



**METROPOLITAN GOVERNMENT  
OF NASHVILLE AND DAVIDSON COUNTY**

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

**Minutes  
of  
The Metropolitan Planning Commission**

*March 22, 2007*

\*\*\*\*\*

*4:00 PM*

*Howard School Auditorium, 700 Second Ave., South*

**PLANNING COMMISSION:**

James Lawson, Chairman  
Phil Ponder, Vice Chairman  
Judy Cummings  
Tonya Jones  
Victor Tyler  
James McLean  
Councilmember J.B. Loring  
Eileen Beehan, representing Mayor Bill Purcell

**Staff Present:**

Rick Bernhardt, Executive Director  
Ann Hammond, Assistant Executive Director  
Ted Morrissey, Legal Counsel  
David Kleinfelter, Planning Mgr. II  
Kathryn Withers, Planner III  
Jason Swaggart, Planner I  
Trish Brooks, Admin. Svcs. Officer 3  
Carrie Logan, Planner I  
Dennis Corrieri, Planning Tech I  
Craig Owensby, Communications Officer  
Brenda Bernards, Planner III  
Nedra Jones, Planner II  
Cynthia Wood, Planner III  
Jennifer Carlat, Planning Mgr. II  
Joni Priest, Planner I

**Commission Members Absent:**

Ann Nielson  
Stewart Clifton

**I. CALL TO ORDER**

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

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

**II. ADOPTION OF AGENDA**

Ms. Hammond announced there were two corrections to the agenda. The caption under Item#17, 89P-028U-14, Still Springs Ridge, should contain the phrase ... to remove a previously approved access point, and should not read ... to allow for a new ingress/egress not previously approved on the preliminary PUD plan.....

She also announced the addition of Item #22 – A new employee contract for Brian Sexton.

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

### **III. APPROVAL OF MARCH 8, 2007, MINUTES**

Mr. Loring moved and Mr. McLean seconded the motion, which passed unanimously, to approve the March 8, 2007, minutes as presented. (6-0)

### **IV. RECOGNITION OF COUNCILMEMBERS**

Councilmember Toler spoke in favor of Items #7 and 8, 2007SP-040G-12 and 111-83-G-12 which were on the Consent Agenda for approval.

Councilmember Tygard spoke in favor of Item #2, 2006SP-174G-06, Newsom Station Townhomes. He briefly explained that he has met with the property owner and shared with the neighborhood leaders that there was a commitment to totally fence in the quarry to address the concern of safety issues. He stated that he would amend the bill at its third reading to address dumping and fill, so that the quarry would remain undisturbed; and that they will continue to search for a 501(c)(3) organization that would be interested in acquiring the quarry and its maintenance. He read from a letter representing over 1,000 homeowners in the area that were in favor of the proposed townhomes.

Councilmember Forkum spoke in favor of Item #1, 2007CP-01-04 which was on the Consent Agenda for approval.

Councilmember Wilhoite requested that Item #16, 74-79-G-13, Nashboro Village (PUD Cancellation) be deferred to April 12, 2007, to allow additional time for the developer to meet with the residents affected by this proposal. She also spoke in favor of Item #9, 2007Z-044U-13 which was on the Consent Agenda for approval. Councilmember Wilhoite then requested approval of Item #10, 2007Z-047U-13 as it was submitted.

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

- |     |               |   |
|-----|---------------|---|
| 15. | 2007S-048U-13 | A request for final plat approval to create 1 lot on a portion of property located at Bell Road (unnumbered), approximately 515 feet north of Bell Forge Lane (5.2 acres), zoned MUL and located within the Ridgeview Urban Design Overlay – deferred to April 12, 2007 at the request of the applicant                               |
| 16. | 74-79-G-13    | Nashboro Village (PUD Cancellation) - Request to cancel the Planned Unit Development District Overlay on property located at the southeast corner of Nashboro Boulevard and Flintlock Court that was approved for 144 multi-family units in two six-story buildings -- deferred until April 12, 2007, at the request of the applicant |

Mr. McLean moved and Mr. Ponder seconded the motion, which passed unanimously to approve the Deferred and Withdrawn items as presented. (6-0)

Ms. Cummings arrived at 4:17 p.m.

### **VI. PUBLIC HEARING: CONSENT AGENDA COMMUNITY PLANS**

- |    |              |  |  |
|----|--------------|--|--|
| 1. | 2007CP-01-04 | Request to amend the Subarea 4 Plan: 1998 Update by creating a Detailed Neighborhood Design Plan for Larkin Springs Road between Neelys Bend Road and SR 45. | - Approve Detail Land Use Plan with Special Policy |
|----|--------------|--|--|

### **ZONING MAP AMENDMENTS**

- |    |               |  |   |
|----|---------------|--|---|
| 3. | 2007S-037U-14 | A request for final plat approval to create 6 lots on properties located at 2246, 2247, and 2251 Cabin Hill Road, approximately 465 feet south of Fairbrook Drive (7.03 acres), zoned RS15 | -Approve with conditions, the staff's alternative configuration for five lots |
|----|---------------|--|---|

- |     |                |  |  |
|-----|----------------|--|--|
| 4.  | 84-87-P-13     | Crossings at Hickory Hollow - Bobcat of Nashville - Request to revise the preliminary plan and for final approval for a portion of the Commercial Planned Unit Development district located at Crossings Boulevard (unnumbered), to permit the development of a 16,079, square foot heavy equipment sales and service center.  | - Approve w/ conditions  |
| 7.  | 2007SP-040G-12 | High Point SP - Request to change from AR2a to SP zoning to permit 98 dwelling units consisting of 22 courtyard townhouses, 76 rowhouses, and 30,500 commercial square footage within three development phases at 6640 Nolensville Pike, with a portion of the property located within a Planned Unit Development District .   | - Approve w/conditions, including Public Works conditions of approval            |
| 8.  | 111-83-G-12    | Beverly Hill Motel PUD - Request to cancel a Commercial Planned Unit Development district located at 6640 Nolensville Pike, approved for a 16 unit motel and a 3,000 square foot restaurant.   | - Approve  |
| 9.  | 2007Z-044U-13  | Request to change from AR2a to RS10 zoning property located at 3316 Anderson Road, approximately 230 feet north of Country Hill Road (2.38 acres), requested by TF Homes LLC, owner.   | - Approve  |
| 11. | 2007SP-048U-03 | Zion Hill - Request to change from R10 to SP zoning property located at 2433 Buena Vista Pike, to permit the development of 23 multi-family units and a 250 seat religious institution within a 2-story, 27,000 square foot building.  | - Approve w/conditions   |
| 12. | 2007Z-049U-08  | Request to change from MUN and RM15 to R6 zoning properties located at 1623, 1627, 1631, 1633, and 1635 6th Avenue North, northeast corner of Garfield Avenue and located within the Phillips-Jackson Redevelopment District and Salem Gardens Urban Design Overlay district.  | - Approve with the associated cancellation of Salem Gardens Urban Design Overlay |
| 13. | 2005UD-011U-08 | Salem Gardens - Request to cancel an Urban Design Overlay district named "Salem Gardens" for properties located at 1623, 1627, 1631, 1633 and 1635 6th Ave. North, at the corner of Garfield Avenue and 6th Avenue North, approved for one mixed-use building allowing four residential/commercial/office ground floor flats, one corner retail space, and eight apartment units, as well as two buildings with four townhouses in each. | - Approve with the accompanying request to rezone the properties R6              |

**REVISIONS AND FINAL SITE PLANS**

- |     |             |  |                        |
|-----|-------------|--|------------------------|
| 17. | 89P-003G-06 | Still Springs Ridge, Phase I - Request to revise the approved preliminary plan for a portion of a residential Planned Unit Development, located at Hicks Road (unnumbered), to allow for a new ingress/egress not previously approved on the preliminary PUD plan. | - Approve w/conditions |
| 18. | 89P-028U-14 | Rudy's Farm - Hampton Inn & Suites - Request to revise the preliminary plan and for final approval for a portion of a Commercial Planned Unit  | - Approve w/conditions |

Development located at 230 Rudy Circle, to permit the development of a 75,888 square foot hotel.

19. 2005P-018G-12 Preston Estates, Phase 1B - Request for final approval for a portion of a Residential Planned Unit Development district located on a portion of properties at 5814 Pettus Road, Pettus Road (unnumbered) and Preston Road (unnumbered), (10.64 acres to develop 15 single-family lots. - Approve w/conditions

#### **XIV. OTHER BUSINESS**

22. New employee contract for Brian Sexton - Approve

Mr. McLean moved and Mr. Ponder seconded the motion, which passed unanimously, to approve the Consent Agenda as presented. (7-0)

#### **VII. COMMUNITY PLANS**

##### **1. 2007CP-01-04**

A request to amend the Subarea 4 Plan: 1998 Update by creating a Detailed Neighborhood Design Plan for Larkin Springs Road between Neelys Bend Road and SR 45.

**STAFF RECOMMENDATION: Approve Detailed Land Use Plan with Special Policy**

**APPLICANT REQUEST** - Change the land use policies from Residential Low-Medium Density (RLM), Office Concentration (OC), and Commercial Arterial Existing (CAE) to Parks Reserves and Other Open Space in Potential Open Space (PR in POS), Civic or Public Benefit in Open Space (CPB in OS), Single Family Detached in Corridor General (SFD in CG), Mixed Housing in Corridor General (MH in CG), Mixed Use in Neighborhood Center (MxU in NC), Mixed Use in Community Center (MxU in CC), and Institutional in Major Institutional (Ins in MI) with Special Policies for approximately 205 acres located along Larkin Springs Road between East Old Hickory Boulevard and Neelys Bend Road and along East Old Hickory Boulevard around its intersection with Larkin Springs Road.

#### **CURRENT POLICIES**

**Residential Low-Medium Density (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.

**Office Concentration (OC)** - The OC Structure Plan category applies to existing and future large concentrations of office development. The predominant uses in OC areas are offices. It is expected that certain types of commercial uses that cater to office workers, such as restaurants, will also locate in these areas. Residential uses of at least RMH density are also an appropriate secondary use.

**Commercial Arterial Existing (CAE)** - CAE is a Structure Plan category designed to recognize existing areas of "strip commercial." Strip commercial development is characterized by commercial uses that are situated in a linear pattern along arterial streets between major intersections. The intent of this policy category is to stabilize the current condition, prevent additional expansion along the arterial, and ultimately redevelop these areas into more pedestrian-friendly Community Center areas. Also, these areas preferably will also redevelop to a nodal pattern, with larger commercial concentrations at major intersections.

#### **PROPOSED STRUCTURE PLAN POLICIES**

**Open Space (OS) and Potential Open Space (POS)** - Open Space is a general classification encompassing a variety of public, private not-for-profit, and membership-based open space and recreational activities. There are two subcategories of Open Space. The designation OS indicates that the area in question has already been secured for Open Space use. The designation POS indicates that the area in question is intended to be in open space use, but has not yet been secured for that use. Types of uses intended within OS and POS areas range from active and passive

recreational areas, reserves, land trusts and other open spaces to civic uses and public benefit activities deemed by the community to be "open space."

**Corridor General (CG)** - Corridor General is the Structure Plan classification for areas at the edge of a neighborhood that extend along a segment a major street and are predominantly residential in character. Corridor General 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. Apartments, with the exception of smaller buildings with few units, are typically out of scale with lower density residential development, requiring larger lots. Multi-family housing should be located where better access and parking can be accommodated. Larger public benefit uses, such as large churches and schools, are more appropriately located at edges of the neighborhood along these corridors to ensure access and space requirements are achieved. All CG areas are intended to be integral elements of planning neighborhoods.

**Neighborhood Center (NC)** - Neighborhood Center policy is intended to accommodate 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. NC areas are intended to have land uses that meet daily convenience needs and/or provide a place to gather and socialize.

**Community Center (CC)** - Community Center (CC) is the Structure Plan classification 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. Generally, Community or Corridor Center areas are intended to contain predominantly commercial and mixed-use development with offices and/or residential above ground level retail shops. Neighborhood and community oriented public and public benefit activities and residential uses are also appropriate in CC areas. Residential development in CC areas that is not above retail or offices is typically higher intensity townhomes and multi-family housing. Community or Corridor Center areas are where the most pedestrian activity occurs. All CC areas are intended to be integral elements of planning neighborhoods.

**Major Institutional (MI)** - Major Institutional is a Structure Plan area classification for one of several types of special districts. MI areas are dominated by one or more major institutional activities, often in a campus type setting. Types of activities intended within MI areas include large institutions and activities that are ordinarily ancillary to the principle use. Large MI areas are elements of the community's structural framework; smaller ones are integral elements of planning neighborhoods. Appropriate ancillary activities within MI areas vary according to the primary use and may include different types of residential development, offices, and small scale convenience services supported mainly by the primary institutional activity.

#### **PROPOSED DETAILED LAND USE POLICIES**

**Other Open Space (PR)** - This category, similar to the Structure Plan component, is reserved for open space intended for active and passive recreation, as well as buildings that support such open space.

**Civic or Public Benefit (CPB)** - This category includes various public facilities including schools, libraries, and public service uses.

**Single Family Detached (SFD)** - This category includes single family housing that varies based on the size of the lot. Detached houses are single units on a single lot (e.g. typical single family house).

**Mixed Housing (MH)** - This category includes single family and multifamily housing that varies based on lot size and building placement on the lot. Housing units may be attached or detached, but are not encouraged to be placed at random. Generally, the character (mass, placement, height) should be compatible to the existing character of the majority of the street.

**Institutional (Ins)** - This category includes major institutions such as colleges, universities, and hospital complexes.

**Mixed Use (MxU)** - This category includes 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.

## **ANALYSIS**

Tennessee Christian Medical Center was a long-time part of the Madison community located on the east side of Larkin Springs Road. Over the years, Tennessee Christian bought up several residential properties along Larkin Springs Road that had become blighted, cleared the houses, and planted trees along the street. In 2006, as Tennessee Christian sold its properties on Larkin Springs Road to HCA and HCA began to sell these properties. District Councilmember Jim Forkum asked the Metro Planning Department to work with community members in the Larkin Springs Road area to create a neighborhood plan to provide updated guidance for anticipated zone change requests. The neighborhood plan would be an amendment to the *Subarea 4 Plan: 1998 Update*.

Staff held two community meetings in the area to discuss the plan amendment, one on February 13 and one on February 27, 2007. Both meetings were attended by approximately 20 people. Participants were concerned about some aspects of the new residential development that is taking place in the area, such as side setbacks, building materials, site layout, and front yard parking. They were also concerned about stormwater drainage problems they had witnessed in the area. Planning staff explained that although there was little that could be done to influence the construction of new homes that is taking place under the existing RS7.5 and RS10 zoning, a Detailed Land Use Plan with Special Policies could be put in place for the area that would guide new development that took place under any changes in that zoning.

To that end, Planning staff has worked with the Councilmember and area participants to develop the following Special Policy incorporating Detailed Land Use Policies and Design Guidelines to cover the amendment area.

### **Special Policy Area # 1: Larkin Springs Road Corridor**

- Development within the Larkin Springs Road Corridor special policy area should be guided by the identified detailed land use policies and the development principles found in Appendix A. These development principles relate to access and site design, size, height and placement of the buildings.
- To achieve the design requirements of this policy, residential developments involving rezonings for three or more units in one building should be implemented only through the “SP” (Specific Plan) base zone district or a “UDO” (Urban Design Overlay) district combined with appropriate base districts.
- For nonresidential and mixed use developments involving rezonings, proposals should be implemented only through the SP base zone district or a UDO district combined with appropriate base districts.

## **Appendix A**

### **Larkin Springs Development Principles Overview.**

Because the Larkin Springs Road corridor is an important connection and visual amenity for the Madison Community and represents such a unique residential development opportunity, the Land Use Policy Plan includes a special policy to establish more detailed plans for future development of the corridor. Special Policy Area # 1 calls for development within the Larkin Springs Road corridor to be guided by a detailed land use plan and development principles related to the access and site design, size, height, and placement of buildings.

### **Concept.**

The Detailed Land Use Plan and the Development Principles presented below are based on the following development concept for the corridor.

The corridor is envisioned to develop into five areas, each with its own distinct character of development. These areas are identified on Figure 1.

1. Larkin Springs/Old Hickory Community Center. The first area is the community-scaled center around Larkin Springs Road and East Old Hickory Boulevard. This center would be the most intensively developed area in the Larkin Springs Road corridor. Buildings in this area are envisioned to be generally larger and taller than those in the other two types of areas. While considerable pedestrian traffic is expected, this area will be more automobile and transit-oriented than the others, mainly because of the size and intensity of development and surrounding

neighborhoods it serves. Zone changes would be needed in this area to implement the policies. The preferred zoning district to implement the policies is Specific Plan, although combinations of mixed use and multifamily residential districts with Urban Design Overlays could also be considered.

2. Larkin Springs/Hospital Drive Neighborhood Center. The second area is the planned mixed use center at the intersection of Larkin Springs Road and Hospital Drive. This center will function mainly as a neighborhood-oriented service center to include small offices like those that currently exist at the site. Development in this center will be less intense than the major center. This area is expected to be the most pedestrian-oriented of the five areas. Most of the zoning in this area would need to be changed to implement the policies. The preferred zoning district to implement the policies is Specific Plan, although combinations of mixed use and multifamily residential districts with Urban Design Overlays could also be considered.

3. Hospital Campus. The current hospital campus and the surrounding office zoned area that is not occupied by single-family homes is the third area. This area is intended to retain its institutional campus type environment and to continue to consist primarily of medical and office uses with no special design guidance beyond that provided by the current OG Office General zoning, which will not be changed.

4. Larkin Springs Mixed Housing. The segments of Larkin Springs Road that are to develop with a mix of housing types, open space, and civic activities are the fourth area. These areas are intended to develop at densities up to six units per acre. Most of the zoning in these areas would need to be changed to implement the policies. The preferred zoning district to implement the policies is Specific Plan, although combinations of RM2, RM4, or RM6 multifamily residential districts with Urban Design Overlays could also be considered.

5. Larkin Springs Single Family Detached. The Single Family Detached (single family houses that are not connected) segments of Larkin Springs Road and RLM properties west of Larkin Springs Road that are to develop as detached single-family residential are the fifth area. These areas will be the least intensely developed of the five. The zoning of these areas is not intended to be changed. The detailed land use plan and development principles below are written to achieve this development concept.

1. Larkin Springs Road Corridor Detailed Land Use Plan. The detailed land use plan (DLUP) presented in this section is a refinement of the Structure Plan policy categories Community Center (C C), Major Institutional (MI), Neighborhood Center (N C), and Corridor General (CG) that apply along Larkin Springs Road. The Structure Plan categories are part of the existing Madison Community Plan. The Structure Plan categories speak to the land uses, but give little certainty or guidance about the mix or pattern of development along the corridor. The land use policy categories that make up this DLUP are the same ones used in Detailed Neighborhood Design Plans (DNDPs). In addition to this appendix, the document Land Use Policy Application (found at the Metro Planning Department web site, [www.nashville.gov/mpc](http://www.nashville.gov/mpc)) should be consulted for definitions and the intent within each of the land use policy categories on the DLUP.

This detailed land use plan for Larkin Springs Road is not meant to be a complete DNDP. It is expected that additional tools and standards in the form of Urban Design Overlays or Specific Plan zoning districts will be prepared for the portions of the corridor where rezoning would be supported by this plan. Figure 1 illustrates the detailed land use plan for the Larkin Springs Road corridor.

The detailed land use policy categories in the plan are as follows.

*Parks Reserves and Other Open Space (PR):* This category, similar to the Structure Plan component, is reserved for open space intended for active and passive recreation, as well as buildings that support such open space.

*Alternate Policies for Parks Reserves and Other Open Space Areas:*

- Special Policy 2 for Larkin Springs Road /New Providence Pass Open Space: The alternate policy for this Parks Reserves and Other Open Space area is Mixed Housing.
- Special Policy 3 for Hospital Campus Pond Open Space: The alternate policy for this Parks Reserves and Other Open Space area is Institutional.
-

*Civic or Public Benefit (CPB)*: This policy envisions land uses including religious, health, educational and other community service activities, and the uses that support them, such as household or non-household residential.

*Single Family Detached (SFD)*: This category includes single family housing that varies based on the size of the lot. Detached houses are single units on a single lot (e.g. typical single family house).

*Mixed Housing (MH)*: This policy envisions land uses including all types of residential and civic and public benefit activities that are compatible with residential uses.

*Mixed Use (MxU)*: These areas are intended for a mixture of residential uses and well-matched office, commercial, civic and public benefit uses. The plan encourages mixed use buildings with ground-floor nonresidential uses and residential uses on upper floors.

2. Larkin Springs Road Corridor Development Principles. The purpose of this section is to provide principles for guiding the character of development that occurs within Special Policy Area # 1. The goal is to create a corridor that is:

- 1) aesthetically attractive and pleasant to visit,
- 2) well-designed for both travelers and the land uses along the corridor, and
- 3) pedestrian-friendly.

These general principles apply throughout the corridor, except where noted.

*General Development Principles*. Figures A-1 and A-2 on pages X and X illustrate of some of the development principles described in this section.

#### Buildings and Lots

- Encourage diversity and choice in the size and cost of housing to meet needs of residents in all stages of life. An example is attached townhouses with small private yards or courtyards that would cater to people who want the feel of a detached house without all of the maintenance.
- Articulate building facades oriented toward public streets and civic open spaces in order to avoid expanses of uninterrupted walls.
- Orient residential buildings toward the street. Means of orientation include, but are not limited to, entries, windows, porches, and balconies. Orient the primary pedestrian entrances to either the street or civic open space.
- Provide a high level of pedestrian access within and between individual developments.
- In the Larkin Springs/Old Hickory Community Center and Larkin Springs/Hospital Drive Neighborhood Center areas, buildings should be constructed close to the right-of-way line in order to create safer and more active streets.
- Building heights should be limited to a maximum of three stories.
- Parking and Access
- Create well-defined sidewalks and pathways that permit pedestrians to move safely and comfortably from their vehicles into buildings. At a minimum, this should include providing sidewalks and safe crossing areas across parking lots and between commercial structures through such means as markings, textured pavement, or other walkways.
- Develop shared parking agreements for properties characterized by differing peak user times or days in order to minimize the total requirements for off-street parking.
- Reduce the number of individual curb cuts along Larkin Springs Road, East Old Hickory Boulevard, and Neelys Bend Road and require cross access among adjacent parking lots in order to reduce turning movements from the arterial and allow vehicles to circulate between buildings without having to re-enter those streets.
- Limit the width of driveways to minimize the interruption to the sidewalk and bikeway networks.
- Locate parking to the rear of structures (most preferable) or to the sides of structures (less preferable).
- Landscaping and Buffering
- Soften the visual impact of new development and provide a greater level of comfort for pedestrians with appropriate landscaping and buffering.



- Protect existing trees to the greatest extent possible, and plant quality trees to compensate for trees that must be removed for development, in particular, retain the existing tree row along the frontage of Larkin Springs Road and add to it as development occurs.
- Screen ground and rooftop utilities, meter boxes, heating and cooling units, refuse storage, and other building systems that would be visible from public streets.
- Provide a sidewalk and a planting strip between the sidewalk and street.

**Residential Densities**

- The density of single-family development should not exceed that permitted through the current RS10 and RS7.5 zoning districts, which should be retained in their current locations within the SFD and RLM policy areas.
- The density of all other types of housing should not exceed six units per acre.

**Required Street Connections**

- The approximate location of planned new local streets, referred to as “Required Street Connections” are shown on the plan. The intent of including the Required Street Connections in the plan is to encourage continuation of the single family subdivision pattern that currently exists along Farris Avenue and Kinsey Boulevard to the west. These Required Street Connections are new streets that are to be built as part of any future residential subdivision of the properties on which they are shown and which would be constructed as part of the normal subdivision process. These are not streets that are intended to be constructed by Metro government.

**Architectural Standards**

- Provide setbacks for new buildings along Larkin Springs Road that are consistent with existing buildings.
- Place buildings so that the primary pedestrian entrance is oriented to the street or civic open space. For buildings on corner lots, the primary pedestrian entrance may face either street; however, the larger street is preferred.
- Orient residential buildings toward the street by providing entries, windows, porches, and balconies along the streets.
- Side setbacks should be ten feet or more to continue the existing pattern of spacing between buildings.
- Long, uninterrupted wall planes on public streets or paths should be avoided.
- Rhythm of ground floor architectural features should harmonize with rhythm of upper stories.
- Simple, attractive design in durable materials is preferred over elaborate design in inferior materials.
- Buildings should be constructed of durable building materials that require little maintenance in order to demonstrate sustained quality and a sense of permanence.

Approved Detail Land Use Policy with Special Policy, (7-0) *Consent Agenda*

**Resolution No. RS2007-091**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007CP-01-04, Amendment to the Subarea 4 Plan: 1998 Update Detailed Land Use Plan with Special Policy is **APPROVED. (7-0)**”

**VIII. PUBLIC HEARING: PREVIOUSLY DEFERRED ITEMS AND ITEMS ON PUBLIC HEARING ZONING MAP AMENDMENTS**

2. **2006SP-174G-06**  
Newsom Station Townhomes  
Map 126-00, Part of Parcel 064  
Subarea 6 (2003)  
Council District 35 - Charlie Tygard

A request to change from AR2a to SP zoning a portion of property located at 7848 McCrory Lane, adjacent to the CSX Railroad and south of Highway 70 (30 acres), to permit 180 townhomes, requested by McCrory Lane Partners LLC, owner.

**STAFF RECOMMENDATION: Disapprove**

**History** - The Planning Commission disapproved this request at its December 14, 2006, meeting. Staff recommendation was for approval with conditions, but the applicant disagreed with the conditions and asked that the request be disapproved. The request was referred back to the Planning Commission from Council to reconsider the conditions for approval.

**Deferrals** - The request was deferred from the February 22, 2007, Planning Commission meeting so that the applicants could address staff's concerns regarding the adjacent quarry site. *At this time, the applicants have not provided any information addressing the adjacent quarry site.*

**APPLICANT REQUEST - Preliminary SP**

A request to change from Agricultural/Residential (AR2a) to Specific Plan (SP) zoning a portion of property located at 7848 McCrory Lane, adjacent to the CSX Railroad and south of Highway 70 (30 acres), to permit 180 townhomes.

**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.
- 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.

**BELLEVUE COMMUNITY PLAN**

**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.

**Special Policy Area 9** - This Special Policy applies to the old quarry site on McCrory Lane near the intersection with Charlotte Pike. Because of both the environmental sensitivity of this site that is so close to the Harpeth River and its potential danger to the public, the following measures should be taken to secure the former quarry site:

- The existing vegetative cover is to be maintained from the southern boundary of the Neighborhood Center policy that covers the northern part of the property through the remainder of the property under Natural Conservation policy;
- The quarry, itself, is to remain undisturbed and unfilled.
- Steps should be taken to ensure that unauthorized access to the former quarry is prevented.
- These measures shall be incorporated into a PUD or SP plan for the entire property on which the old quarry is sited, so they will remain in place in perpetuity regardless of future resubdivision or property ownership.

**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.

**Consistent with Policy?** - No. The proposed SP site plan does not implement the intent of the area's Neighborhood Center policy or Special Policy Area 9. This Special Policy was specifically adopted by the Commission on December 14, 2006, to allow residential development on a portion of the property, but only if the public is protected from the dangers of the quarry site and the quarry is protected from the public.

**History** - This request was previously recommended for disapproval by the Planning Commission on December 14, 2006. Staff's recommendation was for approval with conditions, but the applicant disagreed with the conditions and asked that the request be disapproved. The request was referred back to the Planning Commission from Council to reconsider the conditions for approval.

According to Metro GIS, the quarry property originally contained approximately 72 acres in total. Staff has learned that the property was recently divided into two individual parcels with the northern parcel, proposed for 180 townhomes, containing approximately 30 acres and the southern parcel, which includes the abandoned quarry containing approximately 42 acres.

Despite this division into two parcels, the proposed development cannot be considered separately from the adjacent property that currently contains a quarry. Any development proposed for the northern parcel remains within close proximity to the quarry, which will pose significant safety issues for future residents.

**Deferrals** - This request was deferred from the February 22, 2007, Planning Commission meeting so that the applicants could address staff's concerns with the adjacent quarry site. *At this time, the applicants have not provided any information indicating that they have addressed significant concerns with the adjacent quarry site.*

**Site Plan** - The plan calls for 180 units on approximately 30 acres with a density of approximately six units per acre, and also includes a pool and pool house, playground and an outdoor recreational area. All units will front private drives and will be accessed from McCrory Lane. A total of 300 parking spaces are proposed.

**Sidewalks** - Interior sidewalks are identified on the plan and will allow for residents to move within the development. A sidewalk connection is not shown to McCrory Lane but should be provided. Also, a sidewalk should be provided along McCrory Lane, which will allow for pedestrian access to the State park on the west side of McCrory Lane and any surrounding future development.

**Buffer Yard** - To ensure that this development will not have a significant negative impact on McCrory Lane, a Standard "D" Landscape Buffer Yard should be provided along McCrory Lane.

**Greenway** - The Harpeth River is included in the Metropolitan Parks and Greenways Master Plan and a greenway is identified for this section of the Harpeth River. A greenway and conservation easement must be shown on the plan. The greenway and conservation easement shall include the floodway and a corridor at least 75 feet in width, measured from the outer edge of the floodway.

**Environmental Constraints** - The proposed development will be on land that was once used for mining rock and is in close proximity to a large, open pit that lies directly to the south of this site. The open pit poses significant health and safety issues for future residents of this development. To ensure that the health, safety, and welfare of future residents are protected, the plan should adequately identify appropriate barriers that will keep residents and visitors to the project from the abandoned quarry.

Additional issues regarding the quarry pertain to its future use should development of this site intensify. The Harpeth River runs adjacent to the east property boundary and activity in the quarry could have a negative impact on water quality. A previous plan called for the quarry to be filled in with construction materials. This raised considerable community concern. Due to the proximity of the State designated Scenic Harpeth River, any fill materials could leach into the river and negatively affect the water quality of the river. To ensure that the water quality of the Harpeth River is not harmed, an adequate plan for the quarry should be established. No fill should be placed in the quarry, and activity should be limited only to protective measures that will ensure the integrity of the site and protect the Harpeth River. Access should be restricted through appropriate means that will ensure that people are protected from the site.

**Staff Recommendation** - The current plan does not adequately implement the intent of the Community Center policy. As proposed, the plan allows 180 residential units without in any way addressing significant issues with the adjacent quarry property. For these reasons staff recommends that the SP be disapproved.

Staff could only recommend approval of the request if provisions are made to address the quarry. When this case was considered by the Commission in December 2006, staff recommended that the boundaries of the SP should be expanded to include the quarry property. Through their attorney, the applicants have argued that it would be overreaching to require expansion of the SP.

If the applicant does not wish to expand the SP to include the quarry property, other steps could be taken to address concerns about the quarry. A conservation easement that prohibits disturbance of the quarry would ensure that no negative effects are caused by development on or around the property. Such an easement or other legal agreement could also include terms that would require the holder of the easement or other parties to provide barriers to prevent people from accessing the quarry.

Regardless of what measures are taken, staff can only recommend approval of this request if some adequate steps are taken to protect the public and to protect the Scenic Harpeth River from misuse of the quarry. Without such measures, approval of 180 residential units in this location would be inappropriate.

**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.
2. Show and dimension right of way along McCrory Lane at property corners. Label and dedicate right of way 30 feet from centerline. Label and show reserve strip for future right of way, 50 feet from centerline to property boundary, consistent with the approved major street plan (S4 - 100' ROW).
3. Show and dimension right of way along Highway 70 at property corners.
4. Show and label the proposed right-of-way for the realignment of McCrory Lane with Highway 70, as indicated in the Tennessee Department of Transportation's advance planning report.
5. A traffic impact study is required for this development.

**Typical Uses in Existing Zoning District: AR2a**

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached(210)	30	0.5	15	144	12	16

**Typical Uses in Proposed Zoning District: RM6**

Land Use (ITE Code)	Acres	Density	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Res. Condo/Townhome (230)	30	6	180	1,058	83	98

**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
--			+165	914	71	82

**STORMWATER RECOMMENDATION** - Approve with the following conditions:

1. 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).
2. Add Buffer Note (if there is a drain buffer): (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 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.)
4. Add Access Note: (Metro Water Services shall be provided sufficient and unencumbered access in order to maintain and repair utilities in this site).
5. 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).

**METRO SCHOOL BOARD REPORT**

Projected student generation\*      10 Elementary      7 Middle      7 High

**Schools Over/Under Capacity** - Students would attend Gower Elementary School, Hill Middle School, and Hillwood High School. All three schools have been identified as having capacity. This information is based upon data from the school board last updated August 2006.

**CONDITIONS (if approved)**

1. The site plan shall adequately identify the appropriate barriers that will keep residents from the abandoned quarry to the south of this development.
2. Prior to approval by the Council on third reading, adequate steps must be taken to ensure that no fill is placed in the quarry. Activity shall be limited to only protective measures that will ensure the integrity of the site, and protect residents and natural resources.

3. Sidewalks shall be provided along property line and McCrory Lane. A sidewalk connection shall be provided from the development to McCrory Lane.
4. A greenway and conservation easement must be shown on the final development plan. The greenway and conservation easement shall include the floodway and a corridor at least 75 feet in width, measured from the outer edge of the floodway.
5. 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 RM9 zoning district effective at the date of the building permit. This zoning district must be shown on the plan.
6. 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.
7. 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.
8. 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.
9. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
10. 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.

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.

Mr. Swaggart presented and stated that staff is recommending disapproval.

Mr. Bernhardt stated for the record that the applicant sent a letter stating they would fence the entire quarry site.

Mr. Lawson acknowledged the commitment made by the applicant to place fencing around the quarry to address the safety concerns associated with this proposal.

Mr. Loring too acknowledged the fencing that will be provided to address the safety concerns as well as the commitment that the water in the quarry would be undisturbed. He mentioned the SP zoning that would be in place to assist in controlling these measures.

Ms. Jones spoke in favor of the development in that it will provide additional monitoring of the issues associated with the quarry.

Mr. Ponder thanked all of those who have expressed their thoughts and concerns on this issue. Mr. Ponder requested additional clarification on the options available to the Commission if they chose to approve the development.

Mr. Swaggart explained this concept to the Commission.

Mr. McLean stated he was in favor of approving the development with the added conditions of no fill or dumping in the quarry and the installation of the fencing.

Mr. Cummings mentioned the cost of the fencing but stated it was necessary.

Mr. Tyler requested additional information regarding the quarry.

Mr. Ponder moved and Mr. McLean seconded the motion, which passed unanimously to approve with conditions Zone Change 2006SP-174G-06 including install and properly maintain a secure fence around the entire quarry property and there be no dumping or fill of any materials of any type into the quarry. (7-0)

#### **Resolution No. RS2007-092**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006SP-174G-06 is **APPROVED WITH CONDITIONS (7-0), including a requirement to install and properly maintain a secure fence around the entire quarry site and no dumping or fill of any materials of any type into the quarry site.**

**While the proposed SP plan does not specifically implement the Special Policy for the property that is intended to ensure that people are protected from the dangers of the existing quarry and that no fill be placed within the quarry, the Commission approved with conditions, including a condition that a fence be installed and maintained around the quarry site, and that no dumping or filling of any materials of any type be placed within the quarry.”**

#### **FINAL PLATS**

3. **2007S-037U-14**  
Dewey Subdivision  
Map 073-11, Parcels 111, 113, 114  
Subarea 14 (2004)  
Council District 15 - J. B. Loring

A request for final plat approval to create 6 lots on properties located at 2246, 2247, and 2251 Cabin Hill Road, approximately 465 feet south of Fairbrook Drive (7.03 acres), zoned RS15, requested by Delle Land Surveying, applicant, for Steve W. Pedigo, owner.

**STAFF RECOMMENDATION: Disapprove plat as submitted. If the Commission desires to approve 5 lots, approve with staff conditions.**

**RESOLUTION** - The request was deferred one meeting in order to determine if there was a compromise. Staff determined that the lots north of Cabin Hill Road could be subdivided as shown on the first plat and the lots south of Cabin Hill Road could possibly be subdivided into 3 lots. Thus, the applicant would end up with 5 lots instead of the 6 that were originally proposed. The applicant has submitted a plat for 5 lots. Staff recommends disapproval of the plat as submitted. If the Commission chooses to approve 5 lots, staff recommends approval with staff conditions.

#### **APPLICANT REQUEST**

**Final Plat** - A request for final plat approval to create 5 lots on properties located at 2246, 2247, and 2251 Cabin Hill Road, approximately 465 feet south of Fairbrook Drive (7.03 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** - The applicant proposes to subdivide 3 lots into 5 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.):
<b>Cabin Hill Road</b>	27,770	130.0

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

- Lot 1: 31,648 Sq. Ft. (.73 Acres), with 123.93 ft. of frontage
- Lot 2: 39,687 Sq. Ft. (.91 Acres), with 123.18 ft. of frontage
- Lot 3: 61,617 Sq. Ft. (1.41 Acres), with 131.52 ft. of frontage
- Lot 4: 127,384 Sq. Ft. (2.92 Acres), with 185.35 ft. of frontage
- Lot 5: 35,336 Sq. Ft. (.81 Acres), with 100.54 ft. of frontage

**All 5 lots pass lot comparability for area, but Lots 1, 2, and 5 fail for frontage.**

**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 subdivision is within a one-quarter mile radius of an area designated as a “Mixed Use,” “Office,” “Commercial,” or “Retail” land use policy categories.

**Staff Recommendation** - Even though this request is consistent with the Residential Low Medium policy, and is less than a quarter mile from a commercial policy, staff does not recommend that the Commission grant an exception to the lot comparability requirements.

All five lots are located 100% within floodplain. A stream runs through Lots 2, 4, and 5. The Zoning Code requires that a minimum of 50% of property within the floodplain must remain permanently undisturbed (17.28.040). The creek and the requirement for nondisturbance of floodplain, along with the platted setbacks carried over from the current plat, create a small buildable area. The area that is to be permanently undisturbed and the area within the stream buffer must also remain undisturbed during construction.



**Staff Recommended Revisions** -Staff recommends the following revisions to the plat, if approved by the Commission:

1. Lots 1 and 2, north of Cabin Hill Road, are subdivided as originally submitted in order to provide sufficient buildable area on Lot 2.
2. Lots 3, 4, and 5, south of Cabin Hill Road, are subdivided in such a way that each property has access to the portion of the property south of the stream, that sufficient buildable area is provided, and that as much as possible of the floodplain is preserved.

Because Lots 1, 2, and 3 would remain the same, Lot 1 would fail lot comparability for both area and frontage and Lot 3 would fail for frontage. Lot 5, formerly Lot 6, would be changed slightly, but would almost certainly fail for frontage.

Section 3-4.2.f of the Subdivision Regulations states that a lot cannot be over four times longer than it is wide (the “depth to width ratio”). Proposed Lot 3 does not comply with that regulation. Lot 5, formerly Lot 6, would be changed slightly, but almost certainly would not comply with that regulation. The failure of these lots to comply with the depth to width ratio further demonstrates that these properties should not be subdivided.

While the revisions would require both lot **comparability exceptions and variances for depth to width ratio**, staff determined that this is the more appropriate option than the submitted plat because each property has access to the portion of the property south of the stream, sufficient buildable area is provided, and as much of the floodplain as possible is preserved.

**PUBLIC WORKS RECOMMENDATION** - No Exceptions Taken.

**STORMWATER RECOMMENDATION** - Approved.

#### **CONDITIONS**

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

1. Label undisturbed area as “area to remain undisturbed” instead of “floodplain buffer.” Revise associated note to say “area to remain permanently undisturbed to meet the requirements of Metro Code 17.28.40”
2. Change the purpose note to “5 lots.”
3. Check and revise all lot areas.

Approved with conditions, alternative configuration for five lots as recommended by staff **(7-0)**

#### **Resolution No. RS2007-093**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007S-037U-14 is **APPROVED WITH CONDITIONS, including staff’s alternative configuration for 5 lots. (7-0)**”

#### **REVISIONS AND FINAL DEVELOPMENT PLANS**

4. **84-87-P-13**  
Crossings at Hickory Hollow - Bobcat of Nashville  
Map 174-00, Parcel 224  
Subarea 13 (2003)  
Council District 32 - Sam Coleman

A request to revise the preliminary plan and for final approval for a portion of the Commercial Planned Unit Development district located at Crossings Boulevard (unnumbered), approximately 1,250 feet west of Old Franklin Road, (4.51 acres), to permit the development of a 16,079, square foot heavy equipment sales and service center,

requested by Littlejohn Engineering Services, for Crews Crossings LLC, owner.

**STAFF RECOMMENDATION** - Approve w/ conditions if Stormwater comments received; Disapprove if not.

**Deferrals** - This item was deferred from the March 8, 2007, agenda by the Commission at the request of the applicant so that a technical review could be completed by the Stormwater Department. At the time of this report a technical review has not been completed.

**Staff Recommendation** - *Disapprove unless Stormwater has approved or conditionally approved the technical review prior to the Planning Commission meeting. If Stormwater comments are received prior to the meeting and the recommendation is for approval or conditional approval, then staff can recommend approval.*

#### **APPLICANT REQUEST - Revise Preliminary and Final PUD**

A request to revise the preliminary plan and for final approval for a portion of the commercial Planned Unit Development district located at Crossings Boulevard (unnumbered), approximately 1,250 feet west of Old Franklin Road, (4.51 acres) to permit the development of a 16,100, square foot heavy equipment rental, sales and service center.

#### **PLAN DETAILS**

**Site Plan** - The proposed site plan calls for a single building totaling 16,100 square feet to be located on approximately 4.51 acres. The building will provide office and display space, as well as, service space for a heavy equipment rental and sales business. Access will be from a single location off Crossings Boulevard.

**Associated Case** - This application is associated with a proposed lot split (2006S-031U-13). Currently the property proposed for this development is approximately 12 acres in area. The subdivision application proposes to split the 12-acre lot into two new lots. One lot totals 4.51 acres and includes this development, and the second lot totals 8.19 acres and is presently undeveloped. The plat is being reviewed administratively and will be recorded once this final PUD has been approved.

**Preliminary Plan** - The preliminary plan for this portion of the PUD was approved for a 50,000 square foot automobile sales and service business. Because automobile sales and the proposed use are compatible, then this revision can be approved by the Commission and is not required to be approved by the Council.

**Staff Recommendation** - Since the proposed change is consistent with the concept of the originally approved development plan, staff recommends that the request be approved with conditions.

**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.

**STORMWATER RECOMMENDATION** - Pending technical review

#### **CONDITIONS**

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

is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.

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

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

**Resolution No. RS2007-094**

“BE IT RESOLVED by The Metropolitan Planning Commission that 84-87-P-13 is **APPROVED WITH CONDITIONS. (7-0)**

**Conditions of Approval:**

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

## MANDATORY REFERRALS

5. **2006M-231U-09**  
BL2006-1304  
Renaming Gateway Blvd. to Korean War Vet. Memorial Blvd  
Subarea 9 (1997)  
Council District 6 – Mike Jameson

A request to amend the Official Street and Alley Acceptance and Maintenance Map for The Metropolitan Government of Nashville and Davidson County, by changing the name of a portion of Gateway Boulevard between Davidson Street and 4th Avenue South to "Korean War Veterans Memorial Boulevard."

**STAFF RECOMMENDATION: Disapprove**

**APPLICANT REQUEST** - An ordinance to change the name of Gateway Boulevard between Davidson Street and 4th Avenue South to "Korean War Veterans Memorial Boulevard."

**What is being requested?** - Councilmembers Rip Ryman, J.B. Loring, and Ed Whitmore have introduced an ordinance to change the name of Gateway Boulevard to "Korean War Veterans Memorial Boulevard." The ordinance currently states that the section of the street from Davidson Street to 4<sup>th</sup> Avenue, South, would be renamed. Gateway Boulevard actually extends to the east beyond Davidson Street to South 2<sup>nd</sup> Street. It is staff's understanding that a substitute bill has been prepared to apply the proposed name to all of Gateway Boulevard.

**Why is this being requested?** - According to the ordinance, the name change is being proposed to honor veterans of the Korean War and because the newly constructed Gateway Bridge was renamed by the Council in January 2006 to "Korean War Veterans Memorial Bridge."

**What are the procedures for a street name change?** -Street names can only be changed by the Metro Council through the adoption of an ordinance. The Planning Department is required to notify all property owners on the street of the proposed name change, and to give residents the opportunity to provide written comments in support of or in opposition to the proposed name change.

**What public response has been received?**- Twelve e-mails have been received by Planning staff about the proposed name change. All of the respondents oppose the proposal.

**Staff Recommendation** - Staff recommends disapproval of the proposed name change. Both staff and the majority of the citizens who responded in opposition to this street name change are supportive of recognition of the important contributions by veterans of the Korean War. The Korean War Memorial by Nashville artist Russ Faxon, which was dedicated on the Legislative Plaza in 1992, is an excellent example of a memorial honoring the Korean War veterans.

Gateway Boulevard is designed to serve as a "gateway" into the burgeoning mixed use area south of Broadway that is commonly called SoBro. Residents, property owners, and business owners in the area have embraced the concept of the street as a vital, pedestrian-friendly backbone of the community. Once the street is completed to its planned ultimate intersection with 8<sup>th</sup> Avenue, South, it will truly serve as the main gateway into a significant part of the Downtown community.

In addition to the appropriateness of the current "Gateway" name for the street, staff shares some of the concerns raised by citizens who responded to the notice of this proposed street name change. For example, the proposed name would be cumbersome and difficult for residents and business owners to use in their addresses. Also, the current name helps visitors identify where businesses in the area are located – in the "gateway" to downtown Nashville. Finally, there is some doubt whether a street serves as an adequate or appropriate memorial to recognize the efforts and sacrifices of the Korean War veterans.

For these reasons, staff recommends disapproval of the proposed street name change.

Mr. Kleinfelter presented and stated that there was a substitute bill that changes the request to rename a portion of Gateway Boulevard to “Korean Veterans Boulevard” instead of “Korean War Veterans Memorial Boulevard”. He also stated that staff is recommending disapproval.

Ms. Beehan arrived at 4:38 p.m.

Mr. Ponder stated he agreed with the staff recommendation.

Ms. Jones spoke in favor of the staff’s recommendation.

Mr. Loring spoke in favor of approving the name change request. He explained that he had met with some of the business owners affected by the request and stated they were mainly concerned with the length of the new name, and since then, have agreed with the shorter name of Korean Veterans Boulevard.

Mr. Lawson offered that he understood the request in that there should be recognition for the veterans, however, he was also in favor of the staff’s recommendation in keeping the name of Gateway Boulevard.

Mr. Loring move to approve Mandatory Referral 2006M-231U-09.

There was no second to this motion.

Ms. Cummings moved and Ms. Jones seconded the motion to disapprove Mandatory Referral 2006M-231U-09. (7-1) **No Vote – Loring**

**Resolution No. RS2007-095**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006M-231U-09 is **DISAPPROVED. (7-1)**”

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

- 6. 2007SP-038G-10**  
Granny White Pike SP  
Map 159-00, Part of Parcel 085 and Part of Parcel 228  
Subarea 10 (2005)  
Council District 34 - Lynn Williams

A request to change from R40 to SP zoning a portion of properties located at 5638 and 5640 Granny White Pike, approximately 1,150 feet north of Old Hickory Boulevard (3.23 acres), to permit 3 of the 13 proposed lots to have two detached residential units on the same lot, requested by Hawkins Partners, applicant, for Bethel World Outreach Center, owners.

**STAFF RECOMMENDATION: Approve with conditions with Stormwater conditions of approval.**

**APPLICANT REQUEST -Preliminary SP**

A request to change from One and Two-Family Residential (R40) to Specific Plan (SP) zoning a portion of properties located at 5638 and 5640 Granny White Pike, approximately 1,150 feet north of Old Hickory Boulevard (3.23 acres), to permit 3 of the 13 lots proposed in the Granny White Subdivision to have two detached residential units on the same lot.

**Existing Zoning**

R40 District - R40 requires a minimum 40,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 1.16 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 base zoning district, not an overlay. It will be labeled on zoning maps as “SP.”
- The SP District is not subject to the traditional zoning districts’ development standards. Instead, urban design elements are determined **for the specific development** and are written into the zone change ordinance, which becomes law.
- Use of SP **does not** relieve the applicant of responsibility for the regulations/guidelines in historic or redevelopment districts. The more stringent regulations or guidelines control.
- Use of SP **does not** relieve the applicant of responsibility for subdivision regulation and/or stormwater regulations.

**GREEN HILLS/MIDTOWN COMMUNITY PLAN**

**Residential Low** -RL policy is intended to conserve large areas of established, low density (one to two dwelling units per acre) residential development. The predominate development type is single-family homes.

**Consistent with Policy?** - Yes. The density proposed by the Granny White Subdivision falls within the 1-2 dwelling units per acre with 1.14 dwelling units per acre.

**Staff Recommendation** - Within the R40 zoning district, 25% of the lots in a subdivision may be duplex units; therefore 3 lots in the associated subdivision could be duplex units. The policy calls for the pre-dominant development type to be single family. This SP proposes that instead of attached duplex units on the subject lots, that the units be detached but occupy the same lot. Staff recommends approval as this would fit with the intent of the RL land use policy.

**RECENT REZONINGS** - None.

**PLAN DETAILS** - This plan includes three lots within the Granny White Subdivision. As stated above, instead of the lots being developed as attached duplex units, the units will be detached but occupy the same lot. The detached units will have 10 feet of separation between the units.

Acceptable materials include brick, case stone, cultured stone, cementitious siding, stucco or wood. Vinyl and metal siding are prohibited.

No front facing garages will be allowed. All garages shall face the side or rear of the lot.

**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.

Along Granny White Pike property frontage, construct 1/2 collector roadway section.

**Maximum Uses in Existing Zoning District: R40**

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached(210)	3.23	0.93	3	29	3	4

**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
Single-family detached(210)	3.23	n/a	6	79	14	9

**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	50	11	5

**METRO SCHOOL BOARD REPORT**

Projected student generation\* 1 Elementary 1 Middle 1 High

**Schools Over/Under Capacity** - Students would attend Percy Priest Elementary School, Moore 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 SP Returned for Correction.

1. It has been decided that the individual Bio-swales are not an acceptable water quality concept. Show and label a new water quality concept.
2. The draining of the pre-existing pond and attendant stream restoration must be approved by the Stormwater Management Committee prior to concept plat approval. Currently, Appeal #2007-016 is not approved.
3. With reference to comment number 2 above, the stream will require a buffer if a stormwater variance is granted. Consequently, lots 10 and 11 must be reconfigured, as lots are not allowed within buffers.

**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 R40 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 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 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.

*[Note: Items #6 and #14 were discussed by The Metropolitan Planning Commission together. See Item #14 for actions and resolutions.]*

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The Commission recessed at 5:15 p.m.

The Commission resumed at 5:25 p.m.

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7. **2007SP-040G-12**  
High Point SP  
Map 181-00, Parcel 046  
Subarea 12 (2004)  
Council District 31 - Parker Toler

A request to change from AR2a to SP zoning to permit 98 dwelling units consisting of 22 courtyard townhouses, 76 rowhouses, and 30,500 commercial square footage within three development phases at 6640 Nolensville Pike, approximately 610 feet north of Concord Hills Drive, with a portion of the property located within a Planned Unit Development District (12.0 acres), requested by Wamble & Associates, applicant, for Shabbir and Zarina Bahora, owners (See also Proposal PUD No. 111-83-G12).

**STAFF RECOMMENDATION: Approve with conditions including Public Works conditions of approval.**

#### **APPLICANT REQUEST - Preliminary SP**

A request to change from Agricultural/Residential (AR2a) to Specific Plan (SP) zoning to permit 96 dwelling units consisting of 22 courtyard townhouses, 74 rowhouses, and a maximum of 125,450 square feet of commercial at 6640 Nolensville Pike, approximately 610 feet north of Concord Hills Drive, with a portion of the property located within a Planned Unit Development District (12.0 acres).



### **Existing Zoning**

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

### **Proposed Zoning**

**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.

### **CRIEVE HALL/TUSCULUM COMMUNITY PLAN POLICY**

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

**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 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. The plan includes a Residential District and a Commercial District. The residential element of the plan meets the density envisioned by the RM policy. The Commercial District includes a group of commercial buildings with the option of offices in the second story.

### **PLAN DETAILS**

**Site Plan** - The plan calls for both a commercial and a residential district. The Commercial District is divided into three lots that front on Nolensville Pike. Because the commercial district is not being developed at this time, these lots have two options for building layout, both of which address Nolensville Pike, the entry street, and the internal street.

The Residential District is located behind the commercial district and calls for 96 attached units. The majority of these units are arranged on public streets, excluding nine units that front onto open space. There are five street connections into the neighboring properties.

**Sidewalks** - Sidewalks are required on both sides of the new streets, in both the Residential and Commercial Districts, and along Nolensville Pike.

**Access** - There is one access point from Nolensville Pike. The commercial units are not permitted to have any additional access to Nolensville Pike.

**Parking** - The plan calls for a total of 198 parking spaces in the Residential District. The total number of proposed parking spaces complies with the minimum number of spaces required. The Commercial District requires one parking space per 200 square feet, to be determined at the time of development.

**Infrastructure Deficiency Area** -On July 22, 2004, the Planning Commission adopted an update to the Southeast Community Plan that identified an “Infrastructure Deficiency Area” (IDA) where the Commission determined infrastructure was insufficient to accommodate expected development in the area.

The site for the High Point SP has been determined to be in the IDA. The applicant will be required to provide 842 linear feet of roadway improvements within the IDA.

**Staff Recommendation** - Staff recommends approval with conditions of the application with staff recommended changes because the development meets the policy and provides connections to future development.

**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.

- Show twenty-four (24) feet minimum drive aisle width with ninety (90) degree angle parking.
- There shall be no direct access onto Nolensville Road from commercial outparcels.
- Specific IDA improvements will be determined by Public Works with the submittal of construction plans.

In accordance with the recommendations of the traffic impact study, the following improvements will be required:

- (1) Construct the project access at Nolensville Road with one entering and two exiting lanes (LT and RT) with a minimum of 75 ft of storage and transitions per AASHTO/MUTCD standards.
- (2) Construct a southbound left turn lane on Nolensville Rd at site access with a minimum of 100 ft of storage and transitions per AASHTO/MUTCD standards.
- (3) Construct a northbound right turn lane on Nolensville Rd at the site access with a minimum of 100 ft of storage and transitions per AASHTO/MUTCD standards.
- (4) Developer shall conduct a signal warrant analysis for the intersection of Nolensville Rd and the project access at the following intervals: at the final phase of the residential portion of the development and at the development of the commercial parcels, or as directed by the Metro Traffic Engineer. The warrant analysis and traffic counts shall be submitted to the Metro Traffic Engineer for review and approval. The developer shall design and install a traffic signal when approved by the Traffic and Parking Commission.

**STORMWATER RECOMMENDATION** -Approved.

**NASHVILLE ELECTRIC SERVICE RECOMMENDATION**

1. Developer to provide high voltage layout for Underground conduit system and proposed transformer locations for NES review and approval.
2. Developer to provide construction drawings (digital and roll of construction prints).
3. Easement required adjacent to all public right of way & 20-foot easement centered on UG electrical facilities.
4. NES can meet with developer/engineer upon request to determine electrical service options.
5. NES needs any drawings that will cover any road improvements to Nolensville Road that Metro PW might require.
6. NES follows the National Fire Protection Association rules; Refer to NFPA 70 article 450-27; and NES Section 15 - 152.A.2 for complete rules.

### **FIRE MARSHAL RECOMMENDATION**

1. 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*
2. Fire hydrants should flow a minimum of 1250 GPM's at 40 psi residual flow at the most remote hydrant.
3. Fire Hydrants shall be in-service and tested before any combustible material is brought on site.
4. All dead end roads over 150 ft. in length require a 100 ft. 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.
5. The project Engineer needs to supply the Fire Marshal's Office proof of water availability, and flow.

### **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 MUL zoning district for the Commercial District and RM9 zoning district for the Residential 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 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. Prior to recording of the final plat, the IDA requirements must be completed or bonded.
9. Complete a Traffic study for this development to determine off-site improvements before public hearing at Metro Council.

10. NES and Fire Marshal comments must be addressed prior to final SP site plan approval.

### **METRO SCHOOL BOARD REPORT**

**Projected student generation    9\_Elementary    6\_Middle    4\_High**

**Schools Over/Under Capacity** -Students would attend Shayne Elementary School, Oliver Middle School, or Overton High School. Oliver Middle School and Overton High School have been identified as being over capacity by the Metro School Board. Another middle school in the cluster and a high school in a neighboring cluster have capacity. This information is based upon data from the school board last updated August 2006.

Approved with conditions, including Public Works conditions of approval, (7-0) *Consent Agenda*

**Resolution No. RS2007-096**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007SP-040G-12 is **APPROVED WITH CONDITIONS (7-0), including Public Works condition of approval.**

**Conditions of Approval:**

1. The application, including attached materials, plans, and reports submitted by the applicant and all adopted conditions of approval shall constitute the plans and regulations as required for the Specific Plan rezoning until a Final Plan is filed per the requirement listed below. Except as otherwise noted herein, the application, supplemental information and conditions of approval shall be used by the planning department and department of codes administration to determine compliance, both in the review of final site plans and issuance of permits for construction and field inspection. Deviation from these plans will require review by the Planning Commission and approval by the Metropolitan Council.
2. For 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 for the Commercial District and RM9 zoning district for the Residential 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 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. Prior to recording of the final plat, the IDA requirements must be completed or bonded.

9. Complete a Traffic study for this development to determine off-site improvements before public hearing at Metro Council.
10. NES and Fire Marshal comments must be addressed prior to final SP site plan approval.

**The proposed SP plan is consistent with the Crieve Hall/Tusculum Community Plan’s Residential Medium policy, and Community Center policy. Residential Medium policy calls for residential development with a density between 4 and 9 units per acre, and Community Center calls for a mixture of residential, retail, commercial and office and designed in a way that creates a community center.”**

8. **111-83-G-12**  
 Beverly Hill Motel PUD  
 Map 181, Part of Parcel 046  
 Subarea 12 (2004)  
 Council District 31 - Parker Toler

A request to cancel a Commercial Planned Unit Development district located at 6640 Nolensville Pike, approximately 700 feet south of Autumn Oaks Drive, classified AR2a and proposed for SP, (3.36 acres), approved for a 16 unit motel and a 3,000 square foot restaurant, requested by John Werne, applicant, for Shabbir and Zarina Bahora, owners.

**STAFF RECOMMENDATION: Approve**

**APPLICANT REQUEST - Cancel PUD**

A request to cancel a Commercial Planned Unit Development district located at 6640 Nolensville Pike, approximately 700 feet south of Autumn Oaks Drive, classified Agricultural/Residential (AR2a) and proposed for Specific Plan (SP), (3.36 acres), approved for a 16 unit motel and a 3,000 square foot restaurant.

**Existing Zoning**

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

**Proposed Zoning**

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.

**CRIEVE HALL/TUSCULUM COMMUNITY PLAN**

**Community Center (CC)** - CC is intended for dense, predominantly commercial areas at the edge of a neighborhood, which either sits at the intersection of two major thoroughfares or extends along a major thoroughfare. This area tends to mirror the commercial edge of another neighborhood forming and serving as a “town center” of activity for a group of neighborhoods. Appropriate uses within CC areas include single- and multi-

family residential, offices, commercial retail and services, and public benefit uses. An 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. The PUD is being replaced by a Specific Plan, which has a Commercial District in the Community Center policy.

**Staff recommendation** - Staff recommends approval because the PUD cancellation is consistent with the policy. Approved (7-0), *Consent Agenda*

**Resolution No. RS2007-097**

“BE IT RESOLVED by The Metropolitan Planning Commission that 111-83-G-12 is **APPROVED. (7-0)**

**The request to cancel the PUD on this property will not have a negative impact on the area.”**

9.      **2007Z-044U-13**  
          Map 150-00, Parcel 010  
          Subarea 13 (2003)  
          Council District 29 - Vivian Wilhoite

A request to change from AR2a to RS10 zoning property located at 3316 Anderson Road, approximately 230 feet north of Country Hill Road (2.38 acres), requested by TF Homes LLC, owner.

**STAFF RECOMMENDATION: Approve**

**APPLICANT REQUEST** - A request to change from Agricultural/Residential (AR2a) to Single-Family Residential (RS10) zoning property located at 3316 Anderson Road, approximately 230 feet north of Country Hill Road (2.38 acres).

**Existing Zoning**

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

**Proposed Zoning**

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.

**ANTIOCH/PRIEST LAKE COMMUNITY PLAN POLICY**

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

**Consistent with Policy?** - Yes. RS10 has a density of 3.7, which is within the density envisioned by the RLM policy.

**Staff Recommendation** -Because the request is consistent with policy and because the resulting lot sizes will be similar to the surrounding area, staff recommends approval.

**RECENT REZONINGS** - None

**PUBLIC WORKS RECOMMENDATION** -No Exception Taken.

**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)	2.38	1 unit/2 acres	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)	2.38	3.71	8	77	6	9

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

		--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				67	5	7

**METRO SCHOOL BOARD REPORT**

**Projected student generation**     2 Elementary     1 Middle     1 High

**Schools Over/Under Capacity** - Students would attend Lakeview Elementary School, Kennedy Middle School, or Antioch High School. Kennedy Middle School and Antioch High School have been identified as being over capacity by the Metro School Board. Another middle school in this cluster and a high school in a neighboring cluster have capacity. This information is based upon data from the school board last updated August 2006.

Approved (7-0), *Consent Agenda*

**Resolution No. RS2007-098**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007Z-044U-13 is **APPROVED. (7-0)**

**The proposed RS10 zoning district is consistent with the Antioch/Priest Lake Community Plan’s Residential Low Medium policy which is for residential development within a density range of 2 and 4 units per acre.”**

- 10.     2007Z-047U-13**  
 Map 149-03, Parcels 156, 157, 158, and Part of 159  
 Subarea 13 (2003)  
 Council District 29 - Vivian Wilhoite

A request to change from MUL and R8 to RS7.5 zoning properties located at 2517 Edge-O-Lake Drive, 2521 Edge-O-Lake Drive, and Edge-O-Lake Drive (unnumbered), approximately 250 feet east of Murfreesboro Pike (.77 acres), requested by Councilmember Vivian Wilhoite.

**STAFF RECOMMENDATION: Approve**

**APPLICANT REQUEST-** A request to change from Mixed Use Limited (MUL) and One and Two-Family Residential (R8) to Single-Family Residential (RS7.5) zoning properties located at 2517 Edge-O-Lake Drive, 2521 Edge-O-Lake Drive, and Edge-O-Lake Drive (unnumbered), approximately 250 feet east of Murfreesboro Pike (.77 acres).

**Existing Zoning**

MUL District - Mixed Use Limited is intended for a moderate intensity mixture of residential, retail, restaurant, and

office uses.

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.

**Proposed Zoning**

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

**ANTIOCH/PRIEST LAKE COMMUNITY PLAN POLICY**

**Residential 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?** - This request is a downzoning that brings the property closer to the density envisioned by the RLM policy and promotes the type of development allowed by the RLM policy.

**Staff Recommendation** -Staff recommends approval because the density is closer to that envisioned by the RLM policy and because the current zoning, MUL, is inconsistent with the RLM policy.

**RECENT REZONINGS** - This property was rezoned to MUL and R8 from R10 in 2004. At that time, staff recommended disapproval and the Commission unanimously disapproved the request as contrary to the General Plan.

**PUBLIC WORKS RECOMMENDATION** - No Exception Taken.

**Maximum Uses in Existing Zoning District: MUL**

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Gas Station w/Convenience Market (845)	.51	0.087	1,932	NA	150	186

**Maximum Uses in Existing Zoning District: R8**

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached(210)	.26	4.63	1	10	1	2

**Maximum Uses in Proposed Zoning District: RS7.5**

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached(210)	.77	4.96	3	29	3	4

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

		--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				NA	-147	-182



**METRO SCHOOL BOARD REPORT**

**Projected student generation    1 Elementary    1 Middle    0 High**

**Schools Over/Under Capacity** - Students would attend Lakeview Elementary School, Kennedy Middle School, or Antioch High School. Kennedy Middle School and Antioch High School have been identified as being over capacity by the Metro School Board. Another middle school in this cluster and a high school in a neighboring cluster have capacity. This information is based upon data from the school board last updated August 2006.

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

Mr. Shawn Henry, 315 Deadrick Street, spoke in opposition to the applicant’s request and staff recommendation and requested that the Commission not change the zoning on all of the property.

Ms. Vickie Tataryn, 2510 Sleepy Hollow Drive, spoke in favor of the requested zone change.

Councilmember Wilhoite spoke in favor of the requested zone change. She stated that the commercial development would be an encroachment to the residential area of this neighborhood. She requested its approval.

Ms. Beehan requested clarification on the requested zone change.

Mr. Bernhardt explained the requested zone change to the Commission.

Mr. McLean requested additional information on the aforementioned driveway during the Public Hearing.

Ms. Logan explained this concept to the Commission.

There were additional inquiries as to the request of the applicant in relation to the owner’s request.

Mr. Bernhardt explained staff’s recommendation to the Commission. He also briefly explained the history regarding the parcels in this area in relation to the past rezonings that took place by both the Commission and Council.

There was additional conversation regarding the requested zone change as submitted by the applicant in relation to the owners of the property; and the recent construction activity that took place the MUL parcel included in the zone change request.

Mr. Ponder requested legal advice from Mr. Morrissey.

Mr. Bernhardt offered that staff has made their recommendation based on the adopted policy for the area.

Mr. Morrissey offered that the driveway issue is not relevant to this situation. He explained that the issue is whether the Commission wants to rezone the property.

Mr. Ponder moved and Ms. Cummings seconded the motion to approve zone change 2007Z-047U-13 as recommended by staff. **(6-2) No Votes – Loring, McLean**

**Resolution No. RS2007-099**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007SP-047U-03 is **APPROVED. (6-2)**

**The proposed RS7.5 zoning district is consistent with the Antioch/Priest Lake Community Plan’s Residential Low Medium policy which is for residential development within a density range of 2 and 4 units per acre.”**

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11. **2007SP-048U-03**  
Zion Hill  
Map 070-00, Parcel 041  
Subarea 3 (2003)  
Council District 2 - Jamie D. Isabel, Sr.

A request to change from R10 to SP zoning property located at 2433 Buena Vista Pike, approximately 770 feet west of W. Trinity Lane (5.01 acres), to permit the development of 23 multi-family units and a 250 seat religious institution within a 2-story, 27,000 square foot building, requested by Dale & Associates, applicant, for Zion Hill First African Baptist Church, owner.

**STAFF RECOMMENDATION: Approve with conditions**

**APPLICANT REQUEST - Preliminary SP**

A request to change approximately 5.01 acres located at 2433 Buena Vista Pike, approximately 770 feet west of Trinity Lane from One and Two-Family Residential (R10) to Specific Plan (SP) for 23 multi-family town home units, and a 250 seat religious institution.

**Existing Zoning**

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

**Proposed Zoning**

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

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

**BORDEAUX-WHITES CREEK COMMUNITY PLAN POLICY**

**Existing Policies**

**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, the proposed development is consistent with the area’s Neighborhood General Policy. The proposed development consist of 23 multi-family town homes that

**PLAN DETAILS**

**Site Plan** - The plan calls for 23 multi-family townhomes and a 27,000 square foot religious institution with 250 seats. The residential density will be approximately 4.6 units per acre, and the floor area ratio for the entire development will be .34. A total of 2.34 acres (46%) is provided in open space.

**Residential Units** - Units will be located at the front of the development with the closest unit to Buena Vista Pike being approximately 100 feet north of the street. The 23 residential units will be divided in two rows that parallel Buena Vista Pike. The first row of units will have 11 units, and the second row will have 12 units. Units will be 3.5 stories in height and include a front loaded garage. Exterior building materials for all residential units will be brick

and hardiboard or stucco.

**Religious Institution** - The 27,000 square foot religious institution will be located behind (north of) the residential units. It will consist of a 2-story structure and include a 250 seat sanctuary. No elevation has been provided for this structure. Elevations will be required with the final SP site plan application. The structure should utilize similar materials and design elements used in the residential section.

**Access/Connectivity** - Both the residential units and the religious institutional building will access by a single private drive off of Buena Vista Pike. As proposed, the design of the access point along Buena Vista Pike is awkward and should be redesigned. The design appears to move all traffic, including church traffic through the residential section. The access point along Buena Vista Pike should be redesigned prior to final approval of the development plan. A stub drive is provided along the eastern property line and would allow for future connectivity if the adjacent property to the east ever develops. For this access point to be utilized, any development on the eastern adjacent property would have to be similar to this development in design and type. As the property to the north is the Metro-owned Metro Police Academy site, no cross connection is required. A stub should be required to the west to provide for a future connection.

**Parking** - A total of 174 parking spaces is proposed for the overall development. There are 66 spaces provided for the residential units, and 108 spaces provided for the church building. For the residential portion, 23 spaces will be provided in garages (1 space per unit), 23 within driveways (1 space per unit), and 20 additional spaces provided within a surface parking lot between the two rows of residential units. While SP districts do not have to meet any specific Metro parking requirements, only demonstrate sufficient parking, the development does meet Metro parking requirements for this kind of development.

**Environmental** - The property contains slopes greater than 25 percent with the majority of the steep slopes along Buena Vista Pike. The area with the most significant slopes along Buena Vista Pike will be within open space. To minimize grading on the site, the church building is being placed at the rear of the property.

**Landscape Buffer Yards** - A standard 10 foot wide "B" buffer yard is proposed along the eastern and northern property lines, and a small portion of the western property line. The "B" buffer yard proposed for the majority of western property line is 5.5 feet in width and is not a standard size buffer yard. For this section of buffer yard, the same plant density required with the typical 10 foot "B" buffer yard will be used. Although the strip is narrower, the additional landscaping will provide adequate buffering. The main drive will be located adjacent the east side of the buffer so there will be no buildings along the western property line with the closest building set back 30 feet (church building).

**Staff Recommendation** -Staff recommends that the request be approved with conditions.

**RECENT REZONINGS** - None

#### **PUBLIC WORKS RECOMMENDATION**

1. All Public Works' design standards shall be met prior to any final approvals and permit issuance. Any approval is subject to Public Works' approval of the construction plans. Final design and improvements may vary based on field conditions.
2. Prior to the preparation of construction plans, document adequate sight distance at project. Indicate the available and required sight distance at the project entrance for the posted speed limit per AASHTO standards.
3. Recommend reevaluation of the driveway configuration as it relates to the transition from 3 lanes to 2 lanes.

#### **METRO SCHOOL BOARD REPORT**

Projected student generation\*      **4\_Elementary**      **3\_Middle**      **2\_HighSchools**

**Over/Under Capacity** - Students would attend Bordeaux Elementary School, Ewing Park Middle School, and

Whites Creek High School. Bordeaux Elementary and Whites Creek High School are listed as having capacity, but Ewing Park Middle School is listed as at or over capacity; however, there is additional capacity within adjacent clusters. This information is based upon data from the school board last updated February 2006.

#### **CONDITIONS**

1. Elevations for the church building will be required with the final development plan. The structure should utilize similar materials and design elements used in the residential section. Elevations must be approved by planning staff for compatibility with the materials and character of the residential units prior to the final development plan being approved.
2. The access point along Buena Vista Pike should be redesigned prior to final approval of the development plan. The redesign must be approved by Public Works and Planning staff prior to the final development plan being approved.
3. The dumpster identified to the south of the front row of residential units shall be relocated. The relocation must be approved by Public Works and Planning staff prior to the final development plan being approved.
4. 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 MUN zoning district effective at the date of the building permit. This zoning district must be shown on the plan.
5. The application including any 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.
6. All stormwater management requirements and conditions of the Department of Water Services shall be approved prior to approval of any final site plan within this SP district. Prior to the issuance of any permits, confirmation of compliance with the final approval of all final development plans shall be forwarded to the Planning Department by the Stormwater Management division of Water Services.
7. 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.
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 through this enacting ordinance, or add vehicular access points not currently present or approved.

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

**Resolution No. RS2007-100**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007SP-048U-03 is **APPROVED WITH CONDITIONS. (7-0)**

**Conditions of Approval:**

1. Elevations for the church building will be required with the final development plan. The structure should utilize similar materials and design elements used in the residential section. Elevations must be approved by planning staff for compatibility with the materials and character of the residential units prior to the final development plan being approved.
2. The access point along Buena Vista Pike should be redesigned prior to final approval of the development plan. The redesign must be approved by Public Works and Planning staff prior to the final development plan being approved.
3. The dumpster identified to the south of the front row of residential units shall be relocated. The relocation must be approved by Public Works and Planning staff prior to the final development plan being approved.
4. 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 MUN zoning district effective at the date of the building permit. This zoning district must be shown on the plan.
5. The application including any 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.
6. All stormwater management requirements and conditions of the Department of Water Services shall be approved prior to approval of any final site plan within this SP district. Prior to the issuance of any permits, confirmation of compliance with the final approval of all final development plans shall be forwarded to the Planning Department by the Stormwater Management division of Water Services.
7. 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.
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 through this enacting ordinance, or add vehicular access points not currently present or approved

**The proposed SP plan is consistent with the Bordeaux-Whites Creek Community Plan’s Neighborhood General policy which is intended for residential developments that provide a variety of housing types.”**

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12. **2007Z-049U-08**  
Map 081-08, Parcels 491, 492, 493, 494, 495  
Subarea 8 (2002)  
Council District 19 - Ludye N. Wallace

A request to change from MUN and RM15 to R6 zoning properties located at 1623, 1627, 1631, 1633, and 1635 6th Avenue North, northeast corner of Garfield Avenue and located within the Phillips-Jackson Redevelopment District and Salem Gardens Urban Design Overlay district (.82 acres), requested by Taurus McCann, applicant, for Arthur S. Yokley Jr., Salem Gardens LLC, and Christina Ricks, owners.

**STAFF RECOMMENDATION: Approve with the associated cancellation of the Salem Gardens Urban Design Overlay.**

**APPLICANT REQUEST** - Rezone 1.02 acres from Mixed Use Neighborhood (MUN) and Multi-Family Residential (RM15) district to residential (R6) property, located at 1623, 1627, 1631, 1633 and 1635 6th Avenue North, at the southwest corner of 6th Avenue North and Garfield Street.

**Existing Zoning**

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

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

**Proposed Zoning**

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

**BACKGROUND** - The properties in the UDO are located on the southwest corner of Garfield Street and 6<sup>th</sup> Avenue North in the Salemtown/North Nashville area. The UDO plan contains eight townhouse units fronting on 6<sup>th</sup> Avenue North (1,900 square feet each) in two separate buildings, and a mixed use building facing Garfield Street with the following units:

- four 950 square foot residential/commercial/office ground floor flats
- one additional corner commercial/office space (2,500 square feet)
- eight 1,200 square foot apartment units on the second and third floors

This brings the total area to 15,200 sq. ft. of townhomes, 9,600 sq. ft. of apartments, 3,800 sq. ft. of flats, and 2,500 sq. ft. of retail space. Behind the units on the inside of the UDO there is a common open space with parking on three sides and a public alley to the west.

The UDO is located within the Combined Sewer Overflow (CSO). In the CSO there are no separate pipes to convey stormwater runoff, which must be directed into the sanitary sewer pipes. In order to avoid situations where the combined sewer and stormwater flows result in sewage flowing untreated into the waterway, the applicant was required to connect to a sewer pipe of a least 18” in size. The nearest pipe that could accommodate the stormwater runoff of the development is approximately 450 feet away. The cost of constructing a connection was beyond the financial feasibility of the project.

The applicant has requested that the UDO be cancelled and the five properties be rezoned to the original R6 zoning.

**NORTH NASHVILLE COMMUNITY PLAN POLICY**  
*Salemtown Detailed Neighborhood Design Plan*

**Mixed Use in Neighborhood Center (MU in NC)**-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.

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

**Consistent with the Policy?** - Yes, the MU policy on the two parcels on 6<sup>th</sup> Avenue North and SFAD policy for the three parcels along 6<sup>th</sup> Avenue permit residential uses allowed in the R6 zoning district.

**Staff Recommendation-** Staff recommends that the request to rezone to R6 be approved.

**RECENT REZONINGS** - These properties were passed on third reading by the Metro Council on January 17, 2006 for MUN and R15.

#### **METRO SCHOOL BOARD REPORT**

**Projected student generation\***     1 **Elementary**     0 **Middle**     0 **High**

**Schools Over/Under Capacity** - Students would attend Brookmeade Elementary School. There is capacity within Brookmeade Elementary School. This information is based upon data from the school board last updated August 24, 2006.

*[Note: Items #12 and #13 were discussed by The Metropolitan Planning Commission together. See Item #13 for actions and agenda.]*

- 13.     2005UD-011U-08**  
Salem Gardens  
Map 081-08, Parcels 491, 492, 493, 494, 495  
Subarea 1 (2003)  
Council District 19 – Ludye N. Wallace

A request to cancel an Urban Design Overlay district named "Salem Gardens" for properties located at 1623, 1627, 1631, 1633 and 1635 6th Ave. North, at the corner of Garfield Avenue and 6th Avenue North, approved for one mixed-use building allowing four residential/commercial/office ground floor flats, one corner retail space, and eight apartment units, as well as two buildings with four townhouses in each, requested by Taurus McCann, applicant, for Salem Gardens LLC, Christina Ricks, and Arthur C. Yokley Jr., owner.

**STAFF RECOMMENDATION: Approve with the accompanying request to rezone the properties to R6.**

#### **APPLICANT REQUEST -Cancellation of UDO**

Request for a Cancellation of the Salem Gardens Urban Design Overlay district located at 1623, 1627, 1631, 1633 and 1635 6th Avenue North (1.02 acres), classified Mixed Use Neighborhood (MUN) and Multi-Family Residential (RM15) and proposed for One and Two-Family Residential (R6).

#### **PLAN DETAILS**

Site Design - The Salem Gardens UDO is located on the southwest corner of Garfield Street and 6<sup>th</sup> Avenue North in the Salemtown/North Nashville area. Eight townhouse units front on 6<sup>th</sup> Avenue North (1,900 square feet each) in two separate buildings (B and C), and there is a mixed use building proposed to face Garfield Street (building A) with the following units:

- four 950 square foot residential/commercial/office ground floor flats
- one additional corner commercial/office space (2,500 square feet)
- eight 1,200 square foot apartment units on the second and third floors

This brings the total area to 15,200 sq. ft. of townhomes, 9,600 sq. ft. of apartments, 3,800 sq. ft. of flats, and 2,500 sq. ft. of retail space. Behind the units on the inside of the UDO there is a common open space with parking on three

sides and a public alley to the west.

**Reason for Cancellation** - The UDO is located within the Combined Sewer Overflow (CSO). In the CSO there are no separate pipes to convey stormwater runoff, which must be directed into the sanitary sewer pipes. In order to avoid situations where the combined sewer and stormwater flows result in sewage flowing untreated into the waterway, the applicant was required to connect to a sewer pipe of a least 18" in size. The nearest pipe that could accommodate the stormwater runoff of the development is approximately 450 feet away. The cost of constructing a connection was beyond the financial feasibility of the project.

The underlying zoning for the properties is MUN and RM15. Before the cancellation request can be considered, the property needs to be rezoned to the original R6 zoning. In addition to a request to cancel the Salem Garden UDO, the applicant has requested that the five properties be rezoned to the original R6 zoning.

**Staff Recommendation** - Staff recommends approval of the cancellation of the Salem Gardens UDO if the request to R6 zoning is approved.

**CONDITION** - Prior to or concurrent with the cancellation of the UDO, the properties shall be rezoned to R6.

Ms. Bernards presented and stated that staff is recommending approval of Zone Change 2007Z-049U-08 as well as approval of the cancellation of the Urban Design Overlay of Salem Gardens.

Mr. Michael Byrd, 1605 5<sup>th</sup> Avenue North, spoke in opposition to the proposal.

Mr. Ponder requested additional information regarding the Stormwater issues mentioned in relation to this proposal.

Ms. Bernards explained this concept to the Commission.

Ms. Jones expressed an issue with the requested zone change request with reference to the duplexes that are being requested.

Mr. Loring expressed issues with the stormwater issues associated with the proposal. He stated the issues relating to the stormwater and sewers should be corrected prior to approval of this proposal.

Mr. McLean requested clarification on the requested zone change in relation to the subdivision regulations.

Mr. Bernhardt explained this concept to the Commission.

Ms. Cummings expressed concerns with the density of the proposal.

Mr. Bernhardt offered alternative suggestions that the Commission could recommend for this proposal.

There was a brief discussion regarding the original plan and intention for this area in relation to the requested zone change request.

Ms. Jones suggested an alternative suggestion for the Commission to recommend.

Ms. Cummings stated she was in favor of the suggestion made by Ms. Jones.

Mr. Tyler stated he did not agree with the applicant's reasoning regarding the feasibility of this development.

Ms. Beehan stated that the suggested alternative plan was a good compromise for the balance that this neighborhood needs.

Mr. Ponder moved and Mr. Loring seconded the motion, which passed unanimously to approve with conditions the requested zone change of RS7.5 for Parcels 491, 492 and 493 and to leave Parcels 494 and 495 to MUN, and to approve the cancellation of the Salem Gardens Urban Design Overlay. (8-0)



**Resolution No. RS2007-101**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007Z-049U-08 is **DISAPPROVED REQUEST TO REZONE TO R6, BUT APPROVED REZONE TO RS7.5 ON PARCELS 491, 492 AND 493 OF MAP 081-08. (8-0)**

**RS7.5 allows for single-family residential only and will provide for a mixture of housing types in the area.”**

**Resolution No. RS2007-102**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005UD-011U-08 is **APPROVED. (8-0)**

**The request to cancel the UDO will not have a negative impact on the area as the properties existing MUN and RM15 proposed for RS7.5 is consistent with the North Nashville Community Plan’s Mixed Use in Neighborhood Center and Single-Family Attached and Detached in Neighborhood General policies.”**

**X. CONCEPT PLANS**

**14. 2007S-042G-10**

Granny White Pike  
Map 159-00, Parcels 085, 086, 201, 228  
Subarea 10 (2005)  
Council District 34 - Lynn Williams

A request for concept plan approval to create 13 lots on properties located at 5638, 5640, 5644 and 5648 Granny White Pike, approximately 1,150 feet north of Old Hickory Boulevard (13.97 acres), zoned R40 and proposed for SP, requested by Bethel World Outreach, owner, Barge Cauthen & Associates, surveyor.

**STAFF RECOMMENDATION: Approve with conditions including Stormwater conditions of approval.**

**APPLICANT REQUEST - Concept Plan**

A request for concept plan approval to create 13 lots on properties located at 5638, 5640, 5644 and 5648 Granny White Pike, approximately 1,150 feet north of Old Hickory Boulevard (13.97 acres), zoned One and Two-Family Residential (R40) and proposed for Specific Plan (SP).

**ZONING**

R40 District - R40 requires a minimum 40,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 1.16 dwelling units per acre including 25% duplex lots.

**PLAN DETAILS** - The plan proposes 13 lots on a cul-de-sac. The property is zoned R40, and 25% of the lots in the subdivision may be duplex units; therefore 3 lots in the proposed subdivision are designated as duplex units. A Specific Plan application is also on this agenda (2007SP-038G-10). The SP proposes that, instead of attached duplex units on the subject lots, the units be detached but occupy the same lot.

There are no stub streets provided. The properties on the north and south sides are already developed without options for future connectivity. There is an opportunity to provide a stub street to the east. The applicant did not provide a stub street because they felt the site was too steep to develop. Staff has looked at the topography of the site, and much of it is too steep to develop. The only portions of the abutting property that could be developed, however, are in the proximity of the potential location of the stub street. Therefore, staff is recommending that a stub street to the east be provided. If a stub street is not provided, a variance will need to be granted for exceeding the maximum length of cul-de-sac. If the Commission decides to approve a variance to allow the cul-de-sac, staff recommends that a mid-block traffic calming device be provided.

The applicant has added a note that Lots 1-4 will not have direct access to Granny White Pike. The applicant has proposed that they utilize shared drives from the internal street across the front of the lots. Staff recommends that the driveways be placed at the rear of the lots to preserve the views into the property from Granny White Pike.

**Staff Recommendation** - Staff recommends approval as this with the following revisions:

1. A stub street provided to the east.
2. Shared driveways for lots 1-4 located at the rear of the lots.

#### **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.
- Along Granny White Pike property frontage, construct 1/2 collector roadway section.

#### **STORMWATER RECOMMENDATION** -Returned for Correction

1. It has been decided that the individual Bio-swales are not an acceptable water quality concept. Show and label a new water quality concept.
2. The draining of the pre-existing pond and attendant stream restoration must be approved by the Stormwater Management Committee prior to concept plat approval. Currently, Appeal #2007-016 is not approved.
3. With reference to comment number 2 above, the stream will require a buffer if a stormwater variance is granted. Consequently, lots 10 and 11 must be reconfigured, as lots are not allowed within buffers.

#### **CONDITIONS**

1. A stub street to the east must be provided.
2. The shared driveways for lots 1-4 shall be provided at the rear of the lots.
3. Pursuant to 2-3.4.e of the Metro Subdivision Regulations, if this application receives conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to any application for a final plat, and in no event more than 30 days after the effective date of the Commission's conditional approval vote.

Ms. Withers presented and stated that staff is recommending approval with conditions on Zone Change 2007SP-038G-10 as well as approval with conditions on Concept Plan 2007S-042G-10, both to include the Stormwater conditions of approval. Ms. Withers noted that Stormwater had provided comments that were addressed by the applicant after the staff report was mailed out, and that a variance has been granted by the Stormwater Appeals Board for the property.

Mr. Jack Faris, 5629 Ottershaw Court, spoke in opposition to the proposal.

Mr. Don Moody, 5605 Ottershaw Court, spoke in opposition to the proposal.

Mr. Charles Kimball, 1249 E. Hickory Springs Court, spoke in opposition to the proposal. He submitted information to the Commission.

Ms. Kim Hawkins, 2205 Natchez Trace, spoke in favor of the proposal.

Ms. Patty Zarnick, 412 Oakley Hill, expressed issues with the proposal.

Mr. John Gore, 208 Manchester Avenue, spoke in favor of the proposal.

A resident of High Valley Subdivision spoke in opposition to the proposal.

Mr. Tyler requested clarification on the number of detention ponds located within this proposal.

Mr. Steve Mishu, Metro Stormwater, explained the number of ponds included in the proposal. He stated that any water issues associated with the plan will be addressed at the construction document phase of development.

Ms. Cummings explained that the new development would not be approved if it were to cause additional water problems.

Mr. Mishu explained that the request is still at a preliminary conceptual stage and they would not be able to run drainage calculations until the construction document phase. He further explained that if the Stormwater conditions were not met, there would be no issuance of grading permits for the development.

Mr. McLean requested clarification on the number of housing units to be placed in the development.

Mr. Bernhardt explained this concept to the Commission.

Mr. McLean requested additional information on the shared driveway access that was included in the proposal.

Mr. Ponder offered alternative suggestions to better accommodate single family homes for this proposal.

Mr. Bernhardt offered that with the SP zoning the suggestions made by Mr. Ponder could be accomplished.

Ms. Jones stated there was uncertainty, but without the applicant's approval, the proposal could not be deferred.

Mr. Loring offered that due to the number of uncertainties included in the proposal he was not in favor of approving as it has been submitted. He suggested deferring to allow additional community input.

Mr. Ponder suggested a deferral to allow additional time for neighborhood input.

Mr. Ponder moved and Mr. McLean seconded the motion to approve with conditions Zone Change 2007SP-038G-10 with the recommendation that it allows six detached units on six detached lots, as well as approve with conditions Concept Plan 2007S-042G-10, to include 13 lots, single-family only; both proposals to include the Stormwater conditions of approval. **(6-2) No Votes – Loring, Tyler**

#### **Resolution No. RS2007-103**

**“BE IT RESOLVED** by The Metropolitan Planning Commission that 2007SP-038G-10 is **APPROVED WITH CONDITIONS (6-2), including Stormwater conditions of approval and that the six dwelling units be located on separate platted lots.**

#### **Conditions of Approval:**

1. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the R40 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 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 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.

**The proposed SP plan to allow for six individual homes on six individual lots instead of three duplex lots as allowed with the R40 base zone district is consistent with the Green Hills/Midtown Community Plan's Residential Low policy, which is predominantly for single-family developments with a density of between 1 and 2 units per acre."**

#### **Resolution No. RS2007-104**

**"BE IT RESOLVED** by The Metropolitan Planning Commission that 2007S-042G-10 is **APPROVED WITH CONDITIONS (6-2), including Stormwater conditions of approval and no duplex lots.**

**Conditions of Approval:**

1. A stub street to the east must be provided.
2. The shared driveways for lots 1-4 shall be provided at the rear of the lots.
3. Pursuant to 2-3.4.e of the Metro Subdivision Regulations, if this application receives conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to any application for a final plat, and in no event more than 30

days after the effective date of the Commission's conditional approval vote.”

## **XI. FINAL PLATS**

- 15. 2007S-048U-13**  
Ridgeview Final Plat  
Map 163-00, Part of Parcel 122  
Subarea 13 (2003)  
Council District 33 - Robert Duvall

A request for final plat approval to create 1 lot on a portion of property located at Bell Road (unnumbered), approximately 515 feet north of Bell Forge Lane (5.2 acres), zoned MUL and located within the Ridgeview Urban Design Overlay, requested by Ridgeview Heights LLC, owner, Dale & Associates, surveyor.

**STAFF RECOMMENDATION: Disapprove**

Mr. Kleinfelter announced that the applicant has requested that this item be deferred until April 12, 2007.

Mr. McLean moved and Ms. Cummings seconded the motion, which passed unanimously to defer Final Plat 2007S-048U-13 to April 12, 2007 at the request of the applicant. **(8-0)**

### **Resolution No. RS2007-105**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007S-048U-13 is **DEFERRED TO APRIL 12, 2007, PLANNING COMMISSION MEETING. (8-0)**”

## **XII. REVISIONS AND FINAL DEVELOPMENT PLANS**

- 16. 74-79-G-13**  
Nashboro Village (PUD Cancellation)  
Map 135-00, Parcel 276  
Subarea 13 (2003)  
Council District 29 - Vivian Wilhoite

A request to cancel the Planned Unit Development District Overlay on property located at the southeast corner of Nashboro Boulevard and Flintlock Court that was approved for 144 multi-family units in two six-story buildings (4.48 acres), zoned R10, requested by Councilmember Vivian Wilhoite.

**STAFF RECOMMENDATION: Approve**

**The Metropolitan Planning Commission DEFERRED Cancellation of Planned Unit Development to April 12, 2007, at the request of the applicant. (7-0)**

- 17. 89P-003G-06**  
Still Springs Ridge, Phase I  
Map 128-00, Parcel 036  
Subarea 6 (2003)  
Council District 22 - Eric Crafton

A request to revise the approved preliminary plan for a portion of a residential Planned Unit Development, located at Hicks Road (unnumbered), classified RS20 (49.67 acres), to allow for a new ingress/egress not previously approved on the preliminary PUD plan, requested by Dewaal & Associates, applicant for Greater Middle Tennessee Development, owner.

**STAFF RECOMMENDATION: Approve with conditions**

**APPLICANT REQUEST - Revise Preliminary PUD**

A request to revise the approved preliminary plan for a portion of a residential Planned Unit Development district, located at Hicks Road (unnumbered), classified Single-Family Residential (RS20) (49.67) acres, to remove a previously approved access point.

#### **PLAN DETAILS**

**Site Plan** - The plan identifies 101 new single-family residential lots. Lots will be located along new streets. The plan revises the last approved preliminary plan by removing a connection to Still Spring Hollow Court. While one connection is lost, the project will still have two connection points, which is sufficient in light of the steep topography in this area.

**Dead-End Streets Variance from (Section 3-9.i.2)** - Section 3-9.i.2 of the Metro Subdivision Regulations stipulates a 750 feet maximum length for any dead-end street. As proposed, Still Springs Drive exceeds this maximum. Summit Oaks Court is also a dead-end street and longer than 750 linear feet, but an intermediate turnaround that includes an active open area has been provided to break the street up as well as meet the dead-end requirement. Because of the narrowness of the ridge along Still Springs Drive an intermediate turnaround would require significant grading to provide adequate room for such a turnaround. Since a turnaround similar to the one used on Summit Oaks Court would require significant additional grading, and that the plan was last approved with a dead end longer than 750 feet, staff recommends that the street should be allowed as submitted, and that a variance to the Section 3-9.i.2 be approved.

**Preliminary Plan** - This PUD was originally approved in 1989. In 1995, the Still Springs Ridge PUD was amended to absorb the Hicks Road PUD. At that time a plan was approved for 100 single-family lots and a 10,000 square foot private recreation facility. Since the preliminary plan was only approved for 100 single-family lots, one lot must be removed from the plan. Council approval is required to keep the additional lot.

**Staff Recommendation** - Staff recommends that the request be approved with conditions to include a variance to the Subdivision Regulations to allow for a dead-end street longer than 750 linear feet.

#### **PUBLIC WORKS RECOMMENDATION**

1. 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.
2. Proposed roadway per ST-251.
3. Show sidewalks.

#### **STORMWATER RECOMMENDATION** - Approve with the following conditions:

1. 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.
2. Show undisturbed buffers.
3. 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.
4. 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.
5. Water quality concept is marginal. Water quality must be achieved based on the new stormwater regulations.

#### **CONDITIONS**

1. One lot shall be removed from the plan. Any additional lots must have Council approval.

2. There are issues with the adjacent development that will provide access to this development, and therefore is relevant to this development. Prior to any final development plan approval, all issues with the relevant development must be resolved.
3. A sidewalk shall be provided on one side of the street.
4. All changes required by Metro Public Works and Stormwater shall be required.
5. 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.
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. 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 owners signatures, to the Planning Commission staff for review.
8. 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.
9. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. 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.
10. This preliminary plan approval for the residential portion of the master plans is based upon the stated acreage. The actual number of dwelling units to be constructed may be reduced upon approval of a final site development plan if a boundary survey confirms there is less site acreage.
11. Prior to any additional development applications for this property, the applicant shall provide the Planning Department with a final corrected copy of the PUD plan for filing and recording with the Davidson County Register of Deeds.

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

**Resolution No. RS2007-106**

“BE IT RESOLVED by The Metropolitan Planning Commission that 89P-003G-06 is **APPROVED WITH CONDITIONS, (7-0)**

**Conditions of Approval:**

1. One lot shall be removed from the plan. Any additional lots must have Council approval.
2. There are issues with the adjacent development that will provide access to this development, and therefore is relevant to this development. Prior to any final development plan approval, all issues with the relevant development must be resolved.
3. A sidewalk shall be provided on one side of the street.
4. All changes required by Metro Public Works and Stormwater shall be required.

5. 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.
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. 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 owners signatures, to the Planning Commission staff for review.
8. 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.
9. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. 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.
10. This preliminary plan approval for the residential portion of the master plans is based upon the stated acreage. The actual number of dwelling units to be constructed may be reduced upon approval of a final site development plan if a boundary survey confirms there is less site acreage.
11. 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.

**18. 89P-028U-14**

Rudy's Farm - Hampton Inn & Suites  
 Map 062-00, Parcel 164  
 Subarea 14 (2004)  
 Council District 15 - J. B. Loring

A request to revise the preliminary plan and for final approval for a portion of a Commercial Planned Unit Development located at 230 Rudy Circle, approximately 565 feet west of Music Valley Drive, classified CA, (3.91 acres), to permit the development of a 75,888 square foot hotel, requested by Planning Design & Research, applicant, for Pinnacle Hospitality Partners, owner.

**STAFF RECOMMENDATION: Approve with conditions**

**APPLICANT REQUEST -Revise Preliminary & Final PUD**

A request to revise the preliminary plan and for final approval for a portion of a Commercial Planned Unit Development located at 230 Rudy Circle, approximately 565 feet west of Music Valley Drive, classified Commercial Attraction (CA), (3.91 acres), to permit the development of a 75,888 square foot hotel replacing a previously approved 116,100 square foot hotel.

**PLAN DETAILS** - The last revision to the Preliminary PUD plan was approved in 1995 for a 116,100 square foot, 5 story hotel with 250 rooms. The proposed hotel is 75,888 square feet, 5 stories tall and contains 122 rooms. The previous hotel was designed in a courtyard shape, while the proposed hotel is linear. Both the design for the previously approved hotel and the currently proposed hotel include an outdoor swimming pool. The hotel is located



at the end of Rudy Circle. Access is in the same location proposed on the previous plan.

**STAFF RECOMMENDATION** - The proposed revision is consistent with the previously approved plan. Therefore, staff recommends approval.

**STORMWATER RECOMMENDATION** - Conditional approval. The following items must be addressed before a grading permit can be issued:

1. Provide a copy of the NOC letter and provide the permit number on the plans.
2. Sign and date the NOI statement on the plans.
3. Sign and date the EPSC signature note on the plans.
4. Sign and date the engineer stamp on all the design plan sheets.
5. Provide a stormwater detention maintenance agreement for the proposed water quality/detention pond with appropriate recording fees.
6. Provide easement documentation for the proposed water quality/detention pond with appropriate recording fees. Include provisions for ingress/egress. Show the easement location on the design plans.
7. Revise the grading on Sheet C2.0 to incorporate the water quality/detention pond.
8. Provide existing and proposed contours for the entire site on Sheet C3.0.
9. The proposed contours on the northeast side of the property don't tie in to the existing contours.
10. Show inlet protection on the Erosion Control Plan Sheet and provide a detail.
11. Provide outlet protection for pipes into and out of detention/water quality pond with a detail.
12. Pull the silt fence out of the stream buffer.
13. Pull the outlet pipe from the detention/water quality pond out of the stream buffer.
14. On the temporary construction entrance detail, increase the minimum length to 100' and show a minimum width of 20'.
15. Provide a final stabilization note on the plans stating that all temporary erosion and sediment control devices are to remain in place until final site stabilization has been achieved.
16. Label all slopes that are 3:1 or greater on the plans and provide a detail for what type of slope stabilization measures will be used.
17. Include a note on the Erosion Control Plan Sheet requiring the contractor to provide an area for concrete wash down and equipment fueling in accordance with Metro CP-10 and CP-13, respectively.
18. Drainage basin boundaries don't correspond with proposed contours. It appears that flow south of curb on south side of property will flow directly into existing stream. Is flow entering property on eastern side of site across the existing curb? Drainage boundaries for I-1, I-3, I-4, and I-7 don't agree with proposed contours.
19. Provide contours on the pre and post developed drainage area maps.
20. Show proposed grading for the entrance road on the southeast corner of the site.
21. Outlet pipe from structure I-1 needs to be relocated or provide baffling in the detention/water quality pond to prevent short circuiting of necessary water quality treatment.
22. On the pre vs post developed runoff summary page include the post development flows bypassing the water quality/detention pond.
23. The routing calculations for the pond show a 12.00' weir at elevation 424.30'. The plan view of the outlet structure indicates a weir length of 13.50' (16.0' - 2.5'). Please revise.
24. Provide a drainage area map for the next two downstream structures. Include supporting calculations for actual flows and capacities of these structures.
25. Provide 3 complete sets of revised plans.

**PUBLIC WORKS RECOMMENDATION** - All Public Works' design standards shall be met prior to the issuance of building.

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

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

**Resolution No. RS2007-107**

“BE IT RESOLVED by The Metropolitan Planning Commission that 89P-028U-14 is **APPROVED WITH CONDITIONS. (7-0)**

**Conditions of Approval:**

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

**19. 2005P-018G-12**

Preston Estates, Phase 1B  
Map 174-00, Parcel 013, Part of Parcel 022, and Part of Parcel 127  
Subarea 12 (2004)  
Council District 32 - Sam Coleman

A request for final approval for a portion of a Residential Planned Unit Development district located on a portion of properties at 5814 Pettus Road, Pettus Road (unnumbered) and Preston Road (unnumbered), (10.64 acres), zoned RS15, to develop 15 single-family lots, requested by Ingram Civil Engineering, applicant, CLC Development LLC and Tammy Cotton, owners.

**STAFF RECOMMENDATION: Approve with conditions**

**APPLICANT REQUEST -Final PUD**

A request for final approval for a portion of a Residential Planned Unit Development district located on a portion of properties at 5814 Pettus Road, Pettus Road (unnumbered) and Preston Road (unnumbered), (10.64 acres), zoned Single Family Residential (RS15), to develop 15 single-family lots.

**PLAN DETAILS** - The plan proposes 15 single-family lots to be located on new roads connecting to the east side of Preston Road. Lot sizes range from 15,075 square feet to 22,021 square feet. This phase includes 2.69 acres of open space. The open space includes Floodway, Floodway Buffer and a Dedicated Conservation Greenway Public Access Trail Easement Area. There is a public access easement located on the common property line between lots 8 and 9 to provide pedestrian access to the future greenway trail.

The Stormwater comments indicate that a sinkhole appears to exist in the proposed Lot #10. If this is determined to be a sinkhole, this lot can not be built on and will have to be made into open space.

**Preliminary Plan** - This is Phase 1B of a 39 single-family residential Planned Unit Development. The preliminary PUD and associated zone change were approved by the Planning Commission in December of 2005. The site plan is consistent with the approved preliminary plan.

**Infrastructure Deficiency Area (IDA)** - This request is located within the IDA, and requires that the applicant make certain improvements within the IDA. Based on the IDA policy, approximately 342 linear feet of road improvements are required by the applicant for the entire development. The location for these improvements will be determined by Public Works and will be constructed prior to or bonded with the final plat.

**Staff Recommendation** -The request is consistent with the approved preliminary PUD. Staff recommends that the request be approved with conditions.

**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.
- Developer shall construct access road with two exit lanes and one entering lane with 50 ft minimum storage for
- both exit lanes and transition per AASHTO standards.
- Developer shall construct a left turn lane on Preston Rd. at access road with 75 ft of storage and transition per AASHTO standards.
- Developer shall submit documentation of adequate sight distance at access road and Preston.
- Required IDA improvements to be constructed on Preston Road beginning at the intersection of Pettus

Road / Preston Road, meeting the linear footage as stipulated by the Planning staff. The improvements are to be included and approved as a part of the final construction plans.

**STORMWATER RECOMMENDATION** - Approve with conditions.

On behalf of MWS, the following represent the detailed comments for the proposed Preston Estates – Phase 1B (lots 3-17) - MWS # 9432:

1. A stormwater detention agreement should be submitted with fees for this project.
2. An easement for the pond and water quality structure should be submitted with fees. Be sure to include provisions for ingress/egress.
3. Include a note on the Erosion Control Plan regarding the contractor providing an area for concrete wash down and equipment fueling in accordance with Metro CP-10 and CP-13, respectively.
4. Include the property parcel number in the project plans.
5. Provide a certified erosion control specialist signature on Sheet C300.
6. The temporary construction entrance detail E4/C301 should show a filter fabric between the coarse aggregate layer and the soil subgrade.
7. Sinkholes appear to exist in the proposed Lot #10 and the cul-de-sac based on the existing grades. Any alteration to these apparent sinkholes will require a permit from TDEC.
8. Provide inlet protection at the headwall on the south side of Lot #9.
9. Include a FEMA note in the project plans regarding the floodplain including the community map, panel number and date.
10. Provide a NPDES notice of coverage for this project. Also place NPDES note on plans which provides NPDES NOC permit #.
11. Based on the proposed grades, part of Sub-area 1 appears to flow onto Preston Road and Junction 30, not into Junction 40 (as shown on the post-development flow chart). Revise calculations. Also extend swale at Lot 14 to capture all of Sub-area 1.
12. Based on the proposed grades, Sub-area 6 appears to flow southeast and not into Junction 60 (as shown on the post-development flow chart).
13. The eastern portion of Sub-area 9 appears to flow directly into Turkey Creek rather than to Junction 100.
14. The Pipe Report indicates an upstream inlet area of 0.15 acres for Pipe D2, which corresponds to the acreage of Sub-area 4 shown on Sheet C202. The post-development flow chart indicates that both sub-areas 1 and 4 flow into Pipe D2 totaling an upstream inlet area of 0.40 acres. Determine the correct condition and revise documents.
15. In the StormCAD Pipe Report, a runoff coefficient of 0.50 was used for sub-areas 5, 8, 10, 15 and 4. These areas are comprised of impervious asphalt and concrete pavement. Therefore, a runoff coefficient of 0.95 should be used to determine flow.
16. How were intensities derived in Pipe Report? Typically they should be reflective of time of concentrations and land use.
17. The slope for Pipe D9 is 0.94% on Sheet C203 and 1.25% in the Pipe Report due to different outlet invert elevations. Correct the outlet invert elevations allowing the slopes to match.
18. The Pipe Report lists Pipe D1's pipe diameter as 12 inches, but the pipe diameter listed on Sheet C203 is 15 inches. Revise pipe diameters to match.
19. Provide "spread on road" calculations for curb inlets.
20. Proposed grades indicate that runoff Sub-area 11 flows south to the detention pond and Turkey Creek and west towards Sub-area 12 and Preston Road. The post-development drainage flow chart indicates Sub-area 11 discharges entirely into the southern detention pond. Revise to accurately represent the proposed drainage condition.
21. Provide a detail of the Pond 10 outlet structure on the drainage detail sheet.
22. Provide a top of structure elevation for the southern detention pond outlet structure on Detail D3/C206.
23. The southern detention pond does not have a 3:1 shape ratio between the D11 headwall and the pond outlet structure. The D11 inlet should be moved to allow for a 3:1 shape ratio or baffling should be installed to prevent short circuiting.
24. Remove note "not for construction". The approved plans will be record drawings for construction.
25. Provide vertical datum for benchmark.
26. Provide variance letter which outlines conditions.
27. Provide sediment calculations for pond by creek. Pond must have sediment storage as outlined in TDEC if

- drainage area is greater than 5 acres.
28. Provide orifice protection for 6" and 2" orifices at detention ponds. May consider some type of perforated riser pipe attached to structure.
  29. Provide advanced slope protection for 3:1 slopes (ponds). Show location of steep slopes on plans and indicate method of protection.
  30. Provide 3 complete sets of revised plans.

#### **CONDITIONS**

1. The Stormwater comments indicate that a sinkhole appear to exist in the proposed Lot #10. If this is indeed found to be a sinkhole, this lot can not be built on and will have to be made into open space.
2. Developer shall construct access road with 2 exit lanes and 1 entering lane with 50 ft minimum storage for both exit lanes and transition per AASHTO standards.
3. Developer shall construct a left turn lane on Preston Rd. at access road with 75 ft of storage and transition per AASHTO standards.
4. This request is located within the IDA, and requires that the applicant make certain improvements within the IDA. Based on the IDA policy, approximately 342 linear feet of road improvements is required by the applicant for the entire PUD. The location for these improvements will be made by Public Works and will be constructed or bonded prior to the recording of the final plat.
5. 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.
6. 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.
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.
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. 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.
10. 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 five (5) copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission.

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

#### **Resolution No. RS2007-108**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2005P-018G-12 is APPROVED WITH CONDITIONS. (7-0)

Conditions of Approval:

1. The Stormwater comments indicate that a sinkhole appear to exist in the proposed Lot #10. If this is indeed found to be a sinkhole, this lot can not be built on and will have to be made into open space.
2. Developer shall construct access road with 2 exit lanes and 1 entering lane with 50 ft minimum storage for both exit lanes and transition per AASHTO standards.
3. Developer shall construct a left turn lane on Preston Rd. at access road with 75 ft of storage and transition per AASHTO standards.
4. This request is located within the IDA, and requires that the applicant make certain improvements within the IDA. Based on the IDA policy, approximately 342 linear feet of road improvements is required by the applicant for the entire PUD. The location for these improvements will be made by Public Works and will be constructed or bonded prior to the recording of the final plat.
5. 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.
6. 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.
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.
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. 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.
10. 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 five (5) copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission.

### **XIII. MANDATORY REFERRALS**

- 20. 2007M-020U-03**  
Rename County Hospital Road to Bordeaux Boulevard  
Subarea 3 (2003)  
Council District 1- Brenda Gilmore

An ordinance to change the name of County Hospital Road between John Mallette Drive and Briley Parkway to "Bordeaux Boulevard."

**STAFF RECOMMENDATION: Approve**

**APPLICANT REQUEST** - An ordinance to change the name of County Hospital Road between John Mallette Drive and Briley Parkway to "Bordeaux Boulevard."

**What is being requested?** - Councilmember Brenda Gilmore has introduced an ordinance to change the name of County Hospital Road to “Bordeaux Boulevard.”

**Why is this being requested?** - According to the ordinance, the name change is being proposed because “the community deems it appropriate.”

**What are the procedures for a street name change?** -Street names can only be changed by the Metro Council through the adoption of an ordinance. The Planning Department is required to notify all property owners on the street of the proposed name change, and to give residents the opportunity to provide written comments in support of or in opposition to the proposed name change.

**What public response has been received?** - In addition to several phone calls from residents and business owners, nine letters have been received by Planning staff about the proposed name change. All of the respondents oppose the proposal.

**Staff Recommendation** - Staff recommends approval of the proposed name change. The proposed new street name is descriptive of the location of the road – within the heart of the Bordeaux community. Staff would note, however, that the responses received from business owners and residents indicate there is significant opposition to the proposed name change within the affected community.

Mr. Kleinfelter presented and stated that staff is recommending approval.

Ms. Karen Sadler, 1635 County Hospital Road, spoke in opposition to the proposal.

Mr. Loring spoke in opposition to the name change request due to the imposition it would place on the business owners located on this road.

Ms. Jones expressed issues with changing the name.

Mr. Ponder offered to delay the actual name change to allow business owners enough time to notify their customers of the proposed name change.

Ms. Cummings commented that a name change may be in order in the future but the suggested name was not appropriate.

Ms. Beehan commented on the many streets in Nashville that change names quite frequently.

Ms. Cummings moved and Ms. Jones seconded the motion, which passed unanimously to disapprove Mandatory Referral 2007M-020U-03. **(8-0)**

**Resolution No. RS2007-109**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007M-020U-03 is **DISAPPROVED. (8-0)**”

- 21. 2007M-021G-13**  
Stormwater Easement Acceptance for Centex Homes – Lakeside Cove, Phase 3  
Map 151, Part of Parcel 016  
Subarea 13 (2003)  
Council District 33 – Robert Duvall

Request to accept a 20 foot stormwater easement on a portion of property located at end of Skip Jack Drive and Dory Drive from Centex Homes for Project No. 07-DL-0014 (.13 acres), requested by Metro Water Services.

**STAFF RECOMMENDATION: Disapprove**

**APPLICANT REQUEST** -Request to accept a 20 foot stormwater easement on a portion of property located at end of Skip Jack Drive and Dory Drive from Centex Homes for Project No. 07-DL-0014 (.13 acres), requested by Metro Water Services.

**APPLICATION DETAILS** -This request has been referred to the Planning Commission by the Stormwater Division of the Metro Water Services Department. The request is for dedication of a 20-foot drainage easement that would run from the rear portion of a lot on Sunsail Drive, across three additional lots on Sunsail Drive and two lots on Skip Jack Drive.

The property owner, Centex Homes, recorded the final plat for this phase of Lakeside Cove subdivision in August 2006. The plat includes a 20-foot utility and drainage easement across the front of all the lots on both Sunsail and Skip Jack Drives. In addition, a 10-foot drainage easement was dedicated on the plat across the rear of the lots on Sunsail Drive. This request would encumber six lots with a third easement.

Prior to recording of the Phase 3 final plat, Centex Homes was required to submit plans to the Stormwater Division demonstrating how all Stormwater would be accommodated on the property. The inter-agency review of a subdivision plat allows all agencies to ensure that their requirements are met before the plat is recorded. Utility and drainage easements are generally located along property lines in order to provide lots with as much buildable area as possible. If necessary, an applicant may be required by the Planning Department to relocate lots in order to avoid unnecessary encumbrances on lots that will ultimately be transferred to individual owners.

Location of a drainage easement across the middle of these relatively small lots will result in lots that are of marginal value, which will ultimately have a negative effect on the long term viability of this residential community. Future owners of homes constructed on these lots would be extremely limited in their ability to build additions or even decks onto their homes. Had the easement been proposed during the review process for the recently recorded plat, Planning staff would have required the applicant either to rearrange the lots or relocate the easement.

**AGENCY RECOMMENDATIONS** -This item is recommended for approval by the Metro Water Services Department, Stormwater Division.

**PLANNING STAFF RECOMMENDATION** -For the reasons stated above, staff recommends disapproval of this request for an acceptance of a third drainage easement across these residential lots.

Mr. Kleinfelter presented and stated that staff is recommending disapproval.

Ms. Beehan stated she agreed with staff's recommendation.

Mr. Tyler requested additional information regarding staff's recommendation.

Mr. Kleinfelter explained this to the Commission.

Ms. Cummings stated she agreed with staff's recommendation.

Mr. McLean agreed with staff's recommendation.

Mr. Ponder requested additional information on the staff recommendation.

Mr. Loring stated he agreed with staff's recommendation.

Mr. Loring moved and Mr. Ponder seconded the motion, which passed unanimously to disapprove Mandatory Referral 2007M-021G-13. **(8-0)**

**Resolution No. RS2007-110**

**“BE IT RESOLVED** by The Metropolitan Planning Commission that 2007M-021G-13 is **DISAPPROVED. (8-0)”**



**XIV. OTHER BUSINESS**


- 22. New employee contract for Brian Sexton
- 23. Executive Director Reports
- 24. Legislative Update

**XV. ADJOURNMENT**

The meeting adjourned at 6:30 p.m.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary

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