



Project No.

**Proposed Amendment to the Subarea 4 Plan:
1998 Update**

Associated Cases
Council Bill
Council Districts
School District
Requested by

2005Z-026G-04
BL2005-548
4 – Craddock
3 – Binkley
Catherine Hoorman, owner

Staff Reviewer
Staff Recommendation

Wood
Approve

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



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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.



Project No.
Project Name
Associated Case
Council Bill
Council District
School Board District
Requested By

Zone Change 2006SP-034G-06
Traemoor Village
None
BL2006-1033
22 – Crafton
9 – Warden
Anderson, Delk, Epps and Associates, applicant, for Beazer Homes Corporation, owner.
This request was deferred from the September 28, 2006, Planning Commission at the request of the applicant.

Deferral

Staff Reviewer
Staff Recommendation

Swaggart
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



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Preliminary Plan

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.

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.



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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,



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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.



Project No.
Associated Case
Council Bill
Council District
School District
Requested by

Zone Change 2006Z-130G-06
None
BL2006-1153
35 – Tygard
9 – Warden
A.W. Chaffin, applicant for A.W. Chaffin, Edna L. Chaffin, R.S. Chaffin, Melissa L. Chaffin, Don Einwag, and Sherrill D. Einwag, owners.

Deferral

This request was deferred from the August 10, 2006, agenda at the request of the applicant.

Staff Reviewer
Staff Recommendation

Swaggart
Disapprove

APPLICANT REQUEST

Request to change approximately 2.50 acres from agricultural and residential (AR2a) to multi-family residential (RM15) on property located at 8921 Collins Road.

Existing Zoning
AR2a District

Agricultural/residential requires a minimum lot size of 2 acres and intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per 2 acres. The AR2a district is intended to implement the natural conservation or interim nonurban land use policies of the general plan.

Proposed Zoning
RM15 District

RM15 is intended for single-family, duplex, and multi-family dwellings at a density of 15 dwelling units per acre.

**BELLEVUE
COMMUNITY PLAN**

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

Consistent with Policy?

No. The requested RM15 is not consistent with the area’s RLM policy because it allows for up to 15 dwelling units per acre, while RLM policy stipulates between 2 and 4 dwelling units per acre.



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The property requested to be rezoned is in an area that is mostly single-family residential (RS15, RS10, RS40), with the exception of a commercial PUD directly to the east of this property that fronts on Highway 100. While multi-family districts can often act as transitional areas between single-family and commercial, the proposed density allowed with RM15 at this location is not appropriate. Access for any development on this property would be from Collins Road, which is insufficient and not adequate for this type of district. With the addition of parcel 109 to the south that fronts on Highway 100 and a design that incorporates a smooth transition from Highway 100 westward, limiting access only to Highway 100, a lower density multi-family *could* possibly work at this location.

Staff Recommendation

Because the requested RM15 district is not consistent with the area's RLM policy, and the proposed zoning would have an adverse impact on the adjacent single-family residential properties, staff recommends that the request be disapproved.

PUBLIC WORKS RECOMMENDATION

A TIS is required at development.

Typical Uses in Existing Zoning District: AR2a

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single family detached (210)	2.5	0.5	1	10	1	2

Typical Uses in Proposed Zoning District: RM15

Land Use (ITE Code)	Acres	Density	Total Number of units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Res. Condo/townhome (230)	2.5	15	38	283	24	28

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
--			+37	273	23	26



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METRO SCHOOL BOARD REPORT

Projected student generation*

4 Elementary 2 Middle 2 High

Schools Over/Under Capacity

Students would attend Harpeth Valley Elementary School, Bellevue Middle School, and Hillwood High School. All three schools have been identified as having capacity. This information is based upon data from the school board last updated July 2006.



Project No.
Project Name
Council District
School Board District
Requested By

Planned Unit Development 2005P-017G-06
Shoppes on the Harpeth, Lot 1

35 - Tygard
9 - Warden

Dale and Associates, applicant for Tampa Bay Briarwood Associates, property owner.

Deferral

This item was deferred at the September 28, 2006, Planning Commission meeting at the request of the applicant.

Staff Reviewer
Staff Recommendation

Swaggart
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.



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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.



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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



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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.



Project No.
Project Name
Council District
School Board District
Requested By

Planned Unit Development 2005P-017G-06
Shoppes on the Harpeth, Lot 2

35 - Tygard
9 - Warden

Dale and Associates, applicant for Tampa Bay Briarwood Associates, property owner.

Deferral

This item was deferred at the September 28, 2006, Planning Commission meeting at the request of the applicant.

Staff Reviewer
Staff Recommendation

Swaggart
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



Metro Planning Commission Meeting of 10/12/06

- 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



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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.



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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.



Project No.
Project Name
Council District
School Board District
Requested By

Planned Unit Development 2005P-017G-06
Shoppes on the Harpeth, Lots 4 and 5

35 - Tygard
9 - Warden

Dale and Associates, applicant for Tampa Bay Briarwood Associates, property owner.

Deferral

This item was deferred at the September 28, 2006, Planning Commission meeting at the request of the applicant.

Staff Reviewer
Staff Recommendation

Swaggart
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



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- 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.



Metro Planning Commission Meeting of 10/12/06

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.



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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.
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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.



Project No.
Associated Case
Council Bill
Council District
School District
Requested by

Zone Change 2005Z-026G-04
Subarea 4 Plan Amendment
BL2005-548
4 – Craddock
4 – Glover
Catherine A. and Marion J. Hoormann,
applicant/owners.

Staff Reviewer
Staff Recommendation

Leeman
*Approve if 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-



Metro Planning Commission Meeting of 10/12/06

Consistent with Policy?

family residential, public benefit activities and small-scale office and commercial uses.

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



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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.



Project No.
Associated Case
Council Bill
Council District
School Board District
Requested By

Zone Change 2006SP-115U-13
None
None
33 - Duvall
6 – Johnson
Dale and Associates, applicant, for D. Joe Conrad, owner.

Staff Reviewer
Staff Recommendation

Leeman
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.



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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:

- i. the number and concentration of similar uses in the area under consideration;
- ii. the impact of the use relative to the surrounding properties and the intent of the land use policy category for that area, and
- iii. 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



Metro Planning Commission Meeting of 10/12/06

Number and concentration of similar uses in the area

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.

Allowable Uses

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.

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).

Recommended Site Improvements

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.

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.



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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:



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- 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



Metro Planning Commission Meeting of 10/12/06

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.



Project No.
Council Bill
Council District
School District
Requested by

Zone Change 2006Z-164T
BL2006-1177
Countywide
N/A
Councilmember Eric Crafton

Staff Reviewer
Staff Recommendation

Carlat
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:



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Analysis

“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.”

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.



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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.



Project No.
Associated Case
Council Bill
Council District
School District
Requested by

Zone Change 2006SP-166U-13
68-86-P-13 and 72-86-P-13 PUD Cancellations
BL2005-824
32- Coleman
6 - Johnson
Metro Planning Department and Councilmember Sam Coleman for various property owners.

Staff Reviewer
Staff Recommendation

Morgan/Leeman
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.



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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



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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.



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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



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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



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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. 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.
2. 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.
3. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
4. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Section of the Metropolitan Department of Public Works for all improvements within public rights of way.



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5. Subsequent to enactment of this SP district by the Metropolitan Council, and prior to any consideration by the Metropolitan Planning Commission for final site development plan approval, a paper print of the final boundary plat for all property within the overlay district must be submitted, complete with owner's signatures, to the Planning Commission staff for review.
6. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.



Project No.	Planned Unit Development 68-86-P-13
Project Name	Hickory Woods West
Associated Case	2006SP-166U-13 and 72-86-P-13
Council District	32 - Coleman
School District	6 - Johnson
Requested by	Metro Planning Department and Councilmember Sam Coleman
Staff Reviewer	Morgan/Leeman
Staff Recommendation	<i>Approve</i>

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



Project No.	Planned Unit Development 72-86-P-13
Project Name	Hickory Woods East
Associated Case	2006SP-166U-13 and 68-86-P-13
Council District	32 - Coleman
School District	6 - Johnson
Requested by	Metro Planning Department and Councilmember Sam Coleman
Staff Reviewer	Morgan/Leeman
Staff Recommendation	<i>Approve</i>

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



Project No.
Council Bill
Council District
School District
Requested by

Zone Change 2006Z-167U-11
BL2006-1219
17- Greer
7- Kindall
Requested by Dale & Associates, applicant, for Paul, Susan, and Lucy Freeman, owners.

Staff Reviewer
Staff Recommendation

Withers
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.



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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



Project No.
Council Bill
Council District
School District
Requested by

Zone Change 2006Z-168U-08
None
21- Whitmore
1- Thompson
Levi Faulkner, owner.

Staff Reviewer
Staff Recommendation

Logan
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



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Consistent with Policy?

attached to other single-family houses (e.g. townhomes).

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
--	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.



Project No.
Project Name
Council District
School District
Requested By

Subdivision 2006S-308G-04
Pierce Road Subdivision
9 – Forkum
3 – Garrett
Batson and Associates, applicant for Robert Z. Mayo et ux. Peggy S. Mayo, and B.M. Patterson, owners

Staff Reviewer
Staff Recommendation

Swaggart
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



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Buffer Yards

future connectivity if and when the adjacent property to the east develops.

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.



Project No.
Project Name
Council District
School District
Requested By

Subdivision 2006S-310G-12
Schott Subdivision
31 – Toler
2 – Brannon
James Terry and Associates, applicant for Linda Gayle Schott, owner

Staff Reviewer
Staff Recommendation

Swaggart
Approve with conditions.

APPLICANT REQUEST

Final Plat

Request for final plat approval to create 2 lots on property located at 1026 Redmond Court.

Zoning
AR2a district

Agricultural/residential requires a minimum lot size of 2 acres and intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per 2 acres. The AR2a district is intended to implement the natural conservation or interim nonurban land use policies of the general plan.

SUBDIVISION DETAILS

History

The Planning Commission disapproved a proposed three-lot subdivision on this property in February 2004. At that time, planning staff's recommendation for three lots was to disapprove. Staff did feel that two lots could be appropriate, and recommended that the applicant remove one of the lots prior to the Planning Commission meeting; however, the applicant did not remove a lot and the request was subsequently disapproved.

Site Plan

As proposed the request will take one existing parcel and create two new lots. The proposed lots will have the following areas and frontages:

1. 87,120 sq. ft. (2 ac), 123 ft.;
2. 196,817 sq. ft. (4.5 ac), 277 ft.

Because this request is in an AR2a district, lot comparability is not required.

Lot Width Variance
Section 3-4(2)f.

Section 3-4(2)f. stipulates that the lot width at the front property line shall be at least 25 percent of the average lot depth. This would require the approximate lot width



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for each lot along Redmond Court to be at least 176 feet. As proposed, lot 1 falls short of the required 176 feet with only 123 feet. This property is located in both Davidson County and Williamson County. The length of lot 1 that is located in Davidson County is 446 feet, with 25 percent being 111 feet. Accordingly, lot 1 meets the lot width requirement for the portion of land that is in Davidson County and a variance is not needed.

PUBLIC WORKS RECOMMENDATION

No Exceptions Taken

CONDITIONS

1. Prior to recordation the new lot line shall be shifted to the east and approved by planning staff.
2. Prior to recordation in Davidson County, the plat must be signed by the City of Brentwood.



Project No.
Project Name
Council District
School District
Requested by

Subdivision 2006S-311U-10
Sunnybrook Lane Subdivision
28- Williams
8- Fox
Nashville Property Managers LLP and Frank and Gwen Gordon, owners, and Dale & Associates, surveyor.

Staff Reviewer
Staff Recommendation

Logan
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 comparability

Section 3-5 of the Subdivision Regulations states that new lots in areas that are predominantly developed are to be generally in keeping with the lot frontage and lot size of the existing surrounding lots.

Lot comparability analysis was performed and yielded the following information:

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:



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Lot Comparability Exception

- 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.

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."



Project No.
Project Name
Council District
School Board District
Requested By

Planned Unit Development 2005P-008G-06
Harpeth Village (Advanced Auto Parts)
35 - Tygard
9 - Warden
Dale and Associates, applicant Kimco Barclay Harpeth, LP, owner.

Staff Reviewer
Staff Recommendation

Swaggart
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.



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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



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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.



Project No.
Project Name
Council District
School District
Requested by

Subdivision 2003S-074G-12
Rivendell Woods (Preston Road) Subdivision
32 - Coleman
2 - Brannon
Dale & Associates, applicant for Charlie Paul, owner
and Old South Realty, developer.

Staff Reviewer

Withers

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.



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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.”