



**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. On October 26, 2006, the Commission approved the final plat by a vote of 8-1. 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 (0.23 acres), 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*



## Metro Planning Commission Meeting of 2/8/2007

*existed prior to the effective date of the ordinance codified in this title.*

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.

### Lot Comparability

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

Lot comparability analysis was performed and yielded the following information:

Lot Comparability Analysis		
Street:	Requirements:	
	Minimum lot size (sq.ft):	Minimum lot frontage (linear ft.):
	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:



## Metro Planning Commission Meeting of 2/8/2007

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

### Recommendation

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 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.  
*Deferred from the January 25, 2007, Planning Commission Meeting.*

**Deferral**

**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 (22.05 acres), classified within the Single-Family Residential (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



## Metro Planning Commission Meeting of 2/8/2007

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

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.

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.



## Metro Planning Commission Meeting of 2/8/2007

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 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



## Metro Planning Commission Meeting of 2/8/2007

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.

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

Approved.

---

### 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

Approved.

---

### 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



## Metro Planning Commission Meeting of 2/8/2007

plan shall include grading and road construction plans, stormwater control methods, delineated limits of disturbance and areas of the site 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.





Case No.  
Project Name  
Council District  
School District  
Requested by

**Zone Change 2006SP-007U-10**  
**Glen Echo**  
25 - Shulman  
8 - Fox  
Bob Haley, applicant/owner

Staff Reviewer  
Staff Recommendation

Logan  
*Approve with conditions*

**APPLICANT REQUEST**

**A request to amend the Specific Plan (SP) district for property located at 1749 Glen Echo Road, southeast corner of Glen Echo Road and Hillmont Drive (.97 acres), to add .97 acres for 4 additional single-family homes and a stormwater detention facility for a total of 16 single-family homes on 4.04 acres.**

**PLAN DETAILS**

The proposed plan adds 4 lots to the Glen Echo SP, approved for 12 lots by the Planning Commission on August 10, 2006. The proposed plan includes 4 single-family lots with a minimum front setback of 30 feet on Glen Echo Road. The one internal street includes setbacks of five to ten feet and connects the previous stub street to Hillmont Drive. The plan also includes sidewalks on both sides of all new streets, and along the frontages of Glen Echo Road and Hillmont Drive, as called for in the Community Plan. The stormwater detention for this development will be relocated from the first Glen Echo SP to the southeast corner of Glen West Drive and Hillmont Drive.

Building Elevations

The plan also includes a proposed architectural rendering (elevation) for the building facing Glen Echo Road (Lot 13). The elevation is the same as elevations previously approved with the first Glen Echo SP. Staff recommends the Commission approve this elevation, with the condition that the applicant submit elevations for each lot that are consistent with the first Glen Echo SP with the final SP site plan application.

**STORMWATER RECOMMENDATION**

Approved.

**PUBLIC WORKS RECOMMENDATION**

The developer's construction drawings shall comply with the design regulations established by the



## Metro Planning Commission Meeting of 2/8/2007

Department of Public Works. Final design may vary based on field conditions.

---

### CONDITIONS

1. The application, including attached materials, plans, and reports submitted by the applicant and all adopted conditions of approval shall constitute the plans and regulations as required for the Specific Plan rezoning until a Final Plan is filed per the requirement listed below. Except as otherwise noted herein, the application, supplemental information and conditions of approval shall be used by the planning department and department of codes administration to determine compliance, both in the review of final site plans and issuance of permits for construction and field inspection. Deviation from these plans will require review by the Planning Commission and approval by the Metropolitan Council.
2. For 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 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.



## Metro Planning Commission Meeting of 2/8/2007

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 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. Revise the Landscape Plan to reflect public access easements as shown on the Site Development Plan.
9. Line up public access easement with existing public access easement and create a uniform width of 20' (10' from centerline).
10. Clearly identify the boundary of the entire SP, including the previously approved 12 lots.
11. Remove all notations referencing "Type" from building footprints on Conceptual Layout.
12. The final SP site plan shall include elevations for each lot that are consistent with the first Glen Echo SP.



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

**Zone Change 2006SP-187G-01**  
**Eatons Creek Cottages Specific Plan**  
None  
1 – Gilmore  
1 – Thompson  
Joe N. Smith, owner

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

Logan  
*Disapprove*

---

**APPLICANT REQUEST**

Zone Change

**A request to change from Single-Family Residential (RS40) to Specific Plan (SP) zoning, property located at Eatons Creek Road (unnumbered) and a portion of property located at Binkley Road (unnumbered), approximately 1,700 feet north of Old Clarksville Pike (3.53 acres), to permit the development of 14 attached residential units.**

**Existing Zoning**

RS40 District

RS40 requires a minimum 40,000 square foot lot and is intended for single-family dwellings at a density of .93 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 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 2/8/2007

---

### JOELTON COMMUNITY PLAN POLICY

#### *Structure 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.

#### *Special Policy Area #1*

Maximum recommended density within this "RLM" policy area is 2 du/ac. Approximately 2.5 acres is located within the Special Policy.

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

No. The residential density envisioned for this area is for no more than 2 dwelling units per acre. This request exceeds the maximum density allowed in the community plan by allowing 4 dwelling units per acre overall, with a density of 2.91 in the RLM area and 4.4 in the Special Policy area.

This Special Policy was adopted by the Planning Commission as part of the community plan after extended discussions with community participants in the planning process about Joelton's future development pattern. The vast majority of the Joelton Community is in a very low density classification, either Rural or Natural Conservation. This policy is intended to keep much of the land planned for future development at a relatively low density to serve as an appropriate transition from the rural majority of the community to its small center around the I-24 interchange. In addition, the character of Eatons Creek Road is predominately single-family homes on large lots. Attached housing is out of character in this rural setting.

---

### PLAN DETAILS

Site Plan

The plan calls for thirteen attached one-story condominiums and one single-family dwelling, arranged on a private drive. The private drive has a cul-de-sac and four driveways that serve individual units. This arrangement presents two major problems for future development. First, the use of a private drive makes it unrealistic that other development will be able



## Metro Planning Commission Meeting of 2/8/2007

### Access

to connect. Second, even if the right-of way is built to Public Works standards, the streets stub before the property line, making it impossible to connect in the future.

There is one access point from Eatons Creek Road. The access is located beside an existing right-of-way. This right-of-way should either be used or abandoned.

### Parking

The plan calls for a total of 28 parking spaces including the one space provided in each 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 for three reasons. First, the density of the proposed development is more than twice what is envisioned by the Special Policy. Additionally, multi-family development is inconsistent with the character of Eatons Creek Road, which is single-family homes on large lots. Finally, the development has unsuitable access because it does not utilize the existing right-of-way and does not provide for connections in the future.

---

### **PUBLIC WORKS RECOMMENDATION**

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

Along the southern property boundary, it appears that there is a section of un-built right of way for future roadway construction. Plan proposed site access parallel and adjacent to un-built right of way. If connectivity is required, construct roadway to provide access to site. Offset access at least one hundred and fifty (150) feet from un-built section of right of way.

Show and dimension right of way along Eatons Creek Road.

With the submittal of construction plans, document adequate sight distance at project access locations per AASHTO standards.

Identify plans for solid waste collection and disposal.



## Metro Planning Commission Meeting of 2/8/2007

Provide a minimum of 20' separation between garage and back of sidewalk.

---

### STORMWATER RECOMMENDATION

1. Add Access Note: (Metro Water Services shall be provided sufficient and unencumbered access in order to maintain and repair utilities in this site.)
2. Add C/D Note: (Size driveway culverts per the design criteria set forth by the Metro Stormwater Management Manual (Minimum driveway culvert in Metro ROW is 15" CMP).)
3. Add the following note to the cover 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.
4. GIS indicates a ditch traversing the property. The ditch (or if piped) will be required to be in a PUDE. No building can encroach into the PUDE.

---

### NASHVILLE ELECTRIC SERVICE RECOMMENDATION

- 1) Need 30' PUE along Eaton's Creek Rd
- 2) Developer to provide high voltage layout for Underground conduit system and proposed transformer locations for NES review and approval
- 3) 20-foot easement centered on UG electrical facilities
- 4) NES can meet with developer/engineer upon request to determine electrical service options
- 5) Need street lighting locations to be provide to NES (if required)
- 6) Will required digital drawing to NES before any meets with developer/engineer



## Metro Planning Commission Meeting of 2/8/2007

---

### URBAN FORESTER RECOMMENDATION

This project should show:

- 1- A completed TDU (Tree Density) worksheet
- 2 - The surrounding zone districts and any associated landscape buffers

---

### 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.
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 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.





## Metro Planning Commission Meeting of 2/8/2007

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 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.

---

### METRO SCHOOL BOARD REPORT

#### Projected student generation

6 Elementary      3 Middle      3 High

#### Schools Over/Under Capacity

Students would attend Park Avenue Elementary School, Bass Middle School, or Pearl Cohn High School. None of the schools has been identified as being over capacity by the Metro School Board. This information is based upon data from the school board last updated August 2006.



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

**Zone Change 2007Z-025G-01**  
None  
1 – Gilmore  
3 – Garrett  
Charles Harvison, owner.

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

Swaggart  
*Disapprove*

**APPLICANT REQUEST**

**A request to change approximately 1.25 acres located at 7194 Whites Creek Pike from Single-Family Residential (RS40) to Commercial Limited (CL).**

**Existing Zoning**  
RS40 District

RS40 requires a minimum 40,000 square foot lot and is intended for single-family dwellings at a density of .93 dwelling units per acre.

**Proposed Zoning**  
CL District

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

**JOELTON COMMUNITY PLAN POLICY**

Community Center (CC)

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

**Consistent With Policy?**

No. While the requested CL would allow for uses that are consistent with the Community Center policy, the policy also requires a site plan such as a Specific Plan or Planned Unit Development. A site plan ensures that any new development will adequately implement the intent of the Community Center policy. Without an enforceable site plan for this property, any use allowed



## Metro Planning Commission Meeting of 2/8/2007

### Staff Recommendation

in the CL district would be allowed and would be regulated by only the bulk standards for the CL district.

Since the area's Community Center policy requires a site plan to accompany any zone change, staff recommends that the requested CL district be disapproved.

### RECENT REZONINGS

None

### PUBLIC WORKS RECOMMENDATION

A Traffic Impact Study may be required prior to issuance of any building permits.

#### Typical Uses in Existing Zoning District: RS40

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	1.25	0.93	1	10	1	2

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

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Strip Shopping (814)	1.25	0.057	3,103.6	171	10	29

#### 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
--				161	9	27

#### Maximum Uses in Existing Zoning District: RS40

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	1.25	.93 du/a	1	10	1	2

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

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Specialty Retail (814)	1.25	.6	32,670	1,436	33	100

#### 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
--				1,426	32	98



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

**Subdivision 2007S-023G-02**  
**Village by the Creek, Section 10**  
03 - Hunt  
3 - Garrett  
Earheart Realty & Construction Company Inc., owner,  
MEC Inc., surveyor.

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

Bernards  
*Approve with conditions*

**APPLICANT REQUEST**  
**Concept Plan**

**A request for concept plan approval to create 56 lots on property located at 3449 Brick Church Pike, on a future extension of Village Trail (15.6 acres), zoned One and Two-Family Residential (R10).**

**ZONING**  
R10 District

R10 requires a minimum 10,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 4.35 dwelling units per acre including 25% duplex lots. No lots have been designated as duplex on the concept plan.

**PLAN DETAILS**

The concept plan proposes 56 single-family lots ranging in size from 6,000 sq. ft. to 11,000 sq. ft. This application is proposing to use the cluster lot option, which allows lots to be reduced in size by two base zone districts. Since the zoning is R10, 6,000 sq. ft. lots are appropriate if the plan meets all requirements of the cluster lot option policy.

Site Access

Access is proposed from the existing Ewing Valley Road which will be extended west to connect to Patton Hill Road and the existing Village Trail which will be extended to connect to the new portion of Ewing Valley Road and end in a permanent cul-de-sac. A proposed pedestrian connection to the north is included at the end of the proposed Village Trail cul-de-sac. A new road, Ewing Place, is proposed that will be stubbed at the property edge to provide a future connection to the east. Sidewalks are proposed for all new streets and for the existing portion of Ewing Valley Road.

Open Space

There is 15.28% usable open space proposed, which meets the 15% requirement for cluster lot option policy. The Commission’s cluster lot policy requires common open space to have “use and enjoyment” value to the



## Metro Planning Commission Meeting of 2/8/2007

### Staff Recommendation

residents including recreational value, scenic value, or passive use value. Residual land with no “use or enjoyment” value, including required buffers and stormwater facilities, has not been counted towards the open space requirements.

Landscape buffer yards (Standard “C”- 20 feet) are required and proposed along the south perimeter of the property since the lots are under the base zoning and the adjacent zoning is R10.

As the concept plan meets the requirements of a cluster lot subdivision, connectivity has been provided, and sidewalks are to be constructed on the existing portion of Ewing Valley Road, staff recommends approval with conditions.

---

### **PUBLIC WORKS RECOMMENDATION**

Following are review comments for the submitted Village by the Creek concept plat (2007S-023G-02), Public Works' comments are as follows:

1. The developers' construction drawings shall comply with the design regulations established by the Department of Public Works.
2. Final design may vary based on field conditions.
3. Plan proposes open space (G, H, and I) that is located within public right of way.

---

### **STORMWATER RECOMMENDATION**

Approved.

---

### **WATER SERVICES RECOMMENDATION**

Some existing water and sanitary sewer must be relocated with their associated easements abandoned by Council.

---

### **FIRE MARSHAL RECOMMENDATION**

Provide water main size and water flow information to meet the 1,000 GPM's at 20 psi residual.

---

### **CONDITIONS**

1. Relocate existing water and sanitary sewer with their associated easements abandoned by Metro



## Metro Planning Commission Meeting of 2/8/2007

Council as identified by Water Services prior to final plat submittal.

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



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

**Subdivision 2007S-024U-10**  
**Cook Subdivision**  
25 - Shulman  
8 - Fox  
Adex Corporation and Camellia Petty, owners, and  
John Kohl & Company, surveyor

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

Withers  
*Disapprove as submitted, but approve 3 lots (2 single-family lots and one duplex lot)*

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

**A request for final plat approval to create 4 lots from 2 existing lots on property located at 1701 and 1703 Shackelford Road, at the northwest corner of Shackelford Road and Belmont Park Terrace (1.11 acres), zoned One and Two-Family Residential (R10).**

**ZONING**  
R10 District

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

**SUBDIVISION DETAILS**

This request involves 2 currently existing lots. The subject properties were originally 2 lots and parts of 2 other lots that were previously combined into the existing 2 lots.

The 4 proposed lots would front Shackelford Road. The house on Lot 1, located at the corner of Shackelford Road and Belmont Park Terrace, is to remain. The other existing house will be demolished. Sidewalk construction is required on the 3 new lots.

The applicant has proposed that all of the lots will be single-family only, though duplexes are allowed in the R10 zoning district

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.



## Metro Planning Commission Meeting of 2/8/2007

Lot comparability analysis was performed and yielded the following information:

Lot Comparability Analysis		
Street:	Requirements:	
	Minimum lot size (sq.ft):	Minimum lot frontage (linear ft.):
<b>Shackleford</b>	10,882	69.0

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

- Lot 1: 16,065 Sq. Ft., (0.37 Acres), with 64.28 ft. of frontage.
- Lot 2: 10,408 Sq. Ft., (0.24 Acres), with 53.61 ft. of frontage.
- Lot 3: 10,406 Sq. Ft., (0.24 Acres), with 53.62 ft. of frontage.
- Lot 4: 10,406 Sq. Ft., (0.24 Acres), with 53.62 ft. of frontage.

Only one of the four lots meets the requirement for area, and none of the four lots meet the requirements for frontage.

A lot comparability exception pursuant to Section 3-5.2 of the Subdivision Regulations can be granted if the lot does not meet lot comparability requirements. To qualify for an exception, the new lots must 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 "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.

Lot Comparability Exception





## Metro Planning Commission Meeting of 2/8/2007

### Staff Recommendation

- 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.

The proposed subdivision could qualify for two of the criteria for exception – the subdivision is located within one-half mile radius of the Green Hills Regional Activity Center, and the lot sizes and density are consistent with the Residential Low Medium land use policy of 2-4 dwelling units per acre. Staff recommends disapproval, however, because the difference in the frontage of the lots is so significant that they would not be consistent with the existing development pattern.

Staff can recommend approval of an alternative development on this property that would also allow construction of 4 housing units. Platting the property as 3 lots would meet the comparability requirements of the regulations, and staff recommends approval of a duplex on the corner lot. This would maintain the consistent lot sizes in the area and a corner lot is an appropriate location for a duplex because the structure can front both streets.

---

### PUBLIC WORKS RECOMMENDATION

Show professional seal.

The developers' construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.

---

### STORMWATER RECOMMENDATION

Approved.

---

### FIRE MARSHAL RECOMMENDATION

Approved

- 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*
- Provide adequate water flow for fire fighting.



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

**Subdivision 2007S-005G-04**  
**Mark D. Morris Subdivision**  
9 - Forkum  
3 - Garrett  
C&K Surveyors, applicant, for Mark D. Morris et ux, owners

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

Logan  
*Approve*

**APPLICANT REQUEST**

**A request for final plat approval to create 2 lots on property located at 314 Nix Drive, approximately 160 feet south of Anderson Lane (0.50 acres), zoned Single-Family Residential (RS7.5).**

**ZONING**  
RS7.5 District

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

**PLAN DETAILS**

This request proposes to subdivide the existing lot into two lots.

Lot comparability

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

Lot comparability analysis was performed and yielded the following information:

<b>Lot Comparability Analysis</b>		
<b>Street:</b>	<b>Requirements:</b>	
	Minimum lot size (sq.ft):	Minimum lot frontage (linear ft.):
<b>Nix Drive</b>	11,304	73.0

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

- Lot 1: 11,810 Sq. Ft. with 69.29 ft. of frontage
- Lot 3: 11,817 Sq. Ft. with 69.29 ft. of frontage



## Metro Planning Commission Meeting of 2/8/2007

### Lot Comparability Exception

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

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

- The proposed lots are consistent with the adopted land use policy that applies to the property. The lots are located in the Residential Medium Density land use policy. RM policy is intended to accommodate residential development within a density range of four to nine dwelling units per acre. A variety of housing types are appropriate. The most common types include compact, single-family detached units, town-homes, and walk-up apartments.

### Staff Recommendation

Staff recommends the granting of an exception to lot comparability since the proposed subdivision is consistent with the land use policy. Increased density in this location, in addition to meeting the Residential Medium policy, is convenient to the Madison commercial district and will take advantage of Metro transit available on Anderson Lane.

---

### **PUBLIC WORKS RECOMMENDATION**

No Exceptions Taken.

---

### **STORMWATER RECOMMENDATION**

Approved.

---

### **CONDITIONS**

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

1. Show sidewalk on Lot 2.
2. Add subdivision number: 2007S-005G-01.



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

**Subdivision 2007S-020A-10**  
**Cherokee Park Subdivision Amendment**  
24 - Summers  
9 - Warden  
W&M Properties, owner

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

Logan  
*Approve*

---

**APPLICANT REQUEST**

**A request to amend the side setback from 20 feet to 10 feet at 200 Lauderdale Road, at the northeast corner of Lauderdale Road and Valley Road, zoned One and Two-Family Residential (R8) and located within the Cherokee Park Neighborhood Conservation Overlay.**

**ZONING**  
R8 District

R8 requires a minimum 8,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 5.41 dwelling units per acre including 25% duplex lots.

---

**PLAN DETAILS**

The applicant has requested to amend the side setback on Valley Road from 20 feet to 10 feet.

There is a 20-foot setback shown on the plat for the Valley Road frontage of this property. Pursuant to Section 17.12.030 of the Metro Code, when the rear setback of a corner lot is oriented towards the rear setback of a neighboring lot, the required street setback along the street common to those two lots may be reduced by fifty percent. While that provision allows reduction of the setbacks required by the Metro Code, this property also includes a 20-foot setback on the current plat.

Staff Recommendation

Staff recommends approval of the setback amendment. The applicant has letters from neighbors and the Metro Historical Commission in support of the reduced setback. The existing right of way for Valley Road is 60 feet. The Valley Road property boundary for this lot is approximately 14 feet from the edge of the current pavement for Valley Road. Even with only a 10-foot setback, any structure on this lot will still be at approximately 24 feet from the edge of Valley Road. In addition, the requested 10-foot setback is consistent the other existing homes on Valley Road.



## Metro Planning Commission Meeting of 2/8/2007

---

**STORMWATER  
RECOMMENDATION**

---

Approved.

---



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

**Subdivision 2007S-021A-10**  
**Battlefield Estates, Lot 1, Sect. 2 Setback**  
**Amendment**

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

25 - Shulman  
8 - Fox  
Schallen, Inc., owner.

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

Logan  
*Disapprove*

---

**APPLICANT REQUEST**

**A request to amend the front setback from 100 feet to 45 feet at 838 Sutton Hill Road, approximately 170 feet west of McNairy Lane, zoned One and Two-Family Residential (R10).**

**ZONING**  
R10 District

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

---

**PLAN DETAILS**

The applicant has requested to amend the platted front setback from 100 feet to 45 feet. This property is part of a 4-lot subdivision approved by the Planning Commission in 1982 that included a platted setback of approximately 100 feet for each of the lots. The applicant is requesting the reduction of the setback in order to allow for the construction of a duplex on the lot.

The applicant has started construction of a duplex on the neighboring parcel to the west with approximately a 45 foot setback. That parcel, however, was not a part of the 1982 subdivision plat. In fact, that parcel was created by deed on January 15, 1964, and does not have a platted setback. Because the neighboring parcel was created prior to September 1964, it is not required to be platted. The only setback provision that applies to the neighboring parcel, therefore, are those contained in the Metro Code.

**Staff Recommendation**

Staff recommends disapproval of the request to reduce the platted setback on this lot. The proposed setback would be inconsistent with the setback of the remaining lots in the 1982 subdivision and also would be inconsistent with the character of Sutton Hill Road. In addition, the adjacent property owner does not support the amendment.



## Metro Planning Commission Meeting of 2/8/2007

---

### **STORMWATER RECOMMENDATION**

Approved.



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

**Subdivision 2007S-022U-05**  
**Maplewood Home Tract, Resub. Lot 72**  
8 - Hart  
5 - Porter  
Mark Devendorf, applicant, for Jonathan and Ava Mire and Margaret and Scott Thomas, owners

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

Logan  
*Approve with conditions*

**APPLICANT REQUEST**

**A request for final plat approval to create 3 lots on properties located at 3800 and 3802 Burrus Street, at the northeast corner of Gillock Street and Burrus Street (0.66 acres), zoned Single-Family Residential (RS7.5).**

**ZONING**  
RS7.5 District

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

**PLAN DETAILS**

The applicant has requested to resubdivide two lots into three 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:

<b>Lot Comparability Analysis</b>		
<b>Street:</b>	<b>Requirements:</b>	
	Minimum lot size (sq.ft):	Minimum lot frontage (linear ft.):
<b>Gillock Street</b>	8,494	74.0
<b>Burrus Street</b>	10,911.8	N/A*

\* Frontages on Burrus Street are not changing.





## Metro Planning Commission Meeting of 2/8/2007

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

- Lot 1: 10,125.02 Sq. Ft., (.232 Acres), with 69.12 ft. of frontage
- Lot 2: 9,385.66 Sq. Ft., (.215 Acres), with 72.71 ft. of frontage
- Lot 3: 8,721.03 Sq. Ft., (.200 Acres), with 77.31 ft. of frontage

On Burrus Street, Lots 1 and 2 both fail lot comparability for area. Staff did not analyze lot comparability for frontage because the frontages of these lots are not changing. On Gillock Street, Lots 2 and 3 both pass for area and Lot 3 passes for frontage. Staff did not apply the lot comparability requirement to the frontage of Lot 2 on Burrus Street because it is not changing.

### 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 Neighborhood General land use policy. NG is intended to meet a spectrum of housing needs with a variety of housing that is carefully arranged, not randomly located.
- The proposed subdivision is within a one-quarter mile radius of any area designated as a "Mixed Use," "Office," "Commercial," or "Retail" land use policy categories. The proposed lots are less than one-quarter mile from a Community Center policy category area. CC is intended for dense, predominantly commercial areas at the edge of a neighborhood, which either sits at the intersection of two major thoroughfares or extends along a major thoroughfare. This area tends to mirror the commercial edge of another neighborhood



## Metro Planning Commission Meeting of 2/8/2007

### Staff Recommendation

forming and serving as a “town center” of activity for a group of neighborhoods. Appropriate uses within CC areas include single- and multi-family residential, offices, commercial retail and services, and public benefit uses.

Staff recommends approval because the proposed subdivision is consistent with the land use policy and close to the Gallatin Pike commercial corridor. In addition, the proposed subdivision, along with the neighboring lot, which was subdivided in 2006, creates a streetscape on Gillock Street and is consistent with the existing character of development along Gillock Street.

---

### **PUBLIC WORKS RECOMMENDATION**

No Exceptions Taken.

---

### **STORMWATER RECOMMENDATION**

Approved.

---

### **CONDITIONS**

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

1. Label water mains as noted.



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

**Planned Unit Development 199-73-G-13**  
**Peterbilt**  
28 – Alexander  
6 – Johnson  
Honeycutt Engineering, applicant, for Geneva  
Nashville RE, LLC, owner

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

Logan  
*Approve with conditions*

---

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

**A request to revise the preliminary plan and for final approval for a portion of a Planned Unit Development located at 115 Haywood Lane, classified Commercial Limited (CL), (7.91 acres), to permit the construction of a 2,110 square foot addition**

---

**PLAN DETAILS**

The preliminary PUD plan that was approved in 1983 identifies typical building envelopes but does not give any specific detail to the maximum floor area permitted within the PUD. In 1984, a revision to the preliminary PUD and final site plan were approved by the Planning Commission for 40,665 sq. ft. of floor area. A second revision and final site plan to the PUD were approved by the Planning Commission in 1995. The revision in 1995 made minor revisions to the layout and reduced the total floor area within the PUD. While this plan will exceed the floor area that was last approved, it does not exceed the floor area of the preliminary PUD plan that was approved in 1984, and is also consistent with the concept of the 1984 plan.

There is currently one building on the site that is 37,760 sq. ft. in size. This plan proposes to demolish the existing washbay building and replace it with a building that is 610 sq. ft. larger. Additionally, a 1500 sq. ft. building will be constructed to the north of the existing building. The total built area will be 39,870 sq. ft. No additional parking is needed.

---

**PUBLIC WORKS**  
**RECOMMENDATION**

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



## Metro Planning Commission Meeting of 2/8/2007

---

### STORMWATER RECOMMENDATION

Due to the small scope of the proposal, no Stormwater permit required for this work.

---

### CONDITIONS

1. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
2. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
3. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
4. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
5. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
6. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field



## Metro Planning Commission Meeting of 2/8/2007

inspection. Significant deviation from these plans will require reapproval by the Planning Commission.

7. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) copies of the corrected/revise plans have been submitted to and approved by staff of the Metropolitan Planning Commission for filing and recordation with the Davidson County Register of Deeds.

8. Revise purpose note: To revise an existing PUD to show changes to the layout of the buildings, totaling 42,394.7 sq. ft.



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

**Planned Unit Development 155-74-G-14**  
**Larchwood Commercial PUD**  
14 - White  
4 - Glover  
PBJ Engineering Design, LLC, applicant for Atul  
Gordhan and Shababhai Patel, owners.

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

Swaggart  
*Approve with conditions*

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

**A request to revise the preliminary plan, and for final approval for a portion of a commercial Planned Unit Development district located at 3431 Percy Priest Drive, classified Commercial Limited (CL) (1.2 acres), to permit the development of a 45,136 sq. ft. hotel.**

**PLAN DETAILS**

The plan calls for a 45,136 square foot hotel to include 67 rooms, with associated parking. Access will be provided from a private drive to Percy Priest Drive. The total number of parking spaces required is 71 and 75 are being provided.

Preliminary Plan

The original preliminary PUD plan was approved in 1974 for 400,990 square feet of various commercial and retail uses, and for 6,300 square feet of unknown uses for this property. This PUD has been amended and revised numerous times since its original approval. A revision to the preliminary PUD and final site plan was recently approved for this property by the Planning Commission on November 14, 2006. The approval was for a 39,360 square foot hotel with 75 rooms. At that time planning staff recommended approval because the use is allowed in the CL district and is compatible with other uses in the PUD.

Staff Recommendation

Since the request is compatible with other uses in the PUD, is allowed with the base zone district, and does not increase the development's floor area over what was originally approved in 1974, staff recommends that the request be approved.

**PUBLIC WORKS**  
**RECOMMENDATION**

Approve with the following condition:



## Metro Planning Commission Meeting of 2/8/2007

All Public Works' design standards shall be met prior to any final approvals and permits 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

Approved.

---

### CONDITIONS

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



## **Metro Planning Commission Meeting of 2/8/2007**

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**  
**Requested by**

**Mandatory Referral 2006M-188U-08**  
**Booker Street right of way abandonment**  
None  
21 – Whitmore  
Choice Investments, LLC, property owner.

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

Kleinfelter  
*Disapprove*

**APPLICANT REQUEST**

**A request for the abandonment of a portion of Booker Street right of way and utility easement, located along the northwest property line between 27<sup>th</sup> Avenue, North, and Alley #933, requested by Choice Investments, LLC, property owner.**

**REQUEST DETAILS**

The applicant requests that Metro abandon approximately a 15-foot strip of land on the southern side of Booker Street. No portion of Booker Street is currently constructed within the right of way sought to be abandoned.

Booker Street in this location shifts to the north and appears on Metro’s GIS maps to be located within the front portion of the lots to the north. The applicant’s survey showing the property requested to be abandoned is attached at the end of this staff report. The survey indicates that if this property is abandoned, the distance between the proposed southern boundary of the right of way and the existing mapped northern boundary would be much narrower than the remainder of Booker Street.

In addition, the applicant’s survey does not appear to accurately represent the existing conditions in this location. The survey labels Booker Street as having 50 feet of right of way, but Metro’s GIS maps show the existing right of way as only 40 feet wide. This is an important distinction because the requested abandonment apparently will result in an even narrower remaining right of way than is shown on the applicant’s survey. The widest portion of the property sought to be abandoned is 17.67 feet wide. If abandoned by Metro, this would result in mapped right of way in this location of less than 23 feet.



## Metro Planning Commission Meeting of 2/8/2007

---

### DEPARTMENT AND AGENCY COMMENTS

The following departments or agencies have reviewed this request: Metro Public Works and Emergency Communications recommend approval. Metro Water Services recommends **disapproval** because an 8" sanitary sewer line is located within the property sought to be abandoned.

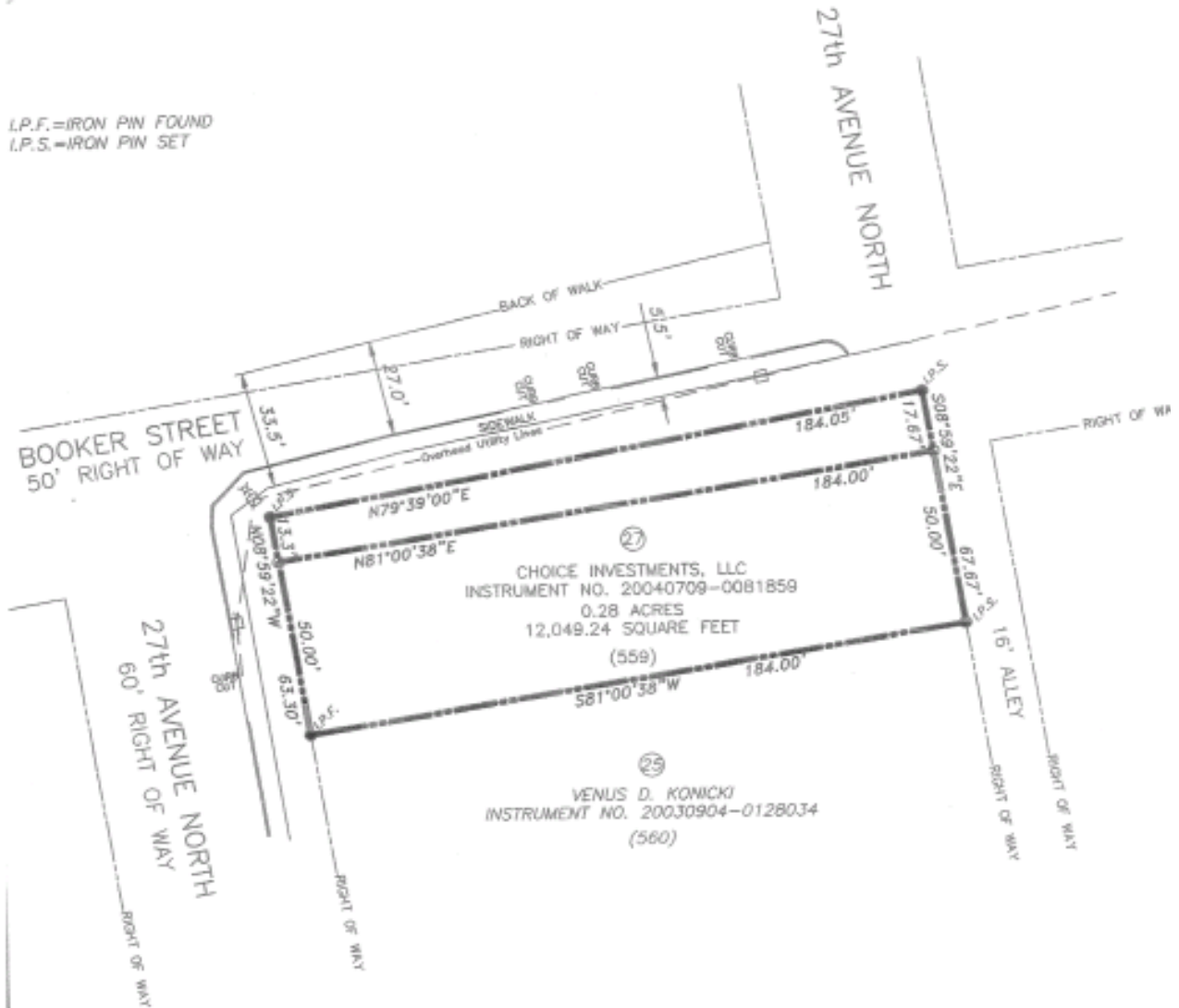
### RECOMMENDATION

Staff recommends **disapproval** of this right of way abandonment because the remaining right of way, if the property is abandoned, would be substandard and not sufficient for a normal street section, including sidewalks and a planting strip. Staff also recommends disapproval because Water Services has noted that an 8" sanitary sewer is located within the property sought to be abandoned.



# Metro Planning Commission Meeting of 2/8/2007

L.P.F.=IRON PIN FOUND  
L.P.S.=IRON PIN SET



## ABANDONMENT EXHIBIT



BY: PHILLIP E. HOLMES, JR. R.L.S.# 1728

MAGNETIC NORTH