhardt explained that the preliminary plat would be reinstated as it was approved by the Commission.

Mr. Clifton moved and Ms. Cummings seconded the motion, which passed unanimously, to waive the requirements of Section 3-3.5 of the subdivision regulations and grant the necessary variance for this request with the condition, that a final plat be submitted within 60 days. **(8-0)**

Resolution No. RS2006-347

“BE IT RESOLVED by The Metropolitan Planning Commission that 2003S-074G-12 is **APPROVED WITH CONDITIONS. (8-0)**

Conditions of Approval:

- 1. Final plat must be submitted within 60 days.”

- 19. 2006SP-134G-01 – Family Foundation Fund -Rejection of request for rehearing (No vote required)

Mr. Lawson explained that this request did not require action. He explained that he and Mr. Bernhardt reviewed this application and found no basis to warrant a recommendation for a rehearing.

- 20. Approve a grant agreement between Metropolitan Planning Commission of Nashville/Davidson County for benefit of the Metropolitan Planning Organization, and the Tennessee Department of Environment and Conservation, in the amount of \$18,978 to provide assistance in matching funds to support the Clean Air Grant Program”.

Approved (8-0), *Consent Agenda*

- 21. Employee contract renewals for Adriane Harris and Kathryn Withers.

Approved (8-0), *Consent Agenda*

- 22. Executive Director Reports


- 23. Legislative Update

XIII. ADJOURNMENT

The meeting adjourned at 5:00 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, 2nd. Floor, Nashville, TN 37201, (615)862-7150. **Title VI inquiries should be forwarded to:** Michelle Lane, Metro Title VI Coordinator, 222 Third Avenue North, Suite 200, Nashville, TN 37201, (615)862-6170. **Contact Department of Human Resources for all employment related inquiries at (615)862-6640.**

