



**METROPOLITAN GOVERNMENT
OF NASHVILLE AND DAVIDSON COUNTY**

Planning Department
Metro Office Building
800 Second Avenue South
Nashville, Tennessee 37201

**Minutes
Of the
Metropolitan Planning Commission**

January 11, 2007

4:00 PM

Howard School Auditorium, 700 Second Ave., South

PLANNING COMMISSION:

Phil Ponder, Vice Chairman
Stewart Clifton
Tonya Jones
Ann Nielson
Victor Tyler
James McLean
Councilmember J.B. Loring
Eileen Beehan, representing Mayor Bill Purcell

Staff Present:

Rick Bernhardt, Executive Director
Ann Hammond, Assistant 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, Planning Mgr. II
Joni Priest, Planner I

Commission Members Absent:

Jim Lawson, Chairman
Judy Cummings

I. CALL TO ORDER

Vice Chairman Ponder called the meeting to order at 4:04 p.m. Mr. Ponder requested that each Commission member introduce themselves and state how long they have served on the Commission.

Ms. Hammond announced the following: "As information for our audience, if you are not satisfied with a decision made by the Planning Commission today, you may appeal the decision by petitioning for a writ of cert with the Davidson County Chancery or Circuit Court. Your appeal must be filed within 60 days of the date of the entry of the Planning Commission's decision. To ensure that your appeal is filed in a timely manner, and that all procedural requirements have been met, please be advised that you should contact independent legal counsel."

II. ADOPTION OF AGENDA

Ms. Hammond announced there was an additional item added to the Agenda. It was item #25 – New employee contract for Craig Owensby as Public Information Officer for the Department, which was on the Consent Agenda for approval.

Ms. Hammond also announced a correction to the Agenda. Item #4, 95-85-P-04, Lanier Park should be corrected to read as follows: Request to amend the preliminary plan of the Residential Planned Unit Development District located abutting the south margin of Old Hickory Boulevard at Lombardia Lane, to permit additional land area to the PUD overlay district to include **18** additional condominium units, (not 13 additional as originally stated) for a total of 40 condominiums.

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

III. RECOGNITION OF COUNCILMEMBERS

Councilmember Toler stated he would only address the Commission if his item was removed from the Consent Agenda.

Councilmember Greer stated he too would only address the Commission if his item was removed from the Consent Agenda.

Councilmember Wilhoite spoke in favor of Item #21, 24-85-P-13, Request to Rehear Weatherly Ridge Apartments. She explained various reasons the request for the rehearing should be granted by the Commission. She spoke of the rights of her constituents, misguided information provided by the Planning Staff, as well as the Commission making uninformed decisions regarding the proposal on December 14, 2006. Councilmember Wilhoite submitted an e-mail she had received from her constituent regarding the proposal to the Commission for the record.

Mr. Ponder explained the rules and procedures regarding the request for a rehearing to the audience.

Councilmember Shulman spoke on Item #14, 2007S-002U-10, Valley Brook Place. He explained that the constituents surrounding this property originally wanted to downzone the property from R20 to RS10, but since then had a majority vote to leave the property zoned R20. He stated there were constituents in attendance that wanted to share their concerns and issues regarding the subdivision. He did however, mentioned that the neighbors were in favor of leaving the street closed and not to open it as recommended by staff with the approval of the subdivision.

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

20. 2006S-316U-07 Boyce Subdivision -Request for final plat approval to create 2 lots on property located at 146 51st Avenue North - deferred until January 25, 2007 at the request of the applicant

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

V. PUBLIC HEARING: CONSENT AGENDA ZONING MAP AMENDMENTS

- | | | | |
|----|----------------|---|------------------------|
| 1. | 2005SP-168U-10 | Woodmont Condos - Request to amend a previously approved SP district on property located at 110, 112, 114, 116, 118 and 120 Woodmont Boulevard, and 111, 113 and 115 Kenner Avenue, to the original SP district and to permit 34 multifamily units and 3 single-family lots | - Approve w/conditions |
| 2. | 2007Z-004U-10 | Request to change from IWD to CS zoning property located at 924 8th Avenue South, approximately 175 feet north of Archer Street | - Approve |
| 3. | 2007Z-005G-04 | Request to change from CS to RM15 zoning a portion of properties located at Lombardia Court (unnumbered), south of Old Hickory Boulevard (2.0 acres) | - Approve |
| 4. | 95-85-P-04 | A request to amend the preliminary plan of the Residential Planned Unit Development District located abutting the south margin of Old Hickory Boulevard at Lombardia Lane, classified RM15 and CS with the portion zoned CS proposed for RM15 district (11.96 acres), to permit additional land area to the PUD overlay district to include 13 additional condominium units for a total of 40 condominium | - Approve w/conditions |

5. 2007SP-012G-12 Sugar Valley Place - Request to change from RM4 to SP zoning a portion of property located at Nolensville Pike (unnumbered), to permit the development of 40 townhomes - Approve w/conditions
6. 2007Z-016U-03 Request to change from RS10 to RM4 zoning property located at 2911 Stokers Lane - Approve
7. 2007P-001U-03 Mt. Hopewell Elderly Living Facility - Request to preliminary PUD approval for property located at 2911 Stokers Lane to permit a 32-unit assisted-living facility - Approve w/conditions
8. 2007Z-017U-13 Request to change from R15 to RS7.5 zoning a portion of properties located at 5208, 5212 and 5216 Rockridge Court, Ballard Court (unnumbered), 5304 and 5309 Ballard Court, Highlander Drive (unnumbered), and 5196 Highlander Drive - Approve

CONCEPT PLANS

11. 2004S-345U-13 Keeneland Downs - Request to extend the previous approved concept plat for 161 single-family cluster lots for one additional year for Keeneland Downs Subdivision - Approve w/conditions

REVISIONS AND FINAL SITE PLANS

15. 2006SP-119U-08 4th Avenue North/Monroe Street Final SP - Request for final site plan approval to permit the development of 38 units and 2,713 square feet of commercial space at 1211, 1215, 1217, 1219 and 1229 4th Avenue North, 4th Avenue North (unnumbered), and 407 Monroe Street - Approve w/conditions
16. 1-74-U-13 Abundant Life Ministries (Hickory Hollow Mall) - Request for final approval for a portion of a Commercial Planned Unit Development located at 5222 Hickory Hollow Parkway, to permit a religious institution use in an existing building. - Approve w/conditions
17. 70-85-P-13 Kensal Green, Phase 2 - Request for final approval to construct 42 single-family lots on property located east of Park Royal Lane - Approve w/conditions
18. 78-79-G-13 Request to revise the approved preliminary plan for a portion of a residential Planned Unit Development, and for final approval, classified R15 district (.1 acres), to permit the development of a 190 foot monopole communication tower and a 4,225 square foot equipment compound -Approve w/conditions
19. 95-85-P-04 request for a revision to preliminary and for final approval on a portion of a Residential Planned Unit Development District located abutting the south margin of Old Hickory Boulevard at Lombardia Lane, classified RM15 district (2.25 acres), to construct 22 townhouses -Approve w/conditions

25. New employment contract for Craig Owensby.

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

Mr. McLean arrived at 4:30 p.m.

VI. PUBLIC HEARING: ZONING MAP AMENDMENTS

1. 2005SP-168U-10

Woodmont Condos
Map 116-03, Parcels 89, 90, 91, 106, 107, 108, 109, 110, 111, 120
Subarea 10 (2005)
Council District 24 - John Summers

A request to amend a previously approved SP district on property located at 110, 112, 114, 116, 118 and 120 Woodmont Boulevard, and 111, 113 and 115 Kenner Avenue, approximately 550 feet east of Harding Pike (2.58 acres), to add land area (.23 ac) to the original SP district and to permit 34 multifamily units and 3 single-family lots, requested by Barge, Waggoner, Sumner and Cannon, applicant, for Chartwell Properties, owners.

STAFF RECOMMENDATION: Approve with conditions

APPLICANT REQUEST - Amend SP

A request to amend the Specific Plan (SP) district for property located at 110, 112A, 114, 116, 118 and 120 Woodmont Boulevard, and 111, 113 and 115 Kenner Avenue, to permit 34 multi-family units and 3 single-family lots. This request adds 0.23 acres to the SP and revises the building design.

Existing Zoning

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

Proposed Zoning

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

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

GREEN HILLS MIDTOWN COMMUNITY PLAN

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

Residential High (RH) - RH policy is intended for new and existing residential development with densities above twenty dwelling units per acre. Any multi-family housing type is generally appropriate to achieve this density. The most common residential type will generally be mid or high-rise structures.

Consistent with Policy? - Yes, the request is consistent with both the Residential Medium and Residential High policies. The request is to add an additional parcel to the SP district. The property to be added is 120 Woodmont Boulevard, located immediately south of the existing SP district. It is zoned R10 and is in the Residential Medium policy. The new parcel will not include any additional units and is consistent with the RM policy (See Plan Details Below).

PLAN DETAILS

History - This request was originally submitted as a straight zone change (RM60), and PUD, but was disapproved by the Planning Commission on November 10, 2005. The Council referred the request back to the Commission as an SP and subarea amendment and was approved by the Planning Commission on February 9, 2006, and by Council on February 22, 2006.

Site Plan - The original SP plan calls for 34 condominiums and three single-family residences. With the development three new multi-story residential buildings will front Woodmont Boulevard, and the three existing single-family homes along Kenner Avenue will remain. The three new multi-story buildings will consist of a 10-story, a 6-story and a 3-story building, which will step-down from north to south.

This request will simply add a new parcel to the SP district, as well as a pool and cabana. The new parcel to be included in the SP is 120 Woodmont Boulevard located directly to the south of the original SP district, and will allow for additional buffering from the most southern 3 story building and the adjacent single-family residence.

PUBLIC WORKS RECOMMENDATION

1. Approval of SP district does not relieve an applicant of the regulations of the Department of Public Works.
2. The developer’s construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
3. Any modifications to Woodmont Boulevard requires AASHTO tapers.
4. Provide solid waste disposal and recycling collection plan.
5. Project driveway along northern property boundary line shall align with Ashley Park Drive.
6. Project driveway along southern property boundary line shall be located a minimum of 170 feet to the south of Park Manor Boulevard.
7. In accordance with the recommendations of the traffic impact study, developer shall construct a d 3 lane cross section along Woodmont Boulevard frontage with a 2-way left turn land and transitions per AASHTO/ MUTCD standards. This turn lane shall continue to the north and align with the existing northbound left turn lane on Woodmont Boulevard at Harding Road. Widening shall accommodate bike lanes.

Maximum Uses in Existing Zoning District: SP

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	2.35	n/a	3	29	3	4

Land Use (ITE Code)	Acres	Density	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Res. Condo/townhome (230)	2.35	n/a	34	257	22	25

Maximum Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family detached (210)	2.58	n/a	3	29	3	4

Land Use (ITE Code)	Acres	Density	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Res. Condo/townhome (230)	2.58	n/a	34	257	22	25

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
--	+0.23		0	228	19	21

STORMWATER RECOMMENDATION -Approve with the following conditions:

1. Add Access Note: (Metro Water Services shall be provided sufficient and unencumbered access in order to maintain and repair utilities in this site.)
2. Add C/D Note: (Size driveway culverts per the design criteria set forth by the Metro Stormwater Management Manual (Minimum driveway culvert in Metro ROW is 15" CMP).)
3. Add the following note to the cover page: "All Construction Plans submitted after February 1, 2007 will be required to meet the revised 2006 Stormwater Management Regulations. Of those submitted plans, they must be deemed sufficient by March 1, 2007 and have passed technical review by May 1, 2007. All Construction Plans that don't meet this criterion will be subjected to the 2006 Stormwater Management Regulations."

METRO SCHOOL BOARD REPORT

Projected student generation 1Elementary 1Middle 1High

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

CONDITIONS

1. The application, including attached materials, plans and reports submitted by the applicant and all adopted conditions of approval shall constitute the plans and regulations as required for the Specific Plan rezoning until a Final Plan is filed per the requirement listed below. Except as otherwise noted herein, the application, supplemental information and conditions of approval shall be used by the planning department and department of codes administration to determine compliance, both in the review of final site plans and issuance of permits for construction and field inspection. Deviation from these plans will require review by the Planning Commission and approval by the Metropolitan Council.
2. For the portion of the development along Woodmont Boulevard a C-3 buffer yard shall be shown along the south property line.
3. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the RM60 zoning district at the effective date of this ordinance, which must be shown on the plan.
4. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
5. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
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.
7. Minor adjustments to the site plan may be approved by the planning commission or its designee based upon final architectural, engineering or site design and actual site conditions. All adjustments shall be consistent with the principles and further the objectives of the approved plan. Adjustments shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or intensity, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

8. Within 120 days of Planning Commission approval of this preliminary SP plan, and in any event prior to any additional development applications for this property, including submission of a final SP site plan, the applicant shall provide the Planning Department with a final corrected copy of the preliminary SP plan for filing and recording with the Davidson County Register of Deeds. Failure to submit a final corrected copy of the preliminary SP plan within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.

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

Resolution No. RS2007-001

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005SP-168U-10 is **APPROVED WITH CONDITIONS. (7-0)**

Conditions of Approval:

1. The application, including attached materials, plans and reports submitted by the applicant and all adopted conditions of approval shall constitute the plans and regulations as required for the Specific Plan rezoning until a Final Plan is filed per the requirement listed below. Except as otherwise noted herein, the application, supplemental information and conditions of approval shall be used by the planning department and department of codes administration to determine compliance, both in the review of final site plans and issuance of permits for construction and field inspection. Deviation from these plans will require review by the Planning Commission and approval by the Metropolitan Council.
2. For the portion of the development along Woodmont Boulevard a C-3 buffer yard shall be shown along the south property line.
3. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the RM60 zoning district at the effective date of this ordinance, which must be shown on the plan.
4. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
5. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
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.
7. Minor adjustments to the site plan may be approved by the planning commission or its designee based upon final architectural, engineering or site design and actual site conditions. All adjustments shall be consistent with the principles and further the objectives of the approved plan. Adjustments shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or intensity, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
8. Within 120 days of Planning Commission approval of this preliminary SP plan, and in any event prior to any additional development applications for this property, including submission of a final SP site plan, the applicant shall provide the Planning Department with a final corrected copy of the preliminary SP plan for filing and recording with the Davidson County Register of Deeds. Failure to submit a final corrected copy of the preliminary SP plan within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.

The proposed SP district is consistent with the Green Hills/Midtown Community Plan's Residential Medium and Residential High policies which collectively call for residential developments with a density between 4 and 20 dwelling units per acre.”

2. **2007Z-004U-10**
 Map 105-02, Parcel 448
 Subarea 10 (2005)
 Council District 17 - Ronnie E. Greer

A request to change from IWD to CS zoning property located at 924 8th Avenue South, approximately 175 feet north of Archer Street (0.44 acres), requested by Emily Thompson, applicant, for Chelsea Enterprises, owner.

STAFF RECOMMENDATION: Approve

APPLICANT REQUEST - A request to change from Industrial Warehousing/Distribution (IWD) to Commercial Service (CS) zoning property located at 924 8th Avenue South, approximately 175 feet north of Archer Street (0.44 acres)

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, auto-repair, auto sales, self-storage, light manufacturing and small warehouse uses.

GREEN HILLS/MIDTOWN COMMUNITY PLAN POLICY

Structure Policy

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

Edgehill Detailed Neighborhood Design Plan

Commercial - Commercial is intended for commercial uses only, with no residential uses. It is intended for mixed commercial buildings with shops at street level and office uses on the upper levels.

Consistent with Policy? -Rezoning to Commercial Service complies with the Commercial policy in the Edgehill Detailed Neighborhood Design Plan. Staff is not requiring a design plan because this rezoning complies with the desire for commercial development specified by the Commercial in Neighborhood Urban policy, there has not been much redevelopment in this area to date, and the applicant intends to use the existing building. If development activity increases in this area, staff will not be recommending approval of rezonings that are not accompanied by a design plan.

RECENT REZONINGS - None.

PUBLIC WORKS RECOMMENDATION - No Exceptions Taken.

Typical Uses in Existing Zoning District: IWD

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	0.44	.337	6,459	33	12	8

Typical Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (814)	0.44	.216	4,139	215	11	32

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

Land Use (ITE Code)	--	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--			2,320	182	-1	24

Approved (7-0), *Consent Agenda*

Resolution No. RS2007-002

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007Z-004U-10 is **APPROVED. (7-0)**

The proposed CS district is consistent with the Green Hills/Midtown Community Plan’s Neighborhood Urban and Commercial Detailed Neighborhood Design Plan which call for mixed use including residential and commercial uses.”

- 2007Z-005G-04**
 Map 043-14, Part of Parcels 055 and 057
 Subarea 4 (1998)
 Council District 9 - Jim Forkum

A request to change from CS to RM15 zoning a portion of properties located at Lombardia Court (unnumbered), south of Old Hickory Boulevard (2.0 acres), requested by Affordable Housing Resources, owner.

STAFF RECOMMENDATION: Approve

APPLICANT REQUEST - Request to change approximately 2 acres from Commercial Service (CS) to Multi-Family Residential (RM15) on property located on the south side of Old Hickory Boulevard.

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

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

MADISON COMMUNITY PLAN

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

Consistent with Policy? - Yes. The Proposed RM15 district and associated PUD plan are consistent with the area’s Commercial Arterial Existing policy which allows for multi-family developments. The majority of the subject property is already zoned RM15 and this will allow the property to be consolidated into one consistent development. Staff recommends that the request be approved because the requested RM15 and the associated Planned Unit Development application are consistent with the area’s CAE policy.

PUBLIC WORKS RECOMMENDATION - A TIS is required at development.

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
Strip Shopping Center (814)	2.0	0.299	26,048	1,152	28	84

Typical Uses in Proposed Zoning District: RM15

Land Use (ITE Code)	Acres	FAR	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Res. Condo/townhome (230)	2.0	15	30	231	20	23

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
--				-921	-8	-61

Maximum Uses in Existing Zoning District: CS

Land Use (ITE Code)	Acres	Density	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Specialty Retail Center (820)	2.0	0.6	52,272	4,445	107	408

Maximum Uses in Proposed Zoning District: RM15

Land Use (ITE Code)	Acres	FAR	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Res. Condo/townhome (230)	2.0	15	30	231	20	3

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
--				-4,214	-87	-405

METRO SCHOOL BOARD REPORT

Projected student generation 1Elementary 1Middle 1High

Schools Over/Under Capacity - Students would attend Stratton Elementary School, Neely's Bend Middle School, and Hunter's Lane 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.

Approved (7-0), *Consent Agenda*

Resolution No. RS2007-003

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007Z-005G-04 is **APPROVED. (7-0)**

The proposed RM15 and associated PUD plan are consistent with the Madison Community Plan's Commercial Arterial Existing policy which is for mixed use including commercial and residential.”

4. **95-85-P-04**
Lanier Park (Formerly Skyee Meadows) Phase III
Map 043-14, Part of Parcels 55, and part of Parcel 57
Subarea 4 (1998)
Council District 9 - Jim Forkum

A request to amend the preliminary plan of the Residential Planned Unit Development District located abutting the south margin of Old Hickory Boulevard at Lombardia Lane, classified RM15 and CS with the portion zoned CS proposed for RM15 district (11.96 acres), to permit additional land area to the PUD overlay district to include 13 additional condominium units for a total of 40 condominium, requested by Dale and Associates, for Affordable Housing Resources Inc., owner. (See also Zone Change No. 2007Z-005G-04).

STAFF RECOMMENDATION: Approve with conditions

APPLICANT REQUEST - Amend PUD

A request to amend the preliminary plan for a residential Planned Unit Development district located on the south side of Old Hickory Boulevard at Lombardia Lane, zoned Commercial Service (CS) and Multi-Family Residential (RM15) with the portion zoned CS proposed for RM15, to permit an additional 1.6 acres to include 18 additional condominium units.

PLAN DETAILS

Associated Case - Item #19 is for Lanier Park Phase II, which is a request for a revision to the preliminary plan and final PUD approval. Phase II is adjacent to this phase, and shares some facilities and infrastructure. Phase II is consistent with the concept of the originally approved plan with minor changes, which accommodate this development. Staff is recommending that the revision and final for Lanier Park Phase II be approved with conditions.

Site Plan - The plan proposes 18 condominiums on approximately 1.6 acres with a density of approximately 11.25 units per acre for this phase, and an overall density of approximately 7 units per acre for the entire PUD. The units will be accessed from a private drive off of Lombardia Lane. Ten units will be on the north side of Lombardia Lane, and the remaining eight will be on the south side of Lombardia Lane. The eight units along Old Hickory Boulevard will front the street. Sidewalks are shown on both sides of Lombardia Lane and along the property frontage of Old Hickory Boulevard. Sidewalks are also located within the development, and will adequately carry pedestrians to and from Old Hickory Boulevard.

Parking - The Metro Code requires 36 parking spaces (2 per unit). The plan is calling for a total of 42 parking spaces, which will provide additional spaces for guest parking.

Original Plan - This will be the third phase of Lanier Park PUD, formerly known as Skyee Meadows. The preliminary plan was originally approved for 145 condominiums. The most recent revision to this PUD was approved in 2001 for 45 single-family lots and 27 condominiums. If approved, this plan will bring the total number of units to 84, with 44 single-family lots and 40 condominiums. Since this request will add area and units to the PUD district it requires Council approval.

Staff Recommendation-The proposed addition to the PUD district is consistent with the concept of the last approved PUD. Since the plan is consistent with the last approved concept, then staff recommends that the request be approved with conditions.

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

STORMWATER RECOMMENDATION –Approve

CONDITIONS

1. On the cover sheet the max number of units under “PUD Summary” shall be revised to 84.
2. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.

3. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
4. Subsequent to enactment of this planned unit development overlay district by the Metropolitan Council, and prior to any consideration by the Metropolitan Planning Commission for final site development plan approval, a paper print of the final boundary plat for all property within the overlay district must be submitted, complete with owner's signatures, to the Planning Commission staff for review.
5. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
6. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
7. This preliminary plan approval for the residential portion of the master plans is based upon the stated acreage. The actual number of dwelling units to be constructed may be reduced upon approval of a final site development plan if a boundary survey confirms there is less site acreage.
8. Prior to any additional development applications for this property, the applicant shall provide the Planning Department with a final corrected copy of the PUD plan for filing and recording with the Davidson County Register of Deeds.

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

Resolution No. RS2007-004

“BE IT RESOLVED by The Metropolitan Planning Commission that 95-85-P-04 is **APPROVED WITH CONDITIONS. (7-0)**

Conditions of Approval:

1. On the cover sheet the max number of units under “PUD Summary” shall be revised to 84.
2. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
3. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
4. Subsequent to enactment of this planned unit development overlay district by the Metropolitan Council, and prior to any consideration by the Metropolitan Planning Commission for final site development plan approval, a paper print of the final boundary plat for all property within the overlay district must be submitted, complete with owner's signatures, to the Planning Commission staff for review.
5. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
6. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
7. This preliminary plan approval for the residential portion of the master plans is based upon the stated acreage. The actual number of dwelling units to be constructed may be reduced upon approval of a final site development plan if a boundary survey confirms there is less site acreage.

8. Prior to any additional development applications for this property, the applicant shall provide the Planning Department with a final corrected copy of the PUD plan for filing and recording with the Davidson County Register of Deeds.

The proposed PUD plan and associated RM15 district are consistent with the Madison Community Plan's Commercial Arterial Existing policy which is for mixed use including commercial and residential."

5. **2007SP-012G-12**
Sugar Valley Place
Maps 181-00, Part of Parcel 279
Subarea 12 (2004)
Council District 31 - Parker Toler

A request to change from RM4 to SP zoning a portion of property located at Nolensville Pike (unnumbered), between Sunnywood Drive and Culbertson Road (10.07 acres), to permit the development of 40 townhomes, requested by Anderson, Delk, Epps & Associates, applicant, for SAF Properties, owner.

STAFF RECOMMENDATION: Approve with conditions

APPLICANT REQUEST - Preliminary SP

A request to change from Multi-Family Residential (RM4) to Specific Plan (SP) zoning a portion of property located at Nolensville Pike (unnumbered), between Sunnywood Drive and Culbertson Road (10.07 acres), to permit the development of 40 townhomes.

Existing Zoning

RM4 District - RM4 is intended for single-family, duplex and multi-family dwellings at a density of 4 dwelling units per acre.

Proposed Zoning

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

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

SOUTHEAST COMMUNITY PLAN POLICY

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

Consistent with Policy? - Yes. The proposed SP plan has a density of the 4 dwelling units per acre which implements the RLM density.

RECENT REZONINGS - None.

PLAN DETAILS - The plan proposes 40 townhouses, which would be allowed under the current zoning of RM4. The SP district allows for flexibility of setbacks. The street setback on a nonarterial street in the RM4 district is 70 feet from the centerline. The setback proposed by this plan is 40 feet.

Approximately half of the site is constrained with floodplain. The units are clustered in the part of the site that is out of the floodplain. Two soccer fields are proposed in the floodplain. A combination of private streets and alleys are proposed within the development.

Greenway - This SP has a portion of a parcel that floodplain and floodway adjacent to Mill Creek. This land is included in the Greenways Master Plan as a future greenway area. As a condition of approval, staff recommends that a standard greenway, conservation and public access easement be dedicated by plat or easement prior to the recording of a final plat or the issuance of any permit, including a grading permit for this project. This greenway should include the floodway of Mill Creek plus 75 additional feet from the top of bank, as specified in the Greenways Master Plan and the Subdivision Regulations.

PUBLIC WORKS RECOMMENDATION - The developer's construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.

- Turnarounds on dead-end alleys to accommodate SU-30 turning movements.
- Identify plans for solid waste disposal and recycling collection.

Maximum Uses in Existing Zoning District: RM4

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Res. Condo/townhome (230)	10.07	4	40	295	25	29

Maximum Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	Density	Total Number of Unit	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Res. Condo/townhome (230)	10.07	n/a	40	295	25	29

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	0	0	0

METRO SCHOOL BOARD REPORT - No additional students would be generated by this request since the density proposed by the SP district is the same as what could be achieved under the current RM4 zoning.

STORMWATER RECOMMENDATION - Preliminary SP approved except as noted:

- Add C/D Note: (Size driveway culverts per the design criteria set forth by the Metro Stormwater Management Manual (Minimum driveway culvert in Metro ROW is 15" CMP).)
- Add the following note to the cover sheet: "All Construction Plans submitted after February 1, 2007 will be required to meet the revised 2006 Stormwater Management Regulations. Of those submitted plans, they must be deemed sufficient by March 1, 2007 and have passed technical review by May 1, 2007. All Construction Plans that do not meet these criteria will be subjected to the 2006 Stormwater Management Regulations.

FIRE MARSHALL RECOMMENDATION

- No part of any building shall be more than 500 ft from a fire hydrant via an approved hard surface road. Metro Ordinance 095-1541 Sec: 1568.020 B

- Fire Hydrants shall be in-service and tested before any combustible material is brought on site.
- Multi family buildings (Condo's, Apartments, Townhomes, etc.) fire hydrants should flow 1250 GPM's @ 40 psi.

* Private Alley's will need to be accepted by Public Works.

CONDITIONS

1. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the RM4 zoning district effective at the date of the building permit. This zoning district must be shown on the plan.
2. The application, dated December 18, 2006, including attached materials, plans and reports submitted by the applicant and all adopted conditions of approval shall constitute the plans and regulations as required for the Specific Plan rezoning until a Final Plan is filed per the requirement listed below. Except as otherwise noted herein, the application, supplemental information and conditions of approval shall be used by the Planning Department and Department of Codes Administration to determine compliance, both in the review of final site plans and issuance of permits for construction and field inspection. Deviation from these plans will require review by the Planning Commission and approval by the Metropolitan Council.
3. All stormwater management requirements and conditions of the Department of Water Services shall be approved prior to approval of the final site plan. Prior to the issuance of any permits, confirmation of compliance with the final approval of this proposal shall be forwarded to the Planning Department 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 Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
5. Signage shall be limited to one monument type sign 20 square feet or less, and not exceed 4 feet in height.
6. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
7. : Minor adjustments to the site plan may be approved by the planning commission or its designee based upon final architectural, engineering or site design and actual site conditions. All adjustments shall be consistent with the principles and further the objectives of the approved plan. Adjustments shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or intensity, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
8. Within 120 days of Planning Commission approval of this preliminary SP plan, and in any event prior to any additional development applications for this property, including submission of a final SP site plan, the applicant shall provide the Planning Department with a final corrected copy of the preliminary SP plan for filing and recording with the Davidson County Register of Deeds.

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

Resolution No. RS2007-005

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007SP-012G-13 is **APPROVED WITH CONDITIONS. (7-0)**

Conditions of Approval:

1. For any development standards, regulations and requirements not specifically shown on the SP plan and/or

included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the RM4 zoning district effective at the date of the building permit. This zoning district must be shown on the plan.

2. The application, dated December 18, 2006, including attached materials, plans and reports submitted by the applicant and all adopted conditions of approval shall constitute the plans and regulations as required for the Specific Plan rezoning until a Final Plan is filed per the requirement listed below. Except as otherwise noted herein, the application, supplemental information and conditions of approval shall be used by the Planning Department and Department of Codes Administration to determine compliance, both in the review of final site plans and issuance of permits for construction and field inspection. Deviation from these plans will require review by the Planning Commission and approval by the Metropolitan Council.
3. All stormwater management requirements and conditions of the Department of Water Services shall be approved prior to approval of the final site plan. Prior to the issuance of any permits, confirmation of compliance with the final approval of this proposal shall be forwarded to the Planning Department 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 Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
5. Signage shall be limited to one monument type sign 20 square feet or less, and not exceed 4 feet in height.
6. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
7. : Minor adjustments to the site plan may be approved by the planning commission or its designee based upon final architectural, engineering or site design and actual site conditions. All adjustments shall be consistent with the principles and further the objectives of the approved plan. Adjustments shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or intensity, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
8. Within 120 days of Planning Commission approval of this preliminary SP plan, and in any event prior to any additional development applications for this property, including submission of a final SP site plan, the applicant shall provide the Planning Department with a final corrected copy of the preliminary SP plan for filing and recording with the Davidson County Register of Deeds.

The proposed SP district is consistent with the Southeast Community Plan's Residential Low Medium policy which is intended for residential development with a density between 2 and 4 units per acre."

6. **2007Z-016U-03**
Map 070-02, Part of Parcel 011
Subarea 3 (2003)
Council District 2 - Jamie D. Isabel, Sr.

A request to change from RS10 to RM4 zoning property located at 2911 Stokers Lane (2.71 acres), requested by Dale & Associates, applicant, for Mt. Hopewell Community Development Corporation, owner.

STAFF RECOMMENDATION: Approve

APPLICANT REQUEST - A request to change from Single-Family Residential (RS10) to Multi-Family Residential (RM4) zoning property located at 2911 Stokers Lane (2.71 acres).

Existing Zoning

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

Proposed Zoning

RM4 District - RM4 is intended for single-family, duplex and multi-family dwellings at a density of 4 dwelling units per acre.

DONELSON- HERMITAGE COMMUNITY PLAN POLICY

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

Consistent with Policy? - Yes. The RM4 zoning district implements the policy range specified in the RLM policy. Additionally, the associated Planned Unit Development for an assisted living facility will provide a range of housing options for the community.

RECENT REZONINGS - None.

PUBLIC WORKS RECOMMENDATION - No exception taken. In accordance with the traffic study guidelines, no access study is required for a development of this size.

Maximum Uses in Existing Zoning District: RS10

Land Use (ITE Code)	Acres	Density	Total Number of Lot	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family detached(210)	2.01	3.71	27	259	21	28

Maximum Uses in Proposed Zoning District: RM4/ w PUD

Land Use (ITE Code)	Acres	Density	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Assisted Living(254)	2.01	n/a	32	151	5	8

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
--				-108	-16	-20

METRO SCHOOL BOARD REPORT

Projected student generation* 5 Elementary 3 Middle 3 High

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

*This project is not projected to produce any students if developed as proposed by the associated Planned Unit Development.

Approved (7-0), *Consent Agenda*

Resolution No. RS2007-006

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007Z-016U-03 is **APPROVED. (7-0)**”

The proposed RM4 district and the associated PUD plan are consistent with the Donelson/Hermitage Community Plan's Residential Low Medium which is intended to accommodate residential developments with a density between 2 and 4 dwelling units per acre."

7. **2007P-001U-03**
Mt. Hopewell Elderly Living Facility
Map 070-02, Part of Parcel of 11
Subarea 3 (2003)
Council District 2 - Jamie D. Isabel, Sr.

A request to preliminary PUD approval for property located at 2911 Stokers Lane (2.71 acres), to permit a 32-unit assisted-living facility, requested by Dale & Associates, applicant, for Mt. Hopewell Community Development Corporation, owner.

STAFF RECOMMENDATION: Approve with conditions

APPLICANT REQUEST - Preliminary PUD

A request for preliminary PUD approval for property located at 2911 Stokers Lane (2.71 acres), to permit a 32-unit assisted-living facility, requested by Dale & Associates, applicant, for Mt. Hopewell Community Development Corporation, owner.

PLAN DETAILS - The development proposal is for a 19,200 square foot, 32-bed assisted living facility beside the existing Mt. Hopewell Missionary Baptist Church. The assisted living facility shares an access drive on Buena Vista Pike with the existing church. The building is two stories. 39 parking spaces are being provided, while only 11 spaces are required.

This property is located in the Urban Services District and sidewalks are required along Buena Vista Pike, though they have not been shown on the plan.

STORMWATER RECOMMENDATION - Preliminary approved

PUBLIC WORKS RECOMMENDATION -The developer's construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.

- Adequate sight distance is required at the project entrance.
- Provide plans for solid waste disposal and recycling collection.
- The southbound left turn lane on Buena Vista Pike at Stokers Lane shall be constructed /or bonded prior to building permit issuance.

CONDITIONS

1. Sidewalks are required along the frontage of the property.
2. The southbound left turn lane on Buena Vista Pike at Stokers Lane shall be constructed /or bonded prior to building permit issuance.
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 Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
5. Subsequent to enactment of this planned unit development overlay district by the Metropolitan Council, and prior to any consideration by the Metropolitan Planning Commission for final site development plan approval, a paper print of the final boundary plat for all property within the overlay district must be submitted, complete with owner's signatures, to the Planning Commission staff for review.

6. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
7. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
8. This preliminary plan approval for the residential portion of the master plans is based upon the stated acreage. The actual number of dwelling units to be constructed may be reduced upon approval of a final site development plan if a boundary survey confirms there is less site acreage.
9. Prior to any additional development applications for this property, the applicant shall provide the Planning Department with a final corrected copy of the PUD plan for filing and recording with the Davidson County Register of Deeds.

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

Resolution No. RS2007-007

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007P-001U-03 is **APPROVED WITH CONDITIONS. (7-0)**

Conditions of Approval:

1. Sidewalks are required along the frontage of the property.
2. The southbound left turn lane on Buena Vista Pike at Stokers Lane shall be constructed /or bonded prior to building permit issuance.
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 Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
5. Subsequent to enactment of this planned unit development overlay district by the Metropolitan Council, and prior to any consideration by the Metropolitan Planning Commission for final site development plan approval, a paper print of the final boundary plat for all property within the overlay district must be submitted, complete with owner's signatures, to the Planning Commission staff for review.
6. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
7. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
8. This preliminary plan approval for the residential portion of the master plans is based upon the stated acreage. The actual number of dwelling units to be constructed may be reduced upon approval of a final site development plan if a boundary survey confirms there is less site acreage.

9. Prior to any additional development applications for this property, the applicant shall provide the Planning Department with a final corrected copy of the PUD plan for filing and recording with the Davidson County Register of Deeds.

The proposed PUD plan and the associated RM4 district are consistent with the Donelson/Hermitage Community Plan’s Residential Low Medium which is intended to accommodate residential developments with a density between 2 and 4 dwelling units per acre.”

- 8. 2007Z-017U-13**
 Map163-02-0-A, Part of Various Parcels
 Subarea 13 (2003)
 Council District 28 - Jason Alexander

A request to change from R15 to RS7.5 zoning a portion of properties located at 5208, 5212 and 5216 Rockridge Court, Ballard Court (unnumbered), 5304 and 5309 Ballard Court, Highlander Drive (unnumbered), and 5196 Highlander Drive, requested by MEC Inc., applicant for Jerry Butler Builders LLC, owner.

STAFF RECOMMENDATION: Approve

APPLICANT REQUEST- A request to change from One and Two-Family Residential (R15) to Single-Family Residential (RS7.5) zoning a portion of properties located at 5208, 5212 and 5216 Rockridge Court, Ballard Court (unnumbered), 5304 and 5309 Ballard Court, Highlander Drive (unnumbered), and 5196 Highlander Drive

Existing Zoning

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

Proposed Zoning

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.

ANTIOCH/PRIEST LAKE COMMUNITY PLAN POLICY

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

Consistent with Policy? - Yes. The residential density envisioned for this area is between four and nine dwelling units per acre. This request is within that range. Additionally, the twelve lots requesting to be rezoned are split between two zoning districts. This request will remedy the split zoning and allow the lots to be within the same zoning district as the rest of the subdivision.

The same portions of these parcels that are requested to be rezoned are located in a Residential Planned Unit Development. A PUD cancellation request will be on the next agenda.

RECENT REZONINGS - None.

PUBLIC WORKS RECOMMENDATION - No Exceptions Taken.

Maximum Uses in Existing Zoning District: R15

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family detached(210)	3.83	2.47	11	106	9	12

Maximum Uses in Proposed Zoning District: RS7.5

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family detached(210)	3.83	4.94	22	211	17	23

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
--			11	105	8	11

METRO SCHOOL BOARD REPORT

Projected student generation 2 Elementary 2 Middle 2 High

Schools Over/Under Capacity Students would attend J.E. Moss Elementary School, Apollo Middle School, or Antioch High School. J.E. Moss Elementary School and Antioch High School have been identified as being over capacity by the Metro School Board. There are two elementary schools in the cluster that have capacity. There is capacity at a high school in a neighboring cluster. This information is based upon data from the school board last updated August 2006.

Approved (7-0), *Consent Agenda*

Resolution No. RS2007-008

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007Z-017U-13 is **APPROVED. (7-0)**

The proposed RS7.5 district is consistent with the Antioch/Priest Lake Community Plan’s Residential Medium policy which is intended for residential developments with a density between 4 and 9 units per acre.”

VII. CONCEPT PLANS

- 9. **2006S-389G-02**
 Timberwood Subdivision
 Map 050-00, Parcel 025
 Subarea 2 (1995)
 Council District 3 - Walter Hunt

A request to revise a previously approved concept plan to create 115 lots on property located at Brick Church Pike (unnumbered), on an extended Rainwood Drive (25.06 acres), zoned RS7.5, requested by Nashville Area Habitat for Humanity, owner, Littlejohn Engineering, surveyor.

STAFF RECOMMENDATION: Approve with conditions

APPLICANT REQUEST - A request to revise a previously approved concept plan to create 115 lots on property located at Brick Church Pike (unnumbered), on an extended Rainwood Drive (25.06 acres), zoned Single-Family Residential (RS7.5).

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.

CLUSTER LOT OPTION - The cluster lot option allows the applicant to reduce minimum lot sizes two base zone districts from the base zone classification of RS7.5(minimum 7,500 sq. ft. lots) to RS3.75 (minimum 3,750 sq. ft. lots). The proposed lots range in size from 3,750 square feet to 15,000 square feet. The cluster lot option is being used due to a gas easement that runs through the property.

Pursuant to Section 17.12.090(D) of the Metro Zoning Ordinance, cluster lot subdivisions require a minimum of 15% open space per phase. The applicant complies with this requirement by proposing approximately a total of 4 acres (19%) of open space – which exceeds the minimum open space acreage required.

SUBDIVISION DETAILS

Access/Street Connectivity - Access is proposed from the existing stub streets of Rainwood Drive, Trailway Circle, Heartdale Place, and Hawkwood Lane. The stub street of Stockdale Lane is not proposed to connect due to the proximity of the proposed Hawkwood Court and the angle of the existing stub street.

Sidewalks - Sidewalks are required along all the new streets within the subdivision and are shown on the plan.

Landscape Buffer Yards - Perimeter lots have been reduced in size the equivalent of one zoning district and standard B landscape buffer yards will be installed.

PUBLIC WORKS RECOMMENDATION

1. Show professional seal. Identify name of firm that prepared plat.
2. The developer's construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
3. Traffic impact study shall be required or comply with the following previous conditions:
 - Developer shall construct a southbound left turn lane on Brick Church Pike at Chesapeake Dr with 100 ft of storage and transitions in accordance with AASHTO/MUTCD standards.
 - Developer shall stripe Chesapeake Dr for 2 exit lanes with 50 ft of storage and 1 entering lane at the intersection with Brick Church Pike.

CONDITIONS

1. All traffic conditions listed above must be completed or bonded prior to final plat approval.
2. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must be platted to include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
3. Change "Cluster Lot Option" reference from 17.12.080 to 17.12.090 of the Metro Zoning Ordinance.
4. Add access to open space B east of Lot 39.
5. Label all buffers and open space.
6. Label Hawkwood Court.
7. The area of Lot 15 must be at least 3,750 square feet.
8. Within 120 days of Planning Commission approval of this concept plan, and in any event prior to any additional development applications for this property, including submission of a final plat, the applicant shall provide the Planning Department with a final corrected copy of the concept plan for filing and recording with the Davidson County Register of Deeds.

Mr. Kleinfelter announced that Councilmember Hunt had issues regarding #2006S-389G-02, Timberwood Subdivision which caused staff to remove this item from the Consent Agenda. However, Councilmember Hunt was not present at the meeting and after polling the audience as to whether anyone was present to speak in opposition to the proposal, the Commission was able to take action on the 2006S-389G-02.

Ms. Nielson moved and Ms. Jones seconded the motion, which passed unanimously to approve with conditions 2006S-389G-02. **(8-0)**

Resolution No. RS2007-009

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006s-389G-02 is **APPROVED WITH CONDITIONS. (8-0)**

Conditions of Approval:

1. All traffic conditions listed above must be completed or bonded prior to final plat approval.
2. The requirements of the Metropolitan Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must be platted to include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
3. Change “Cluster Lot Option” reference from 17.12.080 to 17.12.090 of the Metro Zoning Ordinance.
4. Add access to open space B east of Lot 39.
5. Label all buffers and open space.
6. Label Hawkwood Court.
7. The area of Lot 15 must be at least 3,750 square feet.
8. Within 120 days of Planning Commission approval of this concept plan, and in any event prior to any additional development applications for this property, including submission of a final plat, the applicant shall provide the Planning Department with a final corrected copy of the concept plan for filing and recording with the Davidson County Register of Deeds.”

-
- 10. 2007S-007U-07**
Patina II
Map 103-02, Parcels 070, 071, 072
Subarea 11 (1999)
Council District 24 - John Summers

A request for concept plan approval to create 17 lots on property located at 216, 218, and 222 Orlando Avenue, approximately 540 feet south of Lenox Avenue (3.83 acres), zoned R6, requested by John and Barbara Hamilton, owners, Joseph G. Petrosky Associates LLC, surveyor.

STAFF RECOMMENDATION: Approve with conditions

APPLICANT REQUEST - Concept Plan

A request for concept plan approval to create 17 lots on property located at 216, 218, and 222 Orlando Avenue, approximately 540 feet south of Lenox Avenue (3.83 acres), zoned One and Two-Family Residential (R6).

ZONING

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

PLAN DETAILS - The concept plan proposes 17 lots located off an extension of an existing private drive, Patina Circle. Patina Circle begins in the Patina PUD. The Patina PUD was approved in 2003 and contains 15 single family lots. Patina Circle connects to Orlando Avenue. The property is located along the Richland Creek Greenway and a greenway easement dedication has been shown on the plan.

Variance for Private Drive - Since this application is not located in a Planned Unit Development; a private drive is not permitted by-right. A variance request has been submitted with the subdivision application for a private drive. The applicant’s basis for hardship is an undesirable lot configuration that would result if the public street standards were required because it would not match the existing private street section that is stubbed out at the adjoining

property line. The applicant feels that mismatched right of way, and the additional land disturbance to meet the public right of way standard would affect both the quality and desirability of the neighborhood for the existing lots as well as the proposed lots.

Staff recommends approval of the variance for a private drive. It is a logical continuation of the existing private drive and will provide continuity between the existing Patina PUD and this new subdivision.

Since this will be a private drive in 2 different developments, an addendum to the current restrictive covenants will need to be recorded that to document that the road connection will happen and that it can't be blocked off sometime in the future. This addendum must be recorded and provided to the Planning Staff prior to the issuance of a grading permit and/or final plat approval.

PUBLIC WORKS RECOMMENDATION - Following are review comments for the submitted Patina II concept plat (2007S-007U-07), received December 22, 2006. Public Works' comments are as follows:

- The developer's construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- Change proposed road name.
- Construct turnaround per ST-331 at terminus of proposed roadway.
- Provide documentation that both associations will be combined prior to construction plan approval.

STORMWATER RECOMMENDATION- Approve

CONDITIONS

1. An addendum to the current restrictive covenants for the Patina PUD will need to be recorded prior to the issuance of grading permit and/or final plat approval that combines the two homeowners associations and documents that the road connection between the two sections of private drive can be constructed and will not be blocked off sometime in the future.
2. Within 120 days of Planning Commission approval of this concept plan, and in any event prior to any additional development applications for this property, including submission of a final plat, the applicant shall provide the Planning Department with a final corrected copy of the concept plan for filing and recording with the Davidson County Register of Deeds.

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

Mr. Clifton requested additional information regarding the condition that refers to a restrictive covenant.

Ms. Withers explained the restrictive covenant references a private street included in the proposal.

Mr. Clifton questioned whether acknowledging the covenant would actually cause it to be reinforced.

Mr. Bernhardt explained that staff could not recommend approval unless the restrictive covenant was referenced to ensure that the street connection is made and maintained.

Mr. Clifton questioned the outcome if the restrictive covenant was not included and agreed on by the parties involved.

Ms. Withers explained that prior to the issuance of grading permits, the restrictive covenant must be in place.

Mr. McLean moved and Ms. Nielson seconded the motion, which passed unanimously, to approve with conditions, Concept Plan 2007S-007U-07. **(8-0)**

Resolution No. RS2007-010

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007S-007U-07 is **APPROVED WITH CONDITIONS, including 4 duplex lots and no access for construction vehicles on existing Patina Circle. (8-0)**

Conditions of Approval:

1. An addendum to the current restrictive covenants for the Patina PUD will need to be recorded prior to the issuance of grading permit and/or final plat approval that combines the two homeowners associations and documents that the road connection between the two sections of private drive can be constructed and will not be blocked off sometime in the future.
2. Within 120 days of Planning Commission approval of this concept plan, and in any event prior to any additional development applications for this property, including submission of a final plat, the applicant shall provide the Planning Department with a final corrected copy of the concept plan for filing and recording with the Davidson County Register of Deeds.”

11. 2004S-345U-13

Keeneland Downs
Map 150-00, Part of Parcels 129,130 and 131
Subarea 13 (2003)
District 33 - Robert Duvall

A request to extend the previous approved concept plat for 161 single-family cluster lots for one additional year for Keeneland Downs Subdivision located on the south margin of Hamilton Church Road, approximately 1000 feet west of the Mount View Road intersection (44.726 acres), classified within the RS10 , requested by Fischer/Ford LLC, owner/applicant.

STAFF RECOMMENDATION: Approve with conditions

APPLICANT REQUEST - Concept Plan Extension

A request to extend the previous approved 161 single-family cluster lot concept plan for one additional year, property located on the south margin of Hamilton Church Road, approximately 1000 feet west of the Mount View Road intersection (44.73 acres), zoned Single-Family Residential (RS10).

Section 2-3.4(f) of the Subdivision Regulations (below), stipulates the effective period for concept plan approval. According to Section 2-3.4(f), the concept 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 concept plan for Keeneland Downs Subdivision was originally approved for 161 lots on January 27, 2005 and will expire on January 27, 2007. A final plat application was submitted for phase one on June 26, 2006, but has not yet been recorded. Initial bond estimates for the project were \$2.76 million and with all the work that has taken place in the subdivision the bonds have been reduced to \$1.27 million with work still in progress. Streets and infrastructure are in place with the exception a sewer pump, final coat of blacktop, sidewalks and turning lanes into the development along Hamilton Church Road.

Staff Recommendation - Since significant progress has been made in this development. Staff recommends that the concept plat approval be extended for a period of one (1) year, and include all original conditions.

APPLICABLE SUBDIVISION REGULATION 2-3.4(f) Effective Period of Preliminary Approval –

The approval of a concept plan of a minor subdivision shall be effective for a period of one year and the approval of a concept plan for a major subdivision shall be effective for two years from the date of Planning Commission Approval. Prior to the expiration of the concept plan approval, such plan approval may be extended for one additional year upon request and if the Planning Commission deems such extension appropriate based upon progress made in developing the subdivision.

PREVIOUS CONDITIONS OF APPROVAL (1/27/2005)

Resolution No. RS2005-046

“BE IT RESOLVED by The Metropolitan Planning Commission that 2004S-345U-13 is APPROVED WITH CONDITIONS, including the conditions that a paved pedestrian connection be provided from the end of cul-de-sac “E” or at some point along Road “B” to allow pedestrian access to Hamilton Church Road, and that the landscape plans for the required buffer yard be submitted to the urban forester for review prior to the issuance of the grading permit. (8-0)”

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

Resolution No. RS2007-011

“BE IT RESOLVED by The Metropolitan Planning Commission that 2004S-345U-13 is **APPROVED WITH CONDITIONS. (7-0)**

Conditions of Approval:

1. A paved pedestrian connection be provided from the end of cul-de-sac “E” or at some point along Road “B” to allow pedestrian access to Hamilton Church Road, and that the landscape plans for the required buffer yard be submitted to the urban forester for review prior to the issuance of the grading permit.”

VIII. FINAL PLATS

12. **2006S-379U-07**
West Meade Farms, Section 1, Resub. Lot 40
Maps 129-07, Parcel 002
Subarea 7 (2000)
Council District 23 - Emily Evans

A request for final plat approval to create 2 lots on property located at 201 Robin Hill Road, at the northwest corner of Robin Hill Road and Vaughns Gap Road (4.05 acres), zoned RS80, requested by Nick Varallo Jr. and Frances Varallo, owners, H & H Land Surveying, surveyor.

STAFF RECOMMENDATION: Approve with conditions

APPLICANT REQUEST - A request for final plat approval to create 2 lots on property located at 201 Robin Hill Road, at the northwest corner of Robin Hill Road and Vaughn’s Gap Road (4.05 acres), zoned Single-Family Residential (RS80).

ZONING

RS80 District - RS80 requires a minimum 80,000 square foot lot and is intended for single-family dwellings at a density of .46 dwelling units per acre.

PLAN DETAILS - This subdivision proposes to subdivide one lot into two lots.

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	Frontage		Area	
	Required	Proposed	Required	Proposed
Robin Hill Road-	265.95	Lot 40A-301.66	91,230.98	Lot 40A-88,013
Both lots		Lot 40B-267		Lot 40B-89,214
Vaughn's Gap Road	169.2	424.74	67,749.41	89,214
Lot 40B				

Both proposed lots fail for area on Robin Hill Road.

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

The proposed lots could meet 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 predominate development type is single-family homes.

Recommendation - Staff recommends the granting of an exception to lot comparability since the proposed subdivision is consistent with the land use policy and does not affect the overall character of Robin Hill Road or Vaughn's Gap Road.

PUBLIC WORKS RECOMMENDATION - No Exceptions Taken.

STORMWATER RECOMMENDATION - Approved Except as Noted.

- Correct the subdivision number. The proper subdivision number is 2006S-379U-07

CONDITIONS

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

1. Remove descriptions of revisions.
2. Correct the subdivision number. The proper subdivision number is 2006S-379U-07

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

Ms. Letty Lou Gilbert, 209 Robin Hill Road, spoke in opposition to the proposal.

Mr. Glenn Turner, 6521 Rolling Fork, spoke in opposition to the proposal.

Mr. Nick Varallo, 301 St. James Park, spoke in favor of the proposal.

Mr. Bruce Yazdian, 213 200 Vaughns Gap Road, spoke in opposition to the proposal.

Councilmember Evans explained she had several complaints regarding the lot comparability waiver associated with this proposal and requested that the proposal be disapproved.

Mr. Loring stated he had issues with the lot comparability and its compatibility with the surrounding properties.

Ms. Jones spoke on the other orientations of homes surrounding this parcel that would justify this proposal.

Ms. Nielson spoke of the implications of subdividing lots in association with compatibility of surrounding parcels.

Mr. McLean requested additional clarification regarding the orientation of the proposed homes in relation to other homes in the area.

Ms. Logan explained this concept to the Commission.

Ms. Nielson requested additional information regarding accessibility into the lots, in particular, the proposed corner lot.

Ms. Logan stated that the Commission could recommend a condition as to the placement of the driveway.

Ms. Nielson suggested the Commission condition the recommendation to state that the driveway be placed off of Vaughn's Gap Road.

Mr. Clifton requested additional information on the staff's recommendation.

Mr. Bernhardt explained this to the Commission.

Mr. Tyler requested additional information regarding the proposed lot of 40B. He questioned the orientation of other homes surrounding this property. He stated that the subdivision would change the character of the existing neighborhood.

Ms. Beehan expressed a concern with the Commission placing a condition on the proposal without really being aware of the topography of the land.

Mr. McLean moved and Ms. Jones seconded the motion, to approve with conditions Final Plat 2006S-379U-07 with the added condition that the driveway be located at the safest point as determined by Traffic and Parking. No Votes – Tyler, Loring, Clifton

Resolution No. RS2007-012

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006S-379U-07 is **APPROVED WITH CONDITIONS, including a requirement that the driveway location be determined by Public Works as the safest location with the least impact on the intersection of Robin Hill Road and Vaughns Gap Road, and shown on the plat prior to recording. (5-3).**”

- 13. 2006S-388G-04**
Crestview Estates, First Revision, Lots 22 & 23
Map 043-05, Parcels 086, 087
Subarea 4 (1998)
Council District 9 - Jim Forkum

A request to create 4 lots at 801 and 805 Cedarcrest Avenue, approximately 340 feet south of Anderson Lane (.72 acres), zoned RS7.5, requested by Matt Manson, owner, Tommy Walker, surveyor.

STAFF RECOMMENDATION: Disapprove 4, but approve 3 equivalent lots

APPLICANT REQUEST- A request to create 4 lots at 801 and 805 Cedarcrest Avenue, approximately 340 feet south of Anderson Lane (.72 acres), zoned Single-Family Residential (RS7.5).

ZONING

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

PLAN DETAILS -This subdivision proposes to subdivide two lots into four lots.

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:	
Cedarcrest Ave	Minimum lot size (sq.ft):	Minimum lot frontage (linear ft.):
	8,121	64.0

As proposed, each new lot has the following areas and street frontages, which do not meet the above requirements:

- Area: 7,949
- Frontage: 50.50

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

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

- The proposed subdivision is within a one-quarter mile radius of any area designated as a “Mixed Use”, “Office”, “Commercial”, or “Retail” land use policy categories. The subdivision is located approximately 370 feet from a Commercial Arterial Existing Area.
- The proposed lots are consistent with the adopted land use policy that applies to the property. The lots are located in the Residential Medium Density land use policy. RM policy is intended to accommodate residential development within a density range of four to nine dwelling units per acre. A variety of housing types are appropriate. The most common types include compact, single-family detached units, town-homes, and walk-up apartments.

Recommendation - Staff does not recommend the granting of an exception to lot comparability. The subdivision of these lots is inconsistent with the character of Cedarcrest Avenue. While there are lots in this area that have been subdivided, staff advises that this is not and should not become the predominant pattern of development. This is an established neighborhood. The lots that have been subdivided were created in the 1960s and 1980s. It appears to staff that an application for three lots would pass lot comparability with 10598.61 square feet of area and 67.33 feet of frontage.

PUBLIC WORKS RECOMMENDATION - No Exceptions Taken.

STORMWATER RECOMMENDATION - Approved.

CONDITIONS

Prior to recording the final plat, the following revisions (if approved) need to be made:

1. Add the subdivision number, i.e., 2006S-388U-04, to the plat.
2. Show sidewalks on Lots 3 and 4.
3. Add map and parcel numbers for adjoining properties.

Ms. Logan presented and stated that staff is recommending approval on the three equivalent lots, but is disapproving the requested four lots.

Mr. Matt Manson, 3868 Central Pike, spoke in favor of the proposed four lots.

Ms. Nielson spoke in favor of the staff's recommendation.

Mr. McLean questioned whether surrounding parcels had been subdivided.

Ms. Logan stated they were subdivided lots.

Ms. Nielson questioned the orientation of the homes along Cedarcrest.

Ms. Logan explained the orientation of the homes to the Commission.

Ms. Nielson stated she has a different view regarding the staff's recommendation due to the clarification of the orientation of others homes in the area.

Mr. Tyler agreed with the staff's recommendation of only three lots.

Ms. Beehan stated her preference would be for only three lots as opposed to four lots.

Mr. Loring mentioned the good work of the contractor and that there was no opposition from other property owners in the area. He stated the lots would be comparable to other lots in the area and that he was in favor of the proposed four lots.

Ms. Jones spoke of the anomaly of the proposed subdivision.

Mr. Loring moved to approve Final Plat 2006S-379U-07 as recommended by the applicant of four lots.

There was no second to the motion.

Mr. Clifton moved and Mr. Tyler seconded the motion, to approve Final Plat 2006S-379U-07 with three lots as recommended by staff. **(7-1) No Vote – Loring**

Resolution No. RS2007-013

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006S-388G-04 is **DISAPPROVED FOR FOUR LOTS, BUT APPROVED FOR THREE LOTS. (7-1)”**

Mr. McLean stepped out of the meeting at 5:10 p.m.

- 14. 2007S-002U-10**
Valley Brook Place
Maps 117-09, Parcel 020
Subarea 10 (2005)
Council District 25 - Jim Shulman

A request for final plat approval to create 3 lots on property located at 3601 Hilldale Drive, at the northwest corner of Hilldale Drive and Valley Brook Place (1.72 acres), zoned R20, requested by Fleming and Gilbert Smith, owners, Cherry Land Surveying, surveyor.

STAFF RECOMMENDATION: Approve with conditions

APPLICANT REQUEST - A request for final plat approval to create 3 lots on property located at 3601 Hilldale Drive, at the northwest corner of Hilldale Drive and Valley Brook Place (1.72 acres), zoned One and Two-Family Residential (R20).

ZONING

R20 District -R20 requires a minimum 20,000 square foot lot and is intended for single-family dwellings and duplexes.

PLAN DETAILS - This subdivision proposes to subdivide the existing lot into three new lots, each permitting two-family dwellings.

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:	
	Minimum lot size (sq.ft):	Minimum lot frontage (linear ft.):
Valley Brook Place	15,437	99.0
Hilldale Drive	30,873.2	143.0

As proposed, the three new lots have the following areas and street frontages, which meet lot comparability:

- Lot 1: 20,002 Sq. Ft., (1.02 Acres), with 112.62 ft. of frontage
- Lot 2: 20,000 Sq. Ft., (.879 Acres), with 112.61 ft. of frontage
- Lot 3: 36,520 Sq. Ft., (.838 Acres), with 158 ft. of frontage

Recommendation - Staff recommends approval of the subdivision because it meets lot comparability and is consistent with the character of the community.

There is an alternate way of looking at the lot comparability analysis. If Lot 1 is considered a corner lot, it would not pass for area on Hilldale. However, the subdivision would qualify for an exception because the lots meet the Residential Medium policy if developed either as single-family residences or duplexes. Staff's primary analysis did not consider Lot 1 to be a corner lot because this portion of the road is unbuilt and there is no development with which to compare.

PUBLIC WORKS RECOMMENDATION

- Roadway construction of the unimproved section of Hilldale Drive parallel and adjacent to Lots 1 & 3 is recommended to provide public roadway network connectivity.
- The developer's construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- Show and label 25' minimum right of way radius of corner returns at the Hilldale Drive / Valley Brook Place intersection.

STORMWATER RECOMMENDATION - Approved.

- Add the subdivision number, i.e., 2007S-002U-10, to the plat.
- Surveyor sign and date.

WATER SERVICES RECOMMENDATION

Show on the plat the 10 feet private sanitary sewer easements crossing lot 2 from lot 1 & lot 3. Add the notes as shown on the plat.

Private Service Line Note: Residential

The owner of Lot 1 is responsible for the installation, operation and maintenance of the private sewer service line which is located in a 10 feet private sewer service line easement crossing a portion of lot 2 as shown on this plat.

Private Service Line Note: Residential

The owner of Lot 3 is responsible for the installation, operation and maintenance of the private sewer service line which is located in a 10 foot private sewer service line easement crossing a portion of lot 2 as shown on this plat.

CONDITIONS

Prior to recording the final plat, the following revisions must be made:

1. Sidewalks are required on Valley BrookPlace. Show sidewalks on the plat.
2. Add the requested Water Services corrections listed above, consisting of a 10' private sanitary sewer line and associated notes.
3. Applicant shall construct the unbuilt portion of Hilldale Drive. A bond for construction may be provided if the road is not constructed and accepted by Metro Public Works prior to the recording of this final plat.
4. If the applicant is approved with duplexes on all three lots, a note should be added to the plat indicating that all three lots permit two-family dwellings.

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

Mr. Elliott Jones, 2811 Wimbledon Road, spoke in favor of closing Hilldale Road and approving the proposal.

Mr. Jim Brakefield, 3301 Wimbledon Road, spoke of the proposal and requested that Hilldale Road be closed.

Ms. Ellen Sadler, 3713 Sycamore Lane, expressed issues with the proposal and requested that Hilldale Road be closed.

Mr. Joe Gibbs, 3700 Sycamore Lane, expressed issues with the proposal and requested that Hilldale Road be closed.

Mr. Robert Brown, 2820 Valley Brooks Place, spoke of issues associated with the proposal and requested that the proposed homes be single family only.

Mr. Mike Dioguardi, 2808 Valley Brooks Place, spoke in favor of requiring single-family homes in the proposal.

Mr. John Lovell, 2710 Valley Brook Place, spoke in favor of abandonment of Hilldale Road and request for only single-family homes.

Mr. Bill Campine, 3703 Hilldale Road, spoke of stormwater drainage issues and requested that proposed homes be single-family.

Mr. Gilbert Smith, 4401 Chckering Lane spoke in favor of the proposal and requested that Hilldale Road be closed.

Ms. Janine Palm, 3712 Sycamore Lane spoke of issues associated with the proposal.

Ms. Diane Dioguardi, 2808 Valley Brooks Place, spoke in favor of single-family homes.

Ms. Sally McClellan, 3604 Sycamore Lane, spoke of issues associated with the proposal.

Ms. Beehan clarified that the public has requested that condition #3 be excluded from the staff's recommendation and she was in favor of this.

Mr. Clifton stated that the subdivision request meets comparability as well as requirements. However, due to the staff recommendation regarding Hilldale Road, it has become controversial. He then mentioned that the street closure would probably take place at the Council level. He stated he was in favor of staff's recommendation with the exclusion of condition #3.

Ms. Nielson mentioned that the request was a subdivision and not a zone change.

Ms. Jones spoke in favor of the staff recommendation, however, she was not in favor of closing Hilldale Road due to its importance to future connectivity.

Mr. McLean stepped back into the meeting at 5:35.

Ms. Jones spoke in favor of staff's recommendation.

Mr. Loring stated that the road closure would happen at the Council level. He expressed issues with the requested zoning for the properties and suggested that if it could not be changed at this time that the proposal be deferred until the Councilmember could work the developer to change the zoning of the parcels to eliminate the duplexes.

Mr. Loring moved that Final Plat 2007S-002U-10 be deferred one meeting to allow additional time for Councilmember Shulman to work with the community and the developer to obtain RS zoning and insure the closing of the road.

There was no second offered for the motion.

Mr. Clifton requested that staff members address the drainage issues as mentioned by the constituents.

Mr. Steve Mishu, Metro Stormwater, stated that this proposal would not require stormwater approval due to the scale of the project. He stated that due to its proximity and scale, it would not require a stormwater retention.

Mr. Clifton questioned whether the Commission could request that stormwater review this proposal as a condition.

Mr. Bernhardt offered that the Commission could require that the Commission could require stormwater approval prior to the final plat.

Mr. Clifton moved and Ms. Beehan seconded the motion, to approve Final Plat 2007S-002U-10 with the deletion of Condition #3, as well as an added condition that there must be approval of a stormwater management plan that is consistent with the adopted stormwater requirements prior to final plat. **(7-1) No Vote – Loring**

Mr. Loring explained his reasons for his opposing vote.

Resolution No. RS2007-014

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007S-002U-10 is APPROVED WITH CONDITIONS, including removal of condition #3 requiring the construction of the unbuilt portion of Hilldale Drive and adding a condition that Stormwater approval is necessary prior to issuance of any permits. (7-1)

Conditions of Approval:

1. Sidewalks are required on Valley Brook. Show sidewalks on the plat.
2. Add the requested Water Services corrections listed above, consisting of a 10' private sanitary sewer line and associated notes.
3. ~~Applicant shall construct the unbuilt portion of Hilldale Drive. A bond for construction may be provided if the road is not constructed and accepted by Metro Public Works prior to the recording of this final plat.~~
3. Stormwater approval necessary prior to issuance of any permits. This requirement must be included as a note on the recorded final plat.
4. If the applicant is approved with duplexes on all three lots, a note shall be added to the plat indicating that all three lots permit two-family dwellings.”

IX. REVISIONS AND FINAL SITE PLANS

15. 2006SP-119U-08

4th Avenue North/Monroe Street Final SP
Map 082-09, Parcels 312, 314, 315, 316, 317, 318, 319, 320
Subarea 8 (2002)
Council District 19 - Ludye N. Wallace

A request for final site plan approval to permit the development of 38 units and 2,713 square feet of commercial space at 1211, 1215, 1217, 1219 and 1229 4th Avenue North, 4th Avenue North (unnumbered), and 407 Monroe Street, located at the southwest corner of 4th Avenue North & Monroe Street (1.64 acres), zoned SP, requested by Joel A. Smith, owner, and Land Design, Inc.

STAFF RECOMMENDATION: Approve with conditions

APPLICANT REQUEST -Final Development Plan

A request for final site plan approval to permit the development of 38 residential units, and 2,713 square feet of commercial space on property located at the southwest corner of 4th Avenue North & Monroe, zoned Specific Plan (SP) (1.64 acres).

PLAN DETAILS

Site Plan - The final development plan consists of 38 units with a density of approximately 23 units per acre, and 2,713 square feet of commercial space. Units will be in the form of one bedroom flats, and two and three bedroom townhomes. The majority of the units will front 4th Avenue and Monroe Street, while several will be along the rear alley. Units along 4th Avenue will consist of 5 separate residential structures containing 4 units each that are to resemble single-family structures. The structures will be separated from each other by small courtyards. Access to the bottom floor units will be provided through the courtyard, while access to upstairs units will be provided from the front of each unit. A sixth unit along 4th Avenue will be smaller and consist of two individual townhomes. The units along Monroe Street will consist of 5 three story attached town homes. The corner of 4th and Monroe will be held by a three story mixed-use building. Eight units will be located along the alley and will be located within four individual structures that will mimic the carriage home that can be found throughout the area.

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

This final plan was recently approved by MDHA.

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

PUBLIC WORKS RECOMMENDATION

1. Any approvals are subject to Public Works' approval of the construction plans. Final design and improvements may vary based on field conditions.
2. Provide detailed construction plans for proposed sidewalk improvements.
3. Provide plans for solid waste and recycling collection.

STORMWATER RECOMMENDATION - Approve with the condition that the following comments are addressed prior to issuance of grading permit:

1. Provide approval from MWS (Alan Hand) allowing your site to place 2 new manholes on the combined sewer system.
2. The EPSC note needs to be signed and dated.
3. Provide a vertical datum (NAVD 88 or NGVD 29) for the benchmark.

4. Place the NOC/NOI note on the plan set.
5. Provide a note on the erosion control plans stating that erosion control measures are to be left in place until final site stabilization is achieved.
6. 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.
7. Provide HGL calculations for the storm pipes.
8. The runoff coming off the backside of the buildings in the NE part of the site needs to be treated for water quality.
9. Need to provide an existing conditions drainage map showing flow patterns, areas, CN and Tc for area draining to the north and south. No info is given for pre or post conditions for area draining north.
10. What area is being used in the PondPac existing conditions calculations? Not provided in calculations.
11. CN of 95 seems too high for existing and post conditions. Provide backup.
12. List the drainage areas on the stormwater detention drainage map.
13. The 36" pipe used for detention should have a minimum slope to prevent stagnant water.
14. The invert of the 18" pipe out of OS-04 is listed as 434.09 in the detail and 434.29 on the plans. Please revise.
15. Provide water quality calculations. How much is treated before bypass? No bypass is allowed for flows less than 3 month event.
16. Provide elevations on the detail for the downstream defender.
17. Provide a stormwater detention agreement for WQ devices.

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.
4. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
5. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.
6. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission for filing and recordation with the Davidson County Register of Deeds.

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

Resolution No. RS2007-015

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006SP-119U-08 is **APPROVED WITH CONDITIONS. (7-0)**

Conditions of Approval:

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

- 16. 1-74-U-13**
Abundant Life Ministries (Hickory Hollow Mall)
Map 163-00, Parcel 227
Subarea 13 (2003)
Council District 32 - Sam Coleman

A request for final approval for a portion of a Commercial Planned Unit Development located at 5222 Hickory Hollow Parkway, approximately 835 feet west of Bell Road, classified MUL (2.04 acres), to permit a religious institution use in an existing building, requested by Huddleston-Steele Engineering, applicant, for Abundant Life Ministries, owner.

STAFF RECOMMENDATION: Approve with conditions

APPLICANT REQUEST -Final Site Approval

A request for final approval for a portion of a Commercial Planned Unit Development located at 5222 Hickory Hollow Parkway, approximately 835 feet west of Bell Road, classified Mixed Use Limited (MUL) (2.04 acres), to permit a religious institution use in an existing building.

PLAN DETAILS - The request is to allow for a new use in an existing building. The existing structure is within a commercial Planned Unit Development, and was formerly a furniture store. The plan identifies the existing building and other on site improvements such as parking and landscaping. The applicant plans to convert the existing building into a church, and does not propose any major exterior alterations.

Preliminary Plan - This final plan is consistent with the approved preliminary plan that was approved by the Planning Commission on August 10, 2006 and Metro Council on November 22, 2006.

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

STORMWATER RECOMMENDATION -No Exceptions Taken

CONDITIONS

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

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

Resolution No. RS2007-016

“BE IT RESOLVED by The Metropolitan Planning Commission that 1-74-U-13 is **APPROVED WITH CONDITIONS. (7-0)**

Conditions of Approval:

1. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
2. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
3. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
4. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
5. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.
6. If this final approval includes conditions which require correction/revision of the plans, authorization for

the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission for filing and recordation with the Davidson County Register of Deeds.”

17. **70-85-P-13**
Kensal Green, Phase 2
Map 150, Parcel 149
Subarea 13 (2003)
Council District 33 - Robert Duvall

A request for final approval to construct 42 single-family lots on property located east of Park Royal Lane, at the terminus of Mooregate Drive, classified R15, (16.8 acres), requested by Wamble and Associates, for J2K Builders LLC., owner.

STAFF RECOMMENDATION: Approve with conditions

APPLICANT REQUEST -A request for final site plan approval to construct 42 single-family lots on property located east of Park Royal Lane, at the terminus of Mooregate Drive, classified One and Two-Family Residential (R15), (16.8 acres)

Existing Zoning

R15 District - R15 requires a minimum 15,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 2.47 dwelling units per acre including 25% duplex lots.

PLAN DETAILS -In June 2006, the preliminary plan was revised to approve 42 single-family lots. This application is consistent with the approved preliminary PUD plan.

This phase is the last phase of a much larger PUD that extends to the north side of Mt. View Road. Phase 1 of Kensal Green, on the south side of Mt. View Road, includes 27 lots and was platted and built in the early 1990’s.

The proposed plan extends sidewalks on both sides of the main road (Park Royal Lane), and provides an additional stub street to the west.

Staff recommends approval of the proposed plan since it is consistent with the approved preliminary plan.

STORMWATER RECOMMENDATION - Approve with conditions

- It appears that there are more than 5 acres flowing into the detention basin. Provide details and calculations for a temporary sedimentation basin in the detention basin. Use TDEC Erosion and Sediment Control Handbook. Pond will work as designed. Place note on plans to wrap riser pipe with filter fabric during construction, and to remove sediment from pond after site is stabilized and return pond to design conditions.
- Provide TDEC approval for discharge to/alteration to sinkholes.
- The geotechnical study does not provide any information on the effects of the elimination of the drainage basin for Sinkhole B. Basically, no flow will enter this sinkhole in the post construction phase. Will this have any impact on the surrounding structures with regards to settlement or earth movement? Please address. Provide study once complete.
- Sign EPSC note on plans.

PUBLIC WORKS RECOMMENDATION -The developer's construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.

CONDITIONS

1. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be

forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Sections of the Metropolitan Department of Public Works.

2. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
3. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. 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.

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

Resolution No. RS2007-017

“BE IT RESOLVED by The Metropolitan Planning Commission that 70-85-P-13 is **APPROVED WITH CONDITIONS. (7-0)**

Conditions of Approval:

1. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
3. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.”

18. 78-79-G-13

Monopole Communication Tower
Map 163-00, Part of Parcel 296
Subarea 13 (2003)
Council District 33 - Robert Duvall

A request to revise the approved preliminary plan for a portion of a residential Planned Unit Development, and for final approval, classified R15 district (.1 acres), to permit the development of a 190 foot monopole communication tower and a 4,225 square foot equipment compound, requested by Sprint, applicant, for Equity Residential, owner.

STAFF RECOMMENDATION: Disapprove or defer

APPLICANT REQUEST -Revision to Preliminary

A request to revise the approved preliminary plan for a portion of a residential Planned Unit Development, and for final approval, classified One and Two-Family Residential (R15) district (.1 acres), to permit the development of a 190 foot monopole communication tower and a 4,225 square foot equipment compound.

PLAN DETAILS -Cell towers are classified as Permitted with Conditions (PC) in an R15 district, meaning that several specific conditions must be met in order to locate a cell tower within this PUD. Staff recommends approval of this cell tower.

Under the PC use provisions of the Zoning Ordinance (Section 17.16.080 C), the following conditions are required:

1. Lot Size: In residential zone districts, the minimum lot size shall comply with the zone district bulk provisions. The minimum lot size in a R15 district is 15,000 square feet. While the leasehold area, which is the amount of property being leased by Sprint, is 4,356 square feet, the lot is over 25 acres. Therefore, the leasehold area is not large enough to be a lot and will not be able to be subdivided in the future.
2. Setback: Telephone services, including accessory buildings and vehicle parking areas shall comply with the setback provisions of the applicable zone district. The proposed plan is consistent with the setback provisions for the R15 district, including a 100-foot setback from the closest property line.
3. Landscape Buffer Yard: Along all residential zone districts and districts permitting residential use, screening in the form of a Landscape Buffer Yard Standard A shall be applied. The proposed plan includes a buffer of existing vegetation and trees that meets the standards for an A buffer.
4. Height: The maximum height of telephone facilities shall be determined by the height control provisions of Chapter 17.12....The proposed tower height of 190 feet is consistent with Zoning Ordinance requirements for the maximum allowable height for a tower at this location.

PUBLIC WORKS RECOMMENDATION -No Exception Taken.

STORMWATER RECOMMENDATION – Approve

Approve with conditions (7-0), *Consent Agenda*

Resolution No. RS2007-018

“BE IT RESOLVED by The Metropolitan Planning Commission that 78-79-G-13 is **APPROVED WITH CONDITIONS. (7-0)**

Conditions of Approval:

1. Lot Size: In residential zone districts, the minimum lot size shall comply with the zone district bulk provisions. The minimum lot size in a R15 district is 15,000 square feet. While the leasehold area, which is the amount of property being leased by Sprint, is 4,356 square feet, the lot is over 25 acres. Therefore, the leasehold area is not large enough to be a lot and will not be able to be subdivided in the future.
2. Setback: Telephone services, including accessory buildings and vehicle parking areas shall comply with the setback provisions of the applicable zone district. The proposed plan is consistent with the setback provisions for the R15 district, including a 100-foot setback from the closest property line.
3. Landscape Buffer Yard: Along all residential zone districts and districts permitting residential use, screening in the form of a Landscape Buffer Yard Standard A shall be applied. The proposed plan includes a buffer of existing vegetation and trees that meets the standards for an A buffer.
4. Height: The maximum height of telephone facilities shall be determined by the height control provisions of Chapter 17.12....The proposed tower height of 190 feet is consistent with Zoning Ordinance requirements for the maximum allowable height for a tower at this location.”

19. 95-85-P-04

Lanier Park (Formerly Skyye Meadows) Phase II
 Maps 043-14, Part of Parcel 055, and Part of Parcel 57
 Subarea 4 (1998)
 Council District 9 - Jim Forkum

A request for a revision to preliminary and for final approval on a portion of a Residential Planned Unit Development District located abutting the south margin of Old Hickory Boulevard at Lombardia Lane, classified RM15 district (2.25 acres), to construct 22 townhouses, requested by Dale and Associates, for Affordable Housing Resources Inc., owner.

STAFF RECOMMENDATION: Approve with conditions

APPLICANT REQUEST -Revise Preliminary and Final PUD

A request to revise the preliminary and for final approval for a Planned Unit Development zoned Multi-Family Residential (RM15) (2.25 acres), located on Lombardia Lane, south of Old Hickory Boulevard, to permit the development of 22 townhomes.

PLAN DETAILS

Associated Case -Item #4 is for Lanier Park Phase III, which is a request for a PUD amendment, and includes an associated zone change, Item #3. If approved, Phase III will add an additional 18 units to the development. Phase III is adjacent to this phase, and shares some facilities and infrastructure. Staff is recommending that the amendment for Lanier Park Phase III and the associated zone change be approved with conditions.

Site Plan - The plan calls for 22 condominiums on approximately 2.25 acres with a density of approximately 9.7 units per acre. The units will be accessed by a private drive off of Lombardia Lane. Eight of the units will be south of Lombardia Lane and the remaining 14 will be north of Lombardia Lane.

Parking - The Metro Code requires 44 parking spaces (2 per unit). The plan is calling for a total of 49 parking spaces, which will provide 5 additional spaces for guest parking.

Original Plan - This is phase 2 of Lanier Park PUD, formerly known as Skyye Meadows. The preliminary plan was originally approved for 145 condominiums. The most recent revision to this PUD was approved in 2001 for 45 single-family lots and 27 condominiums. This proposed plan is consistent with the concept of the last approved preliminary plan.

PUBLIC WORKS RECOMMENDATION

1. All Public Works' design standards shall be met prior to any final approvals and permit issuance. Any approval is subject to Public Works' approval of the construction plans. Final design and improvements may vary based on field conditions.
2. Identify solid waste collection and recycling disposal plan.

STORMWATER RECOMMENDATION -Approve with the condition that the following comments are addressed prior to the issuance of a grading permit.

1. Provide existing stormwater system pipe details (size, type, etc.) on plans.
2. Provide construction entrance turning radius on detail.
3. Provide NPDES NOC letter.
4. Provide easement location, documentation and appropriate fees for the water quality/detention ponds including provisions for ingress/egress.
5. Provide engineer's signature and date on the drainage calculations.
6. Explain use of 10' Class B, Buffer yard identified in the plans.
7. 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.
8. Provide drainage areas for each inlet that match individual drainage calculations.
9. Drainage calculation inputs for line 1 and 2 appear to be reversed from drainage area mapping.
10. Routing does not match design for outlet structure components.
11. Provide correct orifice coefficient in WQ calculations. 0.8 is correct for thickness of orifice.
12. Provide correct area for Vlp1 in WQ calculations.
13. Utilize correct equation for Vlp2 in WQ calculations.
14. Provide correct permanent pool and calculations and address other requirements for permanent pool, as detailed in PTP-02 in Volume 4 of the Stormwater Manual.
15. Ponds must be designed to have a 3:1 length: width ratio to prevent short-circuiting of necessary water quality treatment. Redesign ponds to have 3:1 length to width ratio.
16. The next two downstream structures identified aren't representative of area structures.
17. Provide design calculations for curb cuts.

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. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
4. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. 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 (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
6. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.
7. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission for filing and recordation with the Davidson County Register of Deeds.

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

Resolution No. RS2007-019

“BE IT RESOLVED by The Metropolitan Planning Commission that 95-85-P-04 is **APPROVED WITH CONDITIONS. (7-0)**

Conditions of Approval:

1. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
2. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
3. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
4. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. 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 (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.

6. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.
7. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) copies of the corrected/revise 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.”

X. OTHER BUSINESS

20. Request for rehearing:

2006S-316U-07

Boyce Subdivision

Map 103-03, Parcel 200

Subarea 7 (2000)

Council District 24 - John Summers

A request for final plat approval to create 2 lots on property located at 146 51st Avenue North, approximately 200 feet south of Wyoming Avenue (0.23 acres), zoned RS7.5, requested by May B. Smith Boyce et vir, owners, H & H Land Surveying, surveyor.

The Metropolitan Planning Commission DEFERRED Rehearing Request Boyce Subdivision 2006S-316U-07 to January 25, 2007, at the request of the applicant. (7-0)

21. Request for rehearing:

24-85-P-13

Weatherly Ridge Apartments (Formerly Forest View North, Phase 1)

Map 149, Parcel 189

Subarea 13 (2003)

Council District 29 – Vivian Wilhoite

A request for final approval of the Residential Planned Unit Development district located on the south side of Anderson Road, and north of Murfreesboro Pike (19.37 acres), classified R10, to permit the development of 240 garden apartments, requested by Fisher & Arnold, Inc., for John E. Cain, III.

Mr. Kleinfelter explained this request to the Commission. He explained that he will give a document to the Commission to review as requested by Councilmember Wilhoite. She also requested that a copy of this document be mailed to each commission members as well.

Mr. Bernhardt explained the purpose of this rehearing, which was to determine whether or not to grant the request to rehear the proposal. He further explained that the Commission was to determine whether there was any new or additional information that would be relevant to the original hearing.

Mr. Gayland Northclad, District 29 constituent, spoke in favor of the request for the rehearing.

Mr. Tom White, 315 Deadrick Street, spoke in opposition of the request for the rehearing.

Mr. Clifton acknowledged the issue of either the miscommunication or the mistake that caused this request for a rehearing and stated that the Commission has processes in place and if there was a mistake, then steps should be taken to correct the situation.

Mr. Tyler spoke of the issue of older PUD’s and their impacts on areas that have overcrowded schools and an abundance of traffic. He too spoke of the issue of notifying residents of a public hearing that did not take place due to either a mistake or miscommunication and rectifying the situation.

Ms. Nielson offered that if a rehearing was granted that it would not be implicating that the original decision made by the Commission was incorrect.

Ms. Jones offered that this parcel was reviewed in July of 2006 and that they heard all of the arguments then. She also pointed out the highlights of the proposal, which included a reduction in the number of units, as well as larger and more attractive units that would be included in the development. She stated that if the Commission would change their vote, there would be liabilities attached to their actions.

Mr. Loring acknowledged that the older PUD's should be reviewed but was not in favor of retroactively moving on an approved PUD.

Mr. Bernhardt offered clarification on the existing approved PUD as well as additional information regarding the Commission's requested action on this request.

Ms. Jones spoke of why the PUD was possibly placed on the Consent at the December meeting.

Mr. Bernhardt gave additional information on the discussions he held with the community members affected by this proposal.

Mr. Clifton spoke of the implicit message sent to the Community regarding the rehearing and the consistency of following procedures.

Mr. Bernhardt again explained the request for the rehearing to the Commission and reiterated the actual facts of the approved PUD and the facts of the requested rehearing and how they correlate to each other.

Ms. Nielson requested that staff members meet with the community members if the Commission were inclined to approve the requested rehearing.

Mr. Bernhardt explained that staff has met with the community regarding this PUD. Mr. Clifton requested and Ms. Beehan seconded the motion to rehear Planned Unit Development 24-85-P-13, Weatherly Ridge Apartments. **(4 – 4) No Votes – Loring, Jones, McLean, Ponder**

Mr. Ponder stated that due to the non-majority vote, there would be no action taken on this request.

Resolution No. RS2007-020

“BE IT RESOLVED by The Metropolitan Planning Commission that the Request For Rehearing of 24-85-P-13 **FAILED. (4-4)**”

22. Review of Westin SP rezoning conditions

Mr. Bernhardt requested that the Commission provide direction regarding the recommended conditions placed on the Westin Hotel proposal. He requested guidance due to the fact, that if Council were to change any of the conditions placed on the proposal, he would need to know, which conditions if changed, would alter the Commission's recommendation to Council on this proposal.

He stated he was not aware of any proposed changes being made to the conditions by Council.

The Commission briefly discussed various conditions placed on the proposal and stated the four conditions that if altered would change their recommendation.

They were as follows:

- Requirement for LEED Certification
- Requirement for Historic Preservation Overlay
- Redesign of the Broadway façades
- Preservation/rehabilitation of 217 and 221 Broadway

Mr. Loring moved and Mr. McLean seconded the motion, to confirm that the above listed conditions must be included in the recommendation for approval with conditions on the Westin Hotel SP, otherwise the Commission's recommendation would be changed to a disapproval. **(8-0)**

23. Executive Director Reports

24. Legislative Update

Agenda Addition

25. New Employee Contract for Craig Owensby

XI. ADJOURNMENT

The meeting was adjourned at 6:15 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.