



**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**

May 10, 2007

4:00 PM

*Metro Southeast at Genesco Park
1417 Murfreesboro Road*

PLANNING COMMISSION:

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

Staff Present:

Rick Bernhardt, Executive Director
Ann Hammond, Assistant Executive Director
Ted Morrissey, Legal Counsel
David Kleinfelter, Planning Mgr. II
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
Brian Sexton, Planner I
Randy Morgan, Planner II

Commission Members Absent:

Judy Cummings

I. CALL TO ORDER

The meeting was called to order at 4:01 p.m.

Mr. Ponder welcomed everyone in attendance to the new meeting facility.

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

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

III. APPROVAL OF APRIL 26, 2007, MINUTES

Mr. McLean moved and Mr. Loring seconded the motion, which passed unanimously to approve the April 26, 2007, minutes as presented. (6-0)

IV. RECOGNITION OF COUNCILMEMBERS

Councilmember Gotto stated that he would address the Commission once his item was presented for discussion.

Councilmember Forkum spoke in favor of Item #1, 2007CP-03-04, Amend the Subarea 4 Plan. He thanked the Planning staff for their work on this plan and stated that the plan was well received by the community members.

Councilmember Craddock was present at the meeting but did not address the Commission.

Councilmember Foster acknowledged that Item #24, 2007S-092U-12, BJ Homebuilders Subdivision was deferred indefinitely. He explained the concerns that were expressed by those affected by this proposal.

Councilmember Toler acknowledged and confirmed that Item #12, 2007SP-078G-12, Lenox West, was to be deferred indefinitely.

Councilmember Evans spoke regarding Item #23, 2006S-371U-07. She briefly explained the concerns regarding this development and requested that this proposal be approved as an SP zoning.

Councilmember Williams stated that she would address the Commission once her items were presented to the Commission.

Councilmember Shulman spoke in favor of Item #4, 2007SP-065U-10, Sharondale Drive. He briefly explained this request as it was proposed by the residents of this community. He spoke in favor of its approval.

Councilmember Shulman expressed concerns associated with a previous action made by the Planning Commission at their April 26, 2007, meeting. He gave a brief explanation of his concern and requested clarification.

Ms. Nielson arrived at 4:10 p.m.

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

- | | | | |
|-----|----------------|--|---|
| 9. | 2007SP-074G-14 | A request to change from OR20 to SP zoning property located at Robinson Road (unnumbered), at the southeast corner of Robinson Road and Industrial Drive (15.99 acres), to permit the development of 71,750 square feet of office/retail space and 165 multi-family units | – deferred to May 24, 2007, at the request of the applicant |
| 12. | 2007SP-078G-12 | A request to change from R15 to SP zoning property located at 6101 Nolensville Pike and a portion of property located at 6117 Nolensville Pike, approximately 330 feet south of Bradford Hills Drive (5.02 acres), to permit the development of a 4,500 square foot commercial building and 70 multi-family units in 3 buildings | – deferred indefinitely at the request of the applicant |
| 24. | 2007S-092U-12 | A request for final plat approval to revise a previously recorded plat to allow two duplex units to be developed on properties located at 5036 and 5038 Edmondson Pike, approximately 295 feet south of Durrett Drive (0.88 acres), zoned R10 | – deferred indefinitely at the request of the applicant |

- | | | | |
|-----|------------|--|---|
| 30. | 74-79-G-13 | A request to cancel a portion of a Planned Unit Development overlay district, that portion being located at the southwest corner of Nashboro Boulevard and Flintlock Court, zoned One and Two-Family Residential (R10) (3.46 acres), approved for approximately 27,600 square feet of commercial | – deferred to May 24, 2007, at the request of the applicant |
| 32. | 23-85-P-13 | A request to cancel the Planned Unit Development District Overlay on property located at Forest View Drive (unnumbered), approximately 400 feet east of Murfreesboro Pike, that was previously approved for 212 multi-family units (7.84 acres) | – deferred to May 24, 2007, at the request of the applicant |

Mr. Loring moved and Ms. Beehan seconded the motion, which passed unanimously to approve the Deferred and Withdrawn items as presented. (7-0)

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

- | | | | |
|----|--------------|---|--|
| 1. | 2007CP-03-04 | Amend the Subarea 4 Plan: 1998 Update to change the land use policies from Residential Low Density (RL) and Residential Medium Density (RM) to Mixed Housing in Corridor General (MH in CG), and Mixed Use in Mixed Use (MxU in MU), with Special Policies for approximately 27 acres located along Myatt Drive between Anderson Lane and State Route 45 and along Anderson Lane between May Drive and Rio Vista Drive. | -Approve Detailed Land Use Plan with Special Policy. |
|----|--------------|---|--|

ZONING MAP AMENDMENTS

- | | | | |
|-----|---------------|--|--|
| 5. | 2007Z-069U-09 | Request to change from IG to MUG zoning property located at 916 4th Avenue North. | - Approve. |
| 10. | 2007Z-075U-11 | A request to change from R6 to IWD zoning property located at 2214 Wickson Avenue, approximately 180 feet south of Glenrose Avenue (.28 acres) | - Disapprove |
| 15. | 2007Z-082G-06 | Request to change from R40 to RM9 a portion of property located at Sonya Drive (unnumbered). | -Approve with condition that there be no development in areas of steep slopes. |
| 16. | 2007Z-083U-12 | Request to change from R40 to RM6 zoning property located at 5613 Valley View Road. | - Approve. |
| 17. | 2007Z-086U-10 | Request to change from R20 to RM4 zoning property located at 2202 Hobbs Road (rear). | - Staff recommends approval subject to approval of the Village Hall PUD (2003P-013U-10). |
| 18. | 2003P-013U-10 | Village Hall - Request to amend the Planned Unit Development located at 2202 Hobbs Road to permit the development of 4 dwelling units in two structures. | - Approve w/conditions. |
| 19. | 2007Z-089G-12 | Request to change from R20 to RS15 zoning property located at 265 Holt Hills Road. | - Approve. |

CONCEPT PLANS

- | | | | |
|-----|---------------|--|-------------------------|
| 21. | 2007S-073U-03 | Nocturne Village - Request for concept plan approval for a 50-lot cluster subdivision on property located at Overall Street (unnumbered), 869 West Trinity Lane, and West Trinity Lane (unnumbered). | - Approve w/conditions. |
|-----|---------------|--|-------------------------|

22. 2007S-075U-03 Doak Estates - Request for concept plan approval to create 6 lots on property located at 3101 Doak Avenue, approximately 580 feet east of South Hamilton Road (2.53 acres), zoned RS10 - Approve w/conditions

FINAL PLATS

26. 2007S-100U-08 Salem Gardens - Request for final plat approval to create 3 lots on properties located at 1633 and 1635 6th Avenue North. -Approve with conditions, including a variance to Section 2-1.2 of the Metro Subdivision Regulations to allow the subdivision to be approved as a minor subdivision.
27. 2007S-101U-08 Garfield Place - Request for final plat approval to create 3 lots on property located at 600 Garfield Street. -Approve with conditions, including a variance to Section 2-1.2 of the Metro Subdivision Regulations to allow the subdivision to be approved as a minor subdivision.

REVISIONS AND FINAL SITE PLANS

28. 2005SP-170U-05 Walden Phase 1a- Request for approval of a portion of a final site plan for a portion of property located at 1900 Eastland Avenue, to permit the development of 2,235 square feet of office space, 2,235 square feet of retail space, 3,465 square feet of restaurant space, and 8 multi-family units. - Approve /w conditions, including the deletion of Public Works conditions #2 and #4.
29. 201-69-G-12 Starpointe, Ph. 1 & 2 - Request for final approval of a Planned Unit Development located at 13105 Old Hickory Boulevard and Old Hickory Boulevard (unnumbered), to permit the development of a 100 unit hotel containing 74,250 square feet and 12,500 square feet of retail space. - Approve/ w conditions.
33. 78-86-P-12 The Shoppes at Shadow Glen (Southmark Commerical) - Request for final approval for a portion of the Commercial Planned Unit Development located at 5843 Nolensville Pike, to permit the development of 11,170 square feet of retail and office space in a two-story building. - Approve w/ conditions.
34. 2004P-033G-06 Loveless Café - Request to amend the preliminary plan for a Planned Unit Development district located at 8400 Highway 100, to add 4 acres of land located at 8960 McCrory Lane, revise the overall site layout, and to increase the approved total square footage from 22,475 square feet to 25,472 square feet with 12,612 square feet of retail, 4,860 square feet of restaurant, 8,000 square feet of banquet hall and 279 parking spaces. - Approve w/ conditions.
35. 2006P-007G-12 Cane Ridge Estates - RA request to revise the preliminary plan and for final approval of a Planned Unit Development located east of Cane Ridge Road, at the terminus of Bison Court, classified RS10, (10.00 acres), to permit the development of 29 single-family lots, requested by Dale and Associates, for R.J. Rentals, owner. - Approve w/ conditions.
36. 2003UD-003U-13 Ridgeview UDO, Ph. 1 - Request to revise the preliminary and for final approval for a portion of the mixed-use Ridgeview Urban Design Overlay district located on the east side of Bell Road (unnumbered), to permit the construction of 150 units consisting of 099 attached townhouses, 22 attached patio units, 5 lots 35' wide, and 24 lots 50' wide, replacing 99 attached townhouses, 27 lots 35' wide, and 24 lots 50' wide. - Approve w/ conditions.

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

Ms. Jones arrived at 4:25 p.m.

VII. COMMUNITY PLANS

1. 2007CP-03-04

Amend the Subarea 4 Plan: 1998 Update to change the land use policies from Residential Low Density (RL) and Residential Medium Density (RM) to Mixed Housing in Corridor General (MH in CG), and Mixed Use in Mixed Use (MxU in MU), with Special Policies for approximately 27 acres located along Myatt Drive between Anderson Lane and State Route 45 and along Anderson Lane between May Drive and Rio Vista Drive.

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

APPLICANT REQUEST - Amend the Subarea 4 Plan: 1998 Update to change the land use policies from Residential Low Density (RL) and Residential Medium Density (RM) to Mixed Housing in Corridor General (MH in CG), and Mixed Use in Mixed Use (MxU in MU), with Special Policies for approximately 27 acres located along Myatt Drive between Anderson Lane and State Route 45 and along Anderson Lane between May Drive and Rio Vista Drive.

CURRENT POLICIES

Residential Low Density (RL) - RL policy is intended to accommodate residential development within a density range of up to two dwelling units per acre. The predominant development type is single-family homes.

Residential Medium Density (RM) - RM policy is intended to accommodate residential development within a density range of four to nine dwelling units per acre. A mix of housing types is appropriate.

PROPOSED STRUCTURE PLAN POLICIES

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.

Mixed Use (MU) - MU is a policy category designed to encourage an integrated, diverse blend of compatible land uses ensuring unique opportunities for living, working, and shopping. Land uses found in this category include residential, commercial, recreational, cultural, and community facilities. Commercial uses appropriate to MU areas include offices and community, neighborhood, and convenience scale activities. Residential uses will most likely be medium, medium-high, or high density. Other types of uses may be appropriate if they can be successfully integrated with other uses.

PROPOSED DETAILED LAND USE POLICIES

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.

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 - District Councilmember Jim Forkum asked the Metro Planning Department to work with community members in the Myatt Drive/Anderson Lane 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*. There has been a history of zone change requests in the study area that have not conformed to the community plan. The most recent of these, 2006SP-162G-04 (Myatt Drive Thornton's), was deferred indefinitely in September 2006 at the request of the applicant in the face of a disapproval recommendation from staff. This history served as an indication that the policies in the area warranted review, especially in light of the widening of Myatt Drive that occurred several years ago and exacerbated traffic volumes in the area. Staff and area representatives found that there is merit to allowing businesses and a mix of housing that is suited to busy streets along Myatt Drive and Anderson Lane. The area has good access from several directions and is heavily traveled (TDOT 2007 traffic counts indicate an average of 18,599 cars per day on Myatt Drive in this location).

Staff held three community meetings in the area to discuss the plan amendment, on March 13 and 28 and April 18, 2007. Each meeting was attended by approximately 25-40 people. Participants were supportive of the concept of allowing businesses in the area subject to design guidance and some use restrictions. Of special concern were issues relating to traffic management and compatibility with area residences.

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. In future months, staff will continue to work with Councilmember Forkum and area participants to develop a Specific Plan zoning district for the area that will implement this plan. Staff intends to bring the Specific Plan back to the Commission at the September 13, 2007 meeting for consideration.

Appendix A

Myatt Drive/Anderson Lane Development Principles

Overview. Because the Myatt Drive and Anderson Lane corridors provide important connections for the Madison Community and represent such a unique mixed use development opportunity, the Land Use Policy Plan includes a special policy to establish more detailed plans for future development of the area. Special Policy Area # 4 calls for development within the Myatt Drive/Anderson Lane area to be guided by a detailed land use plan and development principles related to the access and site design, as well as the size, height, placement and use of buildings.

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

The overall intent for this area is to accommodate a compatible mixture of businesses and residences that are designed to coexist with, and take advantage of, two busy streets – Myatt Drive and Anderson Lane. Both vertically- and horizontally-mixed uses are envisioned within the area, which is expected to accommodate a wide range of businesses and housing types. Businesses in the area are expected to draw from both local and more distant markets, which will include foot traffic from area residences along with pass-through traffic, and thus the area needs to be designed to accommodate all modes of travel. Because these are such heavily traveled streets, access management is important to limit the number of locations where traffic will be slowed to allow autos to enter. By limiting the access, and adding improvements to the streetscape such as the addition of sidewalks, street trees, and on-street parking, the streets will also become increasingly pedestrian friendly.

The Myatt Drive and Anderson Lane area is envisioned to develop into four subdistricts, each with its own distinct character of development. In the future, individual property owners or the entire Myatt Drive/Anderson Lane area could use the Specific Plan zoning district to implement the plan. These subdistricts are identified on Figure 1.

Include an explanation of the study area boundaries.

1. Gateway Districts. These are properties surrounding the two intersections that serve as the main gateways into the corridor: Myatt Drive at State Route 45 and Myatt Drive at Anderson Lane. The aesthetic quality of these sites is particularly important since they serve as entrances into the area. These sites may accommodate certain uses, such as service stations, that tend to function best on corner locations. Some form of special design treatment such as signage and landscaping is also recommended for these sites to enhance their function as gateways into what is intended to be a distinct neighborhood within the larger Madison community.

2. Central Corners. These are the properties surrounding the two intersections that are internal to the Myatt Drive corridor: Myatt Drive at Roosevelt Avenue and Myatt Drive at North Dupont Avenue. As secondary entrances into the study area, these corners are also highly visible making their aesthetic quality important.
3. Corridor Segments. These are the properties between the corners along both Anderson Lane and Myatt Drive. Uses along these segments will be of moderate scale and intensity.
4. Anderson Lane Residential Transition. This is the section of Anderson Lane between Myatt Drive and May Drive that is across from the Peterbilt plant. This area is intended to remain **residential because of its relationship to the surrounding neighborhoods, but new mixed residential development that is designed for a busy street is appropriate. Access consolidation is as important here as in the other subdistricts because of traffic conditions and the need to create a pedestrian-friendly environment.**

The detailed land use plan and development principles below are designed to achieve this development concept.

1. Myatt Drive/Anderson Lane Detailed Land Use Plan. The detailed land use plan (DLUP) presented in this section is a refinement of the Structure Plan policy category Mixed Use (MU) that applies along Myatt Drive and Anderson Lane. It is supplemented by the Development Principles found in Section 2. Figure 1 illustrates the detailed land use plan for Myatt Drive/Anderson Lane.

The detailed land use policy category used for Myatt Drive/Anderson Lane is *Mixed Use (MxU)*. Mixed Use areas are intended for a mixture of residential uses and appropriately scaled office, commercial, civic and public benefit uses.

2. Myatt Drive/Anderson Lane Development Principles. The purpose of this section is to provide principles for guiding the character of development that occurs within Special Policy Area # 4. The goal is to create an area that is:

- 1) aesthetically attractive and pleasant to visit,
- 2) designed to be attractive for visitors from nearby neighborhoods, visitors traveling through the area and the residents and employees on these streets, and
- 3) pedestrian-friendly.

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

General Development Principles. Figures A-1 and A-2 illustrates of some of the development principles described in this section. These development principles apply within all four subdistricts except where noted.

Buildings and Lots

- Encourage diversity and choice in the size and cost of housing to meet needs of residents in all stages of life such as people just entering the housing market, families with children, and “empty nesters” who would like to downsize, but remain within the neighborhood. For example, attached townhouses with small private yards or courtyards would cater to people who want the feel of a detached house without all of the maintenance.
- Articulate building facades (for example, with windows, recesses or projections) oriented toward public streets in order to avoid expanses of uninterrupted walls.
- Orient buildings toward the street. Means of orientation include, but are not limited to, placing primary entries, windows, porches, and balconies toward the street. Orient the primary pedestrian entrances to either the street or civic open space.
- Buildings should be constructed between ten and twenty feet from the right-of-way line in order to help 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 and between individual developments on the street. 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 Myatt Drive and Anderson Lane and require cross access among adjacent parking lots in order to reduce turning movements from the streets, allowing vehicles to circulate between buildings without having to re-enter those streets and providing for a safer pedestrian environment by reducing auto-pedestrian conflicts.
- 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.
- Utilize local side streets for access to help consolidate access points and keep traffic moving on Myatt Drive and Anderson Lane.
- Because of the small parcels in the area and the intent to develop it into a compact, walkable pattern, avoid providing excess parking.

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 at least compensate for trees that must be removed for development.
- 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.
- Minimize the impervious surface ratio to alleviate stormwater management problems.
- On the west side of Myatt Drive, provide a landscape buffer between parking areas and existing homes to the west.
- On the east side of Myatt Drive, preserve open space between development on the east side of Myatt drive and neighboring homes to the east.

Architectural Standards

- 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 higher order (arterial over collector or local, collector over local) street is preferred.
- Building fronts should be appropriately articulated. 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 less durable materials.
- Buildings should be constructed of durable building materials that require little maintenance in order to demonstrate sustained quality and a sense of permanence.

Signage

- The purpose of on-premise business signs is to inform the public of the nature of the business that is on the premises. Other uses for on-premise signs can be deleterious to the public health, safety, and welfare by causing visual distraction and confusion along with poor aesthetics that can detract from the overall sustainability of a location as an environment for living and conducting business. Signs are intended to be as compact and unobtrusive as possible while still being readable at the expected speed of travel. As Myatt Drive and Anderson Lane are redeveloped under this plan, desired speed limit is to be 35 miles per hour.
- Related to these factors, on-premise signs for businesses need to advertise the primary business activity conducted on the premises. For example, if a gift store stocks 49% or less of its products defined as “adult” material, the sign should not advertise that material, but rather the 51% of the material that does comprise the majority of the business activity conducted on the premises.
- Promote the use of monument style signs that do not conflict with vehicular and pedestrian travel and that are consistent with the size and scale of the allowed commercial uses along the corridor.
- Encourage the minimal use of lighting and electronic displays while promoting low exterior lighting for signage to prevent light pollution on surrounding residential uses.
- Encourage signage that is in line with the landscaping and architectural character of the building, site, and surroundings and that is assembled with durable material that require little maintenance to demonstrate sustained quality and a sense of permanence.

- Encourage the use of multi-tenant signs to reduce sign clutter along the corridor.
- At Gateway Corners (Districts), promote the use of signature entrances that are in keeping with the architectural standards and character of the study area.

Uses

- A compatibly-scaled mixture of businesses and a variety of housing types is intended within the area, except that Subdistrict 4 is intended to contain solely residential development.
- Industrial uses should generally be avoided in order not to exacerbate the existing problems with semi truck traffic in the area. Possible exceptions include small non-nuisance craft type businesses such as custom cabinetry or furniture refinishing.
- Because of the intent for this area to draw a compatible mixture of small to moderately scaled businesses and residences to the area and to market it successfully as an appealing location for families to visit and reside in, there should be no future expansion of the Adult Entertainment Overlay District within this area.
- Gasoline service stations are intended only within Subdistrict 1.
- Automobile Repair or Convenience services are only appropriate between other businesses or between a side street and another business. All business activities for Automobile Repair services are to be conducted indoors.
- Bars or Nightclubs are not appropriate.
- Drive-through businesses are inappropriate because of the traffic problems that already exist in the area. Drive-up ATM kiosks are acceptable.
- There is to be no outdoor storage associated with any business.
- Retail, Office and Restaurant activities need to be limited to 5,000 square feet per structure.
- Operational hours of automotive businesses outside of Subdistricts 1 and 2 need to be confined to 8 AM to 8 PM.
- Car Washes are not intended as free-standing uses, although they may be associated with gasoline service stations in Subdistrict 1.
- Noise needs to be strictly controlled.

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

Resolution No. RS2007-145

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007CP-03-04 is **APPROVED, Detailed Land Use Plan with Special Policy. (7-0)**”

VIII. PUBLIC HEARING: PREVIOUSLY DEFERRED ITEMS AND ITEMS ON PUBLIC HEARING

CONCEPT PLANS

2. **2007S-083G-14**
Tulip Reserve
Map 086-00, Parcel 043
Subarea 14 (2004)
Council District 12 - Jim Gotto

A request for concept plan approval to create 23 lots on property located at 667 Old Lebanon Dirt Road, at the northwest corner of Tulip Grove Road and Old Lebanon Dirt Road (9.93 acres), zoned RS15, requested by George Dunn, owner, Dale & Associates, surveyor.

STAFF RECOMMENDATION: Disapprove.

APPLICANT REQUEST -Concept Plan

A request for concept plan approval to create 23 lots on property located at 667 Old Lebanon Dirt Road, at the northwest corner of Tulip Grove Road and Old Lebanon Dirt Road (9.93 acres), zoned Single-Family Residential (RS15).

This request was deferred from the April 26, 2007, Planning Commission meeting with a request for staff to further consult with the applicant. The concept plan proposed by the applicant has not changed. However, staff has an alternate proposal.

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 concept plan proposes 23 single-family lots ranging in size from 7,500 sq. ft. to 12,326 sq. ft. This application is proposing to use the cluster lot option, which allows lots to be reduced in size by two base zone districts. Since the zoning is RS15, 7,500 sq. ft. lots are appropriate if the plan meets all requirements of the cluster lot option policy.

Site Access - Access is proposed from Tulip Grove Road. The lots are arranged on a new road, which includes two cul-de-sacs and a stub street to the west to provide for a future connection. Sidewalks are proposed for all new streets and for the existing portion of Old Lebanon Dirt Road and Tulip Grove Road.

Open Space - There is 24% usable open space proposed, which meets the 15% requirement for cluster lot option policy. The Commission's cluster lot policy requires common open space to have "use and enjoyment" value to the residents including recreational value, scenic value, or passive use value. Residual land with no "use or enjoyment" value, including required buffers and stormwater facilities, has not been counted towards the open space requirements.

Double Frontage Lots - Section 3-4.3 of the Subdivision Regulations states that double frontage lots shall be avoided. An exception may be made where necessary in order to provide access from arterial or collector streets or to overcome topography. While both Tulip Grove Road and Old Lebanon Dirt Road are arterials, there are no constraints on this site that makes double frontage lots necessary. The applicant has not presented any information to indicate why the double frontage lots are necessary. Five lots have frontage onto both the new cul-de-sac and the existing streets. One of the lots also has frontage on the new access street for the subdivision.

Landscape Buffer Yards - Section 17.12.090 of the Metro Zoning Ordinance states that double frontage lots oriented towards an internal street can only be reduced one zoning district with a standard C landscape buffer yard, shown on the plan as 20 feet. The proposed plan indicates that the lots drop two zoning districts, which requires a standard D landscape buffer yard. If the Commission determines that double frontage lots are necessary, the applicant must either increase the lots sizes to 10,000 square feet (with the C buffer yard) or add a standard D landscape buffer yard if the lot sizes remain as proposed. The standard D buffer yard ranges from 30 to 50 feet. Because the lots as proposed are just above 7500 square feet with a 20' buffer, staff has determined that the plan likely must be reduced by one lot in order to comply with the Zoning Ordinance buffer requirements.

Staff Proposal - At the request of the Commission, staff asked the applicant to work with staff to attempt to reconfigure the lots in order to eliminate the double frontage lots. The applicant initially informed staff he was unable to redesign the plan to eliminate the double frontage lots. Staff in the Department's Design Studio, however, has prepared a reconfigured plan for this property that demonstrates double frontage lots are not necessary to provide appropriate access or overcome topography. The applicant is reviewing these plans and intends to work with the reconfigured plans and the original application prior to the Commission meeting.

Section 17.12.090 of the Metro Code states that perimeter lots must be at least 90% of the minimum lot size of the base zoning, unless the Planning Commission determines that the lots on the opposite side of the street have developed with smaller lot sizes. The lots across the street from the approved plan are 10,890 square feet and 16,500 square feet. Therefore, staff's proposal shows the lots as 90% of the minimum lot size of the base zoning as required by the Zoning Ordinance (around 13,500 square feet) and includes 21 lots.

Staff Recommendation - Staff recommends disapproval of the applicant's submitted concept plan because it includes double frontage lots that are not necessary. If the Commission chooses to approve this subdivision, staff recommends that the lots be reconfigured to eliminate any double frontage lots.

PUBLIC WORKS RECOMMENDATION - Exception Taken

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. Submit geotechnical report evaluating proposed roadway location, with the submittal of construction plan.
3. Along Tulip Grove Road, label and show 12' reserve strip for future right of way (42 feet from centerline to property boundary), consistent with the approved major street plan (U4- 84' ROW).
4. Along Old Lebanon Dirt Road, label and dedicate 5' of right of way (30 feet from centerline), consistent with the approved major street plan (U2- 60' ROW).

Traffic Comment

5. Construct the proposed connection to Tulip Grove with one entering and two exiting lanes (LT and RT) with a minimum of 75 ft of storage and transitions per AASHTO/MUTCD standards.

STORMWATER RECOMMENDATION -Approved

CONDITIONS

1. The requirements of the Metropolitan Fire Marshal's Office for adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
2. 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.
3. Change temporary dead end sign to read "Temporary Dead End Street, Street to be extended by the authority of the Metro Government of Nashville and Davidson County."
4. Reconfigure lots to eliminate double frontage lots along Tulip Grove Road and Old Lebanon Dirt Road. If the Commission determines that double frontage lots are necessary, comply with all requirements of the Metro Code, including providing landscape buffer yards as required by the Zoning Ordinance.
5. Comply with all Public Works recommendations and requirements.

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

Mr. Roy Dale spoke in favor of the proposed development.

Councilmember Gotto spoke in favor of the proposed development. He expressed issues with the alternative plan as submitted by staff. He stated that the development is in character with this area and requested its approval.

Mr. Tyler stated that due to other subdivisions in this area containing similar design layouts, and the explanation of double frontage lots, he was favoring the applicant's request.

Mr. McLean expressed issues with the alternative plan proposed by staff. He explained he was in favor of the applicant's request with the added conditions of the 30 foot buffer and fencing for lots facing Old Lebanon Dirt Road and along Tulip Grove.

Ms. Beehan stated that the applicant's request creates a community and that she was in favor of approving.

Mr. Clifton explained he was in favor of approving this development due to existing development, and the interpretation of the language regarding double frontage lots.

Ms. Nielson moved, and Mr. McLean seconded the motion to approve Concept Plan 2007S-083G-14 as submitted by the applicant. **(8-0)**

Resolution No. RS2007-146

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007S-083G-14 is **APPROVED WITH CONDITIONS (8-0)**, except no requirement to eliminate double frontage lots.

Conditions of Approval:

1. The requirements of the Metropolitan Fire Marshal’s Office for adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
2. 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.
3. Change temporary dead end sign to read “Temporary Dead End Street, Street to be extended by the authority of the Metro Government of Nashville and Davidson County.”
4. Reconfigure lots to eliminate double frontage lots along Tulip Grove Road and Old Lebanon Dirt Road. If the Commission determines that double frontage lots are necessary, comply with all requirements of the Metro Code, including providing landscape buffer yards as required by the Zoning Ordinance.
5. Comply with all Public Works recommendations and requirements.”

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

3. **2007SP-053G-12**
Innsbrooke Crossing
Map 173-00, Parcels 030, 031, 139
Subarea 12 (2004)
Council District 31 - Parker Toler

A request to change from AR2a to SP zoning properties located at 14775 Old Hickory Boulevard and Old Hickory Boulevard (unnumbered), approximately 2,150 feet south of Bell Road (80.66 acres), to permit the development of a 323 unit multi-family complex , requested by Anderson Delk Epps and Associates, applicant, for Link Investments, Mary Beth Roland, Lindsey Roland, and J.R. Hughes, owners.

STAFF RECOMMENDATION: Disapprove.

APPLICANT REQUEST - A request to change approximately 80 acres from Agricultural/Residential (AR2a) to Specific Plan (SP) zoning, properties located at 14775 Old Hickory Boulevard and Old Hickory Boulevard (unnumbered), approximately 2,150 feet south of Bell Road (80.66 acres), to permit the development of a 323 unit multi-family complex.

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.

SOUTHEAST COMMUNITY PLAN

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

Street Plan - The Community Plan’s Street Plan that was adopted with the 2004 Southeast Community Plan Update identifies several needed road connections in this area with two crossing on these properties proposed for development.

Greenway - The Community Plan’s Greenway Plan that was adopted with the 2004 Southeast Community Plan Update identifies a future greenway along a stream across these properties adjacent Old Hickory Boulevard.

Consistent with Policy? - No. While the proposed density of approximately 4 units per acre is within the Residential Low Medium Policy’s density range (2-4 units per acre), the proposed single building type and design is not appropriate for this property because of the presence of steep slopes. The Land Use Policy Application (LUPA) document does not provide specific design guidelines for RLM policy, but states that approval of developments within the policy should be based on their merits. Since the property is encumbered with such steep topography, as well as streams, the appropriate density should be at the low end of the RLM density range. In addition, the plan does not provide for diversity in housing types, any of the street connections, or the greenway as identified on the Southeast Community Plan’s Street and Greenway Plans.

PLAN DETAILS

Site Plan - The plan calls for 323 town homes on approximately 80 acres with an overall density of approximately 4 units per acre. Units are dispersed within a concentrated area with 41 individual pods.

Elevations - Elevations have been submitted with application.

Access/Parking - Units will be accessed by private drives with a single entrance onto Old Hickory Boulevard. A total of 701 parking spaces are proposed, which is sufficient for this type of development.

Street Connectivity - As proposed, no street connectivity is being provided to adjacent properties, which is called for in the long range street plan. The community plan calls for a connection to the Cedar Woods Estates Subdivision to the west, and a connection to the east which would provide an additional connection from Old Hickory Boulevard to Barnes Road. Also, since the proposed roadways are private, future connections are limited, if not impossible.

Infrastructure Deficiency Area - This request is located in the Infrastructure Deficiency Area (IDA) and requires that improvements be made to roadway within the IDA. If the proposal is approved by the Metro Council, the applicant will be required to improve approximately 1,040 linear feet of roadway within the IDA. Specific locations of roadway to be improved will be determined by Public Works. This is in addition to any other off site roadway improvements required by Public Works.

Environmental - The properties proposed for development are encumbered with steep hillsides as well as two streams. As with most development on land with steep slopes, significant grading will be required with this development. The entrance drive will cross a stream and will require approval from the Stormwater Management Committee.

Staff Recommendation - Staff recommends disapproval due to several issues with the proposed development. Due to the presence of steep hill sides and other environmentally sensitive lands on this site, any development should be low in intensity. While the proposed density of approximately 4 units per acre is within the upper density range specified in the area’s community plan, site conditions cannot support density at the high end of the policy allotment. Additionally, the proposed development does not provide for housing diversity or incorporate any of the street connections called for in the community plan. The proposal consists of 323 units accessed by a single drive that accesses Old Hickory Boulevard. With the proposed use of private streets, future street connections to this development are not feasible. Finally, the plan does not identify a greenway which is called for in the community plan and should be provided.

Since this plan is not consistent with the area’s community plan, staff recommends disapproval.

PUBLIC WORKS RECOMMENDATION

1. Construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
2. Include section in master deed that documents association’s obligations for solid waste collection and disposal.

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)	80.66	1 du/2 acres	40	448	38	47

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
Residential Condo/Townhouse(230)	80.66	n/a	323	1,739	132	158

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				1,291	94	111

STORMWATER RECOMMENDATION - Approve with the following conditions:

1. Add the following notes to the plans:
 - a. 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.)
 - b. 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).)

FIRE MARSHAL - The Fire Marshals’ office must approve the final **RECOMMENDATION** development plan.

METRO SCHOOL BOARD REPORT

Projected student generation 32 Elementary 23 Middle 16 High

Schools Over/Under Capacity - Students would attend Maxwell Elementary School, Antioch Middle School, and Antioch High School. All three schools are identified as overcrowded by the Metro School Board. There is capacity within the adjacent cluster for middle school students but there is no capacity for elementary or high school students in the adjacent cluster.

Fiscal Liability - The fiscal liability of 32 new elementary students and 16 high school students is \$640,000. This is only for information purposes to show the potential impact of this proposal, it is not a staff condition of approval.

CONDITIONS

1. This request is located in the Infrastructure Deficiency Area (IDA), which requires that improvements be made to roadway within the IDA. The applicant will be required to improve approximately 1,040 linear feet of roadway. Roadway to be improved will be determined by Public Works prior to the recording of the first final plat.
2. A greenway, conservation and pedestrian access easement shall be provided along the stream in order to provide area for the greenway called for in the community plan.
3. The layout shall be revised to provide public streets and a stub street to the south so that future connectivity can be possible.
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 RM4 zoning district effective at the date of the building permit. This zoning district must be shown on the plan.
5. 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.
6. 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.
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.
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.
10. Within 120 days of Planning Commission approval of this preliminary SP plan, and in any event prior to any additional development applications for this property, including submission of a final SP site plan, the applicant shall provide the Planning Department with a final corrected copy of the preliminary SP plan for filing and recording with the Davidson County Register of Deeds. 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. Tom White, 36 Old Club Court, spoke in favor of the proposal.

Ms. Ramonia Bledsoe, 14832 Old Hickory Blvd., spoke in opposition to the proposal.

Mr. Leonard Summers, 248 Cedar creek Drive, spoke in opposition to the proposal.

Ms. Beehan explained her concerns regarding connectivity, topography and stormwater management in relation to the requested proposal.

Mr. Loring spoke on the issue that the residents were not in favor of connectivity.

Ms. Jones spoke of the density of the development and the issue of not having connectivity.

Mr. McLean requested additional clarification on whether additional ingress/egress points were offered for this proposal.

Mr. Bernhardt briefly explained the issues associated with the proposal and the recommendation being made by staff.

Mr. McLean requested additional information regarding the parcels located south of this proposal. He questioned slopes, buildability, connectivity options, etc.

Mr. Swaggart explained this information to the Commission.

Mr. Bernhardt further explained staff's recommendation of disapproval in relation to land uses, intensity, and lack of connectivity.

Ms. Nielson questioned the use of Cedar creek Drive in relation to connectivity.

Mr. Swaggart explained the issues of using Cedar creek Drive for connectivity.

Ms. Nielson spoke on the issue of creating stub streets that do not allow connectivity for future developments.

Mr. Clifton agreed that this proposal was not ready for development due to connectivity and density issues.

Mr. Tyler offered that the parcel requires additional study due to the location of the stream as well as the topography of the land. He also mentioned the need for additional ingress/egress points.

Mr. Tyler moved and Ms. Beehan seconded the motion, which passed unanimously, to disapprove Zone Change 2007SP-053G-12, Innsbrooke Crossing. **(8-0)**

Resolution No. RS2007-147

"BE IT RESOLVED by The Metropolitan Planning Commission that 2007SP-053G-12 is **DISAPPROVED. (8-0)**

While the proposed density of 4 units per acre is within the density range called for in the Southeast Community Plan's Residential Low Medium policy, which calls for residential development with a density between 2 and 4 units per acre, the site has significant hill sides which are not suitable for such density. Also the plan does not provide connections for future roadways that are called for in the Community Plan."

- 4. 2007SP-065U-10**
Sharondale Drive
Map 117-02, Various Parcels
Map 117-03, Various Parcels
Map 104-14, Parcels 040, 041
Subarea 10 (2005)
Council District 25 - Jim Shulman

A request to change from R10 to SP zoning various properties located along Sharondale Drive between Hillsboro Pike and Woodlawn Drive on Sharon Hill Circle and Sharondale Court (29.44 acres), to limit to 33% the number of duplex units permitted on each street, limit each duplex unit to 6,000 square

feet, limit new single-family homes to 4,500 square feet, limit to 30 feet the maximum height of each residential unit, and limit the maximum lot coverage to 40%, requested by Councilmember Jim Shulman, applicant, for various property owners.

STAFF RECOMMENDATION: Approve with conditions.

APPLICANT REQUEST -Preliminary SP

A request to change from One and Two-Family Residential (R10) to Specific Plan (SP) zoning, various properties located along Sharondale Drive between Hillsboro Pike and Woodlawn Drive on Sharon Hill Circle and Sharondale Court (29.44 acres), to limit to 33% the number of duplex units permitted on each street, limit each duplex unit to 6,000 square feet, limit new single-family homes to 4,500 square feet, limit to 30 feet the maximum height of each residential unit, and limit the maximum lot coverage to 40%.

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

Consistent with Policy? - Yes. The density of the neighborhood sought to be rezoned is currently at 3.8 dwelling units per acre, which is near the high end of the RLM policy. Limits on future to conversions to duplex would be consistent with the RLM policy.

PLAN DETAILS - The purpose of this SP is to:

- limit to 33% the number of duplex units permitted on each street,
- limit each duplex unit to 6,000 square feet,
- limit new single-family homes to 4,500 square feet,
- limit to 30 feet the maximum height of each residential unit, and limit the maximum lot coverage to 40%.

Limit to 33% the number of duplex units permitted on each street. From current property records and site visits, staff has ascertained the current ratio of duplexes in the area by street. The property address as listed in the Property Assessor’s data was used to determine which street the property was categorized under. For purposes of the count, the 4 zero-lot line properties were counted as 2 lots.

The results are as follows.

Street	# of lots	#of duplexes	%
Sharondale Drive	45	21	46%
Sharondale Court	25	2	8%
Sharon Hill Circle	9	5	55%
Total	79	28	52%

No new duplexes would be allowed on Sharondale Drive or Sharon Hill Circle. A total of 6 new duplexes could be possible for Sharondale Court.

Limit each duplex unit to 6,000 square feet

Limit new single-family homes to 4,500 square feet

Currently the Zoning Ordinance does not limit the amount of square footage on single or two family lots. In R10, the maximum lot coverage is 40%. Staff would recommend including the 40% maximum lot coverage in addition to the square footage limitations.

Staff has interpreted the 6,000 square foot limit requested in the application for duplex units to mean 6,000 square feet total, or for example 3,000 square feet per side.

Limit to 30 feet the maximum height of each residential unit, and limit the maximum lot coverage to 40%

The current limit in the R10 district is 3 stories and is not measured in feet. Neither the Code nor any applicable building codes enforced in Davidson County limit the height of each “story” of a residential building. The end result is that there is no absolute height limit on single-family and two-family residences.

The Zoning Code does not include any regulations on how the height of a building is to be measured. The Zoning Administrator, who is authorized to interpret provisions in the Zoning Code, has directed Codes Administration inspectors to determine the height of a building by measuring from an average of the four corners of the structure. In addition, the height of a house is measured to the peak of the roof, not the bottom of the eaves or any other portion of the structure.

The proposed 30-foot height limit will have the intended effect of preventing infill development from towering over existing residences, but it may also limit the architectural styles of homes that can be constructed on a specific lot. Staff recommends keeping the 3 story limitation as well as adding the height limit.

Staff Recommendation - The proposed SP will maintain the current status of the existing duplexes, without changing them to non-conforming as a zone change to RS10 would. Additionally, the maximum square footage limitations and height restrictions will require infill development to be more consistent with the existing dwellings in the area.

RECENT REZONINGS - Yes. On April 26, 2007, the Planning Commission disapproved 2007Z-054U-10, which was a request to change from R10 to RS10 along White Oak Drive and Compton Road. That zone change request is currently pending in the Metro Council (BL2007-1427).

PUBLIC WORKS RECOMMENDATION - N/A

STORMWATER RECOMMENDATION- N/A

METRO SCHOOL BOARD REPORT - No additional students would be generated by this request.

CONDITIONS

1. The maximum building coverage on any lot in the SP is 40%.
2. The maximum height for any lot in the SP is 30-feet and 3 stories.
3. Duplexes are limited to a total of 6,000 square feet total (2 units = 6,000 square feet).
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 RS10 zoning district effective at the date of the building permit. This zoning district must be shown on the plan.
5. 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.

6. 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.
7. 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.
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. 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.
10. 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.
11. Adjustments: 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.
12. 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.

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

Mr. Granstaff Dale, 2909 Sharondale Circle, spoke in opposition to the proposed zone change.

Mr. Tom Robinson, 2919 Sharon Hill Circle, spoke in opposition to the proposed zone change.

Ms. Nielson questioned the rights of landowners in relation to the housing type percentages included in this proposed rezoning.

Ms. Withers explained this information to the Commission.

Ms. Nielson acknowledged the uses included in this SP zoning.

Mr. McLean expressed issues with approving this zone change. He mentioned various reasons such as restrictions included in SP zoning, the inability to "opt out" and the allotted time for an owner to rebuild if necessary.

Mr. Bernhardt addressed the concerns expressed by Mr. McLean. He briefly explained the appropriateness of SP zoning for this application.

Mr. McLean reiterated his concern that residents should be allowed to “opt out” of this type of rezoning.

Mr. Clifton acknowledged the creative uses utilized in the zone change request. He requested clarification on the definition of “destroyed” in relation to the Zoning Ordinance and homeowners included in this SP.

Ms. Withers explained this information to the Commission.

Ms. Jones spoke of the flexibility that this zone change request provides to the various homeowners included in the plan. She spoke in favor of its approval.

Mr. Loring spoke in favor of the zone change request. He stated that Councilmember Shulman would address any outstanding issues associated with it.

Ms. Beehan agreed that the request is creative and that it gives protection to homeowners.

Mr. McLean requested clarification on the status of updating the subdivision regulations in relation to SP Zoning.

Mr. Bernhardt explained this information to the Commission.

Ms. Nielson moved and Ms. Jones seconded the motion, which passed unanimously, to approve with conditions, Zone Change 2007SP-065U-10. **(8-0)**

Resolution No. RS2007-148

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007SP-065U-10 is **APPROVED WITH CONDITIONS. (8-0)**

Conditions of Approval:

1. The maximum building coverage on any lot in the SP is 40%.
2. The maximum height for any lot in the SP is 30-feet and 3 stories.
3. Duplexes are limited to a total of 6,000 square feet total (2 units = 6,000 square feet).
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 RS10 zoning district effective at the date of the building permit. This zoning district must be shown on the plan.
5. 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.
6. 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.
7. 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.

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. 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.
10. 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.
11. Adjustments: 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.
12. 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 is consistent with the Green Hills/Midtown Community Plan's Residential Low Medium policy, which calls for residential development with a density between 2 and 4 units per acre."

5. **2007Z-069U-09**
Map 082-13, Parcel 321
Subarea 9 (2007)
Council District 19 - Ludye N. Wallace

A request to change from IG to MUG zoning property located at 916 4th Avenue North, approximately 555 feet north of Harrison Street and located within the Phillips-Jackson Street Redevelopment District (3.25 acres), requested by LandDesign Inc., applicant, for Polar Refrigerator Services Inc and US Cold Storage, owners.

STAFF RECOMMENDATION: Approve.

APPLICANT REQUEST -Request to change from Industrial General (IG) to Mixed Use General (MUG) zoning, property located at 916 4th Avenue North, approximately 555 feet north of Harrison Street and located within the Phillips-Jackson Street Redevelopment District (3.25 acres)

Existing Zoning

IG District - Industrial General is intended for a wide range of intensive manufacturing uses.

Proposed Zoning

MUG District - Mixed Use General is intended for a moderately high intensity mixture of residential, retail, and office uses.

DOWNTOWN COMMUNITY PLAN

Mixed Use (MU) - MU policy is intended to encourage an integrated, diverse blend of compatible land uses ensuring unique opportunities for living, working, and shopping. Predominant uses include residential, commercial, recreational, cultural, and community facilities. Commercial uses appropriate to MU areas include offices and community, neighborhood, and convenience scale activities. Residential densities are comparable to medium, medium-high, or high density. 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.

Sulphur-Dell Detailed Land Use Plan

Mixed Use (MxU) - MxU is intended for buildings that are mixed horizontally and vertically. The latter is preferable to create 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.

Goal 2. Government and Mixed Use Subdistrict - To develop a mixed use, environmentally sustainable and energy efficient neighborhood that:

- Contains a substantial presence of government offices.
- Provides opportunities for living, working, dining, and shopping at a scale that is welcoming to pedestrians.
- Maintains views of the State Capitol
- Encourages environmentally sustainable, energy efficient development.

Objective 2.1 - Development consistent with the conditions contained herein and the general use of the Mixed Use General (MUG) zoning district is appropriate.

Consistent with Policy? - Yes. The proposed MUG district is consistent with the Downtown Community Plan and the Sulphur-Dell Detailed Land Use Plan.

Staff Recommendation - Staff recommends approval of the MUG district. The MUG district meets the intent of the Mixed Use policy by creating an opportunity for a variety of uses within a vertical building form. This property is also located within the Phillips-Jackson Redevelopment District established by the Metropolitan Development and Housing Agency (MDHA). Any future development of the site must undergo MDHA’s design review process and accomplish the goals and objectives for the Sulphur Dell Neighborhood subdistrict.

RECENT REZONINGS - None.

PUBLIC WORKS RECOMMENDATION - Traffic study may be required at the time of development.

Typical Uses in Existing Zoning District: IG

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Heavy Industrial	3.25	.44	62,290	94	32	43

Typical Uses in Proposed Zoning District: MUG

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office(710)	3.25	.227	32,136	557	76	115

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

				Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				463	44	72

Maximum Uses in Existing Zoning District: IG

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Heavy Industrial	3.25	0.6	84,942	128	44	58

Maximum Uses in Proposed Zoning District: MUG

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office(710)	3.25	3	318,000	3,252	474	435

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

		--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				3,124	430	377

Approved, (7-0) *Consent Agenda*

Resolution No. RS2007-149

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007Z-069U-09 is **APPROVED. (7-0)**

The proposed MUG district is Downtown Community Plan’s Mixed Use policy, which is intended to encourage an integrated, diverse blend of compatible land uses ensuring unique opportunities for living, working and shopping.”

- 6. **2007Z-072U-10**
 Castleman Drive
 Map 131-01, Parcels 066, 115, 116, 117, 118
 Subarea 10 (2005)
 Council District 34 - Lynn Williams

A request to change from R20 to RM20 zoning properties located at 2201, 2211, 2215 and 2217 Castleman Drive and to RM9 for property located at 2208 Castleman Drive, approximately 470 feet west of Hillsboro Pike (2.34 acres), requested by EDGE Planning, applicant, for Joseph Kerr, Sara Whaley, Vivian Hines, Salvatore Formosa, and Paul Riggan, owners.

STAFF RECOMMENDATION: Approval subject to approval of the Castleman Drive UDO (2007UD-001U-10).

Ms. Logan presented and stated that staff is recommending approval of zone change 2007Z-069U-09.

Mr. Morgan presented and stated that staff is recommending approval with conditions on the urban design overlay 2007UD-001U-10.

Ms. Mary Nicholes, 5025 Hillsboro Pike, spoke in opposition to the proposed development.

Ms. Mellon Mathilde, 2319 Castleman Drive, spoke in opposition to the proposed development.

Mr. Danny Wendell, 2313 Castleman Drive, spoke in opposition to the proposed development.

Ms. Charlotte Cooper, 2204 Castleman Drive, spoke in opposition to the proposed development.

Mr. Jim McCachern, 2222 Castleman Drive, expressed issues with the proposed development.

Mr. Bernhardt briefly explained staff's recommendation in relation to the Urban Design Overlay, as well as the zone change, to the audience.

Ms. Debbie McCachern, 2222 Castleman Drive, expressed issues with the proposed development.

Ms. Liann Hagy, 2230 Castleman Drive, expressed issues with the proposed development.

Ms. Emma Grandillo, 2220 Castleman Drive, expressed issues with the proposed development.

Ms. Susan Harris, 4219 Lindawood Drive, spoke in favor of the proposed development.

Mr. John Haas, 1130 8th Avenue South, spoke in favor of the proposed development.

Mr. B. A. Simmons, 2234 Castleman Drive, expressed issues with the proposed development.

Councilmember Williams explained the origination of this proposed urban design overlay. She stated that the Green Hills community members are very involved in the planning of the future of Green Hills. Of the many meetings held, there were desires to restrict the construction of duplexes, as well as allowing density where it works, to make a walkable community. She then explained that an urban design overlay was the best way to meet the special policy provisions for this area. She held community meetings to determine if there was support to pursue the overlay. She mentioned various aspects contained in urban design overlays that would be beneficial for this particular area. She stated that she would continue to work on the proposal as it moves through Council and continue to address the residents' issues and concerns.

Ms. Jones acknowledged the concerns mentioned by the residents that referenced traffic and density for Green Hills. She stated she was in favor of moving forward with this organized plan as it will assist with the growth for this area.

Mr. McLean requested additional information on density and number of units for Georgetown.

Mr. Morgan explained this information to the Commission.

Mr. Clifton questioned the timeline associated with the proposal.

Mr. Bernhardt offered that a recommendation should be made prior to the July Public Hearing; as the bill would be filed on May 25, 2007.

Mr. Clifton requested additional information on the timeline associated with this proposal.

Mr. Bernhardt offered that if the Commission was in need of additional information prior to their vote, they would have the opportunity to defer the proposal in order to continue their discussion. He offered that once a Council Bill is filed, the Commission has 30 days to make a recommendation.

Mr. Tyler requested clarification on whether there were requests for construction on Castleman Drive.

Mr. Bernhardt explained the purpose and intent of the urban design overlay in this area.

Mr. Tyler questioned the originator of the plan.

Mr. Bernhardt explained that the Green Hills Community Plan initiated the proposal, which then prompted action from the property owners in the area.

Ms. Beehan stated the plan contained much vision. She requested additional information on the intensification included in the plan.

Mr. Bernhardt explained this information to the Commission.

Ms. Beehan questioned the subdistricts included in the overlay.

Mr. Bernhardt explained these concepts to the Commission.

Mr. Loring stated that the plan was good, but suggested a deferral to allow additional time for the community to review the plan.

Mr. Clifton stated he would support the motion, to allow continued discussion and so that the residents would obtain a better understanding of the plan.

Ms. Nielson stated that since the public hearing is closed on this item, she questioned whether there would be additional information for the Commissioners to review once it was deferred.

Mr. Bernhardt stated that the Commission would receive a copy of the Urban Design Overlay which would contain additional information for their review.

Mr. Clifton offered that the staff, as well as the Councilmember would provide additional information on the proposal.

Mr. McLean offered that the Commission could vote on the proposal due to the fact that the Councilmember has stated she would continue to work with the community on the proposal.

Mr. Loring moved and Mr. Clifton seconded the motion, to close the Public Hearing and to defer Zone Change 2007Z-072U-10 to June 14, 2007, to allow additional time for the community members, as well as the Commission, to review the Urban Design Overlay for this area. **(6-2) No Votes – Nielson, McLean**

[Note: Items #6 and #7 were discussed by The Metropolitan Planning Commission together. See Item #7 for actions and resolutions.]

- 7. 2007UD-001U-10**
Castleman Drive UDO
Map 131-01, Various Parcels
Subarea 10 (2005)
Council District 34 - Lynn Williams

A request to apply an Urban Design Overlay district to various properties on Castleman Drive between Trimble Road and Stammer Place, classified R20, (18.38 acres), to permit a maximum of 162 residential dwelling units, requested by Councilmember Lynn Williams, applicant, for various owners.

STAFF RECOMMENDATION: Approve with conditions.

Resolution No. RS2007-150

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007Z-072U-10 is **DEFERRED TO THE JUNE 14, 2007, PLANNING COMMISSION MEETING. (6-2)**”

Resolution No. RS2007-151

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007UD-001U-10 is **DEFERRED TO THE JUNE 14, 2007, PLANNING COMMISSION MEETING. (6-2)**”

- 8. 2007Z-073U-14**
Map 095-05, Parcel 102
Subarea 14 (2004)
Council District 15 - J. B. Loring

A request to change from RS15 to OL zoning property located at 2011 Lebanon Pike, approximately 100 feet east of Quinn Circle (.63 acres), requested by Sandy L. Jennisch, owner.

STAFF RECOMMENDATION: Disapprove.

APPLICANT REQUEST - A request to change from Single-Family Residential (RS15) to Office Limited (OL) zoning, property located at 2011 Lebanon Pike, approximately 100 feet east of Quinn Circle (.63 acres).

Existing 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.

Proposed Zoning

OL District - Office Limited is intended for moderate intensity office uses.

DONELSON/HERMITAGE COMMUNITY PLAN POLICY

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

Consistent with Policy? - No. The adopted community plan for this area envisions residential development. Office development is inconsistent with that vision.

Required Buffer Yards - Additionally, per 17.24.240 of the Metro Code, a standard C buffer yard is required between OL Districts and both RS10 and RS15 Districts, which border this property. This buffer yard varies from 20' to 30' and will be required along the property lines at the building permit stage. This property has approximately 100' of frontage and 40' to 60' of that would be devoted to required landscape buffers.

Character of Lebanon Pike -In this location, Lebanon Pike is completely residential, with the exception of a nearby church. The existing residential development along this section of Lebanon Pike has a setback of 90' to 120'. If office development were permitted in this location, the contextual setback provision of the Metro Code would not apply. Because Lebanon Pike is designated as a U6 Arterial in the Major Street and Collector Plan, the development could be as close as 74' measured from the street centerline, which would be much closer than the adjacent residential setbacks.

Staff Recommendation - Staff recommends disapproval because the request is inconsistent with policy and would allow development that is inconsistent with the character of Lebanon Pike.

RECENT REZONINGS - A request to change from RS10 to ON zoning property located at 1909 Lebanon Pike was disapproved by the Planning Commission on January 25, 2007. It was approved by Metro Council on March 20, 2007.

PUBLIC WORKS RECOMMENDATION - Traffic study may be required at the time of development.

Maximum Uses in Existing Zoning District: RS15

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached(210)	.63	2.47	1	10	1	2

Maximum Uses in Proposed Zoning District: OL

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office(710)	.63	.75	20,582	395	53	102

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

--				385	52	100
----	--	--	--	-----	----	-----

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

Ms. Karen Wrye, 100 Quinn Circle, expressed issues with the proposal.

Mr. Clay Garner, 132 Quinn Circle, spoke in opposition to the proposal.

Ms. Sandy Jennisch spoke in favor of the proposal.

Mr. Loring spoke in favor of the proposal. He stated did not receive any calls of opposition and that he was unaware of the opposition mentioned at the meeting. He explained his support for the proposal.

Mr. Clifton expressed issues with rezoning the parcel from residential to OL zoning.

Mr. McLean moved and Ms. Jones seconded the motion, to disapprove Zone Change Disapprove 2007Z-073U-14.
(7-1) No Vote – Loring

Resolution No. RS2007-152

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007Z-073U-14 is **DISAPPROVED. (7-1)**

The proposed OL district is not consistent with all the Donelson/Hermitage Community Plan’s Residential Low Medium policy, which calls for residential development with a density between 2 and 4 units per acre.”

- 9. 2007SP-074G-14**
 The Corner of Old Hickory
 Map 044-00, Parcel 026
 Subarea 14 (2004)
 Council District 11 - Feller Brown

A request to change from OR20 to SP zoning property located at Robinson Road (unnumbered), at the southeast corner of Robinson Road and Industrial Drive (15.99 acres), to permit the development of 71,750 square feet of office/retail space and 165 multi-family units, requested by Dale & Associates, applicant, for CP Construction LLC, owners.

STAFF RECOMMENDATION: Approve with conditions.

The Metropolitan Planning Commission DEFERRED Zone Change 2007SP-074G-14 to May 24, 2007, at the request of the applicant. (7-0)

- 10. 2007Z-075U-11**
 Map 119-01, Parcel 141
 Subarea 11 (1999)
 Council District 16 Anna Page

A request to change from R6 to IWD zoning property located at 2214 Wickson Avenue, approximately 180 feet south of Glenrose Avenue (.28 acres), requested by Dale & Associates, applicant, for Douantkesone LIT, owner.

STAFF RECOMMENDATION: Disapprove.

APPLICANT REQUEST - A request to change from R6 to IWD zoning property located at 2214 Wickson Avenue, approximately 180 feet south of Glenrose Avenue (.28 acres).

Existing 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.

Proposed Zoning

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

SOUTH NASHVILLE COMMUNITY PLAN

Mixed Use (MU)- MU policy is intended to encourage an integrated, diverse blend of compatible land uses ensuring unique opportunities for living, working, and shopping. Predominant uses include residential, commercial, recreational, cultural, and community facilities. Commercial uses appropriate to MU areas include offices and community, neighborhood, and convenience scale activities. Residential densities are comparable to medium, medium-high, or high density. 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? - No. The IWD zoning district conflicts with the South Nashville Community Plan’s Mixed Use policy for this area. Additionally, the policy specifically states that industrial uses should not be extended into the Mixed Use Policy area along Glenrose Avenue north of I-440.

Staff Recommendation - Staff recommends disapproval because the request is inconsistent with policy. The Mixed Use policy is intended to encourage an integrated blend of compatible land uses. The existing pattern of development in the area accomplishes the intended policy. The predominant use along Wickson Avenue is residential with a mix of single family and duplex housing. Any expansion of industrial uses would encroach upon the established residential character, and intensify uses along Wickson Avenue resulting in incompatible uses.

PUBLIC WORKS RECOMMENDATION - No exception taken.

Maximum Uses in Existing Zoning District: R6

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached(210)	.28	6.18	1	10	1	2

Maximum Uses in Proposed Zoning District: IWD

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	.28	.8	9,754	49	16	11

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
--				39	15	9

Disapproved, (7-0) *Consent Agenda*

Resolution No. RS2007-153

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007Z-075U-11 is **DISAPPROVED. (7-0)**

The proposed IWD district is not consistent with the South Nashville Community Plan’s Mixed Use policy which is intended to encourage an integrated, diverse blend of compatible land uses ensuring unique opportunities for living, working and shopping.”

11. **2007Z-076U-14**
 Map 062-00, Parcel 138
 Map 062-07, Parcel 003
 Subarea 14 (2004)
 Council District 15 - J. B. Loring

A request to change from AR2a to RS15 zoning property located at Pennington Bend Road (unnumbered) and 2931 Western Hills Drive, approximately 2,080 feet north of McGavock Pike (64.05 acres), requested by Lose & Associates, applicant, for William A. and Donna C. Strasser, Trustees.

STAFF RECOMMENDATION: Approve.

APPLICANT REQUEST -A request to change from Agricultural/Residential (AR2a) to Single-Family Residential (RS15) zoning, property located at Pennington Bend Road (unnumbered) and 2931 Western Hills Drive, approximately 2,080 feet north of McGavock Pike (64.05 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

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.

DONELSON/HERMITAGE COMMUNITY PLAN POLICY

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.

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

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. When the density of the three policies areas are averaged, the appropriate density range for this property is 1.65 to 3.2 units/acre. RS15 falls within that density range at 2.47 units/acre.

Future subdivision -At the subdivision stage, the applicant will have the option to cluster lots down two zoning districts, which would result in a minimum lot size of 7,500 square feet. This option would preserve the Rural and Natural Conservation policy areas.

Staff Recommendation -Staff recommends approval because the request meets policy, and is consistent with the zoning and development pattern of the area.

RECENT REZONINGS -Property located at 2700 McGavock Pike, 2716, 2750 Pennington Bend Road and Pennington Bend Road (unnumbered), at the northwest corner of McGavock Pike and Pennington Bend Road was rezoned to Specific Plan on February 22, 2007.

PUBLIC WORKS RECOMMENDATION-Traffic study may be required at the time the development.

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)	64.05	1 du/2acres	32	307	24	39

Maximum Uses in Proposed Zoning District: RS15

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached(210)	64.05	2.47	158	1,584	121	162

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				1,277	97	123

METRO SCHOOL BOARD REPORT

Projected student generation 19 Elementary 15 Middle 13 High

Schools Over/Under Capacity - Students would attend Pennington Elementary School, Two Rivers Middle School, or McGavock High School. McGavock High School has been identified as being over capacity by the Metro School Board. A high school in a neighboring cluster has 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. John Milstedt, Lose & Associate, spoke in favor of the proposed rezoning.

Ms. Kelly Morell, 2831 Gaywinds Court, spoke in opposition to the proposed rezoning.

Mr. Jack Garrett, 2917 Western Hills Drive, spoke in opposition to the proposed rezoning.

Mr. Phil Claiborne, 2911 Western Hills Drive, spoke in opposition to the proposed rezoning.

Mr. Mike O’Conner, 2637 Western Hills Drive, spoke in opposition to the proposed rezoning.

Mr. Gary Cole, 2924 Western Hills Drive, spoke in opposition to the proposed rezoning.

Mr. Bill Strasser, 2718 Pennington Bend Road, spoke in favor of the proposed rezoning.

Ms. Ginger Almy, 2601 Pleasant Green Road, spoke in opposition to the proposed zone change.

Ms. Barbara Lewis, spoke in opposition to the proposed zone change.

Mr. Chris Campbell, 2839 Gaywinds Court, spoke in opposition to the proposed zone change.

Mr. Rudy Caluff, 2508 Western Hills Drive, spoke in opposition to the proposed zone change.

Mr. Clifton requested additional information regarding staff’s recommendation in relation to RS15 and RS30 rezoning for this area.

Ms. Logan explained this concept to the Commission.

Mr. Clifton questioned whether the streets surrounding this parcel could be widened, if necessary. He acknowledged the concerns of density mentioned by the constituents.

Mr. Bernhardt offered that RS15, RS20 and RS30 would accommodate the policy for this area.

Mr. Tyler expressed issues with the entrance to the proposed zone change. He requested additional information on the issue regarding connectivity.

Ms. Logan stated that the issue regarding connectivity and entrances would be addressed when the subdivision is filed for final approval.

Mr. Tyler expressed safety issues with the property frontage being located on Pennington Bend.

Mr. Tyler requested additional information on the roadways surrounding this proposal.

Mr. Bernhardt explained that the Opryland SP contains a condition that prohibits their use of Pennington Bend.

Mr. Loring spoke in favor of the zone change request. He stated that he would place restrictions on the proposal to keep Western Hills closed. He offered that the Traffic and Parking Commission would have to approve the request prior to any building permits. Councilmember Loring further stated he would ensure the lot sizes and building materials with deed restrictions and/or covenants.

Ms. Jones acknowledged the concerns of the community members. She stated that the proposal is consistent with the policy and the SP zoning would allow flexibility where it was needed.

Mr. McLean questioned the density of the surrounding parcels.

Ms. Logan explained this information to the Commission.

Ms. Jones moved and Ms. Beehan seconded the motion, which passed unanimously to approve Zone Change 2007Z-076U-14. **(8-0)**

Resolution No. RS2007-154

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007Z-076U-14 is **APPROVED. (8-0)**

The density allowed with the proposed RS15 district is consistent with the average of the Donelson/Hermitage Community Plan’s Natural Conservation, Rural and Residential Low Medium policies.”

The Commission recessed at 6:55 p.m.

The Commission resumed at 7:15 p.m.

-
- 12. 2007SP-078G-12**
Lenox West
Map 172-12, Parcel 001
Map 172, Part of Parcel 92
Subarea 12 (2004)
Council District 31 - Parker Toler

A request to change from R15 to SP zoning property located at 6101 Nolensville Pike and a portion of property located at 6117 Nolensville Pike, approximately 330 feet south of Bradford Hills Drive (5.02 acres), to permit the development of a 4,500 square foot commercial building and 70 multi-family units in 3 buildings, requested by Anderson, Delk, Epps & Associates, applicant, for Thomas Bozman et ux, owners.

STAFF RECOMMENDATION: Approve with conditions.

The Metropolitan Planning Commission DEFERRED Zone Change 2007SP-078G-12 indefinitely at the request of the applicant. (7-0)

Ms. Jones stepped out of the meeting.

- 13. 2007SP-079U-13**
Campbell Crossing
Map 164-00, Parcel 065
Subarea 13 (2003)
Council District 33 - Robert Duvall

A request to change from AR2a to SP zoning property located at 6018 Mt. View Road, approximately 830 feet south of Hamilton Church Road (9.95 acres), to permit the development of 62 townhomes, requested by Anderson, Delk, Epps & Associates, applicant, for Carol Driver, owner.

STAFF RECOMMENDATION: Approve with conditions.

APPLICANT REQUEST -Preliminary SP

A request to change from Agricultural/Residential (AR2a) to Specific Plan (SP) zoning, a portion of property located at 6018 Mt. View Road, approximately 830 feet south of Hamilton Church Road (9.95 acres), to permit the development of 62 townhomes.

Existing Zoning

AR2a District -AR2a 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 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.

ANTIOCH / PRIEST LAKE COMMUNITY PLAN

Neighborhood General (NG) -NG is intended to meet a spectrum of housing needs with a variety of housing that is carefully arranged, not randomly located. An 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 SP plan will include an appropriate housing type that will complement the proposed adjacent RS10 Cluster Lot Subdivision to provide a broader spectrum of housing, as called for by the Neighborhood General policy.

Staff Recommendation -Staff recommends approval with conditions.

RECENT REZONINGS - None.

PLAN DETAILS

Site Plan - The plan proposes 62 new townhouses, which complies with the Neighborhood General policy that recommends providing a variety of housing types within the policy area. The site is bounded on the north by Mt.View Road, the south by a proposed RS10 cluster lot subdivision, the west by the agricultural land and the east by a proposed RS10 cluster lot subdivision. A stream buffer is located within the Southwest corner of the proposed SP plan.

The proposed density provided in this plan is 6.23 units an acre. Front setbacks along public streets are a minimum of 10 feet per building and a maximum of 15 feet per building.

Elevations - The maximum height proposed by this plan is three stories at front setbacks.

Access - There are two access points from Mt. View Road. The primary access point, which connects to Streamview Drive, is on Mt. View Road. The secondary access point is located west of the conservation easement.

Parking -The plan calls for a total of 167 parking spaces. 124 parking spaces will be in garages and 43 parking spaces will be surface parking. Each unit shall have a 2 car garage located in the rear accessed by the alley. Additional parking will be provided from the alleys.

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. Show professional seal
2. Construct a continuous three lane road cross section on Mt. View Rd., with a continuous center left turn lane.
3. Units appear to be close to alleys. Provide templates to document adequate turning movements. Provide a 6 foot minimum setback from edge of alley pavement.
4. Relocate the first driveway onto Streamview Drive a minimum of 100ft. from Mt. View Road

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)	9.95	1 du/2acres	4	39	3	5

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
Residential Condo/ Townhouse(230)	9.95	6.2	62	428	36	41

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
--				389	33	36

METRO SCHOOL BOARD REPORT

Projected student generation 5 Elementary 4 Middle 3 High

Schools Over/Under Capacity -Edison Elementary School, Kennedy Middle School, and Antioch High School have been identified as being over capacity by the Metro School Board. No other elementary or middle school in the cluster have capacity. There is not a high school in a neighboring cluster with capacity.

Fiscal Liability -The fiscal liability for 5 elementary students would be \$60,000, for 4 middle school students would be \$52,000, and for 3 high school students would be \$48,000.

This is for informational purposes to show the potential impact of this proposal. It is not a staff condition of approval. This information is based upon data from the school board last updated April 2006.

STORMWATER RECOMMENDATION

1. Another Stream is identified on Metro GIS. This stream connects into the shown stream from the southern portion of the site.
2. Total Stream buffer appears to be only 60’. This allows for no stream width.

3. Stream appears to drain over 100 acres (2 zoned buffer).

URBAN FORSTER RECOMMENDATION -Provide a chart showing the tree density unit.

CONDITIONS

1. Construct a continuous three (3) lane road cross section on Mt. View Rd., with a continuous center left turn lane.
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 RM9 zoning district effective at the date of the building permit. This zoning district must be shown on the plan.
3. The application, dated March 29, 2007 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.
4. All stormwater management requirements and conditions of the Department of Water Services shall be approved prior to approval of the final site plan. Prior to the issuance of any permits, confirmation of compliance with the final approval of this proposal shall be forwarded to the Planning Department by the Stormwater Management division of Water Services.
5. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
6. Signage shall be limited to one monument type sign, 20 square feet or less, not exceed 4 feet in height.
7. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
8. Minor adjustments to the site plan may be approved by the planning commission or its designee based upon final architectural, engineering or site design and actual site conditions. All adjustments shall be consistent 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.

Mr. Sexton presented and stated that staff is recommending approval with conditions.

Mr. Albert Bender, 5908 Mt. View Road, spoke in opposition to the proposed development.

Mr. McLean moved and Mr. Clifton seconded the motion, which passed unanimously to approve with conditions Zone Change 2007SP-079U-13. (7-0)

Resolution No. RS2007-155

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007SP-079U-13 is **APPROVED WITH CONDITIONS. (7-0)**

Conditions of Approval:

1. Construct a continuous three (3) lane road cross section on Mt. View Rd., with a continuous center left turn lane.
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 RM9 zoning district effective at the date of the building permit. This zoning district must be shown on the plan.
3. The application, dated March 29, 2007 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.
4. All stormwater management requirements and conditions of the Department of Water Services shall be approved prior to approval of the final site plan. Prior to the issuance of any permits, confirmation of compliance with the final approval of this proposal shall be forwarded to the Planning Department by the Stormwater Management division of Water Services.
5. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
6. Signage shall be limited to one monument type sign, 20 square feet or less, not exceed 4 feet in height.
7. The requirements of the Metropolitan Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
8. Minor adjustments to the site plan may be approved by the planning commission or its designee based upon final architectural, engineering or site design and actual site conditions. All adjustments shall be consistent 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.

The proposed SP district is consistent with the Antioch/Priest Lake Community Plan’s Neighborhood General policy which intended to meet a spectrum of housing needs with a variety of housing that is carefully arranged and not randomly located.”

Ms. Jones returned to the meeting.

- 14. 2007SP-080U-13**
Montgomery Downs
Map 136-00, Parcels 071, 113
Map 136-14, Parcels 167, 168, 169
Subarea 13 (2003)
Council District 29 -Vivian Wilhoite

A request to change from R20 to SP zoning properties located at 2801 and 2803 Smith Springs Road and Starboard Drive (unnumbered), approximately 320 feet west of New Smith Springs Road (15.43 acres), to permit the development of 138 townhomes, requested by Anderson, Delk, Epps & Associates, applicant, for James and Russell Jones and Melvin Jones et ux, owners.

STAFF RECOMMENDATION: Disapprove.

APPLICANT REQUEST - Preliminary SP

A request to change from One and Two-Family Residential (R20) to Specific Plan (SP) zoning, properties located at 2801 and 2803 Smith Springs Road and Starboard Drive (unnumbered), approximately 320 feet west of New Smith Springs Road (15.43 acres), to permit the development of 138 townhomes.

Existing Zoning

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

Proposed Zoning

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

- The SP District is a 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.

ANTIOCH-PRIEST LAKE COMMUNITY PLAN

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

Consistent with Policy? -The density proposed by this SP is approximately 9 dwelling units per acre and although at the high end, is within the RM density range.

PLAN DETAILS

Site Plan - The plan calls for 138 attached units in the following configurations:

- 7- 3 bedroom attached units with surface parking
- 71 – 2 bedroom attached units with surface parking
- 30 – 2 bedroom attached units with 1-car garage
- 10 – 3 bedroom attached units with 1-car garage
- 17- 2 bedroom duplex units with 2-car garage
- 3 – 3 bedroom duplex units with 2-car garage

The development contains an internal “loop” private driveway with units arranged around it. There is a central park area. Detention and water quality facilities are in 5 locations around the perimeter of the site.

The site plan proposes a majority of front-loaded or front parked attached housing types, while a wider variety of housing types would be desirable. Furthermore, the design does not create a strong streetscape, segregates the development from the surrounding neighborhood, and would create an isolated single use element within the community. Given that the site is in such close proximity to single-family residential neighborhoods, it would be preferable to provide a mix of housing types, especially with smaller lot detached housing adjacent to the existing neighborhood and transitioning to attached housing closer to Smith Springs Road.

Access -There are two street connections available: Starboard Drive and Harbor View Drive. This project does not take advantage of either of the available connections and all traffic will enter and exit in one location. The single access to this project is proposed to be a gated entrance on Smith Springs Road. This development pattern does not provide drivers with alternative paths to complete their trips, which concentrates traffic on the arterials. This situation reduces capacity and requires widening of the arterials to alleviate congestion.

Staff Recommendation -Disapprove. This proposal will block two street connections that have been planned and designed in previously approved projects to connect to this property. This proposal also would create a development pattern that is inconsistent with the adjacent established community.

RECENT REZONINGS -None.

PUBLIC WORKS RECOMMENDATION -Following are review comments for the submitted SP: Montgomery Downs specific plan (2007SP-080U-13), received April 19, 2007. Public Works' comments are as follows:

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

Construct the site access drive at Smith Springs Road with two exiting lanes (LT and RT) each with 50ft of storage and transitions per AASHTO/MUTCD standards.

Construct a 3 lane cross section with center two-way left turn lane on Smith Springs Road from the project access extending east to the existing left turn lane onto Old Smith Springs Road. Construct all transitions per AASHTO/MUTCD standards.

Maximum Uses in Existing Zoning District: R20

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached(210)	15.43	1.85	28	268	21	29

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
Residential Condo/ Townhouse (230)	15.43	9	138	845	67	79

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
--				577	46	50

METRO SCHOOL BOARD REPORT

Projected student generation 12 Elementary 8 Middle 6 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. There is capacity available at another middle school within the cluster and capacity at a high school in an adjacent cluster. This information is based upon data from the school board last updated August 2006.

STORMWATER RECOMMENDATION -Preliminary SP Approved.

CONDITIONS

1. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the RM9 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. Adjustments: 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.

Ms. Withers presented and stated that staff is recommending disapproval.

Councilmember Wilhoite spoke in favor of the proposal. She stated that there have been community meetings in which the developer addressed many of the concerns expressed by her constituents. She explained the support, as well as many enhancements this proposal would offer and requested its approval.

Mr. McLean agreed that the proposal would be an enhancement for the community. He mentioned the issue of connectivity, however stated he was in favor of approval.

Ms. Nielson spoke to the importance of connectivity within the proposal.

Ms. Jones spoke on the issue of connectivity and its uses throughout the county.

Mr. Loring spoke in favor of approving the proposal. He stated that Councilmember Wilhoite would address any issues prior to its approval.

Mr. Loring moved and Mr. McLean seconded the motion to approve 2007SP-080U-13.

Mr. Clifton spoke of the importance of connectivity for this proposal as well as the entire county.

The motion to approve this zone change failed.

Ms. Jones suggested the proposal include a condition to include connectivity if it were approved.

Ms. Beehan moved and Mr. Clifton seconded the motion to disapprove Zone Change 2007SP-080U-13. **(7-1) No Vote – Loring**

Resolution No. RS2007-156

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007SP-080U-13 is **DISAPPROVED. (7-1)**

While the proposed density of 4 units per acre is within the density range called for in the Antioch/Priest Lake Community Plan's Residential Medium policy, which calls for residential development with a density between 4 and 9 units per acre, the plan does not provide for any street connections which are called for in the Community Plan.”

- 15. 2007Z-082G-06**
Map 114-00, Part of Parcel 285
Subarea 6 (2003)
Council District 23 - Emily Evans

A request to change from R40 to RM9 a portion of property located at Sonya Drive (unnumbered), approximately 675 feet east of Old Hickory Boulevard (3.02 acres), requested by Tom Powers, applicant, for Gospel Chapel, owner.

STAFF RECOMMENDATION: Approve with conditions, including a condition that there be no development in areas of steep slopes.

APPLICANT REQUEST - A request to change from One and Two-Family Residential (R40) to Multi-Family Residential (RM9) zoning, a portion of property located at Sonya Drive (unnumbered), approximately 675 feet east of Old Hickory Boulevard (3.02 acres)

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

RM9 District -RM9 is intended for single-family, duplex, and multi-family dwellings at a density of 9 dwelling units per acre.

BELLEVUE COMMUNITY PLAN

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

Special Policy 8 - The Special Policy applies to the Residential Medium Density area along Sonya Drive. In order to protect and preserve the heavily treed, steep hillsides that frame this area and are environmentally sensitive as well among the area’s chief assets, development within this area shall:

- a) Avoid alteration of slopes in excess of 20% to the maximum extent possible;
- b) Protect existing mature trees to the maximum extent possible, particularly on hillsides, and treat them as integral to site design;
- c) Take place under Specific Plan, Urban Design Overlay, or Planned Unit Development zoning

Consistent with Policy? - Yes. The Bellevue Community plan has designated this area as suitable for Residential Medium policy which accommodates various housing types with densities ranging from four to nine dwelling units per acre. The RM9 district complies with policy as it is intended for single-family, duplex, and multi-family dwellings at a density of 9 dwelling units per acre.

Staff Recommendation -Staff recommends approval because the request is consistent with RM policy, and the zoning and development pattern of the area. Although Special Policy 8 places additional development provisions to protect certain natural features in the area, those conditions are only applicable to a limited portion of the site. There are no known “problem” soils present on this site and only a small corner of the site is encumbered with steep slopes. This steep slope area is unlikely to be impacted by development.

RECENT REZONINGS - None.

PUBLIC WORKS RECOMMENDATION - No Exception Taken

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)	2	1 du/1 acres	2	20	2	3

Maximum Uses in Proposed Zoning District: RM9

Land Use (ITE Code)	Acres	Density	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multifamily apartments(221)	2	9	18	119	14	15

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
--		`		99	12	12

METRO SCHOOL BOARD REPORT

Projected student generation 0 Elementary 0 Middle 0 High

Schools Over/Under Capacity - Students would attend Brookmeade Elementary School, Hill Middle School, and Hillwood High School. All three schools are identified as not overcrowded by the Metro School Board.

CONDITION - In order to comply with Special Policy 8, staff recommends a condition be added that no development will take place in areas of steep slopes.

Approved with condition that there be no development in areas of steep slopes, (7-0) *Consent Agenda*

Resolution No. RS2007-157

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007Z-082G-06 is **APPROVED WITH CONDITIONS (7-0), including a condition that there be no development in areas of steep slopes.**

The proposed RM9 district is consistent with the Bellevue Community Plan’s Residential Medium policy, which calls for residential development with a density between 4 and 9 units per acre, and the areas special policy which is intended to preserve naturally sensitive areas.”

16. 2007Z-083U-12

Map 160-00, Parcel 114

Subarea 12 (2004)

Council District 31 - Parker Toler

A request to change from R40 to RM6 zoning property located at 5613 Valley View Road, approximately 375 feet south of Old Hickory Boulevard (1.1 acres), requested by W. Glenn Bradham, owner.

STAFF RECOMMENDATION: Approve.

APPLICANT REQUEST - A request to change from One and Two-Family Residential (R40) to Multi-Family Residential (RM6) zoning, property located at 5613 Valley View Road, approximately 375 feet south of Old Hickory Boulevard (1.1 acres).

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

RM6 District -RM6 is intended for single-family, duplex, and multi-family dwellings at a density of 6 dwelling units per acre.

SOUTHEAST COMMUNITY PLAN

Residential Medium (RM)-RM policy is intended to accommodate residential development within a density range of 4 to 9 dwelling units per acre. A variety of housing types are appropriate. The most common types include compact, single-family detached units, town-homes, and walk-up apartments.

Consistent with Policy? - Yes. The proposed RM6 district allows a density of 6 dwelling units per acre and is consistent with the Southeast Community Plan’s RM policy of 4 to 9 dwelling units per acre.

Staff Recommendation-Staff recommends approval because the request is consistent with policy. The property consists of 1.1 acres and would yield a maximum of 6 units per acre under the RM6 district, which conforms to the intended densities within Residential Medium policy. The RM6 district on this site would be consistent with the intensity of development in the area. Cloverland Hall, a condominium development fronts this property and is zoned RM4. Brentwood Hall Condominium development abuts the rear of the property, and is zoned RM6. The adjacent property to the north at the corner of Old Hickory Boulevard and Valley View Road is also zoned RM6, and currently is under development. The RM6 district would also serve as a transition to the low intensity single family residential uses along Valley View Road.

RECENT REZONINGS - None.

PUBLIC WORKS RECOMMENDATION-No Exception Taken

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)	1.1	1 du/1 acres	1	10	1	2

Maximum Uses in Proposed Zoning District: RM9

Land Use (ITE Code)	Acres	Density	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multifamily apartments(221)	1.1	6	6	40	6	6

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
--				30	5	4

METRO SCHOOL BOARD REPORT

Projected student generation 0 Elementary 0 Middle 0 High

Schools Over/Under Capacity -Students would attend Granberry Elementary School, Oliver Middle School, and Overton High School. All three schools are identified as overcrowded by the Metro School Board. While the schools are overcrowded, the projections show that no additional students would be generated by this zone change request.

Approved, (7-0) *Consent Agenda*

Resolution No. RS2007-158

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007Z-083U-12 is **APPROVED. (7-0)**

The proposed RM6 district is consistent with the Southeast Community Plan’s Residential Medium policy, which calls for residential development with a density between 4 and 9 units per acre.”

- 17. 2007Z-086U-10**
 Map 131-01, Parcel 023
 Subarea 10 (2005)
 Council District 34 - Lynn Williams

A request to change from R20 to RM4 zoning property located at 2202 Hobbs Road (rear), approximately 350 feet west of Stammer Place (.98), requested by Gresham Smith & Partners, applicant, for Arthur A. Schlott, owner. (See also PUD Proposal No. 2003P-013U-10)

STAFF RECOMMENDATION: Approval subject to approval of the Village Hall PUD (2003P-013U-10).

APPLICANT REQUEST - A request to change from One and Two-Family Residential (R20) to Multi-Family Residential (RM4) zoning, property located at 2202 Hobbs Road (rear), approximately 350 feet west of Stammer Place (.98 acres).

Existing Zoning

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

Proposed Zoning

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

GREEN HILLS/MIDTOWN COMMUNITY PLAN POLICY

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

Consistent with Policy? - Yes. RM4 is consistent with RLM policy density range of 2 to 4 dwelling units per acre.

Staff Recommendation - Staff recommends approval because the request meets policy and the associated PUD plan is consistent with the currently developed Village Hall PUD.

RECENT REZONINGS - Property located at 2201 Hobbs Road, 4207 and 4211 Stammer Place, 2200 Castleman Drive was rezoned from R20 to SP district property permit 8 duplex structures. This request was heard by the Planning Commission on February 23, 2006.

PUBLIC WORKS RECOMMENDATION - No Exceptions Taken.

Maximum Uses in Existing Zoning District: R20

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached(210)	0.98	1.85	1	10	1	2

Maximum Uses in Proposed Zoning District: RM4

Land Use (ITE Code)	Acres	Density	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Residential Condo/ Townhouse(230)	0.98	4	4	33	3	4

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
--				23	2	2

METRO SCHOOL BOARD REPORT

Projected student generation 0 Elementary 0 Middle 0 High

Schools Over/Under Capacity -Students would attend Julia Green Elementary School, Moore Middle School, or Hillsboro High School. Julia Green Elementary School and Hillsboro High School have been identified as being over capacity by the Metro School Board. Another elementary 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, (7-0) *Consent Agenda*

Resolution No. RS2007-159

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007Z-086U-10 is **APPROVED, SUBJECT TO APPROVAL OF VILLAGE HALL PUD.** (7-0)

The proposed RM4 district and associated PUD plan are consistent with the Green Hills/Midtown Community Plan’s Residential Low Medium policy, which calls for residential development with a density between 2 and 4 units per acre.”

- 18. 2003P-013U-10**
Village Hall
Map 131-02, Parcel 023
Subarea 10 (2005)
Council District 34 - Lynn Williams

A request to amend the Planned Unit Development located at 2202 Hobbs Road, approximately 350 feet east of Stammer Place, classified R20, (.98 acres), to permit the development of 4 dwelling units in two structures, requested by Gresham Smith & Partners, applicant, for Arthur A. Schlott, owner.

STAFF RECOMMENDATION: Approve with conditions.

APPLICANT REQUEST - Amend PUD

A request to amend the Planned Unit Development located at 2202 Hobbs Road, approximately 350 feet east of Stammer Place, classified One and Two-Family Residential (R20) and requested for Multi-Family Residential (RM4) (.98 acres), to permit the development of 4 dwelling units in two structures.

PLAN DETAILS - The request is to add four units to a 19-unit PUD that is approved on the neighboring parcel to the east. The plan shows two attached townhomes, each with two units, that face open space or recreation areas. The access is from the private drive in the previously approved PUD.

The existing PUD is 4.75 acres and passed third reading at Metro Council on January 20, 2004, for 20 units. Only 19 units are included on this portion of property in the amended PUD plan.

The existing PUD has 19 units arranged on private drives with access from Hobbs Road. Each unit faces open space of recreation areas, with the exception of those along Hobbs Road, which face Hobbs Road. A pedestrian connection to the Green Hills YMCA was required by the Planning Commission and the Metro Council and remains in the amended PUD.

PUBLIC WORKS RECOMMENDATION - No Exceptions Taken.

STORMWATER RECOMMENDATION - Approved.

URBAN FORESTER RECOMMENDATION

- Need Water Source shown.
- Need Tree Survey.

CONDITIONS

1. Dedicate a public cross access easement for the pedestrian connection to the Green Hills YMCA.
2. Comply with all Urban Forester conditions.
3. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Section of the Metropolitan Department of Public Works.
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. 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.
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.

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

Resolution No. RS2007-160

“BE IT RESOLVED by The Metropolitan Planning Commission that 2003P-013U-10 is **APPROVED WITH CONDITIONS. (7-0)**

Conditions of Approval:

1. Dedicate a public cross access easement for the pedestrian connection to the Green Hills YMCA.
2. Comply with all Urban Forester conditions.
3. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Section of the Metropolitan Department of Public Works.
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. 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.
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.

The proposed PUD plan and associated zone change are consistent with the Green Hills/Midtown Community Plan’s Residential Low Medium policy, which calls for residential development with a density between 2 and 4 units per acre.”

-
- 19. 2007Z-089G-12**
Map 172-00, Parcel 149
Subarea 12 (2004)
Council District 31 - Parker Toler

A request to change from R20 to RS15 zoning property located at 265 Holt Hills Road, terminus of Christiansted Lane, (10.02 acres), requested by Wamble & Associates, applicant, for Rubel Shelly et ux, owners.

STAFF RECOMMENDATION: Approve.

APPLICANT REQUEST - A request to change from One and Two-Family Residential (R20) to Single-Family Residential (RS15) zoning, property located at 265 Holt Hills Road, terminus of Christiansted Lane, (10.02 acres).

Existing Zoning

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

Proposed Zoning

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.

SOUTHEAST COMMUNITY PLAN

Residential Low Medium (RLM) -RLM policy is intended to accommodate residential development within a

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

Street Connectivity -Holt Hills Road is designated a collector road. The Southeast Community Plan proposes extending the collector classification north along Holt Hills Road for a future connection to Scout Drive in the Bradford Hills Subdivision.

Consistent with Policy? -Yes. The proposed RS15 district allows a density of 2.31 dwelling units per acre and is consistent with the Southeast Community Plan’s RLM policy of two to four dwelling units per acre for residential development. It is also consistent with existing zoning and development patterns in the area.

Infrastructure Deficiency Area -This request is located in the Infrastructure Deficiency Area (IDA), and requires that improvements be made to roadway within the IDA. The applicant will be required to improve approximately 132.6 linear feet of roadway within the IDA. Specific locations of roadway to be improved will be determined by Public Works. This is in addition to any other off site roadway improvements required by Public Works.

Staff Recommendation -Staff recommends approval of the zone change request because it meets policy and is consistent with existing zoning and development patterns in the area. Residential Low Medium is applied to areas that are predominantly single family residential. The RS15 district, which provides for single family dwellings, would be appropriate at this location. The property is also located in the Infrastructure Deficiency Area where improvements to major roadways are required to meet the demands of expected growth in the area. Improvements will be required at the time the subdivision plat is submitted.

RECENT REZONINGS - None.

PUBLIC WORKS RECOMMENDATION -No Exception Taken

Proposed property appears to be located in Planning’s IDA policy area.

Maximum Uses in Existing Zoning District: R20

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached(210)	10.02	1.85	18	173	14	19

Maximum Uses in Proposed Zoning District: RS15

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached(210)	10.02	2.47	24	280	27	30

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
--				107	13	11

METRO SCHOOL BOARD REPORT

Projected student generation 0 Elementary 0 Middle 0 High

Schools Over/Under Capacity -Students would attend Shayne Elementary School, Oliver Middle School, and Overton High School. All three schools are identified as overcrowded by the Metro School Board. While the schools are overcrowded, the projections show that no additional students would be generated by this zone change request.

Approved, (7-0) *Consent Agenda*

Resolution No. RS2007-161

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007Z-089G-12 is **APPROVED. (7-0)**”

The proposed RS15 district is consistent with the Southeast Community Plan’s Residential Low Medium policy, which calls for residential development with a density between 2 and 4 units per acre.”

- 20. 2007Z-090U-11**
 Map 105-10, Parcels 131, 132, 133, 260, 262, 264
 Subarea 11 (1999)
 Council District 17 - Ronnie E. Greer

A request to change from IR to MUG zoning property located at 700 and 712 Wedgewood Avenue and 1900, 1902, and 1904 Lindell Avenue, northwest and southwest corners of the Wedgewood Avenue/Lindell Avenue intersection (2.52 acres), requested by Warren Patin and Color Company, owner.

STAFF RECOMMENDATION: Disapprove.

APPLICANT REQUEST - A request to change approximately 2.52 acres located at 700 and 712 Wedgewood Avenue and 1900, 1902 and 1904 Lindell Avenue from Industrial Restrictive (IR) to Mixed Use General (MUG).

Existing Zoning

IR District -Industrial Restrictive is intended for a wide range of light manufacturing uses at moderate intensities within enclosed structures.

Proposed Zoning

MUG District -Mixed Use General is intended for a moderately high intensity mixture of residential, retail, and office uses.

SOUTH NASHVILLE COMMUNITY PLAN POLICY

Industrial (IN) -IN areas are dominated by one or more activities that are industrial in character. Types of uses intended in IN areas include non-hazardous manufacturing, distribution centers and mixed business parks containing compatible industrial and non-industrial uses. The policy allows for residential and other non-industrial uses in areas that abut residential uses. In these instances each case should be considered on its own merit. Also, the policy requires a site plan such as a PUD or SP to ensure that any development meets the design principles within the policy.

Consistent With Policy? - No. The requested MUG district is not consistent with the area’s Industrial policy. While the policy does allow for residential and mixed uses in areas where the Industrial policy abuts a residential area, each proposal should be based on its merit with careful attention to both land use compatibility and design. The proposed MUG zoning is not appropriate at this location because of the intensity allowed in MUG. The MUG district allows for a Floor Area Ratio (FAR) of three and a total height at the setback lines of five stories to a maximum of 75 feet. Approximately 329,313 square feet of floor space could be developed on the 2.52 acres at a height of 75 feet. Potential buildings could also be taller due to the slope of height control plane being 1.5 to 1. For every 1 foot back from the setback line, the building could be 1.5 feet taller. Furthermore, to ensure that the criteria for the Industrial policy is followed, an enforceable site plan such as a PUD or SP is required for any proposed zone change in the Industrial Policy.

Staff Recommendation - Since the requested MUG district would allow for an intensity of development that would not be appropriate at this location and no enforceable site plan is included with the request, staff recommends that the requested MUG district be disapproved. Furthermore, since staff is working on an update to the South Nashville Community Plan, then it is recommended that the applicant participate in the planning process.

RECENT REZONINGS -None

PUBLIC WORKS RECOMMENDATION -A Traffic Impact Study (TIS) may be required at development.

Typical Uses in Existing Zoning District: IR

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
---------------------	-------	-----	-------------------	-----------------------	--------------	--------------

Warehousing (150)	2.52	.43	47,201	235	49	37
-------------------	------	-----	--------	-----	----	----

Typical Uses in Proposed Zoning District: MUL

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office(710)	2.52	.46	50,494	789	109	136

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

				Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				554	60	99

Maximum Uses in Existing Zoning District: IR

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	2.52	0.8	87,816	436	76	59

Maximum Uses in Proposed Zoning District: MUL

Land Use (ITE Code)	Acres	Density	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multifamily apartments (221)	2.52	43	108	941	59	73

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

		--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				505	-17	-14

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

Mr. Jeff Smyth, 700 Wedgewood Avenue, spoke in favor of the proposed zone change.

Mr. Fredrick Agee, 557 Moore Avenue, spoke in favor of the proposed zone change.

Mr. Jonathon Smith, 655 Wedgewood, spoke in opposition to the proposed zone change. He submitted information to the commission for the record.

Mr. Tom Davis, 1516 Ft. Negley Blvd., spoke in opposition to the proposed zone change.

Ms. Beehan spoke to the issue of the proposal lacking clarity on the intention for this parcel.

Mr. Loring stated the proposed residential zoning is not compatible for this area.

Ms. Jones spoke to the issue of approving the requested zoning due to the fact it contains such a broad range of possibilities and the end result may not be obtained for this area.

Ms. Nielson questioned staff on the timeline for the Community Plan update for this area.

Mr. Bernhardt explained this information to the Commission.

Ms. Nielson stated that this request would be premature due to the upcoming Community Plan update planned for this area.

Mr. Clifton requested additional information on what was required with MUG zoning.

Mr. Bernhardt explained this information to the Commission.

Mr. Clifton acknowledged that the request was not consistent with the current Community Plan. He then requested additional information on the various uses for IR zoning.

Mr. Swaggart explained these uses to the Commission.

Mr. Clifton acknowledged the conflicts associated with the proposal.

Mr. Tyler requested specific information regarding the uses for IR zoning.

Mr. Swaggart explained this information to the Commission.

Ms. Nielson suggested the Commission defer this proposal.

The applicant requested additional information on the procedures for a deferral.

Mr. Bernhardt explained alternative actions the Commission could take on this request.

Mr. Loring moved and Ms. Nielson seconded the motion, which passed unanimously, to disapprove Zone Change 2007Z-090U-11. **(8-0)**

Resolution No. RS2007-162

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007Z-090U-11 is **DISAPPROVED. (8-0)**

The proposed MUG district is not consistent with the South Nashville Community Plan’s Industrial policy, which is intended for industrial type uses.”

X. CONCEPT PLANS

- 21. 2007S-073U-03**
Nocturne Village
Map 070-03 , Parcel s 006, 007
Map 070-07, Parcels 062, 063
Subarea 3 (2003)
Council District 2 - Jamie D. Isabel, Sr.

A request for concept plan approval for a 50-lot cluster subdivision on property located at Overall Street (unnumbered), 869 West Trinity Lane, and West Trinity Lane (unnumbered), northeast corner of West Trinity Lane and Overall Street, zoned RS7.5 and RS20, Nocturne Village Investors, owner, Wamble Associates, surveyor.

STAFF RECOMMENDATION: Approve with conditions.

APPLICANT REQUEST -Concept Plan

A request for concept plan approval for a 50-lot cluster subdivision on property located at Overall Street (unnumbered), 869 West Trinity Lane, and West Trinity Lane (unnumbered), northeast corner of West Trinity Lane and Overall Street, zoned Single-Family Residential (RS7.5) and Single-Family Residential (RS20).

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.

The 11.84 acre portion of the site zoned RS7.5 would permit a maximum of 58 lots on this property.

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

The 1.72 acre portion of the site zoned RS20 would permit a maximum of 3 lots on this property.

BORDEAUX-WHITES CREEK COMMUNITY PLAN

Neighborhood General (NG) -NG policy 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 zone change proposals in these policy areas, to assure appropriate design and that the type of development conforms to the intent of the policy.

PLAN DETAILS -A plan for 35 single-family lots was approved on this property in August of 2006. The plan has been revised to account for a stream buffer crossing the western boundary of the property and redesigned to eliminate double frontage lots along West Trinity Lane and lots without public street frontage.

The concept plan proposes 50 single-family lots ranging in size from 3,844 sq. ft. to 10,469 sq. ft. The applicant proposes to use the cluster lot option, which allows lots to be reduced in size by two base zone districts. Since the zoning is RS20 and RS7.5, 10,000 sq. ft. lots and 3,750 sq.ft. lots are appropriate if the plan meets all requirements of the cluster lot option policy.

Access - The main access to the subdivision is located on West Trinity Lane. The property is located in an area with several platted right-of-ways, but where the roads were never built. The plan utilizes one of the old right-of-ways and ties into existing Walker Lane to the north. Staff supports this connection since it will provide for greater connectivity in the area, and since one connection in this area was recently eliminated. The Metro Council approved terminating the connection of Nocturne Forest Drive to Buena Vista Pike on the western end of Nocturne Forest Drive in 2001.

Open Space -There is 19% usable open space proposed, which meets the 15% requirement for cluster lot option. The Commission's cluster lot policy requires common open space to have "use and enjoyment" value to the residents including recreational value, scenic value, or passive use value. Residual land with no "use or enjoyment" value, including required buffers and stormwater facilities, has not been counted towards the open space requirements.

Staff Recommendation - Staff recommends approval with conditions of the proposed subdivision.

PUBLIC WORKS RECOMMENDATION - Public Works' design standards, including cross-sections, geometry, and off-site improvements, shall be met prior to approval of roadway or site construction plans. Final design and improvements may vary based on field conditions.

STORMWATER RECOMMENDATION -APPROVE

With reference to the newly adopted Volume 4 of the Stormwater Regulations, the depicted water quality concept is acceptable only if the ponds are wet ponds. Dry ponds must be accompanied by a Metro approved water quality device.

CONDITIONS

1. Within residential developments all utilities are to be underground. The utility providing the service is to approve the design and construction. The developer is to coordinate the location of all underground utilities. Street lighting is required in the Urban Services district.
2. With reference to the newly adopted Volume 4 of the Stormwater Regulations, the depicted water quality concept is acceptable only if the ponds are wet ponds. Dry ponds must be accompanied by a Metro approved water quality device.
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.

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

Resolution No. RS2007-163

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007S-073U-03 is **APPROVED WITH CONDITIONS. (7-0)**

Conditions of Approval:

1. Within residential developments all utilities are to be underground. The utility providing the service is to approve the design and construction. The developer is to coordinate the location of all underground utilities. Street lighting is required in the Urban Services district.
2. With reference to the newly adopted Volume 4 of the Stormwater Regulations, the depicted water quality concept is acceptable only if the ponds are wet ponds. Dry ponds must be accompanied by a Metro approved water quality device.
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.”

22. 2007S-075U-03

Doak Estates
Map 080-04, Parcel 109
Subarea 3 (2003)
Council District 2 - Jamie D. Isabel, Sr.

A request for concept plan approval to create 6 lots on property located at 3101 Doak Avenue, approximately 580 feet east of South Hamilton Road (2.53 acres), zoned RS10, requested by Kevin Hemphill, owner, Field to Finish, surveyor.

STAFF RECOMMENDATION: Approve with conditions.

APPLICANT REQUEST - Concept Plan

A request for concept plan approval to create 6 lots on property located at 3101 Doak Avenue, approximately 580 feet east of South Hamilton Road (2.53 acres), zoned Single-Family Residential (RS10).

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.

PLAN DETAIL - The concept plan proposes six single-family lots of 10,000 sq. ft. on an extension of Haley Avenue across Doak Avenue. Sidewalks are required along the new portion of Haley Avenue.

The street is stubbed to the west to allow for future connections to the largely undeveloped property to the west.

The concept plan indicates that two strips of land at the entrance to the subdivision are to be dedicated to the adjacent property owners. The two adjacent lots will need to be included in the final plat for this subdivision in order to permit the shifting of the lot lines.

Staff Recommendation - Staff recommends approval 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.
- Show 110 feet minimum centerline horizontal radius (C3/C4).

- With the preparation of construction plans, document adequate sight distance at project access to Doak Avenue.

STORMWATER RECOMMENDATION- Approved.

FIRE MARSHAL RECOMMENDATION - 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.

Fire hydrants shall flow a minimum of 1000 gpm’s at 20 psi residual flow at the most remote hydrant.

CONDITIONS

1. Include the two adjacent lots in the final plat for this subdivision in order to permit the shifting of the lot lines.
2. Show 110 feet minimum centerline horizontal radius (C3/C4).
3. With the preparation of construction plans, document adequate sight distance at project access to Doak Avenue.
4. 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.

Mr. Bernhardt explained that this item was removed from the Consent Agenda due to a request to speak. He further explained that person was no longer present at the meeting to speak on this item and that it could be placed back on the Consent Agenda for approval with conditions.

Mr. McLean moved and Ms. Nielson seconded the motion, which passed unanimously, to place 2007S-075U-03, Doak Estates, back on the Consent Agenda and approve with conditions. **(8-0)**

Resolution No. RS2007-164

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007S-075U-03 is **APPROVED WITH CONDITIONS. (8-0)**

Conditions of Approval:

1. Include the two adjacent lots in the final plat for this subdivision in order to permit the shifting of the lot lines.
2. Show 110 feet minimum centerline horizontal radius (C3/C4).
3. With the preparation of construction plans, document adequate sight distance at project access to Doak Avenue.
4. 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

23. **2006S-371U-07**
 Jocelyn Hills, Section 1
 Map 129-06, Parcels 010, 011, 050, 051, 057
 Map 129-02, Parcels 045

Subarea 7 (2000)
Council District 23 - Emily Evans

A request for final plat approval to create eight lots on various properties located at 200 Baskin Drive, Baskin Drive (unnumbered) and Clearbrook Drive (unnumbered), between the southern end of Baskin Drive and the northern end of Clearbrook Drive (20.42 acres), zoned RS40, requested by W. Allen Cargile, owner, Campbell McRae & Associates, surveyor.

STAFF RECOMMENDATION: Approve with conditions.

APPLICANT REQUEST - A request for final plat approval to create eight lots abutting the northwest side of Clearbrook Drive and the northeast side of Baskin Drive (22.42 acres), classified within the Single-Family Residential (RS40) District.

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

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

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

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

Variance for Private Street Subdivision Regulations 3-9.3 - Private streets are allowed in Planned Unit Developments (PUDs), and in Natural Conservation land use policy. This request is not within a PUD and the property is located in an area with “Residential Low” land use policy, so the regulations do not permit a private street. Due to topographical constraints and the fact that the private road is already in existence, however, staff recommends that the Commission approve a variance to allow the use of a private street in this development with the following conditions:

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

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

The Metro Fire Marshal requires detailed drawings showing the proposed layout of the subdivision, elevations, fire mains, hydrants, and where the homes will be located on the lots to ensure that if fire sprinklers are utilized in some homes the systems will provide adequate fire protection. In order to ensure compliance with these requirements, more information is required before staff could recommend approval of a final plat on this property. The necessary information can be provided as part of the development plan review and approval process following approval of the

current plan as a concept plan under the current Subdivision Regulations.

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

Staff Recommendation - Approve with conditions as a concept plan.

FIRE MARSHALL RECOMMENDATION -Not Approved.

- A detailed drawing is required showing the proposed subdivision, elevations and fire mains, hydrants and where the homes will be on the property to ensure that if fire sprinklers are utilized in some homes that the systems will work.
- All roadways with two-way traffic shall be 20 feet in width, minimum.
- No part of any building shall be more than 500 ft from a fire hydrant via an approved hard surface road. Metro Ordinance 095-1541 Sec.1568.020 B
- Fire hydrants shall flow a minimum of 500 GPM's at 30-35 psi residual flow at the most remote hydrant. Depending upon side set backs, and the square footage of the building water demands may be greater.
- Fire Hydrants shall be in-service and tested before any combustible material is brought on site.
- All dead end roads over 150 ft. in length require a 100-foot diameter turnaround, this includes temporary turnarounds. Temporary T-type turnarounds that last no more than one year shall be approved by the Fire Marshal's Office.
- Dead end fire mains over 600 feet in length are required to be no less than 10 inch in diameter. If this is to be a public fire main, a letter from Metro Water is required excepting the length and size.

STORMWATER RECOMMENDATION - Approved.

PUBLIC WORKS RECOMMENDATION

- Pave the existing roadways.
- Recommend that legal review and approve the information supplied by the developer.
- Identify edge of pavement for Baskin Drive and Clear Brooke Drive.
- Identify name of private drive to water tank "Jocelyn Hills Road" on plat.
- Submit roadway construction plans for private street.
- Private street to be constructed to public street standards.

WATER SERVICES RECOMMENDATION - Approved.

CONDITIONS

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

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

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

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

Ms. Alys Venable, 6608 Rolling Fork Drive, spoke in opposition to the proposed development.

Ms. Sharon Charney, 408 Wayside Court, spoke in opposition to the proposed development.

Mr. Glenn Turner, 6521 Rolling Fork Drive, spoke in opposition to the proposed development.

Ms. Janet McRay, 3610 Whitland Avenue, spoke in favor of the proposed development.

Mr. Gavin Johnson, 6600 Fox Hollow Road, spoke in opposition to the proposed development.

Ms. Charlotte Witzenburg, 6642 Brookmont Terrace, spoke in opposition to the proposed development.

Mr. John Hood spoke in favor of the proposal.

Councilmember Evans stated she was in favor of the requested eight subdivided lots as requested in this proposal. However, she expressed concerns involving the hillside development standards and whether the standards would be adhered to during the development process. She explained she had requested that the applicant apply for SP Zoning, in order to ensure that the hillside development standards would be addressed, as well as various other issues associated with the proposal. She mentioned a geotechnical study that was performed in the past would support her concerns mentioned for this proposal.

Mr. Loring mentioned that the proposal contains many issues and should not be approved as submitted.

Ms. Loring moved and Mr. Clifton seconded the motion, to disapprove.

The Commission requested that Councilmember Evans clarify her request of the Commission.

Councilmember Evans stated she was in agreement that the concept plan, as well as the final plat be disapproved, so that she could rezone this parcel to SP in order to apply specific conditions that are appropriate for this site.

Mr. Bernhardt offered additional information regarding the actions on this proposal.

Ms. Withers offered that the Fire Marshall did approve the plan with the condition that the houses contained sprinklers. She further stated that the information from the Fire Marshall did not change the staff's recommendation.

Mr. Loring moved and Mr. Clifton seconded the motion, which passed unanimously, to disapprove Final Plat 2006S-371U-07, which also includes the disapproval of the Concept Plan. **(8-0)**

Resolution No. RS2007-165

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006S-371U-07 is **DISAPPROVED. (8-0)**”

- 24. 2007S-092U-12**
BJ Homebuilders Subdivision, Sec. 2
Map 147-10, Parcels 216, 217
Subarea 12 (2004)
Council District 27 - Randy Foster

A request for final plat approval to revise a previously recorded plat to allow two duplex units to be developed on properties located at 5036 and 5038 Edmondson Pike, approximately 295 feet south of Durrett Drive (0.88 acres), zoned R10, requested by Jackie Ziglesky, owner, Walter Davidson & Associates, surveyor.

STAFF RECOMMENDATION: Approve.

The Metropolitan Planning Commission DEFERRED Final Plat 2007S-092U-12 indefinitely at the request of the applicant. (7-0)

- 25. 2007S-096G-04**
Strong Tower Subdivision
Map 043-15, Parcels 167, 168, 169, 170
Subarea 4 (1998)
Council District 9 - Jim Forkum

A request for final plat approval to create 6 lots on property located at 105, 107 and 117 Larkin Springs Road and Larkin Springs Road (unnumbered), approximately 260 feet south of Larkin Springs Road (2.62 acres), zoned RS7.5, requested by Strong Tower LLC, owner, Mark Devendorf, surveyor.

STAFF RECOMMENDATION: Disapprove.

APPLICANT REQUEST - Concept Plan

A request for final plat approval to create 6 lots on property located at 105, 107 and 117 Larkin Springs Road and Larkin Springs Road (unnumbered), approximately 260 feet south of Larkin Springs Road (2.62 acres), zoned Single-Family Residential (RS7.5).

ZONING

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

PLAN DETAILS - The final plat proposes six single-family lots approximately 19,900 sq. ft. in size. While the lots pass lot comparability, each lot has frontages of just over 50 feet and depths of approximately 395 feet. Section 3-4.2.f of the subdivision regulations requires that lot frontage be not less than 25% of the average lot depth, also known as the 4:1 rule. The frontages of the six lots are only 12.65% of the average lot depth. The applicant has requested a variance to this requirement.

Required Street Connections - The property is adjacent to an unimproved portion of Bubbling Well Road. The update to the Madison Community Plan, adopted at the March 22, 2007, Planning Commission Meeting, identified the unimproved Bubbling Well Road as a required street connection. This is to be constructed as part of the normal subdivision process. The proposed subdivision appears to have been designed by the applicant to avoid improving this portion of Bubbling Well Road by giving all of the proposed lots frontage onto Larkin Springs Road.

Variance to Section 3-4.2.f - Section 1-11.1 of the Subdivision Regulations allows the Planning Commission to grant variances to the regulations if it finds that extraordinary hardships or practical difficulties may result from strict compliance with the regulations. The applicant has identified the hardship for this requested variance as financial. This is not considered a hardship for purposes of granting a variance.

The applicant could take advantage of the Cluster Lot Option. The lot yield for the 2.62 acres would be 13 units

which may be sufficient to offset the cost of improving Bubbling Well Road.

Staff Recommendation - Staff recommends disapproval of this request for two reasons. First, the request for the variance to Section 3-4.2.f (the 4:1 rule) does not meet the requirements for a variance. Second, the subdivision as proposed limits the opportunity to provide for a street connection required by the Community Plan with the benefits to the overall street system lost.

PUBLIC WORKS RECOMMENDATION - Submit roadway construction plans for the unbuilt / unimproved section of Bubbling Well Road. Roadway improvements to be bonded with the recording of the final plat.

STORMWATER RECOMMENDATION - Approved

CONDITIONS

1. Submit roadway construction plans for the unbuilt / unimproved section of Bubbling Well Road. Roadway improvements to be bonded with the recording of the final plat.
2. 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. Bernards presented and stated that staff is recommending disapproval.

Mr. McLean moved and Mr. Clifton seconded the motion, which passed unanimously, to disapprove Final Plat 2007S-096G-04. **(8-0)**

Resolution No. RS2007-166

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007S-096G-04 is **DISAPPROVED. (8-0)**”

- 26. 2007S-100U-08**
Salem Gardens
Map 081-08, Parcels 494, 495
Subarea 8 (2002)
Council District 19 - Ludye N. Wallace

A request for final plat approval to create 3 lots on properties located at 1633 and 1635 6th Avenue North, at the southwest corner of 6th Avenue North and Garfield Street (0.42 acres), zoned MUN and located within an Urban Design Overlay, requested by Salem Gardens LLC and Christina Ricks, owner, Dale & Associates, surveyor.

STAFF RECOMMENDATION: Approve with conditions, including a variance to Section 2-1.2 of the Metro Subdivision Regulations to allow the subdivision to be approved as a minor subdivision.

APPLICANT REQUEST - Concept Plan

A request for final plat approval to create 3 lots on properties located at 1633 and 1635 Sixth Avenue North, at the southwest corner of Sixth Avenue North and Garfield Street (0.42 acres), zoned Mixed Use Neighborhood (MUN) and located within an Urban Design Overlay.

ZONING

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

PLAN DETAILS - The final plat proposes three lots ranging in size from 5,513 sq. ft. to 5,760 sq. ft. fronting onto Garfield Street. Two lots now front onto Sixth Avenue North. The lots are being reconfigured to front onto Garfield Street. With this reconfiguration, a public sewer extension will be required.

Minor/Major Subdivision (Section 2-1.2) -Section 2-1.2 of the Metro Subdivision Regulations specifies what shall be considered a minor subdivision and what shall be considered a major subdivision, the difference being that a minor subdivision is not required to have a development plan. The section specifically lists what is a major

subdivision, including any plat that requires the dedication for right-of-way or easements for the construction of a public water or sewer distribution lines, and any plat where dedications, reservations, improvements or environmental conditions that, in the opinion of the Executive Director with advice from reviewing agencies, require construction documents to be reviewed prior to final plat approval.

Since this plat request will require that public sewer be extended and the adjacent alley improved, the plat is a major subdivision. While the request constitutes a major subdivision under the new regulations, it is inefficient to require a simple three lot subdivision to go through the three step process due to an extension of a water and or sewer line.

When the regulations were adopted on March 9, 2006, it was anticipated that minor corrections would be necessary as a number of new concepts were introduced. After working with the regulations for the past year, a number of issues have been identified, including the need for further clarification of what constitutes a major or minor subdivision. Staff will be bringing amendments to the Subdivision Regulations to the Planning Commission this summer.

At this time, staff is recommending that a variance from Section 2-1.2 be granted and that the request be considered a minor subdivision. While a sewer extension and alley improvement will be required with this plat, all construction plans will be reviewed by the appropriate departments and the plat will not be recorded until such time that all departments have approved the plat and associated construction plans and bonds are posted, as required.

Salem Gardens UDO -These properties are in the Salem Gardens UDO. At the March 22, 2007, meeting, the Planning Commission recommended approval of the cancellation of this UDO. This matter is scheduled for the Council Public Hearing on May 1, 2007, and third reading on May 15, 2007. As a condition of approval, the final plat cannot be recorded until the Salem Gardens UDO is cancelled.

Staff Recommendation -Staff recommends approval with conditions, including a variance to Section 2-1.2 of the Metro Subdivision Regulations to allow the subdivision to be approved as a minor subdivision.

PUBLIC WORKS RECOMMENDATION -Submit roadway construction plans for the unbuilt/unimproved section of Alley #511. Roadway improvements to be bonded with the recording of the plat.

STORMWATER RECOMMENDATION - Approved

WATER SERVICES RECOMMENDATION -Prior to final plat recording, all sanitary sewer plans need to be approved and any necessary bonds posted.

FIRE MARSHAL RECOMMENDATION -Approved.

CONDITIONS

1. Prior to the final plat recording, the Salem Gardens UDO must be cancelled by the Metro Council.
2. Prior to final plat recording, all Metro Water Services requirements in regards to the sewer extension shall be met with plans approved and bonded.
3. Prior to final plat recording, roadway/alley improvement plans will be submitted to Public Works, approved and bonded, if necessary.

Approved with conditions, including a variance to Section 2-1.2 of the Metro Subdivision Regulations to allow the subdivision to be approved as a minor subdivision, (7-0) **Consent Agenda.**

Resolution No. RS2007-167

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007S-100U-08 is **APPROVED WITH CONDITIONS (7-0), including a variance to Section 2-1.2 of the Metro Subdivision Regulations to allow the subdivision to be approved as a minor subdivision.**

Conditions of Approval:

1. Prior to the final plat recording, the Salem Gardens UDO must be cancelled by the Metro Council.

2. Prior to final plat recording, all Metro Water Services requirements in regards to the sewer extension shall be met with plans approved and bonded.
3. Prior to final plat recording, roadway/alley improvement plans will be submitted to Public Works, approved and bonded, if necessary.”

27. 2007S-101U-08
Garfield Place
Map 081-08, Parcel 418
Subarea 8 (2002)
Council District 19 - Ludye N. Wallace

A request for final plat approval to create 3 lots on property located at 600 Garfield Street, at the northwest corner of Garfield Street and 6th Avenue North (0.43 acres), zoned MUN, requested by Tennessee Home Builders LP, owner, Dale & Associates, surveyor.

STAFF RECOMMENDATION: Approve with conditions, including a variance to Section 2-1.2 of the Metro Subdivision Regulations to allow the subdivision to be approved as a minor subdivision.

APPLICANT REQUEST - Concept Plan

A request for final plat approval to create 3 lots on properties located at 600 Garfield Street, at the northwest corner of Garfield Street and 6th Avenue North (0.43 acres), zoned Mixed Use Neighborhood (MUN) and located within an Urban Design Overlay.

ZONING

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

PLAN DETAILS - The final plat proposes three lots ranging in size from 5074 sq. ft. to 6,110 sq. ft. fronting onto Garfield Street. Two lots now front onto Sixth Avenue North. The lots are being reconfigured to front onto Garfield Street. With this reconfiguration, a public sewer extension will be required.

Minor/Major Subdivision (Section 2-1.2) -Section 2-1.2 of the Metro Subdivision Regulations specifies what shall be considered a minor subdivision and what shall be considered a major subdivision, the difference being that a minor subdivision is not required to have a development plan. The section specifically lists what is a major subdivision, including any plat that requires the dedication for right-of-way or easements for the construction of a public water or sewer distribution lines, and any plat where dedications, reservations, improvements or environmental conditions that, in the opinion of the Executive Director with advice from reviewing agencies, require construction documents to be reviewed prior to final plat approval.

Since this plat request will require that public sewer be extended and the adjacent alley improved, the plat is a major subdivision. While the request constitutes a major subdivision under the new regulations, it is inefficient to require a simple three lot subdivision to go through the three step process due to an extension of a water and or sewer line.

When the regulations were adopted on March 9, 2006, it was anticipated that minor corrections would be necessary as a number of new concepts were introduced. After working with the regulations for the past year, a number of issues have been identified, including the need for further clarification of what constitutes a major or minor subdivision. Staff will be bringing amendments to the Subdivision Regulations to the Planning Commission this summer.

At this time, staff is recommending that a variance from Section 2-1.2 be granted and that the request be considered a minor subdivision. While a sewer extension and alley improvement will be required with this plat, all construction plans will be reviewed by the appropriate departments and the plat will not be recorded until such time that all departments have approved the plat and associated construction plans and bonds are posted, as required.

Staff Recommendation -Staff recommends approval with conditions, including a variance to Section 2-1.2 of the Metro Subdivision Regulations to allow the subdivision to be approved as a minor subdivision.

PUBLIC WORKS RECOMMENDATION -Submit roadway construction plans for the unbuilt/unimproved section of Alley #511. Roadway improvements to be bonded with the recording of the plat.

STORMWATER RECOMMENDATION -Approved

WATER SERVICES RECOMMENDATION -Prior to final plat recording, all sanitary sewer plans need to be submitted, approved and any necessary bonds posted.

FIRE MARSHAL RECOMMENDATION -Approved

CONDITIONS

1. Prior to final plat recording, all Metro Water Services requirements in regards to the sewer extension shall be met with plans submitted, approved and bonded.
2. Prior to final plat recording, roadway/alley improvement plans will be submitted to Public Works, approved and bonded.

Approved with conditions, including a variance to Section 2-1.2 of the Metro Subdivision Regulations to allow the subdivision to be approved as a minor subdivision, **(7-0) Consent Agenda**

Resolution No. RS2007-168

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007S-101U-08 is **APPROVED WITH CONDITIONS (7-0), including a variance to Section 2-1.2 of the Metro Subdivision Regulations to allow the subdivision to be approved as a minor subdivision.**

Conditions of Approval:

1. Prior to final plat recording, all Metro Water Services requirements in regards to the sewer extension shall be met with plans submitted, approved and bonded.
2. Prior to final plat recording, roadway/alley improvement plans will be submitted to Public Works, approved and bonded.”

XII. REVISIONS AND FINAL DEVELOPMENT PLANS

- 28. 2005SP-170U-05**
Walden Phase 1a
Map 083-06, Part of Parcel 379
Subarea 5 (2006)
Council District 6 - Mike Jameson

A request for approval of a portion of a final site plan for a portion of property located at 1900 Eastland Avenue, at the southeast corner of Eastland Avenue and N. 18th Street (1.64 acres), to permit the development of 2,235 square feet of office space, 2,235 square feet of retail space, 3,465 square feet of restaurant space, and 8 multi-family units, requested by Civil Site Design Group LLC, applicant for March Egerton, owner.

STAFF RECOMMENDATION: Approve with conditions.

APPLICANT REQUEST - A request for approval of a final site plan for a portion of property located with in a Specific Plan located at 1900 Eastland Avenue, on the southeast corner of Eastland Avenue and N. 18th Street (1.64 acres), to permit the development of 2,235 square feet of office space, 2,235 square feet of retail space, 3,465 square feet of restaurant space, and 8 multi-family units, requested by Civil Site Design Group LLC, applicant for March Egerton owner.

Plan Details Site Plan -The plan is for Phase 1a of the Walden Specific Plan. As proposed, the plan calls for a 2,235 square feet of office space, 2,235 square feet of retail space, 3,465 square feet of restaurant space and 8 residential units to be located within one structure. The new structure will be located along the southeast intersection of Eastland Avenue and Chapel Avenue.

Access and parking - The development will be accessed from Eastland Avenue by a private extension of Chapel Avenue and from an alley along the east property boundary. A total of 49 parking spaces are being provided and are adequate for this type development.

Preliminary Plan - While, the proposed final development plan deviates from the approved preliminary plan, the deviations are minor and do not change the overall concept of the plan. The minor changes are in the layout of the building and parking arrangement. As proposed, the changes in the final site plan for this phase improve the overall project. As proposed, the minor changes will not require any other changes in the overall plan, but minor changes are often needed once actual site engineering has been completed.

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

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. Show and dimension right of way along Eastland Avenue. Label and show reserve strip for future right of way 42 feet from centerline to property boundary, consistent with the approved major street plan (U4 - 84' ROW).
3. Construct alley #751 per Standard Drawing ST-263.
4. Public sidewalk to be located within right of way.
5. Per the recommendations of the TIS, provide one entering and two exiting lanes from the site onto Eastland Avenue. Provide a dedicated left turn lane and a shared through-right lane.
6. Per the findings of the TIS, construct an eastbound and westbound left turn lane on Eastland Avenue at Chapel Avenue/site access with 50 feet of storage and transitions per AASHTO/MUTCD standards.

STORMWATER RECOMMENDATION -Approve with the following conditions:

1. Provide easement for detention pond and WQU (to include egress and ingress) on plans and submit easement documentation and fees.
2. Complete the Inspection and Maintenance Agreement and provide appropriate recording fees.
3. Add WQU to facilities list in the long term maintenance plan.
4. Provide a vicinity map on the plans.
5. Provide NPDES NOC letter and include the permit number on the plans.
6. Provide erosion and sediment control measures on a separate plan sheet.
7. Provide a plan sheet that shows existing site features (buildings, pavement, gravel, etc.).
8. Provide erosion control matting for slopes 3:1 or steeper with a civil detail.
9. Provide construction schedule for current project and include phasing information for entire site.
10. Provide drainage maps of existing conditions and proposed conditions, to include flow patterns, area, CN, and Tc in support of routing calculations. Include all offsite drainage that contributes to runoff area.
11. Explain why the post developed curve number is lower than the existing conditions curve number.
12. Label the emergency spillway for the pond on the plans including the spillway elevation and what type of material is being used for the spillway.
13. Provide a minimum of 1.0' of freeboard between the 100-yr water surface elevation and the top of berm for the pond.
14. Provide a correct pond outlet control structure detail. The detail provided has incorrect elevations, pipe sizes, and weir information as compared to the routing calculations.
15. Provide drainage map showing area to be treated for water quality.
16. Provide calculations for the 3 month water quality flow to be treated by the water quality unit. Include this flow along with the 10 year flows on the detail for the water quality unit.
17. Provide water quality unit (WQU) detail that calls out site specific elevations. Orientation of WQU on site plan (side invert) doesn't match end invert shown on detail. Re-orient the water quality unit on the plans showing an "end to end" connection".
18. It appears that there are details on sheets C6.01 and C6.02 that are not for this project. See detail for two trapezoidal ditch sections and a retaining wall.

CONDITIONS

1. Prior to the issuance of any building permits all signs and placement must be approved by Metro Planning.

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 MUN zoning district.
3. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
4. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
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. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
7. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.
8. 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. RS2007-169

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005SP-170U-05 is **APPROVED WITH CONDITIONS. (7-0)**

Conditions of Approval:

1. Prior to the issuance of any building permits all signs and placement must be approved by Metro Planning.
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 MUN zoning district.
3. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
4. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
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. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
7. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.

8. 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.”

29. 201-69-G-12

Starpointe, Ph. 1 & 2
Map 183-00, Parcels 009, 036
Subarea 12 (2004)
Council District 31 - Parker Toler

A request for final approval of a Planned Unit Development located at 13105 Old Hickory Boulevard and Old Hickory Boulevard (unnumbered), at the northeast corner of Old Hickory Boulevard and Muci Drive, classified CS (5.0 acres), to permit the development of a 100 unit hotel containing 74,250 square feet and 12,500 square feet of retail space, requested by Lukens Engineering, applicant, for Byron Bush, owner.

STAFF RECOMMENDATION: Approve with conditions.

APPLICANT REQUEST - Final PUD

A request for final site plan approval for a Planned Unit Development located at 13105 Old Hickory Boulevard and Old Hickory Boulevard (unnumbered), at the northeast corner of Old Hickory Boulevard and Muci Drive, classified Commercial Service (CS) (5.0 acres), to permit the development of a 100 unit hotel containing 74,250 square feet and 12,500 square feet of retail space.

PLAN DETAILS

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

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

Parking - A total of 169 parking spaces are required with 106 spaces required for the hotel, and 63 spaces required for the retail use. The plan calls for a total of 179 spaces with 87 parking spaces provided for Phase 1, and 92 parking spaces provided for Phase 2. As proposed, the number of parking spaces being provided for Phase 1 (87) does not meet the minimum required number of spaces for the use (109). In order to meet the minimum number of parking spaces required for Phase 1, the phase line should be modified to include more parking, or the hotel should be reduced in size. Also, if the current owner plans to subdivide the property between the two uses, then adequate parking will have to be provided on each lot and or a parking agreement must be drawn up and must meet standards for shared parking specified in Section 17.20.100 of the Metro Zoning Code.

Preliminary Plan - This PUD was originally approved in 1969 for approximately 14,300 square feet of retail and an 88,500 square foot motel with 100 units. There appear to have been numerous proposed changes to the PUD in the past, but limited records indicate that the original 1969 plan is the only approved plan. A revised PUD plan was approved by the Commission in January of 2007, and as proposed this final plan is consistent with that plan. As proposed, there will be approximately 16,050 square feet of unused development rights remaining in this PUD.

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

PUBLIC WORKS RECOMMENDATION

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.
3. Widen Old Hickory Boulevard to provide a left turn lane with 100' of storage and transition per ASSHTO/MUTCD standards.

STORMWATER RECOMMENDATION - Approve with the following comments:

1. Provide NPDES NOC and include the permit number the site is covered under on the note on the plans.
2. Provide appropriate recording fees for stormwater detention maintenance agreements.
3. Provide easement documentation and appropriate fees for underground detention and drainage features that route off-site drainage through/around site.
4. Provide letter from TDOT for grading in right-of-way.
5. Erosion control details need to reference Metro's Erosion Control Manual. Provide the appropriate TCP-xx number on the details.
6. Provide details of outlet structures 1OS and 2OS.
7. Phase 2 calculations are incomplete. Provide correct phase 2 numbers.
8. 15" pipe needs to be limited to 50' segments or less. Reduce the length of the pipe, add a junction box, or increase the size to 18".
9. On sheet C2-2, in TDOT row, the reference to "229 LF of 18" RCP" does not reference anything on plans.
10. Provide supporting calculations for the capacity of the 12' x 6' Box and design drawings/details.
11. Provide inlet and outlet calculations for culverts.
12. Tc for existing conditions of 5 min is inaccurate. 5 minutes would be only for completely paved surfaces. Provide correct Tc and calculations for existing conditions.
13. Provide approval from TDEC and Stormwater variance for buffer zone disturbance.
14. Advanced erosion control features and silt fence is required on slope in South corner of Phase 2.
15. May need Nationwide Permit from Army Corp of Engineers for proposed 12' x 6' box culvert installation in blue line stream.

CONDITIONS

1. In order to meet the minimum number of parking spaces required for Phase 1, the phase line shall be modified to include more parking, or the hotel shall be reduced in size. Also if the current owner plans to subdivide the property between the two uses, then adequate parking shall be provided on each lot and or a parking agreement must be drawn up and must meet the standards specified in Section 17.20.100 of the Metro Zoning Code for shared parking.
2. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
3. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
4. 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.
5. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
6. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
7. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.
8. 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. RS2007-170

“BE IT RESOLVED by The Metropolitan Planning Commission that 201-69-G-12 is **APPROVED WITH CONDITIONS. (7-0)**

Conditions of Approval:

1. In order to meet the minimum number of parking spaces required for Phase 1, the phase line shall be modified to include more parking, or the hotel shall be reduced in size. Also if the current owner plans to subdivide the property between the two uses, then adequate parking shall be provided on each lot and or a parking agreement must be drawn up and must meet the standards specified in Section 17.20.100 of the Metro Zoning Code for shared parking.
2. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
3. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
4. 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.
5. The requirements of the Metropolitan Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
6. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
7. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.
8. 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.

-
- 30. 74-79-G-13**
Nashboro Village (PUD Cancellation)
Map 135-00, Parcel 418
Subarea 13 (2003)
Council District 29 - Vivian Wilhoite

A request to cancel a portion of a Planned Unit Development overlay district, that portion being located at the southwest corner of Nashboro Boulevard and Flintlock Court, zoned One and Two-Family Residential (R10) (3.46 acres), approved for approximately 27,600 square feet of commercial, requested by Councilmember Vivian Wilhoite.

STAFF RECOMMENDATION: Disapprove.

The Metropolitan Planning Commission DEFERRED Planned Unit Development 74-79-G-13 to May 24, 2007, at the request of the applicant. (7-0)

- 31. 300-84-U-04**
Coventry Woods, Sec. 2
Map 052-01, Parcels 148, 149
Subarea 4 (1998)
Council District 9 -Jim Forkum

A request to revise the preliminary plan and for final approval of a Planned Unit Development District located at 421 and 501 Forest Park Road, approximately 720 feet north of Neeley's Bend Road, classified RS5 district, (4.05 acres), to remove a pool house and pool and permit the construction of 47 multi-family units, requested by Dale and Associates, appellant, for Hermosa Holdings, owner.

STAFF RECOMMENDATION: Disapprove. If approved, staff recommends that it be considered an amendment to the preliminary plan and that plan be redesigned to address the issues identified in this staff report.

APPLICANT REQUEST - Revise Preliminary & Final PUD

A request to revise the preliminary plan and for final approval of a residential Planned Unit Development District located at 421 and 501 Forest Park Road, approximately 720 feet north of Neeley's Bend Road, classified Single-Family Residential (RS5), (4.05 acres), to remove a pool house and pool and permit the construction of 47 multi-family units.

PUD PLAN DETAILS - The plan proposes 47 multi-family units on approximately 4 acres for a density of approximately 12 units per acre. As proposed, all units will be accessed from a private drive off Forest Park Road as well as through the existing Coventry Woods, Phase 1 development to the north. While the plan calls for the same number of units previously approved, the layout is significantly different. Also, the pool house and pool that were included on the approved preliminary plan have been eliminated. This proposed new plan is designed to allow for this phase to connect to future phases to the south within this overlay.

History - In reviewing previous staff reports for this project, it appears there has been some confusion over what was included in the original PUD overlay. According to the last recommendation written for this PUD in 2004, the original plan included the Coventry Woods, Phase 1, to the north. Additional staff research has shown that Coventry Woods, Phase 1, was actually a separate PUD (56-84-G-04) as adopted by Council Bill 84-218. While it is unclear if the two properties were ever within the same overlay, they clearly have been linked from the first time the project was proposed.

The original preliminary plan for this PUD as adopted by Council Bill 84-611, was for 90 units including 10 flats and 80 town homes. Since its approval, there have been several attempts to cancel the overlay, each of which has failed. As stated previously, this PUD and the PUD to the north are linked and the properties were once under common ownership. According to Planning Department records, the attempts to cancel this PUD appear to have failed because the residents of Coventry Woods, Phase 1, were promised amenities, including a pool and pool house, with the construction of Phase 2. In 2002, the Planning Commission recommended approval of an amendment, which requires Council approval, for 40 units without the pool and clubhouse. The plan was considered an amendment because of the elimination of the pool and clubhouse from the plan. While the Commission recommended approval, Council never approved the bill (Bill 2002-957), and it was ultimately withdrawn. In 2004 a revision of the PUD was approved by the Commission for 47 multi-family units with a pool and pool house.

The applicant has requested that this plan be considered as a revision to the PUD overlay, but staff recommends that the proposed removal of the pool and pool house from the plan is an amendment that requires Council approval. Section 17.40.120 of the Metro Zoning Code specifies the changes that require Council approval. One change that requires Council approval is any modification of special performance criteria, design standards, or other requirements specified by the enacting ordinance (Section 17.40.120.F.1.b). Removal of the pool and pool house that were approved with the preliminary plan requires Council approval because these amenities were required with the originally adopted plan. Furthermore, with the past request to remove the pool and pool house requiring Council approval the precedent has already been established.

Since staff determined the application to be an amendment, staff has requested that the applicants consider a redesign. As proposed, lots 1 through 6 along the northern property line will be double frontage lots with the back decks being within 5 feet of the private drive in Coventry Woods, Phase 1. A new layout that does not include units backing so close to a private drive needs be designed and submitted for consideration.

Staff Recommendation - Staff recommends that this request be disapproved. If approved, staff recommends that it be considered an amendment to the preliminary plan that must be approved by the Metro Council, and that the project be redesigned to address design issues identified by staff.

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

STORMWATER RECOMMENDATION - Approved

CONDITIONS

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

Mr. Swaggart presented and stated that staff is recommending approval with conditions as an amendment to the preliminary plan and that the plan be redesigned to address the issues identified in the staff report.

Mr. Michael Garrigan, 516 Heather Place, spoke in favor of the proposed development.

Mr. Greg Page, 5744 Murphywood Crossing, spoke in favor of the proposed development.

Mr. Kevin Estes, 516 Heather Place, spoke in favor of the proposed development.

Mr. Clifton requested clarification on the specifics on whether an action was considered an amendment or a revision.

Mr. Swaggart explained these terms to the Commission.

Mr. Clifton requested clarification on staff's recommendation of approving this development as amendment.

Mr. Swaggart explained staff's recommendation to the Commission. He mentioned several concerns that staff had with the design, which would require Council approval.

Mr. McLean requested further clarification on the design submitted by the applicant in relation to the previous submittals in the past years.

Mr. Swaggart explained this information to the Commission.

Ms. Nielson confirmed that the concerns conveyed by staff included the six units which backed up to main road.

Mr. Swaggart explained that the staff concerns revolve around the layout of the proposal.

Ms. Nielson offered that the plan could possibly be approved as a revision, if the approval included conditions to address staff's issues.

Mr. McLean requested clarification on the processes if the proposal was approved as is, by Council.

Mr. Swaggart explained this to the Commission.

Mr. Bernhardt explained that this planned unit development was originally planned with a pool and a clubhouse, and constituents purchased units expecting these amenities. He further explained that staff believes it is up to the Council to remove these amenities from the development.

Mr. Bernhardt further explained that staff is recommending the possibility of redesigning this development.

Ms. Nielson moved to approve Planned Unit Development 300-84-U-04 as an amendment, with the condition that staff continue their work with the owner on the design of the development.

The motion was not seconded.

Mr. Clifton requested clarification on whether the base zoning would need to be changed if the plan were sent to Council as an amendment.

Mr. Swaggart explained this information to the Commission.

Mr. Clifton requested additional information regarding the applicant's submittal in relation to the units containing decks.

Ms. Jones requested clarification of the plan included in the Commissioner's packets in relation to the plan that was shown during the presentation.

It was confirmed that the plan included in the packet was the correct plan that was being submitted for the Commission's recommendation.

Ms. Beehan requested clarification on whether the recommendation to approve as a revision would invite legal action.

Mr. Morrissey stated that the Commission should not base their decisions on whether litigation would be possible.

Mr. Clifton moved and Mr. McLean seconded the motion, to approve as a revision, Planned Unit Development 300-84-U-04 which was submitted April 7, 2007 and which was included in the staff report. **(7-1) No Vote – Nielson**

Resolution No. RS2007-171

“BE IT RESOLVED by The Metropolitan Planning Commission that 300-84-U-04 is APPROVED AS A REVISION TO THE PUD. (7-1)”

- 32. 23-85-P-13**
Forest View Park (PUD Cancellation)
Map 150-00, Parcel 237
Subarea 13 (2003)
Council District 29 - Vivian Wilhoite

A request to cancel the Planned Unit Development District Overlay on property located at Forest View Drive (unnumbered), approximately 400 feet east of Murfreesboro Pike, that was previously approved for 212 multi-family units (7.84 acres), zoned R10, requested by Councilmember Vivian.

STAFF RECOMMENDATION: Disapprove.

The Metropolitan Planning Commission DEFERRED Planned Unit Development 23-85-P-13 to May 24, 2007, at the request of the applicant. (7-0)

- 33. 78-86-P-12**
The Shoppes at Shadow Glen (Southmark Commerical)
Map 161-00, Parcel 258
Subarea 12 (2004)
Council District 31 - Parker Toler

A request for final approval for a portion of the Commercial Planned Unit Development located at 5843 Nolensville Pike, classified CL, (1.08 acres), to permit the development of 11,170 square feet of retail and office space in a two-story building, requested by Civil Site Design, for Patricia Embree, owner.

STAFF RECOMMENDATION: Approve with conditions.

APPLICANT REQUEST - Revise Preliminary & Final PUD

A request for final approval for a portion of the Commercial Planned Unit Development located at 5843 Nolensville Pike, classified Commercial Limited (CL), (1.08 acres), to permit the development of 11,170 square feet of retail and office space in a two-story building.

PLAN DETAILS

History In 2005, this PUD was amended to allow the development of a 2-story building with 5,100 square feet of retail uses on the first floor and 5,100 square feet of general office uses on the second floor. Within a PUD, square footage may be increased 10% without being considered an amendment requiring Metro Council approval. The applicant is proposing 11,170 square feet, slightly less than the maximum 10% additional square footage allowed. The currently proposed plan is essentially the same as the amendment approved in 2005, except that it contains 970 additional square feet of building area.

Parking The parking requirement of one parking space for every 200 feet of retail use and one space for every 300 feet of general office use has been fulfilled. The applicant has complied with the required 47 parking spaces.

Access There is an existing entrance drive for the Shadow Glen townhomes, located in the residential part of the PUD to the west. The proposed building would access this entrance drive twice for two parking areas.

Environmental This property has floodway and floodplain, and the applicant has shown both of these on the plans. The applicant has labeled the required 50 foot stormwater buffer, but has received a stormwater appeal (case 2005-016) to encroach within it about 10-15 feet with the edge of the parking lot. This portion of the parking lot will consist of pervious material. The water quality/detention area is proposed just south of the proposed retail building.

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

STORMWATER RECOMMENDATION - Approve with conditions

1. Provide a signed stormwater detention maintenance agreement with appropriate recording fees.
2. Provide easement documentation and location on the plan set for the pipe that carries offsite flow through

- your property, WQ unit, and detention structure. Include fees.
3. The erosion control blanket called out on the plan set should be Landlok S2 instead of Landlock 52.
 4. Include a note on the plan set certifying that your site is less than 1 acre and does not require a NOC.
 5. Sign and date the EPSC note.
 6. Include a note on the plan set stating that erosion control measures are not to be removed until final site stabilization is achieved.
 7. Has the flow from the rooftop been included in the storm system design? It is unclear from the drainage map. Indicate roof drainage on plans.
 8. Include pipe calculations for the onsite storm system including the actual flow in each pipe, HGL's and flow velocities ensuring that minimum and max velocities are met.
 9. The slope of the 12" pipe is very steep. Additional riprap required. Show calculations on sizing.
 10. Provide an existing conditions drainage map showing flow patterns and delineated area.
 11. Include the delineated pond bypass area on the proposed conditions drainage area map.
 12. Include detail for pervious pavement. Provide extent of pervious pavement on grading plan.
 13. Is the 4" perf. pipe connected to the single catch basin? Where does the 15" pipe enter manhole detention structure? Are 4" perf. pipe and 15" pipe in conflict? Provide inverts of 4" pipe.
 14. Include dimensions on underground detention structure. Make sure calculations are correct in terms of detention size and the area of the site that enters the detention. Underground detention needs to be more clearly defined. Details are also unclear. How will water drain into detention area? What is rock size? How was volume calculated? Voids?
 15. Inflow and outflow elevations on the water quality structure are incorrect.
 16. Include the as-built note on the plan set for the underground detention structure and the water quality unit.
 17. The capacity calculations provided for the box are for a 5' x 5' box. The structure shown in the plan set is a 5 x 10 box.
 18. The variance lists the minimum width of a swale draining from the project site at 25'. The northern swale appears larger than this.
 19. Include a note on the plans set requiring contractor to field stake the buffer as requested in #5 on the appeal.
 20. Provide erosion control protection for the grading around the outlet pipes.
 21. Does the entire east parking lot need to be pervious pavement per the appeal? It is not currently.
 22. #10 on the variance letter states that the variance expires one year from the date of the letter and the letter is dated in 2005.
 23. Grading is being shown in the floodplain. Cross sections and cut/fill calculations are required.
 24. Include pipe calculations for the system carrying offsite flow through the project site. Provide HGL's, velocities and how the actual flow was obtained.

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. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.
6. 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. RS2007-172

“BE IT RESOLVED by The Metropolitan Planning Commission that 78-86-P-12 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. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.
6. 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.”

- 34. 2004P-033G-06**
Loveless Café
Map 169, Parcels 013, 014
Subarea 6 (2003)
Council District 35 - Charlie Tygard

A request to amend the preliminary plan for a Planned Unit Development district located at 8400 Highway 100, along the north side of Highway 100 and the west side of Westhaven Drive, classified CL, (8.4 acres), to add 4 acres of land located at 8960 McCrory Lane, revise the overall site layout, and to increase the approved total square footage from 22,475 square feet to 25,472 square feet with 12,612 square feet of retail, 4,860 square feet of restaurant, 8,000 square feet of banquet hall and 279 parking spaces, requested by Tuck Hinton Architects, for Loveless Properties LLC and P.E. Ventures LLC, owners.

STAFF RECOMMENDATION: Approve with conditions.

APPLICANT REQUEST - Amend Preliminary PUD

A request to amend the preliminary plan for a Planned Unit Development district located at 8400 Highway 100, along the north side of Highway 100 and the west side of Westhaven Drive, classified Commercial Limited (CL), (8.4 acres), to add 4 acres of land located at 8960 McCrory Lane, revise the overall site layout, and to increase the approved total square footage from 22,475 square feet to 25,472 square feet with 12,612 square feet of retail uses, 4,860 square feet of restaurant uses, a 8,000 square feet of banquet hall, and an outdoor events lawn.

PLAN DETAILS

Site Plan - The plan calls for 2,997 square feet of additional development rights within the existing PUD boundary and on adjacent property proposed to be added within the PUD overlay. Currently, the total land area within the PUD is 4.43 acres. If this amendment is approved the PUD boundary will contain approximately 8.4 acres. As proposed, the majority of the additional uses will be in the form of commercial retail. Currently, the PUD includes a restaurant and various commercial retail uses.

The additional uses will be located behind the existing buildings with the exception of one small retail unit that will be located along Highway 100. All the proposed retail units, banquet hall and 8,000 square feet events lawn will be within the current PUD boundary. The adjacent property proposed to be included in the PUD overlay will be used for surface parking. The property to be added to the PUD overlay is to the west and abuts McCrory Lane.

Access and Parking - Currently, the PUD is accessed from Highway 100, but as proposed, there will be additional access at two points on McCrory Lane with one access point identified as "future access". As proposed, the overall PUD will require 192 parking spaces. The plan calls for a total of 320 parking spaces with 219 spaces provided and 101 deferred parking spaces. The 219 exceeds the required parking and will be provided on paved surface lots and the 101 deferred parking spaces will be on a grass area and will be used as an overflow parking area.

Buffering - The development is adjoined by a single-family residential district (RS40) to the north and east and an agricultural and residential district (AR2a) to the west and requires a "C" class buffer yard along the perimeter of the property boundary. The plan proposes to use a 20 foot wide C-4 buffer yard. Also, McCrory Lane is classified as a Scenic Arterial, and the required Scenic Arterial Landscape Easement is identified on the plan.

The proposed events lawn will be located to the rear of the property and will be within 60 feet of a single-family residential district to the north. In addition to the required "C" buffer yard, the plan proposes an additional area of screening and buffering between the events lawn and the single-family residential district to the north.

History - The preliminary PUD was approved for 22,786 square feet of floor area by the Metro Council in January 2005. The last revision to the plan was approved by the Planning Commission on November 11, 2005. Changes from the last approved plan includes the rearrangement of the layout, a decrease in the size of the banquet hall, additional commercial retail space, an 8,000 square foot events lawn, and additional parking.

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

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. Update the previously approved access study to address the new driveway connection onto McCrory Lane.

STORMWATER RECOMMENDATION - Approved

CONDITIONS:

1. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
2. 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.
3. Subsequent to enactment of this planned unit development overlay district by the Metropolitan Council, and prior to any consideration by the Metropolitan Planning Commission for final site development plan approval, a paper print of the final boundary plat for all property within the overlay district must be submitted, complete with owner’s signatures, to the Planning Commission staff for review.
4. 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.
5. The requirements of the Metropolitan Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
6. 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.
7. 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. RS2007-173

“BE IT RESOLVED by The Metropolitan Planning Commission that 2004P-033G-06 is **APPROVED WITH CONDITIONS. (7-0)**

Conditions of Approval:

1. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
2. 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.
3. Subsequent to enactment of this planned unit development overlay district by the Metropolitan Council, and prior to any consideration by the Metropolitan Planning Commission for final site development plan approval, a paper print of the final boundary plat for all property within the overlay district must be submitted, complete with owner’s signatures, to the Planning Commission staff for review.
4. 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.
5. The requirements of the Metropolitan Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
6. 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.

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

The proposed PUD plan is consistent with the intent of the originally approved plan and the Bellevue Community Plan's Neighborhood Center policy, which is intended to provide centrally located conveniences for area residents."

35. 2006P-007G-12

Cane Ridge Estates
Map 174, Parcel 075
Subarea 12 (2004)
Council District 32 - Sam Coleman

A request to revise the preliminary plan and for final approval of a Planned Unit Development located east of Cane Ridge Road, at the terminus of Bison Court, classified RS10, (10.00 acres), to permit the development of 29 single-family lots, requested by Dale and Associates, for R.J. Rentals, owner.

STAFF RECOMMENDATION: Approve with conditions.

APPLICANT REQUEST - Revise Preliminary & Final PUD

A request to revise the preliminary plan and for final approval of a Planned Unit Development located east of Cane Ridge Road, at the terminus of Bison Court, classified Single-Family Residential (RS10), (10 acres), to permit the development of 29 single-family lots.

PLAN DETAILS - The development is accessed through the existing Cane Ridge Farms development's Bison Court and proposes future connections to the west. The plan proposes 29 single-family lots that are clustered down to a minimum lot size of 6,250 square feet. The Council-approved Master Plan included 30 single-family lots, but one lot was lost in satisfying a condition to meet the open space cluster lot requirements.

The original plan included a stub street to the undeveloped property to the south, crossing a stream at an awkward angle. Since that plan was approved, Metro Stormwater and the Tennessee Department of Environment and Conservation have become concerned with preserving water quality buffers along Metro's community waters and would prefer this stream crossing be removed since there are two connections in the adjacent Cane Ridge Subdivision that connect to the developing Evergreen Hills SP on the south. There are two connections proposed to the west from the Evergreen Hills SP, so overall connectivity in the area would not be impaired by removing the stub street. The applicant estimates that the 1.5 acres that would be disturbed by the stub street can remain in a natural state if the stub street is not required. A pedestrian bridge is proposed to maintain pedestrian connectivity around the stream.

Open Space - There is 17.1% open space proposed as calculated by the applicant, which would meet the minimum 15% requirement for cluster lot option policy. This is more than the 15.8% proposed in the original plan and it is more contiguous than was proposed previously.

Infrastructure Deficiency Area - This property is located within an infrastructure deficiency area for transportation established by the Planning Commission in the Southeast Community Plan. The applicant's obligation for the transportation network is 130 feet of roadway. The applicant shall coordinate with Public Works to determine how to meet this requirement prior to final plat approval.

Staff Recommendation - Staff recommends approval with conditions of the revised plan.

STORMWATER RECOMMENDATION - Approve the revised plan removing the stream crossing. Stream crossings destroy buffer segments, which reduce the water quality benefits buffers provide. These benefits include stream bank stabilization, pollutant removal, flood protection, temperature moderation, and the input of woody debris and carbon to support the base of the food chain. The benefits of buffers are maximized when they are in unbroken corridors. Buffer disruptions provide a direct path of stormwater to the stream without the treatment provided by sheet flow through vegetation. The areas adjacent to crossings are also more prone to erosion due to the

removal of the root systems that help hold the soil in place. Stream crossings, even the less invasive spans, usually result in a disturbance to the stream bottom and in the worse case result in fractured bedrock.

PUBLIC WORKS RECOMMENDATION - Any approval is subject to Public Works approval of the construction plans. Final design and improvements may vary based on field conditions.

CONDITIONS

1. The sidewalk connection to the Metro School property to the north and the pedestrian connection to the south will be included in the bond for street and sidewalk construction.
2. Within residential developments all utilities are to be underground. The utility providing the service is to approve the design and construction. The developer is to coordinate the location of all underground utilities. Conduit for street lighting is required in the General Services District.
3. This application’s infrastructure deficiency area obligation is 130 feet of roadway. The applicant shall coordinate with Public Works to determine how to meeting this requirement prior to final plat approval.
4. 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.
5. 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.
6. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
7. The requirements of the Metropolitan Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
8. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until five (5) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
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. 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. RS2007-174

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006P-007G-12 is **APPROVED WITH CONDITIONS. (7-0)**

Conditions of Approval:

1. The sidewalk connection to the Metro School property to the north and the pedestrian connection to the south will be included in the bond for street and sidewalk construction.
2. Within residential developments all utilities are to be underground. The utility providing the service is to approve the design and construction. The developer is to coordinate the location of all underground utilities. Conduit for street lighting is required in the General Services District.
3. This application’s infrastructure deficiency area obligation is 130 feet of roadway. The applicant shall

- coordinate with Public Works to determine how to meeting this requirement prior to final plat approval.
4. 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.
 5. 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.
 6. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
 7. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
 8. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until five (5) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
 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. 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."

36. 2003UD-003U-13

Ridgeview UDO, Ph. 1
 Map 163-00, Parcel 122
 Subarea 13 (2003)
 Council District 33 -Robert Duvall

A request to revise the preliminary and for final approval for a portion of the mixed-use Ridgeview Urban Design Overlay district located on the east side of Bell Road (unnumbered), zoned RM9 and MUL (29.5 acres), to permit the construction of 150 units consisting of 099 attached townhouses, 22 attached patio units, 5 lots 35' wide, and 24 lots 50' wide, replacing 99 attached townhouses, 27 lots 35' wide, and 24 lots 50' wide, requested by Dale and Associates, applicant for Ridgeview Heights, LLC, owner.

STAFF RECOMMENDATION: Approve with conditions.

APPLICANT REQUEST-Revise Preliminary & Final PUD

A request to revise the preliminary and for final approval for a portion of the mixed-use Ridgeview Urban Design Overlay district located on the east side of Bell Road (unnumbered), zoned Multi-Family Residential (RM9) and Mixed Use Limited (MUL) (29.5 acres), to permit the construction of 150 residential units.

URBAN DESIGN OVERLAY

Zoning Ordinance Section 17.36.270 -The purpose of the urban design overlay district is to allow for the application and implementation of special design standards with the intent of achieving a sense of place by fostering a scale and form of development that emphasizes sensitivity to the pedestrian environment, minimizes the intrusion of the automobile into the urban setting, and provides for the sensitive placement of open spaces in relation to building masses, street furniture, and landscaping features in a manner otherwise not insured by the application of the conventional bulk, landscaping, and parking standards of the Zoning Ordinance.

The urban design overlay enables the creation of a mixed-use, mixed-income, walkable neighborhood through a mixture of building types and an interconnected compact form. The overlay is different than a typical planned unit development because it allows for the better integration of different uses, building types, and streets, which work together to form a cohesive environment. Furthermore, design standards for streets, buildings, open space, landscape, and streetscape components are specific to the site and intent of the overlay, therefore contributing to the desired end result.

PLAN DETAILS

Site Plan - The plan proposes a total of 150 residential units with 99 attached town homes, 22 attached patio units, 5 detached single-family units on 35' wide lots and 24 detached single-family units on 50' wide lots. Some lots will be front loaded from public streets, while some will be rear loaded from public alleys. The plan identifies approximately 11 acres of open space. While some open space will be passive, some will be active, and will allow for new outdoor recreational opportunities within the area.

This plan proposes very few changes from the last approved final plan. Major changes include proposed unit types, but do not propose any significant change to the layout.

Previous approved unit count:

- 99 rear loaded town homes units (town homes consist of a mix of 18', 22' and 24' wide lots),
- 24 front loaded single family lots – 50' wide,
- 27 front or rear loaded single family lots – 35' wide.

Proposed unit count:

- 99 rear loaded town homes units (town homes consist of a mix of 18', 22' and 24' wide lots),
- 24 front loaded single family lots – 50' wide,
- 5 front or rear loaded single family lots – 35' wide lots,
- 18 rear loaded patio units (each lot is 35' wide),
- 4 front loaded patio units.

Also minor layout deviations from the last approved plan include shifts in the location of open space. The changes in open space are an improvement from the last approved plan because they provide for more centralized access to larger areas of active open space, as well as future development phases.

History - The preliminary UDO was approved by the Planning Commission in 2003. The approved preliminary was for a mixture of building types with the total number of units not to exceed 936. Final approval was granted by the Planning Commission for this phase in 2006.

As the overall unit count within the entire UDO must be consistent with the approved UDO plan, the proposed shift in unit types in this phase will subsequently require shifts in unit types in future phases.

Staff Recommendation -Since the proposed plan is consistent with the intent of the preliminary UDO, staff recommends that the request be approved with conditions.

PUBLIC WORKS RECOMENDATION

1. Public Works' design standards, including cross-sections, geometry, and off-site improvements, shall be met prior to approval of roadway or site construction plans. Final design and improvements may vary based on field conditions.
2. In accordance with the recommendations of the TIS:
 - a. Construct project access drive at Bell Road with one entering and two exiting lanes (LT and RT) each with 350 ft of storage and transitions per AASHTO/MUTCD standards.
 - b. Construct northbound right turn lane on Bell Road at project access drive with 150 ft of storage and transitions per AASHTO/MUTCD standards.
 - c. As a part of future project phases, update TIS to provide further traffic analysis and make additional recommendations to mitigate the impact of traffic from this development at the following intersections with

Bell Road: project access, Bell Forge Lane, and Mt. View Road.

STORMWATER RECOMMENDATION - Approve

CONDITIONS

1. Prior to the issuance of grading permits, and prior to final plat approval, a revised final UDO plan shall be submitted including revised alley layouts at street intersections.
2. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
3. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Section of the Metropolitan Department of Public Works for improvements within public rights of way.
4. This approval does not include any signs. All signage must be approved by the Planning Commission.
5. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
6. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission.
7. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
8. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.

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

Resolution No. RS2007-175

“BE IT RESOLVED by The Metropolitan Planning Commission that 2003UD-003U-13 is **APPROVED WITH CONDITIONS. (7-0)**

Conditions of Approval:

1. Prior to the issuance of grading permits, and prior to final plat approval, a revised final UDO plan shall be submitted including revised alley layouts at street intersections.
2. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
3. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Section of the Metropolitan Department of Public Works for improvements within public rights of way.
4. This approval does not include any signs. All signage must be approved by the Planning Commission.
5. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
6. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four

- (4) copies of the corrected/revise plans have been submitted to and approved by staff of the Metropolitan Planning Commission.
7. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
 8. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.”

XIII. OTHER BUSINESS


37. Executive Director Reports
38. Legislative Update

XIV. ADJOURNMENT

The meeting was adjourned at 8:55 p.m.

Chairman

Secretary



The Planning Department does not discriminate on the basis of age, race, sex, color, national origin, religion or disability in access to, or operation of its programs, services, activities or in its hiring or employment practices. **ADA inquiries should be forwarded to:** Josie L. Bass, Planning Department ADA Compliance Coordinator, 800 Second Avenue South, 2nd. Floor, Nashville, TN 37201, (615)862-7150. **Title VI inquiries should be forwarded to:** Michelle Lane, Metro Title VI Coordinator, 222 Third Avenue North, Suite 200, Nashville, TN 37201, (615)862-6170. **Contact Department of Human Resources for all employment related inquiries** at (615)862-6640.