



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

**Subdivision 2006S-316U-07**  
**Boyce Subdivision**  
24 - Summers  
9 - Warden  
May B. Smith Boyce et vir, owners, and H & H Land Surveying, surveyor.

**Staff Reviewer**  
**Staff Recommendation**

Withers  
*Disapprove*

**NOTE:**

**This case is before the Commission on a request for rehearing by Commissioner Clifton. The original staff report is below.**

**APPLICANT REQUEST**  
**Final Plat**

**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.**

**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.

**PROPERTY HISTORY**

This request involves two tracts of land created in 1959. The current owner has held the property since 1965. The two tracts of land have been used as one lot, with one house and a detached garage. The land is held in one parcel, instead of two as the deed specifies. The Mapping Division staff pulled the old microfilm from when the parcel was first entered on the mainframe system and found it was added as one parcel. Staff also looked at the oldest mapping log from 1965 and found that the land shows up as one parcel. Staff has no way of knowing why the land was mapped as one parcel, only that it was and has been used as one "lot" since it was created.

*Nonconforming Lot Area*  
*Zoning Ordinance Chapter 17.40.670*

*Within the R, RS, RM, AR2a and AG districts, a single-family structure may be constructed on a legally created lot that contains less than the minimum lot area required by Tables 17.12.020A, 17.12.020B or 17.12.020C, provided the lot contains a minimum area of three thousand seven hundred fifty square feet and existed prior to the effective date of the ordinance codified in this title.*



## Metro Planning Commission Meeting of 1/25/2006

### Lot Comparability

The Zoning Administrator has indicated that because these two tracts of land existed prior to the adoption of zoning in Nashville, the two tracts of land have development rights and can be reconfigured without a variance from the Board of Zoning Appeals. Staff has found that both the Zoning Ordinance and the Subdivision Regulations are silent on the subject of reconfiguring non-conforming lots.

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.):
	6,643	48.0

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

- Lot 1: 5,577 Sq. Ft., (0.128 Acres), with 50.86 ft. of frontage.
- Lot 2: 5,506 Sq. Ft., (0.126 Acres), with 50.86 ft. of frontage.

Both of the proposed lots are comparable in frontage but are **not** comparable in area.

### Lot Comparability Exception

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

One or more of the criteria listed below may be used by the Commission to determine whether the proposed smaller lot size is consistent with the General Plan:

- If the proposed subdivision is within a one-half mile radius of any area designated as a



## Metro Planning Commission Meeting of 1/25/2006

Recommendation

"Regional Activity Center" land use policy category.

- If 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.
- If the proposed subdivision is within an area planned for a town center or neighborhood center.
- Where the proposed lot sizes are consistent with the adopted land use policy that applies to the property.

Staff recommends disapproval of this subdivision request for several reasons. First, although there are two tracts of land described in the deed, the land has always been used as one lot. Second, the proposed lots are not comparable to the minimum lot size specified in the Lot Comparability Analysis, nor do they meet any of the criteria to qualify for an exception to the standards.

---

**PUBLIC WORKS  
RECOMMENDATION**

Show professional seal.

---

**STORMWATER  
RECOMMENDATION**

Approved.

---

**FIRE MARSHAL  
RECOMMENDATION**

No comments.

---

**CONDITION (if approved)**

Comply with Public Works comments listed above prior to the recording of the final plat.



**Project No.**  
**Project Name**  
**Council Bill**  
**Council District**  
**School District**  
**Requested by**

**2005SP-099U-10**  
**Stammer Parke SP**  
None  
34 - Williams  
8 - Fox  
Gresham, Smith & Partners, applicant, for Haury & Smith Contractors Inc., owners.

**Staff Reviewer**  
**Staff Recommendation**

Withers  
*Approve with conditions*

**APPLICANT REQUEST**  
**Final SP Site Plan Approval**

**A request for Final SP Site Plan approval to permit 16 attached units located at 2201 Hobbs Road, 4207 and 4211 Stammer Place, 2200 Castleman Drive (2.34 acres).**

The Stammer Parke SP was originally approved by the Planning Commission February 23, 2006, for a total of 16 units. The proposed development fronts on three streets. The primary streets are Hobbs Road and Castleman Drive. The duplex units are designed to look like a large single family home from the front. Elevations have been submitted that are consistent with the "big house" concept. The parking garages are located behind and away from view along the primary frontages. The units are accessed by a shared driveway with one curb cut on Castleman Drive and one curb cut on Stammer Place. The driveway curb cut of Stammer Place has been located opposite the Belmont Village assisted living driveway court. Landscape buffering is provided along the property line bordering R20 zoned property and along the Hobbs Road frontage.

The following conditions were added to the Council Bill for the project:

1. Each residential structure (containing 2 units) shall be of a unified architectural style.
2. The exterior walls of all structures, including garages, shall be 100% brick on all sides.
3. A consistent brick style shall be employed on both residential structures adjacent to Hobbs Road and to their interconnecting screen wall.
4. Asphalt dimensional shingles shall be the primary roofing material.
5. Decorative fencing shall be of a wrought iron style.
6. Between individual structures, a wrought iron style



## Metro Planning Commission Meeting of 1/25/2006

- fence may be substituted for an operable gate.
7. Residential-scale light posts shall be permitted in the front yard of each residential structure.
  8. Perimeter wood screen fencing shall be shadow-box design or of a comparable design.
  9. All utilities shall be located underground.
  10. To the extent allowed by the U.S. Postmaster, individual resident mailboxes at the street shall be prohibited.
  11. One development identification sign shall be permitted; that sign shall be located adjacent to the main driveway entrance on Stammer Place.
  12. Design of the development identification sign shall be in keeping with the spirit and intent of the sketch attached hereto and incorporated herein as "Item 12 Exhibit".
  13. To the extent permitted by Chapter 15.64 of the Metropolitan Code of Laws and the rules and regulations of the Metropolitan Stormwater Management Committee, all stormwater runoff shall be piped. No ponds or stormwater detention facilities shall be located above ground.

This application for final site plan is in compliance with the conditions listed above. Additionally, these conditions of approval are clearly listed on the face of the submitted plans.

---

### **PUBLIC WORKS RECOMMENDATION**

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 with the condition that the following comments be addressed prior to the issuance of a grading permit:

1. Correlate the benchmark to a vertical datum.
2. Include the EPSC note, signed and dated, on the plan set.
3. Include a copy of the NPDES NOC letter.
4. Sheet C3.1 references BMP details on sheet C6.1, include this sheet in the submittal. Make sure to provide details for all BMP's shown and make sure all details reference Metro's Stormwater Management Manual Vol. 4, TCP #xx.



## Metro Planning Commission Meeting of 1/25/2006

5. Provide inlet protection for B3 headwall. It is understood that minimum area upstream of this inlet is to be disturbed, but the protection still would aid in sediment control.
6. Fix the floodplain note to reference the correct FIRM.
7. Provide a detail for connection of all structures at the B1 junction. It is unclear if enough room is available in junction.
8. Post flows to culvert under Stammer are higher than pre-construction flows. Revise detention to reduce post to pre-conditions.
9. Provide calculations including Tc, C/CN, Q capacity and Q actual for the storm pipes.
10. G1 is shown on table and G2 is shown on plans.
11. Update the TBD's on the stormwater detention structure detail.
12. The pond report lists the detention structure as 3-4.5' diameter pipes at 161 feet long and the plans list the detention structure as 3-5' diameter pipes at 170' long. Verify which is correct.
13. The inverts of the outlet structure, length and slope of orifice structure A, invert elevation of culvert/orifice structure B and weir B inverts don't match between the Pond report and the plan detail on sheet C6.3.
14. Provide treatment capacity flow and bypass capacity flow for the selected water quality unit. Also provide detailed information, including inverts and pipe sizes for unit. Remove note on plans indication "not for construction".
15. Provide the actual flow to compare to the capacity for the two downstream structures.
16. Provide easement documentation for the water quality unit and the underground detention structure.
17. Provide a copy of the stormwater detention agreement.

---

### FIRE MARSHAL

Fire hydrants shall be in-service and tested before any combustible material is brought on site.

Multi-family buildings fire hydrants shall flow 1250 gpm's at 40 psi.

---

### CONDITIONS

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



## Metro Planning Commission Meeting of 1/25/2006

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.



**Project No.**  
**Project Name**  
**Council Bill**  
**Council District**  
**School District**  
**Requested by**

**Planned Unit Development 189-73-G-14**  
**Central Pike Medical Office Building**

None  
14 - White  
4 - Glover

PBJ Engineering Design Development, LLC, applicant,  
for Merry Land Holdings, LLC, owner.

*Deferred from the December 14, 2006 Planning  
Commission Meeting.*

**Deferral**

**Staff Reviewer**  
**Staff Recommendation**

Withers  
*Disapprove*

---

**APPLICANT REQUEST**  
**Amend PUD**

**A request to amend a portion of a Planned Unit Development located on the south side of Central Pike, west of I-40, classified Mixed Use Limited (MUL), and proposed for the development of 35,200 Sq. Ft. of medical office, replacing 31,920 Sq. Ft. of office and retail space.**

---

**DONELSON- HERMITAGE-OLD  
HICKORY COMMUNITY PLAN  
(2004 UPDATE)**

**Mixed Use in Neighborhood Center**

MU is intended for buildings that are mixed horizontally and vertically. The latter is preferable in creating a more pedestrian-oriented streetscape. This category allows residential as well as commercial uses. Vertically mixed-use buildings are encouraged to have shopping activities at street level and/or residential above.

NC is intended for small, intense areas that may contain multiple functions and are intended to act as local centers of activity. Ideally, a neighborhood center is a "walk-to" area within a five minute walk of the surrounding neighborhood it serves. The key types of uses intended within NC areas are those that meet daily convenience needs and/or provide a place to gather and socialize.

Appropriate uses include single- and multi-family residential, public benefit activities and small scale office and commercial uses. An accompanying Urban Design or Planned Unit Development overlay district or site plan





## Metro Planning Commission Meeting of 1/25/2006

### Consistent with Policy?

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

No. This property was included in the area shown in the Hermitage Detailed Neighborhood Design Plan. The goal for the area is to create a pedestrian friendly neighborhood center near Benson's Market at the intersection of Dodson Chapel Road and Central Pike. This plan proposes a car oriented building that is separated from the public spaces by a parking lot and surrounded by parking lots on all sides.

### PUD HISTORY

In 2005, this PUD was amended to replace 11,700 square feet of office, with 31,920 Sq. Ft. of office and retail space. At that time, the property was also rezoned from RM15 (Multi-Family Residential) to MUL (Mixed Use Limited).

The plan that was approved at that time met the Community Plan Policy and proposed a two-story commercial building with retail on the first floor and office on the second floor. The building was situated close to Central Pike and helped to create the pedestrian oriented center that the Community Plan envisioned.

### PLAN DETAILS

The current application proposes a 35,200 Sq. Ft. of medical office. The proposed building is 3 stories, is set back from Central Pike in order to be surrounded by parking on all sides. The site is surrounded by a landscape buffer yard because it is adjacent to residential zoning. Two driveways are proposed.

The applicant has said they need to have parking on all sides of the building to shorten the distance that disabled, or ill people would have to walk to reach the building. There are alternate ways to design the building and site, however, that would allow the building to address the street and provide for easy pedestrian access while still allowing easy access from the parking lot.

Staff recommends disapproval of this request because it does not comply with the Community Plan goal for the area to create a pedestrian friendly neighborhood center. The square footage proposed is appropriate for



## Metro Planning Commission Meeting of 1/25/2006

the site location and could be approved if the building is redesigned to meet to the goals of the Neighborhood Center policy.

---

### STORMWATER RECOMMENDATION

Preliminary PUD 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.

Construct a continuous 2-way left turn lane. Extend proposed 2-way left turn lane to the existing 2-way left turn lane east of Thistle Lane.

Show and dimension right of way along Central Pike. Label and show reserve strip for future right of way 42 feet from centerline to property boundary, consistent with the approved major street plan (U4-84' ROW).

#### Traffic Conditions:

1. Two access driveways onto Central Pike will be allowed. Western access drive shall be moved to the east to align directly across from the existing driveway on Central Pike.
2. Developer shall construct a 2 way left turn lane on Central Pike along property frontage. Turn Lane shall be aligned with and extended from left turn lane on Central Pike at Dodson Chapel Road. Transition shall be in accordance with AASHTO/MUTCD standards.
3. Developer shall provide a cross access easement with adjacent properties along the western property line.
4. In accordance with the Access Study, developer shall provide parking spaces per Metro Zoning Ordinance.
5. Remove proposed driveway connection to the adjacent development.

---

### CONDITIONS (if approved)

1. Approvals are subject to Public Works' review and approval of construction plans submitted with the final PUD.



## Metro Planning Commission Meeting of 1/25/2006

2. Pedestrian access will be provided between this development and Cherry Creek Apartments.
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 and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
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 and electronic copy of the final boundary plat for all property within the overlay district must be submitted, complete with owners' signatures, to the Planning Commission staff for review.
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 fire flow water supply during construction must be met prior to approval of any final plat or the issuance of any building permits.
7. This preliminary plan approval of the proposed master plan is based upon the stated acreage. The actual square footage to be constructed may be reduced upon approval of a final site development plan if a boundary survey determines there is less site acreage.



**Project No.**  
**Project Name**  
**Council Bill**  
**Council District**  
**School District**  
**Requested By**

**2005SP-139G-12**  
**Cambridge Park**  
None  
31- Toler  
2 - Brannon  
Ragan-Smith & Associates, applicant, for Hickory Holdings LLC, owner.

**Staff Reviewer**  
**Staff Recommendation**

Withers  
*Defer unless a recommendation of approval is received from Public Works prior to the Planning Commission meeting.*

---

**APPLICANT REQUEST**  
**Preliminary SP**

**A request to change from Agricultural/residential (AR2a) to Specific Plan (SP) zoning property located at 1160 Barnes Road, approximately 1,380 feet east of Barnes Cove Drive (19.33 acres), to permit the development of 77 single-family homes.**

---

**Existing Zoning**  
AR2a District

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

**Proposed Zoning**  
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.



## Metro Planning Commission Meeting of 1/25/2006

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

---

### SOUTHEAST COMMUNITY PLAN

Residential Low Medium (RLM)

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

**Consistent with Policy?**

Yes. The plan proposes a density of 4 dwelling units per acre. All units will be single family and a mix of one and two story structures.

---

### RECENT REZONINGS

None.

---

### PLAN DETAILS

The plan proposes 77 single-family units homes. All units except five will have alley accessed garages. The home designs incorporate “front porch” architecture. The exterior siding of all homes will be cementous product and no vinyl siding will be used.

The site was previously graded and has little vegetation within the interior of the site. There is still some remaining vegetation along the perimeter of the site. Portions of the perimeter will receive supplemental plantings to meet with landscape buffer yards. Street trees will be provided along all interior streets.

Two pocket parks are located within the community. A large one is located centrally and is a focal point for the terminus of the entry street.

One future street connection is located at the rear of the property.



# Metro Planning Commission Meeting of 1/25/2006

## PUBLIC WORKS RECOMMENDATION

Revise and Resubmit

1. The intersection of Worthington Avenue with Barnes Road shall provide intersection sight distance in accordance with AASHTO, fully within the public right of way. This may require that Worthington Avenue be shifted further south along Barnes Road.
2. The western leg of Fairfax Circle shall be extended northerly to connect with Worthington Avenue, approximately through the area of lot number two .
3. Sidewalk connectivity shall be enhanced at the divided park by aligning pedestrian crossings.

### Maximum Uses in Existing Zoning District: AR2a

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	19.33	0.5	9	87	7	10

### 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)	19.33	n/a	88	925	72	96

### 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
--			+79	838	65	86

## METRO SCHOOL BOARD REPORT

Projected student generation\*

12 Elementary    7 Middle    7 High

Schools Over/Under Capacity

Students would attend Maxwell Elementary School, Antioch Middle School, or Antioch High School. All of these schools have been identified as being over capacity. There is capacity available at another middle school within the cluster and at a high school in an adjacent cluster. There is no elementary school capacity available within the cluster and the fiscal liability for elementary school students generated by this request is



## Metro Planning Commission Meeting of 1/25/2006

\$144,000. This information is based upon data from the school board last updated August 2006.

---

### STORMWATER RECOMMENDATION

Add 78-840 Note: (Any excavation, fill, or disturbance of the existing ground elevation must be done in accordance with storm water management ordinance No. 78/840 and approved by The Metropolitan Department of Water Services.) –

Add Preliminary Note: (This drawing is for illustration purposes to indicate the basic premise of the development. The final lot count and details of the plan shall be governed by the appropriate regulations at the time of final application.)

Add Access Note: (Metro Water Services shall be provided sufficient and unencumbered access in order to maintain and repair utilities in this site.)

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 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 criteria will be subjected to the 2006 Stormwater Management Regulations.

---

### 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 RS10 zoning district effective at the date of the building permit. This zoning district must be shown on the plan.
2. The application, including attached materials, plans and reports submitted by the applicant and all



## Metro Planning Commission Meeting of 1/25/2006

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 Public Works and Stormwater conditions shall be addressed and a revised copy of the preliminary SP shall be submitted to the Planning Commission within 30 days of the Planning Commission' action.
4. 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.
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. Subsequent to enactment of this Specific Plan district by the Metropolitan Council, and prior to any consideration by the Metropolitan Planning Commission for final site development plan approval, a paper print of the final boundary plat for all property within the overlay district must be submitted, complete with owner's signatures, to the Planning Commission staff for review.
7. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be





## Metro Planning Commission Meeting of 1/25/2006

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. 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.
9. 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.



**Project No.**  
**Council Bill**  
**Council District**  
**School District**  
**Requested by**

**Zone Change 2006Z-198G-03**  
None  
3 - Hunt  
3 - Garrett  
Margie Binkley, owner

**Staff Reviewer**  
**Staff Recommendation**

Logan  
*Approve*

---

**APPLICANT REQUEST**

**A request to change from One and Two-Family Residential (R15) to Commercial Service (CS) zoning a portion of property located at Whites Creek Pike (unnumbered), approximately 190 feet south of Knight Drive (.11 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 3.09 dwelling units per acre including 25% duplex lots.

**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.

---

**BORDEAUX/WHITES CREEK COMMUNITY PLAN POLICY**

Rural (R)

R is intended for areas that are physically suitable for urban or suburban development, but the community has chosen to remain predominantly rural in character. Agricultural uses, low intensity community facility uses, and low density residential uses (one dwelling unit per two acres or lower) may be appropriate.

**Consistent with Policy?**

The majority of this lot, which totals .57 acres, is zoned Commercial Service and is in Neighborhood Center policy. This request is to rezone .11 acres currently zoned R15 to CS. Staff recommends approval of this request in order to remedy the split zoning.

---

**RECENT REZONINGS**

None.



# Metro Planning Commission Meeting of 1/25/2006

## PUBLIC WORKS RECOMMENDATION

Traffic study may be required at time of development.

### Typical 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)	0.11	2.47	0	0	0	0

### Typical Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Retail (814)	0.11	0.031	148	45	8	22

### 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
--				45	8	22

### 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)	0.11	2.47	0	0	0	0

### Maximum Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Convenience Market (852)	0.11	0.6	2,875	NA	177	147

### 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
--				NA	177	147

## METRO SCHOOL BOARD REPORT

No students would be generated by this request.



**Project No.**  
**Name**  
**Council Bill**  
**Council District**  
**School District**  
**Requested by**

**Zone Change 2007Z-001T**  
**Automobile Uses as PC**  
BL2006-1290  
Countywide  
N/A  
Councilmember John Summers

**Staff Reviewer**  
Staff Recommendation

Regen  
*Disapprove*

**APPLICANT REQUEST**

**A council bill to repeal bill BL2006-972 (2006Z-029T) which allowed certain automobile repair, services, and sales uses only within the Specific Plan zoning district.**

**ANALYSIS**

Existing Law

Bill BL2006-972 is a comprehensive bill addressing many automobile-related uses. It was adopted by Council and became effective on April 1, 2006. The bill made automobile repair, automobile sales-used, automobile service, car wash, wrecker service, and heavy equipment sales and service prohibited uses in various commercial zoning districts, permitted by right in the industrial zoning districts, and permitted with conditions in the Specific Plan (SP) zoning district. In addition, the zoning definitions for these uses were modified to make them more clear as to what was allowed and prohibited.

Proposed Bill

Below are two tables, one identifies where these land uses currently are allowed and would be allowed in the future. The second table summarizes changes to the zoning definitions for these uses. The current bill proposes to permit these auto-related land uses with minimal standards. By repealing BL2006-972, businesses and residential neighborhoods may be subjected to the unintended impacts of these auto-related uses such as inadequate parking, test driving in neighborhoods, security fencing, and on-street parking congestion.



# Metro Planning Commission Meeting of 1/25/2006

## AUTO-RELATED USES

Note: Affect of bill shown with ~~strikeout~~, bold and highlighted text.

Land Use	Zoning District														
	MUL	MUG	MUI	CL	CS	CA	CF	CC	SCN	SCC	SCR	SP	IWD	IR	IG
Automobile convenience	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC				
<del>Automobile rental/leasing</del>	-	-	-	-	-	-	-	-	-	-	-	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>
Automobile repair					P		P					<del>P</del>	P	P	P
Automobile sales, new	-	-	-	P	P	P	-	-	-	-	P	<del>P</del>	P	P	P
Automobile sales, used	-	-	-	-	-	-	-	-	-	-	-	<del>P</del>	P	P	P
Automobile service		P	P	P	P	P	P	P	<b>PC</b>	P	P	<del>P</del>	P	P	P
<b>Automobile service, oil change</b>		<b>P</b>	<b>P</b>		<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>PC</b>	<b>P</b>	<b>P</b>	-			
Car wash	PC	PC	PC	PC	PC	PC	PC	PC		PC	PC	<del>P</del>	P	P	P
Heavy equipment, sales and service					<b>PC</b>		<b>P</b>					<del>P</del>	P	P	P
Scrap operation															P
<del>Vehicular rental/leasing</del>	-	-	-	-	-	-	-	-	-	-	-	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>
Vehicular sales and service, limited												<del>P</del>	P	P	P
Wrecker service					<b>PC</b>		<b>PC</b>					<del>P</del>	P	P	P

## PROPOSED CHANGES: DEFINITIONS & LAND USES

Land Use / Definition	Existing Code	Proposed Code	Zoning Code Definition Existing	Zoning Code Definition Future
Automobile	X		10 passengers or less with gross weight of less than 10,000 pounds, excludes motorcycles	
Automobile convenience	X	X	gas station, convenience market, automatic car wash	no change
Automobile repair	X	X	body, fender, painting, collision repair, painting, or upholstery work, collision repair, vehicle steam cleaning; no storage of abandoned vehicles	not as specific; doesn't prohibit storage of abandoned vehicles; doesn't prohibit auto dismantling, recycling, recovery for salvage
Automobile sales, new	X		sale, rental, or lease of new and used autos with on-site facilities for repair and service; no scrap operations	
Automobile sales, used	X		sale of operable vehicles with on-site facilities for automobile service; no auto repair or scrap operations	



## Metro Planning Commission Meeting of 1/25/2006

Land Use / Definition	Existing Code	Proposed Code	Zoning Code Definition Existing	Zoning Code Definition Future
Automobile service	X	X	brakes, lube, tires, alignment, batteries, cooling, electrical, fuel and exhaust systems, wheel alignment and balancing, brake adjustment, relining and repairs, mufflers, batteries, tire services and sales, shock absorbers, installation of stereo equipment, car alarms or cellular phones; no auto repair or scrap operations	not as specific and doesn't prohibit auto repair or auto storage of abandoned vehicles.
Automobile service, oil change		X		permits only oil change; quick lube operations.
Heavy equipment sales and service	X	X	construction equipment rental, boats, buses, farm equipment, tractor-trailers and semi-trailers	not as specific; doesn't include tractor-trailers and semi-trailers
Scrap operation	X	X	storage, processing, and/or sale of waste materials, automotive dismantlers and recyclers for salvage or scrap content	not as specific; doesn't address auto dismantling and recycling for salvage or scrap operations
Vehicular rental/leasing	X		renting or leasing of cars, motorcycles, RVs, boats and trucks and vans; includes rental car agencies	
Vehicular sales & service, limited	X	X	sale of motorcycles, trucks and vans, recreational vehicles, boats, or similar motorized recreational equipment, along with incidental service or maintenance	not as specific; permits sale of used cars and renting/leasing of cars and equipment.
Wrecker service	X	X	towing and storage of damaged vehicles	no change

### Staff Recommendation

Staff recommends disapproval of the proposed bill to repeal BL2006-972. The SP district enables the potential impact of these uses on surrounding businesses and neighborhoods to be addressed. Creating a one-size fits all set of standards, or permitting them by right, as proposed by BL2006-1290, does not properly account for the unique characteristics of a business or its location.



**Project No.**  
**Council Bill**  
**Council District**  
**School District**  
**Requested by**

**Zone Change 2007Z-002U-14**  
None  
15 – Loring  
4 – Glover  
Mark A. Ellmore, Jr., owner.

**Staff Reviewer**  
**Staff Recommendation**

Swaggart  
*Disapprove*

**APPLICANT REQUEST**

**A request to change approximately .82 acres located at 1909 Lebanon Pike from Single-Family Residential (RS10) to Office Neighborhood (ON).**

**Existing Zoning**  
RS10 District

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

**Proposed Zoning**  
ON District

Office Neighborhood is intended for low intensity office uses.

**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?**

No. The requested Office Neighborhood district is not consistent with the Donelson-Hermitage Community’s Residential Low Medium policy, which calls for residential development. While it may seem that the proposed use would provide a transition between the existing industrial zoning district to the west, the property directly west of this property is a VFW Lodge, not an industrial use, and provides adequate transition between the residential and industrial areas.

**RECENT REZONINGS**

None

**PUBLIC WORKS RECOMMENDATION**

Traffic Study may be required at the time of development.



## Metro Planning Commission Meeting of 1/25/2006

### Typical Uses in Existing Zoning District: RS10

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family detached (210)	0.82	3.7	3	29	3	4

### Typical Uses in Proposed Zoning District: ON

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	0.82	0.56	20,003	387	52	102

### 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
--				358	49	98

### Maximum Uses in Existing Zoning District: RS10

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	0.82	3.7	3	29	3	4

### Maximum Uses in Proposed Zoning District: ON

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Drive-In Bank (912)	0.82	..09	3,214*	843	40	148

\*Adjusted as per use

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				814	37	144





**Project No.**  
**Associated Cases**  
**Council Bill**  
**Council District**  
**School District**  
**Requested by**

**Zone Change 2007Z-003U-10**  
None  
None  
25 - Shulman  
8 - Fox  
Dale & Associates, applicant, for Sugartree Properties, owner.

**Staff Reviewer**  
**Staff Recommendation**

Withers  
*Disapprove*

**APPLICANT REQUEST**

**A request to change from Single-Family Residential (RS20) to Single-Family Residential (RS10) zoning property located at 3715 Sugartree Place, approximately 190 feet north of Abbott Martin Road (0.48 acres)**

**Existing Zoning**  
RS20 District

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

**Proposed Zoning**  
RS10 District

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

**GREEN HILLS/MIDTOWN COMMUNITY PLAN POLICY**

Residential Low Medium (RLM)

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

**Consistent with Policy?**

The density of the RS10 policy is within the 2-4 dwelling units per acre, however, the application of RS10 zoning to this particular location is inappropriate. The surrounding zoning is RS20 or R20 and the lot sizes are over 20,000 square feet. If the property were rezoned to RS10, a subdivision plat for two lots would not meet lot comparability. The existing lot has an area of 20,909 square feet and 150 feet of frontage. A comparable lot would be 20,000 square feet in area with



## Metro Planning Commission Meeting of 1/25/2006

120 feet of frontage. The existing lot is not large enough to be subdivided into two comparable lots.

It should be noted that this property was recently rezoned to RS20. While the property was zoned R20, the applicant obtained a building permit for a duplex.

---

### RECENT REZONINGS

None.

---

### PUBLIC WORKS RECOMMENDATION

No exception taken.

#### Maximum Uses in Existing Zoning District: RS20

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family detached (210)	0.48	1.85	1	10	1	2

#### Maximum Uses in Proposed Zoning District: RS10

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family detached (210)	0.48	3.71	2	20	2	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
--			1	10	1	1

---

### METRO SCHOOL BOARD REPORT

No students are projected to be generated by this request.



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

**Zone Change 2007SP-007G-06**  
**Cedar Place Town Homes**  
None  
None  
22 – Crafton  
9 – Warden  
Dale and Associates, applicant for Signature Partnership, LLC, owner.

**Staff Reviewer**  
**Staff Recommendation**

Swaggart  
*Disapprove 32 units, but approve 31 units with conditions*

**APPLICANT REQUEST**  
Amend SP

**A request to rezone approximately 7.8 acres from One and Two-Family Residential (R20) to Specific Plan (SP), to permit the development of 32 townhomes.**

**Existing Zoning**  
R20 District

R20 requires a minimum 20,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 2.31 dwelling units per acre including 25% duplex lots.

**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.



## Metro Planning Commission Meeting of 1/25/2006

---

### BELLEVUE COMMUNITY PLAN POLICY

Residential Low Medium (RLM)

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

**Consistent with Policy?**

No. The proposed SP plan calls for a density of 4.1 units per acre and is not consistent with the area's Residential Low Medium policy, which calls for a density between 2 and 4 units per acre. If a unit is removed then the plan will be consistent with the policy (3.9 units per acre).

---

### PLAN DETAILS

History

This property was previously approved for RM6 and a 30 unit Planned Unit Development by the Planning Commission on July 13, 2006; however, both ordinances (BL2006-1155 and BL2006-1156) were deferred indefinitely.

Site Plan

The plan proposes 32 townhomes on approximately 7.8 acres with an overall density of 4.1 units per acre. Units along Sawyer Brown Road (13-25) will front on Sawyer Brown. The interior units (1-12 and 26-32) will front on private internal drives.

Access

Units will be accessed from two individual private drives off of Sawyer Brown Road. Units 1-12 will be accessed from a private drive close to the western property line, and units 13-32 will be accessed from a private drive that will bisect with Cedar Forest Drive.

Sidewalks

Sidewalks are shown along Sawyer Brown Road as well as within the development. As proposed, the sidewalk layout is adequate and should provide for safe pedestrian movement within the development.

Elevations

Elevations for units along Sawyer Brown Road have been provided.



## Metro Planning Commission Meeting of 1/25/2006

### Environmental

The property is bisected by a small unnamed stream. The previous PUD plan called for one access point with the units along the western side of the stream being accessed by an internal street that would require a stream crossing. This plan does not require any stream crossing so the stream and its buffer will be left undisturbed except for a sewer line crossing.

There is approximately 2.86 acres of land that is within the 100 year flood plain of which 2.07 acres (~72%) will be left undisturbed. As proposed some units will be within the 100 year flood plain and will require a flood study to be completed prior to the final development plan being approved.

### Staff Concerns

The proposed number of units (32) is not consistent with the area's Residential Low Medium policy, which calls for 2-4 units per acre. Since the proposed number of units is not consistent with the area's policy, then one unit should be removed from the plan for a total of 31 units, which is consistent with the policy (3.9 units per acre).

### Staff Recommendation

Staff recommends that the request for 32 units be disapproved, but that 31 units be approved with conditions since it is consistent with the area's policy. There should be no other changes to the site plan other than removing one unit.

---

### **PUBLIC WORKS RECOMMENDATION**

1. Approval of an 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. In compliance with adopted major street plan, dedicate 30 feet of ROW from centerline along the frontage of the collector Sawyer Brown Road.
4. Adequate site distance shall be provided at the project drives for the posted speed limit per AASHTO standards.



# Metro Planning Commission Meeting of 1/25/2006

## Maximum Uses in Existing Zoning District: R20

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	7.88	2.178	17	163	13	18

## Maximum Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	Density	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Res. Condo/townhome (230)	7.88		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
--				94	9	7

## STORMWATER RECOMMENDATION

1. Add Buffer Note: (The buffer along waterways will be an area where the surface is left in a natural state, and is not disturbed by construction activity. This is in accordance with the Stormwater Management Manual Volume 1 - Regulations.)
2. Add Preliminary Note: (This drawing is for illustration purposes to indicate the basic premise of the development. The final lot count and details of the plan shall be governed by the appropriate regulations at the time of final application.)
3. Add Access Note: (Metro Water Services shall be provided sufficient and unencumbered access in order to maintain and repair utilities in this site.)
4. 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).)
5. Label all water quality devices and explain the water quality system for lots 15-34.
6. Remove the following note from the plans "Drain Bufferyard as agreed upon with Metro Water Services".



## Metro Planning Commission Meeting of 1/25/2006

7. 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 don't meet this criteria will be subjected to the 2006 Stormwater Management Regulations.)

---

### METRO SCHOOL BOARD REPORT

#### Projected student generation\*

Schools Over/Under Capacity

#### 2 Elementary 1 Middle 1 High

Students would attend Gower Elementary School, Hill Middle School, and Hillwood High School. All three schools are listed as having capacity. This information is based upon data from the school board last updated February 2006.

---

### CONDITIONS (if approved)

1. The total number of units shall be reduced to 31. The only changes made to the site plan shall be the removal of one unit. If approved with this condition, a revised plan addressing this condition must be submitted and approved by Planning Staff within one week of the Planning Commission's action.
2. 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.
3. 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



## Metro Planning Commission Meeting of 1/25/2006

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.

4. 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.
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. Signage shall be limited to one monument type sign 20 square feet or less, and not exceed 4 feet in height.
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. 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





## Metro Planning Commission Meeting of 1/25/2006

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.

9. 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.
10. Per Public Works: In compliance with adopted major street plan, dedicate 30 feet of ROW from centerline along the frontage of the collector Sawyer Brown Road.
11. Per Public Works: Adequate site distance shall be provided at the project drives for the posted speed limit per AASHTO standards.



**Project No.**  
**Council Bill**  
**Council District**  
**School District**  
**Requested by**

**Zone Change 2007Z-010G-04**  
None  
9 - Forkum  
3 - Garrett  
Ragan-Smith Associates, applicant, for Madison Church of Christ, owner

**Staff Reviewer**  
**Staff Recommendation**

Logan  
*Approve*

---

**APPLICANT REQUEST**

**A request to change from Single-Family Residential (RS7.5) to Commercial Service (CS) zoning properties located at 106 Gallatin Pike and Vera Street (unnumbered), at the southern end of Vera Street (0.24 acres)**

**Existing 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.

**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.

---

**MADISON  
COMMUNITY PLAN POLICY**

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.

**Consistent with Policy?**

This request encourages the redevelopment of the existing commercial parcels along Gallatin Pike. While Commercial Service districts are not generally to be expanded in the CAE policy, this request does not encroach into a residential area because this property and the adjacent property are entirely parking lots. Vera Street creates a border to prevent future rezonings to commercial from intruding upon the residential area.



# Metro Planning Commission Meeting of 1/25/2006

## RECENT REZONINGS

None.

## PUBLIC WORKS RECOMMENDATION

No Exceptions Taken.

### Maximum Uses in Existing 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)	0.24	4.94	1	10	1	2

### Maximum Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Strip Shopping Center (814)	0.24	0.299	3,125	172	10	29

\*Adjusted as per use

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				162	9	27

## METRO SCHOOL BOARD REPORT

No students would be generated by this request.



**Project No.**  
**Council Bill**  
**Council District**  
**School District**  
**Requested by**

**Zone Change 2007Z-011U-03**  
None  
2 - Isabel  
1 - Thompson  
requested by Kenneth H. and Helena Morgan, owners

**Staff Reviewer**  
**Staff Recommendation**

Withers  
*Disapprove*

---

**APPLICANT REQUEST**

**A request to change from Commercial Service (CS) to Industrial Warehousing/Distribution (IWD) zoning properties located at 2810 and 2818 Whites Creek Pike, approximately 830 feet north of Revels Drive (4.47 acres).**

**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**  
IWD District

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

---

**BORDEAUX/WHITES CREEK COMMUNITY PLAN POLICY**

Neighborhood Center (NC)

NC is intended for small, intense areas that may contain multiple functions and are intended to act as local centers of activity. Ideally, a neighborhood center is a "walk-to" area within a five minute walk of the surrounding neighborhood it serves. The key types of uses intended within NC areas are those that meet daily convenience needs and/or provide a place to gather and socialize.

Appropriate uses include single- and multi-family residential, public benefit activities and small scale office and commercial uses. 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.



## Metro Planning Commission Meeting of 1/25/2006

### Consistent with Policy?

No. Industrial zoning does not promote the daily convenience needs of the surrounding neighborhood as envisioned by the Neighborhood Center Community Plan Policy.

This property was zoned Commercial General under the previous zoning ordinance (prior to 1998). Commercial General permitted warehousing, trucking and manufacturing activities. In 1998, when the current zoning ordinance was adopted this property was zoned to Commercial Service. Commercial Service allows intense commercial development, but not the "light industrial" uses (warehousing and trucking terminals) that were permitted in the old Commercial General District. The current use on the property is a roofing and construction company. The owner wishes his zoning to be in compliance with the use of the property.

Staff recognizes that the current use of the property is an industrial use. The community plan, however, calls for neighborhood oriented commercial uses. IWD zoning would not implement the envisioned small convenience uses envisioned by the community plan.

### RECENT REZONINGS

None.

### PUBLIC WORKS RECOMMENDATION

No Exceptions Taken.

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

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Auto Care Center (942)	4.47	0.139	27,065	NA	80	84

#### Typical Uses in Proposed Zoning District: IWD

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	4.47	0.17	33,101	165	38	28

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--			6,036	NA	-42	-56



# Metro Planning Commission Meeting of 1/25/2006

## Maximum Uses in Existing Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Auto Care Center (942)	4.47	0.6	116,827	NA	344	332

## Maximum Uses in Proposed Zoning District: IWD

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	4.47	0.8	155,770	773	114	93

\*Adjusted as per use

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--			3,8943	NA	-230	-239

## METRO SCHOOL BOARD REPORT

No students would be generated by this request.



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

**Zone Change 2007SP-013G-13**  
**Creekway Garden Center**  
None  
None  
32 – Coleman  
6 – Johnson  
Dale and Associates, applicant for Mohammad Reza Shams, owner.

**Staff Reviewer**  
**Staff Recommendation**

Swaggart  
*Disapprove*

**APPLICANT REQUEST**

Zone Change

**A request to rezone approximately 3.4 acres from Agricultural/residential (AR2a) to Specific Plan (SP), to permit the development of a landscape sales and garden center to include two 1,000 square foot green houses, a 1,290 square foot of office space, a 860 square foot warehouse, and a 500 square foot car garage.**

**Existing Zoning**  
AR2a District

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

**Proposed Zoning**  
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.



## Metro Planning Commission Meeting of 1/25/2006

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

---

### ANTIOCH-PRIEST LAKE PLAN POLICY

#### Corridor General (CG)

CG is intended for areas at the edge of a neighborhood that extend along a segment of a major street and are predominantly residential in character. CG areas are intended to contain a variety of residential development along with larger scale civic and public benefit activities. Examples might include single family detached, single-family attached or two-family houses; but multi-family development might work best on such busy corridors. An accompanying Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

#### Neighborhood General (NG)

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

#### Consistent with Policy?

No. The proposed SP to allow for the development of a landscape sales and garden center is not consistent with the area's Corridor General and Neighborhood General policies, which are intended to promote residential development. This plan was updated in 2003, and calls for commercial, office and mixed use developments at intersections such as Murfreesboro and Hobson Pike to the North and Murfreesboro and Lavergne Couchville Pike to the South with predominately medium to high-medium residential in-between.





## Metro Planning Commission Meeting of 1/25/2006

---

### PLAN DETAILS

#### Site Plan

The plan calls for two 1,000 square foot greenhouses, a 1,290 square foot office, an 860 square foot warehouse, and a 500 square foot car garage (2 cars). The property is located on the north side of Murfreesboro Pike south of Old Hickory Boulevard. Currently there is an existing 1,290 square foot residence, 500 square foot detached two-car garage, and an 860 square foot building on the property. The plan proposes to use the existing house for an office, the garage for employee parking, and the building for a warehouse, as well as two additional 1,000 square foot green houses.

#### Access

Access will be provided from Murfreesboro Pike from two existing locations. The main entrance will be at the northern existing access point, and the other existing access point will be used to access the two-car garage.

#### Parking

The plan calls for a total of 20 parking spaces including the two spaces provided in the existing two-car garage. The total number of proposed parking spaces complies with the minimum number of spaces required for the proposed uses.

#### Staff Recommendation

Staff recommends disapproval because the requested use of landscape sales and garden center is not consistent with the area's Corridor General and Neighborhood General policies.

---

### PUBLIC WORKS RECOMMENDATION

Approve with the following conditions:

1. Approval of an 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. Adequate site distance is required at the project access.



## Metro Planning Commission Meeting of 1/25/2006

### STORMWATER RECOMMENDATION

Approve with the following conditions:

1. Show Undisturbed Buffers or provide an appeal from the Stormwater Committee
2. Add Buffer Note: "The buffer along waterways will be an area where the surface is left in a natural state, and is not disturbed by construction activity. This is in accordance with the Stormwater Management Manual Volume 1 - Regulations."
3. Add Access Note: "Metro Water Services shall be provided sufficient and unencumbered access in order to maintain and repair utilities in this site."
4. 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)."
5. 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 don't meet this criteria will be subjected to the 2006 Stormwater Management Regulations."

### CONDITIONS (if approved)

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.



## Metro Planning Commission Meeting of 1/25/2006

2. 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 IR zoning district at the effective date of this ordinance, which must be shown on the plan.
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. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
6. 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.
7. 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



## Metro Planning Commission Meeting of 1/25/2006

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.

8. Per Public Works: Adequate site distance is required at the project access.



**Project No.**  
**Project Name**  
**Council Bill**  
**Council District**  
**School District**  
**Requested By**

**2007SP-015U-10**  
**18<sup>th</sup> & Wedgewood SP**  
None  
19 - Wallace  
8- Fox  
Barge, Waggoner, Sumner & Cannon, applicant, for Nashville Property Managers LLP, owner.

**Staff Reviewer**  
**Staff Recommendation**

Withers  
*Approve with conditions*

**APPLICANT REQUEST**  
**Preliminary SP**

**A request to change from Multi-Family Residential (RM40) to Specific Plan (SP) zoning on property located at 1700 18th Avenue South, northeast corner of 18th Avenue South and Wedgewood Avenue (.54 acres), to permit 38 multi-family condominium units with a parking garage.**

**Existing Zoning**  
RM40 District

RM40 is intended for single-family, duplex, and multi-family dwellings at a density of 40 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.



## Metro Planning Commission Meeting of 1/25/2006

---

### GREEN HILLS/MIDTOWN COMMUNITY PLAN

#### Neighborhood General (NG)

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

#### Consistent with Policy?

Yes. This project both has an appropriate urban form and is context sensitive. The density is appropriate for the project's location. The building addresses 18<sup>th</sup> Avenue and Wedgewood Avenue and incorporates a tower element to address the street corner. The main body of the building is setback 30 feet from the street, to maintain the contextual setback of 18<sup>th</sup> Avenue. The building has a strong residential frontage on 18<sup>th</sup> Avenue, with projecting front doors, stairs and front porches. This façade has wide windows to allow light into the condominium units. The main material is brick, with stone details at the cornice line of the parapet wall and above the windows. The building is 3½ stories tall on 18<sup>th</sup> Avenue and 4 stories tall on Wedgewood Avenue.

---

#### RECENT REZONINGS

None.

---

#### PUBLIC WORKS RECOMMENDATION

Following are review comments for the submitted 18th & Wedgewood Avenue SP specific plan (2007SP-015U-10), received December 29, 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.



# Metro Planning Commission Meeting of 1/25/2006

## Maximum Uses in Existing Zoning District: RM40

Land Use (ITE Code)	Acres	Density	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Res. Condo/townhome (230)	.54	40	21	171	15	17

## 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)	.54	n/a	38	283	24	28

## 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
--			17	112	9	11

### METRO SCHOOL BOARD REPORT

**Projected student generation\***

**1 Elementary    1 Middle    1 High**

**Schools Over/Under Capacity**

Students would attend Eakin Elementary School, West End Middle School, or Hillsboro High School. None of these schools have been identified as being over capacity. This information is based upon data from the school board last updated August 2006.

### STORMWATER RECOMMENDATION

Preliminary approved

### 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 RM60 zoning district effective at the date of the building permit. This zoning district must be shown on the plan.
2. The application, including attached materials, plans and reports submitted by the applicant and all



## Metro Planning Commission Meeting of 1/25/2006

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





## Metro Planning Commission Meeting of 1/25/2006

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. 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.



**Project No.**  
**Project Name**  
**Council Bill**  
**Council District**  
**School District**  
**Requested by**

**Zone Change 2007SP-019U-14**  
**North Lake Town Homes**  
None  
14 – White  
4 – Glover  
Dale and Associates, applicant for North Lake Partners, owner.

**Staff Reviewer**  
**Staff Recommendation**

Swaggart  
*Approve with conditions*

**APPLICANT REQUEST**  
**Preliminary SP**

**A request rezone approximately 4.57 acres from Commercial Service (CS) to Specific Plan (SP), to permit the development of 20 townhomes and a 4,000 square foot warehouse on property located at 541 and 551 Stewarts Ferry Pike, just west of I-40.**

**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**  
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.



## Metro Planning Commission Meeting of 1/25/2006

### **DONELSON/OLD HICKORY HERMITATE COMMUNITY PLAN POLICIES**

#### Natural Conservation (NCO)

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

#### Commercial Mixed Concentration (CMC)

CMC policy is intended to include Medium High to High density residential, all types of retail trade (except regional shopping malls), highway-oriented commercial services, offices, and research activities and other appropriate uses with these locational characteristics.

#### **Consistent with Policy?**

Yes. As proposed, the overall density for this SP will be approximately 4.4 units per acre. Approximately 2.04 acres (46%) of this property is within a Natural Conservation policy, and approximately 2.5 acres (54%) is within a Commercial Mixed Concentration policy. Commercial Mixed Concentration allows for high density residential development with densities above 20 units per acre. Natural Conservation policy also allows for residential development, but at a very low density of 1 unit per 2 acres. As proposed the density (4.4 units per acre) is much lower than what the policies could allow.

The development will encroach into some areas designated with a Natural Conservation policy, however, the policy does allow for some development. Approximately 2.8 acres of the site is being preserved in a natural state and 2.5 acres of the area to be preserved is located within the Natural Conservation policy. Thus, the majority of the area to be preserved is within the Natural Conservation policy.

### **PLAN DETAILS**

#### Site Plan

The plan calls for 20 townhomes and a 4,000 square foot warehouse space to be located on approximately 4.57 acres. The residential density for this plan is



## Metro Planning Commission Meeting of 1/25/2006

approximately 4.4 units per acre. The Floor Area Ratio (FAR) for the warehouse is approximately 0.02, and 0.16 for the overall development. The 20 townhomes will be located in two-10 unit buildings. The residential portion of this plan will be located on the western side of the property close to Stewarts Ferry Pike, and the warehouse will be located at the eastern end of the property, approximately 600 feet behind the townhomes.

### Access

Both the residential development and warehouse will be accessed from a shared private drive off of Stewarts Ferry. Townhomes will be rear loaded with access from a private one-way drive.

### Building Plan (Elevations)

Elevations provided for the residential units show two story structures with a staggered roof line constructed of stone and brick. The elevations are included in this staff report and will be included in the Commission's approval. Units will front to the north onto the main access drive. Each unit will have a two car garage at the rear. An elevation for the warehouse has not been provided and must be submitted with the final development plan.

### Sidewalks

This request is located within the Urban Services District and sidewalks are required along Stewarts Ferry Pike. The plan does not identify sidewalks along Stewarts Ferry Pike. The applicant has indicated that a previous fee has been paid for sidewalks in 2003. If this is accurate and the fee is still retained by Metro, then sidewalks may not be required. However, if the fee has been returned then sidewalks should be required. Public Works is currently researching this payment to determine if the fee was returned or is still being held.

If sidewalks are required along Stewarts Ferry the plan will need to be revised to allow for enough room for the placement of the sidewalk. Currently there is approximately 2 feet between the ROW and the one-way private drive, and does not provide adequate space for a sidewalk.

### Environmental

McCrary Creek runs along the southern property line and its buffer and flood plain consumes a large portion of the property. The development will encroach into



## Metro Planning Commission Meeting of 1/25/2006

### Greenway

flood plain area as well as the stream buffer. A buffer disturbance for this property has been approved by the Stormwater Management Committee, and this proposed plan is consistent with that buffer disturbance approval. While the development will encroach into the flood plain and stream buffer, a majority of the flood plain and buffer, approximately 2.8 acres, will be undisturbed. It is also important to note that this property has previously been disturbed by grading activity.

The Donelson-Old Hickory-Hermitage Community Plan calls for a greenway along McCrory Creek. Typically a greenway and conservation easement is included in a separate 25 foot easement outside the stream buffer. Since a stream buffer disturbance has been previously approved for this site and the proposed townhouse units are located within the area that would normally be required for a greenway, the typical greenway easement is precluded. Staff recommends that the greenway easement be placed within the stream buffer in the area in front of the townhouse units and within a separate 25 foot easement outside and adjacent to the stream buffer for areas of the site where there is sufficient space.

If Metro Parks plans to construct a greenway trail on this site at some point in the future, the additional disturbance will have to be approved by the Stormwater Management Committee prior to construction.

### Staff Recommendation

Since the proposed plan is consistent with the area's policies staff recommends that the request be approved with conditions.

---

### PUBLIC WORKS RECOMMENDATION

1. Approval of an 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. Pavement schedule of proposed roadways per ST-251.



## Metro Planning Commission Meeting of 1/25/2006

### 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
General Office (710)	4.57	0.198	39,415	652	90	123

### Typical Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	Density	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Res. Condo/townhome (230)	4.57	n/a	20	164	15	17

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	4.57	n/a	4,000	20	9	6

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

				Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
				-468	-66	-100

### Maximum Uses in Existing Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	4.57	.6	119,441	1,530	217	213

### Maximum Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	Density	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Res. Condo/townhome (230)	4.57	n/a	20	164	15	17

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	4.57	n/a	4,000	20	9	6

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

		--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				-1,346	-193	-190



# Metro Planning Commission Meeting of 1/25/2006

## STORMWATER RECOMMENDATION

Approved with the following conditions:

1. Buffer Note: (The buffer along waterways will be an area where the surface is left in a natural state, and is not disturbed by construction activity. This is in accordance with the Stormwater Management Manual Volume 1 - Regulations.)
2. Access Note: (Metro Water Services shall be provided sufficient and unencumbered access in order to maintain and repair utilities in this site.)
3. 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).)
4. 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 criteria will be subjected to the 2006 Stormwater Management Regulations.

## METRO SCHOOL BOARD REPORT

Projected student generation\*

2 Elementary    1 Middle    1 HighSchools

Over/Under Capacity

Students would attend Hickman Elementary School, Donelson Middle School, and McGavock High School. Hickman Elementary is listed as having capacity, Donelson Middle School and McGavock High School are currently over capacity; however, there is capacity within the cluster for the middle school in the Stratford and Glencliff clusters. Since there is no capacity within the adjacent clusters for additional high school students, then the fiscal liability would be \$16,000.00. This information is based upon data from the school board last updated February 2006.

## CONDITIONS

1. If the previous in-lieu fee for sidewalks for the properties within this SP are not currently retained by Metro, then sidewalks shall be required along Stewarts Ferry Pike. If sidewalks are required, then the development plan must be revised to provide



## Metro Planning Commission Meeting of 1/25/2006

sufficient room for sidewalks. If the change only requires minor changes to the plan, then the changes may be approved as a revision with the final development plan. If the changes are determined by staff to be major, then the plan shall be referred back to Council for approval.

2. A greenway easement shall be provided along McCrory Creek. Since a buffer disturbance has been previously approved for this site, the greenway easement shall be placed within the stream buffer in areas where the disturbance has been approved and adjacent the stream buffer within a 25 foot greenway easement where there is sufficient area. Additional disturbance for the greenway will have to be approved by the Stormwater Management Committee prior to any approval of the final development plan. If an additional buffer disturbance is not approved for the greenway, then the Planning Commission may consider waiving the greenway easement requirement at the final development plan stage. If an additional disturbance is approved, then Metro Greenways must determine if the developer should construct the greenway with the final development plan.
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 MUL zoning district effective at the date of the building permit. This zoning district must be shown on the plan.
4. 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





## Metro Planning Commission Meeting of 1/25/2006

these plans will require review by the Planning Commission and approval by the Metropolitan Council.

5. 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.
6. 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.
7. Signage shall be limited to one monument type sign 20 square feet or less, and not exceed 4 feet in height.
8. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
9. 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



## Metro Planning Commission Meeting of 1/25/2006

through this enacting ordinance, or add vehicular access points not currently present or approved.

10. 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.
11. Per Metro Public Works: Pavement schedule of proposed roadways per ST-251.



**Project No.**  
**Council Bill**  
**Council District**  
**School District**  
**Requested by**

**Zone Change 2007Z-020U-02**  
None  
3 - Hunt  
4 - Glover  
Thompson Power, applicant, for Brick Church Limited Partnership, owner.

**Staff Reviewer**  
**Staff Recommendation**

Logan  
*Disapprove*

**APPLICANT REQUEST**

**A request to change from Commercial Service (CS) to Industrial Warehousing/Distribution (IWD) zoning properties located at 3720 Brick Church Pike and Briley Park Boulevard South (unnumbered), on the west side of Brick Church Pike north of Briley Parkway (24.09 acres).**

**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**  
IWD District

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

**BORDEAUX/WHITES CREEK COMMUNITY PLAN POLICY**

Commercial Mixed Concentration (CMC)

CMC policy is intended to include Medium High to High density residential, all types of retail trade (except regional shopping malls), highway-oriented commercial services, offices, and research activities and other appropriate uses with these locational characteristics.

**Consistent with Policy?**

No. Commercial Mixed Concentration policy does not support industrial uses. The Industrial Planned Unit Development that borders this property was approved in 1987. A creek forms the boundary between the Industrial PUD and the property. Staff does not recommend that industrial uses cross this boundary and move toward the residential development to the east.



## Metro Planning Commission Meeting of 1/25/2006

### RECENT REZONINGS

None.

### PUBLIC WORKS RECOMMENDATION

No Exceptions Taken.

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

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
New Car Sales (841)	24.09	.02	20,987	697	43	56

#### Typical Uses in Proposed Zoning District: IWD

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	24.09	.06	62,961	311	60	46

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

		--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--			41,974	-386	17	-10

#### Maximum Uses in Existing Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Auto Care Center (942)	24.09	.6	629,616	NA	1,852	1,618

#### Maximum Uses in Proposed Zoning District: IWD

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	24.09	.8	839,488	3,440	377	351

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

		--	Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--			209,872	NA	-1,475	-1,267

### METRO SCHOOL BOARD REPORT

No students would be generated by this request.



**Project Name**  
**Project No.**  
**Council District**  
**School District**  
**Requested by**

**Jocelyn Hills, Section 1**  
**2006S-371U-07**  
23 – Evans  
9 - Warden  
Allen Cargile, owner/developer and Campbell, McRae and Associates, surveyor.

**Staff Reviewer**  
**Staff Recommendation**

Withers  
*Defer unless signatures are obtained from all affected parties prior to the Planning Commission Meeting. If signatures are obtained, then the recommendation is to approve with conditions as a concept plan. If the signatures are not obtained and the applicant does not wish to defer, then staff recommends disapproval.*

**APPLICANT REQUEST**

**A request for final plat approval to create eight lots abutting the northwest side of Clearbrook Drive and the northeast side of Baskin Drive (20.44 acres), classified within the RS40 District.**

**HISTORY**

A final plat for eight lots was approved with conditions by the Planning Commission on November 12, 1998, but was never recorded and has now expired.

**PLAN DETAILS**

This final plat application proposes eight lots that are the same as what the Planning Commission approved in 1998. The eight lots are proposed to be accessed by a private street that connects to the end of Baskin Drive. The lots range in size from 1.17 acres to 3.57 acres. The site contains steep topography and soils identified by the Zoning Ordinance as problem soils (17.28.050).

Because the lots are equal to or greater than 1 acre in size, the hillside development provisions of the Zoning Code do not apply (17.28.030A.1). The lots are identified as critical lots, however, because of the potential problem soils present on the site.

Each of the lots must be labeled as a “critical” lot that will require a review of the individual lot site plans prior to the issuance of a building permit. These site plans must be prepared and stamped by a licensed engineer. A geotechnical report, also prepared by a licensed engineer, shall accompany the site plan applications and shall certify that the construction techniques proposed adequately mitigate any potential soil hazards identified by the report.



## Metro Planning Commission Meeting of 1/25/2006

### Variance for Private Street Subdivision Regulations 3-9.3

Private streets are allowed in Planned Unit Developments (PUDs), and in Natural Conservation land use policy. This request is not within a PUD and the property is located in an area with “Residential Low” land use policy, so the regulations do not permit a private street. Due to topographical constraints and the fact that the private road is already in existence, however, staff recommends that the Commission approve a variance to allow the use of a private street in this development with the following conditions:

- 1) The pavement of the street must be 20 feet wide to meet the Metro Public Works ST-255 Standard Cross Section. Construction to widen the existing street must take place prior to the issuance of building permits. The currently constructed road is close to 20 feet wide, but varies in places and needs a turnaround to meet Metro Fire Marshal requirements.
- 2) A road maintenance and access agreement for the development must be recorded prior to the recording of the final plat. Because this private street is currently utilized by three property owners outside this subdivision, these owners must also sign the agreement.

### Approval of the Application as a Concept Plan

The concept plan is typically the first step in the process of subdividing land. In this case, the applicant submitted a final plat (the last step in the process) because they considered the private street being utilized as an existing street. In the review of the subdivision plat, staff discovered that private street was not considered to be “finished” because it must be widened in areas to meet the applicable standards, and a turnaround must be constructed to meet Fire Marshal requirements. Because there is common infrastructure that must be constructed, the applicant reasonably should be required to submit construction plans prior to approval of a final subdivision plat. This need for construction plans is one of the factors that has led staff to recommend that this application be considered as a concept plan rather than a final plat.

The Metro Fire Marshal requires detailed drawings showing the proposed layout of the subdivision, elevations, fire mains, hydrants, and where the homes will be located on the lots to ensure that if fire



## Metro Planning Commission Meeting of 1/25/2006

sprinklers are utilized in some homes the systems will provide adequate fire protection. In order to ensure compliance with these requirements, more information is required before staff could recommend approval of a final plat on this property. The necessary information can be provided as part of the development plan review and approval process following approval of the current plan as a concept plan under the current Subdivision Regulations.

As explained above, this property contains soils identified in the zoning ordinance as problems soils requiring special consideration in construction techniques. The problem soils, coupled with steep slopes require further study. In addition to the reasons stated above, staff recommends that the Commission approve this application only as a concept plan and require a development plan so the applicant can provide grading and road construction plans, lot specific stormwater control methods, delineated limits of disturbance and areas of the site to remain undisturbed, proposed building envelopes, proposed driveway locations, and include a geotechnical study certifying that the proposed construction techniques adequately mitigate any potential soil hazards identified by the report.

---

### **FIRE MARSHALL RECOMMENDATION**

Not Approved.

A detailed drawing is required showing the proposed subdivision, elevations and fire mains, hydrants and where the homes will be on the property to ensure that if fire sprinklers are utilized in some homes that the systems will work.

All roadways with two way traffic shall be 20 feet in width, minimum.

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 flow a minimum of 500 GPM's at 30-35 psi residual flow at the most remote hydrant. Depending upon side set backs, and the square footage of the building water demands may be greater.



## Metro Planning Commission Meeting of 1/25/2006

Fire Hydrants shall be in-service and tested before any combustible material is brought on site.

All dead end roads over 150 ft. in length require a 100 foot diameter turnaround, this includes temporary turnarounds. Temporary T-type turnarounds that last no more than one year shall be approved by the Fire Marshal's Office.

Dead end fire mains over 600 feet in length are required to no less than 10 inch in diameter. If this is to be a public fire main, a letter from Metro Water is required excepting the length and size.

---

### STORMWATER RECOMMENDATION

Approve

---

### PUBLIC WORKS RECOMMENDATION

**Final Comments were not received prior to the printing of this report.**

Identify edge of pavement for Baskin Drive and Clear Brooke Drive.

Identify name of private drive to water tank "Jocelyn Hills Road" on plat.

Submit roadway construction plans for private street.

Private street to be constructed to public street standards.

---

### WATER SERVICES RECOMMENDATION

Approve

---

### CONDITIONS (if approved)

1. This plan is approved only as a Concept Plan under the Metro Subdivision Regulations. A development plan must be submitted in accordance with the Regulations, which will be reviewed and approved by the Planning Commission. The development plan shall include grading and road construction plans, stormwater control methods, delineated limits of disturbance and areas of the site





## Metro Planning Commission Meeting of 1/25/2006

to remain undisturbed, proposed building envelopes, proposed driveway locations and shall include a geotechnical study certifying that the proposed construction techniques adequately mitigate any potential soil hazards identified by the report.

2. The pavement of the street must be 20 feet wide to meet the ST-255 Standard Cross Section.
3. A road maintenance and access agreement for the development must be recorded prior to the recording of the final plat. Because this private street is currently utilized by three property owners outside this subdivision, these owners must also sign the agreement. It is recommended that the signatures from the outside property owners be obtained prior to approval of this application
- 4 The road construction must take place or be bonded prior to the issuance of any building permits.
5. All critical lot plan submittals shall be accompanied by a lot-specific geotechnical report certify that the construction techniques proposed adequately mitigate any potential soil hazards identified by the report.



**Project No.**  
**Project Name**

**Subdivision 2007S-015U-05**  
**Maplewood Heights Resubdivision Lots 5 and 6**

**Council District**  
**School District**  
**Requested by**

8 - Hart  
5 - Porter  
Jerri D. LeSueur, owner, Complete Surveying Services, surveyor

**Staff Reviewer**  
**Staff Recommendation**

Logan  
*Disapprove*

**APPLICANT REQUEST**

**A request to create four lots at 3815 and 3821 Saunders Avenue, approximately 400 feet north of Saunders Court (1.42 acres) zoned Single-Family Residential (RS15).**

**ZONING**  
RS15 District

RS15 requires a minimum 15,000 square foot lot and is intended for single-family dwellings at a density of 2.47 dwelling units per acre.

**PLAN DETAILS**

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:	
Saunders Ave	Minimum lot size (sq.ft):	Minimum lot frontage (linear ft.):
	22,334	77.0

As proposed, each of the four new lots has the following areas and street frontages:

- Area- 15,000 square feet
- Frontage- 50 feet



## Metro Planning Commission Meeting of 1/25/2006

### 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 lots are consistent with the adopted land use policy that applies to the property. The lots are located in the Residential Low Medium Density land use policy. 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.
- The proposed lot is within a one-quarter mile radius of any area designated as a "Mixed Use," "Office," "Commercial," or "Retail" land use policy categories. This property is less than one-quarter mile from a Retail Neighborhood policy category area.

### Staff Recommendation

Staff does not recommend the granting of an exception to lot comparability. Even though the lots to the south have been subdivided, staff does not recommend that this become the predominate pattern along Saunders Avenue. A three lot subdivision of these properties passes lot comparability for area, but fails for frontage.

A variance to Section 3-4.2.f of the Subdivision Regulations, which states that a lot can not be over four times longer than it is wide, is also required, which supports staff's recommendation that these properties should not be subdivided. A 3-lot subdivision would also require a variance from this section.

---

### **PUBLIC WORKS RECOMMENDATION**

Exception Taken.

Label and dedicate 5' of right of way (30 feet from centerline) along Saunders Avenue, consistent with the approved major street/collector plan.



## Metro Planning Commission Meeting of 1/25/2006

---

**STORMWATER  
RECOMMENDATION**

Approved.

---

**CONDITIONS** (if approved)

Sidewalks are required. Show sidewalks on lots 3 and 4.



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

**Subdivision 2007S-017A-10**  
**Wellesley Trace, Section 3, Lot 11**  
25 – Shulman  
8 – Fox  
Creative Wood, applicant for Martha R. Brown, owner.

**Staff Reviewer**  
**Staff Recommendation**

Swaggart  
*Disapprove*

**APPLICANT REQUEST**  
**Amend Setback**

**Request to amend a side yard setback from 20 feet to 6 feet to allow for the addition of a sun and utility room on a residence located at 2930 Wellesley Trace.**

**Zoning**  
RS10 District

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

**SUBDIVISION DETAILS**

Background

This request is located within a condominium complex. The unit for which the setback amendment is requested is located at the southwestern corner of the property. Since the required side yard setback specified in the Metro Zoning Code (Table 17.12.020A) is five feet, then this request will not require a variance from the Board of Zoning Appeals. Because there is an existing platted setback of 20 feet, however, then any change in setback requires that the plat be amended.

Site Plan

The plan calls for an addition to be constructed along the southern wall of the existing structure. The proposed addition is approximately 12.5 feet wide, by 26.5 feet long (331.25 square feet).

Staff Concerns

While the requested setback is within the minimum setback allowed for the RS10 zoning district, it is a significant reduction in the platted setback (70%). The area for which the setback would be reduced is located along the southern property line, and two neighboring residences. One of the neighboring residents (2198 Golf Club Lane) who will be most impacted from this change in setback has stated opposition to this request. Also since this is a platted setback there is reason to believe that the original developer negotiated the setback with adjacent property owners, and if this is



## Metro Planning Commission Meeting of 1/25/2006

### Staff Recommendation

accurate, it would not be appropriate to approve a reduction now.

Since the requested setback reduction is significant and there is no way for staff to verify if the platted setbacks were negotiated, staff feels that it is appropriate to exercise caution and recommend disapproval.

---

### PUBLIC WORKS RECOMMENDATION

No Exceptions Taken

---

### STORMWATER RECOMMENDATION

No Exceptions Taken



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

**Planned Unit Development 201-69-G-12**  
**Star Point**  
None  
None  
31 - Toler  
2 - Brannon  
Lukens Engineering, applicant for Byron Bush, owner.

**Staff Reviewer**  
**Staff Recommendation**

Swaggart  
*Approve with conditions*

**APPLICANT REQUEST**  
Revise Preliminary PUD

**A request to revise a portion of the preliminary plan for a commercial Planned Unit Development located at 13105 Old Hickory Boulevard and Old Hickory Boulevard (unnumbered), at the northeast corner of Old Hickory Boulevard and Muci Drive, classified Commercial Service (CS) (5.0 acres), to permit the development of 74,250 square feet of hotel space and 12,500 square feet of retail space.**

**PLAN DETAILS**

Site Plan

The plan calls for a 100 unit, 74,250 square foot hotel, and a 12,500 square foot retail building. The hotel building will be five stories and the retail building will be one story. As proposed the development will be constructed in two separate phases, with Phase 1 consisting of the hotel and Phase 2 consisting of the retail building. Phase 1 also includes a small walking area.

Access

Both buildings will be accessed from a private drive off of Muci Drive, which has access to Old Hickory Boulevard to the west.

Parking

A total of 169 parking spaces is required with 106 spaces required for the hotel, and 63 spaces required for the retail use. The plan calls for a total of 171 spaces with 86 parking spaces provided for Phase 1, and 86 parking spaces provided for Phase 2. As proposed the number of parking spaces being provided for Phase 1 (86) does not meet the minimum required number of spaces for the use (109). In order to meet the minimum number of parking spaces required for Phase 1, the phase line should be modified to include more parking, or the hotel should be reduced in size.



## Metro Planning Commission Meeting of 1/25/2006

### Sidewalks

Sidewalks are not shown along Muci Drive, but the applicant has indicated that he would add them into the plan as well as improve the interior sidewalk network. While Sidewalks are needed along Old Hickory Boulevard their construction would be difficult due to the slope along Old Hickory Boulevard. Old Hickory Boulevard is approximately 25 feet above the adjacent property grade and requiring a sidewalk would require a substantial amount of fill, which would impact an adjacent stream. Since there are significant slope issues along Old Hickory Boulevard, staff recommends that a sidewalk not be required along the frontage of Old Hickory Boulevard. Since Metro Code does not require sidewalks along Old Hickory Boulevard no variance is required from the Metro Board of Zoning Appeals.

### Preliminary Plan

This PUD was originally approved in 1969 for approximately 14,300 square feet of retail and an 88,500 square foot motel with 100 units. There appear to have been numerous proposed changes to the PUD in the past, but limited records indicate that the original 1969 plan is the only approved plan. As proposed, there will be approximately 16,050 square feet of unused development rights remaining in this PUD.

### Staff Recommendation

Staff recommends that the request be approved with conditions.

---

### **PUBLIC WORKS RECOMMENDATION**

Approve with the following conditions:

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.

---

### **STORMWATER RECOMMENDATION**

No Exceptions Taken.





## Metro Planning Commission Meeting of 1/25/2006

### CONDITIONS

---

1. A revised PUD plan demonstrating sufficient parking as stipulated in the Metro Zoning Code for both phases shall be submitted to and approved by Planning Staff prior to any final development approvals within this PUD.
2. Sidewalks shall be shown along the entire frontage of Muci Drive.
3. A revised PUD plan demonstrating adequate pedestrian facilities must be submitted and approved by Planning Staff prior to any final development approvals within this PUD.
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. 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.
7. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.



## Metro Planning Commission Meeting of 1/25/2006

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



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

**Planned Unit Development 28-79-G-13**  
**Hickory Highlands PUD Cancellation**  
13 - Alexander  
6 - Johnson  
Metro Planning., applicant, for Jerry Butler Builders  
LLC, owner

**Staff Reviewer**  
**Staff Recommendation**

Logan  
*Approve*

---

**APPLICANT REQUEST**  
**Cancel PUD**

**A request to cancel a portion of a Residential Planned Unit Development on properties located at 5208, 5212 and 5216 Rockridge Court, Ballard Court (unnumbered), 5304 and 5309 Ballard Court, Highlander Drive (unnumbered), and 5196 Highlander Drive (3.83 acres).**

**Existing 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.

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.

The same portions of these lots are currently zoned R15, but were approved by the Planning Commission to be rezoned to RS7.5 on January 11, 2007 in order to remedy the split zoning and match the rest of the subdivision.

---

**PLAN DETAILS**

There was a discrepancy as to the location of the eastern boundary of the Hickory Highlands PUD. After careful review, staff determined the boundary to be west of these parcels. Staff recommends approval in order to correct the zoning map.



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

**Planned Unit Development 53-86-P-04**  
**Rivergate Square (Nissan of Rivergate)**  
None  
None  
10 - Ryman  
3 - Garrett  
Warren and Associates, applicant for JAS Realty Company, owner.

**Staff Reviewer**  
**Staff Recommendation**

Swaggart  
*Approve with conditions*

**APPLICANT REQUEST**  
Revise Preliminary and Final PUD

**A request to revise a portion of the preliminary plan and for final approval for a commercial Planned Unit Development located at 1550 Gallatin Pike, classified One and Two-Family Residential (R6) (8.91 acres), to permit the addition of a 3,500 square foot service bay and drive-thru canopy.**

**PLAN DETAILS**  
Site Plan

The plan calls for a 3,500 square foot addition onto the western end of the existing Nissan of Rivergate building and two new canopies located on the eastern side of the existing building. One canopy will be along the south side of the building and will provide a covered drive thru and the second will be located on the north side of the building.

Preliminary

This PUD was originally approved in 1986 and last approved for a total 204,265 square feet of various retail use. As proposed the addition will increase the floor area within the PUD to 207,765 square feet. Section 17.40.120 authorizes the Planning Commission the ability to approve changes to PUD plans that are considered minor in nature, which includes increases in the total floor area when it is less than 10% of the last approved.

**Staff Recommendation**

Since the request is consistent with the last approved preliminary plan, and does not increase the floor area more than 10% of what was last approved, then staff recommends that the request be approved with conditions.



## Metro Planning Commission Meeting of 1/25/2006

---

### **PUBLIC WORKS RECOMMENDATION**

Approve with the following conditions:

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.

---

### **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. 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.



## Metro Planning Commission Meeting of 1/25/2006

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.



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

**Planned Unit Development 89-87-P-03**  
**Chateau Valley, Phases VI & VII**  
2 – Isabel  
1 – Thompson  
Ragan-Smith and Associates, applicant, for Chateau Associates LLC, owner

**Staff Reviewer**  
**Staff Recommendation**

Logan  
*Approve with conditions*

**APPLICANT REQUEST**  
**Final PUD**

**A request for final approval for Phases Six and Seven of the residential Planned Unit Development located on Cumberland Cove Drive, Cumberland Cove Court, and William Bailey Drive north of Stokers Lane, classified Single-Family Residential (RS15) (10.6 acres), to permit the development of 37 single family lots**

**PLAN DETAILS**

This PUD was originally approved by Metro Council in 1988. This phase proposes 37 single family lots on two cul-de-sacs that connect to Phase II and Phase V. The original plan was approved with sidewalks along one side of the proposed streets. The sidewalk will be located on the south sides of William Bailey Drive and Cumberland Cove Court and the east side of Cumberland Cove Drive.

**PUBLIC WORKS RECOMMENDATION**

Exception Taken  
  
Show professional seal.

**STORMWATER RECOMMENDATION**

Approved with conditions

1. Provide the benchmark elevation datum on the plans, NAVD 88 or NGVD 29.
2. Grade ditch from Outlet 16 to inlet of Phase 3 pipe between Lots 117 and 118.
3. The BMP details need to reference the appropriate Metro TCP-xx number.
4. Provide signature and General Permit number on NPDES NOC note on plans.
5. Provide NPDES NOC letter.
6. Provide inlet calculations.
7. Provide construction schedule.



## Metro Planning Commission Meeting of 1/25/2006

8. Provide EPSC signature on plans.
9. 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.
10. Provide complete drainage map (A, C/CN, Q, Tc) and calculations for pre and post conditions for phases 6 and 7. Some of this information may have been provided in former phase, but we need it to complete review.
11. Provide storm structure and pipe calculations.
12. Provide pipe capacity's, HGL's and spread on roadway.
13. Provide calculations and detail for modification to existing detention pond to be utilized as a sedimentation basin during construction.
14. Provide detail for existing detention pond and control structure.
15. Provide Water Quality Unit information and detail.
16. Submit all requirements for next two downstream structures at all site outfalls.
17. It is understood that Phase VII water quality was to be handled by the pond to the south. Phase VII will still require pre- vs. post- evaluation. Also, the design drawing of the water quality pond and the as-built of the pond is required to insure the pond was built as designed.

---

### CONDITIONS

1. Add PUD number 89-87-P-03 to the plans.
2. Show the standard 20-foot Public Utility Easement adjacent to road right-of-ways.
3. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
4. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.





## Metro Planning Commission Meeting of 1/25/2006

5. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
6. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
7. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
8. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.
9. 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.